



**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: 2921 LANDMARK PLACE

Name of Owner: BRADLEY HUTTER, M10 LLC

Address of Owner (if different than above): 3001 WEST BELTLINE HIGHWAY STE 202
MADISON WI 53713

Daytime Phone: 608.509.1000 Evening Phone: _____

Email Address: BRADLEY.HUTTER@M10LLC.BIZ

Name of Applicant (Owner's Representative): POTTER LAWSON INC. / JAMES MORAVEC

Address of Applicant: 749 UNIVERSITY ROW STE 300
MADISON WI 53705

Daytime Phone: 608-274-2741 Evening Phone: _____

Email Address: JIMM@POTTERLAWSON.COM

Description of Requested Variance: REFERENCE SECTIONS 28.085(4)B AND
28.085(4)C. SINCE THE SITE HAS NO TRUE FRONTAGE ON
A CITY STREET AND CONTAINS A GROVE OF 200+ YEAR OLD
OAK TREES THAT THE OWNER WOULD LIKE TO PRESERVE,
WE ARE SEEKING APPROVAL FOR AN ALTERNATE PLACEMENT
OF THE BUILDING AND PARKING ON THE SITE.

(See reverse side for more instructions)

FOR OFFICE USE ONLY	
Amount Paid: <u>\$300</u>	Hearing Date: <u>3/10/16</u>
Receipt: <u>013179-0006</u>	Published Date: _____
Filing Date: <u>2/18/16</u>	Appeal Number: <u>LNOVAR-2016-00004</u>
Received By: <u>[Signature]</u>	GQ: <u>OK!</u>
Parcel Number: <u>0709-334-1103-8</u>	Code Section(s): <u>28.085(4)(a)</u>
Zoning District: <u>SE</u>	<u>28.085(4)(b)</u>
Alder District: <u>14-Corper</u>	<u>28.085(4)(c)</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.

1.) THE PROPERTY DOES NOT FRONT ON A STREET
2.) A GROVE OF 200+ YEAR OLD OAK TREES OCCUPY THE CENTER OF THE PROPERTY

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 FEEL THE PROPOSED SITE PLAN RESPONDS TO THE SITE AND IS NOT CONTRARY TO THE PUBLIC INTEREST.

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.

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 CURRENT ORDINANCE DOES NOT ALLOW A GOOD RESPONSE TO THE UNIQUE CONDITIONS OF THIS SITE

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

1.) THE PROPOSED BUILDING IS LOCATED AWAY FROM ADJACENT RESIDENTIAL AREAS
2.) GREEN SPACE AND PLANTING BUFFERS ARE PROVIDED BETWEEN PARKING AND RESIDENTIAL AREAS

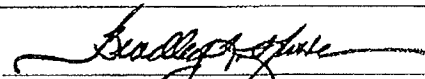
6. The proposed variance shall be compatible with the character of the immediate neighborhood.

PRESERVING THE EXISTING OAK TREES AND PLACEMENT OF THE BUILDING RESPECTS THE ADJACENT NEIGHBORHOOD.

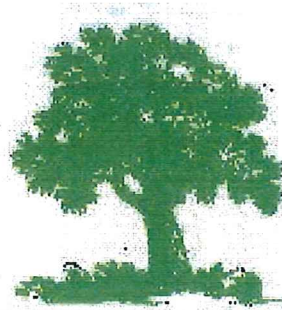
Application Requirements

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"): <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 checked="" 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 checked="" 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 checked="" 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 that the Zoning Board of Appeals will use when reviewing applications for variances.

Owner's Signature:  Date: 2-18-16
 -----(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:



Hamm's
ArborCare, Inc
The Professional Tree Service

PO Box 174 Pardeeville, WI 53954

Office: 608-429-2307 Toll Free: 866-596-5396 Fax: 608-429-1418

March 1, 2016

Daniel Lonsdorf
Executive Vice President – Administration
Chief of Staff ◊ MIG Commercial Real Estate, LLC
3001 West Beltline Hwy, Ste 202
Madison, WI 53713

Daniel,

The purpose of this correspondence is to give a summary of historic trees at the Landmark development site. In particular, there are three significant oak trees in a central area protected with steel fencing. This area was recently cleared of all understory trees and invasives. Besides the three main oak trees: a 45 inch diameter burr oak, a 41 inch diameter lightning struck white oak, and a 31 inch diameter burr oak, there is also a fourth burr oak measuring 22 inches in diameter, a 20 inch diameter hickory and a group of walnuts that were left standing within the protected area. The 22 inch diameter burr oak is likely an offspring of the 31 or 45 inch diameter burr oaks.

The two smaller burr oaks are in excellent health. The 45 inch diameter burr oak and the 41 inch diameter white oak have suffered significant die back over the years. Hamm's ArborCare has conducted the dead wood pruning of these trees on multiple occasions, the most recent of which was in conjunction with clearing the understory trees from this area last fall. Reductions were made to the nearest live tissue. As indicated above, the white oak appears to have suffered a direct lightning strike at some time in the past. Such an event may also have contributed to the stark decline in the largest burr oak. Treatments have been administered in the past for control of borers, burr oak blight and oak wilt. Additionally, last fall following the removal of the understory, a bio-char soil amendment was applied along with an application of mulch covering a large portion of the critical root radius of the trees. The two larger trees are likely in excess of 150 years old. Though they have suffered significant canopy loss over the past decade, with proper care and adequate protection it is possible, in my professional opinion, that these trees could persist and make a recovery.

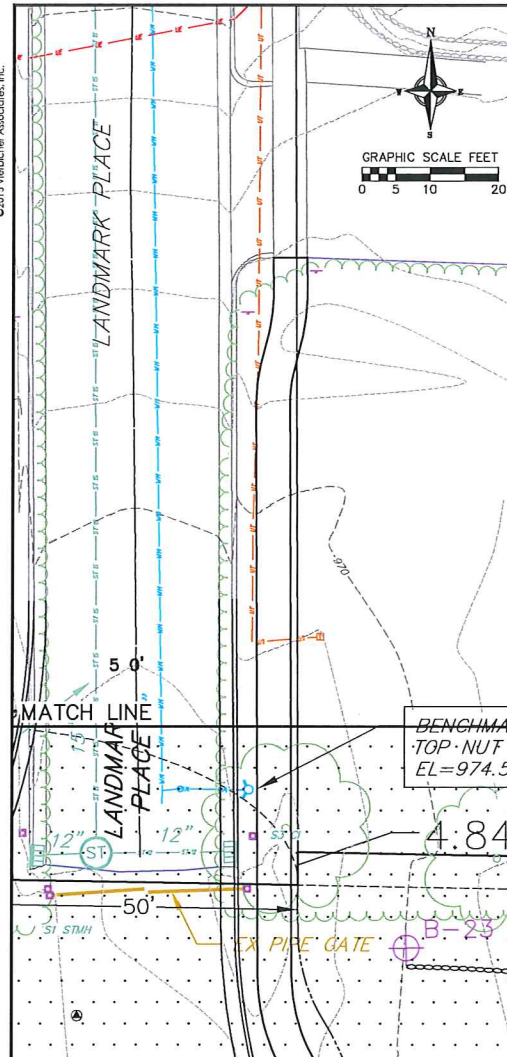
The remaining hickory and walnuts, were not left for any historical purpose, they were simply left as significant members of the grove. They could remain or be removed at the discretion of the planners without impact to the four oaks. I would recommend preserving the smallest burr oak along with the three larger oaks with adequate space. The Critical Root Radius (CRR) is calculated as one foot for every inch of diameter in all directions of the trees. For example the CRR of the 45 inch diameter burr oak is 45 feet in all directions of the tree. The current barrier adequately protects this area. I would offer my opinion on any proposed reductions to the current protection zone, which would include another site visit and markings of the reduced area.

Thank you for the opportunity to be involved in this project. If you have any further questions, please feel free to contact me via email at sales@hammsarborcare.com.

