

ZONING ADMINISTRATOR'S REPORT  
VARIANCE APPLICATION  
3205 James St

**Zoning:** TR-V1

**Owner:** Elizabeth Lucht and James Merett

**Technical Information:**

**Applicant Lot Size:** 40' x 120'      **Minimum Lot Width:** 30'  
**Applicant Lot Area:** 4800 sq ft      **Minimum Lot Area:** 3000 sq ft

**Madison General Ordinance Section Requiring Variance:** 28.047 (2)

**Project Description:** Request a variance to reconstruct an existing enclosed front porch into living space and a partial screen porch on an existing two-story single-family home.

	<u>Front-Yard</u>
Zoning Ordinance Requirement:	16.5'
Provided Setback:	13.0'
Requested Variance:	3.5'

**Comments Relative to Standards:**

1. Conditions unique to the property: The lot exceeds minimum lot width and exceeds lot area requirements. The home placement and existing front porch location cannot be changed. This lot arrangement and building placement is common for the area, which often results in homes with little opportunity for front or side expansion without necessitating zoning variances. The general orientation of the building directs the placement of the addition to the proposed location. The arrangement of the homes on the lots in the block creates a *setback averaging* problem for this lot, resulting in a greater front yard setback required for this lot.
2. Zoning district's purpose and intent: The regulation requested to be varied is the *front yard setback*. In consideration of this request, the front yard setback is intended to provide buffering between developments and the adjacent streets/sidewalks, resulting in a relatively uniform orientation of buildings to the street. The addition has a similar setback to the adjacent home to the west (right) and will look much like this home. The addition results in a useable, functional and common type of entrance/living space to the building. The proposed addition orients the home appropriately to James Street. The project appears to result in development consistent with the purpose and intent of the TR-V1 district.
3. Aspects of the request making compliance with the zoning code burdensome: The variance request is driven by the size and location of the existing porch space being reconstructed/converted with this request. Because of the way required front yard setbacks are

measured on this lot and neighboring lots in the block face, just about any addition towards the front of the lot would require some amount of variance. To step the addition back to meet the required setback would eliminate the purpose of this space, rendering it not possible to construct the similar porch replacement.

4. Difficulty/hardship: The home was constructed in 1920 and purchased by the current owner in November 2000. See comments #1 and #3 above.
5. The proposed variance shall not create substantial detriment to adjacent property: This project will introduce little change on adjacent properties from the existing condition.
6. Characteristics of the neighborhood: The general design, style and character of the addition and home are in keeping with other homes found in the area and the existing home. Homes with enclosed porches are common for the area. The design of the project appears generally consistent with other similar residential properties found in the immediate area.

**Other Comments:**

As noted above, the zoning ordinance allows setback averaging to establish a lesser front yard setback requirement for homes in the block face. On this block, two lots qualify for establishing the setback average: the home directly to the west (3201 James) and the home to the east (85 S. Fair Oaks Avenue), which is a through-lot with its front door facing Fair Oaks Avenue. The home at 85 S. Fair Oaks Avenue is generally oriented with its front toward Fair Oaks Avenue with an attached garage and driveway oriented to James Street. The James Street building setback is used for front yard setback averaging. This setback exceeds the 20' minimum front yard setback, so 20' is used to generate the setback average. The resulting required setback average puts a part of the existing porch on the subject lot into the front setback, would require the porch to be reconstructed at a shallower depth if a variance was not approved and would put the porch behind the neighboring property to the west.

**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