

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
144 Langdon Street

Zoning: DR2

Owner: Wisconsin Association Theta Delta Chi

Technical Information:

Applicant Lot Size: Other **Minimum Lot Width:** 40'
Applicant Lot Area: 6,650 sq. ft. **Minimum Lot Area:** 3,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.079 (2)

Project Description: Three-story lodging/fraternity house, currently vacant. Construct fourth story addition to the rear. Complete interior remodeling is also proposed.

Zoning Ordinance Requirement: 20' 0"
Provided Setback: 9' 5"
Requested Variance: **10' 7"**

Comments Relative to Standards:

1. Conditions unique to the property: The existing lot is one of four development sites split from a single 66' wide lot that spans from Langdon Street to Lake Mendota, approximately 450'. Each of the resulting lots is about 66' deep, and the lots are significantly wider than they are deep, with a relatively shallow resulting lot depth. The lot also slopes from south to north (toward the lake). This subdivision occurred nearly 100 years ago, under different zoning requirements, with the area to the north providing open space for the occupants of the property.
2. Zoning district's purpose and intent: The regulation being requested to be varied is the *rear yard setback*. In consideration of this request, the *rear yard setback* is intended to provide buffering between developments, generally resulting in a space between building bulk placed on lots, to mitigate potential adverse impact. The regulation also attempts to establish a common "rear yard" area where principal structures are not constructed, more uniform in regular grid-type lots. The proposed addition is at the 4th level of the building and the addition doesn't project any further into the rear yard setback than the existing building. The building and addition appear generally in-line with the neighboring buildings on either side, resulting in a common pattern for the rear yard setback. This project appears to result in development that is consistent with the purpose and intent of the DR2 district.

3. Aspects of the request making compliance with the zoning code burdensome: The existing location of the building is fixed, and cannot be reasonably modified to accommodate the required setback. Construction of the addition at the required setback results in an unusual building design, introduces difficult/expensive/complicated construction measures for the addition to be built in compliance with building code requirements, and limits the reasonable functionality of the space for dwelling purposes.
4. Difficulty/hardship: The building was originally constructed in 1926 as a fraternity house. See comments #1 and #3 above.
5. The proposed variance shall not create substantial detriment to adjacent property: The proposed addition is located at the top-level of the building and is slightly set into the existing rear/side building walls. The impact of the addition is further minimized by a design that is below the existing peak of the roof and designed as part of the roof, to further minimize its bulk. The rear yard is adjacent to the driveway of the neighboring building, and the building to the rear is approximately 30' from the building in the subject lot.
6. Characteristics of the neighborhood: The project involves the restoration of a historic building in the neighborhood, maintaining the character of the area. This expansion would be considered orderly development.

Other Comments: This project will require Conditional Use approval from the Plan Commission for renovations and expansion of a fraternity house in the DR2 zoning district.

The project also represents compliance with retroactive building code mandated requirements for student housing facilities, effective January 1, 2014. The currently vacant building will be re-occupied once renovations are completed.

Per the petitioner, this project is seeking historic tax credits, which must meet the Secretary of the interior standards for historic preservation, which are administered by the Wisconsin State Historical Society.

Staff Recommendation: It appears standards have been met, therefore staff recommends **approval** of the variance request, subject to further testimony and new information provided during the public hearing.