



CITY OF MADISON ZONING BOARD OF APPEALS VARIANCE APPLICATION

\$500 Filing Fee

Type or legibly print using blue or black ink.

Address of Subject Property: 1348 Spaight Street, Madison, WI 53703

Name of Owner: Connor and Ellen Marks

Address of Owner (if different than above): _____

Daytime Phone: 805-453-8132 Evening Phone: 805-453-8132

Email Address: connor.marks@gmail.com

Name of Applicant (Owner's Representative): Spencer Luedtke

Address of Applicant: 2306 State Road 92, Mount Horeb, WI 53572

Daytime Phone: 715-250-0169 Evening Phone: 715-250-0169

Email Address: luedtkedesignbuild@gmail.com

Description of Requested Variance:

Requesting a variance to rear setback. The zoning ordinance in this district requires a rear setback of 30% lot depth (in this case 19.8'). The existing house footprint has a rear setback of 18'. We propose to enclose an existing porch (using the same roof) in order to create a 5'x7' half-bathroom. This three bedroom, single family residence currently has one bathroom located on the second floor. This proposed addition would not extend beyond the building's existing footprint, but rather make meaningful use of space. This lot was part of a subdivision years ago (before the setback ordinance, and min. lot size req. in this district changed) and the now, half depth 2,178 sq. ft. lot is burdened by an ordinance that generally applies to 4,000 sq. ft. lots.

See reverse side for more instructions.

FOR OFFICE USE ONLY

Amount Paid: <u>\$500.00</u>	Hearing Date: <u>10-17-2024</u>
Receipt: <u>143671-0022</u>	Published Date: <u>10-10-2024</u>
Filing Date: <u>9-19-2024</u>	Appeal Number: <u>LNDVAR-2024-00015</u>
Received By: <u>NJK</u>	GQ: _____
Parcel Number: <u>071007223341</u>	Code Section(s): <u>28.045(2)</u>
Zoning District: <u>TR-C4</u>	_____
Alder District: <u>6 - Rummel</u>	_____

Standards for Variance

The Zoning Board of Appeals will only grant a variance if it finds that your proposal meets the following standards. Please explain how your variance request meets these standards.

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

The home has only one existing bathroom located on the second level. There are no other allowable addition locations (side or front yard) for adding a second half-bathroom to this three bedroom, single family residence. The conditions are unique in that we have the ability to re-use an existing porch roof by enclosing a 5'x7' porch, and refrain from expanding the building's footprint. The lot size is much smaller than others in the district (2,178 sq. ft. versus the current minimum lot size of 4,000 sq. ft.) . This makes the setback ordinance restrictive in comparison.

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 intent of rear setbacks is to maintain usable backyard space, this variance request is not contrary to that notion because the building's footprint wouldn't encroach any further into the backyard. We propose to enclose an existing porch, without altering the existing roof. This would enhance the functionality of the home without altering the current footprint of the home, or the intent of the regulations.

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 subject lot size is 2,178 sq. ft. Years ago two common 4,000 sq. ft. corner lots were divided into four separate lots. The 30% lot depth (in this case 19.8 ft.) rear setback generally applies to lots that are 4,000 sq. ft. with buildings that, therefore cover a lesser percentage of the lot. In this case, compliance of the rear setback is burdensome to a lot that is half the size, with a typical sized building. Ordinance compliance would prevent use of the property for a permitted, existing enclosure that was grandfathered in (existing house footprint has a rear setback of 18').

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 was constructed (and lots divided) in 1922, which was well before the current setback laws were in place. Therefore, the current ordinance makes its existing footprint nonconforming. Because of the diminished lot size, the current setback ordinance creates a hardship/difficulty for a reasonable alteration. This variance request, which would allow a first floor half-bathroom, is strictly a functional alteration that is compatible with the existing structure and layout, rather than a matter of personal interest.

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

The proposed addition / enclosure remains within the existing footprint and height of the house (no alteration to the existing roofline). There would be no substantial detriment to adjacent property: it would not limit access to light or air, it would not alter sightline, it would not decrease privacy.

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

The proposed enclosure will be built within the existing building footprint, it will not alter the architectural style or appearance of the home, and will maintain the same design of current structure. Note: the two adjacent houses to North and East (which were built during the same time period) have the same floor plan, and have undergone similar alterations to the rear porch to create heated additions of the same size. This addition would in effect conform with the character of adjacent properties.

Application Requirements

The Zoning Board of Appeals may refer or deny applicants with incomplete applications. Note, the maximum printed size for drawings is 11” x 17.” Please provide the following information:

<input checked="" type="checkbox"/>	<p>Pre-application meeting with staff. Before you submit this application, meet with the Zoning Administrator. Together, you will discuss your proposed project and submission material. Contact Zoning at least one week prior to the application submission deadline to schedule the meeting. Your application will not be accepted unless a pre-application meeting has been held.</p>
<input checked="" type="checkbox"/>	<p>Site plan, drawn to scale. We recommend a registered survey, but it is not required. On the plan, show the following:</p> <ul style="list-style-type: none"><input type="checkbox"/> Lot lines.<input type="checkbox"/> Existing and proposed structures. Include dimensions and setback distances to all property lines.<input type="checkbox"/> Approximate location of structures on properties next 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 checked="" type="checkbox"/>	<p>Elevations from all directions showing existing and proposed. Show the existing structure and proposed addition(s).</p>
<input checked="" type="checkbox"/>	<p>Interior floor plan of existing and proposed structure, if required. Most additions and expansions will require floor plans.</p>
<input checked="" type="checkbox"/>	<p>Front yard variance requests. Show the front yard setback of all other properties on the same block face.</p>
<input checked="" type="checkbox"/>	<p>Lakefront setback variance requests. Provide a survey prepared by a registered land surveyor. The survey must show existing setbacks of buildings on adjacent lots.</p>
<input checked="" type="checkbox"/>	<p>Variance requests involving slope, grade, or trees. Show:</p> <ul style="list-style-type: none"><input type="checkbox"/> Approximate location and amount of slope.<input type="checkbox"/> Direction of drainage.<input type="checkbox"/> Location, species and size of trees.
<input checked="" type="checkbox"/>	<p>Email digital copies of all plans and drawings to: zoning@cityofmadison.com.</p>
<input checked="" type="checkbox"/>	<p>Pay \$500 filing fee on or before submission deadline. Payment may be made in person by appointment at the Zoning counter, by mail to City of Madison Building Inspection, P. O. Box 2984, Madison WI 53701-2984, or placed in the drop box at the Doty Street entrance to the Madison Municipal Building 215 Martin Luther King Jr. Blvd. When mailing or using the drop box, please include a note that payment is for a variance application, state the subject property address and provide your contact information.</p>
<input checked="" type="checkbox"/>	<p>CHECK HERE. I understand that as part of my variance request, City of Madison staff will need access to my property. Staff will take photographs and do a pre-hearing inspection of the property. I give City Staff permission to enter my property, inspect the property, and take photographs.</p>
<input checked="" type="checkbox"/>	<p>CHECK HERE. I acknowledge that any statements implied as fact require evidence.</p>

CHECK HERE. City of Madison staff has given me a copy of the standards that the Zoning Board of Appeals will use to review variance applications.

Owner's Signature:  Date: 09/17/24

------(For Office Use Only)-----

DECISION

The Board, in accordance with its findings of fact, hereby determines that the requested variance for _____ **(does) (does not)** meet all the standards for a variance. Further findings of fact are stated in the minutes of this public hearing.

The Zoning Board of Appeals: Approved Denied Conditionally Approved

Zoning Board of Appeals Chair:

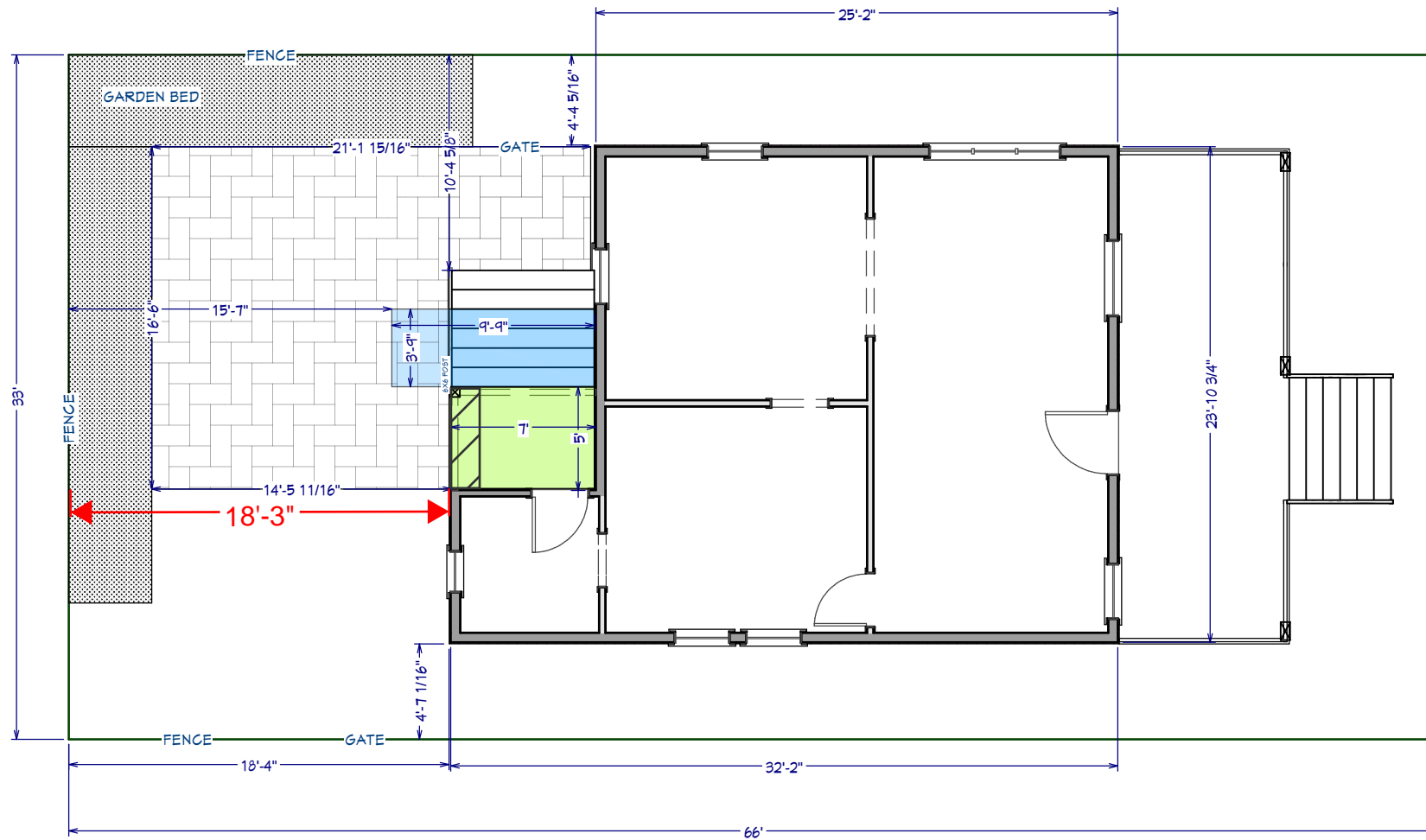
Date:

Rear Yard Setback Variance for Enclosure/Addition on Single Family House

Required 19.8'
 Proposed 18.25'
 Variance 1.55'



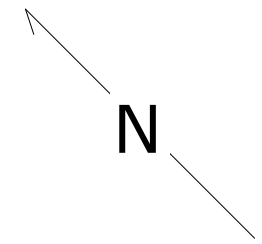
- PROPOSED ENCLOSURE/ADDITION (NO CHANGE TO ROOF)
- PROPOSED DECK/STAIRS FOOTPRINT
- EXISTING PATIO (PAVERS)

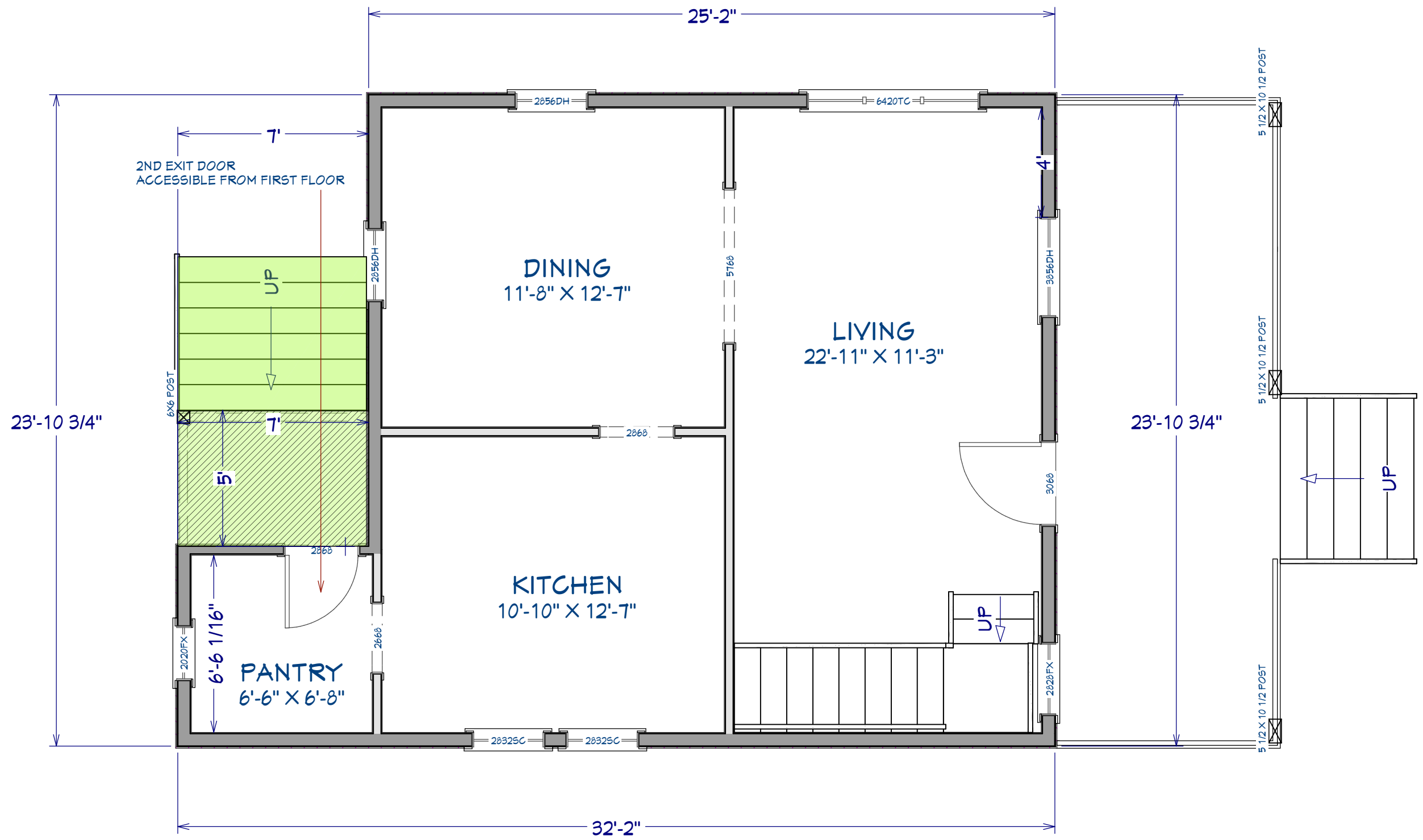


Site Plan

Parcel Number:
 251-0710-072-2334-01