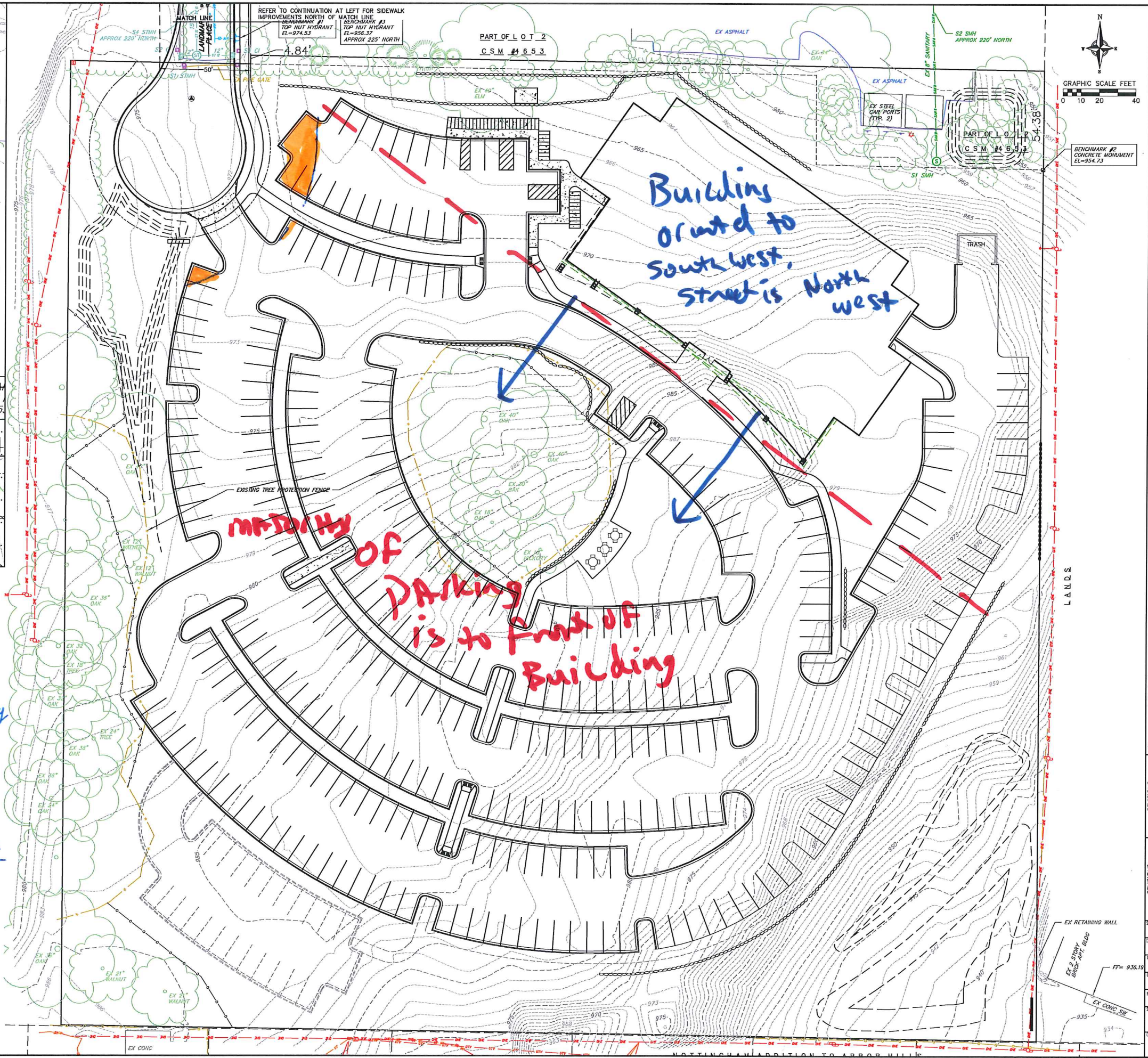
Sincerely,

Kevin Hamm
ISA Board Certified Master Arborist WI-0317B

01 Mar 2016 - 3:31p - M:\Vermonton Inc\City 150279_Landmark Oaks\CAD\150279 - Site Ex. Exhibit.dwg dr:dehl



- Site Standards Variances
- 28.085 (4) (b)
 - Parking Placement
 - MASURTS of Parking to Side or rear of building
 - 25' setback from front lot line
 - 28.085 (4) (c)
 - Building orientation
 - ← Building front shall be oriented to the Primary Street



© 2015 Vierbicher Associates, Inc.

planners | engineers | architects

REEDMAN, MADSON, PARRILLI, CHEN

 977 Prairie Road, Madison, WI 53705

 Phone: (608) 233-1100 Fax: (608) 233-1000

Site and Existing Conditions Exhibit

Landmark Oaks
City of Madison
Dane County, Wisconsin

REVISIONS		REVISIONS	
NO.	DATE	NO.	DATE

SCALE AS SHOWN

DATE: 3/1/16

DRAWN: NBW/DEH

CHECKED: []

PROJECT NO.: 150279.00

SHEET: X OF 1

DWG. NO.:

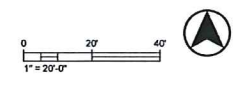
©2015 Vierbicher Associates, Inc.

D:\Mar 2016 - r02p - 0\2016-001 Landmark Oaks\1-CAD\2016-001_Land planning.dwg by: emolten



LEGEND

- OVERSTORY DECIDUOUS TREE
- TALL EVERGREEN TREE
- UPRIGHT EVERGREEN SHRUB
- SHRUB, DECIDUOUS
- ORNAMENTAL GRASS
- LAWN
- MEADOW
- PRAIRIE
- SPLIT RAIL FENCE



vierbicher
 planners | engineers | architects
 333 S. PARKWAY
 MADISON, WISCONSIN 53717
 608.261.5000

LANDSCAPE ARCHITECT
 333 S. PARKWAY
 MADISON, WISCONSIN 53717
 608.261.5000

Landscaping Plan
 Landmark Oaks
 City of Madison
 Dane County, Wisconsin

NO.	DATE	REVISIONS	REMARKS

SCALE AS SHOWN

DATE

DRAWN BY

CHECKED

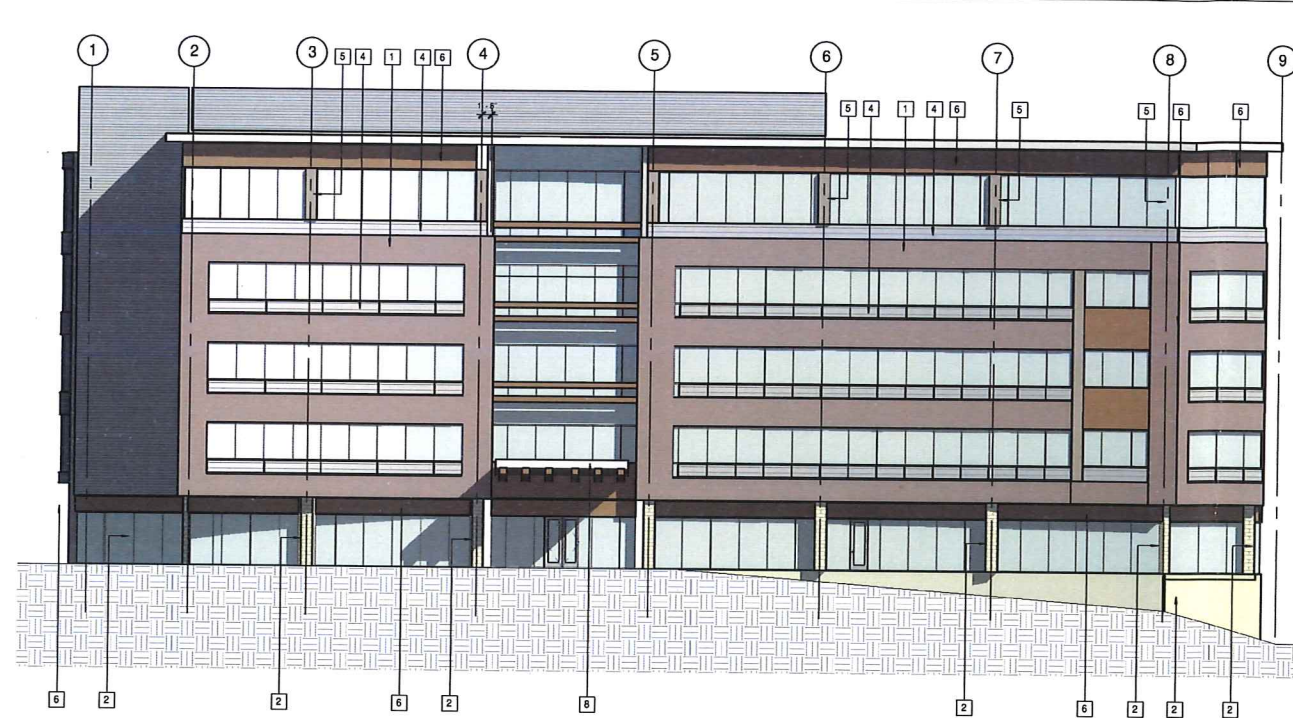
PROJECT NO.
150279.00

SHEET
X OF XX

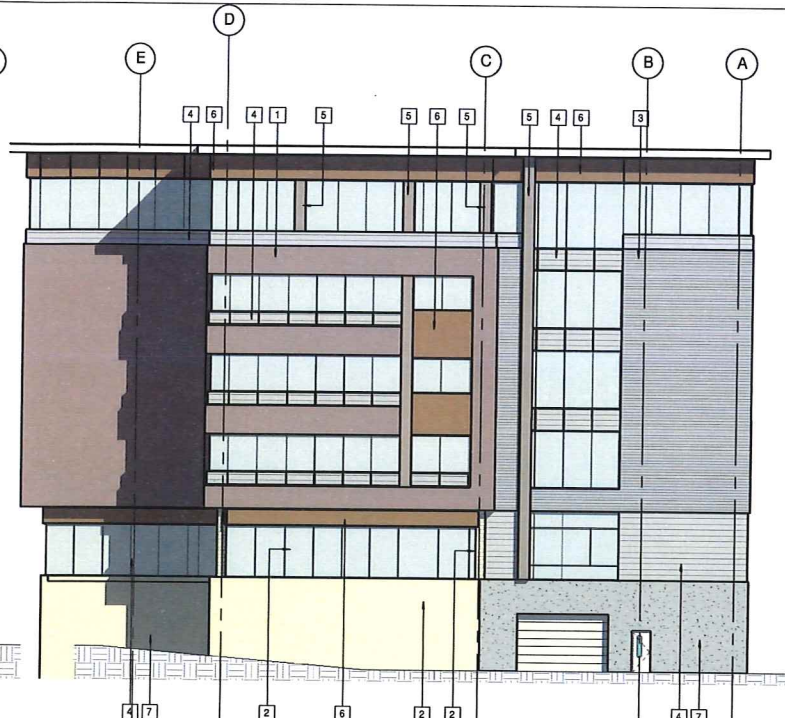
DWG. NO.



