



**CITY OF MADISON
ZONING BOARD OF APPEALS
VARIANCE APPLICATION**

\$300 Filing Fee

Ensure all information is **typed** or legibly **printed** using blue or black ink.

Address of Subject Property: 18 Chippewa Ct. Madison WI 53711

Name of Owner: David R. Friedman + Pamela R. Robbins

Address of Owner (if different than above): _____

Daytime Phone: (608) 575-4503 Evening Phone: (608) 575-4503

Email Address: davidandpam1818@gmail.com

Name of Applicant (Owner's Representative): see above

Address of Applicant: _____

Daytime Phone: _____ Evening Phone: _____

Email Address: _____

Description of Requested Variance: _____

Requesting a side yard setback variance to construct a second story addition onto a single-story single-family dwelling.

The second story addition would be one large room over the existing attached garage and extending straight back to the rear of the house.

(See reverse side for more instructions)

FOR OFFICE USE ONLY

Amount Paid: \$300.00

Receipt: 110356.0001

Filing Date: 6-11-21

Received By: NJK

Parcel Number: 0709.294.2717.2

Zoning District: TR-C1

Alder District: 10-Figueroa Cole

Hearing Date: 7.15.21

Published Date: 7.8.21

Appeal Number: LNDVAR. 2021-00010

GQ: OK!

Code Section(s): 28.042(2)

Application Requirements

Please provide the following information: Incomplete applications could result in referral or denial by the Zoning Board of Appeals. (Maximum size for all drawings is 11" x 17".)

<input checked="" type="checkbox"/>	Pre-application meeting with staff: Prior to submittal of this application, the applicant has met to discuss the proposed project and submittal material with the Zoning Administrator.
<input checked="" type="checkbox"/>	Site plan , drawn to scale. A registered survey is recommended, but not required. Show the following: <ul style="list-style-type: none"> <input type="checkbox"/> Lot lines <input type="checkbox"/> Existing and proposed structures, with dimensions and setback distances to all property lines <input type="checkbox"/> Approximate location of structures on neighboring properties adjacent to variance <input type="checkbox"/> Major landscape elements, fencing, retaining walls or other relevant site features <input type="checkbox"/> Scale (1" = 20' or 1" = 30' preferred) <input type="checkbox"/> North arrow
<input checked="" type="checkbox"/>	Elevations from all relevant directions showing existing and proposed views, with notation showing the existing structure and proposed addition(s).
<input checked="" type="checkbox"/>	Interior floor plan of existing and proposed structure , when relevant to the variance request and required by Zoning Staff (Most additions and expansions will require floor plans).
<input type="checkbox"/>	Front yard variance requests only. Show the building location (front setback) of adjacent properties on each side of the subject property to determine front setback average.
<input type="checkbox"/>	Lakefront setback variance requests only. Provide a survey prepared by a registered land surveyor showing existing setbacks of buildings on adjacent lots, per MGO 28.138.
<input type="checkbox"/>	Variance requests specifically involving slope, grade, or trees. Approximate location and amount of slope, direction of drainage, location, species and size of trees.
<input type="checkbox"/>	Digital copies of all plans and drawings should be emailed to: zoning@cityofmadison.com
<input checked="" type="checkbox"/>	CHECK HERE. I understand that in order to process my variance application, City Staff will need access to my property so that they can take photographs and conduct a pre-hearing inspection of the property. I therefore give City Staff my permission to enter my property for the purpose of conducting a pre-hearing inspection and taking photographs.
<input checked="" type="checkbox"/>	CHECK HERE. I acknowledge any statements implied as fact require supporting evidence.
<input checked="" type="checkbox"/>	CHECK HERE. I have been given a copy of and have reviewed the standards that the Zoning Board of Appeals will use when reviewing applications for variances.

Owner's Signature: Daniel R. Friedman
James L. Robbins **Date:** 6/10/21

----- (For Office Use Only) -----

<u>DECISION</u>	
The Board, in accordance with its findings of fact, hereby determines that the requested variance for _____ (is) (is not) in compliance with all of the standards for a variance. Further findings of fact are stated in the minutes of this public hearing.	
The Zoning Board of Appeals: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Conditionally Approved	
Zoning Board of Appeals Chair:	Date:

STANDARDS FOR VARIANCE FOR 18 CHIPPEWA COURT

1. There are conditions unique to the property of the applicant that do not apply generally to other properties in the district.

