



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

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

Daytime Phone: 6084694098 Evening Phone: _____

Email Address: patrickw@whittyandsons.com

Description of Requested Variance: Remove existing 10.2'x18.2' garage, and replace with new 12'x22' garage,
set back 1' from north and west property line. We are requesting an usable open space variance, a lot line setback vari
and an accesory building placement requirement. The garage replacement rule does not allow for a new garage that
will be large enough for a vehicle and space to get out of vehicle. We are requesting the garage to be 2' wider, 4' longe
and 2' taller.

(See reverse side for more instructions)

FOR OFFICE USE ONLY

Amount Paid: \$300.00
Receipt: 109396.0016
Filing Date: 5.6.21
Received By: JDP
Parcel Number: 070913119181
Zoning District: TR-CY WP-24
Alder District: #2 HECK

Hearing Date: 6.17.21
Published Date: 6.10.21
Appeal Number: LNOYAR-2021-00008
GQ: OK
Code Section(s): 28.131(e)
28.045(2)

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.

The property is a reverse corner lot that provides a quarter less lot with and half the lot area required by the ordinance. The garage replacement rule doesn't allow for the existing garage to be expanded due to the proximity to the lot lines, and the projection into the reverse corner placement restriction.

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 variances requested are not contrary to the public interest, we are requesting a variance for the rear yard of 1', side yard of 1', 7.75' for reversed corner setback. Maintenance easements with both neighbors affected have been signed. The variance requests are common for this neighborhood.

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, the max garage size is 12'x131' and is not useable. if the variance is not approved, we feel the lack of a usable garage will be detrimental to the property value

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 two smaller lots years ago. The existing garage was built by the previous owner.

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

The proposal variances for the new garage will not be detrimental to the neighborhood as many homes along breauly have structures within the setback requirements. The existing garage is dilapidated and unsafe

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

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



Proposal

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 checked="" 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: _____

Date: 5/13/21

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

DECISION	
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:

11/17



TRAFFIC ENGINEERING AND PARKING DIVISIONS

Madison Municipal Building, Suite 100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
Phone: (608) 266-4761
Fax: (608) 267-1158
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, UNUSABLE 10.2' X 18.2' 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

