



**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: 102 N. Brearly Street Madison WI 53703

53703 Name of Owner: \_\_\_\_\_

Address of Owner (if different than above): \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Name of Applicant (Owner's Representative): Patrick Whitty, Whitty and Sons Construction, LLC

Address of Applicant: 4111 Veith Ave Madison WI 53704

Daytime Phone: 608.469.4098 Evening Phone: \_\_\_\_\_

Email Address: patrickw@whittyandsons.com

Description of Requested Variance: Remove existing 10.2' wide x 18.2' long garage with new 12' wide x 22' long garage as close to the property line as allowed by zoning ordinances. We're requesting a variance to make the new garage 2' wider and 4' longer to allow room for owners vehicle, side entry door, and room for access to vehicle. The requested variance with infringe on rear/side yard setback requirements, as well as the maximum lot coverage.

*(See reverse side for more instructions)*

**FOR OFFICE USE ONLY**

Amount Paid: <u>\$300.00</u>	Hearing Date: <u>10.15.2020</u>
Receipt: <u>104544-0002</u>	Published Date: <u>10.8.2020</u>
Filing Date: <u>9-9-2020</u>	Appeal Number: <u>LNDVAR-2020-00008</u>
Received By: <u>N. KELSO</u>	GQ: <u>OK!</u>
Parcel Number: <u>0709-13119181</u>	Code Section(s): <u>28.131(e)(5)</u>
Zoning District: <u>TR-C4-WP-24</u>	<u>28.045(2)</u>
Alder District: <u>2-HECK</u>	

## Standards for Variance

**The Zoning Board of Appeals shall not grant a variance unless it finds that the applicant has shown the following standards are met:**

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

102 N. Brearly is a reverse corner lot. If we follow the setbacks requirements for the lot, the garage wouldn't be useable as it would be too small to fit a car in. We are requesting a rear and side yard setback variance.

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.

The variance is not contrary to the public interest. We are requesting a variance for rear yard of 1', 1' side yard setback, and 7.75' reversed corner setback on the south side. We have the maintenance easements with both affected neighbors signed, and traffic engineering has given approval for the reduced vision triangle. The variance request is common for this neighborhood given the lot configurations.

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

To strictly adhere to setback requirements on this lot, the maximum garage size would be 12'x13' and would not be useable. If the variance is not granted a usable garage would not be feasible and we feel this would affect the value of the property.

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.

The hardship is created by the lot size and configuration. this lot was subdivided into 2 smaller lots many years ago. The existing garage was built prior to the current owner purchasing the home and replacing the old garage with a new garage of the same size will still make the garage unuseable.

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

The proposed setback variance for the new garage will not be a detriment to the neighborhood as many of the properties along brearly have structures within the setback requirements. The existing garage is an eyesore and is unsafe. Granting the variance will permit replacement of the old blighted garage.

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

The proposed variance will be compatible with the character of the immediate neighborhood. The new garage will have cedar lap siding and will be painted to coordinate with the existing home.





# BIRRENKOTT SURVEYING, INC.

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, WI 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

