

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
2562 Hoard St

Zoning: TR-C4

Owner: Andrew Voxman

Technical Information:

Applicant Lot Size: 44' x 132'

Minimum Lot Width: 40'

Applicant Lot Area: 5808 sq. ft.

Minimum Lot Area: 2-unit 4000 sq. ft.
3-unit 6000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.045 (2)

Project Description: Lot area variance to convert existing lodging room space into an efficiency apartment (dwelling unit). The existing building contains two 2-bedroom apartments and a lodging room space on the second level, at the rear.

Zoning Ordinance Requirement: 6,000 sq. ft.

Provided Lot Area: 5,808 sq. ft.

Requested Variance: **192 sq. ft.**

Comments Relative to Standards:

1. Conditions unique to the property: The property is a developed lot that historically contained a lodging room (*Zoning Definition: Lodging Room. A room rented as sleeping and living quarters, but without kitchen facilities, and with or without an individual bathroom. In a suite of rooms without kitchen facilities, each room which provides sleeping accommodations shall be counted as one lodging room for the purpose of this ordinance.*). This is a nonconforming use, as lodging rooms are not allowed in the TR-C4 zoning District. A third living space within the principal structure exists on the lot. A three-unit building is a permitted use in the TR-C4 district
2. Zoning district's purpose and intent: The regulation being requested to be varied is the *lot area requirement* which is intended to provide adequate lot area for the needs of occupants on a lot. In consideration of this request, the *lot area requirement* does not necessarily change the condition of the dwellings or occupants on the lot, since there are three dwelling spaces in the home and have been for decades. The intensity of use on the lot will not change with this variance.
3. Aspects of the request making compliance with the zoning code burdensome: The owner of the property will be required to maintain an unusual living space (lodging room) if they cannot add the kitchen to make the space an efficiency apartment. This space is highly

unusual for the area, and there are very few food service spaces in proximity to this lot. The result is a limited tenant base and a generally substandard living condition to what otherwise is found at apartments in the general area.

4. Difficulty/hardship: See comment #1 and #3. The space exists as a separate detached living space and only lacks the necessary kitchen to be classified as a dwelling unit. The owner would have to maintain the space as a lodging room or reduce the number of units to two for the third space to be incorporated into the existing second-level dwelling.
5. The proposed variance shall not create substantial detriment to adjacent property: This variance will have no impact on adjacent property.
6. Characteristics of the neighborhood: The general area is characterized by mostly wood-framed one and two story residential structures. This structure will not change but for the addition of the kitchen facilities for an efficiency apartment. The proposal is not out-of-character for the area.

Other Comments: As noted above, a lodging room does not have a kitchen. Typically, a lodging room is part of a larger living space, where a common kitchen is provided for multiple lodging rooms and occupants. This is not the case with the subject property, which makes the lodging room condition so unusual. The occupant of the lodging room has to leave the property for common kitchen activities, such as food preparation and cleaning dishes.

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.