



**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: 206 N. SPOONER ST.

Name of Owner: RAPHAEL KADUSHIN

Address of Owner (if different than above): _____

Daytime Phone: 608-263-1062 Evening Phone: 608-233-1165

Email Address: KADUSHIN@WISC.EDU

Name of Applicant (Owner's Representative): JEFF GAARD

Address of Applicant: 1722 SUMMIT AVE. / MADISON, WI 53726

Daytime Phone: 608-445-9165 Evening Phone: 608-445-9165

Email Address: JEFFGAARD@GMAIL.COM

Description of Requested Variance: SINGLE-STORY GARAGE:

5' SIDE YARD SETBACK (PROPOSED SETBACKS SHOWN ON DRAWINGS)

20' REAR YARD SETBACK " "

~~HEIGHT OF GARAGE/WORKSPACE ADDITION (EXCEEDS 15' FOR~~
~~ACCIDENT BUILDING)~~

BAY WINDOW ADDITION IN REAR YARD:

20' REAR YARD SETBACK

(See reverse side for more instructions)

FOR OFFICE USE ONLY	
Amount Paid: <u>300</u>	Hearing Date: <u>2/26/15</u>
Receipt: <u>600916 0002</u>	Published Date: <u>2/19/15</u>
Filing Date: <u>2/15/15</u>	Appeal Number: _____
Received By: <u>PRK</u>	GQ: <u>OK - GHHO</u>
Parcel Number: <u>0709-221-2011-9</u>	Code Section(s): <u>28.044 (2)</u>
Zoning District: <u>TR-C3 HIS-011</u>	
Alder District: <u>5</u>	

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 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 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:** 10/26/14

----- (Do not write below this line/For Office Use Only) -----

DECISION

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: Approved Denied Conditionally Approved

Zoning Board of Appeals Chair:

Date:

February 5, 2015

To:
Madison Zoning Board of Appeals
215 Martin Luther King Jr. Blvd.
Room LL100, P.O. Box 2985
Madison, WI 53701-2985

Project Name: Kadushin Residence - Garage Addition and Renovations
Project Location: 206 North Spooner Street; Madison, WI
Requested Meeting Date: February 26, 2015

Members of Zoning Board of Appeals,
Attached to this Letter of Intent are materials for the upcoming February 26, 2015 Meeting Date. Included are drawings, showing demolition of existing garage and proposed new garage; photos of subject house and other properties within University Heights; and Madison Zoning Board of Appeals Variance Application.

Standards for Variance:

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

In a neighborhood with many small lots, lot size of subject property is unusually small (under 3,500 SF) as it was subdivided many years ago from a larger lot. The small lot size prevents construction of a detached accessory 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.*

Though the proposed addition clearly exceeds current setback requirements, it is not contrary to the public interest. In fact, many properties in the neighborhood have garages or portions of the house itself that are closer to side and rear lot lines than permitted by current zoning rules. Rather than compromising zoning intent, the as-built conditions in the neighborhood are simply part of its eclectic nature. The garage is sited such that it is more than 40' away from neighboring houses.

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.*

As evidenced by the color-coded sketch prepared by City staff, strict compliance would prevent reconstruction of not only the proposed garage, but of the existing garage's current design and footprint. Strict compliance would prevent the homeowner from rebuilding a single car garage that has significant structural deficiencies.

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 were written after the subject property was subdivided into its current configuration of under 3,500 SF. Also, the terms of the ordinance were written after the neighborhood was substantially built out. Many properties in the neighborhood have structures, both attached and detached, that if built today would require variances to construct.

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

There is not a detriment to adjacent property. In fact, the neighbor most affected by the proposed addition is in support: "My garage is located next to theirs. After reviewing the plans, I can strongly affirm that the expansion will enhance both their garage and house. The proposed design certainly works seamlessly with the original architecture of the house and will add curb appeal to the entire block...I urge the Zoning Board of Appeals to approve the proposal for 206 North Spooner." Kathleen Ricci; 177 N. Prospect Ave.; November 4, 2014

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

In response to concerns expressed at the December 4, 2014 ZBA meeting, plans for a second floor above the garage have been deleted. Instead, a straightforward replacement of the existing garage is proposed.

Also requested is approval for rear yard setback encroachment of bay windows on first and second floors.

