

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
2253 Fox Avenue

Zoning: TR-C2

Owner: Anna Henning and Christa Olson

Technical Information:

Applicant Lot Size: 50' wide x 120' long

Minimum Lot Width: 40'

Applicant Lot Area: 6,000 square feet

Minimum Lot Area: 4,000 square feet

Madison General Ordinance Section Requiring Variance: 28.043(2)

Project Description: Applicants request a side yard setback variance to construct an attached garage on a single-family dwelling. The existing 32.2' x 10' attached garage is proposed to be removed and replaced with a 32' x 10.3' attached garage.

The existing garage was built in two parts. The original attached garage was built in 1927 when the house was built, and it has a 5.7' side setback. In 1981, the Zoning Board of Appeals approved a side setback variance for a 10' x 15.7' garage addition to the front of the 1927 garage, making the garage a tandem garage.

The proposed attached tandem garage is slightly wider than the existing garage to adequately accommodate the width of a modern car. Unlike the existing garage, it will be setback 2' from the front façade of the remainder of the house.

Side Yard Setback Variance

Zoning Ordinance Requirement: 6'

Provided Setback: 5.1'

Requested Variance: 0.9'

Comments Relative to Standards:

1. **Conditions unique to the property:** A condition unique to the property is that there is an existing attached garage located within the side setback. The house was originally built with an attached garage in this location, and there is a door that connects the existing house to the attached garage.
2. **Zoning district's purpose and intent:** The *side yard setback* is intended to provide minimum buffering between buildings, generally resulting in space in between the building bulk constructed on lots, to mitigate potential adverse impact and to afford

access to the backyard area around the side of a structure. The proposed garage appears to be of the minimum necessary width for a single car while still providing adequate space for buffering and access to the backyard. The project appears to result in a condition that is consistent with the purpose and intent of the TR-C2 district.

- 3. Aspects of the request making compliance with the zoning code burdensome:** The house was originally built with an attached garage in 1927, and that garage is located within the side setback that the zoning code now requires. A one-car attached garage of sufficient width for a single car cannot be built in this location without a variance.
- 4. Difficulty/hardship:** The house and attached garage were constructed in 1927. In 1981, the Zoning Board of Appeals approved a variance for an addition to the garage within the side setback. The current owners purchased the property in 2012. See comments #1 and #3 above. The request seems to be driven by the zoning code and the location of the existing attached garage. Building a new attached garage that meets the side setback would result in a garage that would not be of a functional width for parking a car. Building a compliant detached garage is likely possible on the property. However, the existing house was originally built with an attached garage with a door between the house and the garage. The house and door would need to be modified if the attached garage were removed.
- 5. The proposed variance shall not create substantial detriment to adjacent property:** While the proposed garage will be slightly closer to the side lot line, it does not appear that it will cause substantial detriment to light and air for adjacent properties. An attached garage has been located in a similar location for many years with no known detriment.
- 6. Characteristics of the neighborhood:** One-story, one-car attached garages are common in the neighborhood with several houses nearby with attached garages in a similar location. While tandem garages appear to be relatively uncommon, the appearance from the street of the proposed tandem garage will be similar to a one-car garage. Additionally, moving the attached garage two feet behind the rest of the façade will make the garage better fit in aesthetically with other houses in the immediate area.

Staff Recommendation: It appears the standards have been met; therefore, staff recommends **approval** of the variance request, subject to further testimony and new information provided during the public hearing.