



ZONING BOARD OF APPEALS
VARIANCE APPLICATION

Madison \$300 Filing Fee

Type or print using pen, not pencil.

FOR OFFICE USE ONLY	
Amount Paid <u>\$300</u>	Receipt # <u>121119</u>
Received by <u>JLK</u>	Filing Date <u>6/6/11</u>
Hearing Date <u>6-23-11</u>	
Zoning District <u>R4A</u>	
Parcel # <u>0710-072-2209-6</u>	
Published <u>JUNE 6, 2011</u>	
Ald. District <u>6-Marsha Rumme</u>	
Appeal # <u>062311-5</u>	
GO <u>waterfront</u>	
Code Section # <u>28.08(5)(f) 2-b.</u>	

Address of Subject Property: 1437 Morrison Street

Name & Address of Owner: John & Marianne Bertram

Daytime Phone: 608-222-0213 Evening Phone: Cell: 608-358-0707

E-mail address: bertrammex@yahoo.com

Name & Address of Applicant (Owner's Representative):

Thomas W. Vogel
 Daytime Phone: 608-213-7174 Evening Phone: 920-202-1623

E-mail address: Creekside development @ Yahoo.com

Brief Summary of Proposed Construction:
Requesting a side yard setback variance from 6' to 4 feet
~~and using the averaging setback rule.~~

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 will result in the case being delayed and/or recommended for referral or denial.**

Please provide the following (Maximum size for all drawings is 11" x 17"):

- Site plan**, drawn to scale. A registered survey is recommended, but not required. Show the following on the site plan:
 - Lot lines
 - Existing and proposed structures, with dimensions and setback distances to all property lines
 - Approximate location of structures on neighboring properties adjacent to variance
 - Major landscape elements, fencing, retaining walls or other relevant site features
 - Scale (1" = 20' or 1" = 30' preferred)
 - North arrow
- Elevations** from all relevant directions showing existing and proposed views, with notation showing the existing structure and proposed addition(s).
- 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.)
- 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.
- Variance requests specifically involving slope, grade, or trees.** Approximate location and amount of slope, direction of drainage, location, species and size of trees.
- CHECK HERE.** I have been given a copy of and have reviewed the standards, which the Zoning Board of Appeals will use when reviewing applications for variances.

Owner's Signature:
Marianne Bertram

Standards for Variance. The Zoning Board of Appeals shall not vary the regulations of this ordinance, as authorized, unless it shall make findings based upon the evidence presented to it in each specific case that all of the following conditions are present:

1. The particular physical surroundings, shape or topographical conditions of the specific property involved would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which the application for a variance is based would not be applicable generally to other property within the same zoning classification.
3. The purpose of the variance is not based exclusively upon a desire for economic or other material gain by the applicant or owner.
4. The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property.
5. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

----- (Do not write below this line/For Office Use Only) -----

DECISION	
The Board, in accordance with the findings of fact, hereby determines that the requested variance (is) (is not) in compliance with all of the standards for a variance. Further finding of fact is 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:

Standards for Variance

1. The size of our lot located at 1437 Morrison St is 38.75' wide with a depth of 124'. The ordinance setbacks are 6 feet for sideyard and 75' from the lake, 25' front yard setback. From this information we would have a buildable footprint of 26.5' x 24'. Therefore, we would exercise the averaging setback ^{AND/OR} to be 4' instead of 6'. ^{7.5' side yard setback} This would allow us a building footprint of 30.6' x 59'. Therefore, we are requesting a variance of the sideyard setback from 6' to 4'. The hardship is the mean size of the lot
2. The lot sizes 5 lots either side of the existing lot varies from 40' to 55'. It seems like most of these lots are sub-standard lots.
3. The purpose is to be able to construct a home suitable for my husband and I to live our retired life in.
4. The difficulty or hardship has not been created by any person presently having an interest in the property but by the size of the existing lot
5. Granting of this variance will not be detrimental to the public welfare or injuries to other property or improvements to neighbors. It will enhance the neighborhood by eliminating a duplex to a one family home. There will be one or two less vehicles traveling on Morrison St. Also, the property will be owner occupied.
6. The proposed variance will not disrupt an adequate supply of light or air to adjacent property. The new property is set behind the existing property to the northwest. The new property would have less street congestion since one retired family would be living there vs. two families and more vehicles. Also, the new property would decrease the risk of fire because the property would be constructed to meet new codes for the City of Madison. It definitely would not diminish or impair property values within this neighborhood but will likely increase values.

Date: June 8, 2011
To: Matt Tucker
Zoning Board of Appeals, City of Madison
From: David Mollenhoff
Subject: Zoning Variance for the Bertram Residence, 1437 Morrison Street

Leigh and I have lived in the Marquette Neighborhood for 47 years. For 41 of those years we have lived at 1501 Morrison and the Bertram residence has been the house to our immediate west, separated by the Morrison Street Park.

During our years here we have been very active in neighborhood activities. During the late 1960s and early 1970s we worked to create the Marquette Neighborhood Association (MNA) and make it a prototype for activist neighborhoods. Both Leigh and I served as MNA presidents. During the 1970s I chaired the Plan Committee that resulted in the Atwood Avenue By-Pass, reduced zoning density, and the development of a master plan that included Central Park. Leigh chaired the MNA School Committee that saved the Marquette School from being closed in 1970. Leigh and I served on the Madison Landmarks Commission for a total of 16 years. These experiences made us acutely aware of Marquette Neighborhood values, needs, and challenges.

