



**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: 2332 West Lawn Avenue, Madison, WI 53711

Name of Owner: Asifa Bano Quraishi-Landes

Address of Owner (if different than above): _____

Daytime Phone: 608-358-4173 Evening Phone: 608-358-4173

Email Address: asifa@me.com

Name of Applicant (Owner's Representative): Asifa Bano Quraishi-Landes (self)

Address of Applicant: same as above

Daytime Phone: same as above Evening Phone: same as above

Email Address: same as above

Description of Requested Variance: I am requesting a variance to the setback requirement on the northeast side of my home in order to build a deck above my tuck-under garage so that the garage can be still accessible by car. The setback requirement is 6 feet, but the pre-existing house and retaining wall - to which the new deck is attached - is about 4.5 - 5 feet from the property line. The garage doors begin less than one foot from the edge of the house, so placing the deck at the 6 foot setback would block access to the garage such that it could no longer be used for car storage. I therefore request a variance to the 6 foot setback requirement on one side of the house.

(See reverse side for more instructions)

FOR OFFICE USE ONLY	
Amount Paid: <u>\$300</u>	Hearing Date: <u>7-25-13</u>
Receipt: <u>144385</u>	Published Date: <u>7-18-13</u>
Filing Date: <u>6/28/13</u>	Appeal Number: <u>072513-1</u>
Received By: <u>JLR</u>	GQ: <u>ZBA. Ex. C.U.</u>
Parcel Number: <u>0709-281-0248-6</u>	Code Section(s): <u>25.043(2)</u>
Zoning District: <u>TR-C2</u>	
Alder District: <u>13-Sue Ellingson</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.

This property has an unusual tuck-under garage in the back of the house, which makes building a deck off the back of the house according to the standard setback requirements impossible.

The property is also on a slope, which makes comfortable child access to the backyard difficult without a substantial deck.

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 pre-existing house and retaining wall are already outside the current setback requirement, which means that this deck is not expanding the footprint of the property's structures, and is thus not a substantial infringement on the space next to neighboring properties.

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.

Compliance with the letter of the ordinance would render our garage unusable for its intended purpose (car storage), and thus decrease the use and financial value of the home.

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.

Although I was at fault for beginning to build this deck without a permit (for which I sincerely apologize), the difficulty would be the same, had I not done so. The ordinance's terms make it impossible to build a deck off the largest part of the back of my house without blocking access to the garage.

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

The variance would allow the deck to extend about 6 inches to one foot beyond the location of where it would be without the variance. This difference is not substantial enough to be felt by the occupant of the adjacent property and thus does not create a substantial detriment to her.

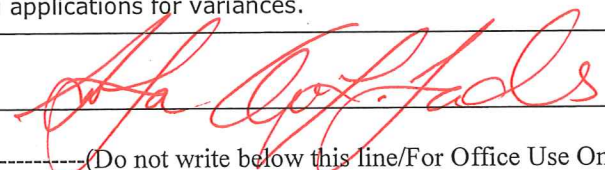
6. The proposed variance shall be compatible with the character of the immediate neighborhood.

The deck is very similar to decks in the neighborhood (indeed on both sides of the property) and the location and style is compatible with the character of the 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"): <ul style="list-style-type: none"> <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 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:** 7-7-13

