

ZONING ADMINISTRATOR'S REPORT  
VARIANCE APPLICATION  
4621 Dutch Mill Road

**Zoning:** IL

**Owner:** Jeffrey Miller, 4621 LLC

**Technical Information:**

**Applicant Lot Size:** Irregular lot, 290' wide x 328' long      **Minimum Lot Width:** 75'  
**Applicant Lot Area:** 79,889 sq. ft.      **Minimum Lot Area:** 20,000 sq. ft.

**Madison General Ordinance Section Requiring Variance:** 28.151

**Project Description:** Applicant requests a variance for the location of outdoor storage on an industrial property. The zoning code states that outdoor storage shall not be placed between the principal building and abutting streets. The proposal is for 41.7' x 73' of an outdoor storage area to be located between the building and Dutch Mill Rd and Ellestad St. The outdoor storage area will be required to be screened from all streets and residential uses.

The use for the site, Machinery Equipment Sales and Service, allows inventory display as part of the use. Inventory display is allowed between the principal building and abutting streets and is not required to be screened. In 1983, Zoning approved a site plan which showed inventory display between the principal building and E. Broadway St. Today, there is outdoor storage in this area.

The proposed plan includes a building addition of 3-4 bays and demolishing the existing single-family house on the lot to the north and incorporating the lot into the site. A relocation of the existing, unapproved outdoor storage near E. Broadway St to a less prominent location between the addition and the eastern side lot line and between the building and Dutch Mill Rd and Ellestad St. is also proposed, driving this request for a variance.

**Outdoor Storage Between Principal Building and Street**

Zoning Ordinance Limit: No outdoor storage between the principal building and street

Proposed Outdoor Storage Area: 41.8' x 134'

Requested Variance: 41.7' x 73'

## **Comments Relative to Standards:**

- 1. Conditions unique to the property:** A unique condition for the site is that three sides of the property are street frontages, significantly limiting locations where outdoor storage can be located and not be between the principal building and abutting streets in compliance with the zoning code.
- 2. Zoning district's purpose and intent:** The purpose and intent of the prohibition of outdoor storage between a principal building and abutting streets is to make outdoor storage less prominent and to protect overall aesthetics from the street. The outdoor storage area between the building and streets is proposed to be located at the furthest place away from the streets and will have the required screening around it. Additionally, inventory display is proposed to be located along Dutch Mill Rd and Ellestad Dr, which will further limit the outdoor storage's visibility from the street. The variance does not appear to be contrary to the code's purpose and intent.
- 3. Aspects of the request making compliance with the zoning code burdensome:** Outdoor storage areas are common on industrial properties. Compliance with the zoning code would result in relatively small outdoor storage area for the size of the lot, which is unnecessarily burdensome when outdoor storage is a common and expected feature of industrial properties. An addition which results in an L-shaped building could result in building area between the outdoor storage area and Dutch Mill Rd. However, the applicant explained that cranes don't operate well within L-shaped areas, which is why a rectangular building is proposed.
- 4. Difficulty/hardship:** The difficulty or hardship appears to be created by the unique condition of having three street frontages and, as a result, limited allowable locations for outdoor storage. See #1 and #3 above.
- 5. The proposed variance shall not create substantial detriment to adjacent property:** It seems that the variance will not create substantial impacts to light and air on adjacent property. The relocated outdoor storage area is proposed to be located as far from the street as feasible while keeping it to a similar size as the existing, but unapproved, outdoor storage area. It does not appear the variance would result in substantial detriment to adjacent property.
- 6. Characteristics of the neighborhood:** The surrounding area is made up of mostly industrial and employment uses, with a few single-family dwellings (zoned Industrial Limited) and a manufactured home park to the north. The outdoor storage area will be located at the furthest point from the street, and it does not appear it will be uncharacteristic for the neighborhood. With compliant screening fence and the outdoor

storage adjacent to E. Broadway St. removed, it appears the outdoor storage would be relatively consistent with the character of the area.

**Other Comments:**

The outdoor storage area will be required to be screened from all streets, sidewalks, access driveways, and residential property. Screening must be between six and eight feet in height, and storage will not be allowed to exceed the height of the screening.

**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.