SPAIGHT STREET





- AREA TO BE DEMOLISHED (ROOF REMAINS)
- EXISTING ROOF TO REMAIN

Existing 1st Floor Layout

Drawings by:
Spencer Luedtke
luedtkedesignbuild@gmail.com
Mobile: 715.250.0169

Client:
Connor Marks
1348 Spaight
Madison, WI 53703

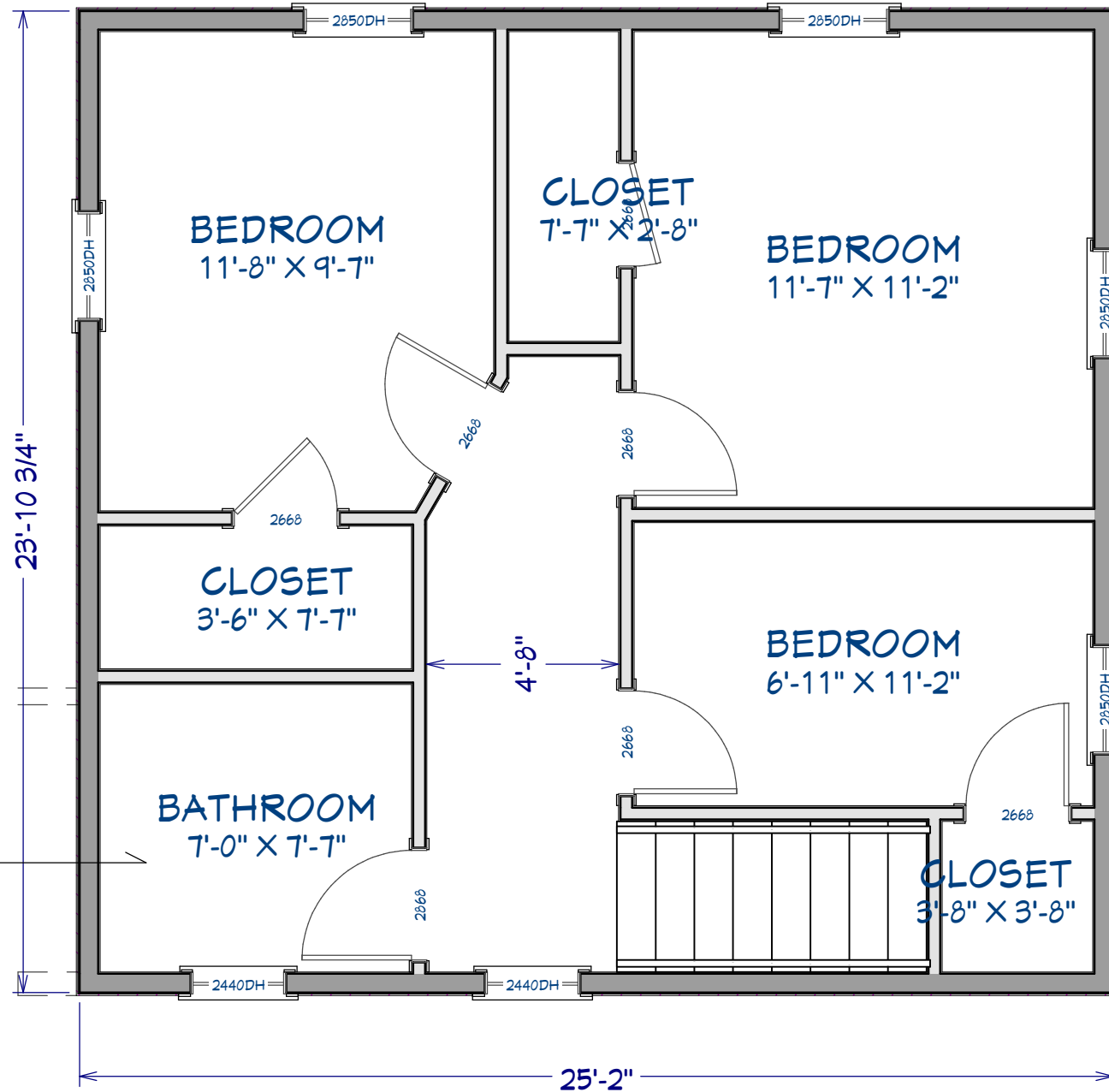
Project:
Bathroom Addition

DATE:
06/19/2024

SCALE:
1/4" = 1' 0"

