

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
1829 Spaight Street

Zoning: TR-C3

Owner: Timothy and Anna Stieve

Technical Information:

Applicant Lot Size: 38' x 109.8' irregular

Minimum Lot Width: 30 ft.

Applicant Lot Area: 4,177 sq. ft.

Minimum Lot Area: 3,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.044 (2)

Project Description: Two-story single family home. Remove enclosed unheated front porch atop existing basement area, reconstruct as conditioned (heated) space for the home. The roof and wall location remain generally as-is.

Zoning Ordinance Requirement: 15.88'

Provided Setback: 14.0'

Requested Variance: **1.88'**

Comments Relative to Standards:

1. Conditions unique to the property: The lot is slightly wider than ordinance minimums and also exceeds lot area minimums, and is a fully-developed lot. The existing porch and associated front and side yard setback is set by existing building placement, including an existing basement beneath the porch, and cannot be reasonably changed.
2. Zoning district's purpose and intent: The regulation being requested to be varied is the *front yard setback*. In consideration of this request, the front yard setback is intended to establish a general development pattern and setback for structures from the street and a general commonality in regard to the bulk of buildings in the immediate area. In this case, and as found on other homes in the general area, many of the homes in the area include porch-like features. Many of the original porch features have been enclosed, some unheated and others have been converted to interior conditioned living space. The proposal maintains the existing bulk characteristics of the home and appears to result in development consistent with the purpose and intent of the TR-C3 district.
3. Aspects of the request making compliance with the zoning code burdensome: Meeting the required setback would have the effect of a loss of some of the existing space, would require removal or significant modification to the existing basement area, and would make the project infeasible. See comment #1 above.

4. Difficulty/hardship: The home was constructed in 1926 and purchased by the current owner in April 2012. See comments #1 and #3 above.
5. The proposed variance shall not create substantial detriment to adjacent property: The location of the project maintains the existing bulk condition of the home. The expansion of the living space will afford this area to be used more actively than if it was an unheated enclosed porch, but this use does not appear to have discernible adverse impact on the neighboring structures or uses.
6. Characteristics of the neighborhood: The general area is characterized by one and two-story houses of similar size on generally uniform lots. As stated above, enclosed porch features are common, and many appear to have been enclosed and some have been converted into living space. The style and design of the addition is generally in keeping with design of the home, and is typical for the area.

Other Comments: The petitioner has indicated some of the wall posts and floor structure supporting the roof may remain if these elements are determined to be adequate during construction, but due to new wind bracing requirements, new walls must be installed.

At its November 15th 1984 meeting, the Madison Zoning Board of Appeals approved a side yard setback variance to construct a dormer and allow for the second-floor of the dwelling to be finished for two bedrooms.

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.