We have carefully studied John and Mariann Bertram's plans for their new residence at 1437 Morrison Street, and express our strong support for their project. We support it for the following reasons:

In early May the Bertrams submitted their initial plans to neighbors. We immediately liked their plans because:

- The basic concept, a side-gabled home and front-gabled garage, is a very sensitive design solution for this narrow lot in our neighborhood. The separation between the garage and house is very pleasingly handled.

- The mass of the building conforms to all zoning codes with the exception of current side yard requirements. Under the current code the Bertrams require a two foot side yard variance. Such side yard variances are very common on narrow lots in our neighborhood and are routinely approved by the Zoning Board of Appeals. However, when the Common Council completes their implementation of the long-awaited new zoning code in September, the Bertrams will require no variance. This is because city leaders want to encourage high quality development on narrow central city lots.

- The use of clapboard siding for the exterior's lower half and clapboard siding for the upper half give the residence a distinctive Shingle-style cottage look, and allows the home to blend beautifully with eclectic neighborhood architecture. Among common Shingle style design elements the Bertrams have included are an asymmetrical façade, a steeply pitched roof, and gabled dormers. Historically, this style was very popular for water-fronting locations. How appropriate!

- The location of the garage on the street side allows a very generous setback of 40 feet from the lake and a nice-sized lawn.

- Several thoughtful design features of the garage reduce its perception of size. They include the front gable orientation, the clapboard base and shingled gable, the circular ventilator, and the unbroken band of windows across the front of the garage door.

Two weeks ago the Bertrams revised their plans, which we also carefully examined. We believe these changes make the house even more pleasing as an infill project. These changes include:

- The redesign of third floor dormers on the street and lake sides reduce the perception of height and mass. On the street side the Bertrams replaced a 26 foot wide third story shed roof with a much smaller 11 foot wide gabled dormer. On the lake side the Bertrams replaced a 23 foot wide third floor gabled dormer with a 10 foot wide gabled dormer. These new, smaller dormers closely mimic the size and scale of dormers on adjacent and nearby properties.

- The addition of windows on the first and third floors on the highly visible park (east) side strengthen the residential look and feel. The addition of a triple wide third story window on the west elevation is a nice touch.

As our increasingly popular Marquette Neighborhood ages, it is imperative that we provide opportunities for thoughtfully designed new in-fill homes on our many narrow lots, and especially where they are owner-occupied and energy-efficient. The Bertram residence is an outstanding example of this category and should be encouraged. (The Lindsay Lee residence across from Ground Zero is another recently-approved example.)

Some fear that teardowns will become common in the Marquette Neighborhood, but this is extremely unlikely because of relatively high property values. This project is possible only because Ms. Bertram bought the property in 1976 when it was a two-unit, lived there for 13 years, and then rented it. It was always her intention to move back and build there.

We are delighted that the Bertrams will be returning to the neighborhood and that the new house will be a single family dwelling, the original status of the house it is replacing.

For these reasons we would urge the Zoning Board of Appeals to approve this variance and the project.

cc: Marsha Rummel, Sixth District Alder
Scott Thornton, MNA President
Leslie Lee, Ground Zero owner



To the best of my knowledge these plans are drawn to comply with owner's and/or builder's specifications and any changes made on them after prints are made will be done at the owner's and/or builder's expense and responsibility. The contractor shall verify all dimensions and enclosed drawing. WUCHTEL DESIGN STUDIO is not liable for errors once construction has begun. While every effort has been made in the preparation of this plan to avoid mistakes, the maker can not guarantee against human error. The contractor of the job must check all dimensions and other details prior to construction and be solely responsible thereafter.

The Designer shall/may visit the site during construction, to determine if the Work is being performed in a manner indicating that the Work, when fully completed, will be in accordance with the Contract Documents. However, the Designer shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the Work. The Designer shall neither have control over or charge of, nor be responsible for, the construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work, since these are solely the Builder's rights and responsibilities under the Contract Documents.

The Designer shall report to the Client any known deviations from the Contract Documents. However, the Designer shall not be responsible for the Builder's failure to perform the Work in accordance with the requirements of the Contract Documents. The Designer shall be responsible for the Designer's negligent acts or omissions, but shall not have control over or charge of and shall not be responsible for acts or omissions of the Builder, subcontractors, or their agents or employees, or of any other persons or entities performing portions of the Work.

Project:
JOHN & MARIANN BERTRAM

Monday, June 06, 2011
 REVISIONS

<input type="checkbox"/>	CONSTRUCTION PLANS
<input checked="" type="checkbox"/>	NOT FOR CONSTRUCTION
<input checked="" type="checkbox"/>	FOR REVIEW ONLY
<input type="checkbox"/>	1/10 SET ONLY

DESIGN BY:
 B.A.W.

SHEET
A6



comm02

Bookmarks
Edit

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Project:
JOHN & MARIANN BERRAM

Monday, June 06, 2011
REVISIONS

CONSTRUCTION PLAN
 NOT FOR CONSTRUCTION
 FOR REVIEW ONLY
 BID SET ONLY

DESIGN BY:
B.A.W.
SHEET A3



comm02
 Bookmarks
 Edit

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Project:
JOHN & MARIANN BERTRAM

Monday, June 06, 2011
 REVISIONS

<input type="checkbox"/>	CONSTRUCTION PLANS
<input checked="" type="checkbox"/>	NOT FOR CONSTRUCTION
<input checked="" type="checkbox"/>	FOR REVIEW ONLY
<input type="checkbox"/>	BID SET ONLY

DESIGN BY:
 B.A.W.