Proposed Site Plan
Landmark Oaks - 2011.27.02
February 16, 2016

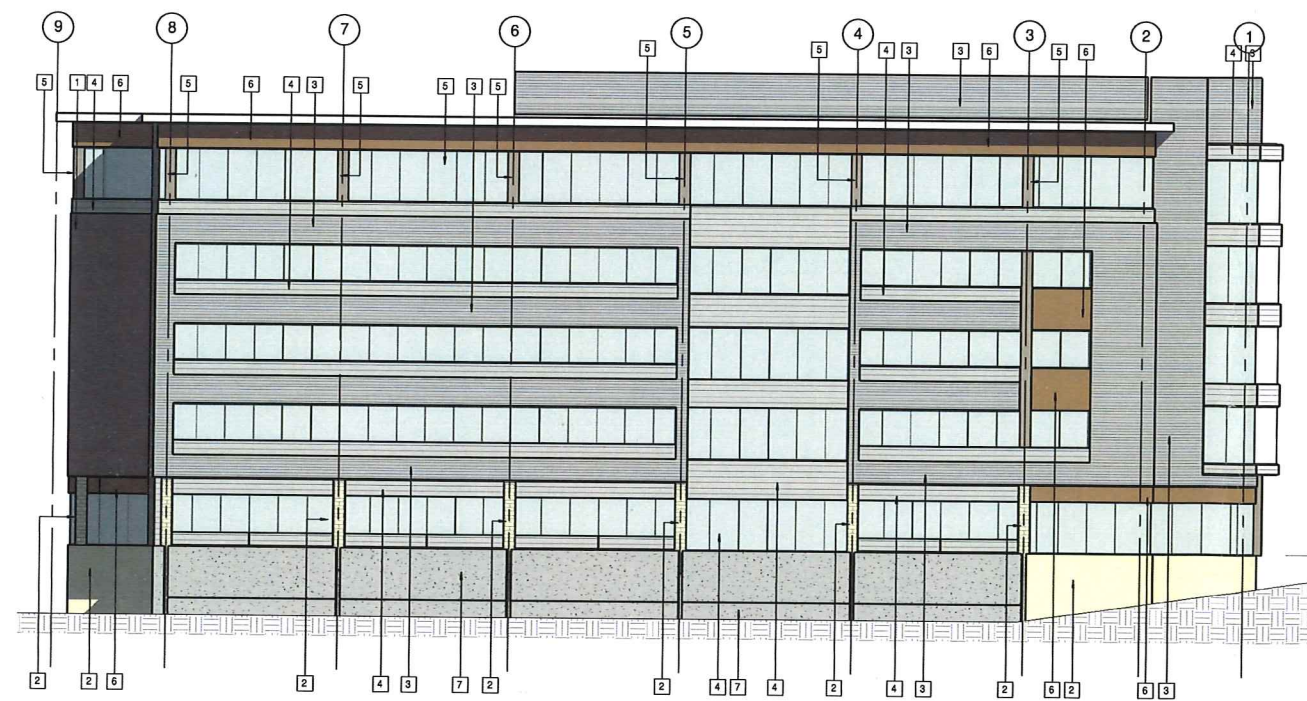


3 Elevation 4 - a
3/32" = 1'-0"



1 Elevation 3 - a
3/32" = 1'-0"

- KEY NOTES:
- 1 BRICK
 - 2 STONE
 - 3 METAL WALL PANEL TYPE 1
 - 4 METAL WALL PANEL TYPE 2
 - 5 METAL WALL PANEL TYPE 3
 - 6 FIBER CEMENT PANEL
 - 7 PRECAST CONCRETE WALL PANEL
 - 8 ENTRY CANOPY



