

ZONING ADMINISTRATOR'S REPORT  
VARIANCE APPLICATION  
117 N. Ingersoll Street

**Zoning:** TR-V1

**Owner:** Hausspace, LLC

**Technical Information:**

**Applicant Lot Size:** 33' W x 77' d

**Minimum Lot Width:** 30'

**Applicant Lot Area:** 2,541 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. Reconstruct and expand second level of home, as part of gut/remodel of the home. Resulting home will provide four bedrooms and 2.5 bathrooms.

Zoning Ordinance Requirement: 3.3'

Provided Setback: 0.7'

Requested Variance: 2.6'

**Comments Relative to Standards:**

1. Conditions unique to the property: The lot exceeds minimum lot width minimums but provides less lot area than required. This lot is part of two originally platted lots that were subdivided into four parcels for development purposes. The lot is similar in width and depth with other lots on the block, with the existing structure providing a substandard side setback to one side (opposite driveway), which appears similar to other homes in the neighborhood.
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; generally resulting in a space between bulk placed on lots, to mitigate potential adverse impact and also affords access to the backyard around a structure.

This project involves the replacement and expansion of the existing second story (including roof/floor system), which is in very poor condition due to improper construction and poor maintenance. The project maintains the existing front/side/rear wall placement, but expands the second floor to match the full floor plate of the first floor beneath. Access to the rear yard is available to the opposite side of the home where the variance is being requested. The proposed reconstruction and expansion appears to result in development consistent with the purpose and intent of the TR-V1 district.

3. Aspects of the request making compliance with the zoning code burdensome: The existing building placement drives this request. The proposal matches and extends the existing front/side/rear wall location of the existing building, while creating a home that is similar in bulk with others in the general area. The project will result in a home that appears common and similar to other homes found in the immediate area, and results in useable, functional and otherwise reasonable and common spaces within the building. Most homes in the immediate area are two-story, and the second-story expansion appears normal.
4. Difficulty/hardship: See comments #1 and #3. The existing home was constructed in 1901 and purchased by the current owner in May 2016.
5. The proposed variance shall not create substantial detriment to adjacent property: This project will introduce some new vertical bulk in close proximity to a side property line on a small lot, but this does not appear to be substantial above or beyond what would otherwise be allowed by the Zoning Ordinance. The petitioner of this request is also the owner of the home on the side where the variance is being requested, which is also undergoing complete remodel.
6. Characteristics of the neighborhood: The general area is characterized by mostly two-story homes, where additions of the type proposed appear common. The style massing and design of the addition is in keeping with the design of the home and other homes found in the general area.

**Other Comments:** The petitioner has communicated that the first-story front porch portion of the project will be modified to comply with setback requirements, and has withdrawn that part of the original request.

The petitioner purchased this property and the lot to the north as an investment, to remodel/repair and sell to a probable owner-occupant. The properties were long-term rentals, and are in very poor condition. Code enforcement action on behalf of the City resulted in these homes being put on the market. This type of remodel/repair is common for these properties and other similar properties held by the former owner.

**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.