

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
1213-1215 Spaight Street

Zoning: TR-C4

Owner: Andrew and Erica Jessen

Technical Information:

Applicant Lot Size: 33' W x 132'D

Minimum Lot Width: 40'

Applicant Lot Area: 4,356 sq. ft.

Minimum Lot Area: 4,000 sq. ft.

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

Project Description: Two-story two-family home. Construct roof dormer additions to accommodate stair to attic-level and bathroom in attic-level living space.

Zoning Ordinance Requirement: 3.3'

Provided Setback: 2.0'

Requested Variance: **1.3'**

Comments Relative to Standards:

1. Conditions unique to the property: The lot is narrower than minimums but exceeds lot area minimums. The lot is one half of an *original plat* 66' w x 132' d lot. The lot is similar in width and depth with other lots on the block, with the existing structure providing a substandard side setback to the side where the dormers are proposed (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 introduction of a roof dormer to meet code requirements for habitability of the attic space. The Zoning Ordinance allows attic spaces such as this to be occupied as habitable living space. The placement of the dormers does not affect the existing side setback of the building and its relationship to the adjacent building on the adjacent lot. The proposed dormer expansion appears to result in development consistent with the purpose and intent of the TR-C4 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 side wall location of the existing building, to use this wall as the load bearing wall for the dormers. Also, the dormers provide the minimum necessary space above the stair and bathroom, to accommodate head height in these spaces. For the dormer above the stair, the existing second-floor plan would require significant modification to step the dormer in to meet the setback. The dormer additions 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 with dormers or roof gables, and the dormer expansion appears normal.
4. Difficulty/hardship: See comments #1 and #3. The existing home was constructed in 1899 and purchased by the current owner in December 2015.
5. The proposed variance shall not create substantial detriment to adjacent property: The placement of the dormer is at the side wall of the existing building, which is above the roof line of the adjacent home to the west. 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.
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:

This property is located in the Third Lake Historic District. The Madison Landmarks Commission has issued a *Certificate of Appropriateness* for this project.

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.