

ZONING ADMINISTRATOR'S REPORT  
VARIANCE APPLICATION  
1509 Morrison St

**Zoning:** TR-V1

**Owner:** Rae Kaiser & John Ganahl

**Technical Information:**

**Applicant Lot Size:** not available

**Minimum Lot Width:** 30'

**Applicant Lot Area:** not available

**Minimum Lot Area:** 3000 sq ft

**Madison General Ordinance Section Requiring Variance:** 28.047(2)

**Project Description:** Request a rear-yard variance to construct a 7'w x 13'd second-story screen porch atop an existing second-floor deck.

Zoning Ordinance Requirement: 25.0'

Provided Setback: 19.1'

Requested Variance: 5.9'

**Comments Relative to Standards:**

1. Conditions unique to the property: The building exists at a placement into the required rear yard setback. Also, because this building is a three-unit building, the rear yard setback allows bulk closer to the lake than it would for the adjacent single or two-family structures, due to a clause in the zoning ordinance that exempts the lakefront setback average, thus allowing additions at the existing setback on a three-family home.
2. Zoning district's purpose and intent: The regulation being requested to be varied is the *rear yard setback*. In consideration of this request, the *rear yard setback* is intended to establish general uniformity for the setback of principal structures on lots, to preserve view sheds and to limit bulk placement that might negatively impact adjacent properties.

This case is primarily about an improvement that will add minimal bulk but will resolve water damage problems inherited from the original design of the structure. The project adds little bulk in the setback and goes no closer than interior portions of the existing building. It does not appear as though this addition would conflict with the purpose of the rear yard setback.

3. Aspects of the request making compliance with the zoning code burdensome: The setback requirement would limit the construction to only a partial construction of a screen porch or open porch with partial roof, limiting the practicality of construction.

4. Difficulty/hardship: Difficulty/hardship: See comments #1 and #3. The existing three-family home was constructed in 1972 and purchased by the current owner in April 2009.
5. The proposed variance shall not create substantial detriment to adjacent property: The project does enclose a space that is currently open but this enclosure will have little adverse impact on the neighboring home. The addition is designed for seasonal use (unheated, screen porch) and might be able to be used more because it has a roof but that use has a minimal impact on the neighboring home.
6. Characteristics of the neighborhood: The general area is comprised of homes with varying porch designs. This property is not common to others in the general area; most are single or two-family homes. The design appears consistent with the existing structure. The addition will appear as though it was part of original construction and the project generally is not out of keeping with what might be found in the general area.

**Other Comments:** The petitioner also needs to resolve building maintenance problems created by the existing flat roof deck, which becomes the floor of the screen porch. Rainwater/precipitation accumulating on the flat roof deck is leaking into the living area below. Channeling water off of the flat roof by installing the new roof will resolve this problem.

**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