

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
913 Harrison St

Zoning: TR-C3

Owner: Cheri Baker

Technical Information:

Applicant Lot Size: 60' x 60'

Minimum Lot Width: 30'

Applicant Lot Area: 3600 sq. ft.

Minimum Lot Area: 3000'

Madison General Ordinance Section Requiring Variance: 28.044(2)

Project Description: Two-story single-family home. Construct single-story attached garage addition behind the home. The project includes elimination of the existing driveway from Harrison Street and surface parking spot, and the installation of a new driveway off Jefferson to the proposed garage.

Zoning Ordinance Requirement: 14.0' (30% one-story attached garage addition projection)

Provided Setback: 3.5'

Requested Variance: 10.5'

Comments Relative to Standards:

1. Conditions unique to the property: The lot exceeds minimum lot width and lot area requirements, and is a reverse-corner lot. The lot has some slope, but this condition does not appear to limit garage placement options. The lot is part of a larger originally platted lot, which was split into two home sites at the time of original development. The resulting lots are smaller than the neighborhood average and are zoned differently than other lots in the neighborhood due to lot size. Even though the lot is small, there does appear to be a place where a similarly-sized attached or detached garage could be constructed without necessitating a zoning variance.
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 on lots and to align buildings within a common building envelope, common back yards, and generally resulting in space in between the building bulk and commonality of bulk constructed on lots.

Because the home and garage are attached, the addition does bring the principal structure close to the rear lot line. However, it does not appear that the proposed garage space is to be conditioned and occupied as living space; it appears to be garage space only. The placement is consistent with what would be required if the garage were detached, however that alternative would not result in a reasonable garage size. There is no proposal to connect the flat roof of the garage to the home, which is typical for the area. The only use in the setback is for garage space. Given these facts, it appears the request could be found consistent with the intent and purpose of the setback.

3. Aspects of the request making compliance with the zoning code burdensome: The placement of the home on the lot and the associated setbacks do not allow for an attached garage to be placed behind the home. However, the existing parking area/driveway/available building envelope area appears adequate for construction of an attached or detached garage.
4. Difficulty/hardship: The home was constructed in 1938 and purchased by the current owner in April 2015. See comments #1 and #3 above. There appears to be a location on the lot where the garage could be constructed without necessitating a zoning variance.
5. The proposed variance shall not create substantial detriment to adjacent property: It does not appear as though the increase in bulk will result in significant impact above/beyond what would be otherwise allowed by-right. The proposed garage is similar in size and placement to a detached garage, which would be otherwise permissible.
6. Characteristics of the neighborhood: The general area is characterized by homes with attached or detached garages. If lots have the available space, two car garages are common. One-car attached garages appear common. Many properties have alleys, but not all use the alley to access a garage. The proposed design is generally in keeping with what would be typically found in the neighborhood.

Other Comments: The goal of the project is to provide garage space for the occupants of the property. Garages may be located in two ways: as detached structures with a minimum of a 3' setback from the garage, lot lines and any principal building; or as attached to the home with a 30% projection into the setback. As noted above, there is not practical space to place a detached in the area between the principal structure and the rear lot line, given that six feet of space is needed for setback and structure separation.

Interior floor plans have not been provided showing how the proposed garage space connects to the home. It is possible and expected the spaces will connect, but no plans have been provided showing this connection or access.

The proposed elevation facing northeast has not been provided.

At its April 18 1938 meeting, the Madison Zoning Board of Appeals approved a variance for the split of the original platted lot, to create two home sites.

At its January 4 1980 meeting, the Madison Zoning Board of Appeals approved a side yard variance to construct a second-story addition atop the existing screen porch area.

This project takes advantage of a 30% rear yard setback reduction for a one-story attached garage addition, which will require removal of the existing detached shed structure. Submitted plans do not show the shed structure, so it is assumed the shed structure is to be removed with this variance request.

Staff Recommendation: The burden of meeting the standards is placed upon the applicant, who needs to demonstrate satisfaction of all the standards for variance approval. It is not clear that this burden has been met. There appear to be options to construct a garage that would not require a zoning variance, and those options have not been ruled out as viable. Staff recommends that the Zoning Board find that the variance standards are not met and **refer** the case for more information relative to the standards of approval or **deny** the requested variance as submitted, subject to further testimony and new information provided during the public hearing.