ZBA Case No. LNDVAR-2017-00020

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
4257 Doncaster Dr

Zoning: TR-C2

Owner: Daniel G Cottam

Technical Information:

Applicant Lot Size: 40' x 120'	**Minimum Lot Width: 40'**
Applicant Lot Area: 4,800 sq. ft.	**Minimum Lot Area: 4000 sq. ft.**

Madison General Ordinance Section Requiring Variance: 28.043 (2)

Project Description: Construct off-street parking space that projects into the required front yard setback area.

Zoning Ordinance Requirement:	20.0'
Provided Setback:	8.3'
Requested Variance:	**11.7'**

Comments Relative to Standards:

1. Conditions unique to the property: The lot meets the lot width minimum requirement and exceeds the lot area minimum requirement. The home placement on the lot results in the front and side yards not adequate to place a legal parking space or driveway to either side of the home. The property is nonconforming in that it does not provide the required one off-street parking space for the use.

2. Zoning district's purpose and intent: The regulation being 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. Driveways leading to off-street parking spaces are permitted in the front yard setback area. The requirement for a parking area to be located outside of the front setback is intended to *encourage* a vehicle to be parked in the space and not the setback, however, it is legal to park a vehicle in any legal driveway area. The request results in useable, functional off-street parking space for the use.

   In regard to public interests concerns, there is no sidewalk on Doncaster, nor any plans to install sidewalk, so pedestrian traffic would not be impacted above or beyond the existing condition.

3. Aspects of the request making compliance with the zoning code burdensome: The existing house placement limits the ability to construct a driveway at the minimum legal driveway width. The nonconforming condition cannot be resolved without a variance.

4. Difficulty/hardship: See comments #1 and #3. The property was originally developed in 1951 and purchased by the current owner in July 1987. The proposed width is slightly larger than the 9' minimum, but appropriate in design, considering a persons' reasonable need to step onto the driveway surface for loading and unloading purposes.

5. The proposed variance shall not create substantial detriment to adjacent property: The introduction of the driveway and parking area will have little impact above or beyond what would be otherwise permissible.

6. Characteristics of the neighborhood: The general area is characterized by homes with driveways to one side or another, typically narrow in width. There are some nearby examples of parking areas in the front yard setback. The driveway and parking area will not appear out-of-character for the area.

Other Comments: A legal off-street parking space is 9'w x 18'd. The proposal calls for the space to be about 4' from the front wall of the building, resulting in the space projecting into the required setback 11.7'.

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.