SHEET
A4



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Project:
JOHN & MARIANN BERTRAM

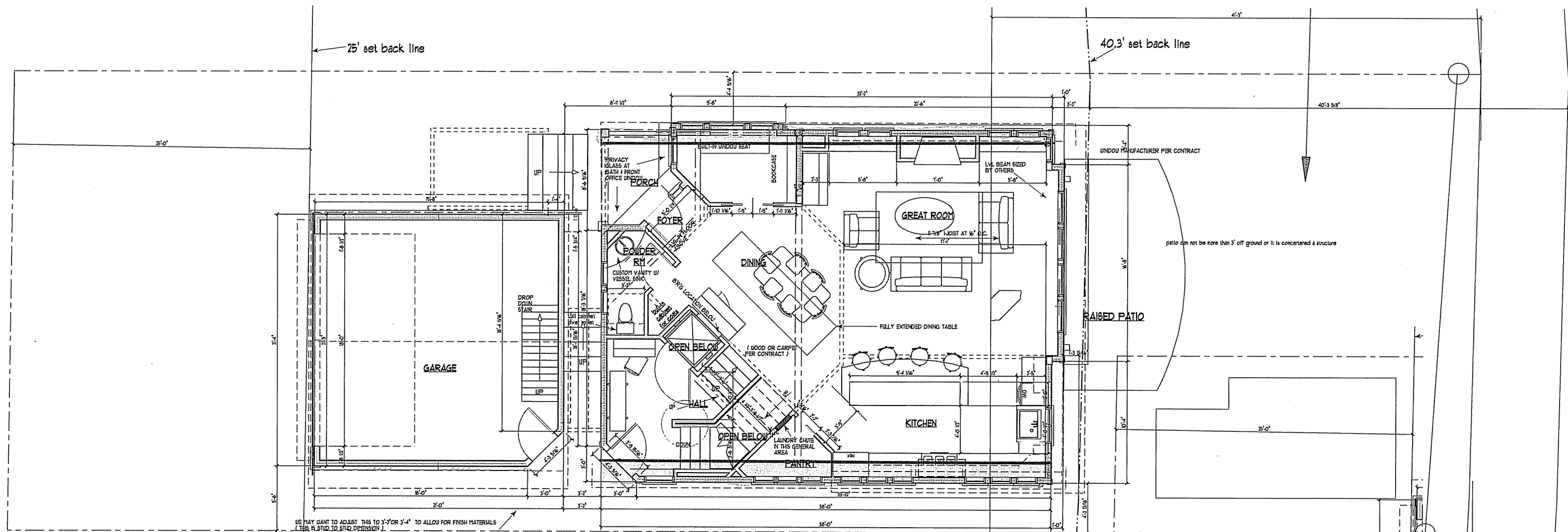
Monday, June 06, 2011

REVISIONS

<input type="checkbox"/>	CONSTRUCTION PLANS
<input checked="" type="checkbox"/>	NOT FOR CONSTRUCTION
<input checked="" type="checkbox"/>	FOR REVIEW ONLY
<input type="checkbox"/>	FOR SET ONLY

DESIGN BY:
 B.A.W.

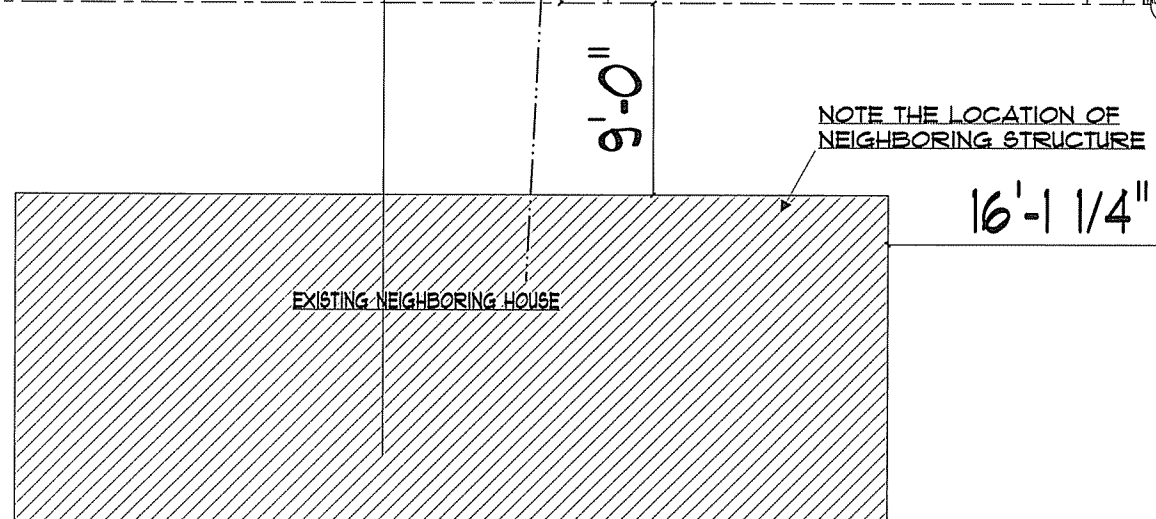
SHEET
A5



New Two-Story Single Family Home
Side Yards

6'-0" Required
4'-0" ± Provided; both sides

2'-0" Variance, Both sides



PLAN ORIENTATION NORTH

TRUE NORTH

FIRST FLOOR PLAN

SCALE 1/4" = 1'-0"

1124.51 sq ft 1st flr

- NOTES-
ALL WALLS SHOW AS NOMINAL THICKNESS, ACTUAL DIMENSIONS MAY VARY.
SEE 'J' NOTES • FOUNDATION PLAN
1ST FLOOR HEIGHTS • 10'-0" FOR REFERENCE ONLY
3 1/2" BATT INSUL. FOR SOUND • WALLS AS SHOWN ON PLANS
DOOR OPENINGS • 2868 • 2'-8" W x 6'-8" H