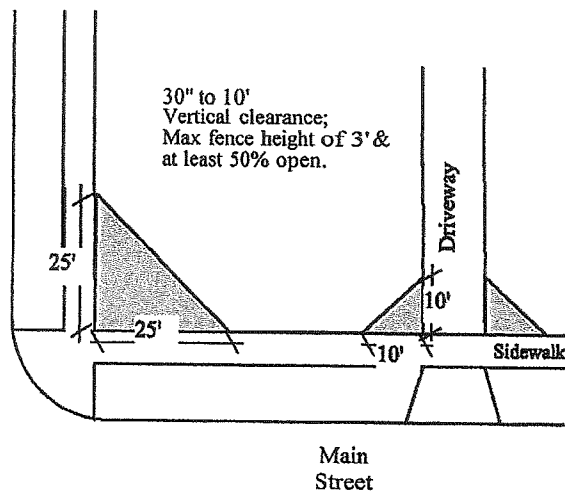
Date: 9/4/2020

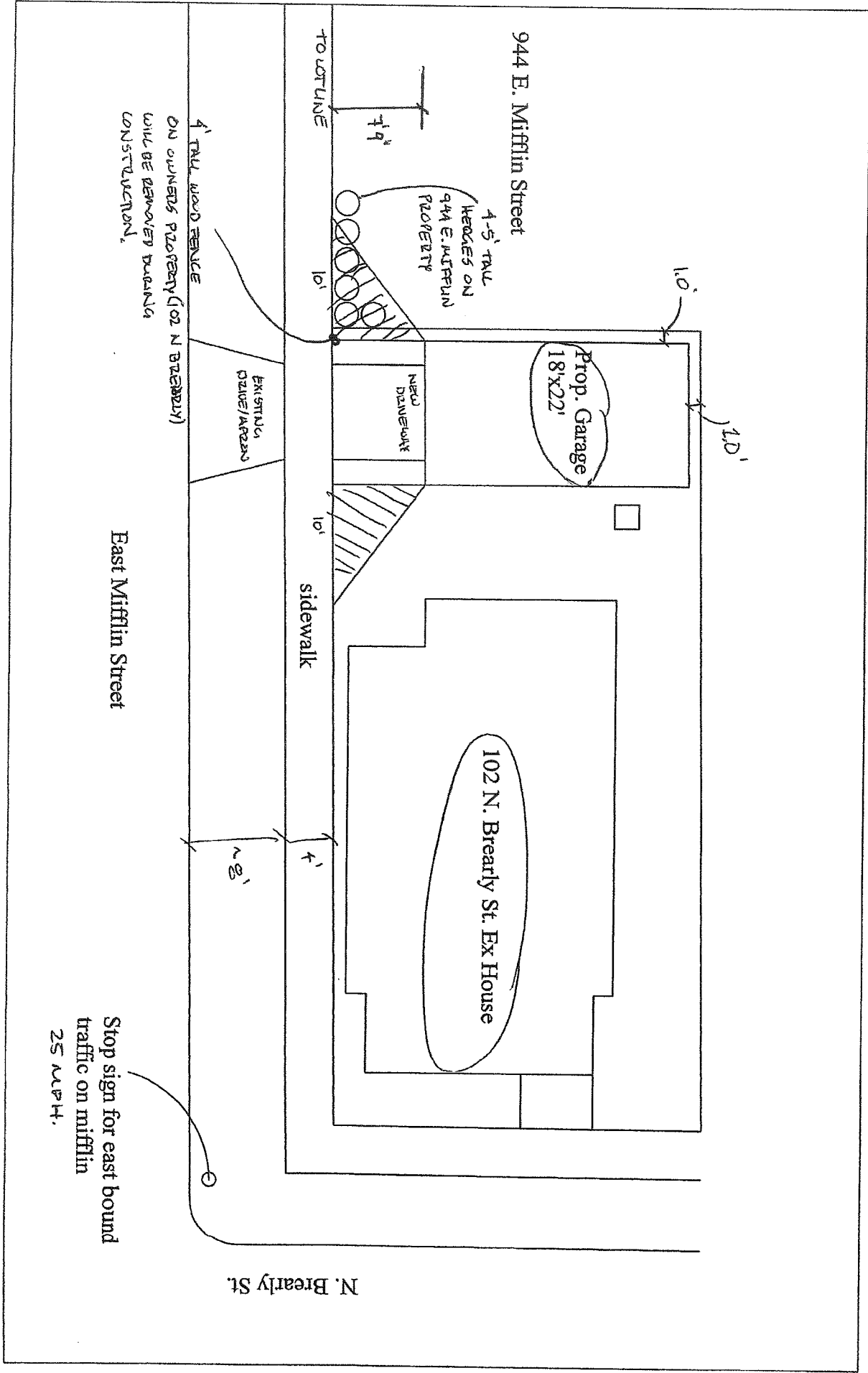
Include for Plan for Review Showing:

- 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







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

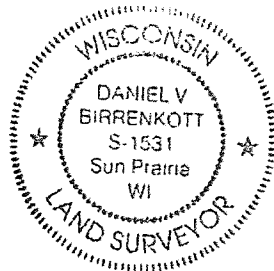
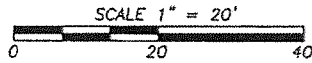
SURVEYOR'S CERTIFICATE:

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
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.



LOT 10

BLOCK 160

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:

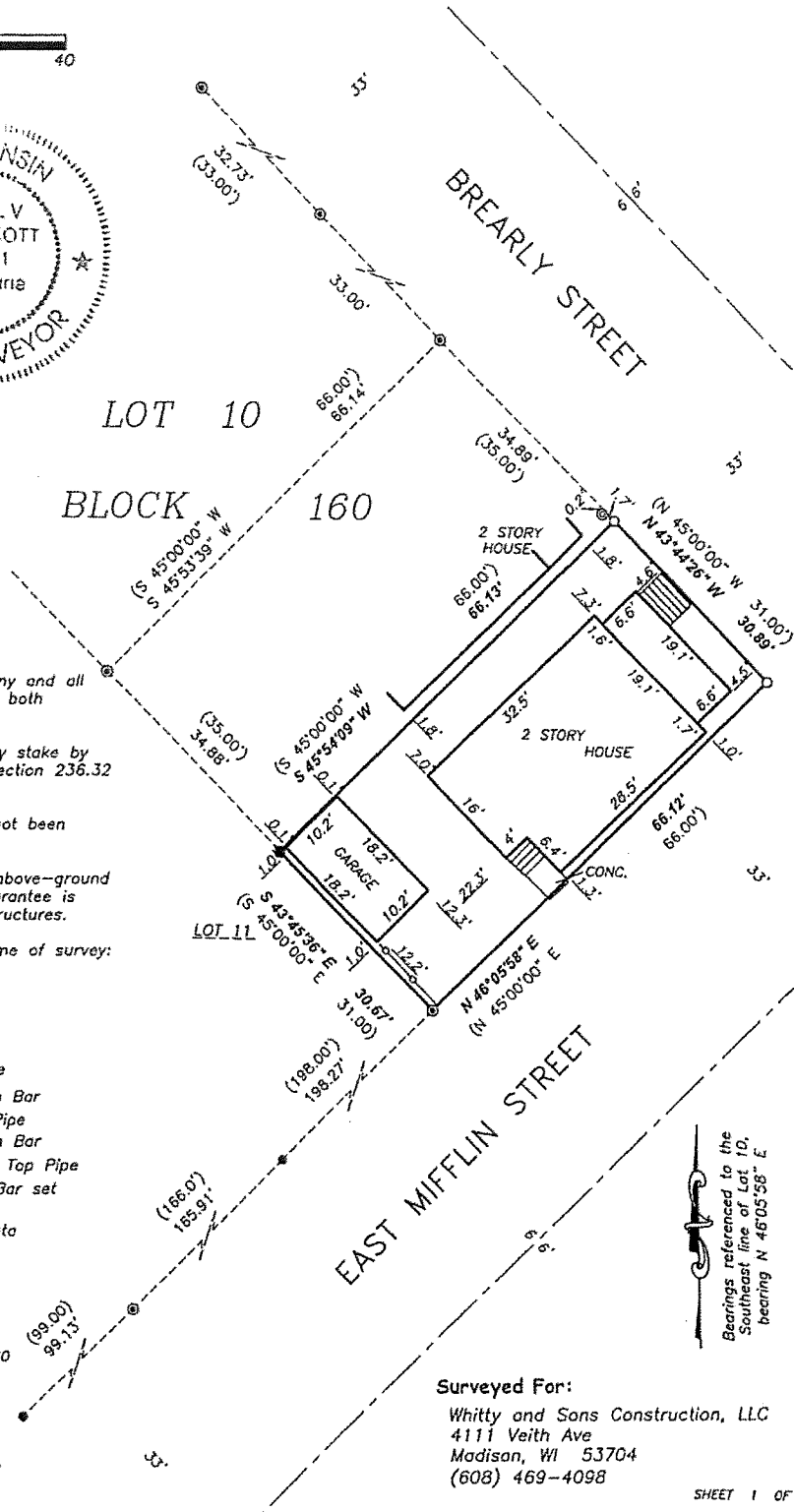
- = Wood Fence
- = Found 3/4" Iron Bar
- ⊙ = Found 1" Iron Pipe
- ⊗ = Found 1/2" Iron Bar
- = Found 1" Pinch Top Pipe
- = 3/4"x24" Iron Bar set
wt.=1.50#/in.ft.
- () = Recorded as data

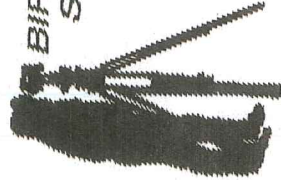
Dated: June 3, 2020
Surveyed: T.A.S.
Drawn: B.E.R.
Checked: C.K.C.
Approved: D.V.B.
Field book: 378/23
Comp. File: J:\2020\CARLSON
Office Map No. 200380

Surveyed For:

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

SHEET 1 OF





BIRRENKOTT SURVEYING, INC.