SHEET:
A2

Only One Full Bathroom
(located on second Level)
-limited accessibility-



Existing 2nd Floor Layout

Drawings by:
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luedtkedesignbuild@gmail.com
Mobile: 715.250.0169

Client:
Connor Marks
1348 Spaight
Madison, WI 53703

Project:
Bathroom Addition

DATE:

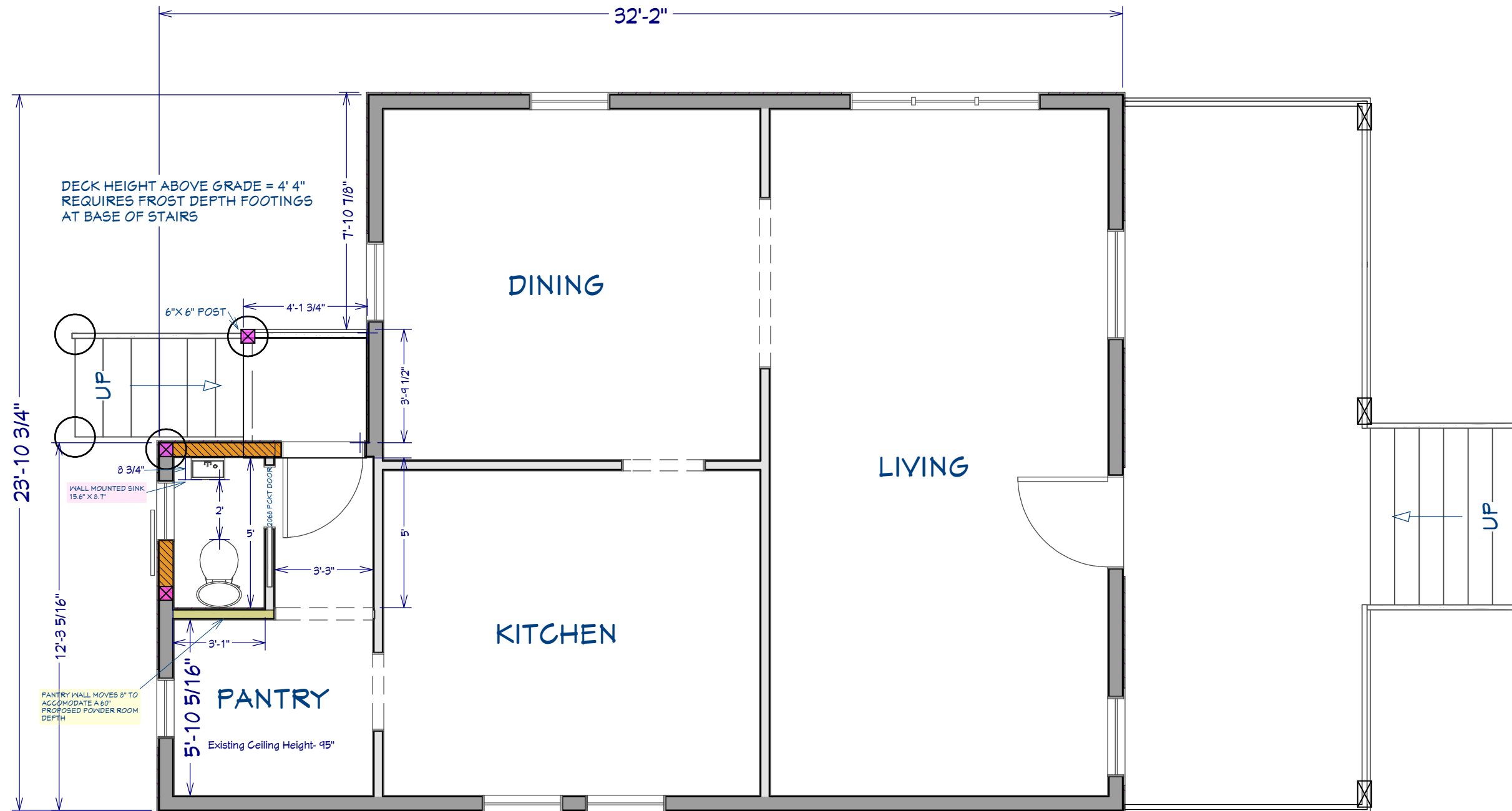
06/19/2024

SCALE:

1/4" = 1' 0"

SHEET:

A3



 WALLS WITH 1" X 4" LIB WALL BRACING

Proposed Ceiling Height- 95"