CHECK SET
6/108

BM

SHEET

A2

CREEKSIDE DEVELOPMENT NORTH
520 HARTWIG BLVD.
JOHNSON CREEK WI

JOHN & MARIANN BERTRAM
1700 WAUNONA WAY
MADISON, WI 53713

Description:
THE NORTHEAST 38 FEET 9 INCHES OF LOT 7, BLOCK 232, FARWELL'S REPLAT, 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. No guarantee is made for below-ground structures.
Benchmark used is a GPS Monument per NGS Data Sheet:
Designation - 2V03
PID - DP3801
Elevation (NAVD 88) - 855.86



SURVEYOR'S CERTIFICATE:
I, Daniel V. Birrenkott, hereby certify that this survey is in compliance with the Wisconsin Administrative Code. I also certify that I have surveyed and mapped the lands described herein 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 Registered Land Surveyor No. 5-1531

PREPARED FOR:
JOHN & MARIANN BERTRAM
1700 WAUNONA WAY
MADISON, WI 53713

JOB NO. **100460**
SHEET **1** OF **1**
FB **3/26/25-28**

SURVEYED BY **TA S**
DRAWN BY **PFMC**
CHECKED BY
APPR'D BY **DVB**

PLAT OF SURVEY

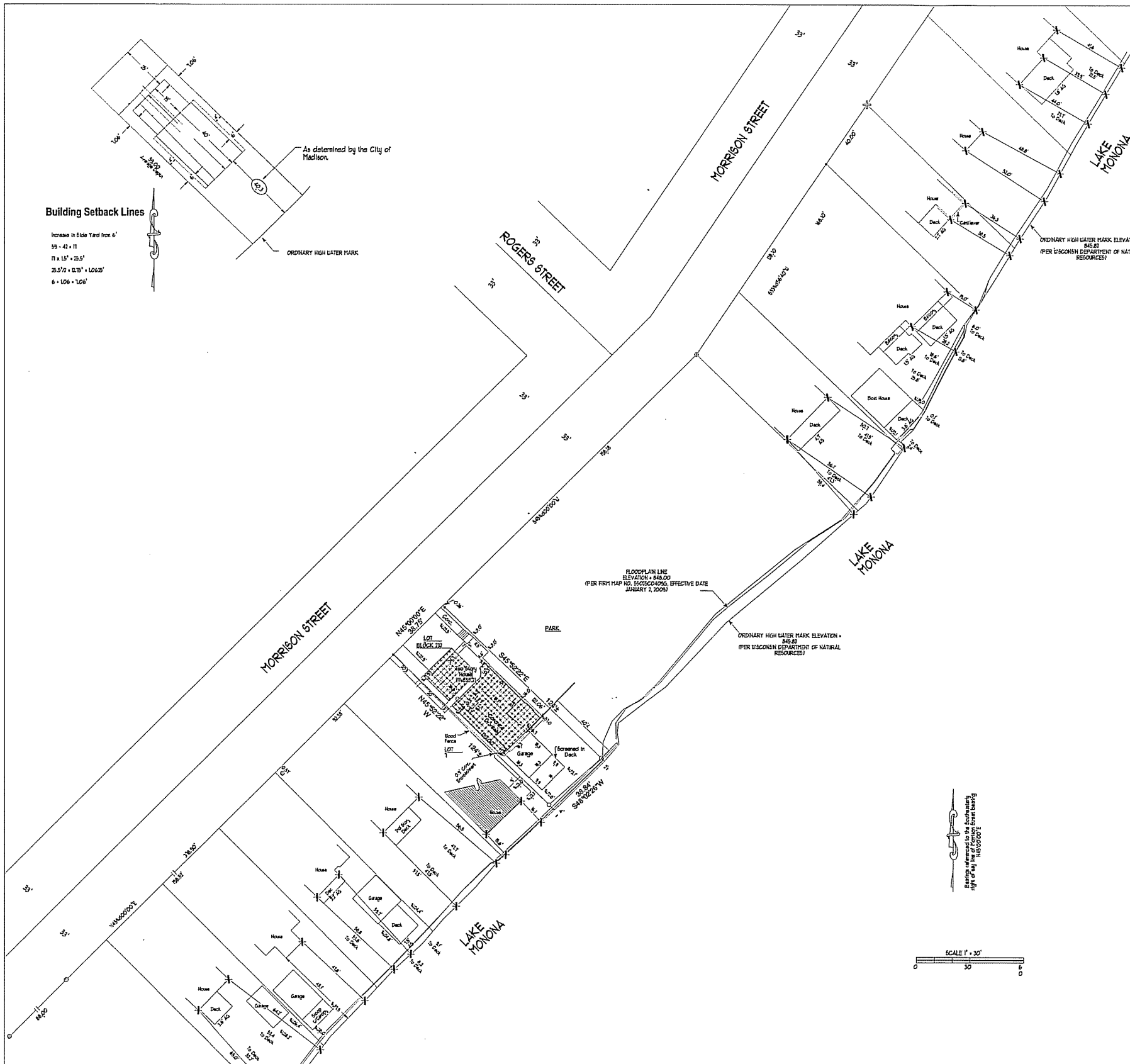
BIRRENKOTT SURVEYING INC.
LAND SURVEYING & PERC TESTING

P.O. BOX 231
1671 N. BRISTOL ST. SUN PRAIRIE, WIS. 53590
(608) 831-7668 FAX (608) 831-1081

OCTOBER 6, 2010

SITE PLAN

SCALE 1" = 30'-0"



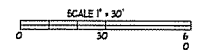
Building Setback Lines

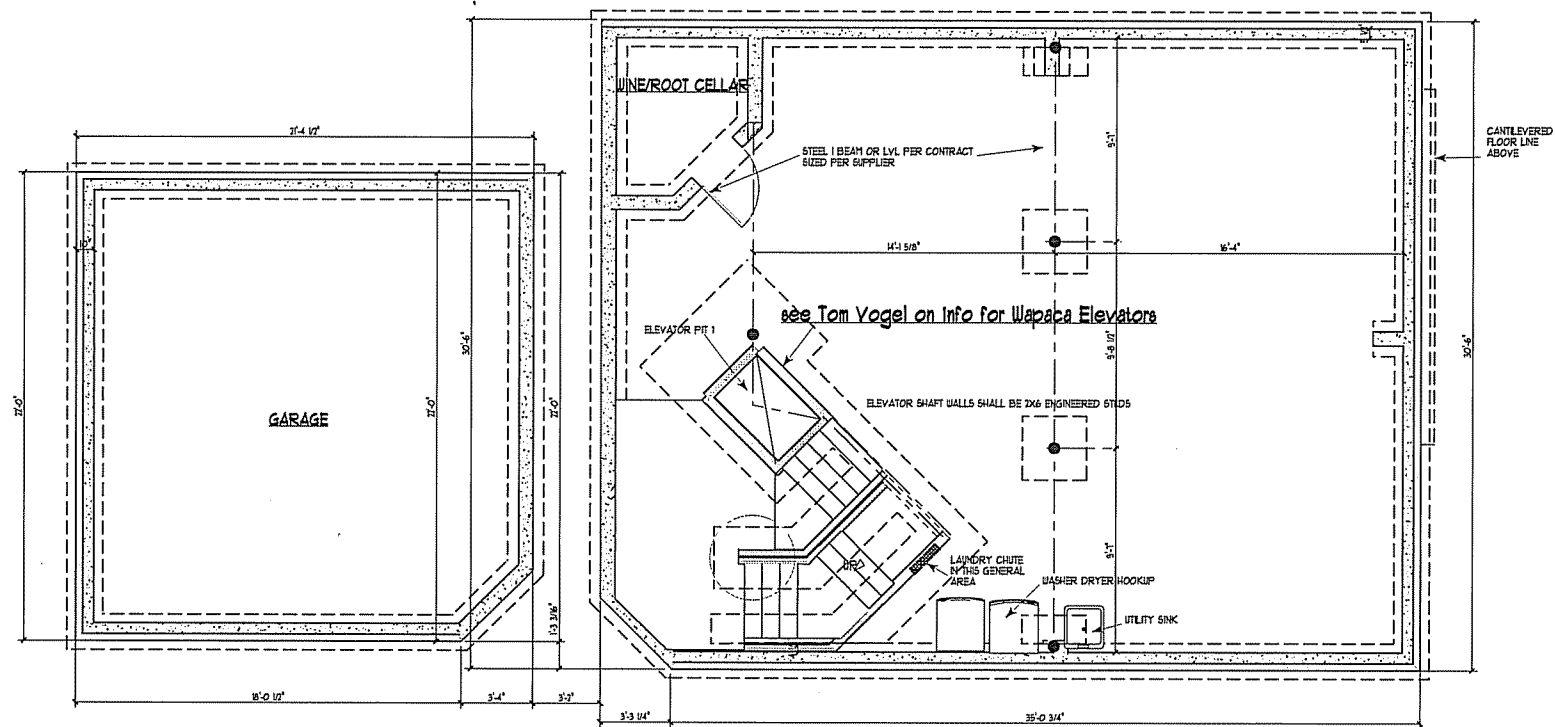
- Increase in Side Yard from 6'
- 35' - 42' - 11'
- 11' x 15' - 25.5'
- 25.5' x 15' - 104.5'
- 6' - 106' - 106'



As determined by the City of Madison.
ORDINARY HIGH WATER MARK

- Legend:**
- Found 3/4" Iron
 - Found 1" Iron
 - Found 1" Finish Top
 - Found 3/4" Iron Pipe
 - Found 1/2" Iron
 - Found 1/2" Iron Pipe
 - Found 1/2" Iron Pipe six eight LBs
 - Building Setback Line
 - Fence Line
 - Floodplain Line
 - Ordinary High Water Line
 - F Finished Floor
 - G Elevation of Deck Floor Above Ground





PLAN ORIENTATION NORTH

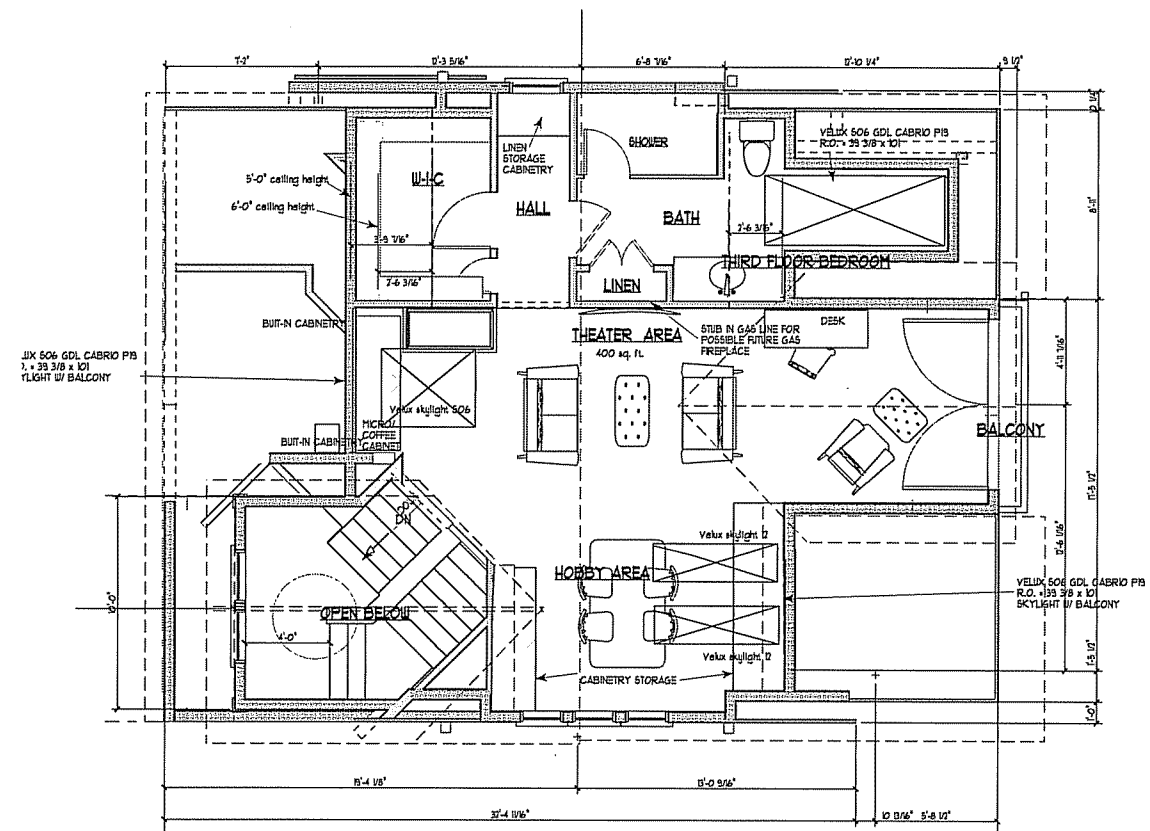
TRUE NORTH
BASEMENT PLAN

SCALE 1/4" = 1'-0"

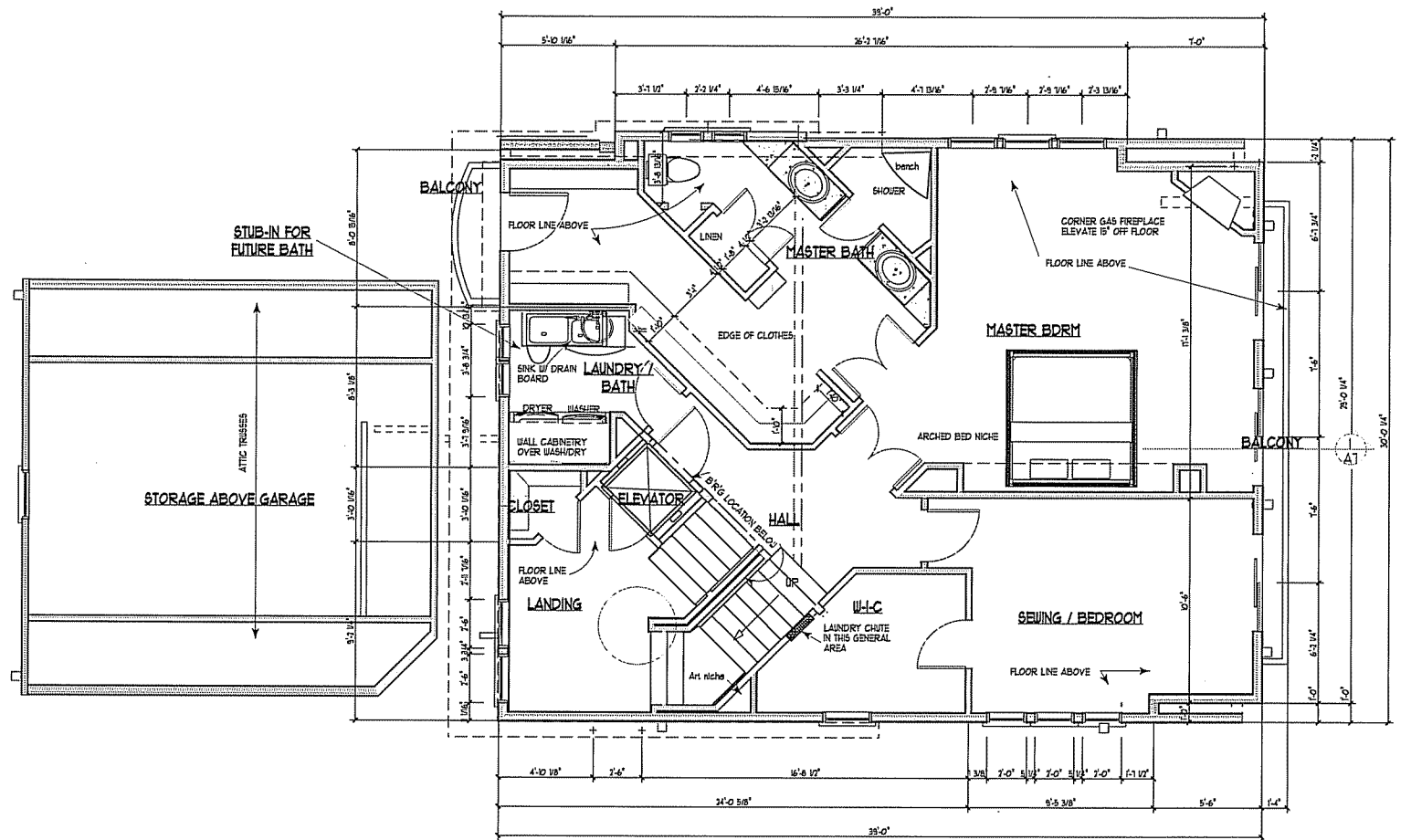
1436 S.F. FINISHED

NOTES:
 ALL WALLS SHOW AS NOMINAL THICKNESS, ACTUAL DIMENSIONS MAY VARY.
 3 1/2" BATT INSUL. FOR SOUND & WALLS AS SHOWN ON PLANS
 DROP DRYWALL CEILING BELOW ALL STEEL BEAMS & H.V.A.C. DUCTS
 4'-9'-0" FINISHED CEILING HEIGHT, SUSPENDED STEEL CHANNEL SUPPORTS
 DOOR OPENINGS = 2868 = 2'-8" W x 6'-8" H

