



# ZONING BOARD OF APPEALS

## VARIANCE APPLICATION

**\$300 Filing Fee**

Type or print using pen, not pencil.

### FOR OFFICE USE ONLY

Amount Paid 300 Receipt # 138042  
 Received by MWT Filing Date 11-26-12  
 Hearing Date 12-13-12  
 Zoning District DDZ4 R6  
 Parcel # 0709-144-1002-5  
 Published 12-6-12  
 Ald. District 2 - MANHATTAN  
 Appeal # 121312-3  
 GO NRHP AS N LANDMARK W/STW FRONT  
 Code Section # 28.04(19)(b) i. a

**Address of Subject Property:** 140 LOTA COURT

**Name & Address of Owner:** Chris E. Budem  
6417 Normandy Lane Madison WI 53719  
 Daytime Phone: 608.271.8864 Evening Phone: \_\_\_\_\_  
 E-mail address: chris.e@selectpub.com

**Name & Address of Applicant (Owner's Representative):** Dandy Bruce  
7601 University Ave Ste. 201  
 Daytime Phone: 608.886.3890 Evening Phone: \_\_\_\_\_  
 E-mail address: rbruce@knothe-bruce.com

**Brief Summary of Proposed Construction:**  
RENOVATION OF EXISTING 38 UNIT APARTMENT BUILDING AND  
ALLOW THE IN-FILL OF EXISTING EXTERIOR BALCONIES.

**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:**

**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)-----

<b>DECISION</b>	
The Board, in accordance with the findings of fact, hereby determines that the requested variance <b>(is) (is not)</b> 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	
<b>Zoning Board of Appeals Chair:</b>	<b>Date:</b>

November 12, 2012

Matt Tucker  
Zoning Administrator  
City of Madison  
Madison, WI 53709

Re: 140 Iota Court  
**Zoning Board of Appeals Application**

Dear Mr. Tucker,

Enclosed is our application to the Zoning Board of Appeals. We are requesting a variance as permitted under 28.12(9)(d) to allow the renovation and modernization of an existing 38-unit apartment building. The variance requested will allow the conversion of the external balconies into interior living space that is critical to the renovation plan.

We believe that the proposed addition meets the standards for a variance:

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.*

The building is an existing non-conforming building. The waterfront setback is already set. The building is of masonry bearing wall construction that restricts the renovation plans.

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.*

This is a unique condition applicable to this building. The applicant is unaware of any other buildings with a similar condition.

3. *The purpose of the variance is not based exclusively upon a desire for economic or other material gain by the applicant or owner.*

The variance will allow for the improvement of an existing structure that is currently described as "non-contributing" to the neighborhood. The improvement of this building will benefit the entire neighborhood.

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.*

The existing building is non-conforming. The creation of the waterfront setback after the building construction creates a condition where changes to the floor area within the setback area require a variance.


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.*

The variance will allow a reasonable renovation of the property that will not change the size of the building or the impact of the building on the waterfront. The proposed redevelopment will benefit the neighborhood by allowing for reinvestment in the property.

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.*

The proposed variance will not increase building envelope and will not increase the resident population. The renovation plans will meet the required state and city building and fire codes.

