

## ZONING ADMINISTRATOR'S REPORT VARIANCE APPLICATION

**Zoning:** TR-C1

**Owner:** Rebecca & Greg Robinson

**Technical Information:**

**Applicant Lot Size:** 60' x 161' irr

**Minimum Lot Width:** 50'

**Applicant Lot Area:** 9,100 sq. ft.

**Minimum Lot Area:** 6,000 sq. ft.

**Madison General Ordinance Section Requiring Variance:** 28.042(2)

**Project Description:** Two-story single-family dwelling. Construct first-story addition in side setback area atop existing foundation wall. Project involves extensive remodeling of the existing structure, a two-story rear addition, relocated driveway, and new detached accessory structure (garage).

Zoning Ordinance Requirement: 7.0'

Provided Setback: 5.4'

Requested Variance: 1.6'

**Comments Relative to Standards:**

1. Conditions unique to the property: the subject lot exceeds width and area minimums, and is otherwise a compliant lot. The rear addition of the existing home (constructed 1937) is built into the setback in the side where the variance is being requested. This addition contains an unusual construction feature: the sidewalk area where the variance is being requested is constructed over the basement area, into the side setback area.
2. Zoning district's purpose and intent: The regulation requested to be varied is the *side yard setback*. In consideration of this request, the side yard setback is intended to provide minimum buffering between buildings, generally resulting in space in between the building bulk constructed on lots, to mitigate potential adverse impact and to afford access to the backyard area around the side of a structure. The existing building placement and relationship between the existing home and the adjacent homes on lots appears to be a long-standing condition, likely original to the development of these lots. There is adequate side yard setback to allow access to the rear yard on the side where the variance is being requested and on the opposite side, where the new driveway is proposed. The project appears to result in development consistent with the purpose and intent of the TR-C1 district.
3. Aspects of the request making compliance with the zoning code burdensome: As noted above, the dwelling has an unusual condition, where the basement area and foundation wall

exist. To comply with setback requirements, a new basement wall would have to be constructed at the side setback for the project to proceed.

4. Difficulty/hardship: The home was constructed in 1931 and purchased by the current owner in September 2018. See comment #1 and #3 above.
5. The proposed variance shall not create substantial detriment to adjacent property: The area of variance request matches the setback of the existing single-story addition and has little impact on the neighboring home above or beyond what currently exists. Also, the home to the side where the variance is being requested is placed above grade from the subject lot, which further minimizes the impact of the variance area.
6. Characteristics of the neighborhood: The general area is characterized by homes of varying sizes on larger lots, with varying architectural styles. The variance, and the greater project as a whole, is in keeping with the characteristics of the general neighborhood.

**Other Comments:** Per the applicant, the area of variance request is an at-grade sidewalk, constructed atop a basement area. The foundation wall exists where the variance is being requested.

The plans show a change to the roof design for the one-story addition: a shed roof will be installed towards the north, replacing the existing one-story addition roof which has a shed pitching to the east.

The two-story addition, conversion of garage to living space, relocation of driveway and new detached accessory structure do not require a zoning exception.

**Staff Recommendation:** It appears standards have been met, therefore staff recommends **approval** of the variance requests, subject to further testimony and new information provided during the public hearing.