



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: 1414 Jenifer St.

Name of Owner: Mark Kunkel and Peggy Hurley

Address of Owner (if different than above): _____

Daytime Phone: (608) 358-6353 Evening Phone: Same

Email Address: markdkunkel@gmail.com

Name of Applicant (Owner's Representative): Same as above

Address of Applicant: Same as above

Daytime Phone: Same as above Evening Phone: _____

Email Address: Same as above

Description of Requested Variance:
See Attachment.

See reverse side for more instructions.

FOR OFFICE USE ONLY

Amount Paid:	<u>\$500.00</u>	Hearing Date:	<u>9-21-23</u>
Receipt:	<u>132311-0007</u>	Published Date:	<u>9-14-23</u>
Filing Date:	<u>8-24-23</u>	Appeal Number:	<u>LNDVAR-2023-00012</u>
Received By:	<u>NJK</u>	GQ:	_____
Parcel Number:	<u>071007215299</u>	Code Section(s):	<u>28.045(2)</u>
Zoning District:	<u>HIS-TL, 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.

See Attachment.

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.

See Attachment.

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.

See Attachment.

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.

See Attachment.

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

See Attachment.

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

See Attachment.

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:

☒	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. <i>Meeting held on April 19, 2023.</i>
☒	Site plan , drawn to scale. We recommend a registered survey, but it is not required. On the plan, show the following: ☐ Lot lines. ☐ Existing and proposed structures. Include dimensions and setback distances to all property lines. ☐ Approximate location of structures on properties next 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 directions showing existing and proposed. Show the existing structure and proposed addition(s). <i>The city advised that a front elevation is not needed.</i>
☒	Interior floor plan of existing and proposed structure , if required. Most additions and expansions will require floor plans.
☐	Front yard variance requests. Show the front yard setback of all other properties on the same block face.
☐	Lakefront setback variance requests. Provide a survey prepared by a registered land surveyor. The survey must show existing setbacks of buildings on adjacent lots.
☐	Variance requests involving slope, grade, or trees. Show: ☐ Approximate location and amount of slope. ☐ Direction of drainage. ☐ Location, species and size of trees.
☒	Email digital copies of all plans and drawings to: zoning@cityofmadison.com.
☒	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.
☒	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.
☒	CHECK HERE. I acknowledge that any statements implied as fact require evidence.



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: Mark Kurland Date: Aug. 24, 2023

----- (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:

ATTACHMENT
1414 Jenifer Street – Variance Application

Description of Requested Variance

The existing house, which includes the backroom behind the kitchen, is 1.1 feet from the property line. (See attached survey of existing house.) To remedy a faulty foundation beneath the backroom, we want to demolish the backroom, replace the foundation, and rebuild the backroom. The city has advised that a rebuilt backroom is an addition and that, without a variance, the rebuilt backroom may not be within the required 3.3-foot side yard setback. We are requesting a 1.1-foot variance that would allow the rebuilt backroom to be 2.2 feet from the property line. The 1.1-foot variance would allow a side wall of the rebuilt backroom to be in line with the existing kitchen pocket door. Moving that wall any further away from the property line would require extensive renovations to the kitchen.

Variance Standards

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

The existing house, including the backroom, is already within the 3.3-foot side yard setback.

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 want to move the backroom an additional 1.1 feet from the property line. The increased distance will positively impact the amount of light and air between our house and our neighbor's house. Our backyard and our neighbor's backyard are very large and there is plenty of open space.

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.

We want a side wall of the rebuilt backroom to be in line with the existing kitchen pocket door. Moving the wall any further away from the property line would require us to move the pocket door, as well as the stove and kitchen cabinets that are adjacent to the pocket door. Doing that would require extensive reconfiguring and remodeling of the kitchen, which we substantially renovated eight years ago. In addition, a reconfigured kitchen would not accommodate our existing appliances and cabinets and thereby negatively affect useability of the kitchen. Therefore, compliance with the 3.3-foot setback would be 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 terms of the ordinance require a 3.3-foot setback. As noted above, compliance with the ordinance would require extensive reconfiguring and remodeling of the kitchen.

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

The existing house, including the backroom, is already within the setback and there is no detriment to light or air. In addition, moving the rebuilt backroom 1.1 feet further away from the property line will have a positive impact on the amount of light air between the houses.

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

It is very typical for houses within our neighborhood to be very close together and within the setback.

Plat of Survey

Legal Description of Record: Document No. 4697575

The Northeast $\frac{1}{2}$ of Lot Sixteen (16), Block Two Hundred Twenty-eight (228), Original Plat, in the City of Madison, Dane County, Wisconsin.

Notes:

- 1. Building dimensions and associated offset distances were measured along the outside of the siding.
- 2. This parcel may be subject to, or benefit from, Easements or agreements, written or otherwise, not shown hereon.

LEGEND

- SOLID IRON ROD FOUND (0.75" Dia. unless noted)
- ⊙ IRON PIPE FOUND (1.25" Outside Diam. unless Noted)
- ⌞ SET CUT 'T' NOTCH IN CONCRETE (NEXT TO CURB)

() INDICATES RECORDED AS
DISTANCES ARE MEASURED TO THE
NEAREST HUNDREDTH OF A FOOT.

