



**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: 56 Corry St

Name of Owner: Sector67 Inc.

Address of Owner (if different than above): 2100 Winnebago St
Ste 102

Daytime Phone: 608-241-4605 Evening Phone: 608-241-4605

Email Address: team@sector67.org

Name of Applicant (Owner's Representative): Chris Meyer

Address of Applicant: 2100 Winnebago St
Ste 102

Daytime Phone: 608-241-4605 Evening Phone: 608-241-4605

Email Address: team@sector67.org

Description of Requested Variance:

Sector67 is purchasing a property at 56 Corry St. We're intending to raise the roof to allow for a second floor/mezzanine internally while maintaining the original structure. This work will add on more than 50% to the existing building square footage. The rear yard (west side) of the building is required to be 20' from the property line per code. The building as-built is 13.3' to 13.8' from the west property line - we're requesting a rear yard variance to allow the building to stay in its current location on the existing foundation and footing.

(See reverse side for more instructions)

FOR OFFICE USE ONLY	
Amount Paid: <u>300 -</u>	Hearing Date: _____
Receipt: <u>25377-0002</u>	Published Date: _____
Filing Date: <u>1-19-17</u>	Appeal Number: _____
Received By: <u>mwt</u>	GQ: <u>OK</u>
Parcel Number: <u>0710-061-3305-4</u>	Code Section(s): <u>28.084(3)</u>
Zoning District: <u>TE</u>	_____
Alder District: <u>6-Rummel</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.

We intend to re-use the existing structure on site as it's currently constructed and add-on internally. When the building was originally built the zoning code allowed for its placement on the site. The structure is engineered with a footing, foundation wall, and steel construction that are all inter-connected to make an engineered system that cannot be readily moved.

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 zoning code is meant to protect neighbors from our operations and provide a consistent lay out to commercially operated property. This site is unique in being a corner lot neighboring an active rail line and an unmanned telecommunications operation. The setback is meant as a buffer from our operations to adjacent uses, in this case the neighborhood and adjacent properties are unaffected by the variance requested as sufficient buffer is created by the unique site configuration and adjacent users.

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.

In this case, complying with the 20' required setback (rear/west side of the building) would force us to move or demolish 7' of existing construction, compromising the design intent of the ceiling trusses and requiring the construction of a new foundation wall and footing. These modifications are well in excess of the value of the building given our hope to use the structure in its existing location as engineered. Creating a new foundation would require excavation under the existing structure and re-engineering of the pre-engineered steel structure.

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 building was originally constructed on this site in 1949, at the time it was in full compliance with applicable code and constructed to meet standards. Since its construction, the city has modified the zoning criteria to require a larger setback. Our interest in the property is not to violate applicable zoning but to maximize the reuse of this structure.

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

The adjacent properties are railroad easement and an unmanned telecommunications operation - we feel there is negligible to no impact on these properties from our request.


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

Our variance will allow a building to be updated and energized and yet provide a continuance of what has existed at the site for the past 68 years. New construction or substantial modifications to the structure will not highlight the unique manufacturing history of our east side neighborhoods and will come at a cost in the loss of character and a great expense to become compliant with updated code.

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:** 1/19/17

----- (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: