



**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: 723-725 JENIFER STREET

Name of Owner: KATHARINE BLOOD, MITCHELL TYLER

Address of Owner (if different than above): 1419 MORRISON STREET
MADISON, WI 53703

Daytime Phone: 608-334-4755 Evening Phone: _____

Email Address: KATE.BLOOD@WISCONSIN.GOV

Name of Applicant (Owner's Representative): BIRRENKOTT SURVEYING, INC.

Address of Applicant: P.O. Box 237 (MARK DYNNONEN)
SUN PRAIRIE, WI 53590

Daytime Phone: 608-837-7463 Evening Phone: _____

Email Address: MDYNNONEN@BIRRENKOTTSURVEYING.COM

Description of Requested Variance: A TWO-LOT CERTIFIED SURVEY IS PROPOSED. THE CSM WILL DIVIDE A LOT WHICH CURRENTLY CONTAINS A FOUR-UNIT BUILDING AND A SINGLE-FAMILY RESIDENCE. THE PROPOSED LAND DIVISION CANNOT MEET THE REQUIREMENTS OF THE TR-V2 DISTRICT. A VARIANCE FOR REQUIRED SETBACKS, AREA, LOT WIDTH, AND USABLE OPEN SPACE IS REQUESTED.

(See reverse side for more instructions)

FOR OFFICE USE ONLY	
Amount Paid: <u>\$300</u>	Hearing Date: <u>10-24-13</u>
Receipt: <u>147863</u>	Published Date: <u>10-17-13</u>
Filing Date: <u>10/7/13</u>	Appeal Number: <u>102913-2</u>
Received By: <u>[Signature]</u>	GQ: _____
Parcel Number: <u>0709-134-1605-8</u>	Code Section(s): _____
Zoning District: <u>TR-V2</u>	_____
Alder District: <u>6-Margha Kummel</u>	_____

Standards for Variance

The Zoning Board of Appeals shall not grant a variance unless it finds that the following conditions are present:

1. There are conditions unique to the property of the applicant that do not apply generally to other properties in the district.

The parcel contains two buildings, one of which was built in 1880; the other, 1890. These two buildings render the parcel as non-conforming under the current zoning ordinance. The vast majority of the lots in the district contain only one building.

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.

A four-unit building is not allowed on the same parcel as a single-family residence. The variance will allow each structure to be on its own taxable lot. A no-build easement is proposed over the area between the 4-unit building and the lot to the east to ensure compliance with fire code requirements for distances between buildings in the future.

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.

Because of the existing conditions, strict compliance of the setbacks between the two buildings is impossible. An attempt has been made to maximize the common setbacks to make the two lots as conforming as possible.

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.

Again, these buildings were built in the late 1800s. The current ordinance does not allow two buildings on the same lot. The variance will render the use of the new lots to be conforming by having the 4-unit building and the single-family residence each on its own lot.

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

The proposed lot configuration will not alter the physical appearance of the conditions that have existed for many decades. There will be no discernible change apparent to the adjacent properties.

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

This area of the city was platted in the mid-1800s. The lots as platted are narrower than what is normally platted under current zoning practices. Many houses in the immediate neighborhood have been built close to the street and side lot lines.

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"/>	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 checked="" 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"): <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Lot lines <input checked="" type="checkbox"/> Existing and proposed structures, with dimensions and setback distances to all property lines <input checked="" type="checkbox"/> Approximate location of structures on neighboring properties adjacent to variance <input checked="" type="checkbox"/> Major landscape elements, fencing, retaining walls or other relevant site features <input checked="" type="checkbox"/> Scale (1" = 20' or 1' = 30' preferred) <input checked="" 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"/>	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"/>	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, which 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 the findings of fact, hereby determines that the requested variance for _____ (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:		

Land Division for legal nonconforming development, resulting in each principal structure having its own lot.

723 Jennifer St.

Two story 4-unit multi-family building

Useable open space 28.048(2)

2,000 sq. ft. Required

483 sq. ft. Provided

1,517 sq. ft. Variance

Rear yard, Dwelling 28.048(2)

20.39' Required

13.6' Provided

6.79 Variance

Rear yard, Elevated Deck 28.132(1)

14.39' Required

6.5' Provided

7.89 Variance

Lot Frontage on a Public Street 28.135(2)

30.0' Required

29.38' Provided

0.62' Variance

Lot Area, 4-unit 28.048(2)

8,000 sq. ft. Required

2,121 sq. ft. Provided

5,879 sq. ft. Variance

Side Yard Setback 28.048(2)

6.0' Required

2.6' Provided

3.4' Variance

725 Jennifer St 28.048(2)

Two story Single Family Home

Front Yard Setback

20.0' Required

18.2' Provided

1.8' Variance

Lot Frontage on a Public Street 28.135(2)