In keeping with the character of the house, the proposed garage and bay window structure:

- Will match the wood siding of the house, including lap dimension
- Will have garage door and windows consistent in architectural character with details of the house
- Will match roof pitch with house roof
- Will have asphalt shingles similar to house shingles
- Will have decorative wood rafter tails matching rafter tails of house

Dimensional characteristics:

- Including footprint of proposed garage, lot coverage of all built construction will be 40%, well below code maximum lot coverage. (1,380 SF construction / 3,443 SF lot = 40%)
- Proposed rear yard open space will be 752 SF, in excess of code minimum 500 SF open space.
- Footprint of proposed garage is slightly larger than existing garage, though matches current side and rear yard setbacks to property lines (13" and 12" respectively).

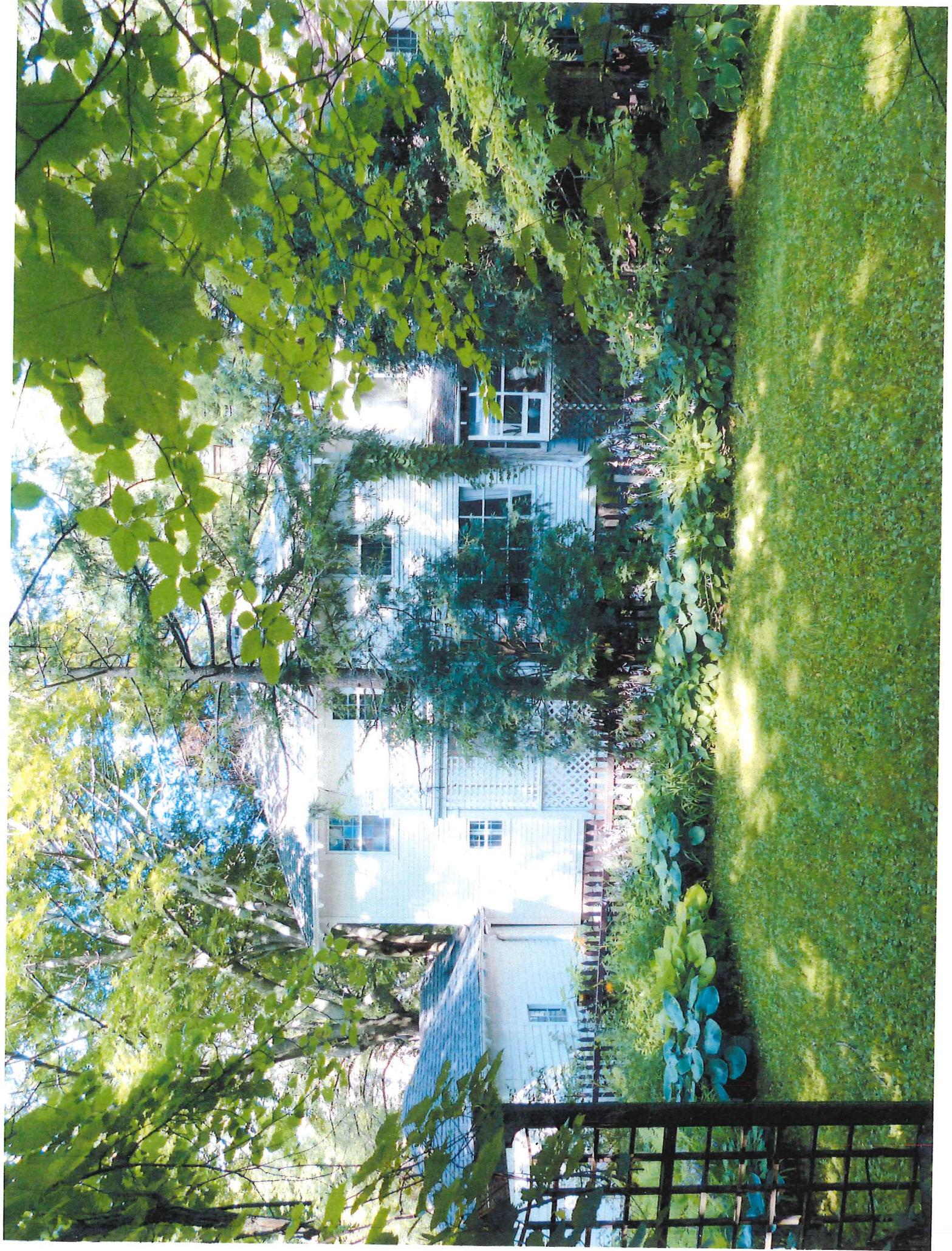
I look forward to meeting with ZBA, with the goal of respecting the intent of the zoning ordinance while replacing current garage that is in poor condition. Thank you for your consideration.

Sincerely,



Jeff Gaard, AIA
jeffgaard@gmail.com

(608) 445-9165



REVISIONS

ZONING INFORMATION

TRC3 ZONING AREA
 3,443 SF LOT
 752 SF BACK YARD
 1380 SF NEW BUILT
 COVERAGE = 40%

TYPICAL WALL
 CONSTRUCTION (MEETS
 3/4 HOUR FIRE RATING):
 2x6 WD STUD WALL W/
 P.T. LAP WD SIDING, TYVEK
 HOUSEWRAP, 7/8" O.S.B.
 SHEATHING, R-19 BATT
 INSULATION, 4 MIL VAPOR
 BARRIER, 1/2" GYP BD

TYPICAL WINDOWS:
 MARVIN CLAD ULTIMATE
 DOUBLE HUNG W/
 SIMULATED DIVIDED LITE
 WITH SPACER BAR (SDLS)

2-Story Single Family Home
Attached Single-Story Addition
(Garage)
 Side Yard
 5'-0" Required
 1'-11" Provided
 3'-11" Variance
 Rear Yard
 20'-0" Required
 1'-0" Provided
 19'-0" Variance

KADUSHIN GARAGE ADDITION

206 North Spooner Street
 Madison, WI 53726

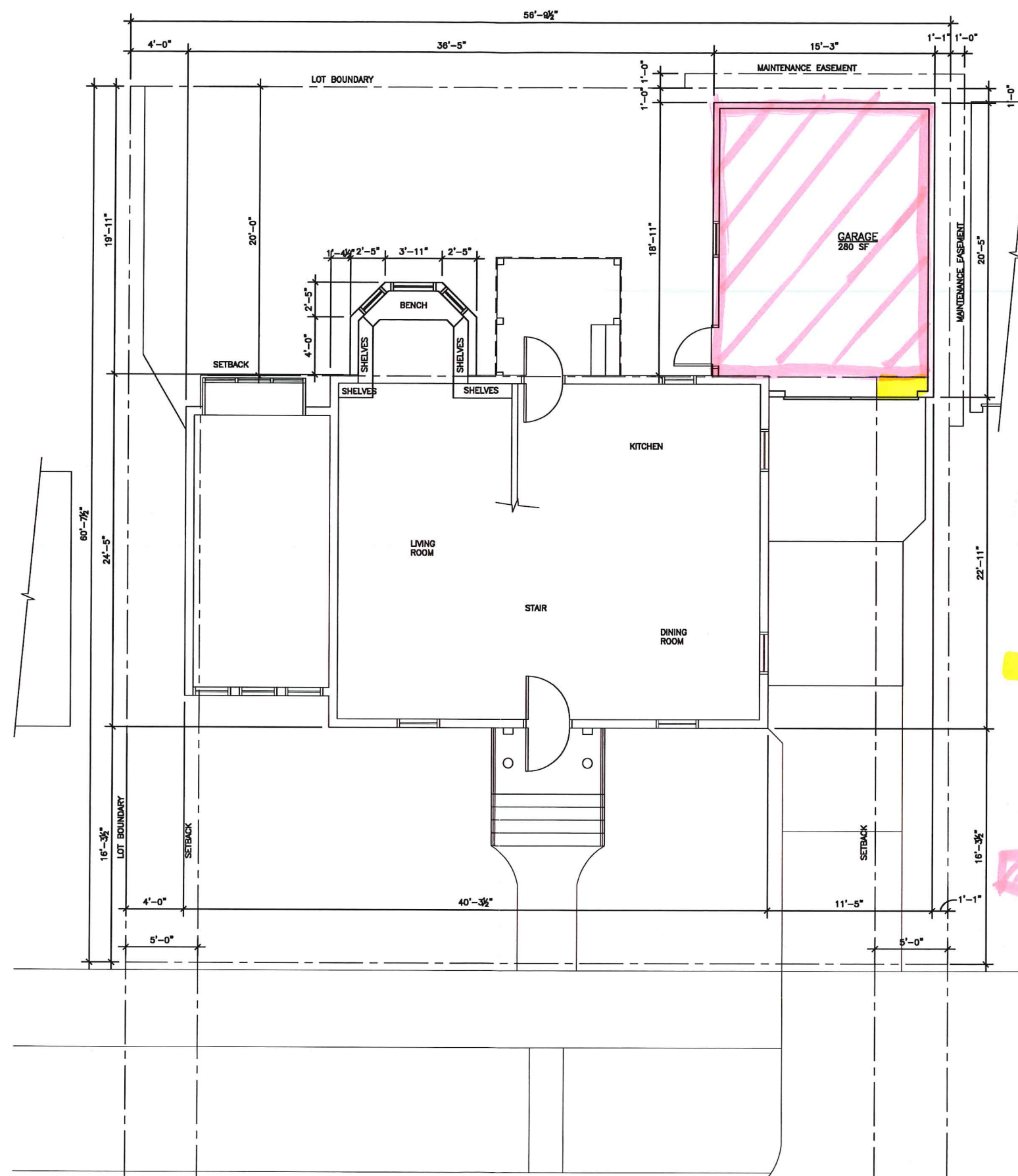
Jeff Gaard - SZK Designs

1/4"=1'-0"

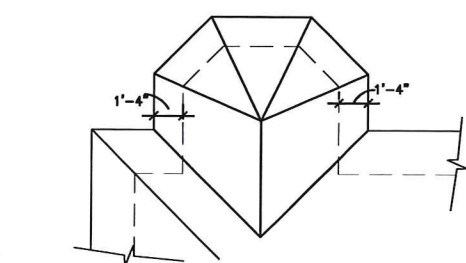
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A1

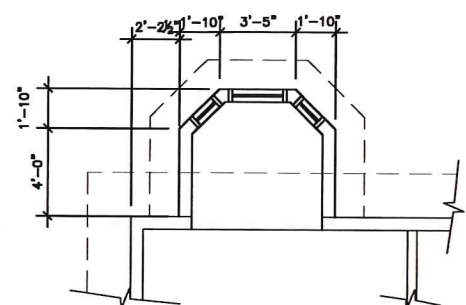
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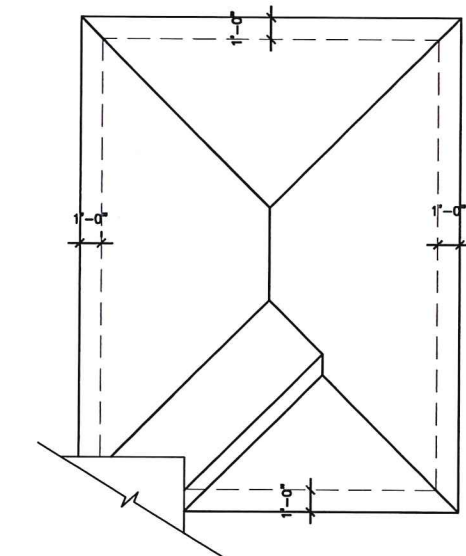
1 FIRST FLOOR PLAN
 1/4"=1'-0"