Sincerely,



J. Randy Bruce, AIA  
Managing Member

140 Iota Court

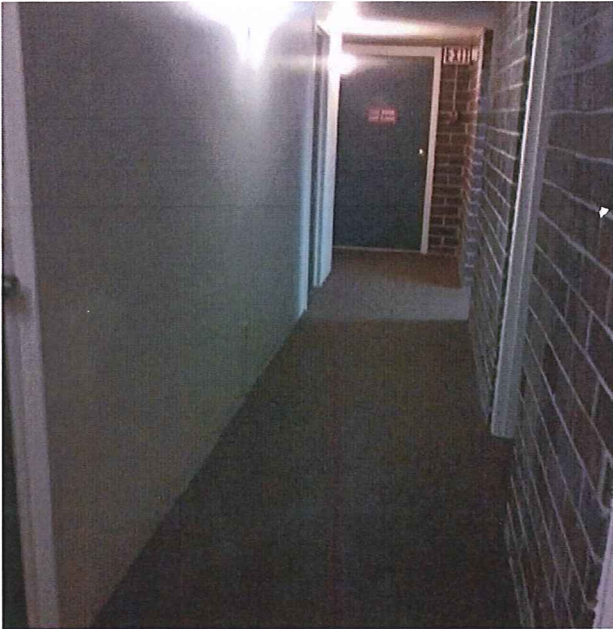


NORTHWEST ELEVATION



SOUTHEAST ELEVATION

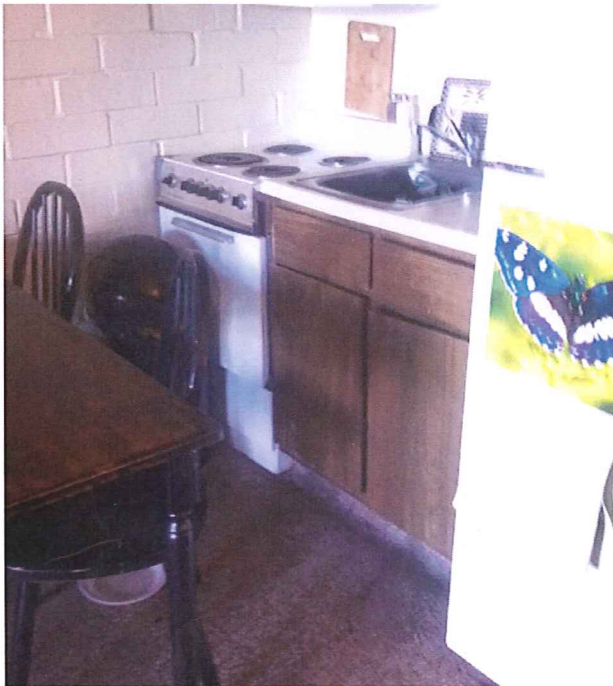
140 Iota Court



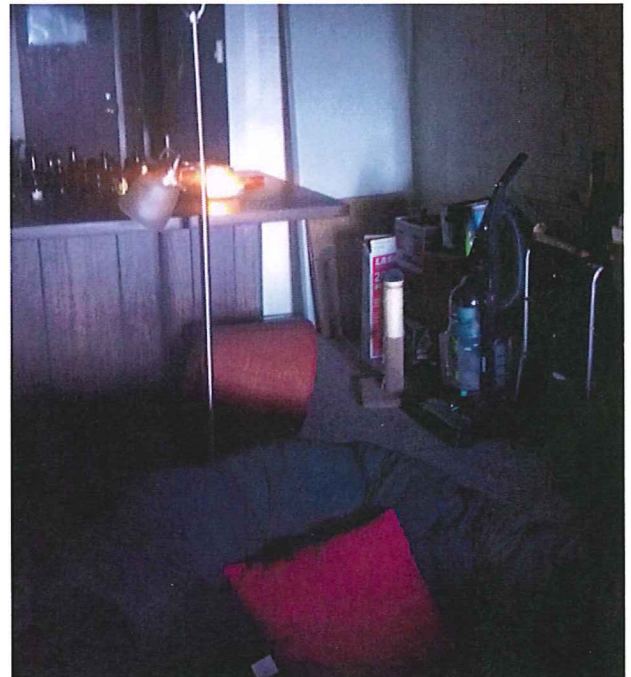
TYPICAL CORRIDOR



TYPICAL UNIT BATH



TYPICAL UNIT KITCHEN



TYPICAL UNIT

Consultant

Notes

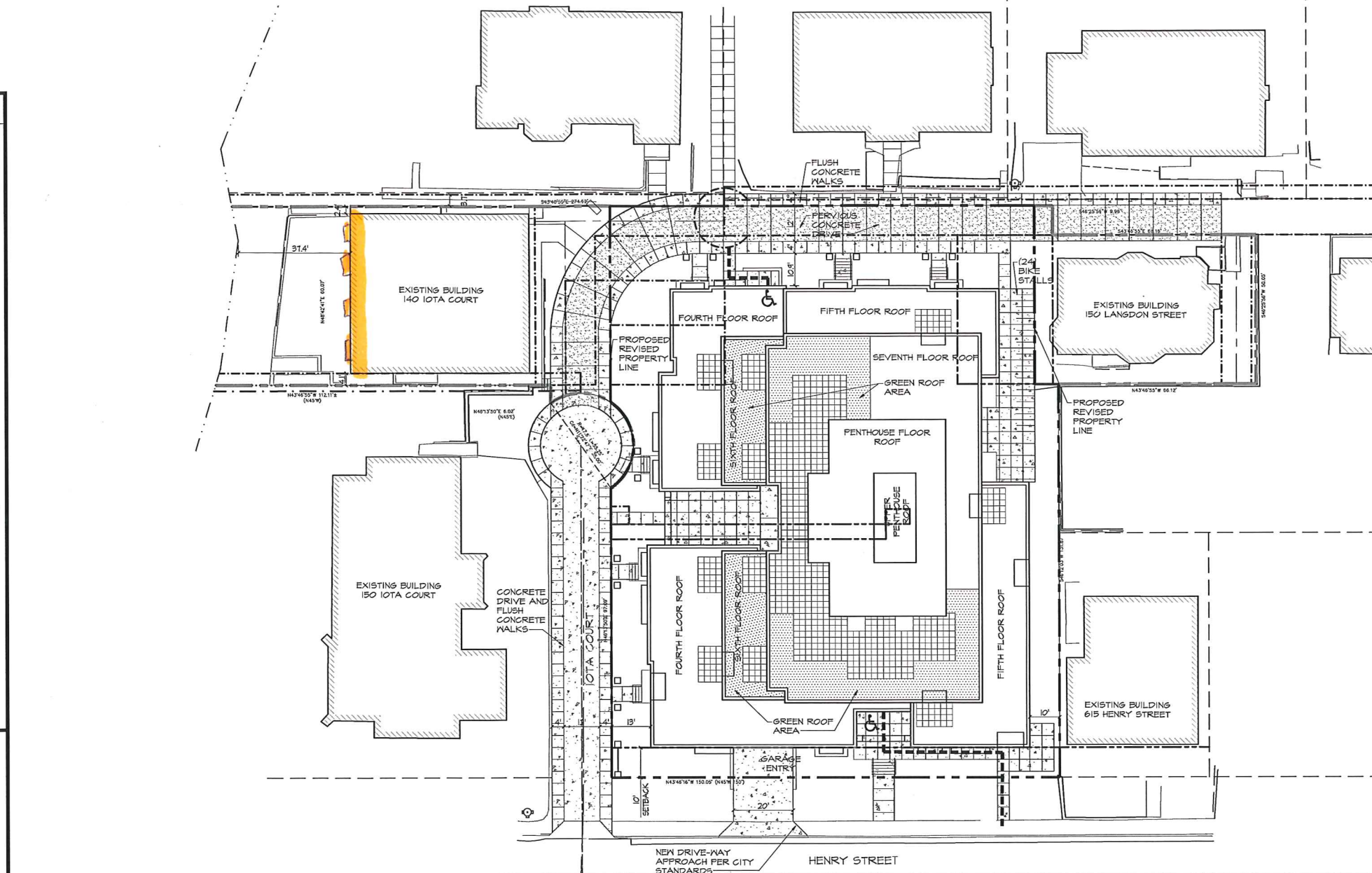
- A SIDE WALK WITH A PITCH GREATER THAN 1:20 IS A RAMP. THE MAXIMUM PITCH OF ANY RAMP OR WALK SHALL BE 1:12. RAMP OVERSPANS MORE THAN 6" CHANGE IN ELEVATION TO HAVE HANDRAILS ON BOTH SIDES.
- ALL DRIVEWAYS, CURB ADJACENT TO DRIVEWAYS, AND SIDEWALK CONSTRUCTION WITHIN THE PUBLIC RIGHT-OF-WAY, SHALL BE COMPLETED IN ACCORDANCE WITH CITY OF MADISON STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION BY A CONTRACTOR CURRENTLY LICENSED BY THE CITY.
- ALL TRASH AND RECYCLING TO BE COLLECTED IN TRASH ROOM IN THE BUILDING.
- SEE SITE GRADING AND UTILITY PLANS FOR ADDITIONAL INFORMATION.
- BIKE STALLS TO BE IN ACCORDANCE TO MADISON GENERAL ORDINANCE 20.11, (SEE SUBSECTIONS B(1)(a) AND B(1)(2)(a)) - SEE A-1(F) FOR BIKE RACK INFORMATION.
- EXTERIOR STAIRS TO HAVE SINGLE ALUMINUM HANDRAILS EACH SIDE  
- 1 1/2" DIA.  
- POWDER COAT FINISH - COLOR TBD  
- RETURN ENDS TO GRADE W/ FLOOR FLANGE  
- MOUNTING  
- SEE DETAIL W/A-3(I) FOR TYP. RAILING EXTENSIONS AT TOP AND BOTTOM
- ALL CITY SIDEWALK, CURB, AND GUTTER WHICH IS DAMAGED DURING CONSTRUCTION OR THAT THE CITY ENGINEER DETERMINES TO BE NECESSARY SHALL BE REPLACED.