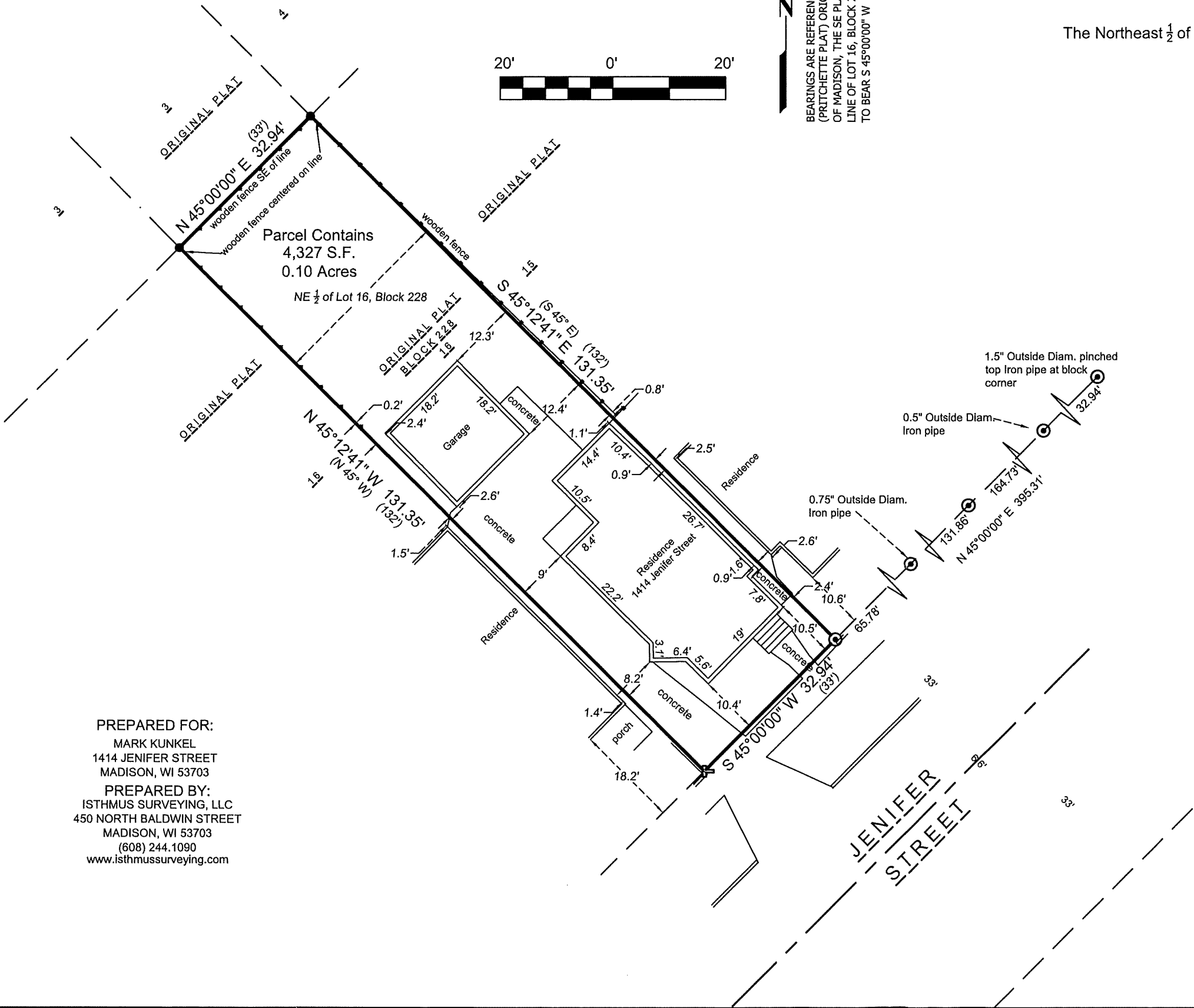
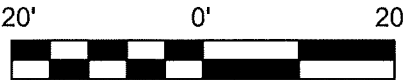
SURVEYOR'S CERTIFICATE

I, Paul A. Spetz, registered land surveyor for Isthmus Surveying LLC, hereby certify that we surveyed the property described above and that the map is a true representation thereof and shows the size and location of the property, visible improvements, potential encroachments and it's exterior boundaries. Said survey meets the minimum standards for property surveys of the Wisconsin Administrative Code (A-E7) and the map hereon is correct to the best of my knowledge and belief. This Survey is solely for the use of the present owners of the property at the date below.

Dated this 9th Day of June, 2023: Paul A. Spetz, S 2525



BEARINGS ARE REFERENCED TO THE
(PRITCHETTE PLAT) ORIGINAL PLAT
OF MADISON, THE SE PLATTED BOUNDARY
LINE OF LOT 16, BLOCK 228 ASSUMED
TO BEAR S 45°00'00" W



PREPARED FOR:
MARK KUNKEL
1414 JENIFER STREET
MADISON, WI 53703

PREPARED BY:
ISTHMUS SURVEYING, LLC
450 NORTH BALDWIN STREET
MADISON, WI 53703
(608) 244.1090
www.isthmussurveying.com

Site Plan

Legal Description of Record: Document No. 4697575

The Northeast $\frac{1}{2}$ of Lot Sixteen (16), Block Two Hundred Twenty-eight (228), Original Plat, in the City of Madison, Dane County, Wisconsin.

Notes:

1. Building dimensions and associated offset distances were measured along the outside of the siding. Proposed dimensions are to foundation walls.
2. This parcel may be subject to, or benefit from, Easements or agreements, written or otherwise, not shown hereon.