2 ROOF PLAN
 1/4"=1'-0"



3 SECOND FLOOR PLAN
 1/4"=1'-0"



4 ROOF PLAN
 1/4"=1'-0"

REVISIONS

KADUSHIN GARAGE ADDITION

206 North Spooner Street
Madison, WI 53726

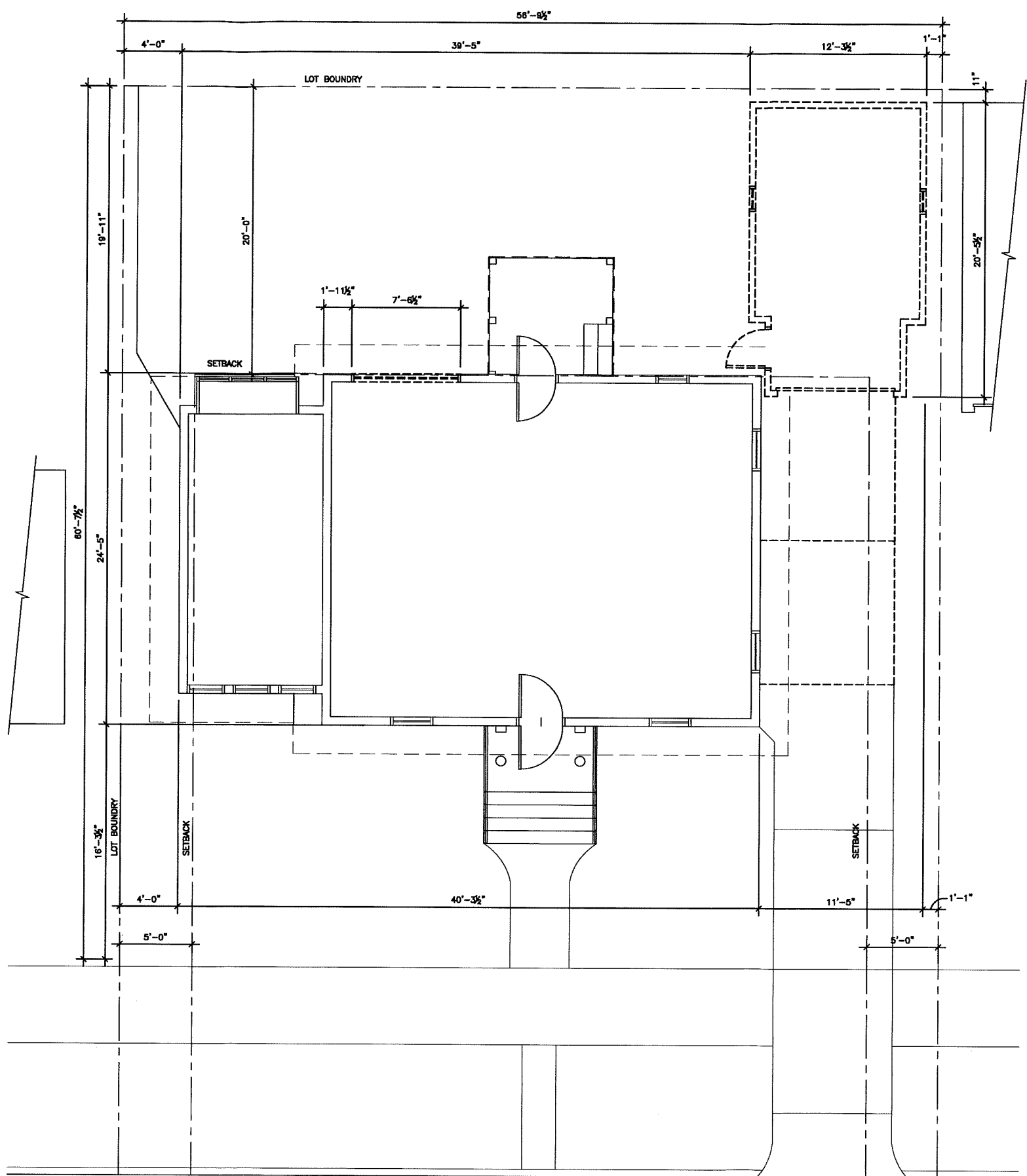
Jeff Gaard - SZK Designs

1/4"=1'-0"

