



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: 2817 Kendall Avenue

Name of Owner: Brett Cann

Address of Owner (if different than above):

Daytime Phone: Cell Evening Phone:

Email Address:

Name of Applicant (Owner's Representative): Joe Hanauer, Landscape Architecture, LLC

Address of Applicant:

Daytime Phone: Evening Phone:

Email Address:

Description of Requested Variance: To allow a driveway to get wider from a 1 car garage width of 10' an additional 5' to a total width of 15'. The additional width is an extension of a front walk on steps. It will not be used to park an additional vehicle. The requested width addition is the interior (east) so it connects to the walk. Also, it is more difficult adding to the exterior as more retaining wall would be required. Plus adding to the exterior would not meet our goal of connecting to the walk.

(See reverse side for more instructions)

FOR OFFICE USE ONLY

Amount Paid: 300 Receipt: 17477-004 Filing Date: 6/14/16 Received By: PDA Parcel Number: 0709-212-1501-2 Zoning District: TR-C2 Alder District: S-SHIVA BIDAR-SIELAPP Hearing Date: 7/14/2016 Published Date: 7/7/2016 Appeal Number: LNDVAR-2016-00012 GQ: OK Code Section(s): 28.141(9)(b)1. 28.141(8)(c)1.

## 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 garage and garage door is narrow. The garage entry is the lower level. Retaining walls on both sides of the driveway make the area very narrow.

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 not requesting additional parking. The area being requested to be wider is a direct extension of the front walk.

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.

If one car parks in the drive car doors on the right (west) side hit the retaining wall. Also it is very difficult to walk around a car.

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 terms of the ordinance do not allow the driveway wider than the garage or to get wider as one moves from the garage. We simply would like an area wider as extension of the walk.

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

No detriment to neighbors. The retaining walls block view of the driveway & walk area.

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

Other driveways are two car widths.



## Application Requirements

**Please provide the following information** (Please note any boxes left unchecked below could result in a processing delay or the Board's denial of your application):

<input checked="" type="checkbox"/>	<b>Pre-application meeting with staff:</b> Prior to submittal of this application, the applicant is strongly encouraged to discuss the proposed project and submittal material with Zoning staff. <b>Incomplete applications could result in referral or denial by the Zoning Board of Appeals.</b>
<input checked="" type="checkbox"/>	<b>Site plan</b> , drawn to scale. A registered survey is recommended, but not required. Show the following on the site plan (Maximum size for all drawings is 11" x 17"): <ul style="list-style-type: none"> <li><input type="checkbox"/> Lot lines</li> <li><input type="checkbox"/> Existing and proposed structures, with dimensions and setback distances to all property lines</li> <li><input type="checkbox"/> Approximate location of structures on neighboring properties adjacent to variance</li> <li><input type="checkbox"/> Major landscape elements, fencing, retaining walls or other relevant site features</li> <li><input type="checkbox"/> Scale (1" = 20' or 1' = 30' preferred)</li> <li><input type="checkbox"/> North arrow</li> </ul>
<input type="checkbox"/>	<b>Elevations</b> from all relevant directions showing existing and proposed views, with notation showing the existing structure and proposed addition(s). (Maximum size for all drawings is 11" x 17")
<input type="checkbox"/>	<b>Interior floor plan of existing and proposed structure</b> , when relevant to the variance request and required by Zoning Staff (Most additions and expansions will require floor plans). (Maximum size for all drawings is 11" x 17")
<input type="checkbox"/>	<b>Front yard variance requests only.</b> Show the building location (front setback) of adjacent properties on each side of the subject property to determine front setback average.
<input type="checkbox"/>	<b>Lakefront setback variance requests only.</b> Provide a survey prepared by a registered land surveyor showing existing setbacks of buildings on adjacent lots, per MGO 28.138.
<input type="checkbox"/>	<b>Variance requests specifically involving slope, grade, or trees.</b> Approximate location and amount of slope, direction of drainage, location, species and size of trees.
<input checked="" type="checkbox"/>	<b>CHECK HERE.</b> I acknowledge any statements implied as fact require supporting evidence.
<input checked="" type="checkbox"/>	<b>CHECK HERE.</b> 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:** *John C. [Signature]* **Date:** 6-14-16  
*As Agent For Brett Gann*  
 -----(Do not write below this line/For Office Use Only)-----

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

From: **Brett Gann** lemwiwinks.rex@gmail.com  
Subject: **Re: Zoning Board of Appeals**  
Date: June 10, 2016 at 11:20 AM  
To: **Joe Hanauer** joe@landscapearc.com



Hi Joe,

I won't be back until next week. You have my permission to sign the appeal application on my behalf.

Feel free to stop by and measure.

Brett

Sent from my iPhone

On Jun 10, 2016, at 12:10 PM, Joe Hanauer <[joe@landscapearc.com](mailto:joe@landscapearc.com)> wrote:

Brett,

The zoning board of appeals application does request your signature but they will allow me to sign it for you if you are gone and can't sign it if you send me an email giving me the permission. Our deadline to submit is June 23 so I don't have to rush it in although I would rather submit prior to when you return next week. Are you back this weekend at all? If not, please send me an email giving me permission. I will send you a copy of the application when I have it 100% done. I would like to stop by your home on my way to submit to verify a few measurements.

Thank you,  
Joe

Thank you,

**Joe Hanauer, ASLA**

**Landscape Architect**

<image001.jpg><image002.jpg>

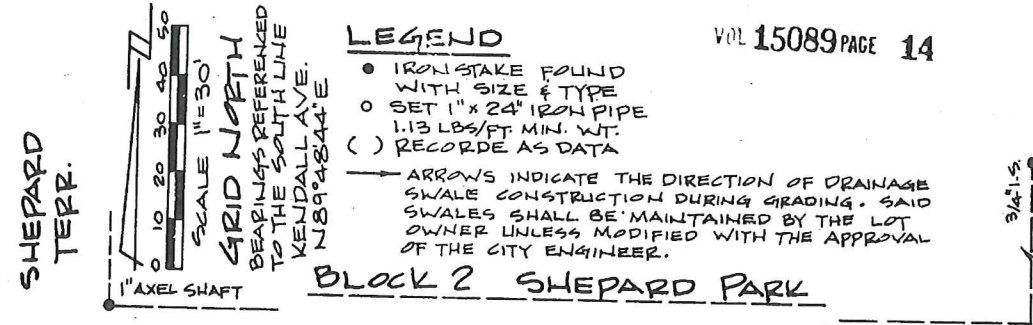
**P.O. Box 46129 Madison WI 53744**

ph. [608.798.1840](tel:608.798.1840)

[www.landscapearc.com](http://www.landscapearc.com)

CERTIFIED SURVEY MAP

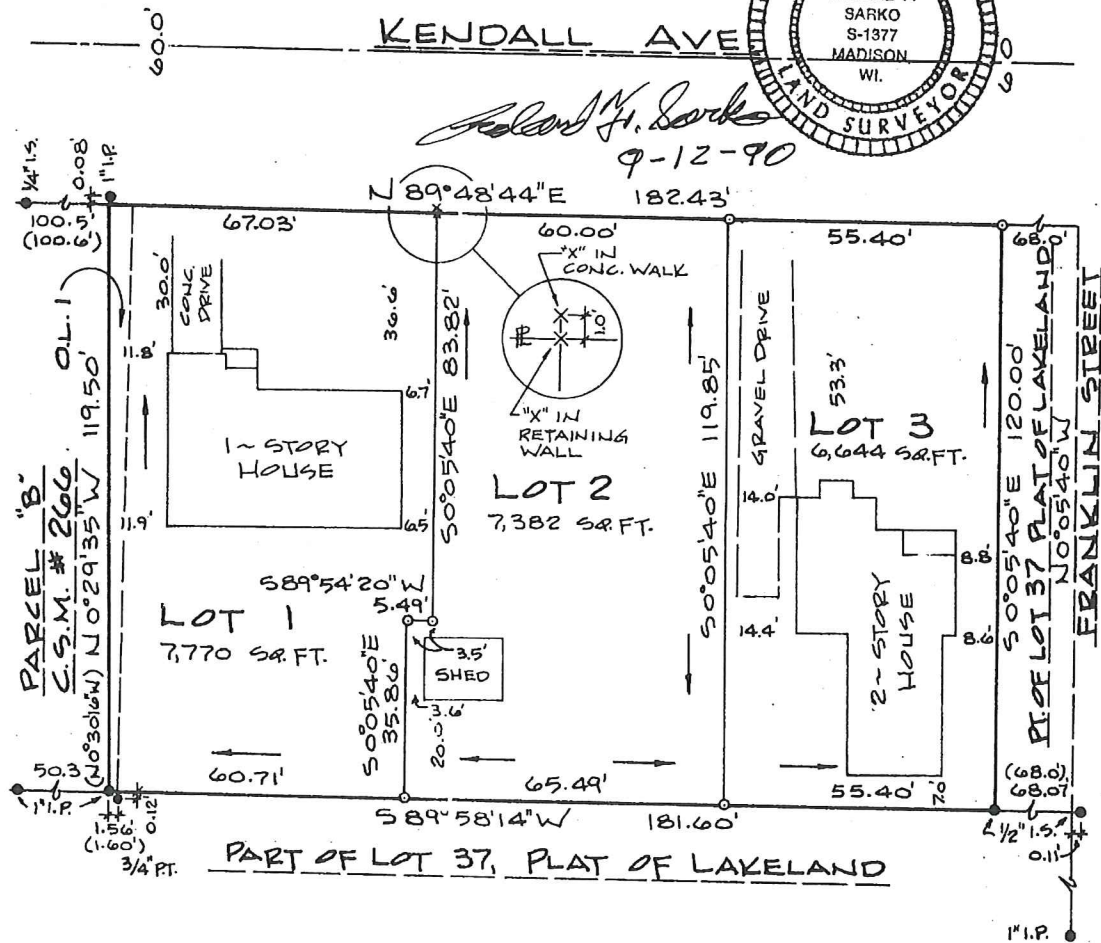
Outlot 1, Certified Survey Map Number 266, and part of Lot 37, Lakeland, City of Madison, Dane County, Wisconsin.



VOL 15089 PAGE 14



KENDALL AVE



R.F. Sarko and Associates, Inc.  
Land Surveyors  
2919 University Avenue  
Madison, Wisconsin 53705

Document 2235244  
Map Number 6258  
Volume 30  
Page 153

Map Number: 4-24125  
Job Number: 26933  
Page One of Four





City of Madison

DUE DATE

**CODE ENFORCEMENT**

REVIEW DATE

**Worksheet**

0709-212-1501-2

<b>2817 Kendall AVE Madison, WI 53705</b>		INSP	CASE NBR	CASE TYPE
		Patmythes, Gregory	CB2016-152-10465	Referred
NAME OF PERSON TO CONTACT, ETC.		EMP	DATE	ACTIVITY
h: w:		Inspections 05/31/2016 - Open Status GJP - 05/31/2016 - Official Notice		
REMARKS				
FRONT YARD PARKING AREA CREATED INTO HILLSIDE W/RETAINING WALL. REFERRAL FROM ENG DUE TO CURB BEING CUT W/O APPROVAL				
OWNER	ORIGINAL TO:			
GANN, BRETT 2817 KENDALL AVE MADISON, WI 53705	GANN, BRETT 2817 KENDALL AVE MADISON, WI 53705			
CC 1:	CC 2:			
NOTES		Workflow 05/31/2016 - Open Status		
		Due Date -		

Printed 6/1/2016 12:48:46 PM

From: Building Inspection Division  
215 Martin Luther King, Jr. Blvd.  
P.O. Box 2984  
Madison, Wisconsin 53701-2984

**City of Madison**  
**OFFICIAL NOTICE**

Notice: An inspection discloses that  
certain sections of the City  
Ordinances are being violated.