Proposed Layout

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Mobile: 715.250.0169

Client:
Connor Marks
1348 Spaight
Madison, WI 53703

Project:
Bathroom Addition

DATE:
06/19/2024

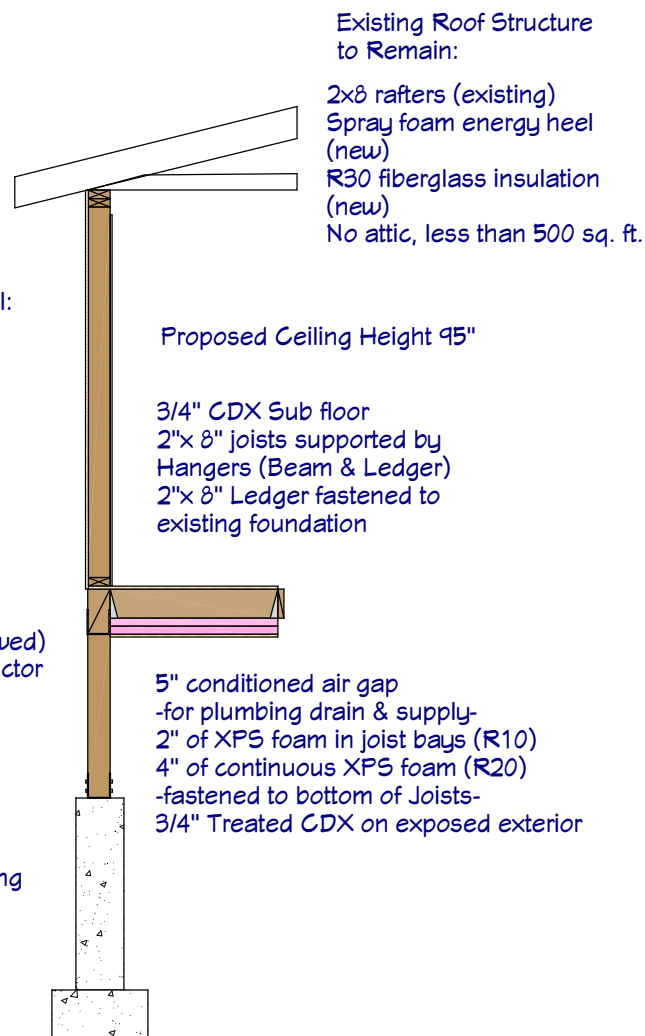
SCALE:
1/4" = 1' 0"

SHEET:
A4

Typical 2x6 siding Ext. Wall:
 Tyvek
 7/16" OSB Sheathing
 2x6 Studs @ 16" O.C.
 R23 BIBS Insulation
 6 mil Poly V.B.
 1/2" Drywall

6" x 12" Beam
 (3 - 2" x 12" Glued & Screwed)
 Galv. Post to Beam Connector
 6" x 6" Post

12" Pier / Column
 24" x 24" x 12" Deep Footing
 Tied Rebar throughout
 Frost depth (4 feet)



Section Through

Existing Roof Structure to Remain:
 2x8 rafters (existing)
 Spray foam energy heel (new)
 R30 fiberglass insulation (new)
 No attic, less than 500 sq. ft.

Proposed Ceiling Height 95"

