



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 11/18/2024

To: Board of Appeals Members

From: City Development Department, Division of Planning and Redevelopment

Division Manager: Steven Madsen – (262) 636-9151 steven.madsen@cityofracine.org

Case Manager: Steven Madsen

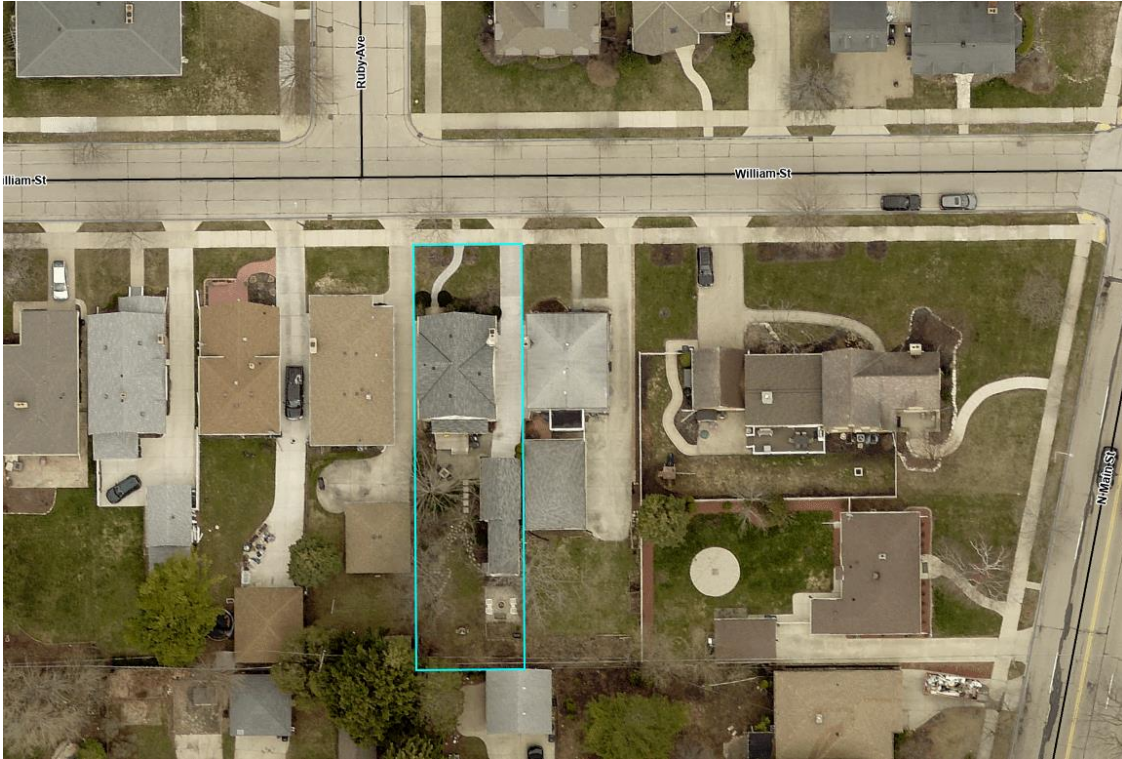
Location: 412 William St

Applicant: Allen Levie

Property Owner: Jennifer L. Levie Allen E. Levie

Request: The application contemplates turning an existing accessory structure into a dwelling unit which would be a variance from section 114-292.

BACKGROUND AND SUMMARY: An accessory building was constructed in 2023. At the time it was stated that it could not be a dwelling unit. Plumbing was originally installed for a bathroom and kitchen, but the Building Division required that the plumbing be disabled for one or the other. This request if granted would allow for the kitchen plumbing to be restored.



Birdseye view of the property, indicated in blue (image from 2022 Aerial).



Looking West at property with the accessory structure in back.

GENERAL INFORMATION

Parcel Number: 05692000

Property Size: 6,255 square feet

Comprehensive Plan Map Designation: High Density Residential

Corridor or Special Design District?: N/A

Historic?: N/A

Current Zoning District: R-2 Single Family Residence

Purpose of Zone District: The R2 single-family residence district is primarily designed to accommodate existing single-family neighborhoods which are characterized by smaller lots than are required in the R1 district.

STANDARDS FOR VARIANCE:

Sec 114-48

- 1) **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.**

Staff Comments: There is no hardship created by the physical surroundings, shape or topographical conditions of the specific property. The neighborhood it is located in is very typical around Racine. The lot size is code compliant and bigger than average for the city. The shape is rectangular as most residential lots are and there are no large changes to topography.

- 2) **The conditions upon which an application for a variance is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification.**

Staff Comments: The conditions are not unique to this property. Many properties in the city and in the same zone as this property do have space for accessory structures of this size that could be renovated into accessory dwelling units if the code allowed.

- 3) **The purpose of the variance is not based exclusively upon a desire to increase financial gain.**

Staff Comments: The variance would allow for an increase in financial gain as a second dwelling unit can be rented creating income.