The lot's location is near the very end of a cul-de-sac. When the house was built in 1962, it was placed on an angle which caused the front of the house to be close to the side yard lot lines. As you approach the backyard, the distance between the house and the side yard setback increases.

2. The variance is not contrary to the spirit, purpose, and intent of the regulations in the zoning district and is not contrary to the public interest.

Our back yard abuts the Southwest Commuter Path, and in addition there is a drainage ditch and a city right of way on the opposite side of the Path, which means there are no rear neighbors.

The proposed addition would be placed over the existing garage and extending straight back over a portion of the existing house. The addition would not change the house's footprint or impact any other zoning regulations. The addition does not change the sound insulation, ventilation, landscaping or buffering for either neighbor.

The neighbors, at 14 Chippewa Court, who are directly adjacent to the addition have not voiced any objections. We have kept them informed of our plans. Also, the side of our garage faces the side of their garage.

Since the addition covers the same area as the existing roof line, we believe there would be no discernable increase in impervious structure that would impact water runoff, water flow, or direction of the flow.

3. For the area (setback, etc.) variance, compliance with the strict letter of the ordinance would unreasonably prevent use of the property for permitted purpose or would render compliance with this ordinance unnecessarily burdensome.

Our plans respect the current structure. We have been told the following: (1) an addition that does not fit completely over the garage would transfer the load to the side wall; (2) it would require additional restructuring of the roof in order to hold the additional load; and (3) the addition would need to be cantilevered to the existing structure. These factors would make the house appear lopsided and not flow with the current overall design of the house - - and look like a mistake. It would be less appropriate to the existing architecture. And finally, it would be more expensive to build.

To summarize, compliance with the ordinance would adversely affect the architectural integrity of the home and would be burdensome both structurally and aesthetically.

4. The alleged difficulty or hardship is created by the terms of the ordinance rather than by a person who has a present interest in the property.

Given the home's angled placement and the relationship to the side yard lot lines, the best solution is to place the addition over the garage. Satellite views shows the house's placement on the lot.

The house was built in 1962, and the setback and its placement predate David's purchase in July 1977. In 2013 the house was remodeled to its current structure.

Because of the house's placement, the proposed addition would make the structure look awkward. But placement over the garage fits with the current structure.

5. The proposed variance shall not create substantial detriment to adjacent property.

There are no houses facing our backyard due to the Commuter Path.

Any impact of granting the variance will have minimal impact on House #14.

The nearest across the street neighbor's house, at 11 Chippewa Court, is a split-level with a room over the garage.

Our proposed design does not make the house look awkward, unconventional or look like a mistake - - which could cause the sale value of the neighboring homes to be adversely impacted. This is the right placement for the addition.

6. The proposed variance shall be compatible with the character of the immediate neighborhood.

Including our house, there are 9 homes on Chippewa Ct. Currently there are 5 ranch style homes, 3 split-level homes with rooms over their garage, and one home where only the garage faces the street.

The windows will be compatible with current windows on each side of the house. The siding and the roofing will be the same material and color as the current house. Over the front door a portico will be added to help balance out the new addition's roof line.

Our goal, as much as possible, is to blend to addition to the current structure so that it does not appear to be an addition.



WILLIAMSON SURVEYING & ASSOCIATES, LLC

104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597.

NDA T. PRIEVE & CHRIS W. ADAMS

REGISTERED LAND SURVEYORS

PHONE: 608-255-5705 FAX: 608-849-9760 WEB: WILLIAMSONSURVEYING.COM

SITE PLAN

NOTES:

1.) THIS SITE PLAN IS NOT INTENDED TO BE A SURVEY OF THE PROPERTY LINES AND WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT FOR THE SUBJECT TRACT OR ADJOINERS AND IS THEREFORE SUBJECT TO ANY EASEMENTS, AGREEMENTS, RESTRICTIONS AND STATEMENT OF FACTS REVEALED BY EXAMINATION OF SUCH DOCUMENTS.

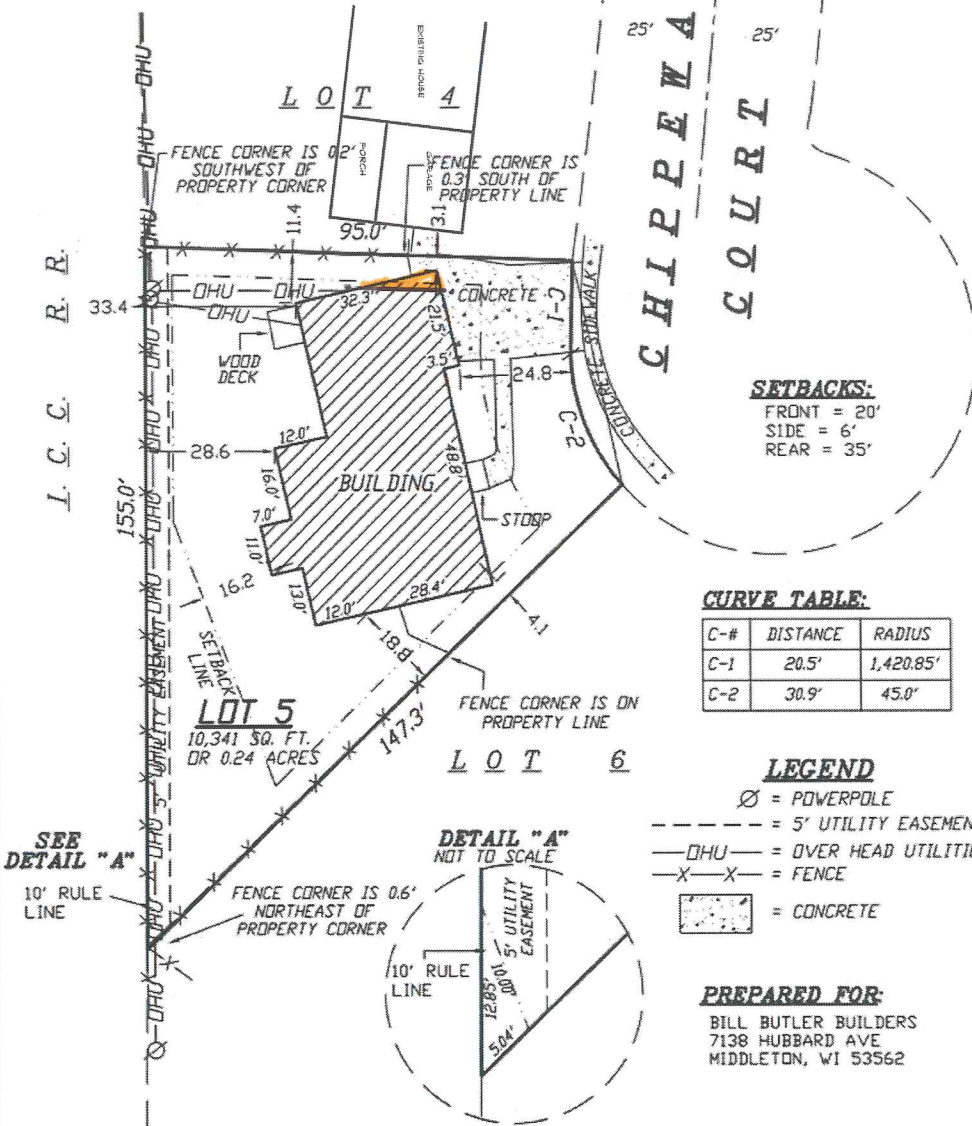
2.) WETLANDS, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.

3.) FLOOD PLAIN, IF PRESENT, HAS NOT BEEN LOCATED OR SHOWN.

DESCRIPTION:

LOT 5, CHIPPEWA HEIGHTS, PART OF THE SW 1/4 OF THE SE 1/4 SECTION 29, T7N, R9E AND PART OF DL. "A" OF PARMAN'S SECOND ADDITION TO NAKOMA, CITY OF MADISON, DANE COUNTY, WISCONSIN

SCALE 1" = 30'



SETBACKS:

FRONT = 20'
SIDE = 6'
REAR = 35'

CURVE TABLE:

C-#	DISTANCE	RADIUS
C-1	20.5'	1,420.85'
C-2	30.9'	45.0'

LEGEND

- Ø = POWERPOLE
- = 5' UTILITY EASEMENT
- OHU = OVER HEAD UTILITIES
- X-X- = FENCE
- [Pattern] = CONCRETE

PREPARED FOR:

BILL BUTLER BUILDERS
7138 HUBBARD AVE
MIDDLETON, WI 53562

SITE PLAN DATE: 06-01-21

PAGE 1 OF 1

JOB NO: 21W-247

BILL BUTLER BUILDERS INC

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BBBUTLER@TDS.NET

DAVID FRIEDMAN & PAM ROBBINS

18 CHIPPEWA COURT
MADISON

PHONE:
MOBILE:

DRAWN BY:

SCALE: 1" = 40'-0"

DATE: Wednesday, June 9, 2021

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plot plan

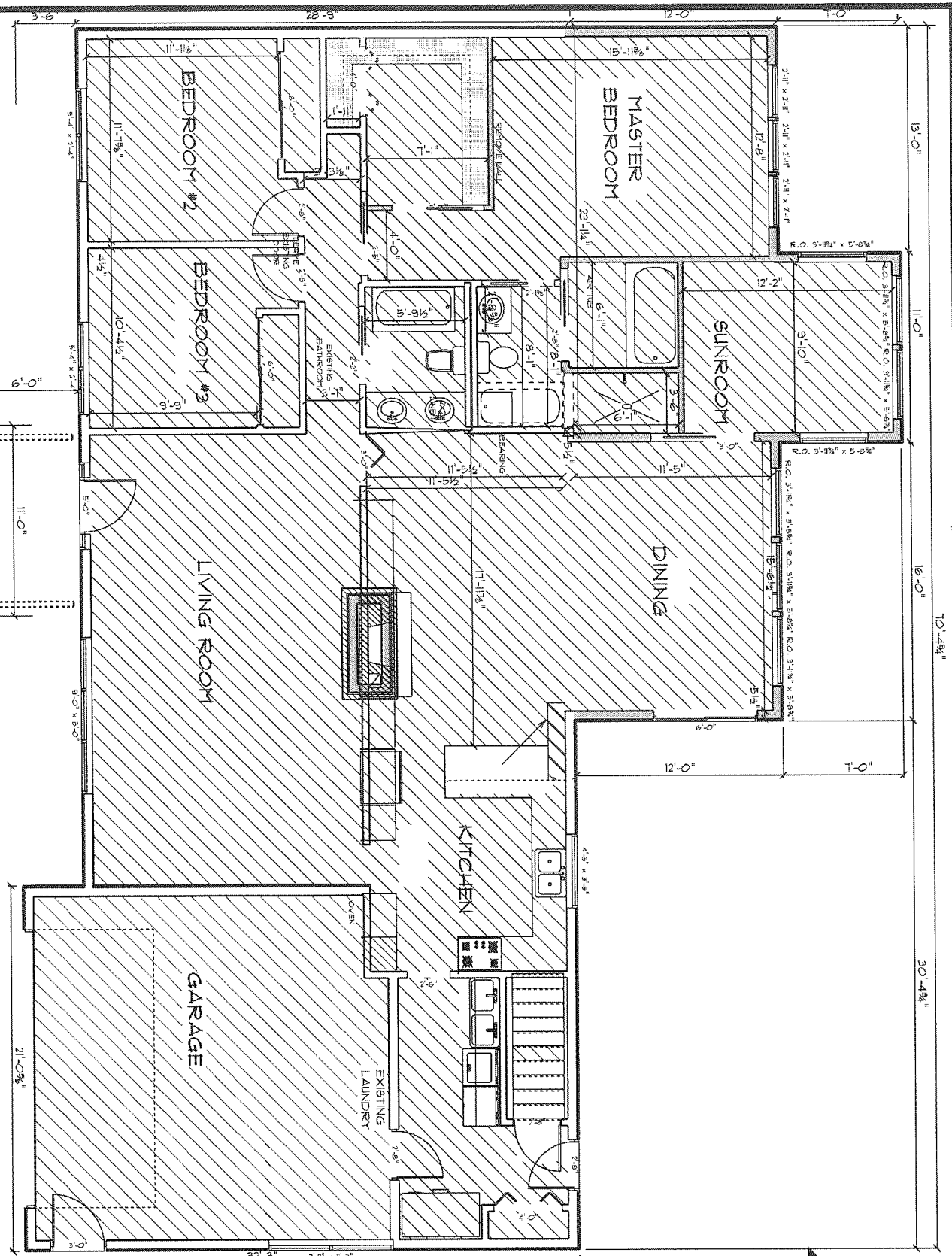
SCALE: 1" = 40'-0"

PLOT PLAN

7.0' Required
3.1' Provided
3.9' Variance
Single-story Single Family Dwelling
2nd Story Addition Above Garage
Side Yard

EXISTING FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"



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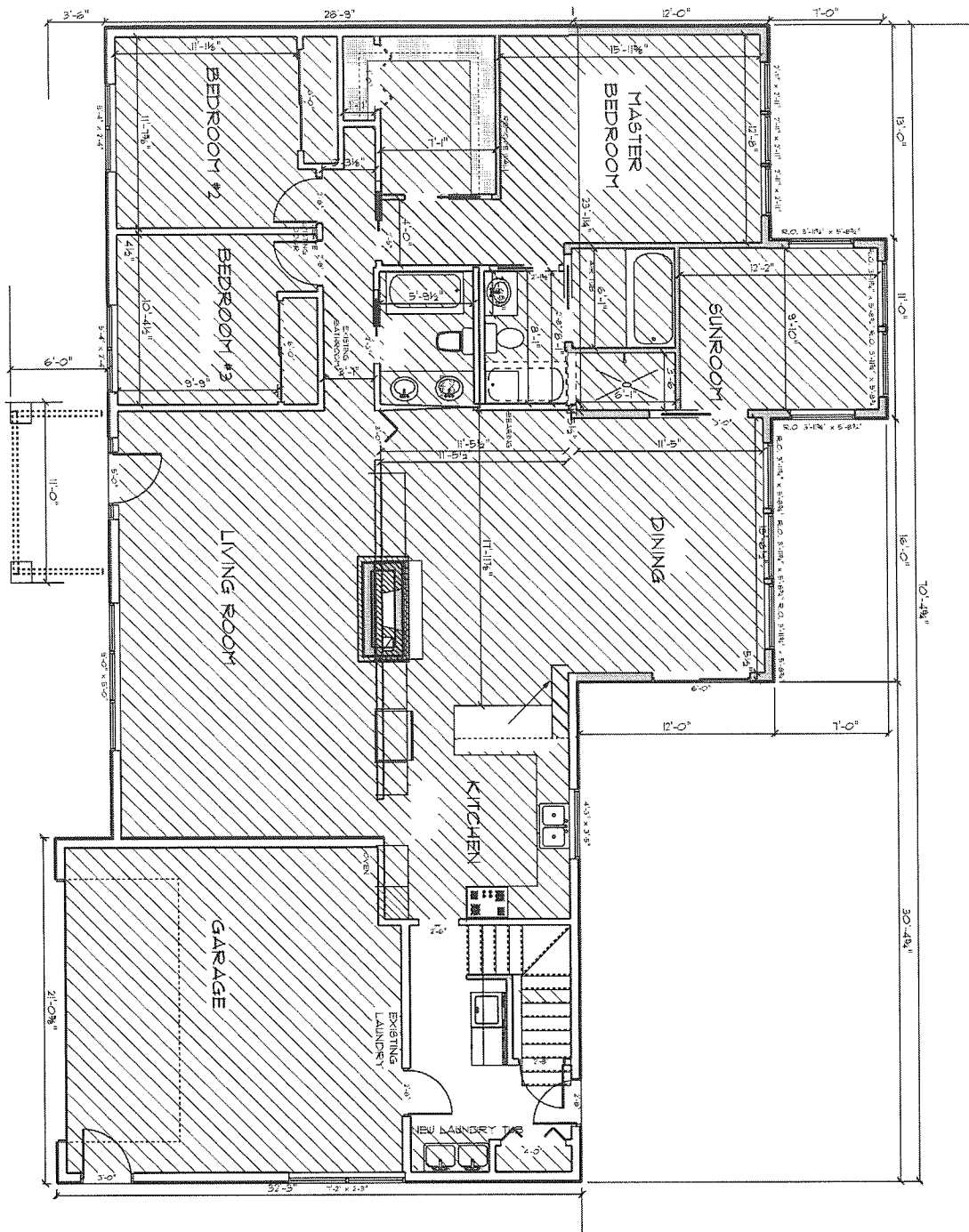
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DATE: Wednesday, June 9, 2021

SCALE: 1/8" = 1'-0"

EXISTING FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

SCALE: 1" = 10'-0"

