

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
1214 Temkin Ave

Zoning: SR-C2

Owner: Karen M. Paulus

Technical Information:

Applicant Lot Size: 55'w x 125'd

Minimum Lot Width: 50'

Applicant Lot Area: 6,875 sq. ft.

Minimum Lot Area: 6,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.036(2)

Project Description: Petitioner requests a side yard setback variance to construct a one-story 11'-8" w x 32'd attached garage addition onto a 2-story single family dwelling.

Zoning Ordinance Requirement: 7'
Provided Setback: 5.4'
Requested Variance: 1.6'

Comments Relative to Standards:

1. Conditions unique to the property: The lot exceeds minimum lot width and area requirements and is an otherwise compliant lot. The lot drops off just behind the home, with a small rock wall, dropping about 4'± and has a gradual slope the remainder of the distance to the rear lot line. The house location to the lot limits opportunities for placement of a functional attached garage given size and setback requirements.
2. Zoning district's purpose and intent: The regulations being requested to be varied are the *side yard setback*. 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 proposed garage appears to be the minimum width necessary to have a functional single-car garage and associated storage for the dwelling, while still providing some side yard setback for buffering and separation. Also, the addition being one-story introduces less bulk in the setback. This project appears to result in development consistent with the purpose and intent of the SR-C2 district.
3. Aspects of the request making compliance with the zoning code burdensome: The home has a side entrance requiring a stair and landing, which must be maintained inside the garage. This factor, combined with the need to provide a code-compliant minimum 8'w x 18'd parking space results in the width being proposed for the garage (11'-8") and the resulting

side setback. The rock wall and slope also limit the ability to place a detached garage behind the home.

4. Difficulty/hardship: The home was constructed in 1952 and purchased by the current owner in June 2001. See comment #1 and #3 above.
5. The proposed variance shall not create substantial detriment to adjacent property: The proposal will have little impact on the neighboring property, as the space between the lots is relatively flat and there is adequate space for drainage in the remaining side yard setback.
6. Characteristics of the neighborhood: The general area is comprised of homes with surface parking spaces, attached garages or detached garages. The proposal appears generally common for the neighborhood, where there are some homes with conditions that appear consistent with the request in regard to side setback.

Other Comments: Many homes in the neighborhood are shifted to one side, to leave room for a surface parking space, one car attached garage, or access to the backyard where a detached garage could be placed.

The petitioner is proposing a greater depth for the structure than appears necessary. The petitioner has indicated additional depth is necessary to provide additional storage.

During the site visit, staff noted some property maintenance compliance issues with the property, which will be resolved by the construction of the garage (storing items inside) or separate enforcement action.

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.