

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
2521 Upham Street

Zoning: TR-C4

Owner: Tim and Pamela Felt

Technical Information:

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

Applicant Lot Area: 5,280 sq. ft. **Minimum Lot Area:** 4,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.045(2)

Project Description: Single-story single family home. Remove unheated front porch area, reconstruct as single-story conditioned space interior to home, with footing. The area is designed to serve as an entry feature, relocated closet that is lost to other remodeling, and expansion of remodeled kitchen facilities (breakfast nook/seating area). The roof to remain as-is. Project also includes some interior remodeling to accommodate change in living room and dining room location, and creates a home office space.

	<u>Front Yard</u>	<u>Side Yard</u>
Zoning Ordinance Requirement:	12.3'	4.0'
Provided Setback:	12'	3.0'
Requested Variance:	0.3'	1.0'

Comments Relative to Standards:

1. Conditions unique to the property: The lot exceeds ordinance minimum requirements, and is a fully-developed lot. The existing porch and associated front and side yard setback is set by existing building placement, and cannot be reasonably changed.
2. Zoning district's purpose and intent: The regulation being requested to be varied is the *front and side yard setback*. In consideration of this request, the front and side yard setback are intended to provide buffering between developments, generally resulting in a space between bulk placed on lots, to mitigate potential adverse impact, and to establish general commonality in regard to the bulk of buildings in the immediate area. In this case, and as found on other homes in the general area, most of the homes in the area include porch-like features. Nearly all original porch features are enclosed, and many have been converted to interior conditioned living space. The proposed project maintains the existing bulk characteristics and appears to result in development consistent with the purpose and intent of the TR-C4 district.

3. Aspects of the request making compliance with the zoning code burdensome: Meeting the required setback would have the effect of a loss of some of the existing space or disrupting the flow of the interior space, and would possibly make the project infeasible. See comment #1 above.
4. Difficulty/hardship: The home was constructed in 1924 and purchased by the current owner in April 2002. See comments #1 and #3 above.
5. The proposed variance shall not create substantial detriment to adjacent property: The location of the project maintains the existing bulk condition of the home. The expansion of the living space will afford this area to be used more actively than if it was an unheated enclosed porch, but this use does not appear to have discernible adverse impact on the neighboring structures or uses.
6. Characteristics of the neighborhood: The general area is characterized by one and two-story houses of similar size on generally uniform lots. As stated above, enclosed porch features are common, and many appear to have been converted into living space. The style and design of the addition is generally in keeping with design of the home, and is typical for the area.

Other Comments At its April 22nd 2010 meeting, the City of Madison Zoning Board of Appeals approved a variance to construct a new detached garage at the subject property.

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.