# PLAT OF SURVEY

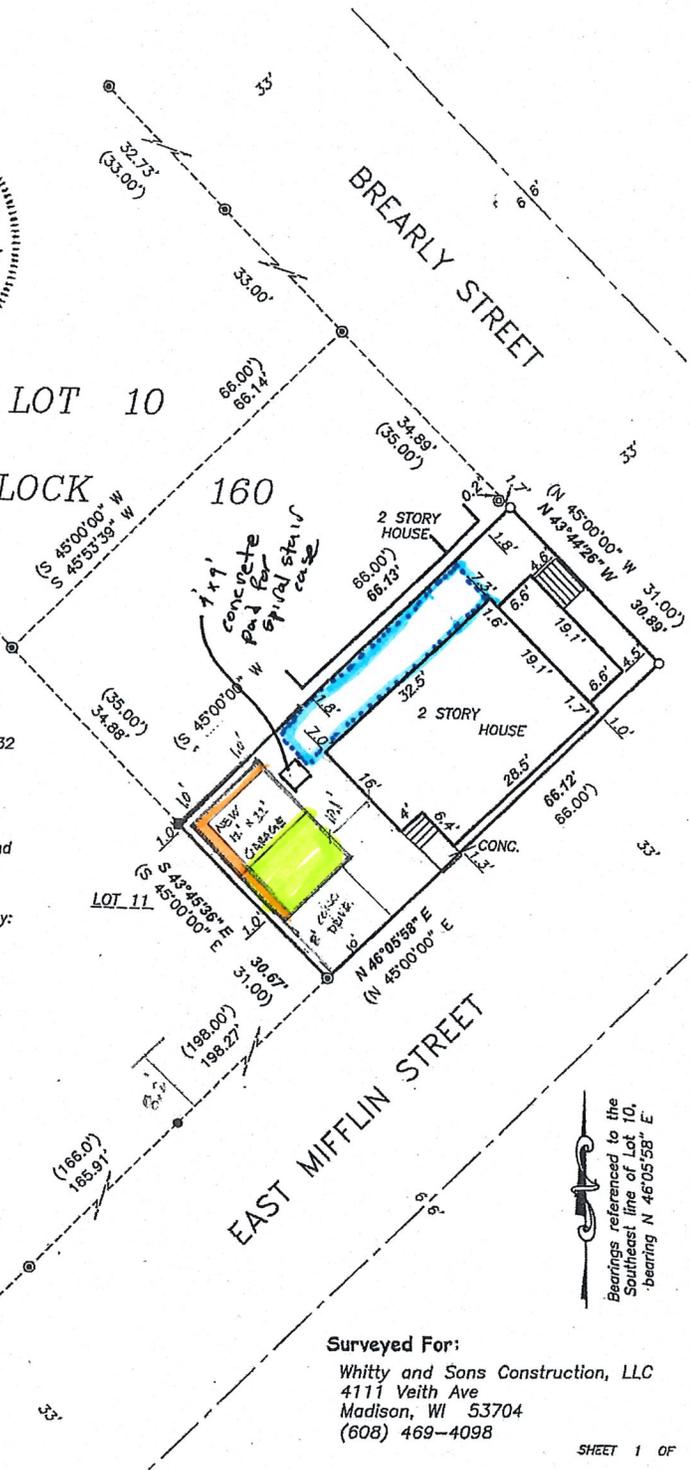
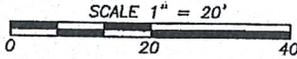
## SURVEYOR'S CERTIFICATE:

I, Daniel V. Birrenkott, hereby certify that this survey is in compliance with the Wisconsin Administrative Code, Chapter A-E7. I also certify that I have surveyed and mapped the lands described hereon and that the map is a correct representation in accordance with the information provided and is correct to the best of my knowledge and belief.

*Daniel V. Birrenkott*  
Daniel V. Birrenkott  
Wisconsin Professional Land Surveyor No. S-1531.6-12-2020

## Description:

SOUTHEAST 31 FEET OF LOT 10,  
BLOCK 160, ORIGINAL PLAT OF  
MADISON, CITY OF MADISON, DANE  
COUNTY, WISCONSIN.



## Notes:

- This survey is subject to any and all easements and agreements both recorded and unrecorded.
- The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes.
- Wetlands, if present have not been delineated.
- This survey shows visible, above-ground improvements only. No guarantee is made for below-ground structures.
- No title provided at the time of survey: June 5, 2020.

## Legend:

- Wood Fence
- = Found 3/4" Iron Bar
- ⊙ = Found 1" Iron Pipe
- ⊗ = Found 1/2" Iron Bar
- = Found 1" Pinch Top Pipe
- = 3/4"x24" Iron Bar set wt.=1.50#/in.ft.
- ( ) = Recorded as data

Dated: June 3, 2020  
Surveyed: T.A.S.  
Drawn: B.E.R.  
Checked: C.K.C.  
Approved: D.V.B.  
Field book: 378/23  
Comp. File: J:\2020\CARLSON  
Office Map No. 200380

Surveyed For:  
Whitty and Sons Construction, LLC  
4111 Veith Ave  
Madison, WI 53704  
(608) 469-4098

SHEET 1 OF

*New Detached Garage with roof Deck*  
*USAB6 Open Space*  
*750 SQ. Ft. Required*  
*250 SQ. Ft. Provided*  
*500 SQ. Ft. Variance X*

*Lot Line Setbacks*  
*3.0' Required*  
*1.0' Provided*  
*2.0' VARIANCES*

*Acc. Bldg. Placement*  
*20.0' Required*  
*7.9' Provided*  
*12.1' Variance*

Lot Size - 66.12'x30.89' = 2042.45 SF

Existing House - 702.4 SF

Existing Porch - 126.06 SF

Existing Garage - 185.64 SF

Concrete walk to house - 48 SF

Existing Lot Coverage - 1062.1 SF = 52% Lot Coverage, gravel driveway existing

New Garage - 18'x22' plus 4'x4' pad for spiral staircase = 280 sf less existing garage 185.64 sf = 94.36 sf added lot coverage = 1156.

*\* Property owner provides 360 SQ. Ft. U.O.S.*

*56.6% LOT Cov*



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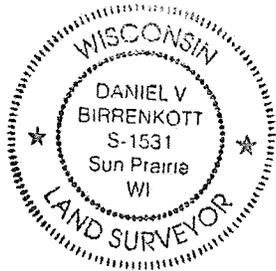
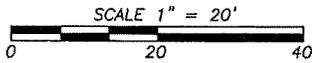
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*[Signature]*  
Daniel V. Birrenkott  
Wisconsin Professional Land Surveyor No. S-1531.6-12-2020

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COUNTY, WISCONSIN.



LOT 10  
BLOCK 160

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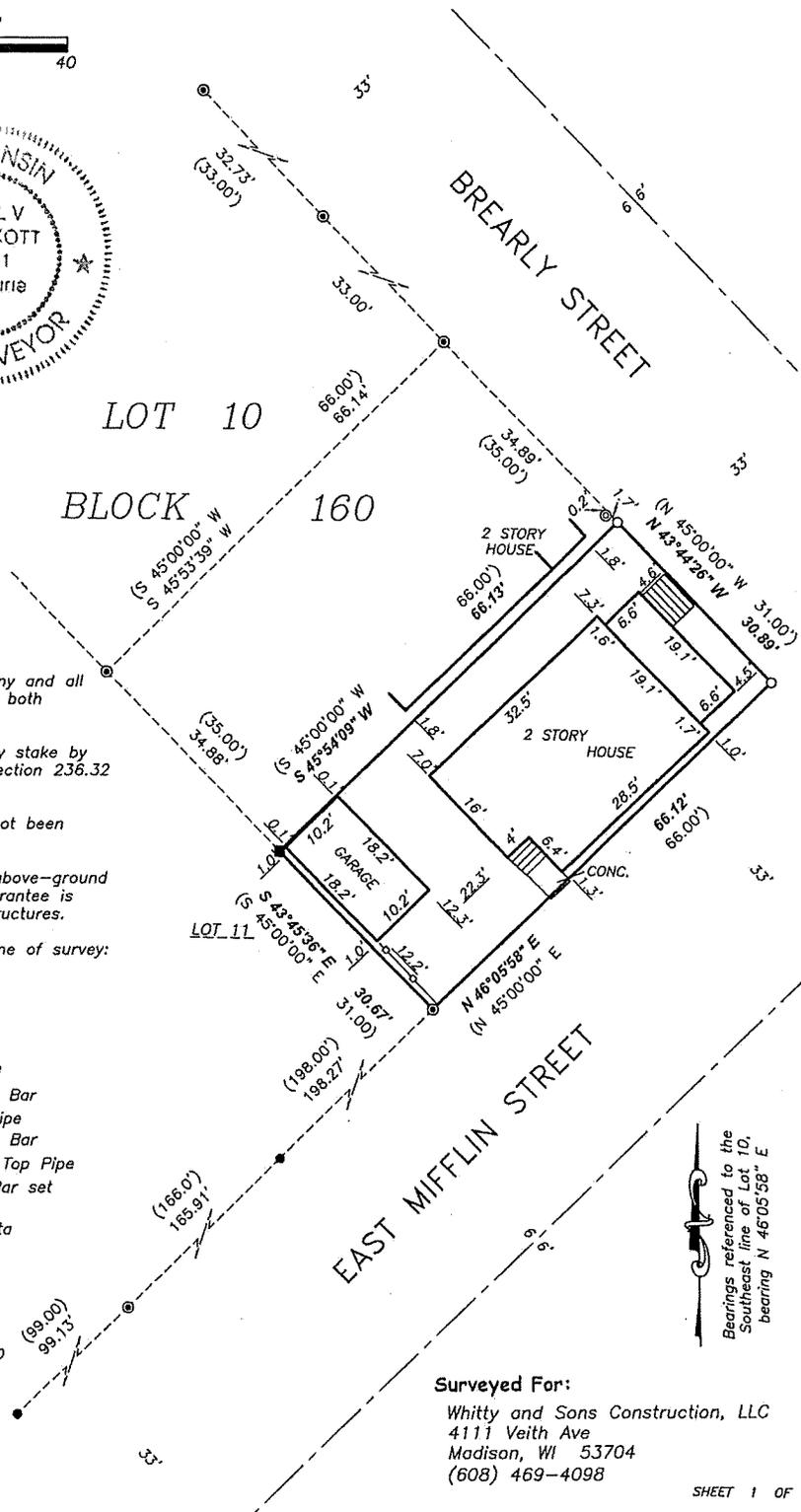
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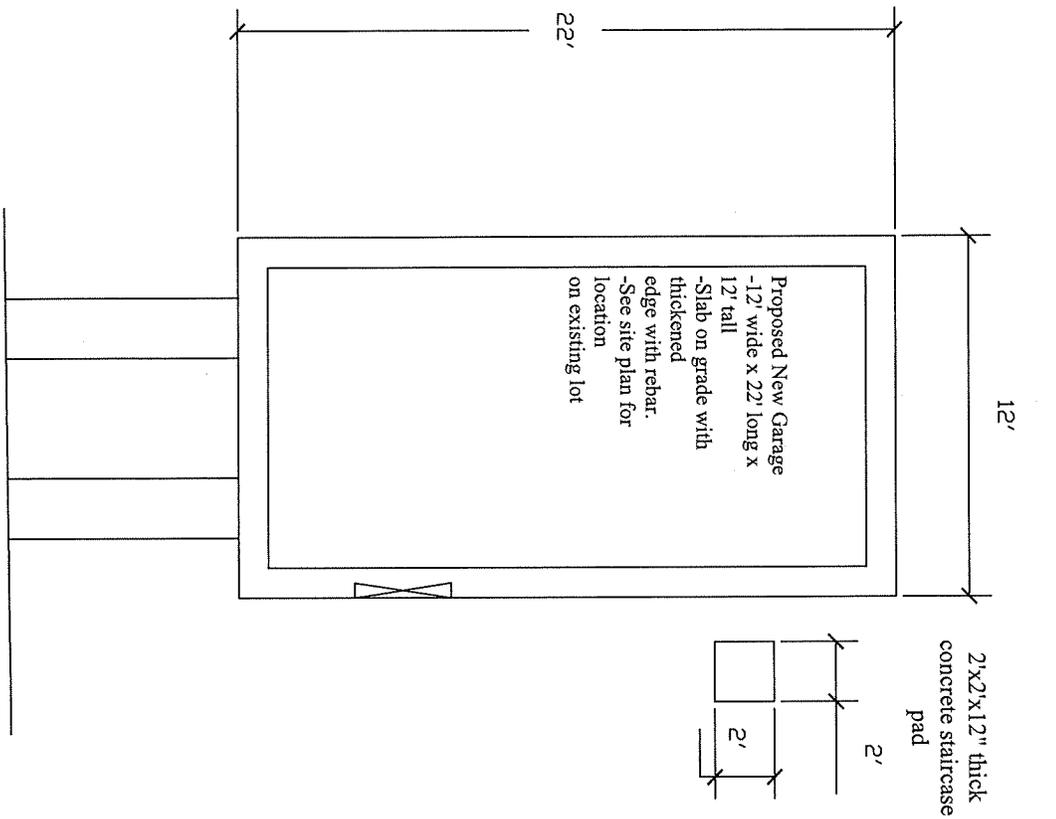
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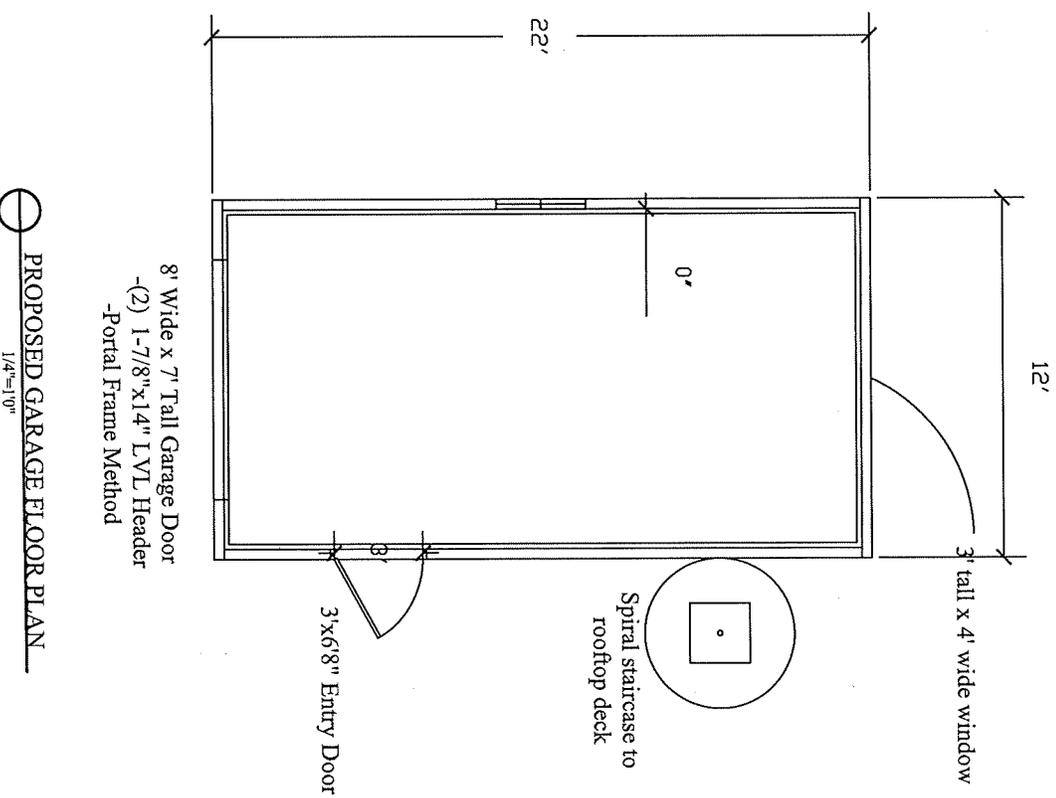
### Surveyed For:

