



**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: 533 Miller Ave, Madison, WI 53704

Name of Owner: Joe Novotnak, Chris Neale

Address of Owner (if different than above): _____

Daytime Phone: 608-239-8296 Evening Phone: 608-239-8296

Email Address: jonovo1@aol.com

Name of Applicant (Owner's Representative): _____

Address of Applicant: _____

Daytime Phone: _____ Evening Phone: _____

Email Address: _____

Description of Requested Variance: _____

North side lot line setback

The zoning variance is requested for a kitchen remodel with the addition of a 1st floor powder room. The remodel includes a lean-to addition on the back of the house (possibly the original back porch, as there is a slight pitch to the floor). This structure is of substandard construction and must be replaced. The difference in this proposed new addition is that it will span the entire width of the back of the house, and will be slightly deeper, but will still conform to the required setback from the back lot line. Because the lot line is 52.4' wide, there should be a 6' setback from the the north side of the house to the north side lot line. However, there is only a 4.5' setback. Because the north wall of the proposed addition is on the same plane as the north wall of the main part of the house, a variance is required.

(See reverse side for more instructions)

FOR OFFICE USE ONLY

Amount Paid: \$ 300
Receipt: 039155-0006
Filing Date: 1-3-18
Received By: CMT
Parcel Number: 0710-053-3006-5
Zoning District: TR-C2
Alder District: 6-Rummel

Hearing Date: 1-25-18
Published Date: 1-18-18
Appeal Number: LNOVAR-2018-00001
GQ: OK-
Code Section(s): 28.043(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.

~~Because of the way the lot was originally subdivided, the front lot line is 52.4' wide, and so would require a 6' setback from the north wall of the house to the north lot line. Most of the lots in the district are 40' wide, and require a 4' setback. The house, which was constructed in 1910, has a 4.5' setback from the north lot line.~~

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.

~~We are replacing a substandard structure using the same basic footprint. Since we are basically replacing what already exists there, we do not feel that the variance is contrary to the spirit, purpose or intent of the zoning regulations, nor is it contrary to the public interest.~~

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.

~~The purpose of the proposed new construction is to replace a substandard structure. It is part of a kitchen remodel, which also includes the addition of a 1st floor powder room (there is currently no bathroom on the 1st floor). As it is, adding the powder room will take space away from the dimensions of the kitchen. The loss of floor space inside the house, in the context of the need for counter, cabinet and cupboard space, for an additional 1.5' setback from the north side lot line would constitute an unnecessary burden. Nor would it significantly improve accessibility from front to back on the north side of the property, or add to the aesthetic appearance of the house.~~

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 house is over 100 years old and has always been where it is in relation to the north lot line; we can't move the house. The portion of the structure that must be replaced is on the same plane as the main part of the house, and has also existed in its present location for probably over 100 years as well. The new construction will not affect the current access from front to back along the north side of the property. The new construction will improve the quality and character of what currently exists, but is otherwise not a substantial change.~~

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

~~The house on the adjacent property is on the northwest corner of the lot, approximately 25' from our house. The proposed construction will not create substantial detriment to the adjacent property, as it is basically replacing what already exists. The only change is the improvement in the quality and appearance of our house.~~

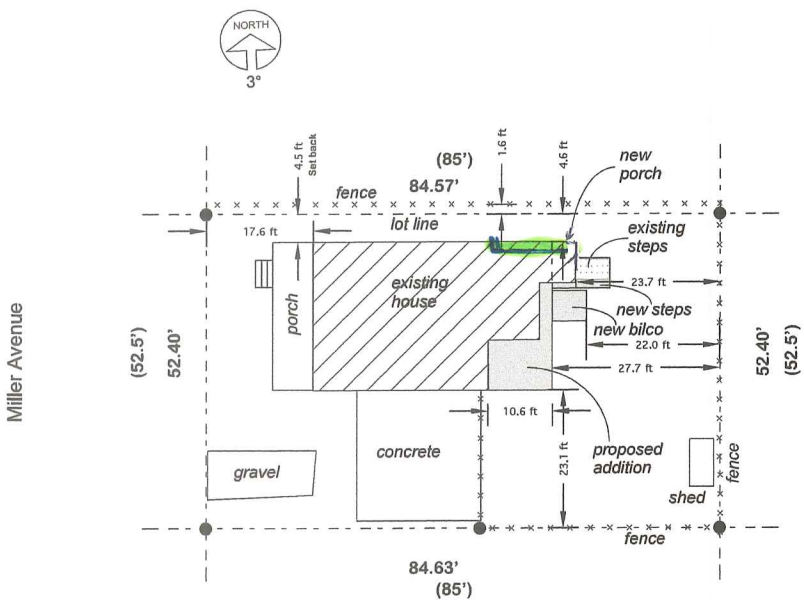
6. The proposed variance shall be compatible with the character of the immediate neighborhood.

~~The siding on the main part of the house is asbestos shingles, which we do not intend to recreate on the new addition.~~

~~We are presently working with W.E. Davies and Sons Remodeling on the design of the project, and intend to use them for the construction as well. We plan to use materials in the siding, trim, windows, roof and gutters and downspouts that are consistent with the character of the immediate neighborhood.~~



(set-back dimensions per WS&A Survey dated 11/02/2017)



Two Story Single-Family Home
 single-story Rear Dwelling and
 open porch
 Addition
 Side Yard

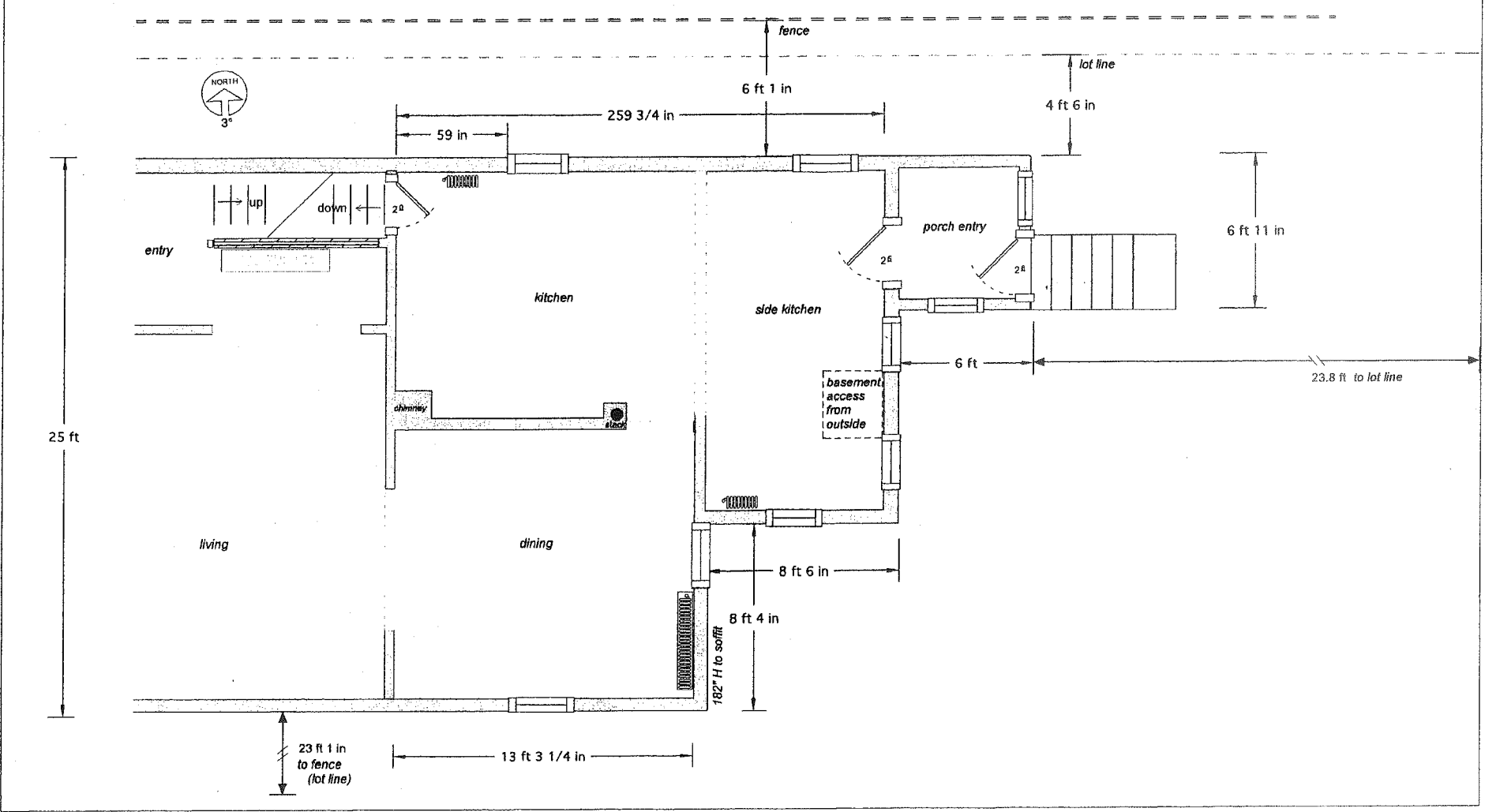
 6.0' Required
 4.6' Provided

 1.4' Variance

Notes:

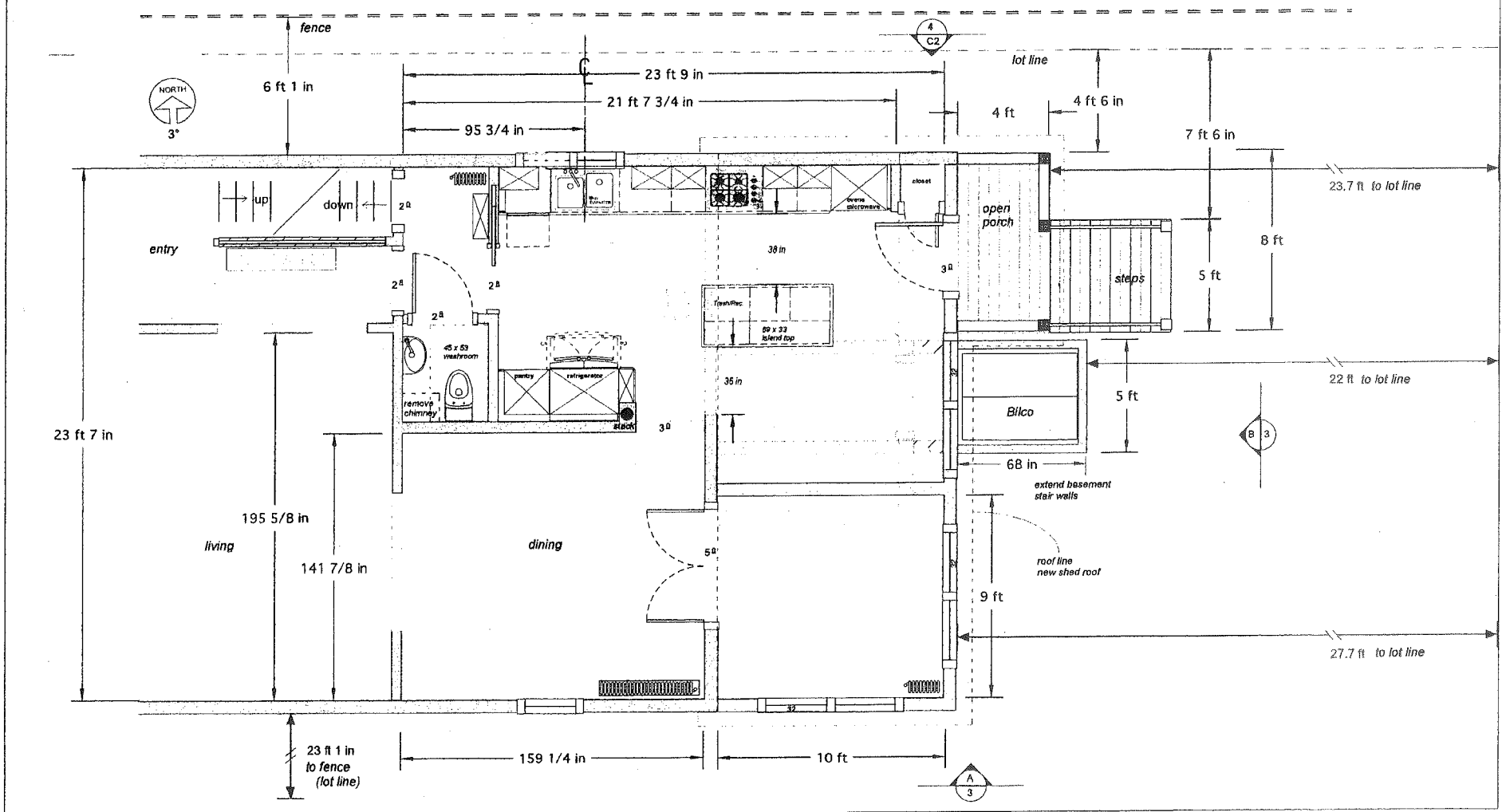
- Rear yard setback = 25.5' (30% of 85')
- Open porch may proceed with rear yard setback. (see 28.132(2)(b))

Verify Dimensions (set-back dimensions per WS&A Survey dated 11/02/2017)



**PRELIMINARY
 NOT FOR CONSTRUCTION**

Verify Dimensions (set-back dimensions per WS&A Survey dated 11/02/2017)



Bert

B CAP & DESIGN
608-669-3936

bert@berbe.com
1716 Jefferson St.
Madison WI 53711

Date of first draft
12-04-2017
Revision # and date
R - 1 12-20-17

Name and plan description
Neale/Novotnak Proposed Elevations
Location
533 Miller Ave.

Drafted by
FGB
Scale
1/4" = 12"

Approved by

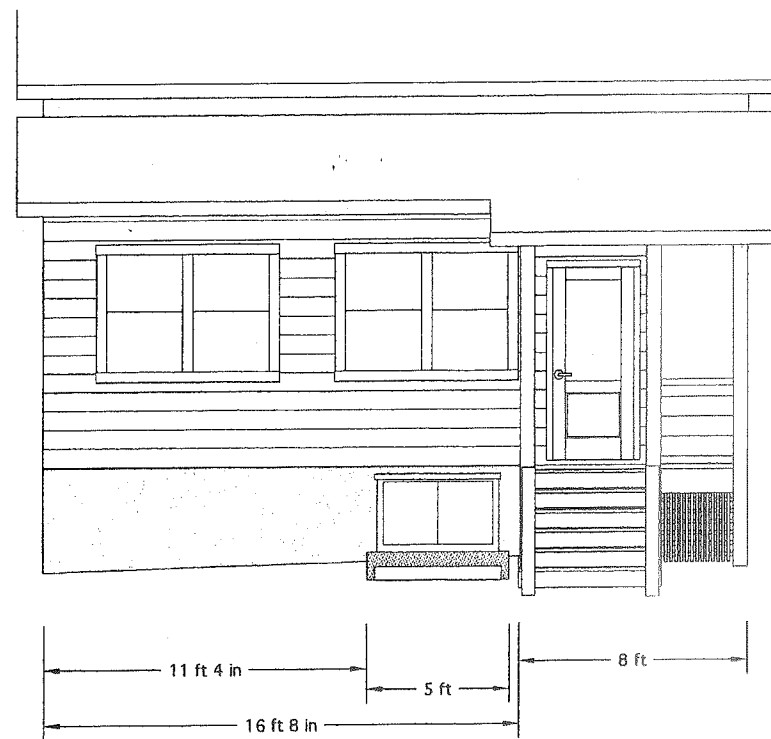
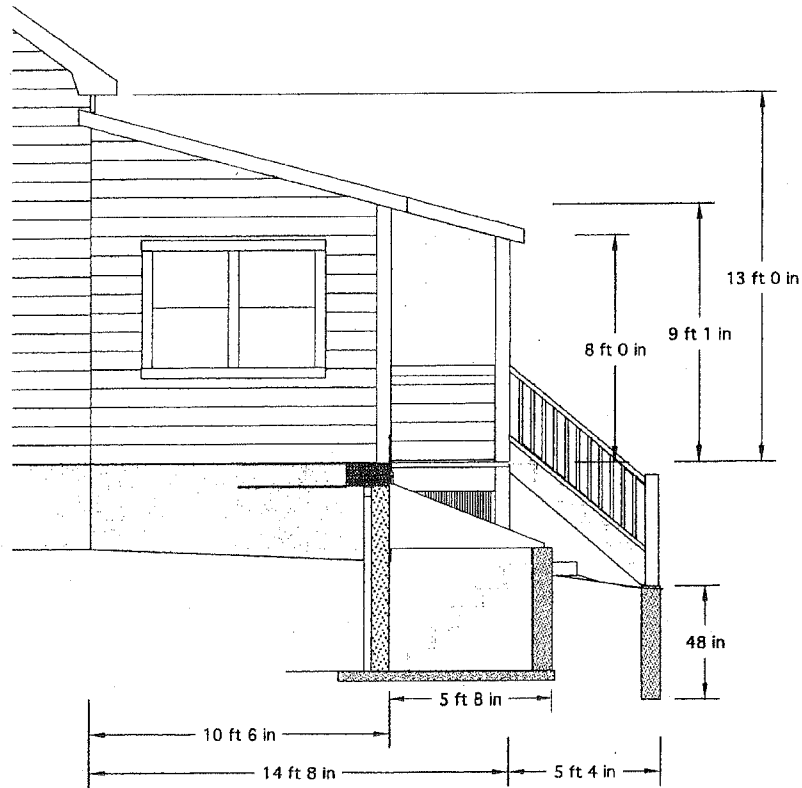
Date

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of



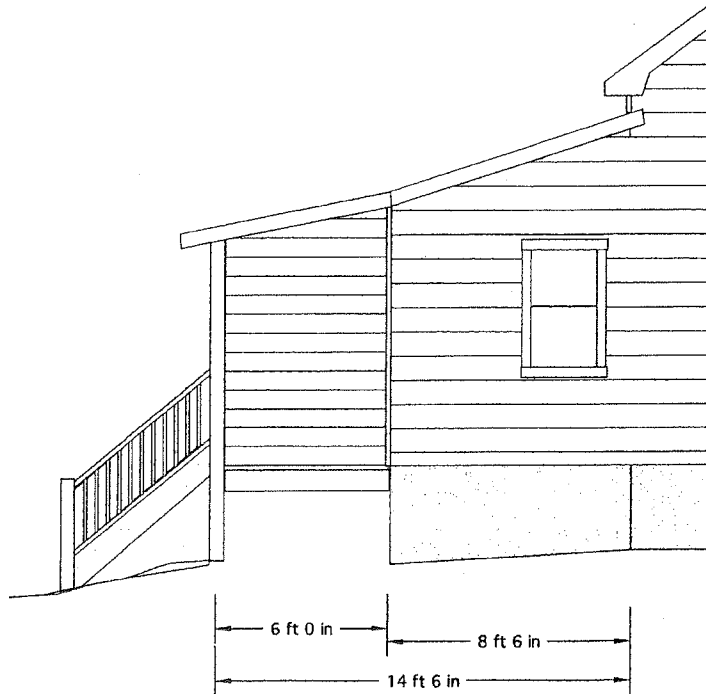
PRELIMINARY
NOT FOR CONSTRUCTION

Verify Dimensions

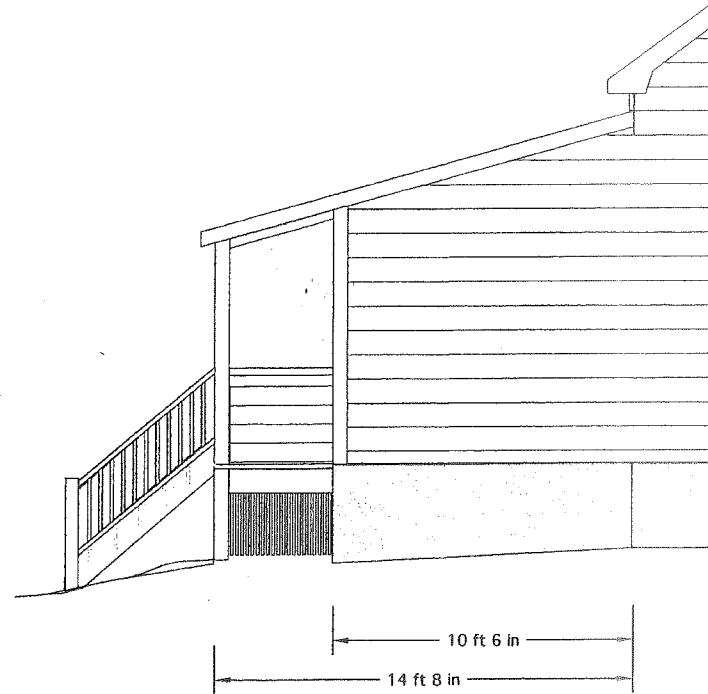


PRELIMINARY
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Verify Dimensions



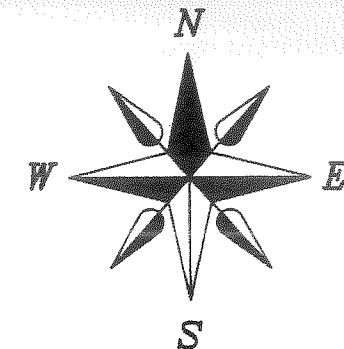
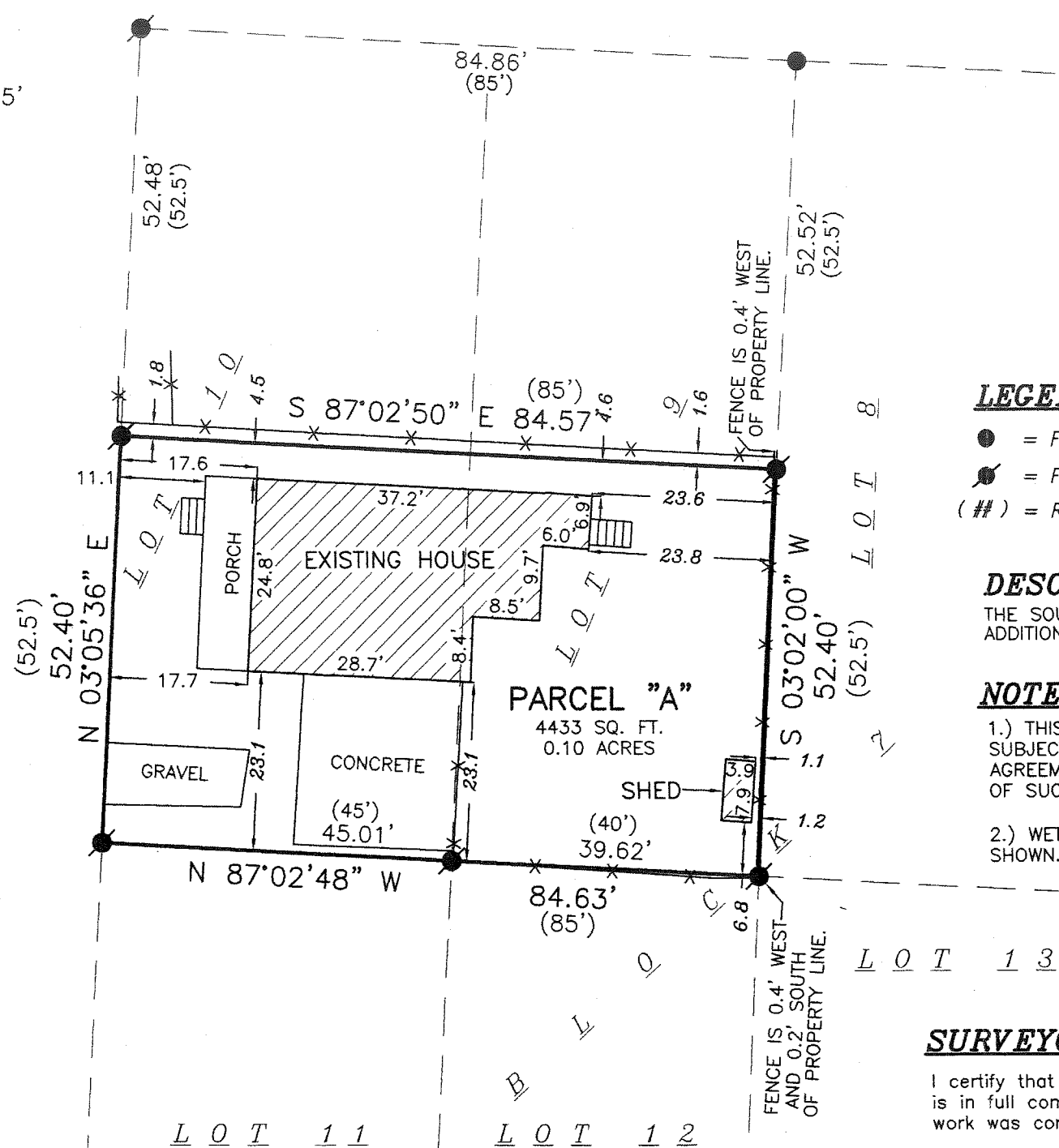
C existing north elevation



C2 proposed addition north elevation

MILLER AVENUE

WILLARD AVENUE



BEARINGS ARE REFERENCED TO THE WEST LINE OF LOT 10, BLOCK 7, ELSIDE ADDITION TO MADISON. LINE TO BEAR = N 03°05'36" E

SCALE 1" = 20'



LEGEND

- = FOUND 3/4" REBAR
- ⦿ = FOUND 1" PIPE
- (#) = RECORDED AS

PREPARED FOR:

JOE NOVOTNAK
533 MILLER AVE.
MADISON, WI 53704

DESCRIPTION: PER DOCUMENT No. 3834156
THE SOUTH 1/2 OF LOTS NINE (9) AND TEN (10), BLOCK SEVEN (7), ELSIDE ADDITION TO MADISON, CITY OF MADISON, DANE COUNTY, WISCONSIN.

NOTES:

- 1.) THIS SURVEY 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 AND FLOOD PLAIN, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.

SURVEYOR'S CERTIFICATE:

I certify that this survey is correct to the best of my knowledge and belief and is in full compliance with the provisions of Chapter A-E7 WI Statutes. Field work was completed on October 30, 2017.

Williamson Surveying and Associates, LLC
by Noa T. Prieve & Chris W. Adams

Date Nov. 2nd, 2017

[Signature]
Noa T. Prieve S-2499
Professional Land Surveyor

PLAT OF SURVEY		DATE	REVISION DATE:	CHECK BY	N.T.P.
THE SOUTH 1/2 OF LOTS NINE (9) AND TEN (10), BLOCK SEVEN (7), ELSIDE ADDITION TO MADISON, CITY OF MADISON, DANE COUNTY, WISCONSIN.		SCALE:	1" = 20'	DRAWING NO.	17W-399
		DRAWN BY	NEIL BORTZ	SHEET	1 OF 1

WILLIAMSON SURVEYING & ASSOCIATES, LLC
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597.
NOA T. PRIEVE & CHRIS W. ADAMS
PROFESSIONAL LAND SURVEYORS
PHONE: 608-255-5705 FAX: 608-849-9760 WEB: WILLIAMSONSURVEYING.COM

SURVEYORS SEAL

NOA PRIEVE
S-2499
LODI, WI
11-2-17