

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
402 West Shore Drive

Zoning: TR-C2

Owner: Thomas & Lynette Felhofer

Technical Information:

Applicant Lot Size: 50'w x 120'd **Minimum Lot Width:** 40'

Applicant Lot Area: 6,000 sq. ft. **Minimum Lot Area:** 4,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.043

Project Description: Two-story single family home. Construct second level balcony atop existing 1st floor enclosed front porch. Balcony is accessed from master bedroom in remodeled 2nd floor of home.

Zoning Ordinance Requirement: 20.0'

Provided Setback: 16.5'

Requested Variance: **3.5'**

Comments Relative to Standards:

1. Conditions unique to the property: The property exceeds lot minimums and the existing principal structure was built many years ago. The home is forward of all other homes on the block face, and has an enclosed front porch. The existing porch projects into the required setback slightly, and otherwise common front balcony atop a porch will also project into the setback.
2. Zoning district's purpose and intent: The proposed balcony is similar to other front-side balconies and decks, a common feature found in the general area, which affords vistas of Monona Bay and downtown Madison skyline. A balcony creates a quality useable outdoor space for the occupants of the dwelling. A variance is based upon the required setback relative to the location of the building on the lot, and does not introduce significant bulk beyond the existing condition. The bulk of the building is reduced when the gable-roof of the home is remove and replaced with a flat roof.
3. Aspects of the request making compliance with the zoning code burdensome: A balcony could be placed at a location that meets setback requirements, however, this would result in an unusual look to the balcony and a shallow depth (5.5'd) with diminished functionality, that is generally smaller in depth than what one would typically expect for the amenity on similarly zoned and developed property.

The proposed depth of the balcony is an expansion beyond the existing front wall of the porch, which is a desire of the applicant to expand useable space forward on the lot beyond what currently exists. The balcony could be reduced in depth to match the depth of a porch, which would require less variance, and is more in common with what is found atop porches in similar properties with balconies.

4. Difficulty/hardship: See comment #1 and #3 above.
5. The proposed variance shall not create substantial detriment to adjacent property: There is no property to the north and the neighboring home to the south is located approximately 26' from the proposed balcony. As stated in comment #2 above, the balcony would introduce little bulk, and since the use of the balcony is seasonal and weather dependent, activity in this area and would have little impact on surrounding properties.
6. Characteristics of the neighborhood: The general area is characterized by similarly sized or larger homes on similarly sized lots. Second-level front balconies are common, but are typically located atop existing first-floor roofs or within the building envelope. The proposed balcony expands the roof toward the front property line, resulting in a larger balcony and canopy-like roof over the front steps, which does not appear to be common. The post and cable style railing for the balcony appears common for the area.

Other Comments: As state above, the project appears to push the balcony level closer to the front property line than the existing structure. It is not clear that other comparable balconies exist in the neighborhood, and there does not appear to be evidence presented to support a variance to allow for the extension of the porch forward on the lot. This appears to be based upon a desire of the petitioner to have a larger space. As an alternative, if the board determined the variance met the standards of approval, staff recommends a reduction of the variance, to relocate the railing, eliminate the front overhang, to provide a matching 6" - 12" overhang/gutter system, of the style found on the sides of the existing front porch. This change would reduce the requested variance by 1'.

Staff Recommendation: In consideration of the general comment above, staff recommends the **approval** of a 2.5' variance, with the recommended modifications to the roof/balcony structure described above, subject to further testimony and new information provided during the public hearing.