

ZONING ADMINISTRATOR'S REPORT  
VARIANCE APPLICATION  
1805 Rutledge Street

**Zoning:** TR-C3

**Owner:** M. Jake Vander Zanden & Helen C. Sarakinos

**Technical Information:**

**Applicant Lot Size:** 38' x 95'±      **Minimum Lot Width:** 30'

**Applicant Lot Area:** 3,594 Sq. ft.      **Minimum Lot Area:** 3,000 sq. ft.

**Madison General Ordinance Section Requiring Variance:** 28.044(2)

**Project Description:** Petitioners requests a side yard variance to construct a second-story addition at the rear of the existing two-story single-family dwelling. The addition accommodates a master bedroom expansion.

Zoning Ordinance Requirement:	3.8'
Provided Setback:	3.0'
Requested Variance:	0.8'

**Comments Relative to Standards:**

1. Conditions unique to the property: The lot exceeds minimum lot width and lot area requirements. The lot is similarly sized to other lots in the immediate neighborhood. The proposed addition stacks atop the existing side wall of the first floor and maintains the same plane for the first-story structure to the rear, which projects into the side setbacks slightly, necessitating the variance.
2. Zoning district's purpose and intent: The regulation requested to be varied is the *side yard setback*. In consideration of this request, the *side yard setback* is intended to provide minimum buffering between buildings, generally resulting in space in between the building bulk constructed on lots, to mitigate potential adverse impact and to afford access to the backyard area around the side of a structure.

This project involves a second-story addition stacked atop the first story, replacing the open deck. The existing building placement and relationship between the existing home and the home adjacent to where the variance is being requested appears to be a long-standing condition, likely original to the development of these lots. The variance request does not further limit access to the rear yard above or beyond what already exists. The principal structure on the neighboring property to the north is separated by a driveway on that property, and is located 14'± from the subject home. The project 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: Constructing an addition and providing the minimum setback creates interior and exterior space challenges in construction, due to the 0.8' shift in the addition that would be necessary to meet the setback. Placement of the addition at a setback matching the existing exterior walls eliminates the jog of the addition, and this allows the spaces to connect efficiently and maintains the existing condition that appears to be original and not unusual.
4. Difficulty/hardship: The home was constructed in 1928 and purchased by the current owner in April 2002. See comment #1 and #3 above.
5. The proposed variance shall not create substantial detriment to adjacent property: The variance would not introduce minimal impact above or beyond the existing bulk relationship between the home on the subject lot and the home on the adjacent lot to the side where the variance is being requested.
6. Characteristics of the neighborhood: The general area is characterized by mostly two-story structures, where similar addition may be found. The design of the addition is in keeping with the existing structure and general area.

**Other Comments:** The proposed balcony complies with setback requirements and does not require a zoning variance.

At its March 25, 1999 meeting, the Madison Zoning Board of Appeals approved a setback variance to allow for a detached garage to be constructed with an 18" setback.

**Staff Recommendation:** It appears the variance standards have been met, therefore staff recommends **approval** of the variance requests, subject to further testimony and new information provided during the public hearing.