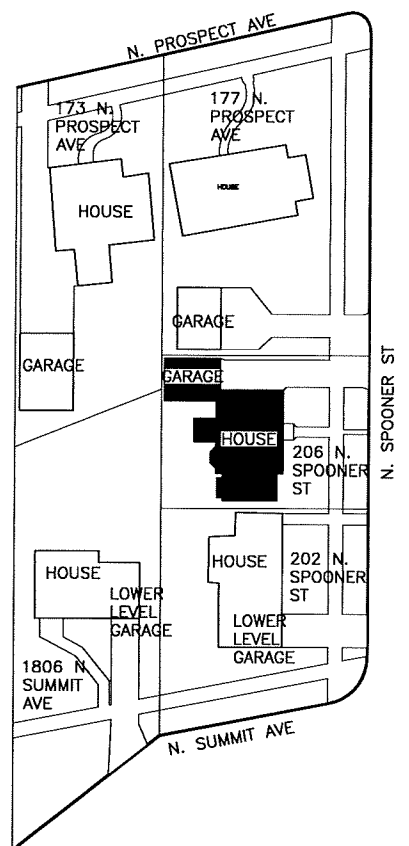
2/5/15

D1

00101



1 FIRST FLOOR DEMO PLAN
1/4"=1'-0"

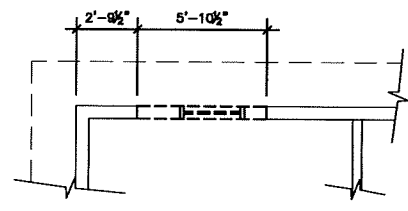


2 NEIGHBORHOOD BLOCK PLAN
NTS

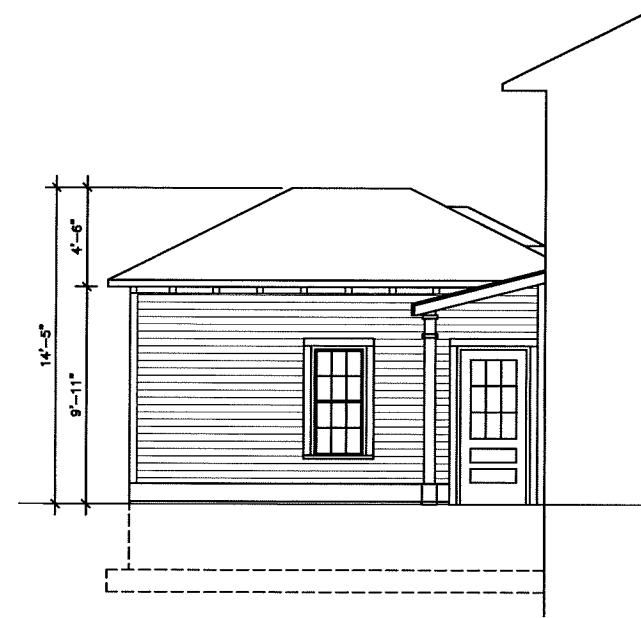


3 NEIGHBORHOOD SITE PLAN
NTS

4 SECOND FLR DEMO PLAN
1/4"=1'-0"



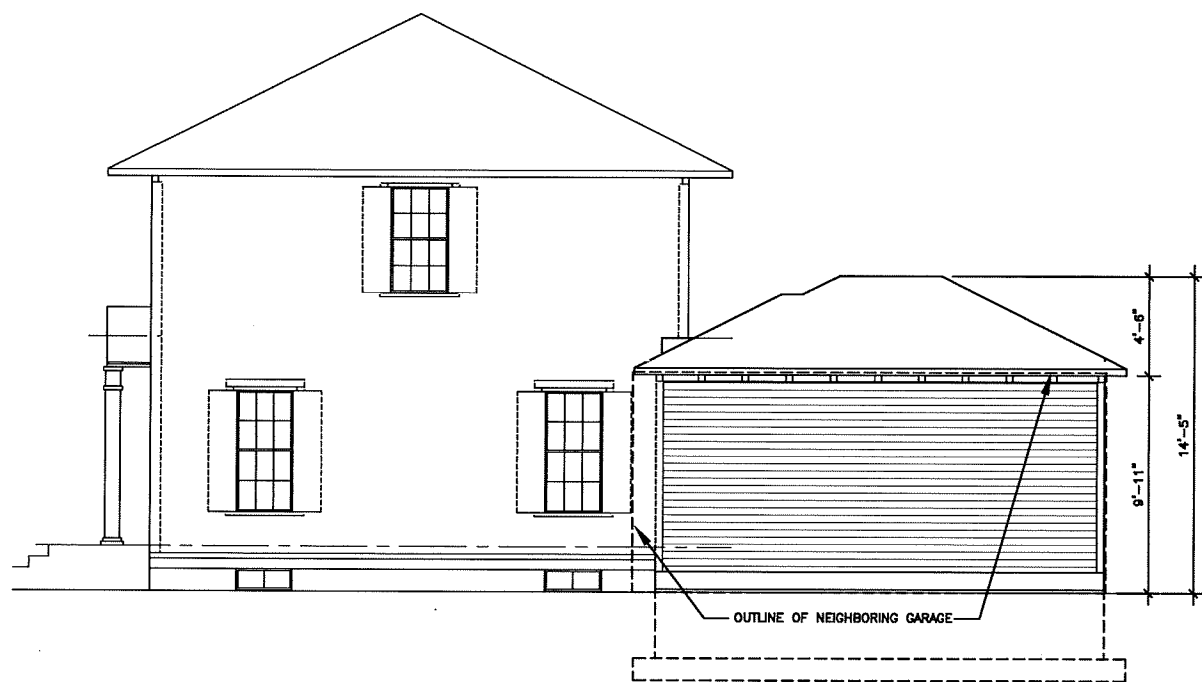
REVISIONS



4 SOUTH EXTERIOR ELEVATION
1/4"=1'-0"



3 WEST EXTERIOR ELEVATION
1/4"=1'-0"



2 NORTH EXTERIOR ELEVATION
1/4"=1'-0"



1 EAST EXTERIOR ELEVATION
1/4"=1'-0"

KADUSHIN GARAGE ADDITION

206 North Spooner Street
Madison, WI 53726

Jeff Gaard - SZK Designs