CHECK SET 6/7/08
BY
SHEET A1

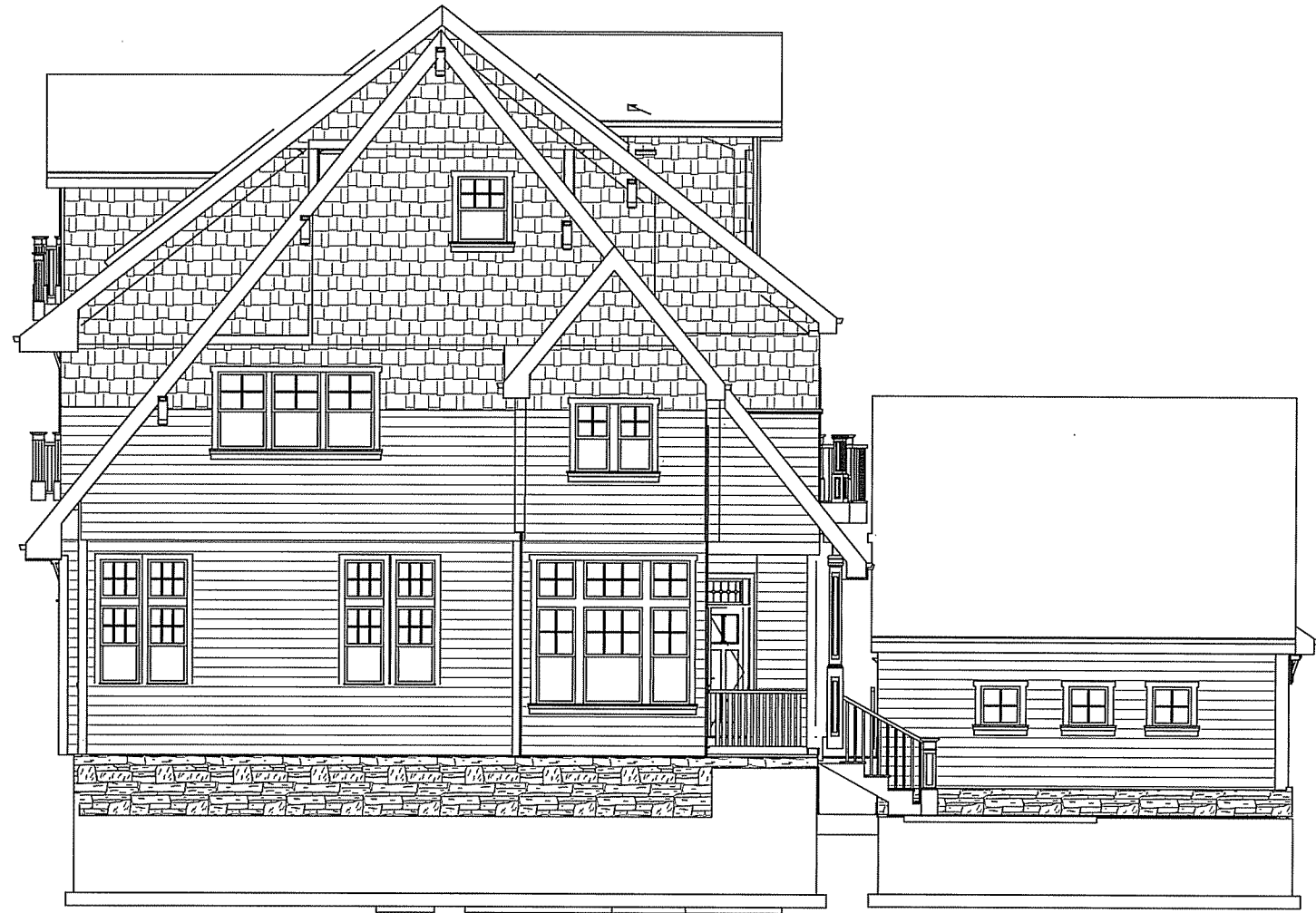


NORTH
THIRD FLOOR PLAN
 SCALE 1/4" = 1'-0" 921.9 sq ft 2nd flr



PLAN ORIENTATION NORTH
TRUE NORTH
SECOND FLOOR PLAN
 SCALE 1/4" = 1'-0" 1144.56 sq ft 2nd flr

NOTES:
 ALL WALLS SHOW AS NOMINAL THICKNESS, ACTUAL DIMENSIONS MAY VARY.
 SEE ROOF PLAN SHEET FOR ADDITION INFORMATION.
 3 1/2" BATT INSUL. FOR SOUND @ WALLS AS SHOWN ON PLANS



NORTH ELEVATION

SCALE 1/4" = 1'-0"



