

ZONING ADMINISTRATOR'S
REPORT VARIANCE APPLICATION
412 North Street

Zoning: TR-C4

Owner: Robert "Andy" Hanson

Technical Information:

Applicant Lot Size: 44' x 132'

Minimum Lot Width: 40'

Applicant Lot Area: 5,808 sq. ft.

Minimum Lot Area: 4,000 sq. ft.

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

Project Description: Requests a maximum front yard setback variance to construct an addition to the front of the existing single-story, single-family home. The addition provides an additional bedroom and open porch for the home.

Zoning Ordinance Requirement:	30' Maximum
setback Provided Setback:	62.5'
Requested Variance:	32.5'

Comments Relative to Standards:

1. Conditions unique to the property: The lot exceeds minimum lot width and lot area requirements and is a regular (interior) lot. The lot has some slope but this condition does not appear to limit otherwise compliant structure placement options. The existing principal structure, currently under renovation per an approved building permit, is located toward the rear of the lot in a noncompliant location, which is somewhat unique.
2. Zoning district's purpose and intent: The regulation being requested to be varied is the *maximum front yard*. The regulation requires a portion of the principal structure be located at the maximum setback line. In consideration of this request, the *maximum front yard setback* is intended to establish a relative uniform pattern of development for homes in a block face relative to the front lot line and street, so homes are not placed significantly behind each other. This also ensures that homes are not placed behind adjacent homes, which can impact privacy.

The existing building placement is nonconforming and dates to when the structure was originally constructed. The placement does allow for a more private condition for the home on this lot, but not necessarily for the adjacent properties. The proposal also maintains a relative gap in the block face for this lot, however, this is a modest expansion to a very small structure, and the expansion is toward the front yard (more towards a compliant location). The first story expansion does not appear to increase the potential adverse impact of this home on the adjacent homes at this location on the lot.

3. Aspects of the request making compliance with the zoning code burdensome: As noted

above, the existing home location is approved and under renovation. The zoning code requirement does not prevent the existing structure from being rehabilitated, rather it limits the bulk expansion of the structure. To require relocation of the entire structure to a compliant location because of this small addition, or prohibit an addition to the front of the structure, seems unreasonable. The addition is toward the street, which moves this structure more toward compliance. The desire to add a bedroom and porch for what is otherwise a very small structure is what primarily drives this request.

4. Difficulty/hardship: See Comments #1 and #3. The existing home was constructed in 1930 and purchased by the current owner in October 2016.
5. The proposed variance shall not create substantial detriment to adjacent property: As noted above, the project expands upon the existing noncompliant condition, which does not necessarily block the light and air on adjacent property. The addition has no windows, but does create an open porch for seasonal outdoor recreation and relaxation, which may have some limited impact on the occupants of the neighboring property. However, these features are common and not out-of-character for property found in the general area.
6. Characteristics of the neighborhood: The general area is characterized by principal structures on relatively uniform lots, of vernacular design. The design of the addition is in keeping with the house and neighborhood. There are a few examples of homes toward the rear of lots (one block in particular was identified by the petitioner) but this is a relatively rare condition and not indicative of the normal pattern of house placement for the area. This project has little impact on the placement issue.

Other Comments: At its February 18 2018 meeting, the Madison Zoning Board of Appeals denied a variance request to construct a second-story addition to the principal structure on this lot. During its deliberation, ZBA discussed that an addition forward (more toward the compliant maximum front yard setback line) would be more in keeping with the intent and purpose of the code than an addition to add a second story directly atop the existing structure, and the associated construction to the existing foundation and walls that would be necessary to support said structure in a noncompliant location. The petitioner has proceeded to obtain permits for the renovation of the existing single-story structure, and now requests the bedroom/porch addition consistent with the concept discussed by the ZBA.

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.