30.0' Required

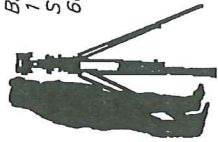
10.53' Provided

19.47' Variance

* Required Rear yard setback for 723 Jennifer = 20.39' (25% of 81.57')

BIRRENKOTT SURVEYING

BIRRENKOTT SURVEYING INC.
1677 N. BRISTOL STREET
SUN PRAIRIE, WIS. 53590
608-837-7463

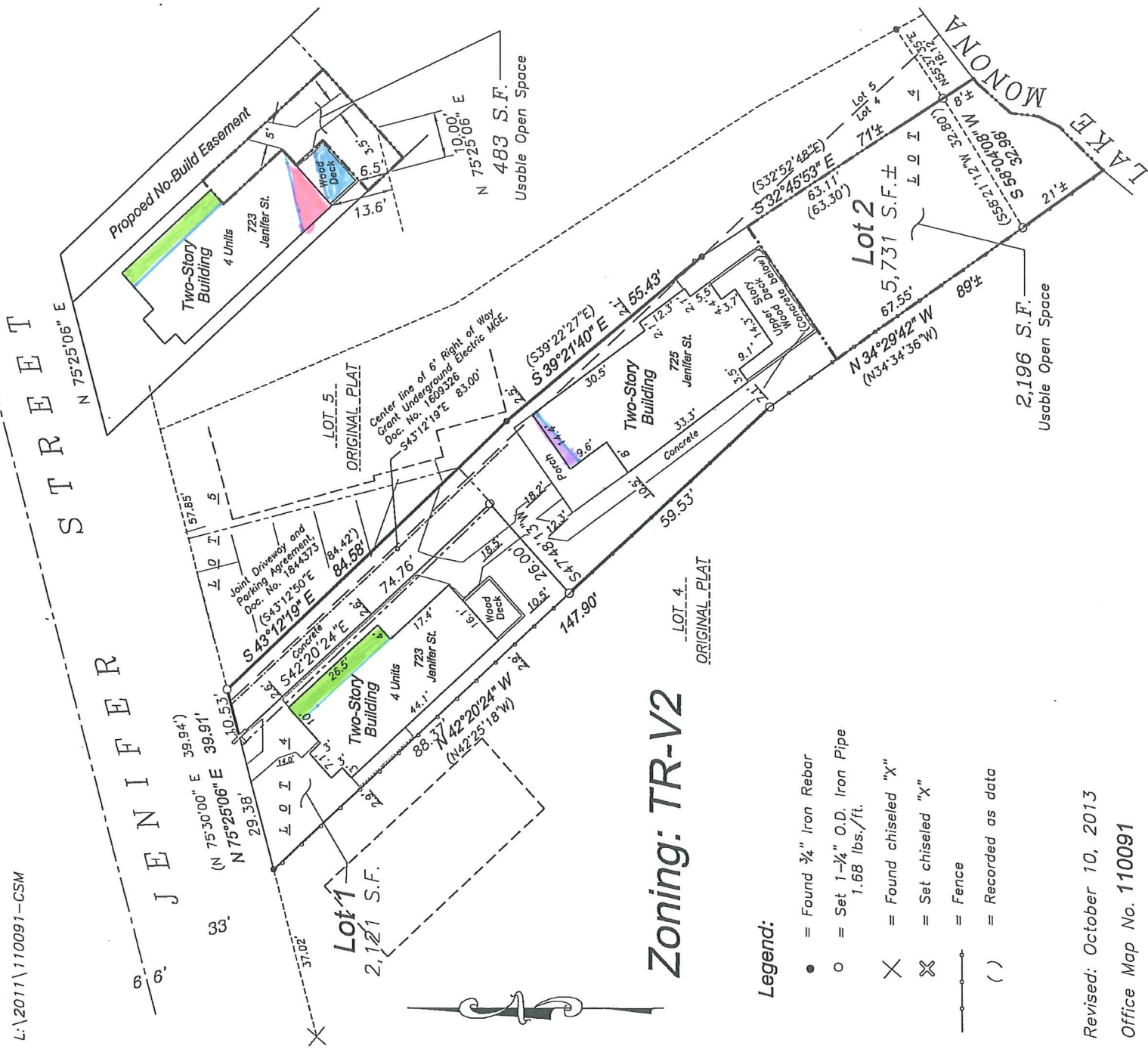
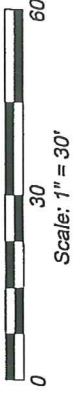


PREPARED FOR:
KATE BLOOD
1419 MORRISON STREET
MADISON, WIS. 53703
334-4755

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VARIANCE MAP

Parts of Lots 4 and 5, Block 127, Original Plat, located in the Southwest 1/4 of the Southeast 1/4, Section 13, T7N, R9E, City of Madison, Dane County, Wisconsin