LEGEND

- SOLID IRON ROD FOUND (0.75" Dia. unless noted)
- ⊙ IRON PIPE FOUND (1.25" Outside Diam. unless Noted)
- ⊢ CUT 'T' NOTCH IN CONCRETE (NEXT TO CURB)

() INDICATES RECORDED AS
DISTANCES ARE MEASURED TO THE
NEAREST HUNDREDTH OF A FOOT.

I, Paul A. Spetz, Wisconsin Registered Land Surveyor No. 2525, of Isthmus Surveying LLC, hereby certify that, to the best of my knowledge and belief, this site plan is a correct representation of the existing conditions and proposed addition, on said site.

Paul A. Spetz S. 2525 Dated: August 23, 2023



Side Setback Variance
for Addition to Single
Family House

Required 3.3'
Proposed 2.2'

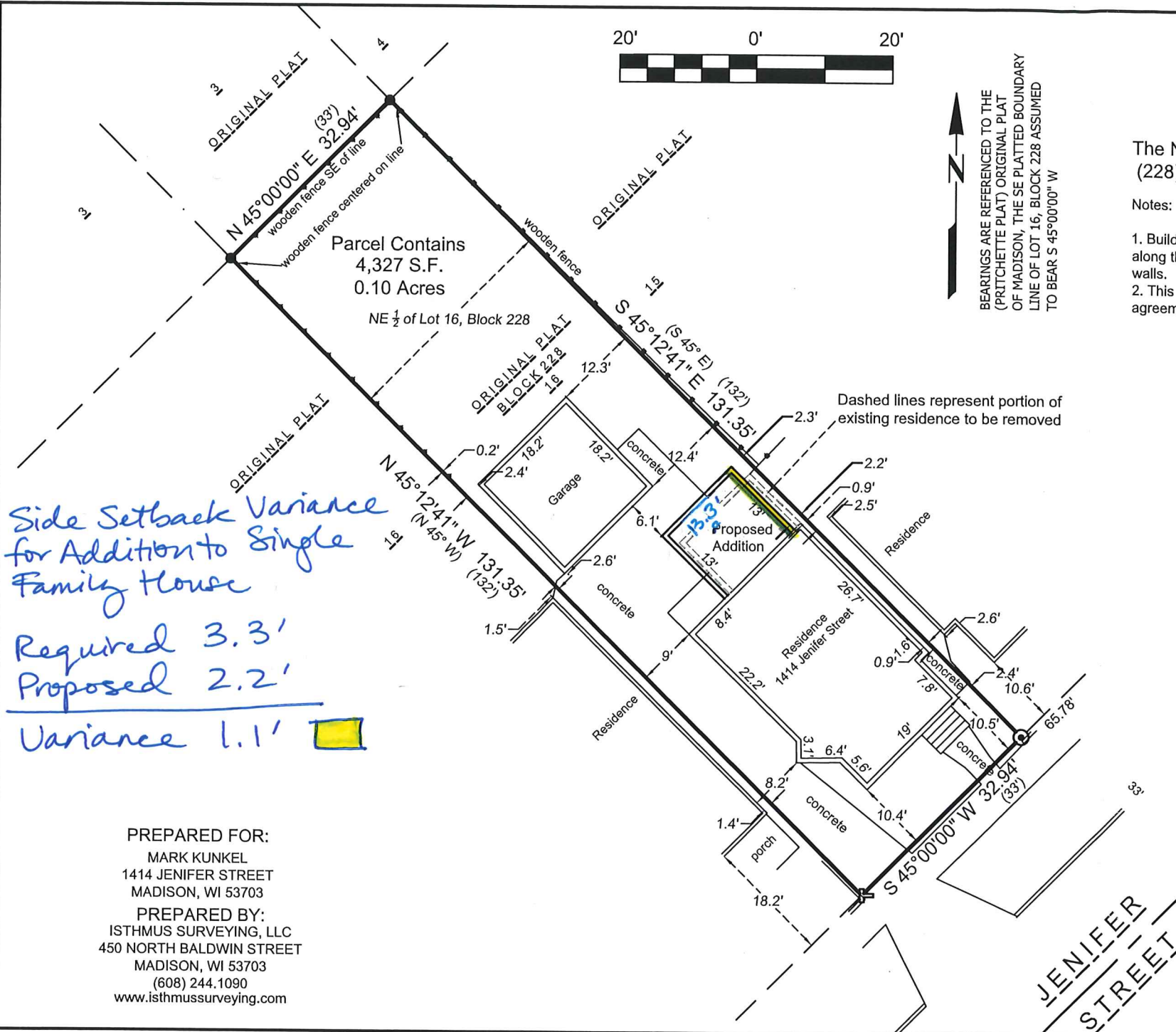
Variance 1.1'

PREPARED FOR:

MARK KUNKEL
1414 JENIFER STREET
MADISON, WI 53703

PREPARED BY:

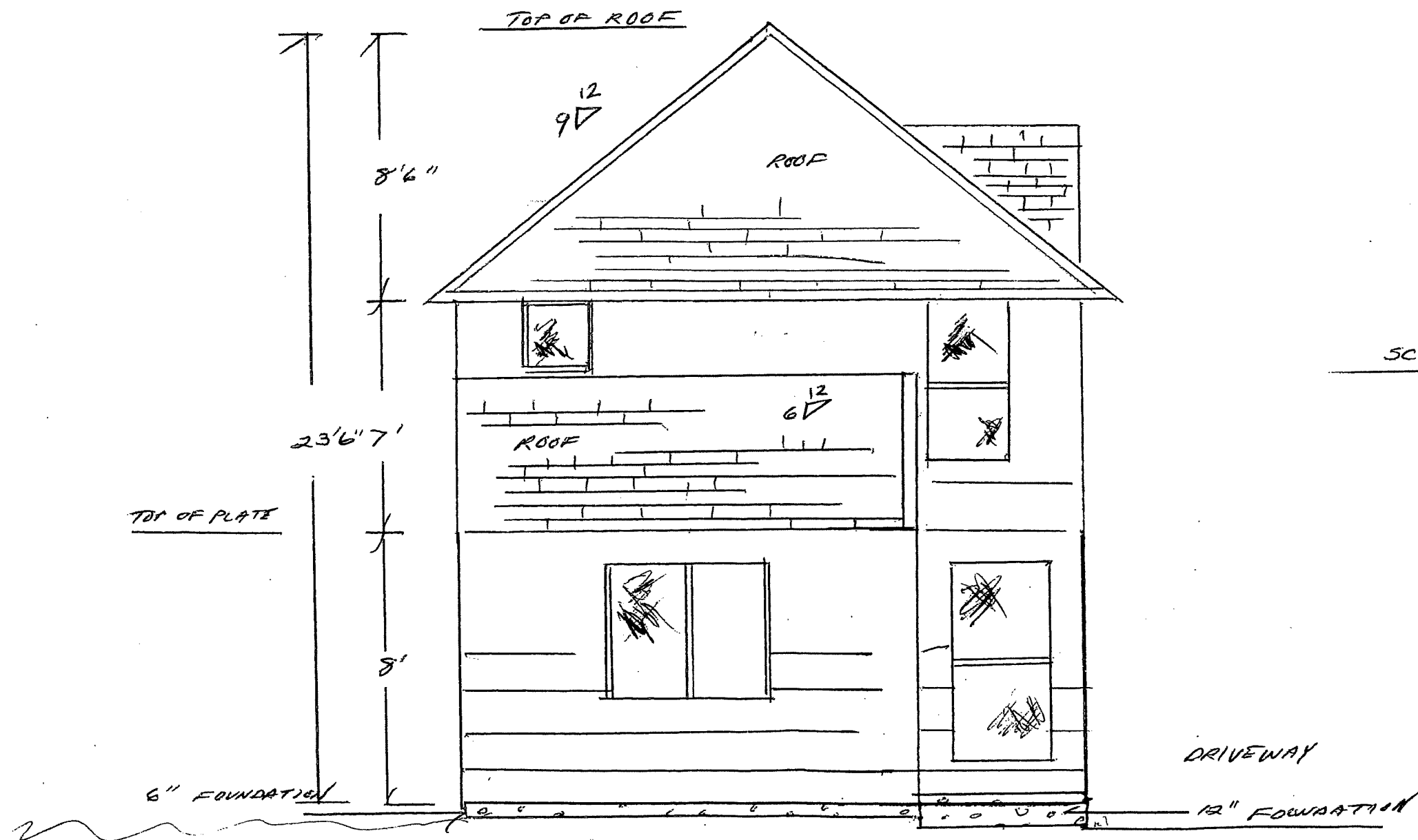
ISTHMUS SURVEYING, LLC
450 NORTH BALDWIN STREET
MADISON, WI 53703
(608) 244.1090
www.isthmussurveying.com