- 4) The alleged difficulty or hardship is caused by the provisions of this chapter and has not been created by any persons presently having an interest in the property.**

Staff Comments: The accessory structure itself was built by the current applicant. However, the provisions of the code that would not allow a second primary structure, nor allowing for accessory dwellings and not allowing for more than one dwelling on the property have not been caused by the applicant.

- 5) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.**

Staff Comments: Many neighborhoods throughout Racine even those zoned R2 single family residence have duplexes or other multi unit buildings. It is not believed that adding a unit to the lot would cause a detriment to the public welfare or be injurious to other property.

- 6) The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.**

Staff Comments: The structure planned for the use is already built and does not/will not impair the adequate supply of light and air to adjacent properties or increase the danger of fire or impair natural drainage or create drainage problems. The increase in traffic or parking should not substantially increase congestion of the public streets. Granting the variance would not endanger public safety or substantially diminish or impair property values within the neighborhood.

POSSIBLE ACTIONS FOR THE ZONING AND BUILDING BOARD OF APPEALS

1. Approve the request as submitted; or
2. Approve the request with conditions deemed necessary to mitigate any adverse impacts that could arise from the project; or
3. Deny the request; or
4. Defer the request to obtain more specific information about the request.

STAFF RECOMMENDATION: BASED ON THE STANDARDS REVIEWED IN THIS REPORT, THAT THE REQUEST FROM ALLEN LEVIE, SEEKING A VARIANCE FROM SECTION 114-292 TO ALLOW FOR AN ACCESSORY DWELLING UNIT BE DENIED.

ATTACHMENTS:

- 1) Property owner notification map indicating the subject property;
- 2) Aerial Photo indicating the subject property;
- 3) Zoning Map indicating the subject property;
- 4) Land Use Map from Comprehensive Plan, indicating the subject property;
- 5) Submittal documents (view in legistar).

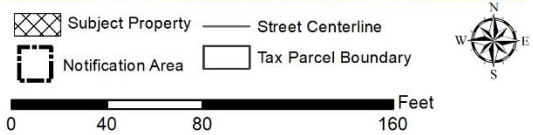
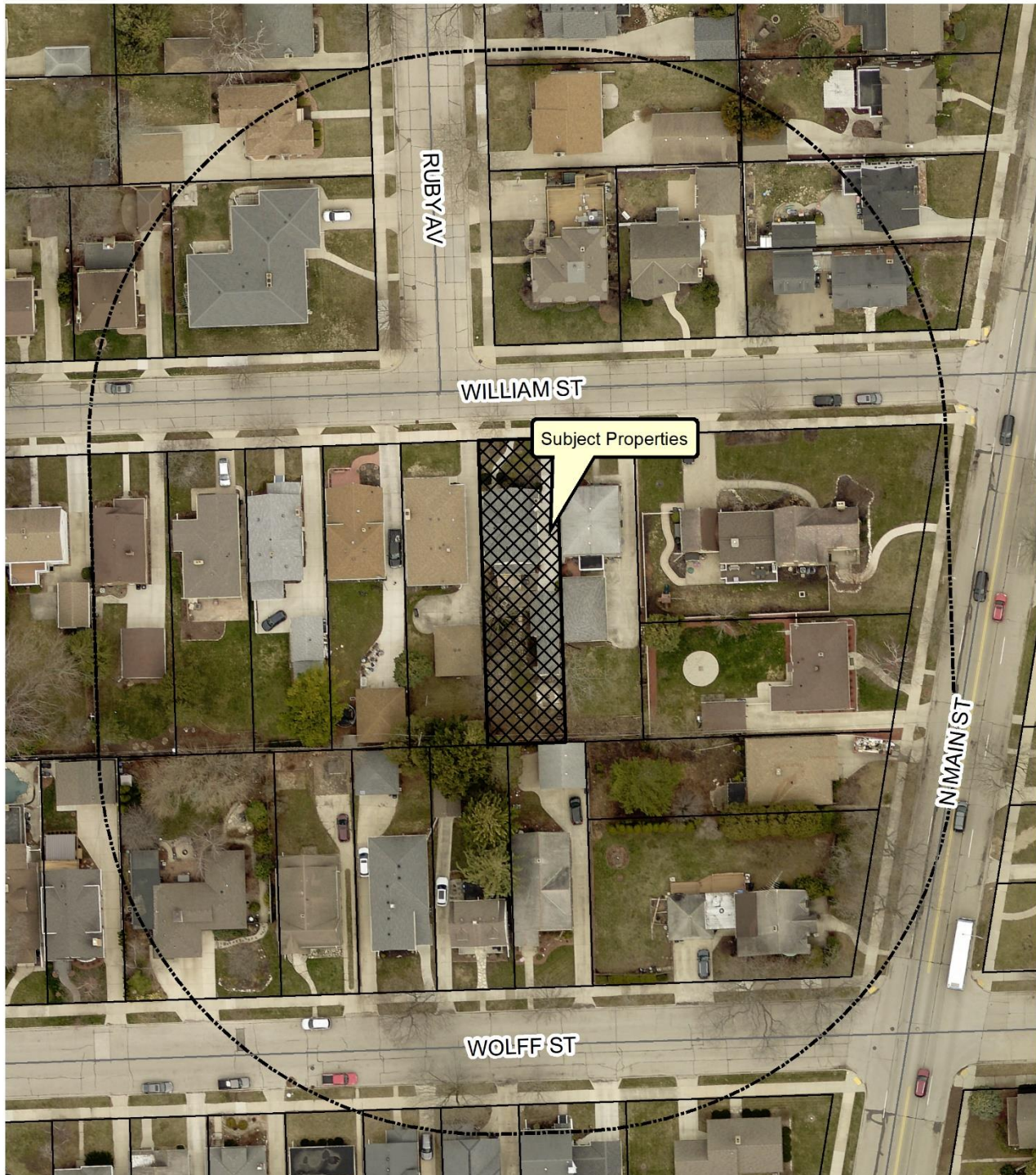