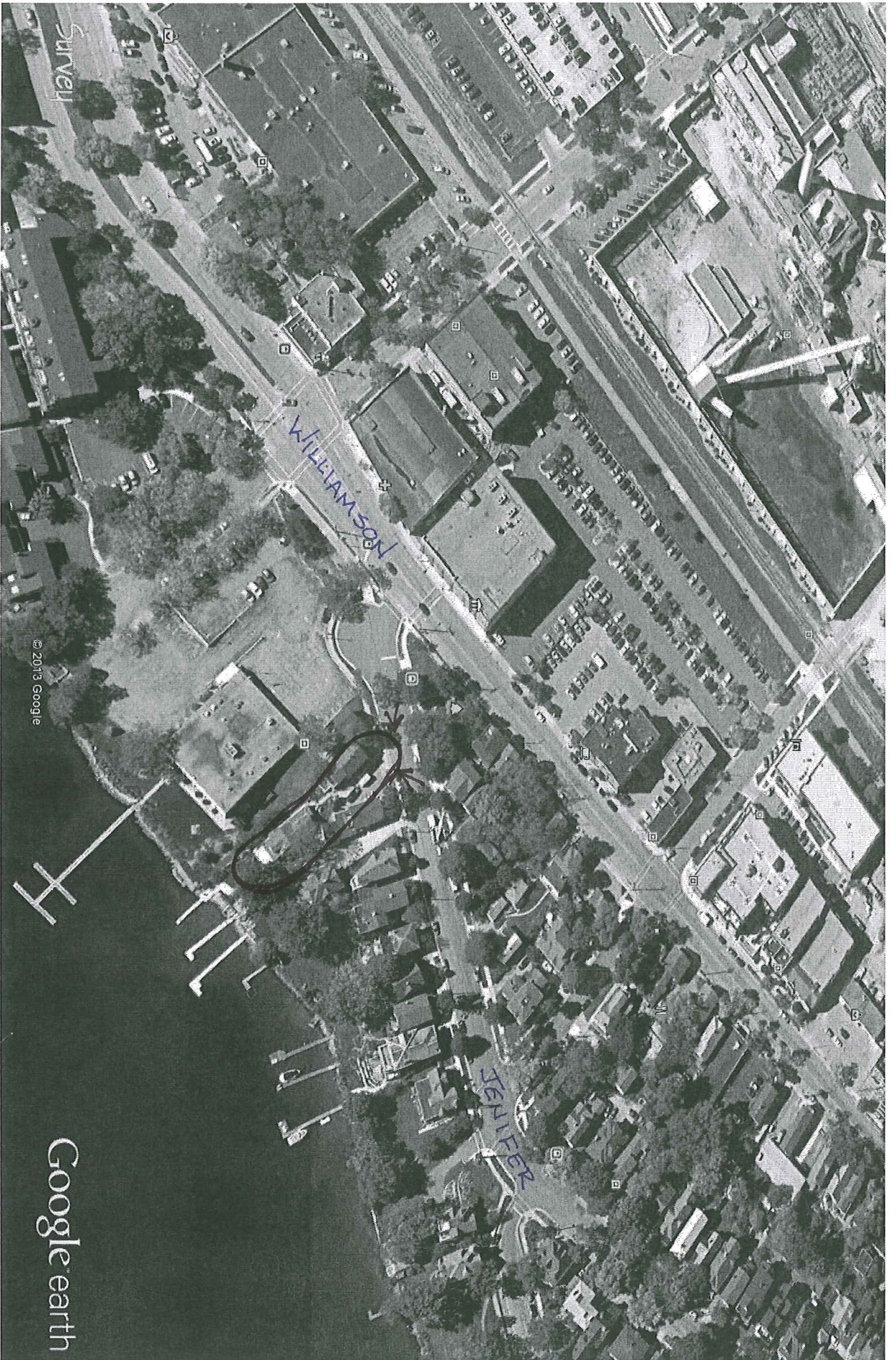
Zoning: TR-V2

Legend:

- = Found 3/4" Iron Rebar
- = Set 1-1/4" O.D. Iron Pipe
1.68 lbs./ft.
- ✕ = Found chiseled "X"
- ⊗ = Set chiseled "X"
- = Fence
- () = Recorded as data

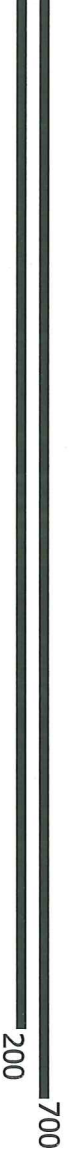
Revised: October 10, 2013

Office Map No. 110091



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