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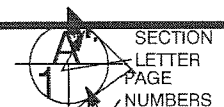
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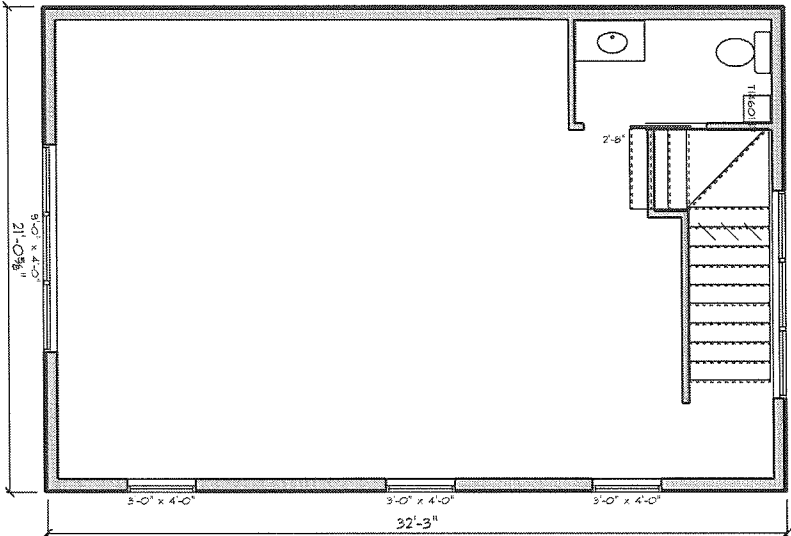
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DATE: Wednesday, June 9, 2021

SCALE: 1" = 10'-0" PROPOSED 1ST FLOOR PLAN

ADDITION ABOVE GARAGE SCALE: 1/8" = 1'-0"



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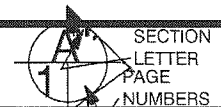
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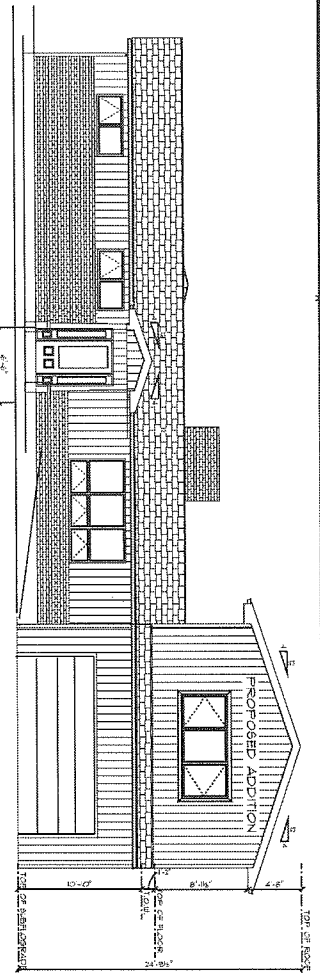
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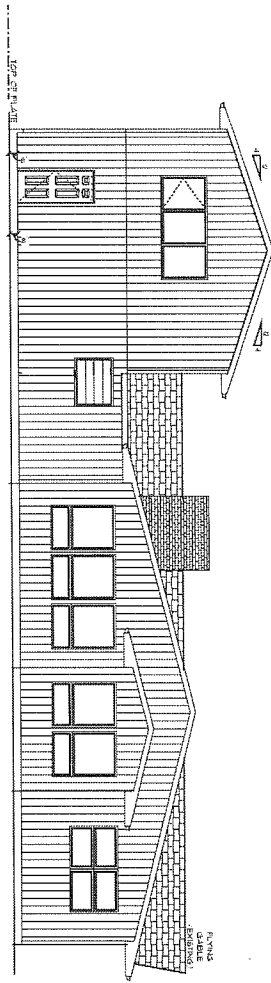
DATE: Wednesday, June 9, 2021

SCALE: 1/8" = 1'-0" PROPOSED 2ND FLOOR PLAN



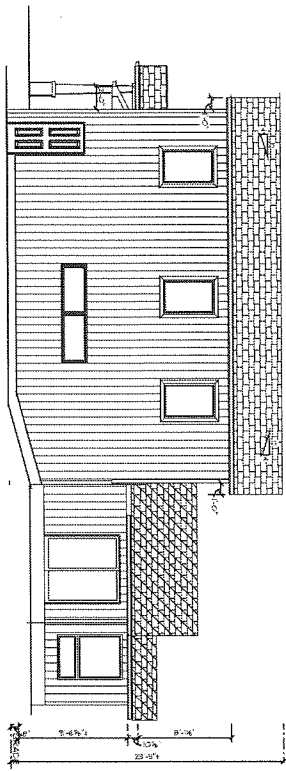
FRONT ELEVATION

SCALE: 1/16" = 1'-0"



BACK ELEVATION

SCALE: 1/16" = 1'-0"



RIGHT ELEVATION

SCALE: 1/16" = 1'-0"

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FRONT ELEVATION

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SCALE: 1/16" = 1'-0"