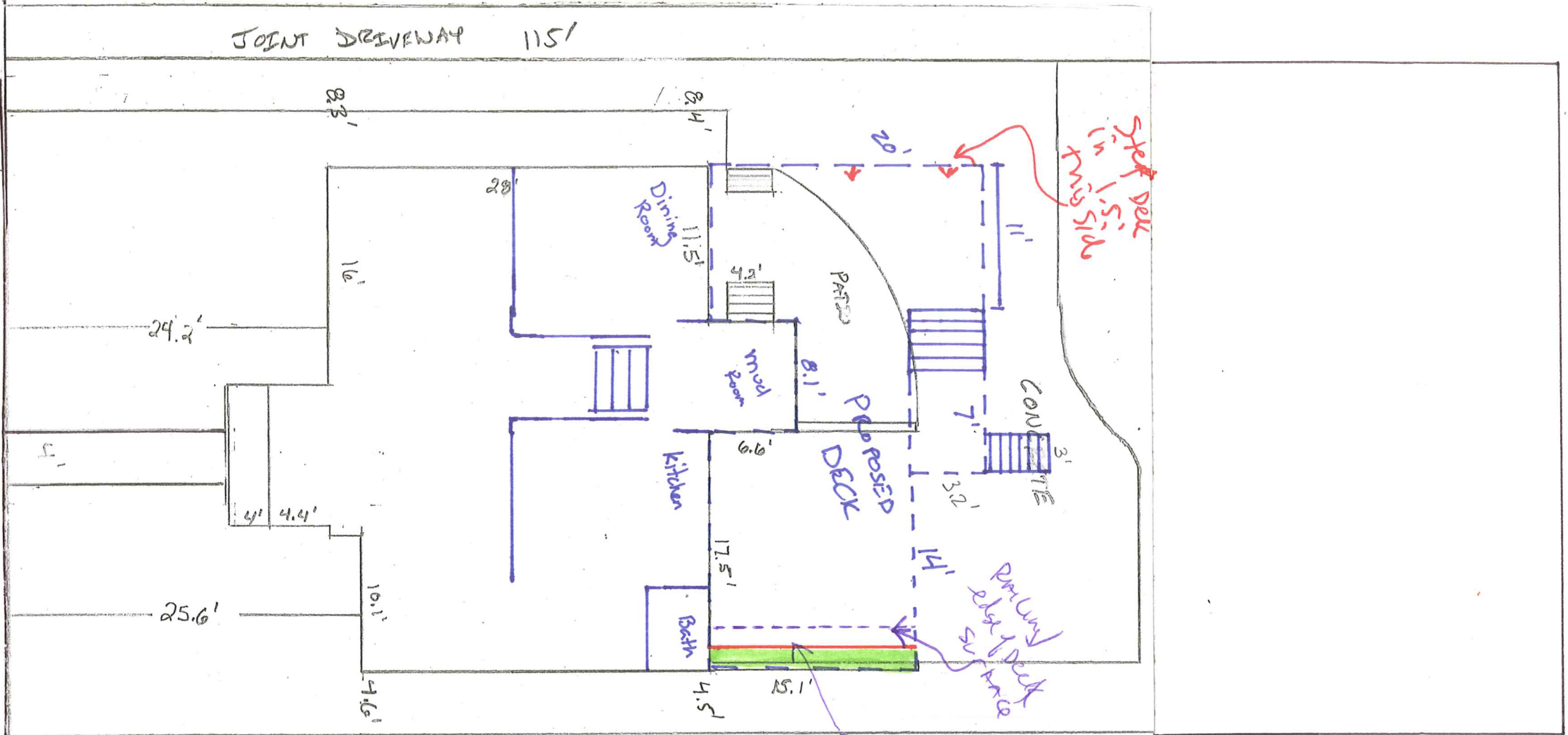
----- (Do not write below this line/For Office Use Only) -----

<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:		

2332 WEST LAWN AVE

50'

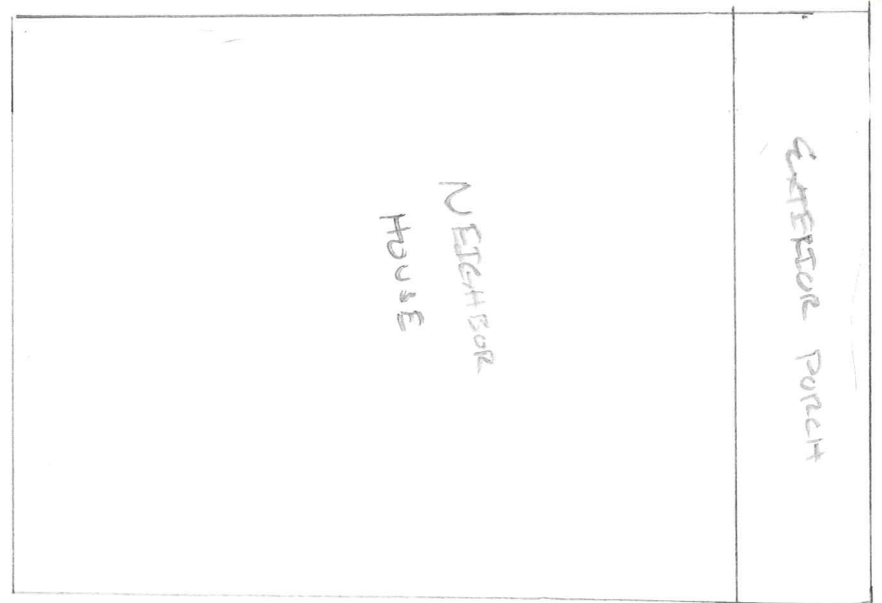
350' TO LEONARD ST.



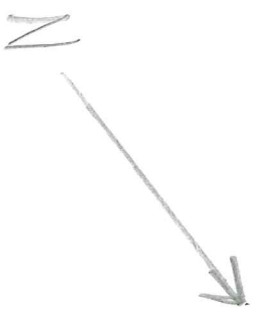
JOINT DRIVEWAY 115'

50'

DIVIDING FENCE



* Only Support Posts and beams in setback.