- ANY DAMAGE TO STREET PAVEMENT WILL REQUIRE RESTORATION IN ACCORDANCE WITH THE CITY'S PATCHING CRITERIA.

Revisions

Land Use Application - October 11, 2012  
UDC Submittal - October 31, 2012

SITE STATISTICS-DEVELOPMENT TOTAL	
<b>Dwelling Unit Mix:</b>	
Studio	34
One-Bedroom	16
Two-Bedroom	16
Three-Bedroom	34
Four-Bedroom	23
Five-Bedroom	9
Six-Bedroom	2
<b>Total Dwelling Units</b>	<b>134</b>
<b>Areas:</b>	
Total Gross Floor Area	146,022 S.F.
<b>Densities:</b>	
Lot Area	39,760 or .91 acres
Lot Area/D.U.	291 SF/Units
Density	147 Units/Acre
FAR	3.61
<b>Vehicle Parking:</b>	
Underground-Residential	66 stalls (Including 2 accessible stalls)
<b>Bike Parking:</b>	
Underground 2'x6'	55 stalls
Underground Wall Hung	174 stalls
Surface 2'x6'	24 stalls
<b>Total</b>	<b>253 stalls</b>
<b>Moped Parking:</b>	
Underground	31 stalls
Surface	0 stalls
<b>Total</b>	<b>31</b>

SITE STATISTICS - PROPOSED DEVELOPMENT	
<b>Dwelling Unit Mix:</b>	
Proposed Development	1
One-Bedroom	15
Two-Bedroom	34
Three-Bedroom	23
Four-Bedroom	9
Five-Bedroom	2
Six-Bedroom	0
<b>Total Dwelling Units</b>	<b>84</b>
<b>Areas:</b>	
Total Gross Floor Area	118,299 S.F.
<b>Building Height:</b>	
Eight Stories	Seven residential and Eighth floor penthouse/ common space
<b>Vehicle Parking:</b>	
Underground-Residential	66 stalls (Including 2 accessible stalls)
<b>Bike Parking:</b>	
Underground 2'x6'	55 stalls
Underground Wall Hung	174 stalls
Surface 2'x6'	24 stalls
<b>Total</b>	<b>253 stalls</b>
<b>Moped Parking:</b>	
Underground	31 stalls
Surface	0 stalls
<b>Total</b>	<b>31</b>



SITE STATISTICS - 150 Langdon Street	
<b>Dwelling Unit Mix:</b>	
Studio	8
One-Bedroom	4
Two-Bedroom	1
<b>Total Dwelling Units</b>	<b>13</b>
<b>Areas:</b>	
Total Gross Floor Area	5,253 S.F.
<b>Building Height:</b>	
	Three Stories
<b>Vehicle Parking:</b>	
Underground-Residential	None
<b>SITE STATISTICS - 140 IOTA COURT</b>	
Studio	26
One-Bedroom	11
<b>Total Dwelling Units</b>	<b>37</b>
<b>Areas:</b>	
Total Gross Floor Area	22,470 S.F.
<b>Building Height:</b>	
	Seven Stories
<b>Vehicle Parking:</b>	
Underground-Residential	None

(A) SITE PLAN  
1"=20'-0"

Alternating to Existing 38-unit Apartment Building  
fill balconies  
water front setback  
60.26' Required  
37.4' Provided  
22.86' VARIANCE

Project Title  
Houden - Iota Court

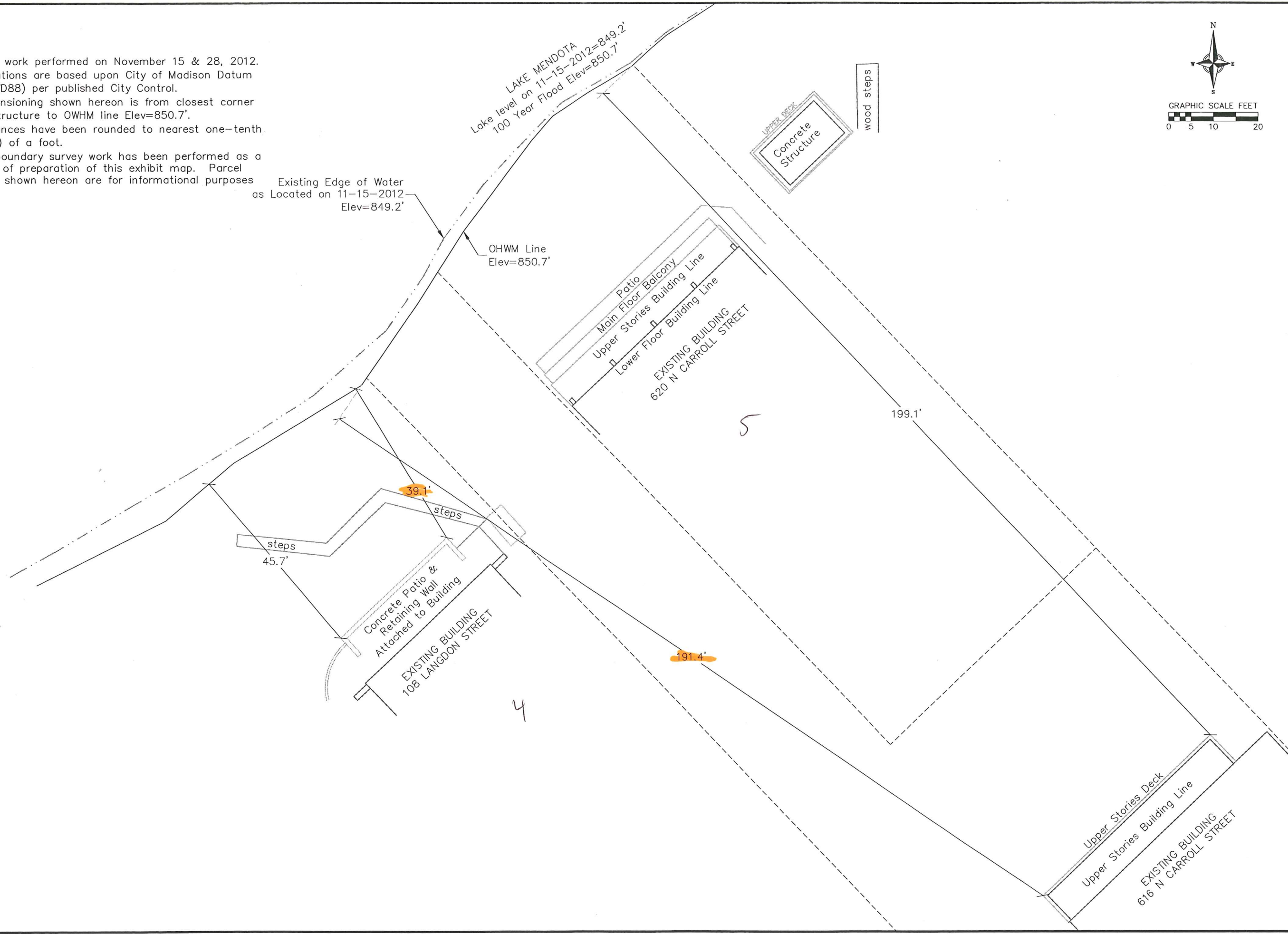
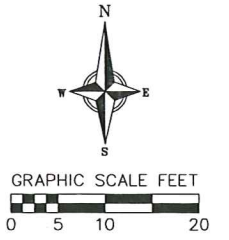
625 N. Henry St.  
Drawing Title  
Overall Site Plan

Project No. 0804 Drawing No. C-1.0

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NOTES

1. Field work performed on November 15 & 28, 2012.
2. Elevations are based upon City of Madison Datum (NAVD88) per published City Control.
3. Dimensioning shown hereon is from closest corner of structure to OWHM line Elev=850.7'.
4. Distances have been rounded to nearest one-tenth (0.1') of a foot.
5. No boundary survey work has been performed as a part of preparation of this exhibit map. Parcel lines shown hereon are for informational purposes only.



**vierbicher** | engineers | advisors  
 planners | architects | interior designers  
 REEDSBURG - MADISON - WAUNAKEE - WAUKESHA  
 999 Fourie Drive, Suite 201, Madison, Wisconsin 53717  
 Phone: (608) 826-6532 Fax: (608) 826-6530

**SHORELINE SETBACK EXHIBIT MAP**  
 108 LANGDON STREET AND 620 N CARROLL STREET,  
 CITY OF MADISON, DANE COUNTY, WISCONSIN

REVISIONS	NO.	DATE	REMARKS
1	11-28-12	11-28-12	Locate 616 N Carroll Building

SCALE  
 1"=10' (22"x34")  
 1"=20' (11"x17")

DATE  
 11-27-2012

DRAFTER  
 MMAR

CHECKED  
 JSCH

PROJECT NO.  
 128045

SHEET  
 1 OF 1

DWG. NO.  
 SS-10010





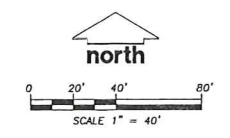
**LEGEND**

- PARCEL BOUNDARY
- - - RIGHT-OF-WAY LINE
- CENTERLINE
- - - PLATTED LOT LINE
- ORDINARY HIGH WATER MARK (OHWM) ELEVATION = 850.7
- /// BUILDING

**NOTES**

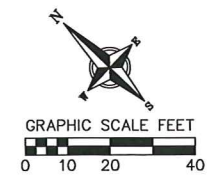
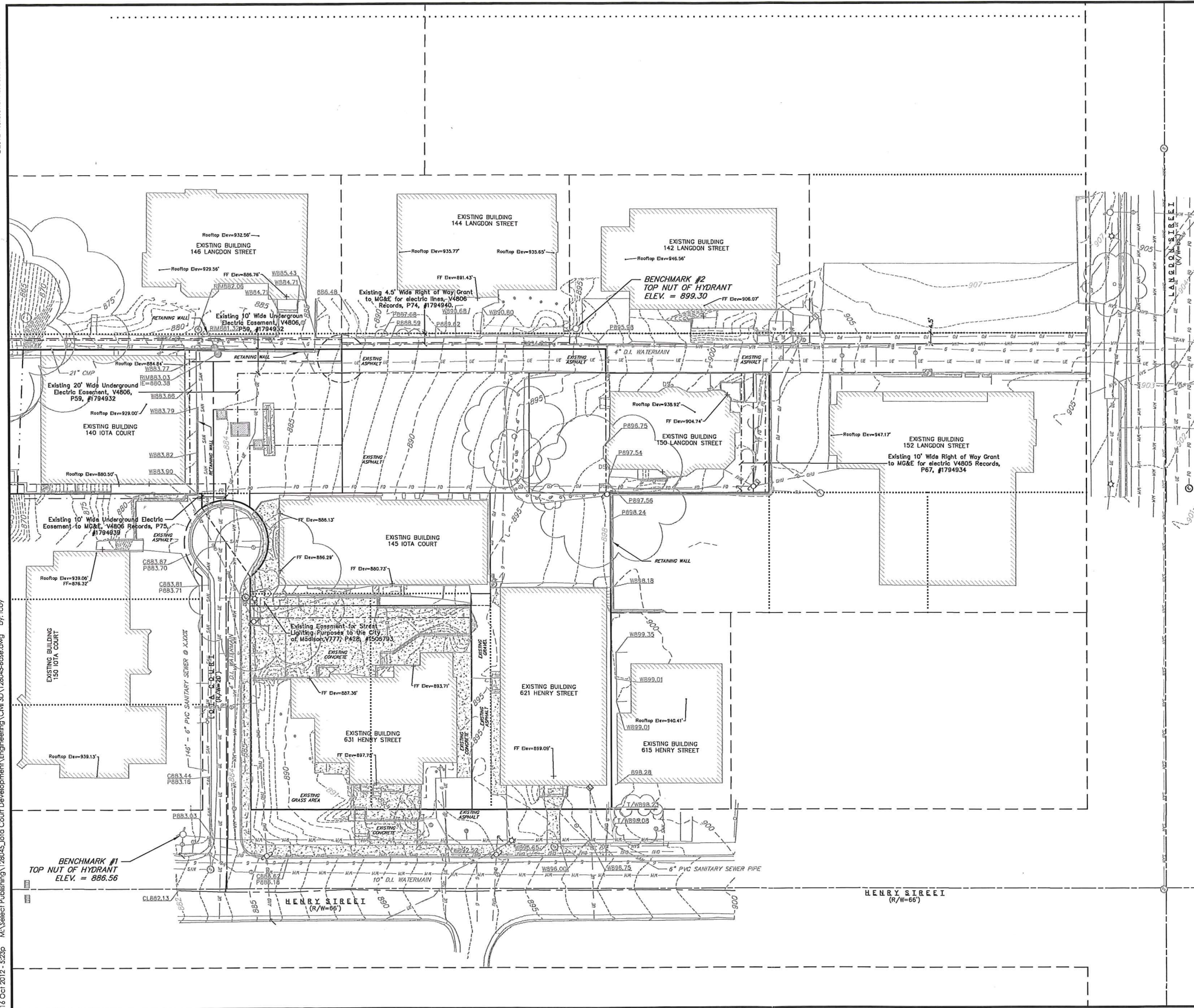
1. FIELD WORK PERFORMED BY JSD PROFESSIONAL SERVICES, INC. ON APRIL 21, 2010 AND MAY 8, 2010.
2. BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM (WCCS), DANE COUNTY.
3. ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88). BENCHMARK IS A BRASS CAP IN CONCRETE MONUMENT MARKING THE SOUTH 1/4 CORNER OF SECTION 14, T. 7 N., R. 9 E., ELEVATION = 870.32'