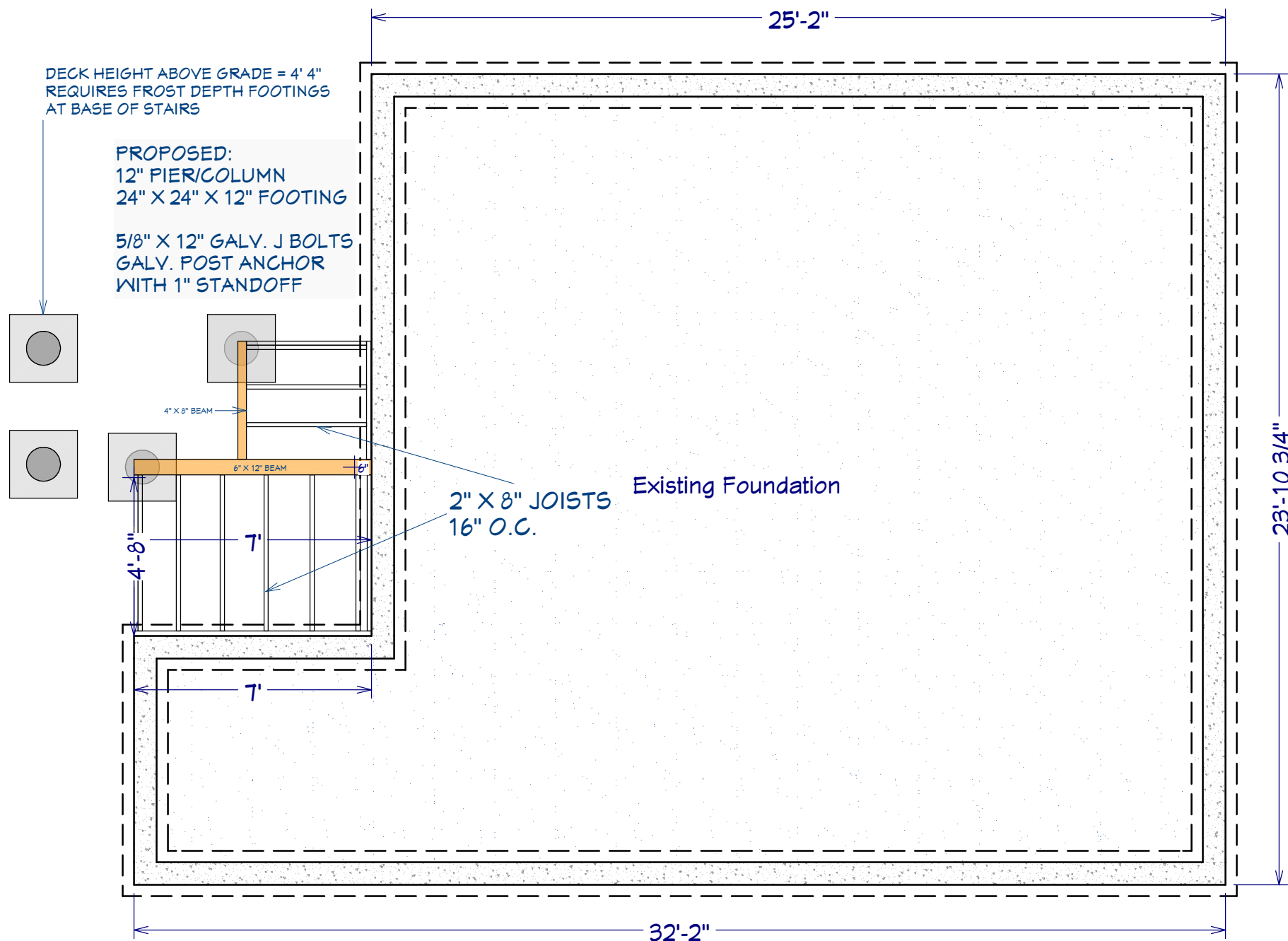
3/4" CDX Sub floor
 2" x 8" joists supported by Hangers (Beam & Ledger)
 2" x 8" Ledger fastened to existing foundation

5" conditioned air gap
 -for plumbing drain & supply-
 2" of XPS foam in joist bays (R10)
 4" of continuous XPS foam (R20)
 -fastened to bottom of Joists-
 3/4" Treated CDX on exposed exterior

DECK HEIGHT ABOVE GRADE = 4' 4"
 REQUIRES FROST DEPTH FOOTINGS
 AT BASE OF STAIRS

PROPOSED:
 12" PIER/COLUMN
 24" X 24" X 12" FOOTING

5/8" X 12" GALV. J BOLTS
 GALV. POST ANCHOR
 WITH 1" STANDOFF



Foundation

Drawings by:
 Spencer Luedtke
 luedtkedesignbuild@gmail.com
 Mobile: 715.250.0169

Client:
 Connor Marks
 1348 Spaight
 Madison, WI 53703

Project:
 Bathroom Addition

DATE:

06/19/2024

SCALE:

1/4" = 1' 0"

SHEET:

A5



SE Elevation

SW Elevation



NE Elevation

NW Elevation

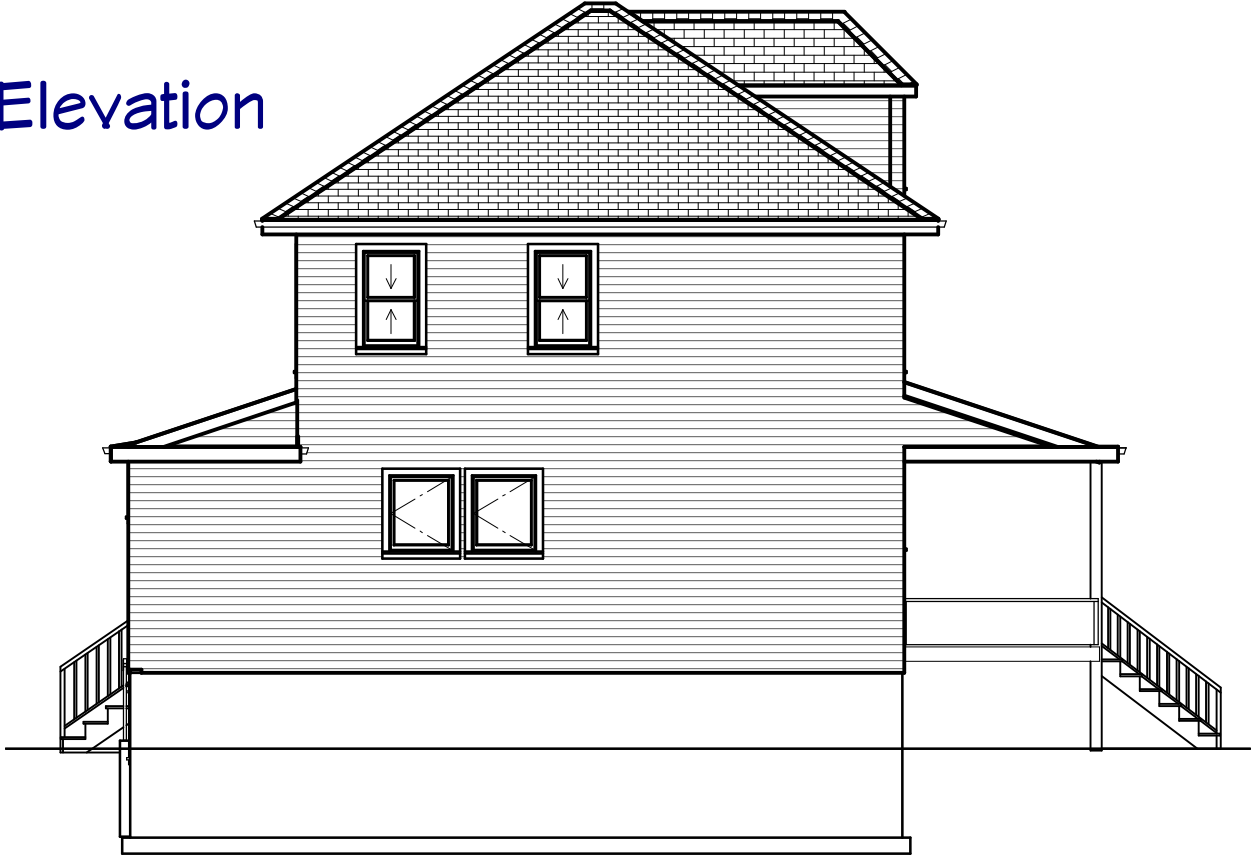


Existing Elevations





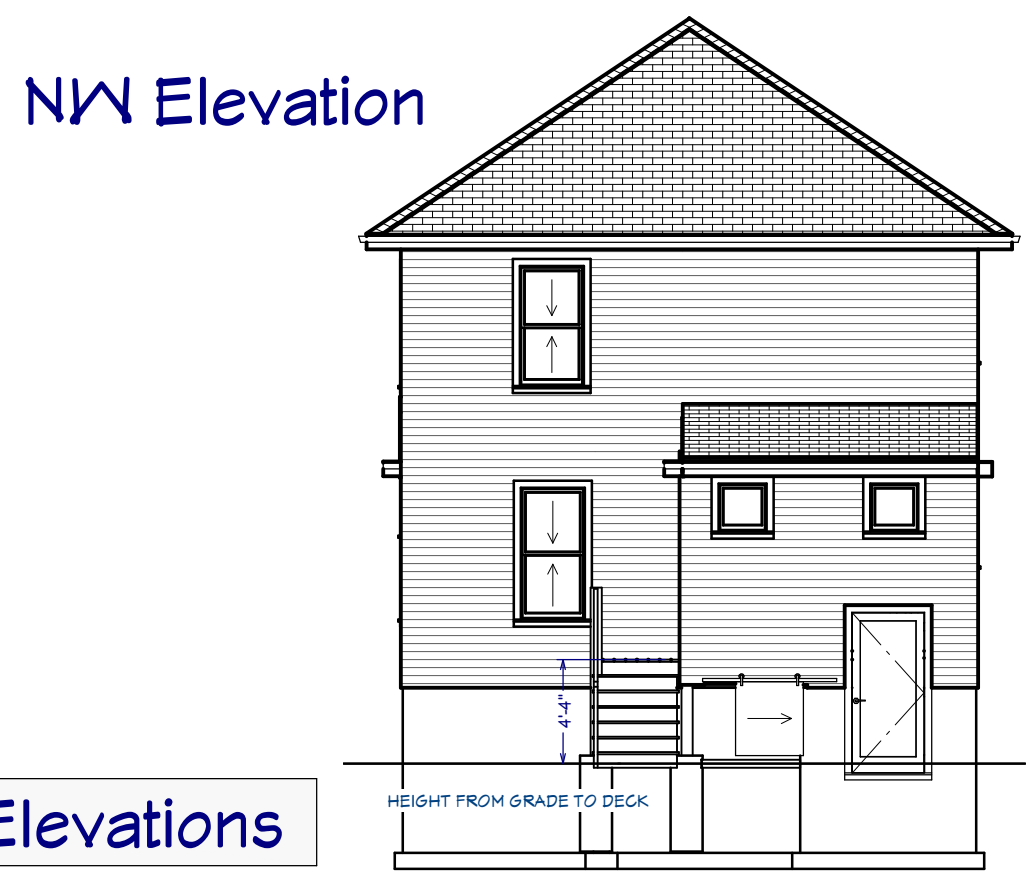
SE Elevation



SW Elevation



NE Elevation



NW Elevation

Proposed Elevations

HEIGHT FROM GRADE TO DECK

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Madison, WI 53703

Project:
Bathroom Addition

DATE:

06/19/2024

SCALE:

1/8" = 1'0"

SHEET:

A7