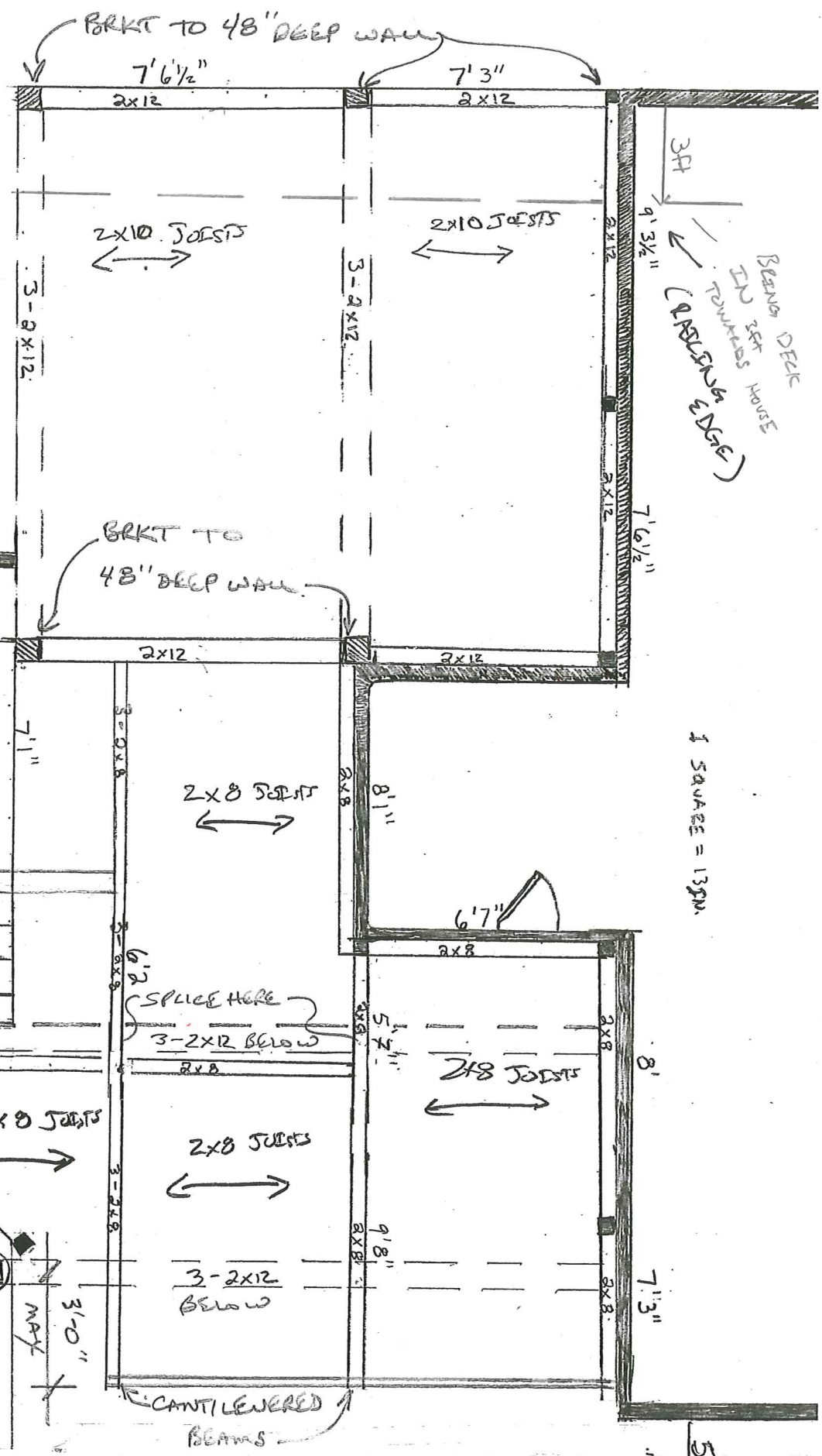
2- Story Single Family Home
Elevated Deck Addition *

Side Yard

6.0' Required

4.5' Provided

1.5' Variance



- Footings 18" DIA X 12" THICK
 X 48" DEEP
 - ALL WOOD IS TREATED

HANDRAILS AND GUARDRAILS PER COMM 21.04 (3)
 HANDRAIL HEIGHT 30.38 INCHES ABOVE NOSE;
 GUARDRAIL HEIGHT 36 INCHES ABOVE FLOOR;
 CONSTRUCTED TO PREVENT PASSAGE OF A SPHERE
 4 INCHES IN DIAMETER

BEARING DECK
 TO HOUSE
 (RAILING EDGE)