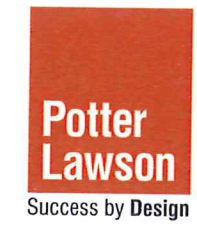
4 NORTH ELEVATION
3/32" = 1'-0"



2 WEST ELEVATION
3/32" = 1'-0"

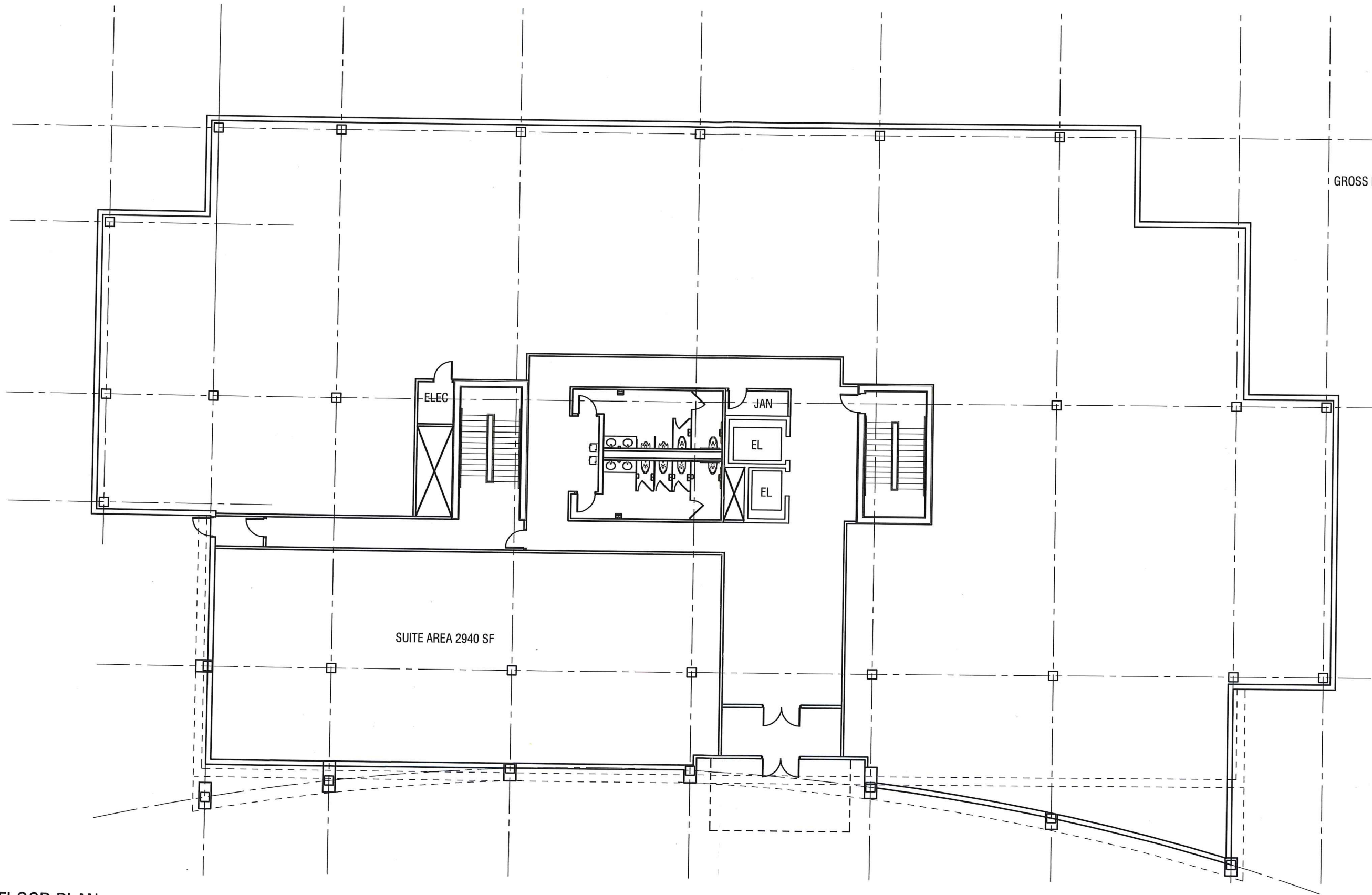
- ROOF 172'-0"
- Level 5 158'-0"
- FOURTH FLOOR 144'-0"
- THIRD FLOOR 130'-0"
- SECOND FLOOR 116'-0"
- FIRST FLOOR 100'-0"