Whitty and Sons Construction, LLC  
4111 Veith Ave  
Madison, WI 53704  
(608) 469-4098





PROPOSED GARAGE SLAB  
1/4"=1'0"



PROPOSED GARAGE FLOOR PLAN  
1/4"=1'0"

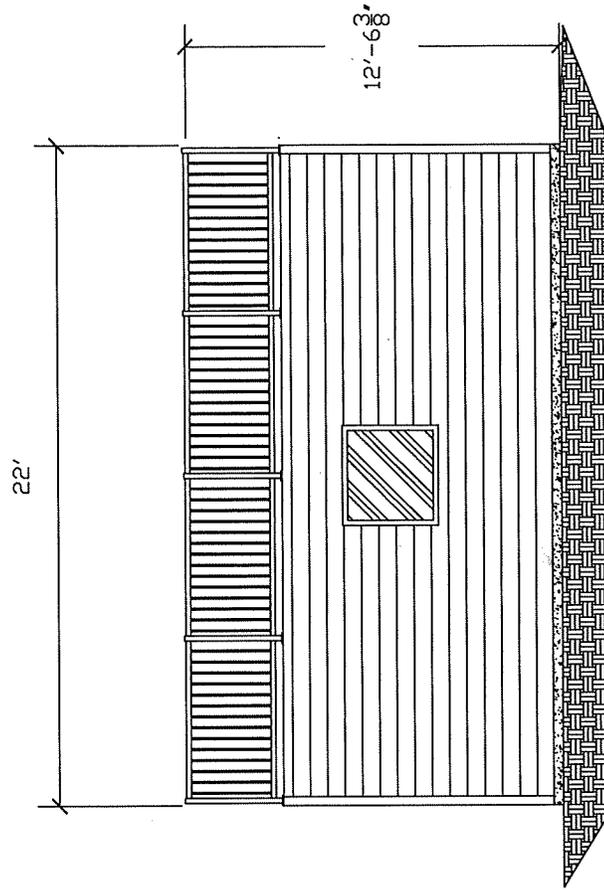
**whitty**  
ARCHITECTS

Kowalski Garage Replacement  
102 N. Brearly Street  
MADISON, WI 53704

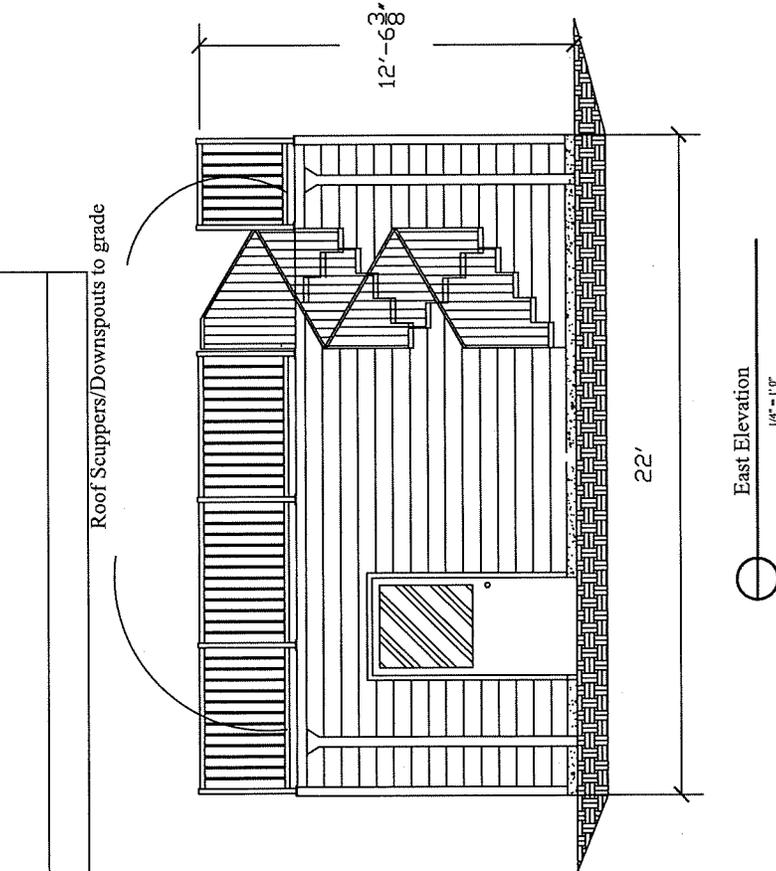
8/11/2020  
**A1**

- Exterior Finishes -
- Cedar Bevel Lap Siding 7" Exposure - Painted
- Cedar Outside Corners/Detail Trim
- 7' wide x 8' tall garage door with windows
- (1) Exterior Light - Style TBD
- Rooftop Deck - Cedar Deck Boards
- Black Aluminum Spiral Staircase
- White vinyl window
- Black aluminum railing

Roof Scuppers/Downspouts to grade

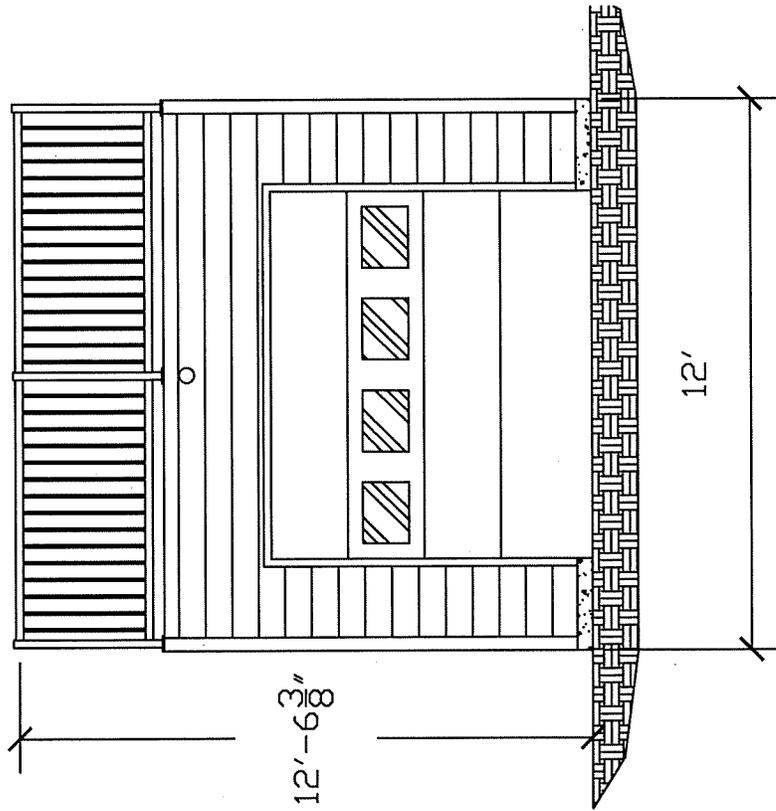


West Elevation  
1/4" = 1' 0"