1 SQUARE = 135 sqm

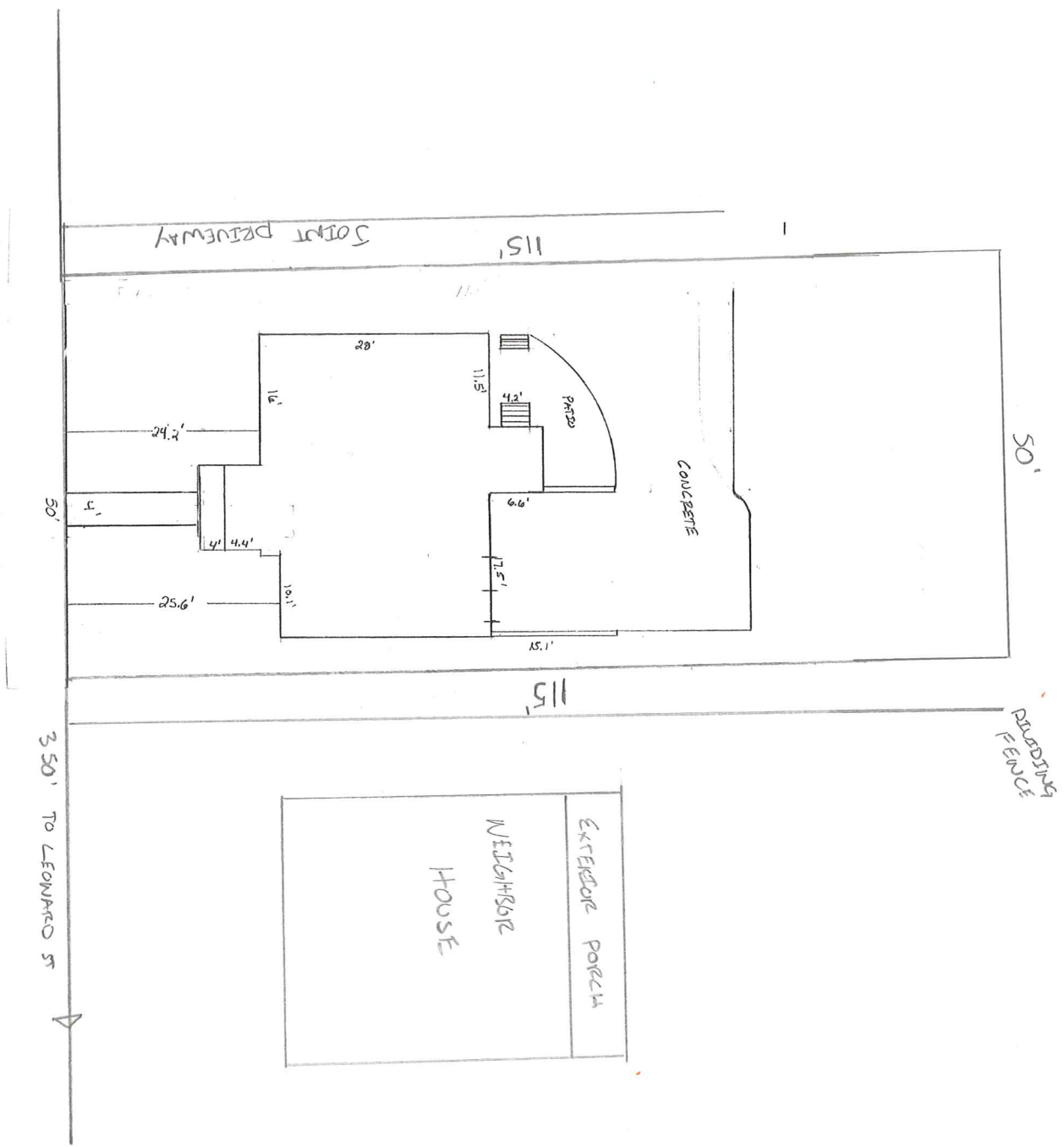
STAIRS PER ILHR 21.04.36" MINIMUM WIDTH;
 6'4" MINIMUM HEADROOM; 8" MAXIMUM RISE;
 9" MINIMUM TREAD

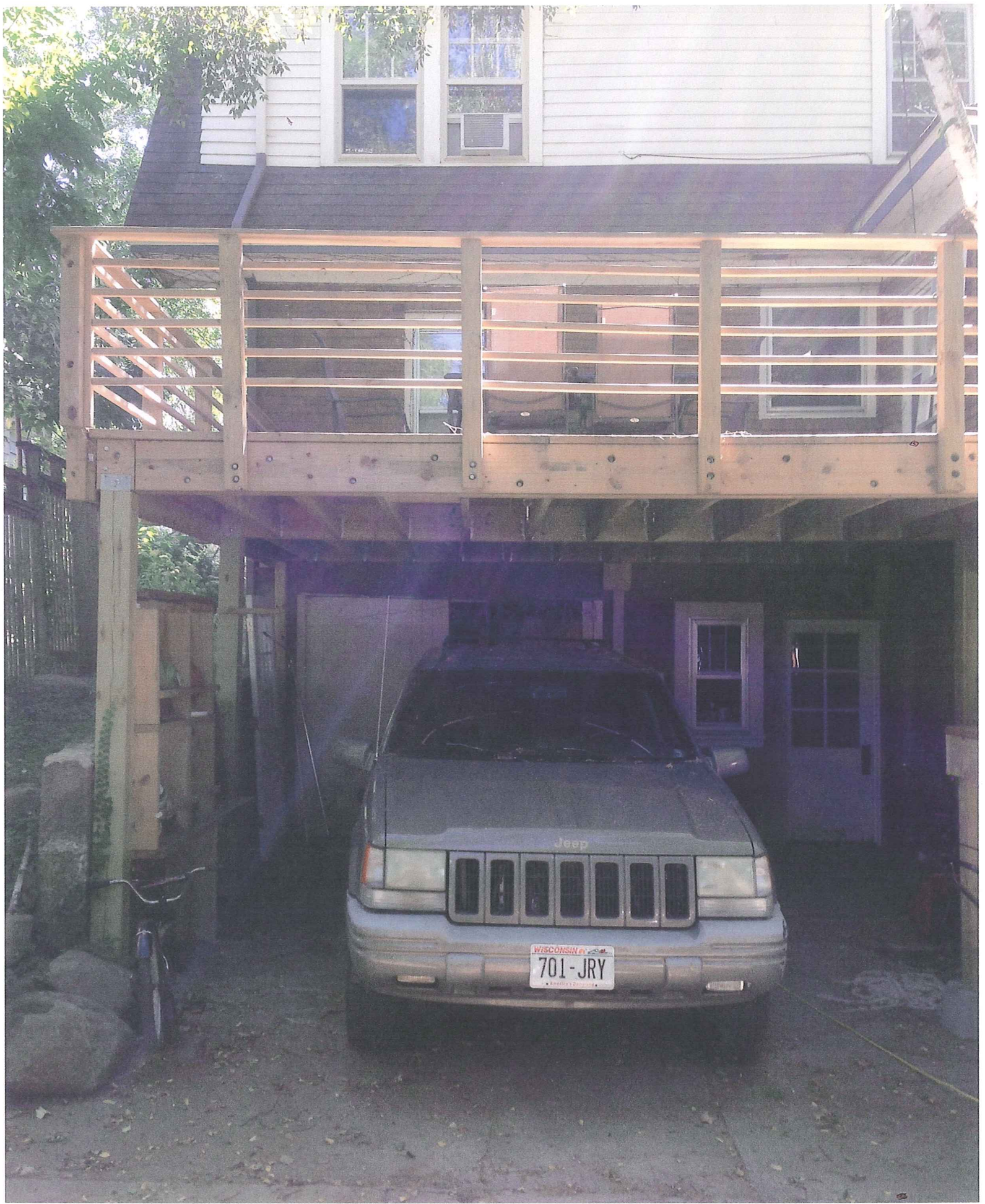
2832 West Lawn Ave
 MADISON WI 53711
 Block 35 / Lot 14

1 SQUARE = 115 sqm

JOINT DRIVEWAY

5.4'



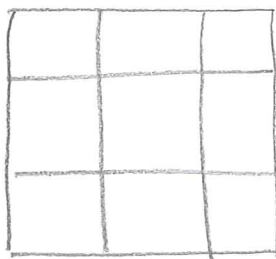
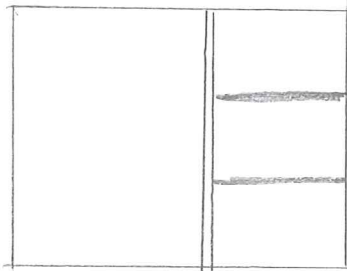




CONCRETE WALL
42'

6x6 POST
8'

GARAGE



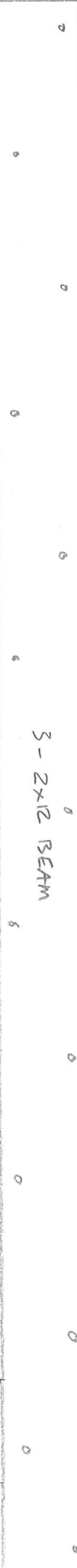
6x6 POST 8'

CONCRETE WALL
42'

