

ZONING ADMINISTRATOR'S REPORT  
VARIANCE APPLICATION  
2725 Atwood Ave.

**Zoning:** TSS

**Owner:** Ken Koepler

**Technical Information:**

**Applicant Lot Size:** 44' W x 118' D

**Minimum Lot Width:** N/A

**Applicant Lot Area:** 5,192 sq. ft.

**Minimum Lot Area:** N/A

**Madison General Ordinance Section Requiring Variance:** 28.065(3)

**Project Description:** Two-story commercial building. Convert to single-family home.  
Variance for two dormers, as the entire structure is located within the 20' rear yard setback area.

Zoning Ordinance Requirement:	20.0'
Provided Setback:	13.0' ±
Requested Variance:	<b>7.0 ±</b>

**Comments Relative to Standards:**

1. Conditions unique to the property: The subject property is a historic carriage house, previously converted into a commercial building (an art gallery), now being converted into a single-family dwelling. The existing placement of the building is entirely within the rear yard area, so any bulk change will require a zoning variance. There is not a lot area or size minimum for lots in this zoning district; the issue primarily is the placement of the existing building in the setback area.
2. Zoning district's purpose and intent: The requested regulation to be varied is the *rear yard setback*. In consideration of this request, the *rear yard setback* is intended to provide minimum buffering between principal buildings and to align buildings within a common building envelope, generally resulting in space in between the building bulk and commonality of bulk constructed on lots, to mitigate potential adverse impact. The existing structure is placed entirely within the rear yard setback, so meeting the rear yard setback is not possible.
3. Aspects of the request making compliance with the zoning code burdensome: As noted above, the building exists in the setback, and no bulk change can be made without approval of a zoning variance. The dormers add bulk slightly, but add light/air to the second level bedrooms, resulting in a more quality living space.

4. Difficulty/hardship: See comments #1 and #3. The existing building was constructed in the early 1900's and the carriage house appears original to the site. The property was purchased by the current owner in January 2003.
5. The proposed variance shall not create substantial detriment to adjacent property: The dormer additions are placed on the front-facing (north) part of the roof, toward the front of the lot and facing the existing mixed-use building on the site. There is no bulk change to the south, where the more sensitive residential buildings are located.
6. Characteristics of the neighborhood: Many of the homes in the area utilize dormers or other roof variations, for both architectural appeal and to gain useable space under-roof. The proposed dormer additions would not be out of character for the area. The neighboring properties to the east and west have principal buildings that project into the rear yard setback; however these buildings are much larger and are the only principal buildings on the lot. It is not common for detached principal buildings to be located entirely within the rear yard area, but this condition is pre-existing. The dormer additions simply make the space a more quality space, and do not change this condition.

**Other Comments:** At its November 20, 2003 meeting, the Madison Zoning Board of Appeals granted a variance for the two-story eastern addition to the principal building at the front of the lot.

The conversion of the building into a single family dwelling is a Conditional Use. A request for Conditional Use is scheduled for public hearing at the Plan Commission meeting of October 17, 2016.

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