

ZONING ADMINISTRATOR'S REPORT  
VARIANCE APPLICATION  
**1131 Sherman Avenue**

**Zoning:** TR-C2

**Owner:** Trevor and Jennifer Tompkins

**Technical Information:**

**Applicant Lot Size:** 33' w x 164' d

**Minimum Lot Width:** 40'

**Applicant Lot Area:** 5,412 sq. ft.

**Minimum Lot Area:** 4,800 sq. ft.

**Madison General Ordinance Section Requiring Variance:** 28.043(2)

**Project Description:** Two-story single family home. Modify existing shed dormer on left side of home to accommodate remodeling for master bedroom and bath.

Zoning Ordinance Requirement: 3.3'

Provided Setback: 2.8'

Requested Variance: **0.5'**

**Comments Relative to Standards:**

1. Conditions unique to the property: The lot is narrower than minimums but exceeds lot area minimums. The lot is similar in depth with other lots on the block, and proves a pre-existing substandard side setback to one side (opposite driveway), which appears similar to other homes in the neighborhood.
2. Zoning district's purpose and intent: The regulation being requested to be varied is the *side yard setback*. In consideration of this request, the side yard setback is intended to provide buffering between developments, generally resulting in a space between bulk placed on lots, to mitigate potential adverse impact and also affords access to the backyard around a structure. The proposed dormer expansion appears to result in development consistent with the purpose and intent of the TR-C2 district.
3. Aspects of the request making compliance with the zoning code burdensome: The existing building placement drives this request. The proposal matches and extends the existing side wall location of the existing building. The dormer addition will result in a home that appears common and similar to other homes found in the immediate area, and results in useable, functional, and otherwise reasonable and common spaces within the building. Most homes in the immediate area are two-story with dormers or gables, and the dormer expansion appears normal.

4. Difficulty/hardship: The home is a single-family rental property. The son of the owners (Nicholas Tomkins) has indicated he will be purchasing the home as his residence, hence the desire for the renovation at this time. The home was constructed in 1909 and purchased by the current owner in July 2006. See comment #1 and #3.
5. The proposed variance shall not create substantial detriment to adjacent property: This project will introduce some new vertical bulk in close proximity to a side property line on a small lot, but this does not appear to be substantial above or beyond what would otherwise be allowed by code. The neighboring principal structure the side where the construction is proposed is about 40'± away, separated by a greenspace and driveway on the adjacent property.
6. Characteristics of the neighborhood: As stated above, homes in the area typically have setbacks that reflect a driveway side that has a greater setback and an opposite side that is less. The single family homes found in the general area are mainly two-story, with many appearing to have similar 2<sup>nd</sup> floor or attic spaces utilizing dormers. The project appears consistent with other similar single-family development found in the immediate area.

**Other Comments:**

At its March 9<sup>th</sup> 1948 meeting, the Madison Zoning Board of Appeals approved a setback variance for the existing shed dormer on the left side of the home to be constructed, to create a bedroom space in the dwelling.

**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.