KUNKEL

1414 JENNIFER ST.
MADISON, WIS 53703

REAR ELEVATION
Existing

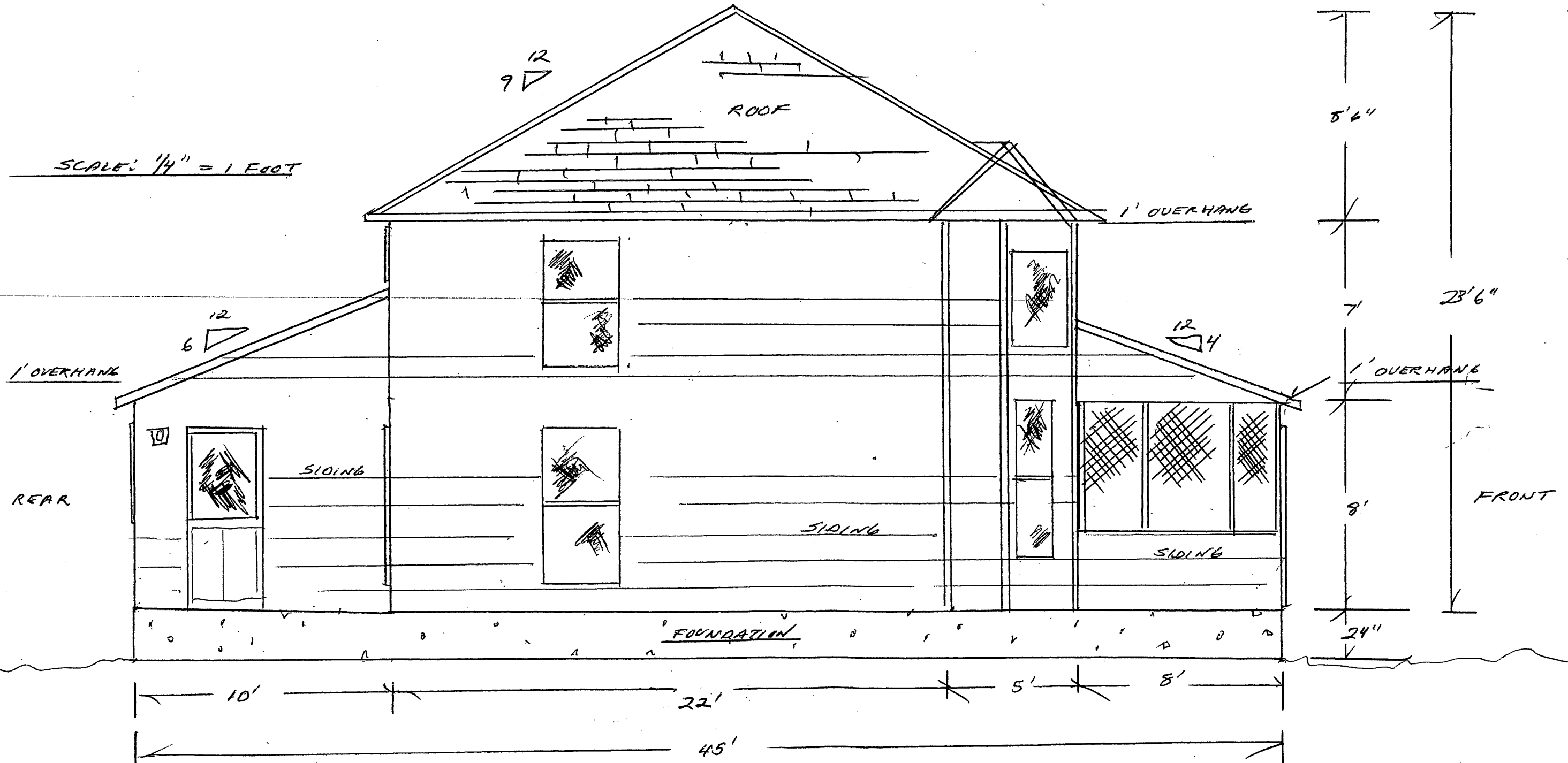


SCALE: 1/4" = 1 FOOT

KUNKEL
1414 JENNIFER ST.
MADISON, WIS. 53703

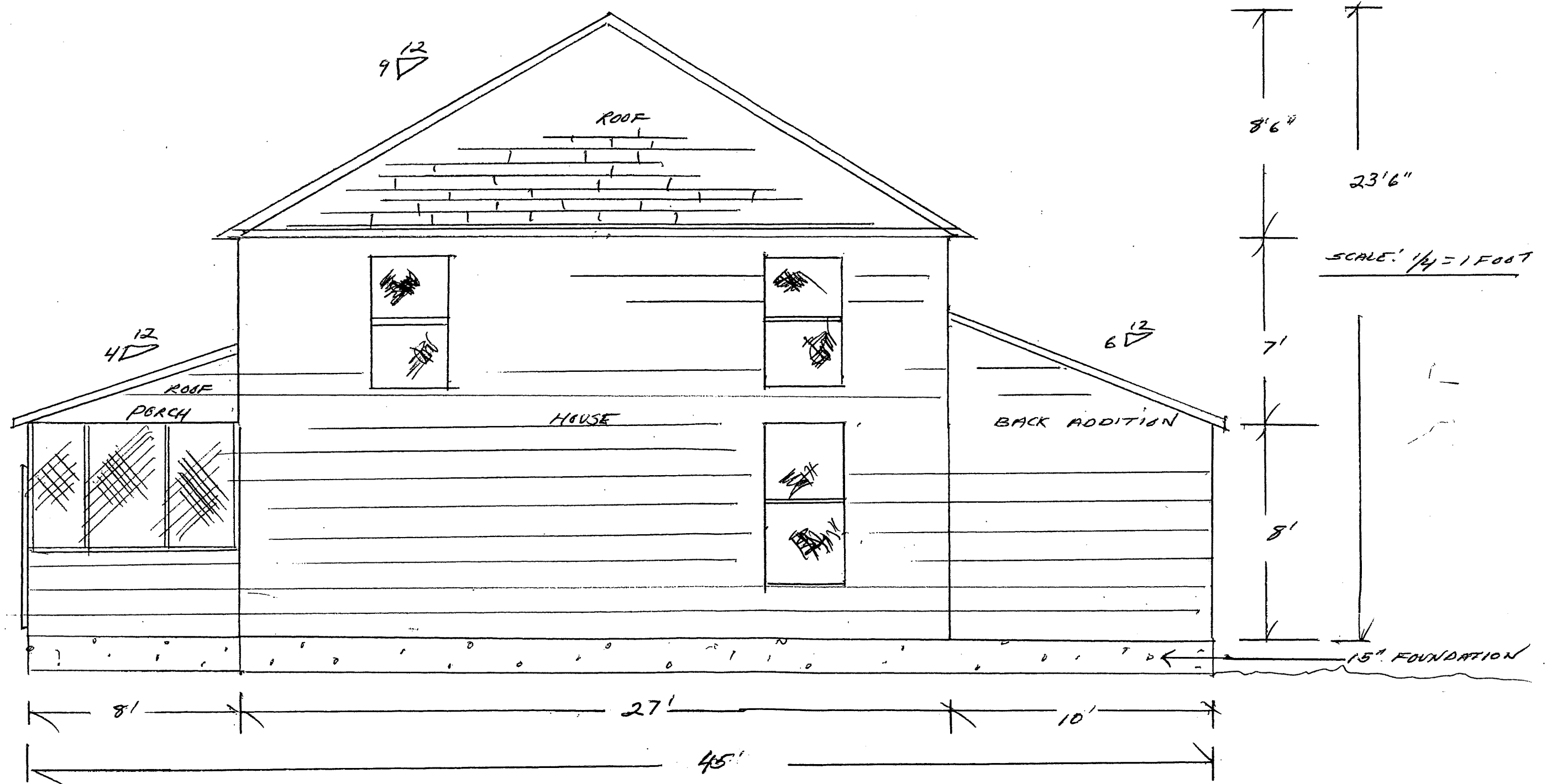
RIGHT ELEVATION
Existing

SCALE: $\frac{1}{4}" = 1 \text{ FOOT}$