191.4  
 39.1  
 74.6  
 48.0  
 52.6  
 38.8  
 34.8  
 47.4  
 48.7  
 27.2  
 -----  
 602.6 → 60.26'



DRAWN BY: JK		DATE: 4-23-2010	DESCRIPTION
CHECKED BY: DRS		DATE: 4-26-2010	
APPROVED BY: DMJ		DATE: 4-26-2010	
DRAWING NAME: J:\2009\093986\dwg\093986-Exhibit.dwg		PERSON: JSD	
<b>SHORELINE SETBACK EXHIBIT</b>			
PART OF BLOCK 4 AND BLOCK 60, ORIGINAL PLAT, BEING A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14, TOWN 7 NORTH, RANGE 9 EAST, IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN.			
 <b>JSD Professional Services, Inc.</b> Engineers • Surveyors • Planners 161 HORIZON DRIVE, SUITE 101 VERONA, WISCONSIN 53593 PHONE: (608)848-5060			
PROJECT NO:	09-3986		
FILE NO:	D-148	PREPARED FOR	
SURVEYED:	JK	STANDING ROCK, LLC	
F.B. NO/PD:	240/40	3330 SKOKIE VALLEY ROAD, SUITE 300	
SHEET NO:	1 OF 1	HIGHLAND PARK, IL 60035	

PLOT DATE: 5/12/2010 10:52:12 AM



**TOPOGRAPHIC SYMBOL LEGEND**

- EXISTING CURB INLET
- ▤ EXISTING ENDWALL
- ⊙ EXISTING FIELD INLET
- ⊕ EXISTING ROOF DRAIN CLEANOUT
- ⊙ EXISTING STORM MANHOLE
- ⊕ EXISTING SANITARY CLEANOUT
- ⊙ EXISTING SANITARY MANHOLE
- ⊕ EXISTING SEPTIC VENT
- ⊙ EXISTING FIRE HYDRANT
- ⊕ EXISTING WATER MAIN VALVE
- ⊙ EXISTING CURB STOP
- ⊙ EXISTING WATER MANHOLE
- ⊕ EXISTING GAS VALVE
- ▤ EXISTING AIR CONDITIONING PEDESTAL
- ↑ EXISTING DOWN GUY
- ⊙ EXISTING ELECTRIC MANHOLE
- ▤ EXISTING ELECTRIC PEDESTAL
- ▤ EXISTING TRANSFORMER
- ⊙ EXISTING GUY POLE
- ☆ EXISTING LIGHT POLE
- ⊙ EXISTING UTILITY POLE
- ▤ EXISTING TV PEDESTAL
- ⊙ EXISTING TELEPHONE MANHOLE
- ▤ EXISTING TELEPHONE PEDESTAL
- ⊙ EXISTING UNIDENTIFIED MANHOLE
- ⊕ EXISTING HANDICAP PARKING
- ⊕ EXISTING SHRUB
- ⊙ EXISTING CONIFEROUS TREE
- ⊙ EXISTING DECIDUOUS TREE

**TOPOGRAPHIC LINEWORK LEGEND**

- UTV— EXISTING UNDERGROUND CABLE TV
- OIV— EXISTING OVERHEAD CABLE TV
- FO— EXISTING FIBER OPTIC LINE
- OHT— EXISTING OVERHEAD TELEPHONE LINE
- UT— EXISTING UNDERGROUND TELEPHONE
- ▤ EXISTING RETAINING WALL
- ▤ EXISTING CHAIN LINK FENCE
- ▤ EXISTING GENERAL FENCE
- ▤ EXISTING WIRE FENCE
- ▤ EXISTING WOOD FENCE
- ▤ EXISTING GAS LINE
- UE— EXISTING UNDERGROUND ELECTRIC LINE
- OUE— EXISTING OVERHEAD ELECTRIC LINE
- OUG— EXISTING OVERHEAD GENERAL UTILITIES
- SH— EXISTING SANITARY FORCE MAIN (SIZE NOTED)
- SAS— EXISTING SANITARY SEWER LINE (SIZE NOTED)
- ST— EXISTING STORM SEWER LINE (SIZE NOTED)
- WT— EXISTING WETLAND DELINEATION
- B20— EXISTING MAJOR CONTOUR
- B10— EXISTING MINOR CONTOUR
- WB99.01— EXISTING SPOT ELEVATION

**BENCHMARKS**

- BENCHMARK #1:  
TOP NUT OF FIRE HYDRANT  
ELEV. = 886.56'
- BENCHMARK #2:  
TOP NUT OF FIRE HYDRANT  
ELEV. = 899.30'

