

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
311 S. Orchard St

Zoning: TR-C3

Owner: Steve O'Neil

Technical Information:

Applicant Lot Size: 40' W x 60' D **Minimum Lot Width:** 30'

Applicant Lot Area: 2,400 sq. ft. **Minimum Lot Area:** 3,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.044(2)

Project Description: Single story single-family home. Construct enclosed stairwell to basement area. The project involves a remodel of the existing first-floor living space, construction of the new interior stairwell, and digging the basement deeper to gain headroom and make the basement space occupiable.

Zoning Ordinance Requirement:	4.0'
Provided Setback:	2.5'
Requested Variance:	1.5'

Comments Relative to Standards:

1. Conditions unique to the property: The subject lot was split off from the from property to the north (1223 Chandler St.) at some point in the distant past, and gains access from what serves as a rear alley to all the surrounding property. The lot provides less lot area than ordinance minimums but exceeds minimum lot width. The building does not include access to the basement area but for an exterior door, requiring people to go outside to access the basement.
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 enclosed stair addition replaces an existing enclosed (unheated) porch, and retains the existing roof. New exterior walls and a foundation will be installed. No new bulk is added, but for the new subterranean (basement) encroachment into the setback, for the foundation and basement stairwell. The addition does not limit access to the back yard, since a 5.9' wide access exists on the west side of the home. There is not any structure on

the lot to the east; this area is used for surface parking by the adjacent property. The only structure that could be built on the neighboring property would be a detached accessory structure, providing a minimum 3' setback to the property line. The single-story addition project would result in development generally consistent with the purpose and intent of the TR-C3 district.

3. Aspects of the request making compliance with the zoning code burdensome: The property has no interior access to the basement area, which would otherwise require occupants to exit the building and use an exterior stair to access the basement, which is highly uncommon and overly-burdensome.
4. Difficulty/hardship: See comments #1 and #3. The property was originally built in 1905 and purchased by the current owner in August 2009.
5. The proposed variance shall not create substantial detriment to adjacent property: The project retains the existing bulk characteristics above-grade, so no new detriment is created above/beyond what currently exists.
6. Characteristics of the neighborhood: The general area is characterized by single and two story homes, containing single, two, and multiple family dwellings. The style and design of the project is in keeping with the characteristics of the general area.

Staff Recommendation: It appears standards have been met, therefore staff recommends **approval** of the variance requests, subject to further testimony and new information provided during the public hearing.