

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
2213 Fox Avenue

Zoning: TR-C2

Owner: David Provencher and Mary Murphey

Technical Information:

Applicant Lot Size: 50'

Minimum Lot Width: 40 ft.

Applicant Lot Area: 6,000 sq. ft.

Minimum Lot Area: 4,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.043 (2)

Project Description: Two-story Single Family Home. Additions to east side of home: Addition atop existing single story portion of home and 2-story addition. Project adds a first-story bathroom and second story walk-in closet and master bath to home.

Zoning Ordinance Requirement: 6.0'

Provided Setback: 5.3'

Requested Variance: **0.7'**

Comments Relative to Standards:

1. Conditions unique to the property: The property exceeds lot minimums and is otherwise a compliant lot. The existing single story portion of the home is set at the 5.3' minimum side yard setback, which was part of the original construction of the home. The lot has a slight slope in grade at the front, but that does not affect the ability to construct this addition.
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 minimum buffering between buildings, generally resulting in space in between the building bulk constructed on lots, to mitigate potential adverse impact and also to afford access to the backyard area, around the side of a structure.

The addition does not limit access to the back yard, since an 8.4' wide access exists on the west side of the home. There is adequate space between the subject property and the home on the lot to the east, about (18.8'). The two-story addition project would result in development generally consistent with the purpose and intent of the TR-C2 district.

3. Aspects of the request making compliance with the zoning code burdensome: The existing placement of the building and the existing home layout, including a rear deck, logically place the addition to the side where it is proposed. The design is to match the existing side wall

placement of the first-story portion of the home. To require a step in for the building to comply with the setback will introduce some unusual construction measures to connect the addition to the existing structure from an attachment/flashing standpoint, and the resulting jog introduced by maintaining the existing building while requiring the additions to “step in” the required 7” would introduce a look that appears to the eye as though “a mistake” was made during construction.

4. Difficulty/hardship: See comments #1 and #3. The existing home was constructed in 1925 and purchased by the current owner in November 2007.
5. The proposed variance shall not create substantial detriment to adjacent property: As noted above, there exists adequate distance between the proposed addition and the adjacent property. Should the home to the east construct an addition at the minimum setback at some point in the future, the addition would have a slight impact on that future addition, but the impact on such a project is unknown. The proposed addition will create little adverse impact above or beyond what would otherwise be permitted.
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.

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.