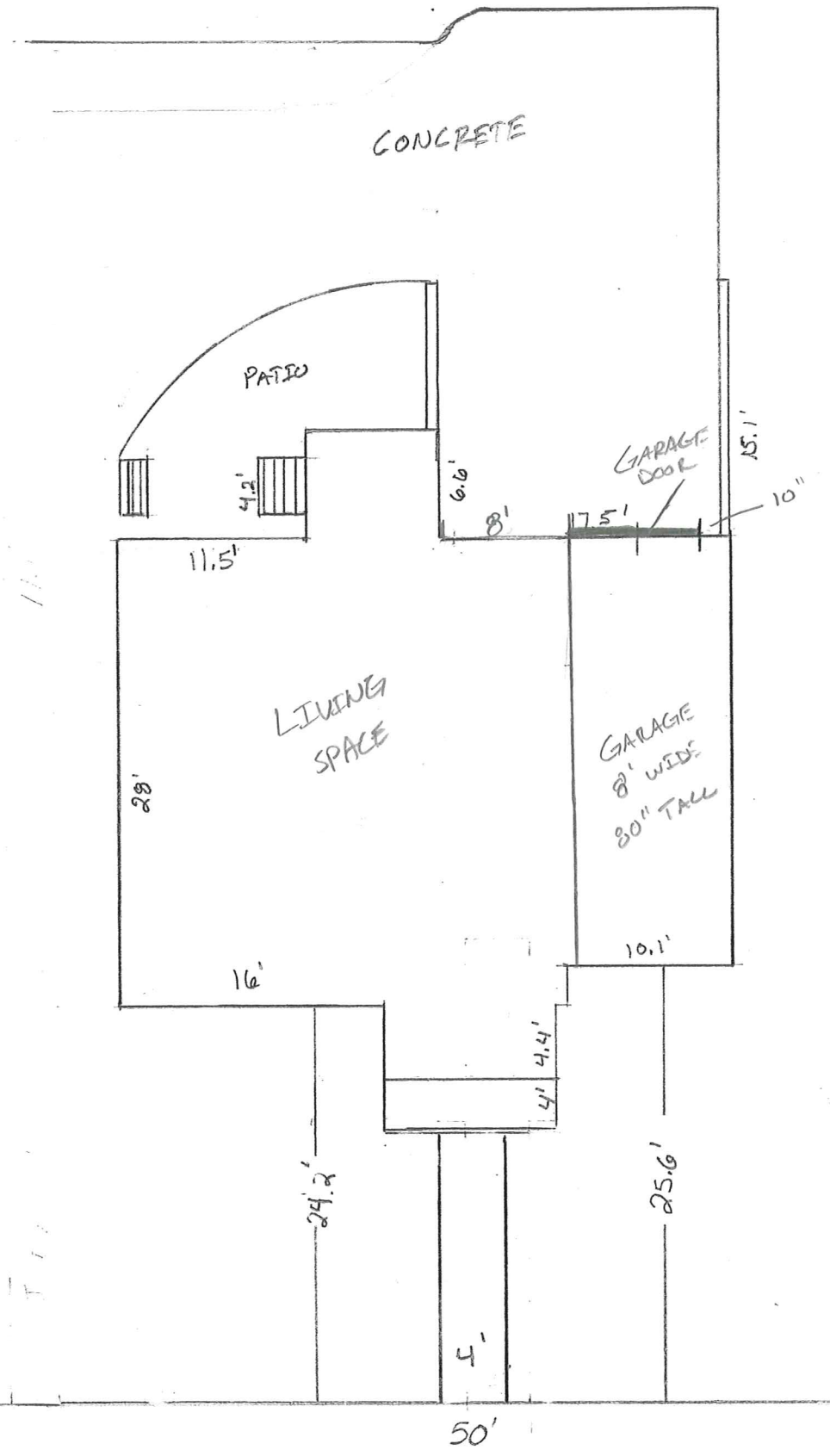
HOUSE

3' CANTILEVER

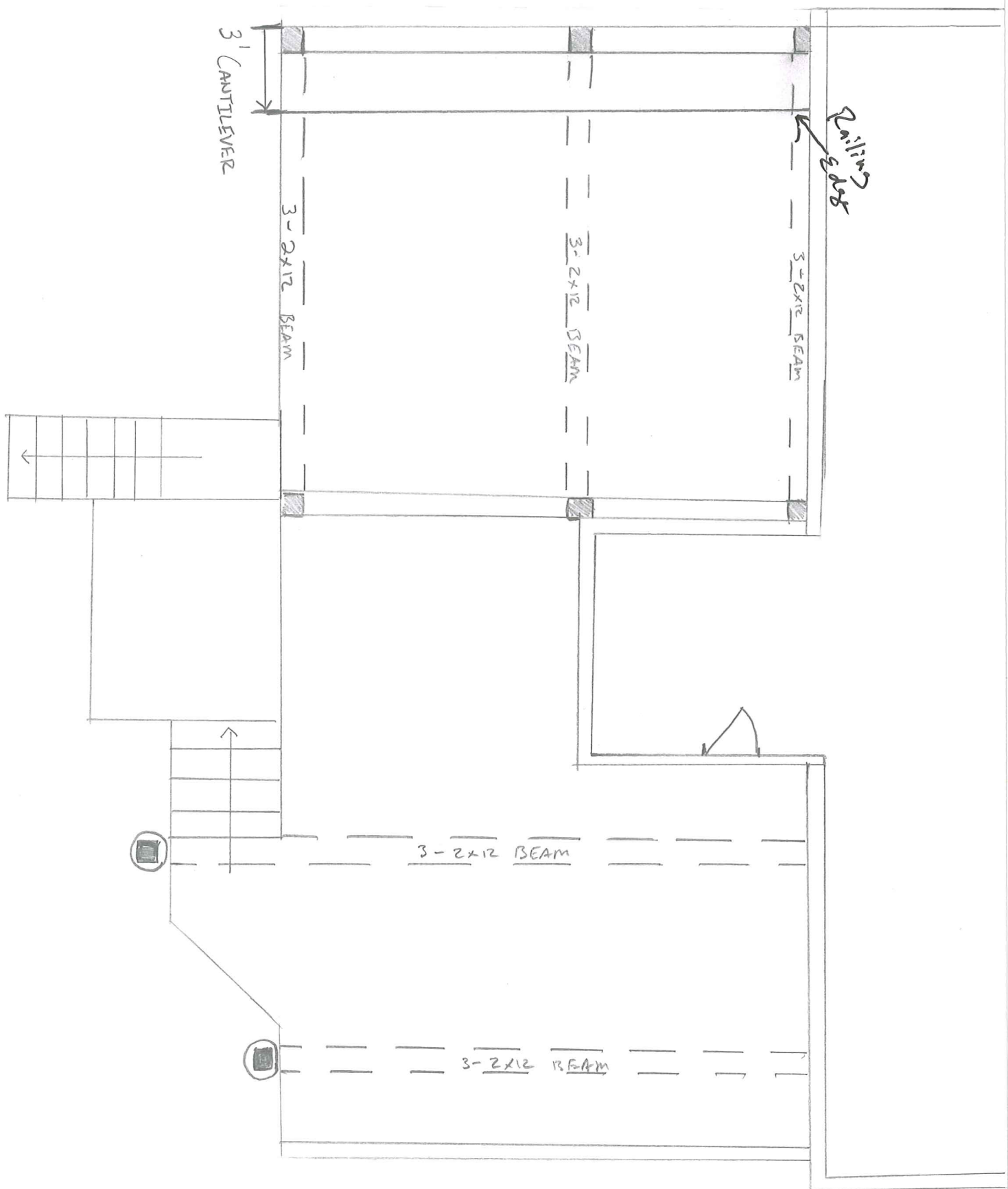
3 - 2x12 BEAM




BASEMENT FLOOR PLAN



PROPOSED DECK
OVERHEAD VIEW



From: Matthew Quraishi-Landes <mklandes@me.com> 
Date: June 28, 2013 3:40:23 PM CDT
To: Matthew Quraishi-Landes <mklandes@me.com>



1 Attachment, 2.2 MB




Matthew Quraishi-Landes
(608) 358-1149

From: Matthew Quraishi-Landes <mklandes@me.com> 
Date: June 28, 2013 3:40:40 PM CDT
To: Matthew Quraishi-Landes <mklandes@me.com>



1 Attachment, 2.4 MB



From: Matthew Quraishi-Landes <mklandes@me.com> 
Date: June 28, 2013 3:42:32 PM CDT
To: Matthew Quraishi-Landes <mklandes@me.com>



1 Attachment, 2 MB



Matthew Quraishi-Landes
(608) 358-1149


From: Matthew Quraishi-Landes <mklandes@me.com> 
Date: June 28, 2013 3:41:32 PM CDT
To: Matthew Quraishi-Landes <mklandes@me.com>



1 Attachment, 3.6 MB



Matthew Quraishi-Landes
(608) 358-1149

From: Matthew Quraishi-Landes <mklandes@me.com> 
Date: June 28, 2013 3:41:54 PM CDT
To: Matthew Quraishi-Landes <mklandes@me.com>