1/4"=1'-0"

2/5/15

A2

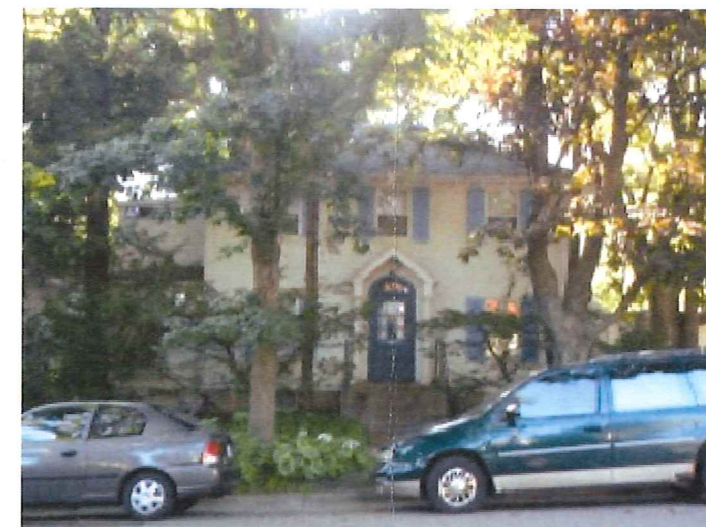
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202 N SPOONER ST



126 N SPOONER ST
(ROOM ABOVE GARAGE)



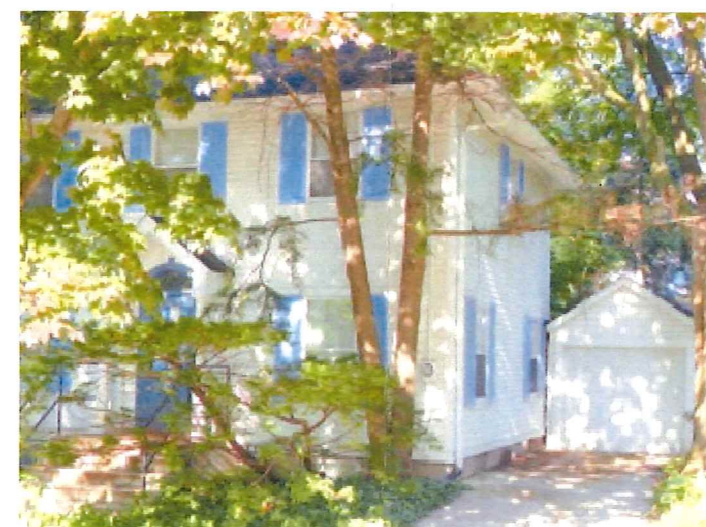
FRONT ELEVATION



207 N SPOONER ST



177 N PROSPECT



HOUSE GARAGE VIEW



211 N SPOONER ST



ARLINGTON PLACE
(ROOM ABOVE GARAGE)



REAR ELEVATION

REVISIONS

KADUSHIN GARAGE ADDITION

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Madison, WI 53726

Jeff Gaard - SZK Designs

1/4"=1'-0"

2/5/15

G1

00101

2 NEIGHBORHOOD (ADJACENT HOUSE) PHOTOS

1 SUBJECT HOUSE PHOTOS