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Sun Prairie, WI. 53590
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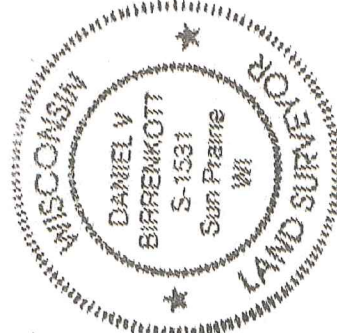


New Detached Garage

Usable Open Space *
750 SQ. Ft. Required
300 SQ. Ft. Provided
450 SQ. Ft. Variance

Lot Line Setback
3.0' Required
1.0' Provided
2.0' Variance

Acc. Building Rmement
20.0' Required
7.9' Provided
12.1' Variance



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No title provided at the time of survey: June 3, 2020.

Legend:

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- @ = Found 1" Iron Pipe
- ⊙ = Found 1 1/2" Iron Bar
- = Found 1" Pinch Top Pipe
- = 3/4" x 24" Iron Bar set
wt. = 1.50 lbs./m.l.
- () = Recorded as data

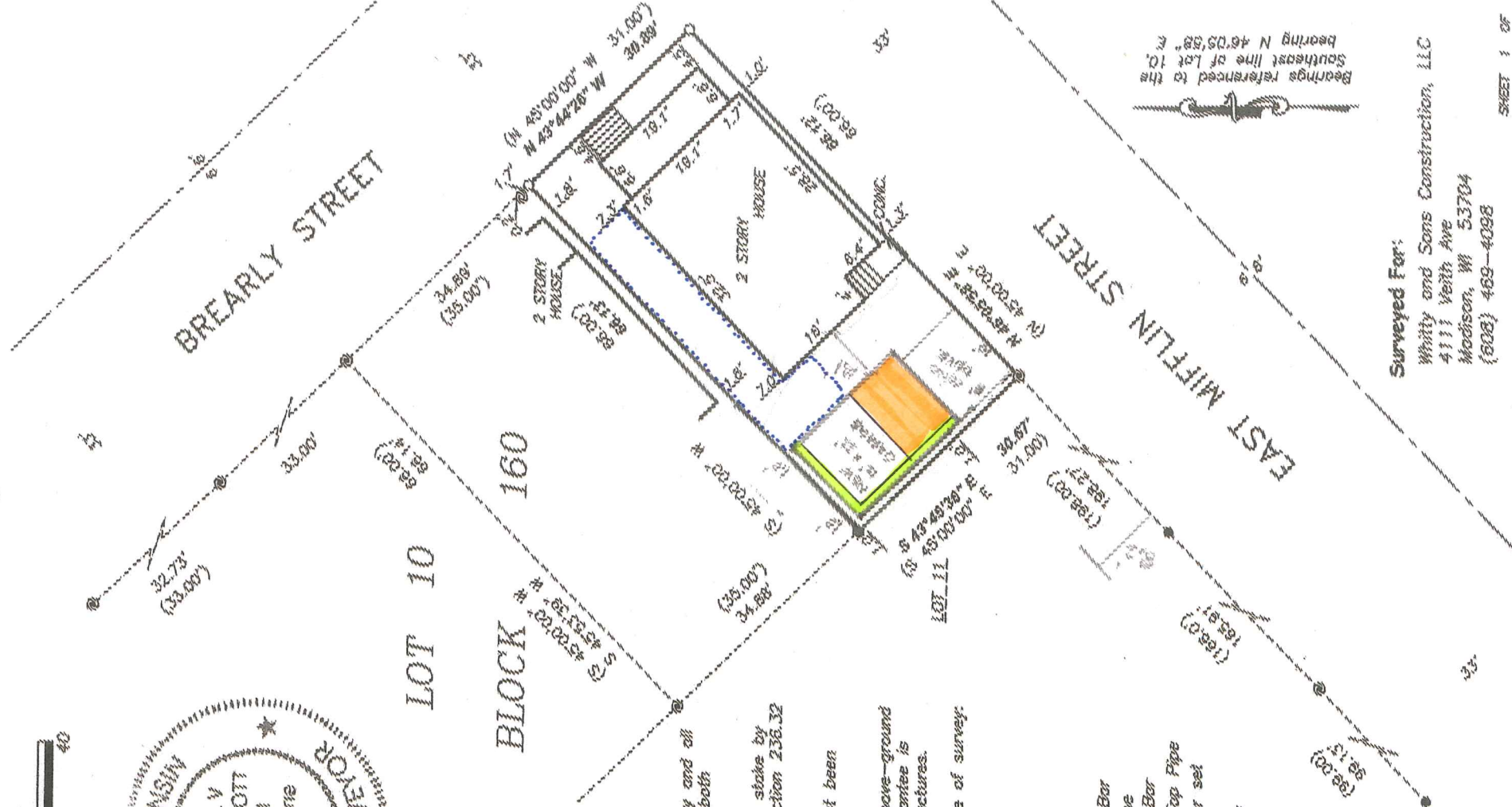
Dated: June 3, 2020
Surveyed: T.A.S.
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Field book: 378/23
Comp. File: 6/3/2020/CARLSON
Office Map No. 200380

Surveyed For:

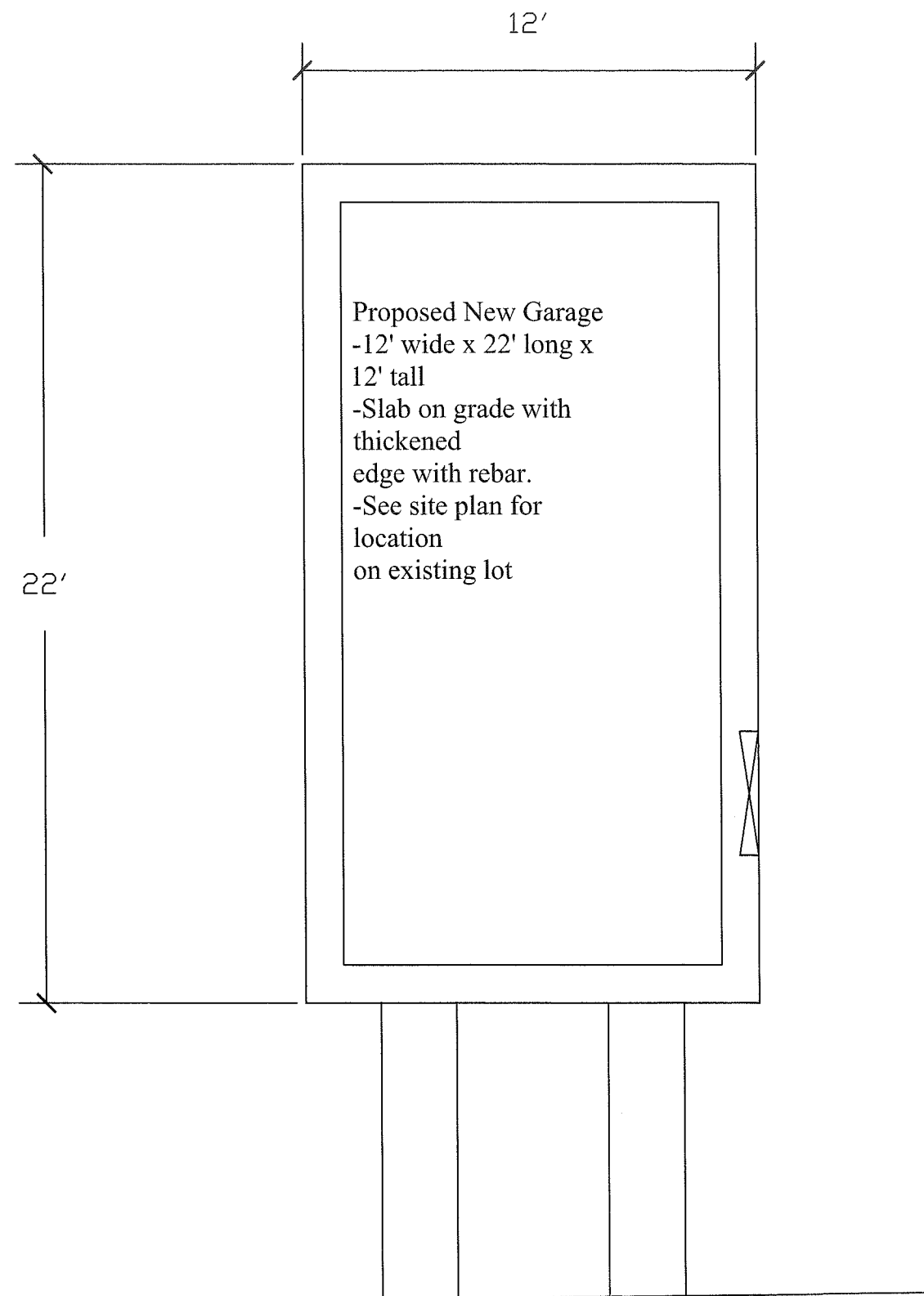
Whitty and Sons Construction, LLC
4111 Veith Ave
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SHEET 1 OF

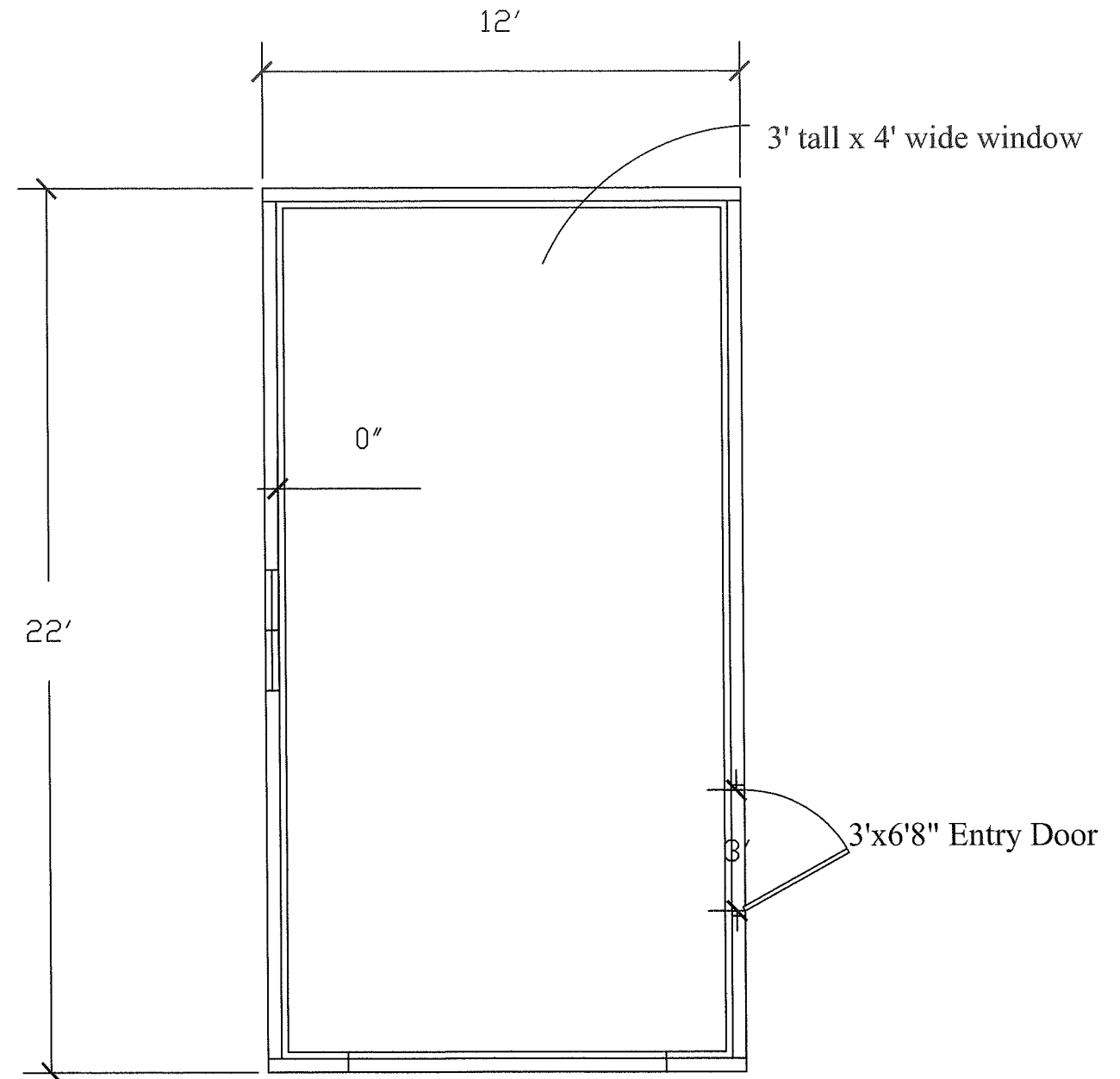
* Property currently owned 360 1/4 N.O.S.



