

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
2314 Keyes Ave

Zoning: TR-C2

Owner: James Haygood

Technical Information:

Applicant Lot Size: 45' wide x 125' deep **Minimum Lot Width:** 40'

Applicant Lot Area: 5,615 sq. ft. **Minimum Lot Area:** 4,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.131 (1)(d)

Project Description: Applicant requests a front yard setback variance for a new 16' wide by 20' long detached garage for a single-family house. The subject property is a through lot, which means both the Keyes Avenue lot line and the Commonwealth Avenue lot line are front lot lines in the zoning code.

Accessory structures, like detached garages, located on lots used exclusively for residential or mixed-use purposes have a rear yard setback of three feet. However, because 2314 Keyes Ave. is a through lot, there is no rear yard on the property. Instead, a minimum front setback of 20 feet is required from the Commonwealth Avenue lot line.

The house has an existing attached basement garage that is accessed through a shared private right-of-way. The property has an active building permit which includes converting the existing attached garage to living space.

Front Yard Setback Variance

Zoning Ordinance Requirement: 20'

Provided Setback: 3'

Requested Variance: 17'

Comments Relative to Standards:

1. Conditions unique to the property:

The lot meets minimum lot width and area requirements and is an otherwise compliant lot in the TR-C2 zoning district. A unique condition for the property is that it is a through lot on a triangular block with a private right-of-way. Through lots in Madison are rarely

lower density single- or two-family residential lots. They are typically larger lots which are developed more intensely.

The subject property is located on a triangular block. Five of the seven lots on the block are included in a private right-of-way interior to the block which provides access from their lots to Leonard St to the north. Without this private right-of-way, several other properties on the block would not have the ability to access the rear of their lots for parking purposes. In contrast, 2314 Keyes currently has access through the private right-of-way but can gain access from Commonwealth Avenue, removing itself from this unusual driveway condition.

Another unique condition is that there is a wider right-of-way on the Commonwealth than is typical in Madison's lower density residential areas. The distance between the interior edge of the sidewalk and the front lot line on Commonwealth is 15 feet, when it is typically about six to twelve inches. It appears there were historically two parcels along Commonwealth Avenue which were a railroad spur right-of-way. The railroad right-of-way appears to have later been divided in half, becoming an additional 20' of City right-of-way and an additional 20' for the lots on the block.

2. Zoning district's purpose and intent:

The *front yard setback* is intended to provide buffering between developments and the adjacent streets/sidewalks, resulting in a relatively uniform orientation of buildings to the street. The purpose of both lot lines being front lot lines on a through lot is so that building placement and site layout on both street frontages is harmonious with surrounding lots.

The subject property has a larger right-of-way than typical. The two properties to the west, 2318 Keyes and 2322 Keyes, received a front yard and side yard setback variance for a shared detached three-car garage in 1981. The resulting garage has a 0.5' front setback. Two corner lots on the block, 502 Leonard and 2322 Keyes, have houses with closer setbacks than 20' from Commonwealth. On the opposite side of Commonwealth, there is a more typical right-of-way width and location, so houses are located closer to the sidewalk and street than is allowed on the subject property's side of Commonwealth.

It appears that the proposed garage with 3.5' front yard setback in this location would not be contrary to the purpose and intent of the front yard setback as there would still be the appearance of a relatively uniform orientation of buildings to the street on both sides of Commonwealth Ave.

3. Aspects of the request making compliance with the zoning code burdensome:

Compliance with the strict letter of the ordinance would require that a detached garage with the required 20' front setback be built 35' from the interior edge of the public

sidewalk. However, due to the depth and width of the lot, there appears to be sufficient space to build a garage with a compliant front yard setback and still have a functional backyard and house. Therefore, it appears that compliance with the zoning code would not unreasonably prevent use of the property for a permitted purpose nor render compliance with the ordinance unnecessarily burdensome.

4. Difficulty/hardship:

The house was originally constructed in 1920 and purchased by the current owners in 2026. See comment #3 above. Based on the information provided, the difficulty seems to be driven by the desire of the applicant to have more open space in the backyard and locate the garage in this location rather than being driven by the zoning code.

5. The proposed variance shall not create substantial detriment to adjacent property:

The variance will result in a detached garage that has a greater front setback than the adjacent garage to the west and would move the property away from the unusual private right-of-way condition. It appears there will be no substantial detriment or loss of light and air at adjacent property.

Traffic Engineering granted a vision clearance triangle waiver to allow the proposed detached garage to be located within the vision clearance triangle. Therefore, it does not seem that the variance will be contrary to the public interest.

6. Characteristics of the neighborhood:

The two properties to the west, 2318 Keyes and 2322 Keyes, received a front yard and side yard setback variance for a shared three-car garage in 1981. The resulting garage has a 0.5' front setback. Nearby houses have the appearance of a similar setback from Commonwealth Ave. The proposed garage appears to overall be in keeping with the development pattern of the area.

Other Comments:

A previous owner planted some woody shrubs within the right-of-way where such plantings are not allowed. The property owner has agreed that those plantings will be removed as part of this project, resulting in a compliant condition.

The property has an existing driveway and parking area that are accessed through a private right-of-way. If the Zoning Board of Appeals approves a variance, staff requests a condition be placed on the variance: *The existing driveway and parking area shall be removed.*

Staff Recommendation:

The burden of meeting the standards is placed upon the applicants, who need to demonstrate satisfaction of all the standards for variance approval. It is not clear that this burden has been met based on submitted materials. Therefore, staff recommends **referral** pending additional information and **approval** if gaps in information relative to the standards of approval can be filled, subject to further testimony and new information provided during the public hearing.