

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
113 Bascom Place

Zoning: TR-C2

Owner: Mary Morgan & Daniel Fallon

Technical Information:

Applicant Lot Size: 35'w x 100'd **Minimum Lot Width:** 40'

Applicant Lot Area: 3,500 sq. ft. **Minimum Lot Area:** 4,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.132(1) Projections into setbacks
28.141(8)(c) Residential Parking

Project Description: Expand existing front yard parking area 1' to the east (left) and 4' to west, to make it functional for parking a passenger vehicle.

Requested Variance: Allow for expansion of existing nonconforming front yard parking area, resulting in a 12'w x 20'd parking area. Parking in front 10' of lot is variance request.

Comments Relative to Standards:

1. Conditions unique to the property: The subject lot is narrow in width and does not meet lot area minimums, and is about half the size of typical lots in the general area. The lot has an existing nonconforming front yard parking area. Along the eastern property line there is significant topography and trees and a historic retaining wall that cannot be removed or disturbed. Access to parking in the rear yard area or building envelope from the west is not possible.
2. Zoning district's purpose and intent: The regulations requested to be varied are the *general prohibitions on front yard parking*. In consideration of this request, the *general prohibitions on front yard parking* are intended to result in off-street parking areas that are within buildings or placed outside of the required front setback, primarily from an aesthetic perspective. The proposal will result in a slight modification to the existing nonconforming parking area, which will remain whether or not a variance is granted. The request simply makes the area more functional, but does not expand the area to allow for parking of more vehicles than one car. The expansion also allows for storage of garbage cans, with a path from the street to the home.
3. Aspects of the request making compliance with the zoning code burdensome: Effective and reasonably sized off-street parking areas are common for this neighborhood, and

without a variance, this property will continue to struggle with a narrow and ineffective parking area.

4. Difficulty/hardship: City records date the home to 1909. The home was the former carriage house of the large dwelling to the east, split at some point in time and sold as a separate dwelling unit, with a front yard parking area prior to current zoning regulations that prohibit such parking.
5. The proposed variance shall not create substantial detriment to adjacent property: The expansion will have no effect on the adjacent property.
6. Characteristics of the neighborhood: The general area is characterized by homes of varying sizes on lots of varying size. Most homes have off-street parking areas and driveways, not necessarily front yard parking. This lot is unique, because it was split from the larger lot and has no legal (code-compliant) parking. The parking area would probably appear normal for the area.

Other Comments: In 1932, the Madison Board of Appeals approved building permits for remodeling of this structure into a dwelling, where it did not meet certain zoning requirements in place at that time.

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.