KUNKEL
1414 JENNIFER ST.
MADISON, WIS. 53703

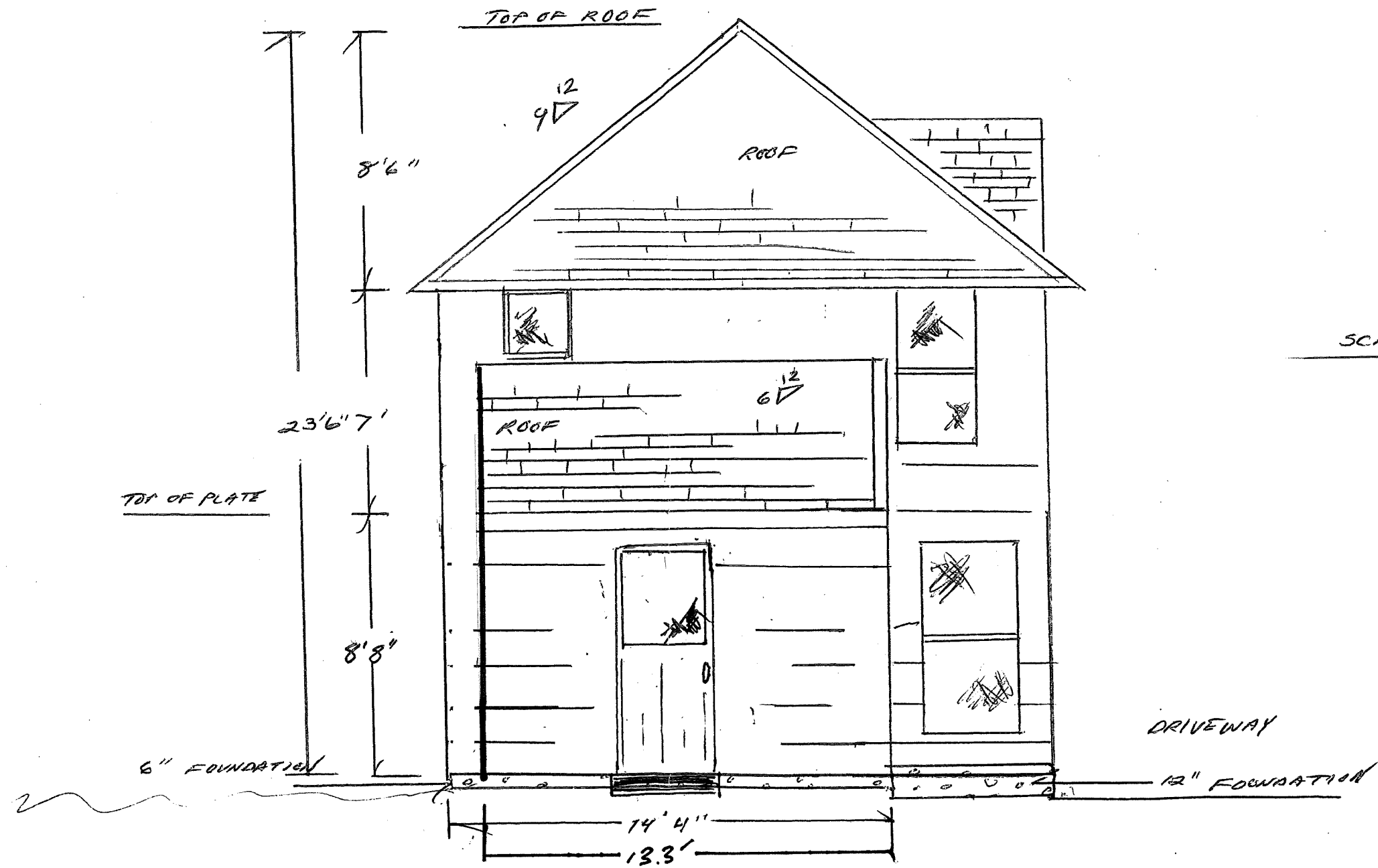
LEFT ELEVATION
Existing



KUNKEL

1414 JENNIFER ST.
MADISON, WIS 53703

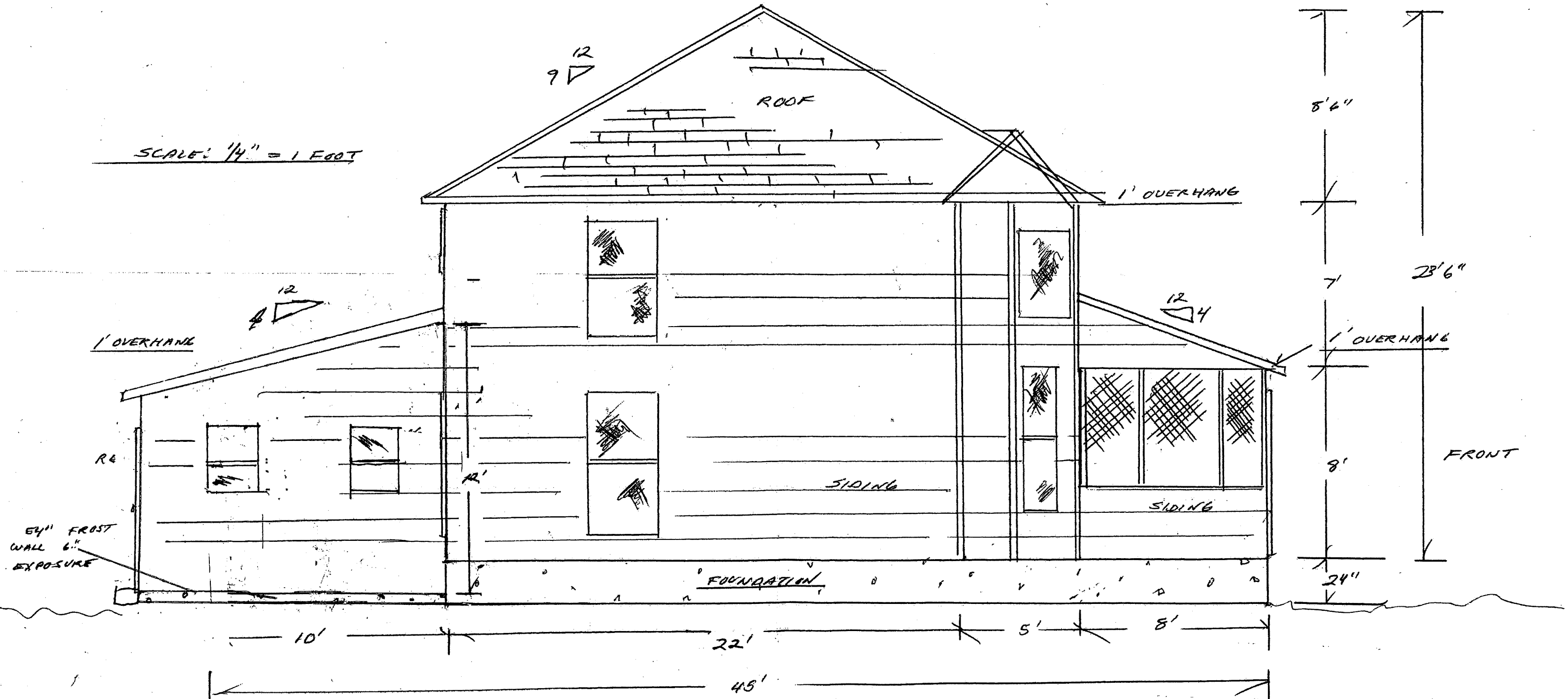
REAR ELEVATION
Proposed



KUNKEL
1414 JENNIFER ST.
MADISON, WIS. 53703

