

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
2114 Van Hise Ave

Zoning: TR-C2

Owner: John & Sue Flanery

Technical Information:

Applicant Lot Size: 90'w x 102'd irregular

Minimum Lot Width: 40'

Applicant Lot Area: 9635 sq. ft.

Minimum Lot Area: 4000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.043(2)

Project Description: Construct a two-story addition to the west side of the existing two-story single-family home. Project accommodates first-floor bonus room and second floor master bathroom.

Zoning Ordinance Requirement: 30'
Provided Setback: 24' 8"
Requested Variance: 5' 4"

Comments Relative to Standards:

1. Conditions unique to the property: The lot exceeds minimum lot width and lot area minimums, and is generally square in shape. The lot is a developed corner lot, part of two originally platted lots. The home is placed toward the rear of the lot, providing a 15' rear setback (nonconforming). There is significant grade change across this lot.
2. Zoning district's purpose and intent: The regulation requested to be varied is 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 existing building placement appears to be a long-standing condition, likely original to the development of these lots. The neighboring property to the north is a very small home, located about 50 to 55 feet from the rear wall of the existing home. The 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 placement of the existing home has design limitations which drive the placement of the addition to the proposed location.
4. Difficulty/hardship: The home was constructed in 1920 and purchased by the current owner in October 2017. See comments #1 and #3 above. This request is driven by the home placement on the lot and the most logical placement for the addition, which requires zoning variances. There are no other clear options for an addition to be constructed.
5. The proposed variance shall not create substantial detriment to adjacent property: The property is heavily vegetated and buffered from the adjacent street to the west by a large setback and retaining wall. The existing home and proposed addition is not openly visible. It does not appear as though the minor increase in bulk in the setbacks will result in significant impact on neighboring property.
6. Characteristics of the neighborhood: The general area is characterized by homes of varying sizes and styles, many with additions constructed over time. Being in a historic district, matters of design are primarily under the review of the Landmarks Commission. The proposed design would not appear out-of-place for this neighborhood.

Other Comments: A foundation slab with adequate frost wall protection exists where the addition is to be constructed. This foundation appears to be original to the construction of the home. Per the petitioner, the original owner had kept a diary of the construction of the home, and had intended to build this part of the home but it was not realized because of funding or loss of workforce during the late 1920's. Original drawings have been included with the submittal showing the addition.

This property is located in the University Heights Historic District. At its July 23 2018 meeting, the Madison Landmarks Commission issued a *Certificate of Appropriateness* for this project.

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.