

ZONING ADMINISTRATOR'S REPORT  
VARIANCE APPLICATION  
609 Division Street

**Zoning:** TR-C4

**Owner:** David & Joette Schleisman

**Technical Information:**

**Applicant Lot Size:** Irregular (27'±)

**Minimum Lot Width:** 40 ft

**Applicant Lot Area:** 3,391 sq. ft

**Minimum Lot Area:** 4,000 sq. ft

**Madison General Ordinance Section Requiring Variance:** 28.045 (2)

**Project Description:** Single story single-family home. Construct single story addition including attached garage. Project also includes internal remodeling and removal or relocation of existing shed. Rear Yard setback variance.

Zoning Ordinance Requirement: 30' (existing house provides a 1.4'±rear yard setback)

Provided Setback: 14.5' ±

Requested Variance: **15.5' ±**

**Comments Relative to Standards:**

1. Conditions unique to the property: The subject property is a corner lot, and provides less lot area and lot width than ordinance minimums. The lot tapers from a width of 36' at the rear to 25' at the front. The existing home is very small, and is located entirely within the rear setback, with the addition on the side toward the building envelope, but still is within a portion of the required rear setback area.
2. Zoning district's purpose and intent, and public interest: 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, generally resulting in space inbetween the building bulk constructed on lots, to mitigate potential adverse impact. The existing home is placed entirely within the rear yard setback, so meeting the setback is not possible. The addition is to the side, toward the front of the lot into the building envelope. The neighboring property to the south has a mirror situation with principal structure placement very close to the rear yard, and that structure is larger/taller than the existing or proposed home.

In regard to the public interest, the driveway vision triangle requirements are not met with the proposed attached garage placement. The traffic Engineer has reviewed this request, and

determined the design provides adequate vision clearance, and has granted an exception to the driveway vision clearance requirements.

3. Aspects of the request making compliance with the zoning code burdensome: The existing building placement is entirely in the rear yard area and cannot be changed without demolishing and reconstructing a structure in the building envelope. The addition provides a modest change to the finished living space, adding a small porch, 2<sup>nd</sup> bedroom, and attached 1-car garage.
4. Difficulty/hardship: See comments #1 and #3. The existing home was constructed in 1920 and purchased by the current owner in June 2011.
5. The proposed variance shall not create substantial detriment to adjacent property: The project will add little impact on surrounding property beyond what would otherwise be allowed. The structure does exceed the minimum side yard setback required, but the home on the neighboring structure on the lot to the east provides a nonconforming side setback and is close to the lot line. The space between the homes is about 5'. The majority of the addition toward the home to the east is garage space. Living space generally provides a side yard setback equal to or greater than what currently exists, with one exception: a small portion of the addition projects close to the side lot line (blue on the site plan), providing a minimum setback of about 2.2' from the property line. This area is entirely within the rear yard setback, which is why a side yard setback variance is not required. This area is next to the backyard open space on the adjacent lot.
6. Characteristics of the neighborhood: As noted above, the house on the lot directly to the south has a similar home placement. The design of the home is common for what one may find in the general area, however the house is, and will remain, fairly unique for the neighborhood.

**Other Comments:** Part of the variance includes adding roof area above the existing home, to connect the roof from the existing home to the addition.

**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