Schematic Elevations
Landmark Oaks
2/18/2016





Perspective View
Landmark Oaks - 2011.27.02
February 02, 2016



GROSS FLOOR AREA 20,485

SUITE AREA 2940 SF

ELEC

JAN

EL

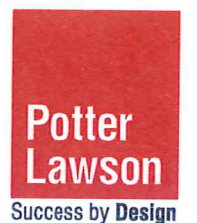
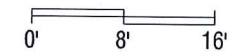
EL

FIRST FLOOR PLAN

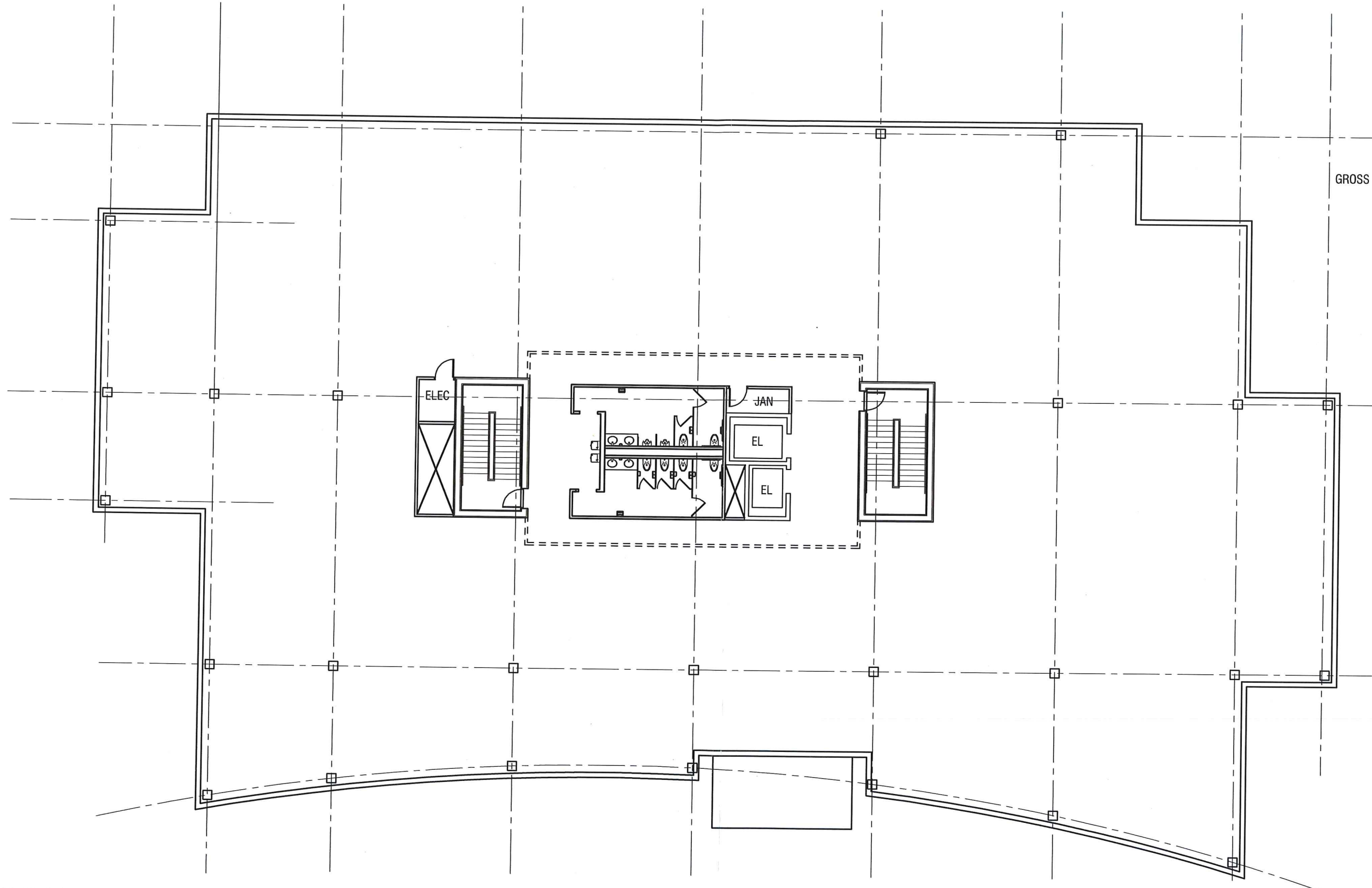
Landmark Oaks
2011.27.02
February 16, 2016

