

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
3330 Atwood Avenue

Zoning: PR

Owner: Olbrich Botanical Gardens, City of Madison-Parks

Technical Information:

Applicant Lot Size: not listed

Min. Lot Width: 300 ft.

Applicant Lot Area: 13.88 acres (SE of Sugar Ave to river)

Min. Lot Area: 5 acres

Madison General Ordinance Section Requiring Variance: 28.095 (3)

Project Description:

Zoning Ordinance Requirement: 30'
Provided Setback: 2.4' provided
Requested Variance: 27.6' variance

Comments Relative to Standards:

1. Conditions unique to the property: This property is unique in that it is the only *botanical gardens* property in the city. The property also has been developed with a dedicated street right-of-way bisecting the site (Sugar Avenue), which has not and will not be improved to any standard consistent with a public street. The unimproved right-of-way is designed with parking spaces and access aisles for the botanical gardens and to provide access across the adjacent railroad tracks to the property to the north, the former Garver Feed Mill property, which has reciprocal use with Olbrich Gardens. The parcel shape is also unique in that the Sugar Avenue right-of-way is designed to wrap around the botanical gardens, hoop house, surface parking and greenhouse structures.
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 and the adjacent streets/sidewalks or adjacent lots to sides, resulting in generally common setbacks for developed lots.

There are no adjacent lots to the side of the subject lot. This development covers both sides of Sugar Avenue from Atwood Avenue to the railroad tracks, so the intent and purpose of the side yard setback does not seem relevant. The right-of-way is not proposed to be improved, will not support any public traffic load, will not have a curb edge/sidewalk/terrace or street bed built (like a typical street) and at best will be maintained as a service drive for the subject property and the property to the north across the railroad tracks. This will appear as a private site, with the back-

of-house operations for the botanical gardens facility at the north end adjunct to the greenhouse structure.

The existing building placement and operational characteristics of the use appear to be a long-standing condition. There is adequate setback to the perimeter lot lines of this site, where minimum setbacks are relevant and appropriate.

3. Aspects of the request making compliance with the zoning code burdensome: The site is designed to function with the greenhouse area to the north of the main building. The greenhouse structures come in engineered bays of a certain dimension. The proposed structure is designed to replicate the service/production of the existing greenhouse and to meet the future needs of the facility, in consideration with the operational characteristics of the facility.
4. Difficulty/hardship: See comments #1, #2, and #3. The location of unimproved Sugar Avenue bisects the site and presents significant challenges meeting the programming needs of the facility and efficiency of operation.
5. The proposed variance shall not create substantial detriment to adjacent property: This project and variance will introduce no impact on surrounding property, above or beyond what currently exists.
6. Characteristics of the neighborhood: This project is not similar or common with the neighborhood or general area. The project is consistent with the botanical garden-type development and is not inconsistent with what one might find at this type of facility.

Other Comments: As noted above, the unimproved right-of-way of Sugar Avenue provides access across the adjacent railroad tracks to the north to the former Garver Feed Mill property and lands owned by the Parks Department. This property has reciprocal use with Olbrich Gardens. This right-of-way must be maintained for the railroad crossing to remain open, so the right-of-way will not be vacated.

Per the applicant, the proposed structure replaces an existing greenhouse, constructed in the 1990's when setback requirements were different. Seasonal hoop houses are also located in the proximate area. The existing greenhouse and hoop houses do not meet the minimum 30' setback. The existing structure has come to the end of its useful life and has become difficult/expensive to repair due to the specialization of the structure and the difficulty to obtain replacement parts.

The request is marked with a 2.4' setback, which is the closest point by which the structure will be located from the right-of-way line. The greenhouse structure will be placed behind a chain-link security fence. The closest feature of the greenhouse to the property line appears to be a screen box over some cooling pads. The walls for the greenhouse structure provides a 6' setback. The greenhouse is of modular design, and is placed in consideration of a "Master Plan" for the various operations of the facility, which is why the setback is as proposed.

The project also involves the relocation of the existing hoop houses, which are proposed for relocation to the north side of Sugar Avenue, to a setback-compliant location.

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.