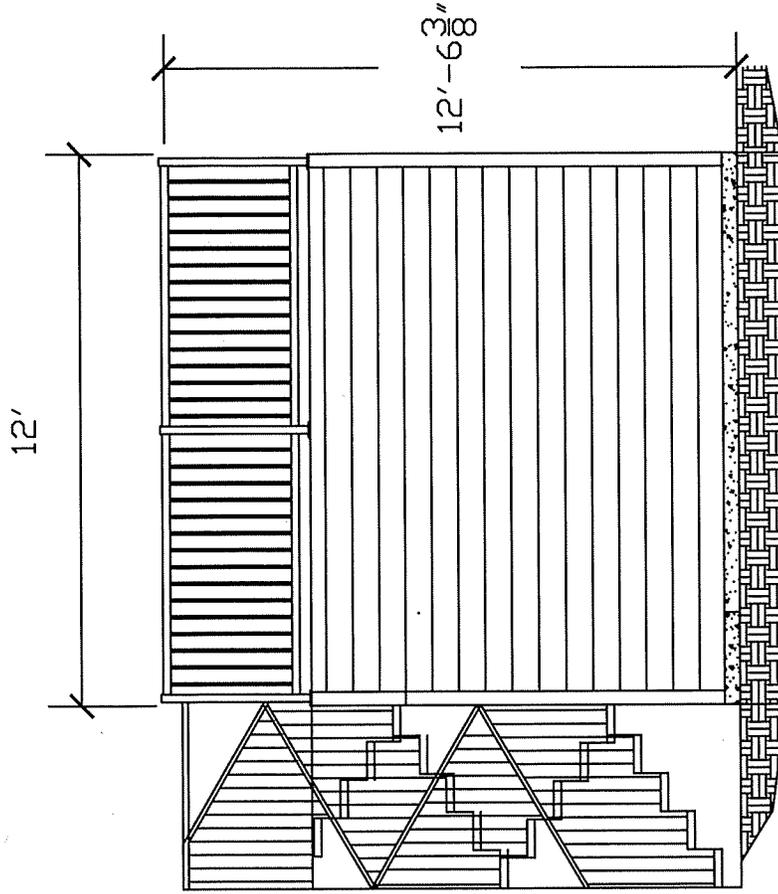
East Elevation  
1/4" = 1' 0"

- Exterior Finishes -
- Cedar Bevel Lap Siding 7" Exposure - Painted
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- (1) Exterior Light - Style TBD
- Rooftop Deck - Cedar Deck Boards
- Black Aluminum Spiral Staircase
- White vinyl window
- Black Aluminum Railings



South Elevation

1/4"=1'0"



North Elevation

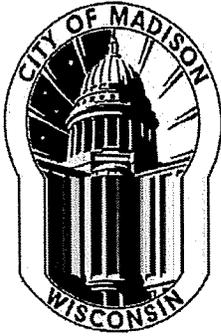
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Kowalski Garage Replacement  
 102 N. Brearly Street  
 MADISON, WI 53704

8/11/2020

A2



## TRAFFIC ENGINEERING AND PARKING DIVISIONS

Madison Municipal Building, Suite 100  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2986



Phone: (608) 266-4761  
Fax: (608) 267-1158  
[www.cityofmadison.com](http://www.cityofmadison.com)

### REQUEST FOR REDUCTION OF THE VISION CLEARANCE TRIANGLES

Site Address: 102 N. BREARLY STREET, MADISON, WI 53704

Application Date: 8/3/2020

Contact Person: PATRICK WHITY, WHITY AND SONS CONSTRUCTION LLC

Telephone: 608 469 4098 Email: patrickw@whityandsons.com

Property Owner: TOSHA KOWALSKI

Address: 102 N. BREARLY STREET MADISON

#### Reason for Reduction:

OWNER WOULD LIKE TO REMOVE EXISTING, UN-USABLE 10.2' X 10.2' GARAGE & REPLACE WITH NEW 12' WIDE X 22' LONG GARAGE. LOT IS A REVERSE CORNER LOT WITH DRIVEWAY ACCESS ON MIFFLIN STREET. CURRENT GARAGE IS SETBACK 12.2' FROM PROPERTY LINE ON MIFFLIN STREET SIDE. NEW GARAGE FRONT WALL WILL BE APPROXIMATELY 7.9' FROM PROPERTY LINE/SIDEWALK. SIDEWALK IS APPROX. 6" FROM PROPERTY LINE

- Application Approved (see attached diagram for reduced Vision Clearance Triangle)  
 Application Denied