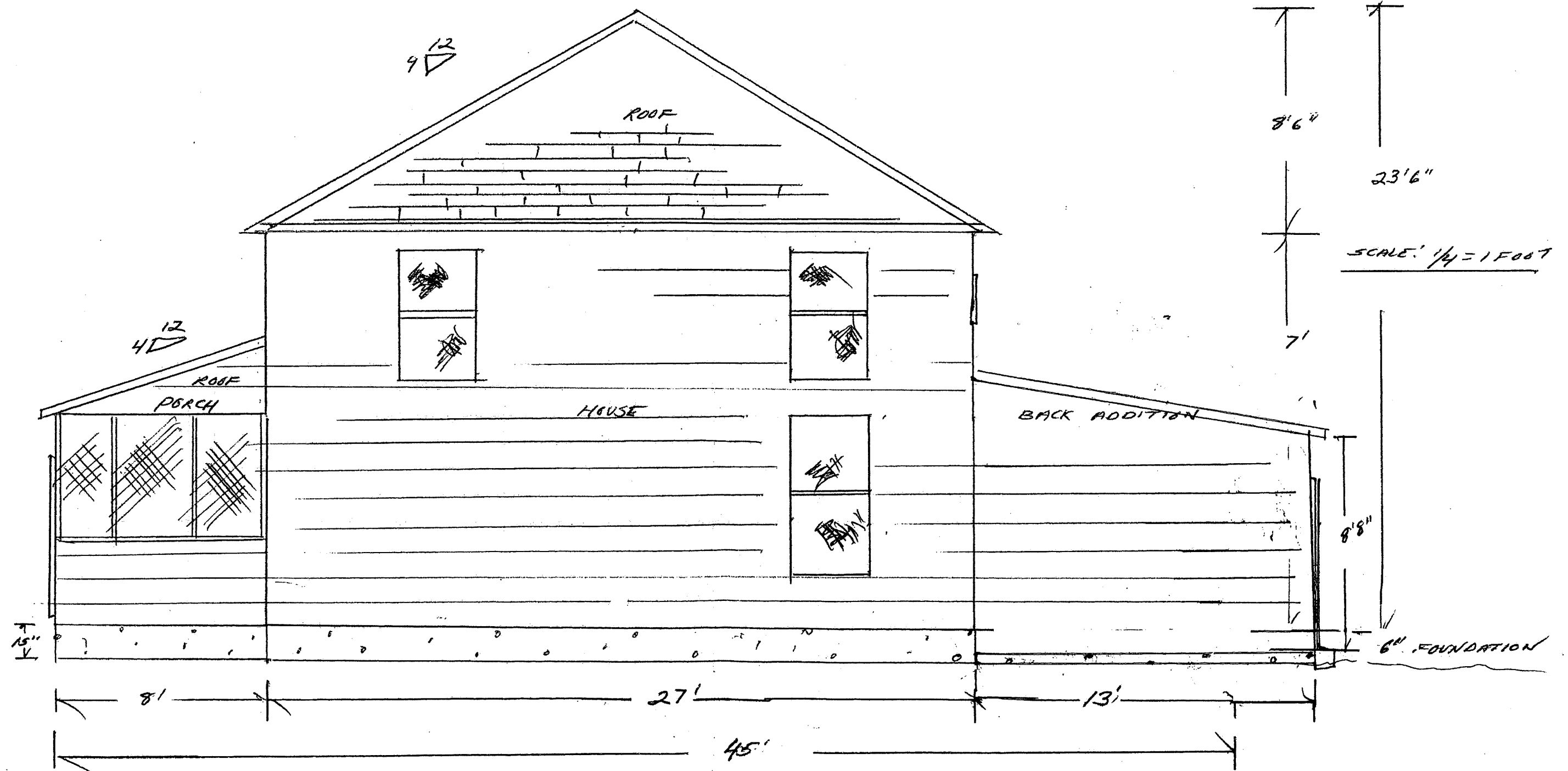
RIGHT ELEVATION
Proposed

SCALE: $\frac{1}{4}" = 1 \text{ FOOT}$



KUNKEL
1414 JENNIFER ST.
MADISON, WIS. 53703

LEFT ELEVATION
Proposed



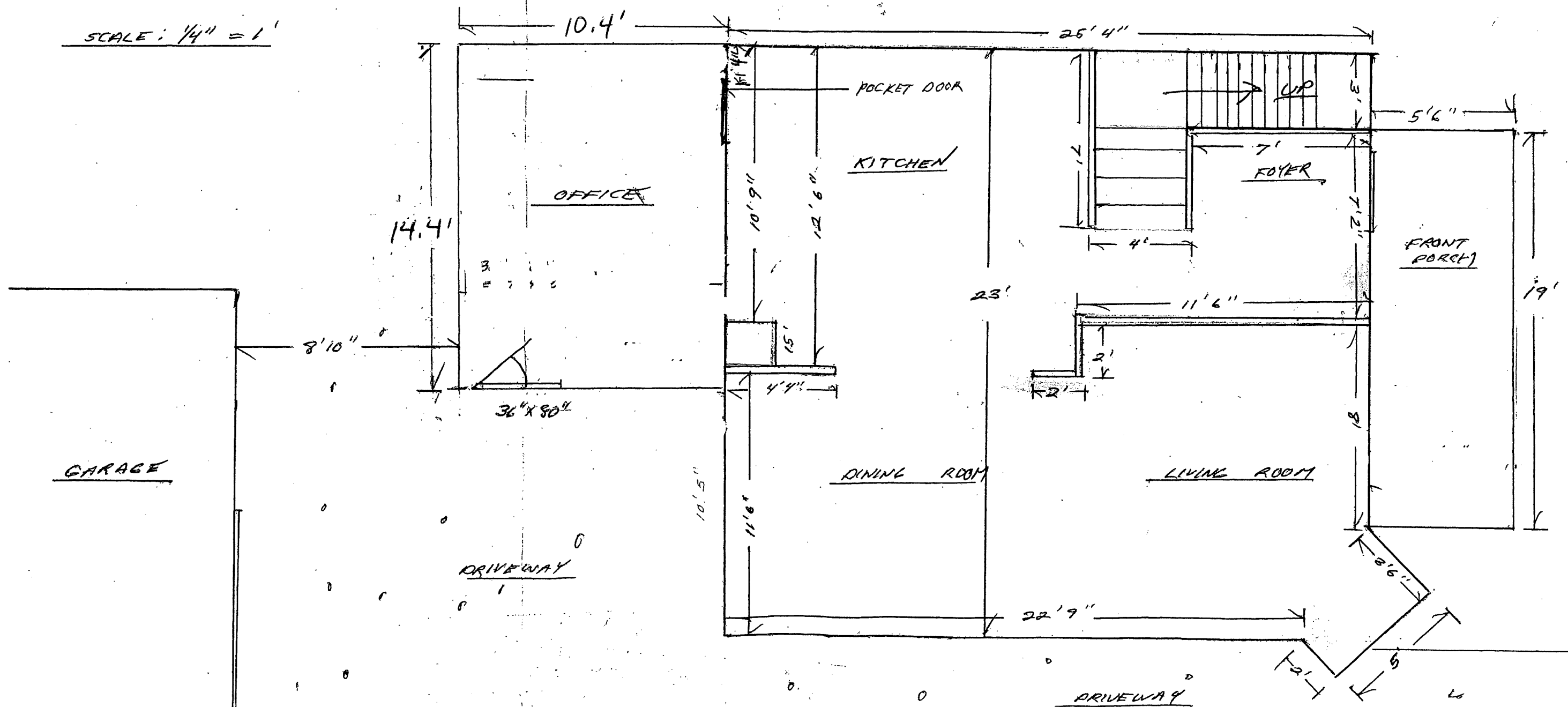
KUNKEL RESIDENCE
1414 JENNIFER ST.
MADISON, WIS. 53704

1ST FLOOR LAYOUT
1414 JENNIFER ST.

Existing

NORTH
↑

SCALE: 1/4" = 1'



KUNKEL RESIDENCE
1414 JENNIFER ST.
MADISON, WIS. 53704

1ST FLOOR LAYOUT
1414 JENNIFER ST.

PROPOSAL RE-DO OFFICE
WITH BATHROOM

NORTH

48" FOUNDATION
WITH 6 MIL VAPOR BARRIER

SCALE: $\frac{1}{4}'' = 1'$

