

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
301 Clemons Avenue

Zoning: TR-C4

Owner: Elizabeth Morgan

Technical Information:

Applicant Lot Size: 40' x 83'

Minimum Lot Width: 40'

Applicant Lot Area: 3,346 sq. ft.

Minimum Lot Area: 4,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.045(2)

Project Description: Petitioner requests a side yard setback variance for a second-story addition to a single-story, single family dwelling.

Zoning Ordinance Requirement: 4'

Provided Setback: 2.9'

Requested Variance: 1.1'

Comments Relative to Standards:

1. Conditions unique to the property: The lot meets minimum lot width, but the lot area is less than the minimum for the zoning district. The existing principal structure's projection into the side setback is the unique condition for this property.
2. Zoning district's purpose and intent: 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. The proposed addition above the existing dwelling does not change the placement of the dwelling relative to the lot lines. The project appears to result in a condition that is consistent with the purpose and intent of the TR-C4 district.
3. Aspects of the request making compliance with the zoning code burdensome: The location of the dwelling on the lot restricts the ability to build a second story addition over the existing house because the house currently projects into the side yard setback. To comply with the zoning code, the second-story addition would have to be built with an exterior side wall that is offset from the first story.

4. Difficulty/hardship: See comment #1 and #3 above. Building an addition that is offset from the existing side wall would be structurally difficult and compliance would result in an awkward design.
5. The proposed variance shall not create substantial detriment to adjacent property: The existing house is within the side setback with no substantial detriment to adjacent property. The neighbor to the south has a second story which is generally aligned with the proposed second story addition.
6. Characteristics of the neighborhood: The neighborhood is comprised of mostly two-story, older houses with single-story front porches or projections. This project will allow for a similarly designed house. Adding living space over the first story will allow the structure to provide living space of a size comparable with other houses in the neighborhood.

Other Comments: At its February 11, 1958 meeting, the Madison Zoning Board of Appeals approved a front setback variance to allow the front porch to be enclosed and made into conditioned living space.

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.