Variance Request - 421 William Street



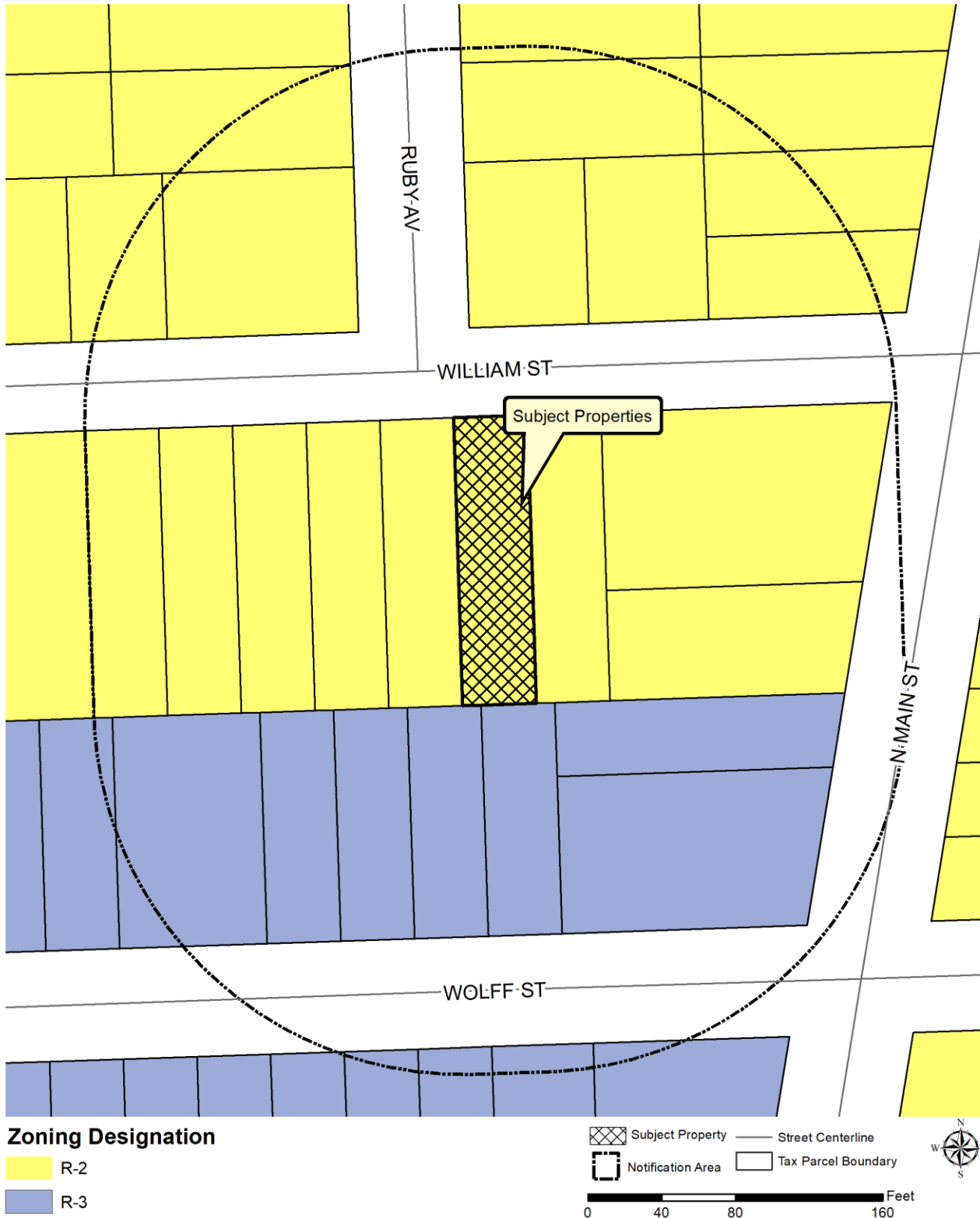


Variance Request - 421 William Street





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Land Use Designation

 High Density Residential

 Subject Property
 Notification Area
 Street Centerline
 Tax Parcel Boundary



 Feet
0 40 80 160