WEST ELEVATION

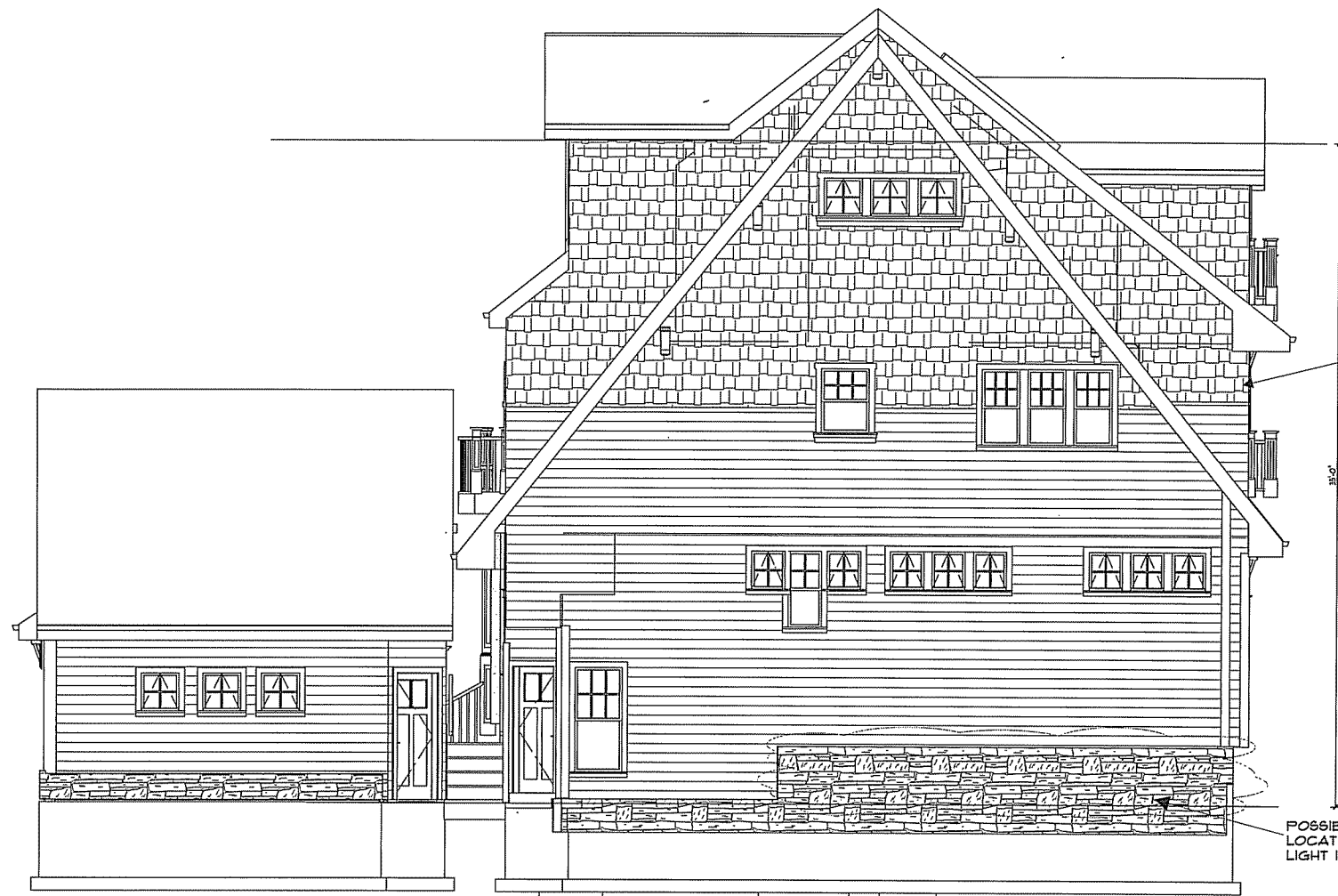
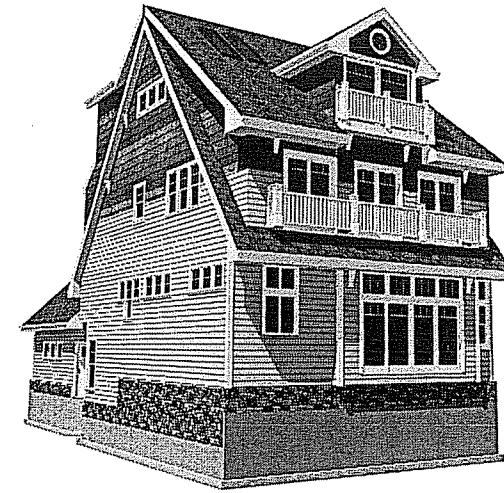
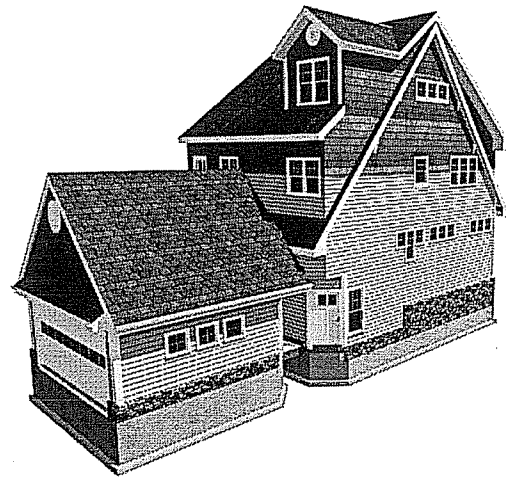
SCALE 1/4" = 1'-0"

CHECK SET
6/10/08

BW

SHEET

A4



ALL TRIM DETAILS SHALL BE ADDED AS REQUIRED ON ALL ELEVATIONS

POSSIBLE WINDOWS IN THIS LOCATION FOR NATURAL LIGHT IN BASEMENT



3/8 PITCH DORMER

SOUTH ELEVATION

SCALE 1/4" = 1'-0"

EAST ELEVATION (lake elevation)

SCALE 1/4" = 1'-0"