Bearings referenced to the
Southeast line of Lot 10,
bearing N 46°05'58" E



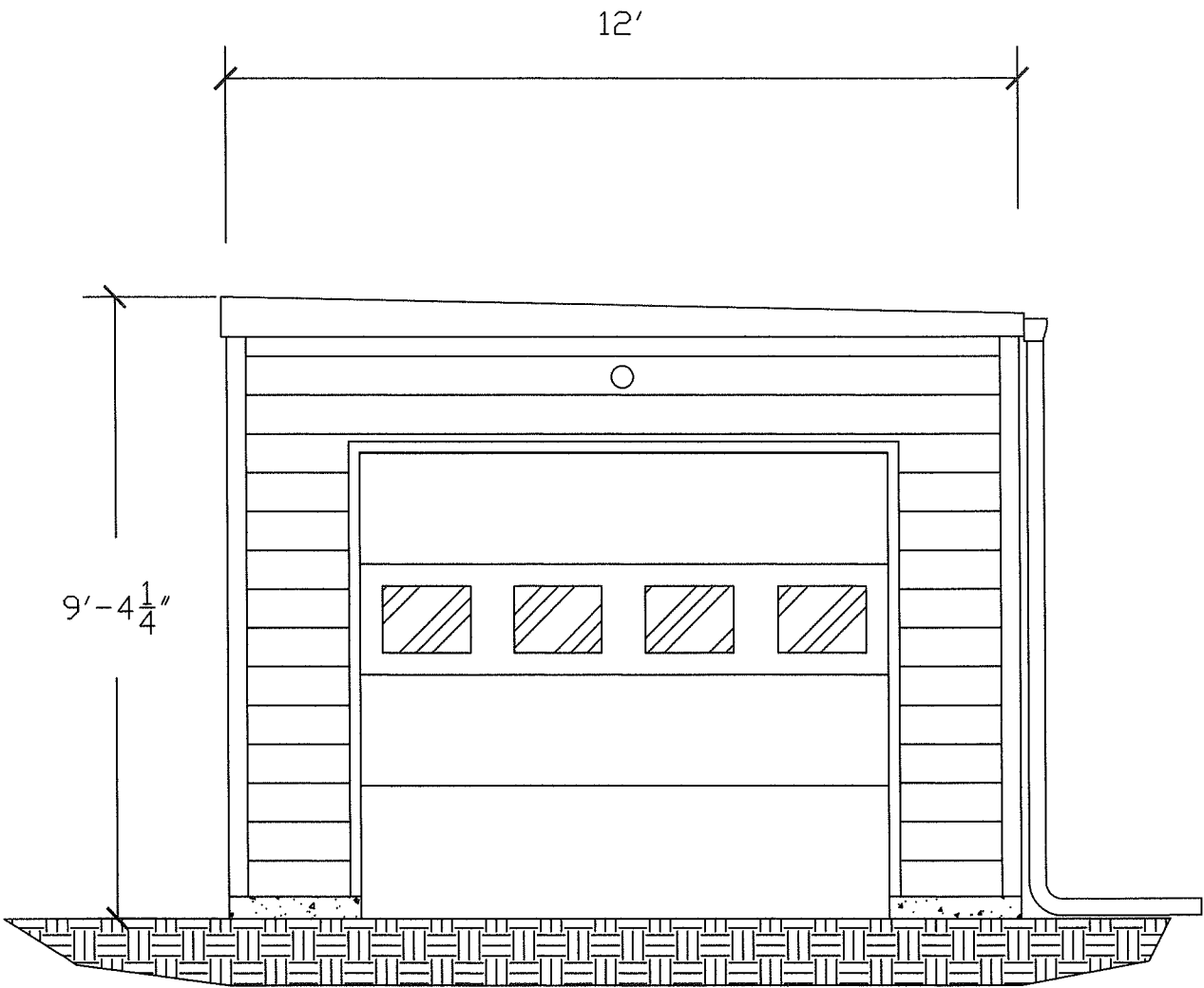
⊙ PROPOSED GARAGE SLAB
1/4"=1'0"