**vierbicher**  
planners | engineers | advisors  
REEDSBURG - MADISON - FRAIRIE DU CHEN  
999 Foster Drive, Suite 201  
Reedsburg, Wisconsin 53151  
Phone: (608) 846-6333 Fax: (608) 846-6334

**EXISTING CONDITIONS**

Houden Iota Court  
625 N. Henry Street  
City of Madison, Dane County, Wisconsin

REVISIONS		REVISIONS	
NO.	DATE	NO.	DATE
1	10-17-12		

SCALE: AS SHOWN

DATE: 10-17-12

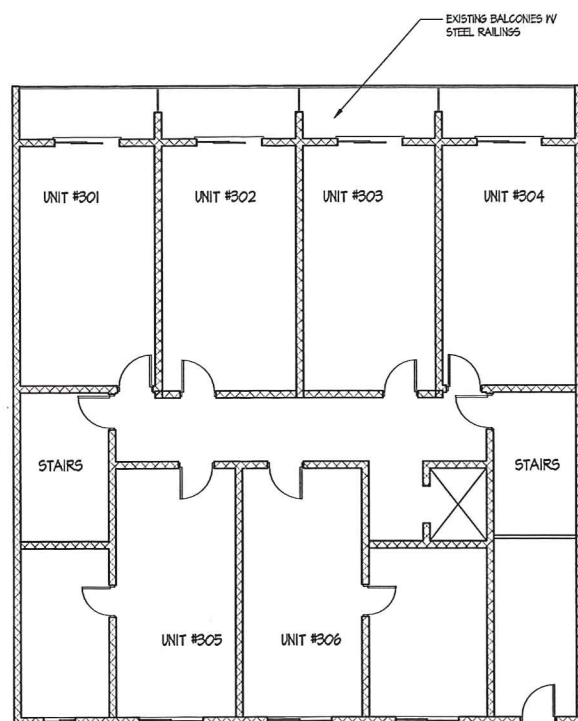
DRAFTER: ACAR

CHECKED: JOY

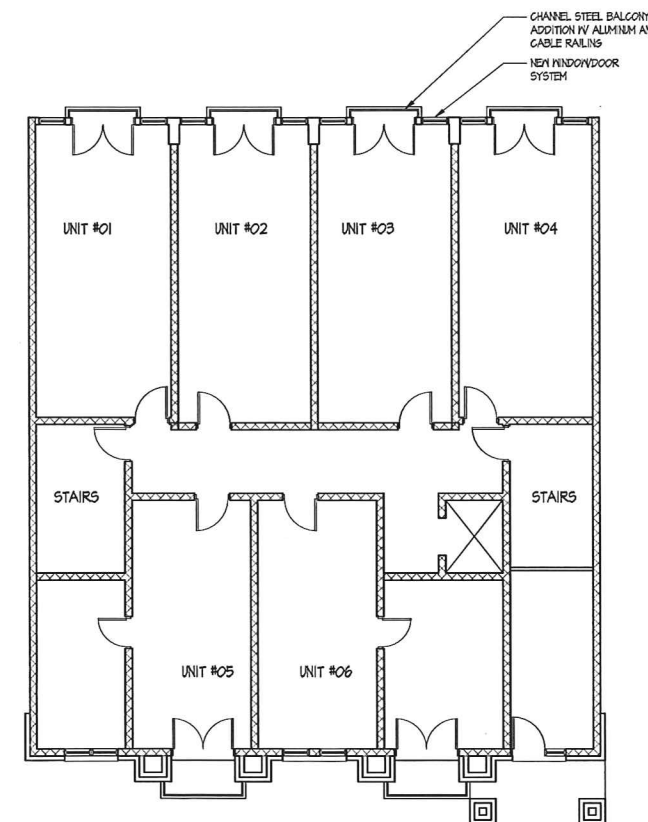
PROJECT NO.: 128045

SHEET: 1 OF 5

DWG. NO.: C2.0



*5 1/2' balconies*



**TYPICAL EXISTING FLOOR PLAN**  
1/8" = 1'-0"

**TYPICAL NEW FLOOR PLAN**  
1/8" = 1'-0"

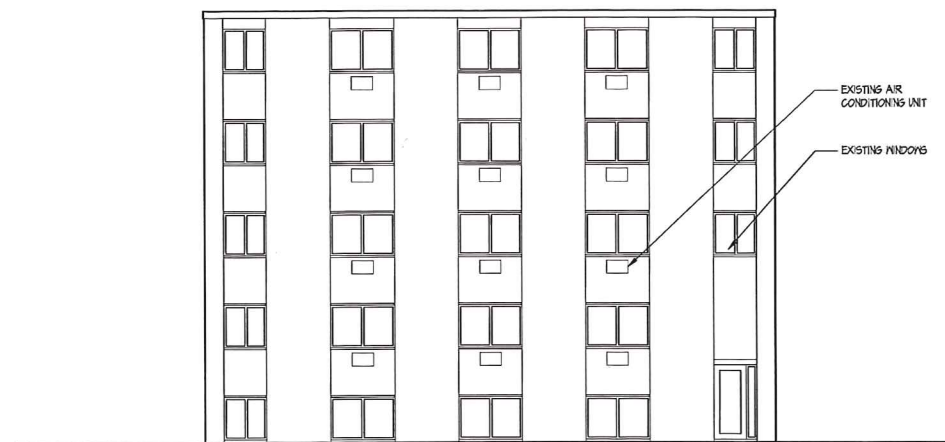


Revisions  
Land Use Application - October 11, 2012

Project Title  
Houden - Iota Court

625 N. Henry St.  
Drawing Title  
140 Iota Ct  
Typical Floor Plan  
Project No. Drawing No.  
0834 A-1.1A

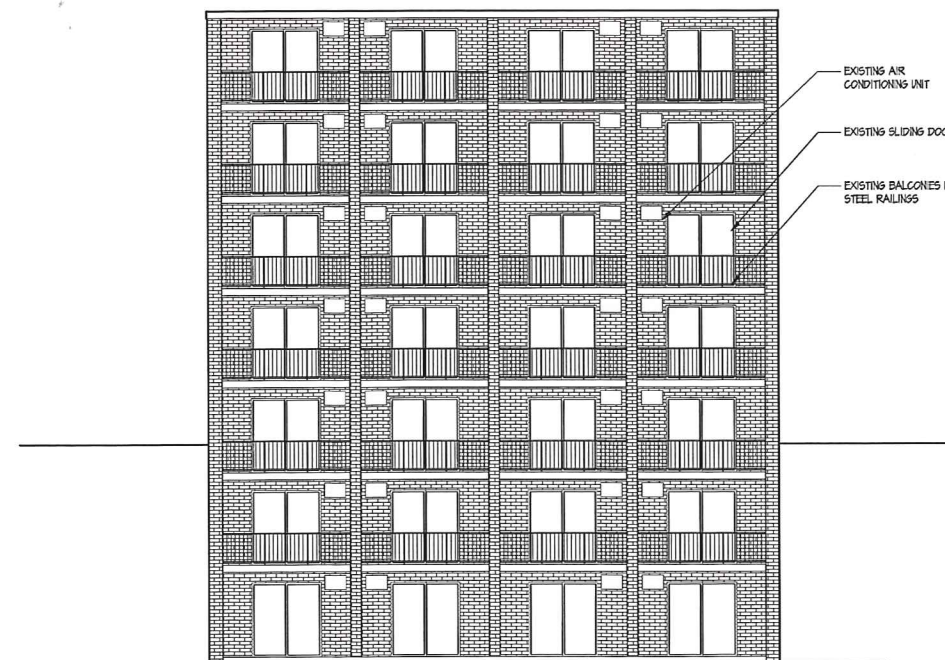
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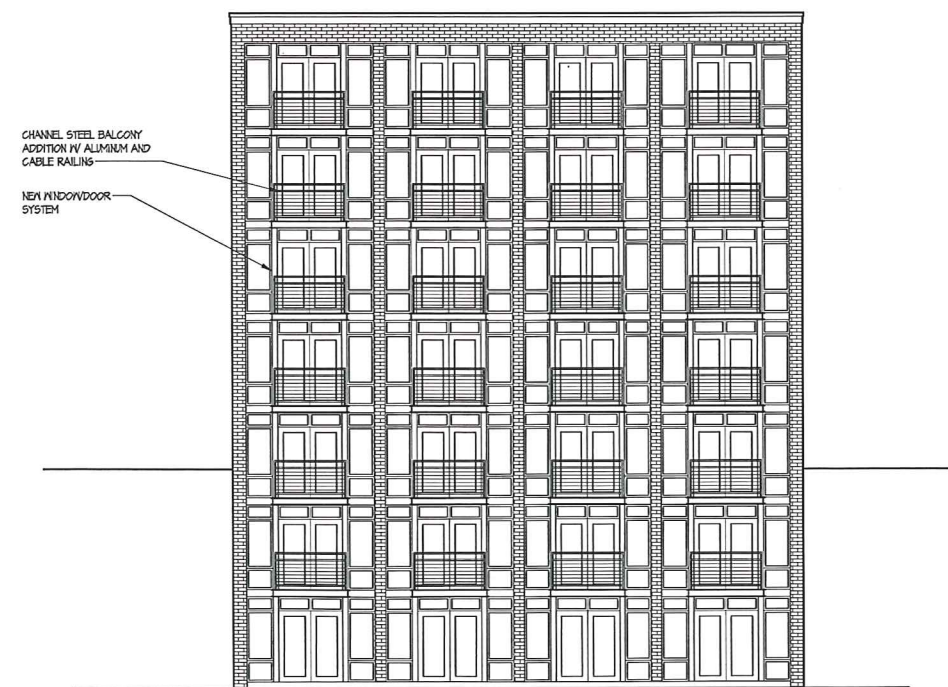
EXISTING SOUTHEAST ELEVATION  
1/8" = 1'-0"



NEW SOUTHEAST ELEVATION  
1/8" = 1'-0"



EXISTING NORTHWEST ELEVATION  
1/8" = 1'-0"



NEW NORTHWEST ELEVATION  
1/8" = 1'-0"

Revisions  
Land Use Application - October 11, 2012

Project Title  
Houden - Iota Court

625 N. Henry St.  
Drawing Title  
140 Iota Ct Elevations

Project No. 0834 Drawing No. A-2.6

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