

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
1331 Vilas Avenue

Zoning: TR-C3

Owner: Chelsea Gallo & Oriol Sans

Technical Information:

Applicant Lot Size: 39' wide x 78' long

Minimum Lot Width: 30'

Applicant Lot Area: 3,042 square feet

Minimum Lot Area: 3,000 square feet

Madison General Ordinance Section Requiring Variance: 28.044 (2)

Project Description: Petitioners request a side yard setback variance for a second story addition to a single-family house. The existing 936 SF house is one story and located within the side yard setback. The variance will allow for a second-story addition to expand the house.

Side Yard Setback Variance

Zoning Ordinance Requirement: 3.9'

Provided Setback: 2.5'

Requested Variance: 1.4'

Comments Relative to Standards:

- 1. Conditions unique to the property:** The lot exceeds minimum lot width and area requirements and is an otherwise compliant lot in the TR-C3 zoning district. The existing house's projection into the side setback is a unique condition for this property.
- 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 addition above the existing first story does not change the placement of the existing house relative to the lot lines. This side setback has existed since the house was built in 1923, and it appears there has been adequate buffering and sufficient access

around the house to the backyard. The project appears to result in a condition that is consistent with the purpose and intent of the TR-C3 district.

3. **Aspects of the request making compliance with the zoning code burdensome:** The location of the dwelling on the lot restricts the ability to build an addition over the first floor because it currently projects into the side setback. To comply with the zoning code, the second-story addition would have to be built with an exterior side wall that is offset from the first story, which would be difficult to construct and aesthetically unpleasing.
4. **Difficulty/hardship:** The house was originally constructed in 1923, and the current owners purchased the house in 2020. See comment #1 and #3 above. The existing house is only 936 square feet, and the variance would allow for a 1,803 square foot house. Building a second-story addition that is offset from the existing house would be structurally difficult, and compliance would result in an awkward design.
5. **The proposed variance shall not create substantial detriment to adjacent property:** The variance would introduce little impact above the existing bulk relationship between the building on the subject lot and the building on the adjacent lot on the side where the side yard setback variance is being requested. It appears there will be no substantial detriment or loss of light and air at adjacent property.
6. **Characteristics of the neighborhood:** The general style and character of the addition is in keeping with other homes found in the area. The surrounding neighborhood has a mix of one- and two-story houses. The design of the project appears similar in architecture and generally consistent with other similar residential properties in the immediate area.

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.