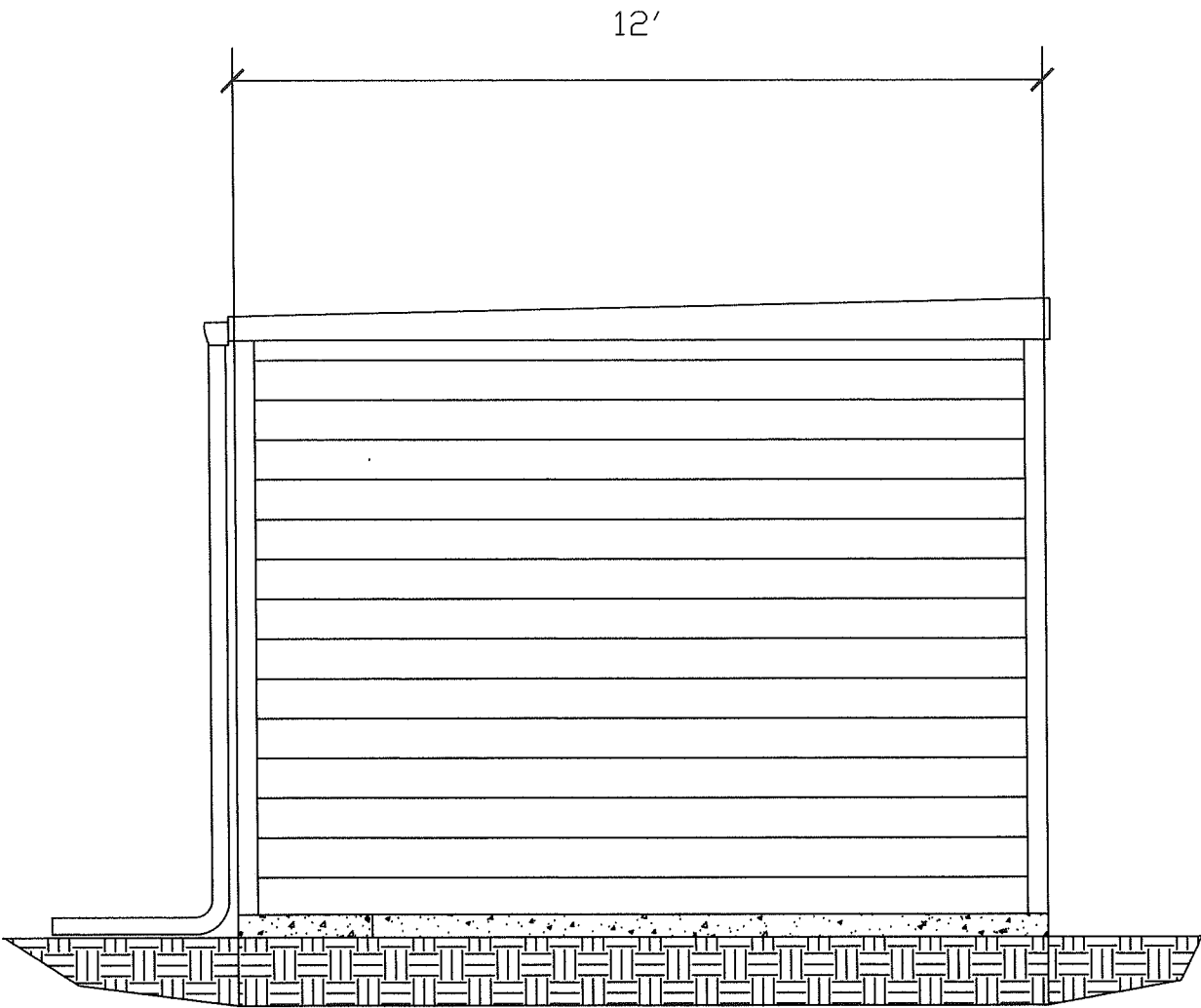
8' Wide x 7' Tall Garage Door
-(2) 1-7/8"x11-7/8" LVL Header
-Portal Frame Method

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

- 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
 - Tapered Rubber Roof -



South Elevation
3/8"=1'0"



North Elevation
3/8"=1'0"

- 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
 - White vinyl window