**Property Located At:**  
2817 KENDALL AVE

**OWNER:**  
BRETT GANN  
2817 KENDALL AVE  
MADISON WI 53705

Item No.	Violating Section No.	CORRECTIONS REQUIRED
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**REFERRAL**

- 28.141(8)(c) Remove the recently expanded portion of the driveway on the TR-C2 zoned property at 2817 Kendall Avenue and restore the area to lawn.

Because this driveway expansion doesn't lead to a parking stall beyond the zoning front yard, no approvals can be granted.

NOTE: Site plan approval is required prior to commencing any change to a site.

\*\*\*\*\*  
**THE MADISON GENERAL ORDINANCES REQUIRE THAT A FEE OF \$75.00 BE CHARGED FOR REINSPECTIONS THAT DO NOT RESULT IN FULL COMPLIANCE, INCLUDING REINSPECTIONS RESULTING IN AN EXTENDED DUE DATE. ATTEMPTED REINSPECTIONS (NO ENTRY) ARE BILLED AT \$35.00 EACH.**  
 \*\*\*\*\*

This notice does not start any legal action. However, if the violations are not corrected by the due date listed below, the Building Inspection Division may issue citation(s), and/or refer the situation to the City Attorney's Office.

The Building Inspection Division is willing to answer questions pertaining to this official notice in order to assist you in correcting the violations. If you have questions or problems, it is important to contact me before the due date at the number listed below.

Compliance with the above cited sections of the municipal code shall be on a continuous basis.

**The inspector can be contacted by phone at 608-261-9662 or by email at [gpatmythes@cityofmadison.com](mailto:gpatmythes@cityofmadison.com)**

Inspected by: Greg Patmythes      On: 5/31/16      Date Issued: 6/2/16

**The violations shall be corrected on or before:** July 5, 2016

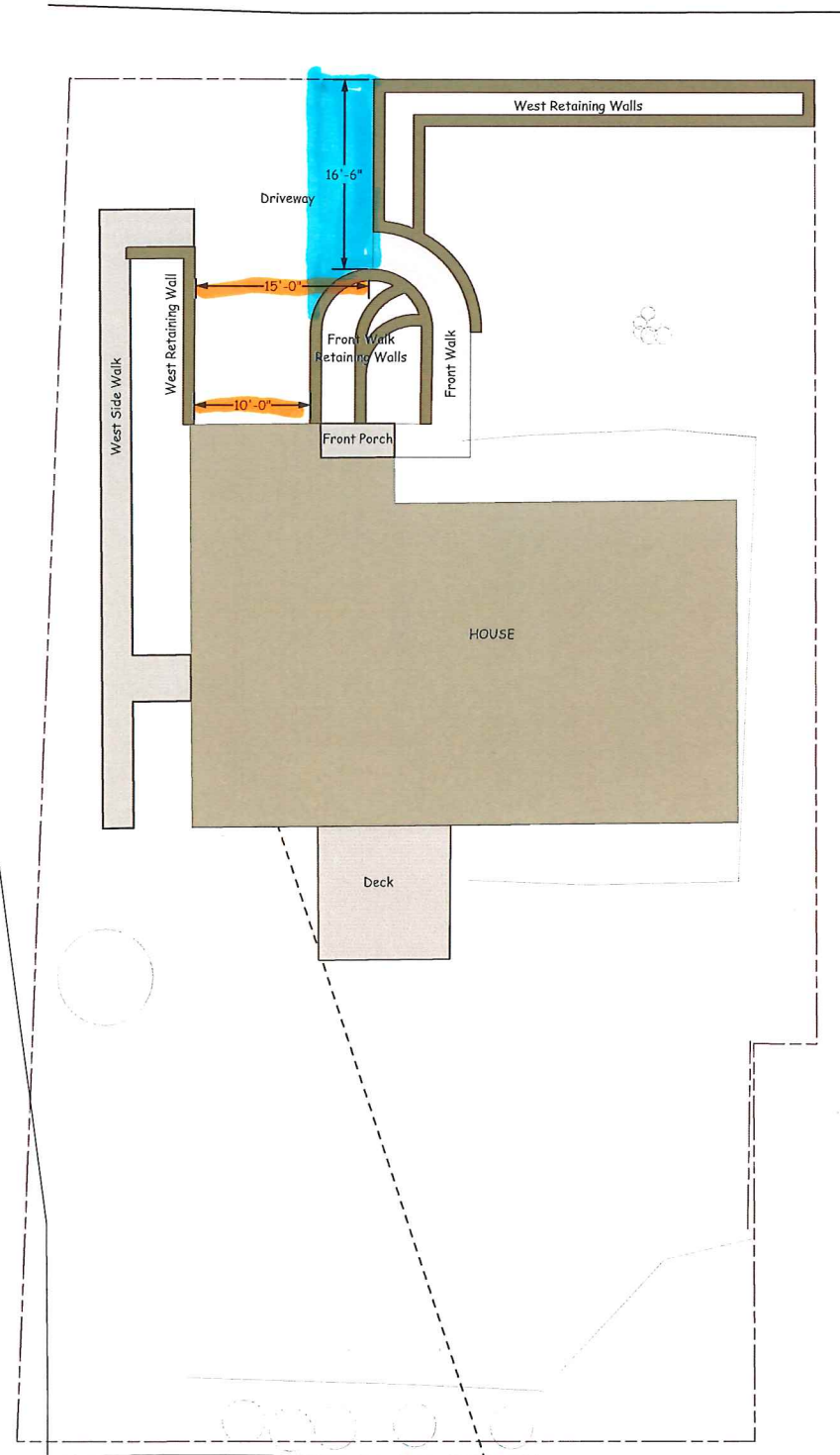
Code Enforcement Officer: \_\_\_\_\_

Any person violating any provision of the City Ordinances enforced by the Building Inspection Division is subject to the penalties provided by the appropriate Ordinance violated. ALL APPLICATIONS FOR APPEAL OF CHAPTERS 17, 18, 19, 27, 28, 29, 30 and 31 SHALL BE SUBMITTED TO THE BUILDING INSPECTION DIRECTOR IN WRITING WITHIN FIFTEEN (15) DAYS OF POSTMARK ON OFFICIAL NOTICE ENVELOPE. Appeal information may be obtained by calling 266-4551.









IMPERMEABLE AREA-PROPOSED	
Area Name	Area
West Side Walk	183 Sq Ft
West Retaining Walls	114 Sq Ft
West Retaining Wall	20 Sq Ft
House Footprint	1435 Sq Ft
Front Walk Retaining Wall	50 Sq Ft
Front Walk	81 Sq Ft
Front Porch	19 Sq Ft
Driveway	399 Sq Ft
<b>Total</b>	<b>2302 Sq Ft</b>

PERMEABLE AREA	
Area Name	Area
Deck	134 Sq Ft
<b>Total</b>	<b>134 Sq Ft</b>

Lot area = 7,770 sq. ft  
 29.4% Impermeable Area  
 65% Lot Coverage Allowed



Phone: 608.798.1840  
 www.landscaparc.com  
 P.O. Box 46129 Madison, Wisconsin 53744



*Single family home  
 construct driveway in front yard  
 setback wider than legal parking area  
 Driveway width VARIANCE*

ZONING PLAN

# GANN RESIDENCE

2817 KENDALL AVENUE, MADISON, WISCONSIN

SCALE: 1/16"=1'-0"  
 MAY 21, 2106