

ZONING ADMINISTRATOR'S REPORT  
VARIANCE APPLICATION  
1315 Rutledge Street

**Zoning:** TR-C4

**Owner:** Heather Clefisch and Nathan Zolik

**Technical Information:**

**Applicant Lot Size:** 66'w x 170'd    **Minimum Lot Width:** 40'

**Applicant Lot Area:** 11,220 sq. ft.    **Minimum Lot Area:** 4,000 sq. ft.

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

**Project Description:** Petitioners request rear and side yard setback variances to construct a 15'w x 23'-10"d attached garage addition with 6'-1"d x 8'-5"w covered walkway.

**\*\*No variance is required for the 3-seasons porch addition\*\***

**Rear yard setback**

30' required

15.6' provided

14.4' variance

**Side Yard Setback**

6' required

5' provided

1' variance

**Comments Relative to Standards:**

1. Conditions unique to the property: The property was developed on an originally-platted 66' x 132' lot, plus an additional 38 feet of depth from the lot to the rear (1312 Morrison St.). When built, the principal structure was placed deep into the lot, close to the rear of the lot, providing a 21.8' rear setback. This lot abuts both the side and rear yard areas of the properties on either side. There is one other example of a principal structure placed deep into its lot on this block, but the general neighborhood otherwise has few examples of this development pattern.
2. Zoning district's purpose and intent: The regulations requested to be varied are the *rear yard setback* and *side yard setback*.

**Rear yard setback requests:** 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.

*Attached Garage:* The proposed attached garage appears to be the minimum width necessary to have a functional single-car garage and associated storage for the dwelling, while still providing some side yard setback for buffering and separation. Also, the addition being one-story introduces less bulk in the setback. This project appears to result in development consistent with the purpose and intent of this residential district.

*Covered Walkway:* The covered walkway at the rear introduces a small amount of bulk in the setback, to accommodate a walkway to the rear entrance of the home. Typically these are enclosed spaces, but the petitioner has chosen to leave the area open, but for the roof covering. This aspect of the project appears to result in development consistent with the purpose and intent of this residential district.

Side yard setback, attached garage:

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 attached garage appears to be of a reasonable width necessary to have a functional single-car garage and associated storage for the dwelling, while still providing some side yard setback for buffering and separation. Also, the addition being one-story introduces less bulk in the setback. Access to the rear yard is maintained via the proposed 5' setback, and the opposite side yard, which is 9'-9" wide. This project appears to result in development consistent with the purpose and intent of the TR-C4 district.

3. Aspects of the request making compliance with the zoning code burdensome: The existing placement of the principal structure into the rear setback area, combined with the limited locations where an attached garage of a functional width may be placed, create challenges in locating an attached garage. Access from within an attached garage to living space is common, but that is not possible given the layout of the interior floor plan of the dwelling and height difference between the garage floor and the dwelling floor.
4. Difficulty/hardship: The principal structure was constructed in 1892 and purchased by the current owner in October 2018. See comment #1 and #3 above.
5. The proposed variance shall not create substantial detriment to adjacent property: The proposed additions will introduce little impact on adjacent property. To the rear is a detached accessory structure and to the side is the rear yard of the neighboring lots. The principal structures on the abutting lots appear to be approximately between 45' and 53' from the location of the principal structure on the subject property. Attaching the garage to the home with a 5' side setback increases the distance of improvements to the side lot line from what currently exists with the shed (2'-8" setback). Also, an attached structure requires a greater setback than a detached accessory building, which may be as close as 3' to the side and rear property line when placed behind the rear plane of the principal structure. There is no direct access from the attached garage into the dwelling. The covered walk is an attempt to minimize the variance request and impact of adding bulk, by not enclosing the space between the garage and the existing rear entrance to the dwelling.

6. Characteristics of the neighborhood: The neighborhood is comprised of structures with varying architectural styles, within block split by a historic district (Rutledge in third-lake Historic District, Morrison not in a historic district). Architectural styles tend to vary somewhat in this neighborhood. The design characteristics of the additions are in keeping with the design of the home and the Landmarks Commission has approved the design.

**Other Comments:** No variance is required for the 3-seasons porch. This structure is permissible when the porch projects no more than 14' into the rear yard setback area and is no wider than 16'.

Because of the placement of the principal structure on the lot and a bump-out of this structure, the area available for an attached garage is limited to the area which is actually alongside the rear yard area of the home at 1318 Morison Street. That property could place a detached accessory structure as close as 3' to the lot line, where the subject property would only be eligible for a 3' setback from a lot line if the detached accessory structure were placed behind the rear plane of the dwelling.

As noted above, at its January 11, 2021 meeting, the Madison Landmarks Commission approved a certificate of appropriateness for the project.

The owners of this property have approached the City over the past few years to discuss the construct of a garage space. Initially, the owner wished to construct a freestanding detached garage in front of the home. After consultation with the City Preservation Planner, who informed the likelihood of denial of a Certificate of Appropriateness for such a request, the owner pursued an attached garage option.

A new driveway will be installed to the garage from the existing parking area, and the existing shed is to be removed with construction of this project.

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