

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
1438 Morrison Street

Zoning: TR-C4

Owner: Alon Andrews

Technical Information:

Applicant Lot Size: 33' w x 132' d **Minimum Lot Width:** 40'

Applicant Lot Area: 4,356 sq. ft. **Minimum Lot Area:** 4,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.151

Project Description: Convert existing oversized detached garage into accessory dwelling unit.
Request is to exceed maximum size for ADU space.

Zoning Ordinance Allowed Maximum: 700 sq. ft.

Proposed Size: 737 sq. ft.

Requested Variance: **37 sq. ft.**

Comments Relative to Standards:

1. Conditions unique to the property: The existing building is proposed for conversion. A portion of the building has been excluded from the dwelling unit, identified as "court" on the floor plan. This space appears to be designed to allow for some limited shared storage for the occupants of the dwellings on the property, and as a day lighting opportunity for the ADU.
2. Zoning district's purpose and intent: The size limitation was put in place to limit the potential of an overly-large dwelling unit or could be considered not accessory to the principal dwelling unit. It does not appear as though the variance would have substantial effect beyond what is permissible in regard to size for an ADU.
3. Aspects of the request making compliance with the zoning code burdensome: There does not appear to be a clear reason as to why the size for the ADU is proposed as shown. The project could be redesigned to provide a maximum of 700 sq. ft., perhaps by offering some of the space of the building as an accessory storage space for the dwellings on the property. This would not require removal of exterior walls, as is suggested in the submittal by the petitioner. The size of the accessory building does not necessarily correlate to the size of the proposed ADU.
4. Difficulty/hardship: It appears as though the project could be redesigned to meet the 700 sq. ft. maximum size without significant effort.

5. The proposed variance shall not create substantial detriment to adjacent property: This type of request does not generally affect the bulk of a building, so an approval of this variance would introduce little impact on neighboring properties above/beyond what is otherwise allowed.
6. Characteristics of the neighborhood: This project would result in the first ADU in this neighborhood, so there is not a like project or structure to compare this project with. The style and design of the visual improvements do not appear out-of place for this neighborhood.

Other Comments: An accessory dwelling unit is a conditional use, requiring Plan Commission approval. Also, the existing structure exceeds the maximum size allowed for an accessory building, and will require a conditional use approval from the Plan Commission for the proposed alterations. No application has been made to date for the conditional use reviews.

Staff Recommendation: The burden of meeting the standards is placed upon the applicant, who needs to demonstrate satisfaction of all the standards for variance approval. It is not clear that this burden has been met. It appears as though the project could be redesigned to result in a 700 sq. ft. maximum dwelling unit size, thus not requiring a variance. Staff recommends that the Zoning Board find that the variance standards are not met and **deny** the requested variance as submitted, subject to further testimony and new information provided during the public hearing.