

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
2838 Hoard Street

Zoning: TR-C4

Owner: Agnes Berenyi and Michelle Llanas

Technical Information:

Applicant Lot Size: Regular Corner

Minimum Lot Width: 40'

Applicant Lot Area: 7,738 sq. ft.

Minimum Lot Area: 6,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.045(2)

Project Description Two-story three-family home. Construct first-story 8'w x 5'd enclosed entry vestibule.

Zoning Ordinance Requirement: 12'-0" (reverse-corner side yard)

Provided Setback: 7'-6"

Requested Variance: **4'-6"**

Comments Relative to Standards:

1. Conditions unique to the property: The property exceeds lot minimums in both lot area and lot width. The main front entrance to the unit is oriented in the reverse-corner side yard (Hoard Street) with no entrance to the front yard (Oak Street). There are other unit entrances on the north side of the building as well. The homes, and most homes on adjacent properties in the block, were developed in a pattern opposite of the original lot platting, with this lot being arranged as a reverse-corner lot. The placement of the building, constructed prior to current reverse-corner setback requirements, results in the need for a variance for this otherwise common entrance feature.
2. Zoning district's purpose and intent: The regulation being requested to be varied is the *reverse-corner side yard setback*. In consideration of this request, the *reverse-corner side yard setback* is intended to provide buffering between developments and the adjacent streets/sidewalks, but paying particular sensitivity to the home to the rear, as to not negatively impact that lot. The setback is intended to result in a relatively uniform orientation of buildings to the street, where the building on the reverse-corner lot is not significantly closer than the buildings to the rear, effectively in front of the buildings to the rear.

In the general area, the houses are oriented on the lots in a varying fashion, resulting in a varying development pattern for the block faces in the neighborhood. The project results in

useable, functional and common type of entry space within the building. The proposed addition provides more setback than would be required for a typical side yard, and generally appears to result in development consistent with entrance orientation on homes on lots in the block faces, and the purpose and intent of the TR-C4 district.

3. Aspects of the request making compliance with the zoning code burdensome: The entrance feature replaces one that was illegally built of shoddy construction, by a previous owner. The entrance will be connected to a ramp, to accommodate residents in the first-floor unit (currently occupied by a long-term disabled /elderly occupant). The design appears to be the minimum necessary to serve as an entrance vestibule for the dwelling unit.
4. Difficulty/hardship: The structure was originally constructed in 1951 and purchased by the current owner in February 2014. See comments #1 and #3.
5. The proposed variance shall not create substantial detriment to adjacent property: The small, single-story addition is located approximately 70' from the home to the rear, and thus will have very little, if any impact on that property.
6. Characteristics of the neighborhood: The general area is characterized by homes with varying designs of entrances and porches. Street-side entrances can be seen on corner lots in the general area. This project would be considered orderly development, in design, placement, and bulk.

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.