

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
3538 Heather Crest

Zoning: TR-C1

Owner: DelRobert, LLC

Technical Information:

Applicant Lot Size: 62.5'w x 155.9'd **Minimum Lot Width:** 50'

Applicant Lot Area: 9,465.79 sq. ft. **Minimum Lot Area:** 6,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.042(2)

Project Description: Two-story single-family home. Construct 11'w x 20'd single-story attached garage addition to the right (east) side of home.

Zoning Ordinance Requirement: 7.0'

Provided Setback: 5.8'

Requested Variance: **1.2'**

Comments Relative to Standards:

1. Conditions unique to the property: The lot exceeds ordinance minimum requirements, and has significant slope from front to rear, preventing the construction of a detached garage in the rear yard. The side yard area available is too narrow for a reasonably sized garage to be constructed. The only location where a garage could be placed is as proposed. The general orientation of the building directs the placement of the attached garage to the proposed location.
2. Zoning district's purpose and intent: The regulation being requested to be varied is the *side yard setback*. In consideration of this request, the side yard setback is intended to provide buffering between developments, generally resulting in a space between bulk placed on lots, to mitigate potential adverse impact, and also affords access to the backyard around a structure. The proposed garage appears to result in development consistent with the purpose and intent of the TR-C1 district.
3. Aspects of the request making compliance with the zoning code burdensome: See comment #1 above.
4. Difficulty/hardship: The home was constructed in 1948 and purchased by the current owner in June 2013. The home is being remodeled and will be sold to a new owner after final renovation is completed. See comments #1 and #3 above.

5. The proposed variance shall not create substantial detriment to adjacent property: The location of the addition is next to the detached garage/driveway on the neighboring lot, buffering the addition from the neighboring home. The request does not appear to have discernible adverse impact on the neighboring structures or uses.
6. Characteristics of the neighborhood: The general area is characterized by two-story houses of similar size on generally uniform lots. Attached garages, such as proposed, appear to be common for the area. The style and design of the addition is generally in keeping with design of the home, and is typical for the area.

Other Comments: The proposed garage extends the driveway to afford a legal parking space for the dwelling, eliminating the existing legal nonconforming front yard parking area.

At its June 13th 1996 meeting, the City of Madison Zoning Board of Appeals approved a variance to construct an 11'w x 20'd attached garage, generally the same as the current request. This garage did not end up being constructed. The similar garage on the adjacent home to the east was approved with a zoning variance in 1996.

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.