



**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: 26 N Hancock Street

Name of Owner: Joseph F. Martino

Address of Owner (if different than above): N/A

Daytime Phone: 608-219-4547 Evening Phone: N/A

Email Address: _____

Name of Applicant (Owner's Representative): N/A

Address of Applicant: _____

Daytime Phone: _____ Evening Phone: _____

Email Address: _____

Description of Requested Variance: _____

The property at 26 N Hancock street is in need of a new roof. Structurally there are no existng collar ties among many other structural issues and leaks, to bring it up to current building code the roof replacment would require significant if not 100% replacement. Therefore because so much of the roof needs to be replaced it was determined that as part of the reconstruction of the 107 year old roof it makes sense to create additional living space for family members as part of the reconstruction process. This home was turned from a 7 bedroom boarding house into one of only a handful of single family homes in the Tenny-Lapham neighborhood. Upon plan review it was discovered that the existng walls of the stucture are now encroaching on current zoning setback distances. To adhere to exiting zoning ordinances would mean jogging the structure in the area of new construction. The intent of this request is to allow the structure to look contiguous and to sit in the same plane as the other existing walls. There would also be significant additional costs to engineering and construction to adhere to the existing variance ordinance. I respectfully request that the zoning board approve this variance.

(See reverse side for more instructions)

FOR OFFICE USE ONLY	
Amount Paid: <u>\$300 -</u>	Hearing Date: <u>07-27-2017</u>
Receipt: <u>032110-0002</u>	Published Date: <u>07-20-2017</u>
Filing Date: <u>7/5/17</u>	Appeal Number: _____
Received By: <u>JEM</u>	GQ: _____
Parcel Number: <u>0709-133-2415-2</u>	Code Section(s): _____
Zoning District: <u>2-20118 S</u>	_____
Alder District: <u>DR1</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.

This is an existing structure on a highly irregular lot with substandard setbacks as it was built prior to zoning regulations that are currently in place.

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 proposed construction is consistent and with much consideration to other structures in the neighborhood and direct vicinity to the subject property. Proposed construction will not diminish existing setbacks with other buildings as

the proposed construction is vertical not horizontal in nature.

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.

Building needs new roof. Construction would make more sense sitting on existing

load bearing exterior walls than jogging them in for two main reasons 1) cosmetics and also 2) constructability.

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.

Construction predates my ownership, usable space for otherwise permissible vertical expansion transferring loads inward by just a few inches would not make sense.

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

The variance if granted would not create a hardship to adjacent properties. New structure

would only be approximately 5.5 feet taller than existing structure. Gable end facing west in lieu

of a hip is to accommodate mechanicals and is consistent with other structures on the same block.

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

Proposed double hung windows match existing structure and well as next door neighbor to the

North. There are a number of 3 story buildings across the street from my property on N Hancock Street and there are significantly taller structures on the same block. Example: 21 N Butler street (Butler Plaza)

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 type="checkbox"/>	Pre-application meeting with staff: Prior to submittal of this application, the applicant is strongly encouraged to discuss the proposed project and submittal material with Zoning staff. Incomplete applications could result in referral or denial by the Zoning Board of Appeals.
<input type="checkbox"/>	Site plan , 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"): <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 type="checkbox"/>	Elevations 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"/>	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). (Maximum size for all drawings is 11" x 17")
<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"/>	CHECK HERE. I acknowledge any statements implied as fact require supporting evidence.
<input 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:** _____

------(Do not write below this line/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: