

**ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
5201 Perfect Drive**

Zoning: SR-C3

Owner: Dennis Tiziani / Cherokee Property Development LLC

Technical Information:

Applicant Lot Size: Irregular **Minimum Lot Width:** 50'

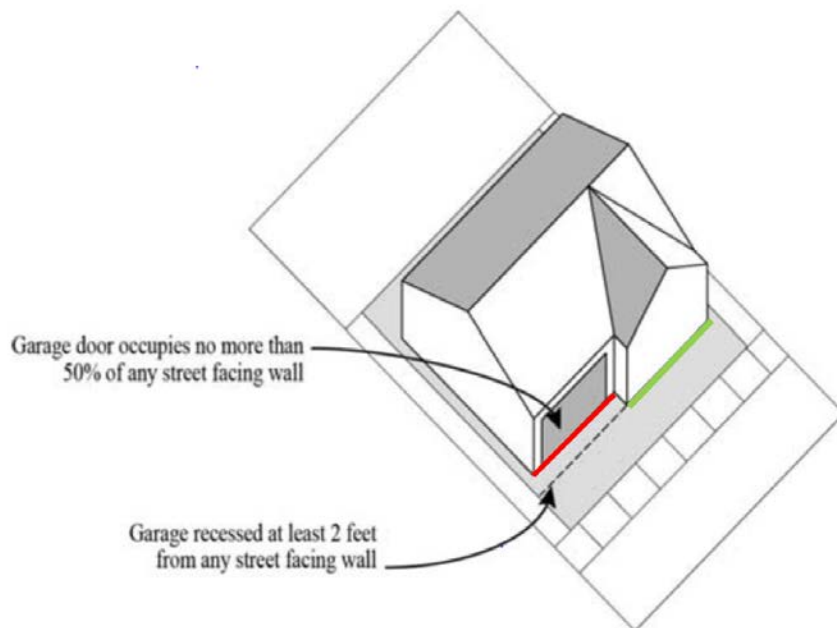
Applicant Lot Area: 10,136 sq. ft. **Minimum Lot Area:** 6,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.031(3)

Project Description: Requests a variance to the attached garage setback requirement to construct a new single-family dwelling.

Zoning Ordinance Requirement: 28.031(3)

Attached Garage Setback. In new buildings constructed after the effective date of this code, in order to avoid the monotonous and pedestrian-unfriendly appearance of facades dominated by garage doors, any street-facing wall that contains an attached garage door may occupy no more than fifty percent (50%) of the width of that building facade, measured at grade. That portion of the façade that contains the garage door must be recessed at least two (2) feet behind the remainder of the facade. The Plan Commission may reduce or eliminate this requirement as part of the conditional use process in the case of lakefront lots where physical constraints make compliance infeasible.



Requested variance: The Garage wall with garage door (red) facing the street Perfect Drive is forward of the remainder of the facade (green).



Comments Relative to Standards:

1. Conditions unique to the property: The lot size exceeds minimum area and width for the district, and the lot is part of a new subdivision. The lot has slope that increases from east to west, with varying elevations along Perfect Drive. This lot is classified as a corner lot due to its curve on Perfect Drive (not the frontage on North Sherman Avenue). The lots in this subdivision have no access to North Sherman Avenue, and must pull driveway access from Perfect Drive. The access available for this lot to comply with the garage placement rule results in the driveway being located across from the driveway entrance for the Cherokee Country Club and Golf Course, which has approximately 190 surface parking stalls.
2. Zoning district's purpose and intent: The regulation being requested to be varied is the *Attached Garage Setback* requirement. This is a form-based requirement, intended to ensure that the primary street/curb view for the dwelling is not dominated by a garage wall and garage door.

In this case, the subject property abuts a public right-of-way to the south and west. Either the west or south-facing façade will have a wall with a garage door facing a street, given the lot fronts on two streets. Because the lot is a corner lot, the view of the home is not limited only to the garage wall and door. Generally, the home has an attractive presence as viewed from the adjacent streets.

3. Aspects of the request making compliance with the zoning code burdensome: The lot does allow for a code-compliant garage wall/door orientation, however, the wall/door and driveway placement creates direct vehicle conflicts with the commercial driveway immediately across Perfect Drive that serves the Cherokee Country Club and Golf Course.

4. Difficulty/hardship: As noted above, this is a new subdivision. The existing commercial driveway cannot be easily changed without impacting the layout of the parking lot. It is also unclear if the applicant would have the ability to modify this driveway, which also happens to be located on property in the Town of Westport.
5. The proposed variance shall not create substantial detriment to adjacent property: Because this lot is a corner lot, the front, sides and rear of the dwelling is exposed to a street view. The home is attractively designed relative to views from Perfect Drive.
6. Characteristics of the neighborhood: The general area is primarily a recreational or natural area, with only one other home constructed in the subdivision. The proposed structure would be considered orderly development.

Other Comments: The primary reason for this request is vehicle safety for both the occupants of the home who will back out of their garage/driveway and vehicles entering and leaving the country club property. The compliant garage placement will necessitate a vehicle backing down the sloped driveway, while turning, to Perfect Drive. Per a discussion with Eric Halvorson from City Traffic Engineering, he indicates the preferred alignment for the driveway is as requested by the variance, which would limit potential commercial driveway vehicle conflicts on Perfect Drive.

This property is not a lakefront lot, therefore the Plan Commission is not authorized to modify this requirement.

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.