

ZONING ADMINISTRATOR'S
REPORT VARIANCE APPLICATION
409 Elmside Blvd.

Zoning: TR-V1

Owner: James Voelz and Laura Rochon

Technical Information:

Applicant Lot Size: 30.5'± w x 110'± d irregular **Minimum Lot Width:** 30'

Applicant Lot Area: 3,852 sq. ft. **Minimum Lot Area:** 3,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.047(2)

Project Description: Two-story single-family home. Remove rear addition, construct new single-story entrance/bath/closet addition with basement.

Zoning Ordinance Requirement: 25'
Provided Setback: 13.9'
Requested Variance: 11.1'

Comments Relative to Standards:

1. Conditions unique to the property: The subject lot is a highly irregularly-shaped lot, which exceeds lot minimum width and area requirements. The lot is wider than it is deep, with an existing principal structure that projects into the rear yard 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 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.

The graphic to the right shows the common rear yards through part of the block. The subject lot is the one lot that has a rear yard area uncommon with the rest of the block. This is due to the angled rear lot line, as compared to the more parallel rear lot lines of other lots on the block



The existing principal structure projects partially into the rear yard setback. The lot to the south has a similar condition. The proposed addition projects off the rear wall of

the structure, similar to other additions on the block. The variance does not appear to negatively affect existing structure as it relates to the intent and purpose of the rear yard setback.

3. Aspects of the request making compliance with the zoning code burdensome: The required yards on this irregularly-shaped lot results in a relatively shallow building envelope and the necessity for a zoning variance for the modest addition. There does not appear to be an alternative to construct an addition that accommodates a first-floor bath, entrance space and closet for the dwelling. The lots were originally platted when the rear yard setback requirement/measurement was calculated differently, and the new rear yard setback requirement (see standard #4) puts the structure in the rear yard setback area, and reduces the available space on the lot for additions to be constructed.
4. Difficulty/hardship: The home was constructed in 1924 and purchased by the current owner in June, 2001. See comments #1 and #3 above. The newly adopted rear yard setback requirement (3/21/17) changed the way the rear yard setback is measured on this and other irregular lots in the City. Prior to the adoption of the amendment, this project would not have required a zoning variance.
5. The proposed variance shall not create substantial detriment to adjacent property: The closest neighboring home to the addition requiring the setback variance is located about 18'± to the east.
6. Characteristics of the neighborhood: The general area is characterized by single and two-story homes on larger and irregularly-shaped lots. The project would appear generally consistent to homes found in the general area.

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