Reviewer: Jerry M

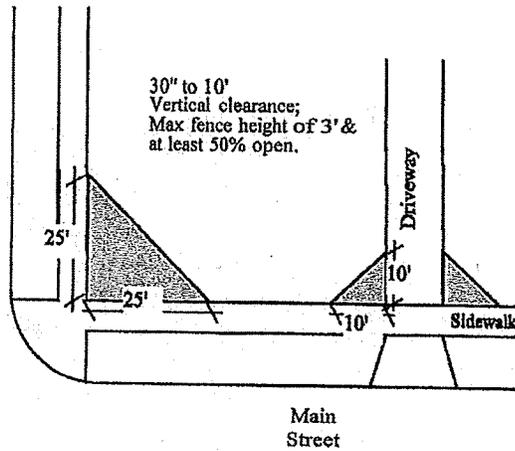
Date: 9/4/2020

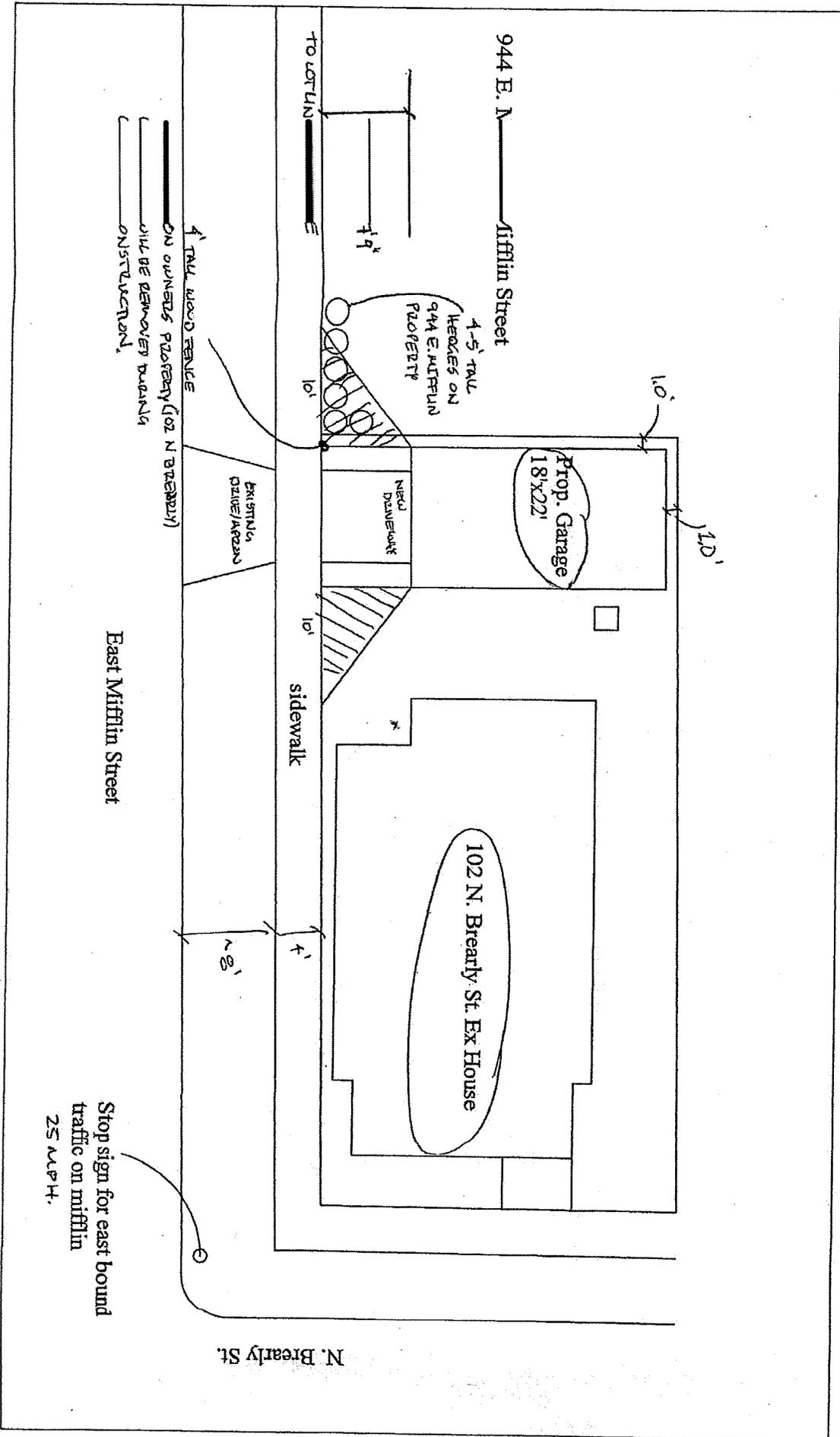
Include for Plan for Review Showing:

- Vision Clearance Triangle as described in MGO 27.05(2)(bb) – 25' at the corner and 10' at all driveways.
- Dimensions
- Public Right-of-Way adjacent infringement
- Any existing traffic control at the intersection for corners (Stop Sign, Yields, Signals)
- Posted Speed limits
- Traffic Volumes

MGO 27.05(2)(bb)

**Figure 27-1: Vision Clearance Triangles for Street and Driveway**





DRAINAGE PLAN - NOT TO SCALE

