

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
1112 Garfield St.

Zoning: TR-C2

Owner: Jason and Marcella Speich

Technical Information:

Applicant Lot Size: Triangular lot, 148' frontage on Garfield

Minimum Lot Width: 40'

Applicant Lot Area: 5,415 sq. ft.

Minimum Lot Area: 4,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.043(2)

Project Description: Petitioners request a rear yard setback variance to construct a second-level dwelling addition onto a 2-story single family dwelling.

Zoning Ordinance Requirement: 22.2'
Provided Setback: 12.42
Requested Variance: **9.78'**

Comments Relative to Standards:

1. Conditions unique to the property: The subject property is a triangular-shaped lot with a shallow lot depth (74') that does not meet the subdivision regulations for minimum lot depth. Due to this shape, part of the 2-story portion of the existing principal structure and the majority of the 2nd level deck projects into the rear yard setback.
2. Zoning district's purpose and intent: The regulations being requested to be varied are the *rear yard setback*. In consideration of this request, the *rear yard setback* is intended to provide minimum buffering between principal buildings on lots and to align buildings within a common building envelope, common back yards, and generally resulting in space in between the building bulk and commonality of bulk constructed on lots.

The subject property is the only triangular lot in the block, and thus the setbacks apply differently to this lot. The abutting alley serves as a side yard setback, where the rest of the block abuts the alley at the rear lot line/rear yard setback. The proposed bulk of the home is similar to other homes found in the general area. This project appears to result in development consistent with the purpose and intent of the TR-C2 district.

3. Aspects of the request making compliance with the zoning code burdensome: the triangular shape lot is very unique as compared to lots in this neighborhood – there are very few like this lot. The required front and rear setbacks result in limited areas for an addition.

4. Difficulty/hardship: The home was constructed in 1909 and purchased by the current owner in May 2010. See comment #1 and #3 above.
5. The proposed variance shall not create substantial detriment to adjacent property: the proposal adds bulk atop the existing first-story, and generally matches the existing bulk of the home. The home abuts an alley to the north and a detached garage on the property to the southwest.
6. Characteristics of the neighborhood: The general area is comprised of houses of similar sizes and design, on lots that are generally rectangular. The design of the project appears consistent with the general area.

Other Comments: The submitted plans show an 8' dimension at the rear of the existing home, which scales to about 6'.

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.