BUILDING AREA SUMMARY

FIRST FLOOR	20,485
2ND THRU 5TH (21,050 GSF EACH)	84,200
TOTAL BUILDING	104,685 GSF
PARKING LEVEL	20,500 GSF



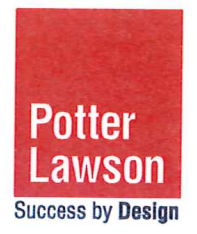
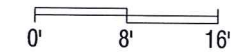
GROSS FLOOR AREA 21,050

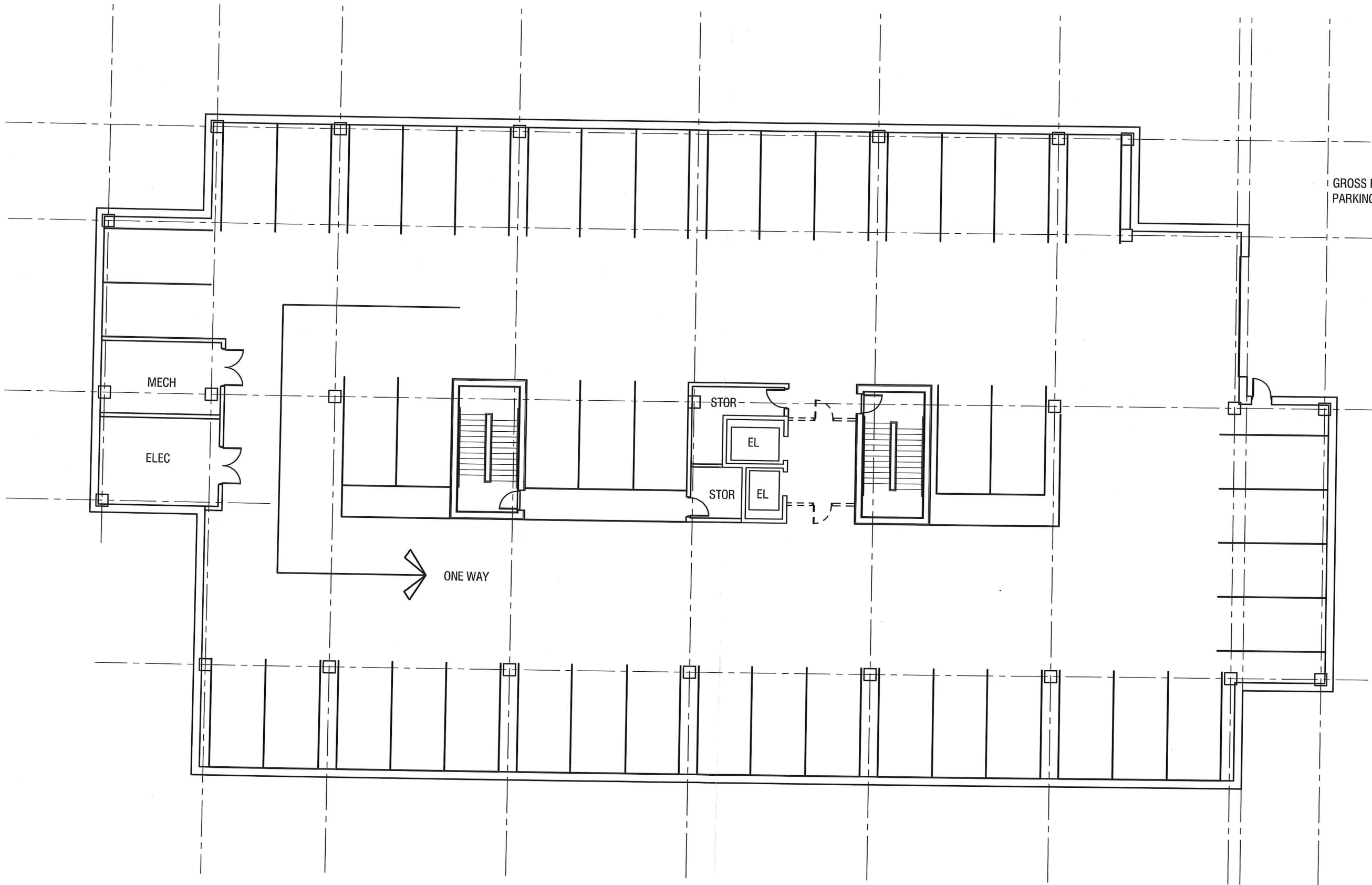


TYPICAL FLOOR PLAN

Landmark Oaks
2011.27.02
February 16, 2016

P:\2011\2011.27.02\02 Design\Design





GROSS FLOOR AREA 20,500
 PARKING SPACES 46

PARKING FLOOR PLAN

Landmark Oaks
 2011.27.02
 February 16, 2016

P:\2011\2011.27.02\02 Design\Design