1 Attachment, 2.9 MB



Matthew Quraishi-Landes
(608) 358-1149


From: Matthew Quraishi-Landes <mklandes@me.com> 
Date: June 28, 2013 3:41:20 PM CDT
To: Matthew Quraishi-Landes <mklandes@me.com>



1 Attachment, 3.3 MB



Matthew Quraishi-Landes
(608) 358-1149

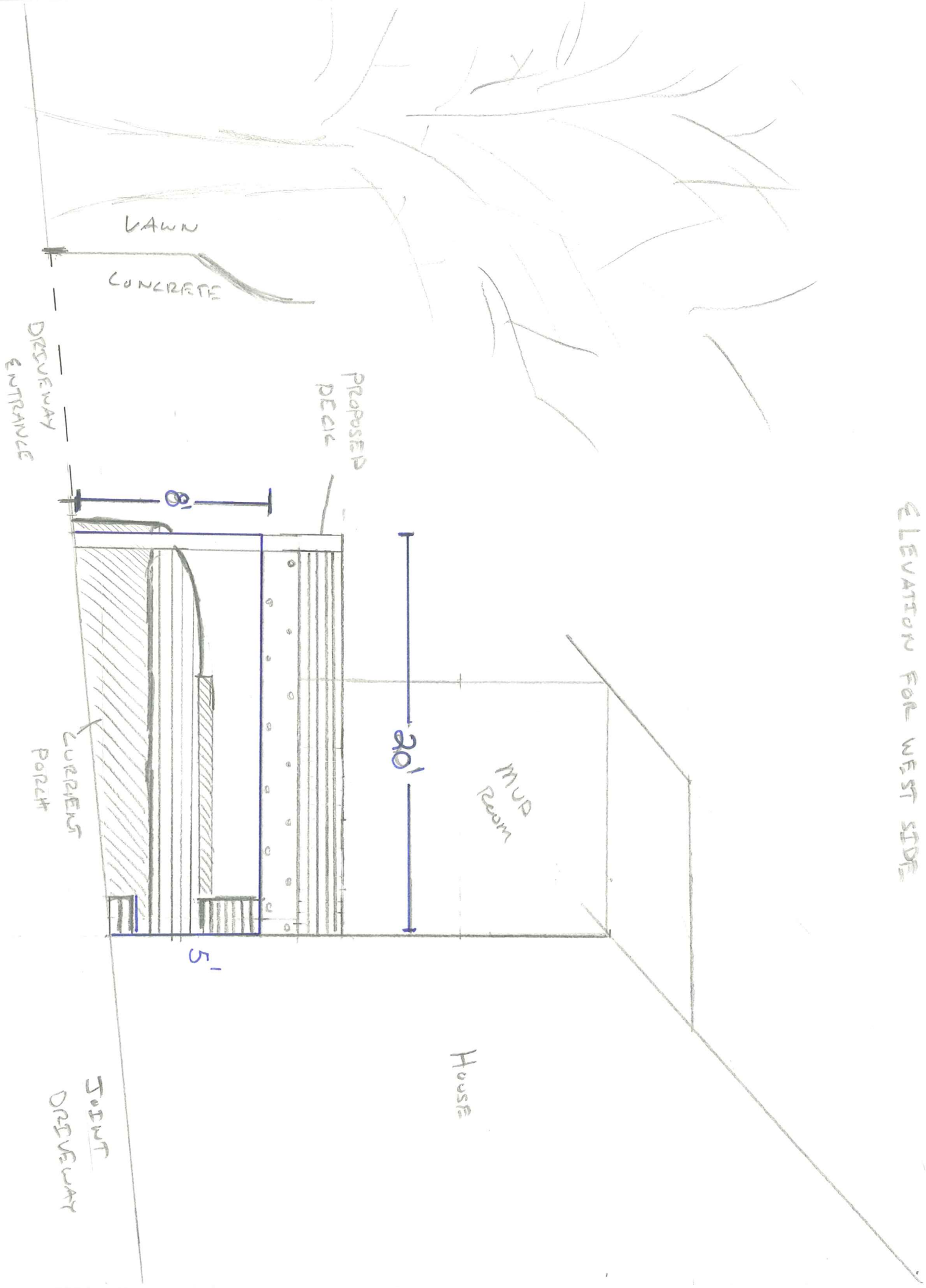
From: Matthew Quraishi-Landes <mklandes@me.com> 
Date: June 28, 2013 3:43:06 PM CDT
To: Matthew Quraishi-Landes <mklandes@me.com>



1 Attachment, 2.9 MB



ELEVATION FOR WEST SIDE



LAWN

CONCRETE

DRIVEWAY
ENTRANCE

PROPOSED
DECK

8'

20'

MUD
ROOM

CURRENT
PORCH

5'

HOUSE

JOINT
DRIVEWAY