

Firchow, Kevin

From: Roll, Rick
Sent: Monday, January 04, 2010 9:21 AM
To: Firchow, Kevin
Subject: FW: Zoning Code Rewrite Contact Form

FYI

From: davidnancymclean@charter.net [mailto:davidnancymclean@charter.net]
Sent: Thursday, November 19, 2009 1:01 PM
To: Roll, Rick
Subject: Zoning Code Rewrite Contact Form

General Information

Name : David Mc Lean

Business :

Address : 442 Sidney St.

City : Madison

State : WI

ZIP : 53703

Email : davidnancymclean@charter.net

Message :

Hi. I was just informed by neighbors that there is an addition planned for the house at 1234 Sherman Ave. One of the components of the project is to shoe horn a 1 car garage into an open space between the project owner's house and their neighbor' house to the west. The open space in question, allows a view of Lake Mendota to a number of residences on Sidney St, as well as to pedestrians walking on Sherman Avenue. It is a wonderful reminder of the beautiful city we live in a city between the lakes. I feel it to be a shame to loose this open space to a garage and block out the view of Lake Mendota from the neighbors.

Thank you for reading.

David

Lynn and Robert Bolz
January 5, 2010
1224 Sherman Ave.
Madison, WI 53703

Mr. Kevin Firchow, Planner
Planning Division, Suite LL-100
215 Martin Luther King jr. Blvd.
Madison, WI 53701-2985

This letter is being written with the intention of support for the Holz family renovation.

We too fell in love with these historic homes along Sherman Ave., with all their character and natural appeal; how could you not? We, of course, also love the lake and enjoy the diversity of our neighborhood. Eleven years ago we bought our home on Sherman Ave. (we live just two doors from Bob and Christy).

The first thing that we did, was to get rid of the pigeons nesting in the back upper porch. We then removed old chipping lead paint, and asbestos tiling, we replaced inefficient windows, added a deck, landscaped, remodeled the kitchen and bathrooms, replaced old plumbing and old electrical, replaced the roof, replaced the furnace and water heater, tuck pointed the brick, etc...etc... We did it because we love this old....well built, unique, historic home. These homes truly are a labor of love, not to mention expensive to maintain. We live on a small lot...not wide enough to add a garage....wish we had one but also glad that the previous owners didn't put one in our back yard. We have a great view!! We are happy that we don't need to look into our neighbors private space and call it our view.

Bob and Christy love the character of their home....they want to take care of it, turn it into a safe, practical, energy efficient place to raise their family. The plan that they have designed is very practical and well thought out. They have compromised and designed a smaller garage. I can't imagine that their renovated home, will in any way compromise the character or scope of the neighborhood. We want our neighborhood enhanced by homes that are cared for...not neglected and rundown. Our only concern is, if their project is not approved it could set a disastrous precedent. Who would want to buy a dilapidated old home with the concern of not having a remodeling project approved. We fully support The Holz family project. Lets continue our progress, and take care of these historic old homes.

Respectfully submitted,

Lynn and Bob Bolz

Jim Rogers

1140 Sherman Ave • Madison, Wisconsin 53703 • 608-852-7777 • JimRogers111@gmail.com

January 5, 2010

Kevin Firchow, Planner
Planning Division, Suite LL-100
215 Martin Luther King, Jr. Boulevard
Madison WI 53701-2985

SUBJECT: Support for Bob & Christy Holz Building Request 1234 Sherman Avenue

Dear Mr. Firchow and Planning Committee members:

This letter is to support the building project request by Bob & Christy Holz at their home on Sherman Avenue.

I have lived on Sherman Avenue for eight years. I work for UW-Madison with Wisconsin Hoofers outdoor recreation.

This is a good neighborhood that is relatively safe, has homes and yards generally maintained in good condition, and overall is inviting to individuals who want to become part of the neighborhood. Hopefully, those living here also want to keep the neighborhood safe for themselves and their families, maintain and improve their homes, and continue to make the area enjoyable to live in.

Having known Bob and Christy for 14 years I believe they are a *wonderful* addition to the neighborhood—*young, enthusiastic, professional, and positively caring about their friends* are all words and phrases that describe Bob and Christy. They fit many of the newer families and friends who have moved into the neighborhood and improved their homes for their families, and future families.

The house they purchased had not been well maintained and I appreciate them taking on this project. I have spent wonderful evenings and some morning coffee time at Bob and Christy's house and with their growing family.

I am also very aware of the significant repair work the house requires. The high wind in the area funnels through the homes and sucks heat out from any possible location, especially when homes are not designed well or are not maintained. Although a major tear down, or simply having chosen a different part of Madison to live in, may have been a better choice, I am aware of their desires to have their home remodeling be less disruptive to neighbors. With no first floor bathroom, no garage, poor house insulation, and significant wind flow through a falling apart exterior and poor structures and designs, the improvements they are requesting would have been the minimal I would have sought if purchasing that house.

I am aware of several houses for sale on Sherman Avenue including nearby. I will observe the Planning Commission approval process and see if I would encourage others to buy a home in the neighborhood that needs significant repair and improvements.

I *highly* encourage the Planning Committee to review and approve the building permit request for Bob and Christy Holz at 1234 Sherman Avenue.

Sincerely,

Jim Rogers

STEVE AND JILL COHAN
1134 SHERMAN AVE.
MADISON, WI. 53703
608-284-1484

January 6, 2010

Mr. Kevin Firchow
Planning Division, Suite LL-100
215 Martin Luther King Jr. Blvd.
Madison, WI 53701-2985

Dear Mr. Firchow,


Jill and I strongly support the proposed Holz renovation project located at 1234 Sherman Ave.

Bob and Christy have shared their plans and various revisions over the months and in our opinion, the most recent plans are both appropriate and consistent with the architectural flavor of the neighborhood and offer a nice compromise to neighbor's comments.

Considering both the greater than average depth from lake Mendota to their proposed house border and the 75 foot width of their lot, the new plans offer both greater than average lake set back (taking into account lake houses from 1100 to 1300 Sherman) and a wider gap between the neighbor's homes. To our knowledge the current plans are within the City's side yard zoning requirements.

We encourage a vote in favor of the 1234 Sherman Ave. project proposal.

Sincerely,



Steve and Jill Cohan
1134 Sherman Ave.

**1240 Sherman Avenue
Madison Wisconsin 53703**

Memorandum

To: Kevin Firchow,
From: Alice O'Connor
Date: January 6, 2010
Subject: Holtz Restoration Project 1234 Sherman Ave

We reside one house removed from the Holtz property on the lake side. When we moved to this neighborhood 22 years ago, the Holtz house was already severely run down. In the intervening time, the house has continued to deteriorate.

I'm excited to see new young homeowners who want to make much needed improvements to a once beautiful but now decaying home. I offer the following comments for the board's consideration which justify why this family needs approval for their expansion.

The house needs a lot of improvements in every possible way.

For example:

- There is no bathroom on the first floor
- The porch is rotted, unsafe, leaks cold air and is too narrow for a table and chairs.
- All lake homes in the vicinity have a one or two car garage and there is simply no reason this family can't have a garage. Their neighbors on either side of them each have a two car garage. It seems highly unfair to deny this family the right to build a garage on their property.
- Restoration of this historic neighborhood site is preferable to tear down. If this house were back on the market without the badly needed improvements, the next buyer would be justified in tearing it down.

A lakeside opponent states in a letter dated December 16, 2009 "we have no objection ... as long as they stay in current footprint." This is simply not true. They opposed allowing Holtz use of the existing foundation in oral and written comments in a prior hearing where their objection was overruled. The fact that the record does not support their statement is troubling.

This same opponent objects to loss of view from their side windows facing the Holtz home. The lots are narrow in this neighborhood. We all have restricted side views of the lake. The Holtz house should be approved to comply with set-back requirements like any other house in this neighborhood.

Ironically, our side views of the lake are blocked by the opponent's own house. They attempt to impose restrictions on others that they ignore when it pertains to them.

Further, these same opponents fail to disclose that they have a two car cement block garage between their house and the lake. Their garage not only **obstructs** their **front view** but ours as well.

Concerning the proposed garage, Holtz's meet set back requirements for a two car garage, but agreed to a one car garage. Looking down Sydney Street you currently see the two car garage of their neighbors which blocks the view of the lake. Is it fair for some lake side homeowners to block the view of the lake and this family is told no? This is not good policy.

In the interest of fairness, I urge approval of the Holtz application. This is a hard working young family who intend to preserve the integrity of a house that is now falling down and needs a lot of tender loving care.

They deserve the right to make the house family friendly without one set of rules that only apply to them, and not the other homes on Sherman Avenue. I hope you will be fair and support their plans. They are good neighbors and if we reject them, whoever they sell the house to, will be back before you with the same issues or a new house.

Firchow, Kevin

From: Waters, Gary E. [Gary.Waters@deancare.com]
Sent: Wednesday, January 06, 2010 5:46 PM
To: Firchow, Kevin
Subject: 1234 Sherman Ave Project

Dear Mr. Firchow,

I am writing this email in support of Robert and Christy Holzs' remodeling project at 1234 Sherman Ave.

I am the owner of the property at 1250 Sherman and my partner and I have lived there since 2003. In that time we have admired what was to become the Holz's property. Theirs is a very stately house that had been abused through neglect over many years. This house was commonly thought to have the potential to be the grandest on the block. When the property came up for sale, we were hopeful that the new owner would see this and NOT decide to tear the house down. We were extremely pleased that the Holzs' saw the beauty in the home and instead chose to restore.

I must make it clear that I do not know the Holzs any better than the Kneppers. I do have some experience with neighbors rehabbing their homes. We were in a similar situation with our neighboring property at 1252 Sherman. This was also a house desperately in need of rehab. The current owners could have more easily torn the property down, but instead chose to restore. They did an absolutely amazing job and our neighborhood and *property values* are much better because of it.

I did not oppose their project and instead supported it the entire way through. I supported the addition they wanted to make onto the back of their home (which would have partially obstructed my lake view) even though the city would not grant the variance.

The reason I supported this project was because these plans were right for the house, homeowner, and neighborhood. We strive to build a community where homeowners take pride in their homes and desire to live out their lives in them. The Holzs are doing just that. They are updating their house with the intent of raising their young and growing family. It is my opinion that their planned updates will only improve their home and in doing so improve the community and property values.

I fully support this project and would like to go on record in doing so.

Sincerely,

Gary E. Waters, MD
1250 Sherman Ave.
Madison, WI 53703

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Thank you.

ROBERT & DOROTHY KNEPPER
1236 SHERMAN AVE.
MADISON, WI 53703
December 16, 2009

Mr. Kevin Firchow, Planner
Planning Division, Suite LL-100
215 Martin Luther King, Jr. Blvd.
Madison, WI 53701-2985

Dear Mr. Firchow:

In reference to the Planning hearing on January 11, 2010 about the property at 1234 Sherman Avenue, my wife and I desire to speak at this session. We have lived at 1236 Sherman Avenue for 34 years and are next door neighbors to the applicants.

We desire to oppose this expansion of their house because of how it would affect our vision of the lake and probably our property's resale value.

Their three (3) reasons for this expansion are to improve their "Thermal Envelope", "establish useable Living Space to provide better visual and physical connections to the Lake Mendota" and "execute needed maintenance to the exterior". All three of these reasons can be accomplished within their current house "footprint". We have no objection to their remodeling their house as long as they stay within the current house footprint. We do not see that they have any needed hardships to expand their already large porch that has great views.

Under (g) 3. of your Standards it states "That the uses, values and enjoyment of other property in the neighborhood for purposes already established shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operational of the conditional use." We consider that **this plan would violate** this standard as would substantially impair our established view of the lake.

They currently have a much better view of the lake than we do because they are closer to the lake, they have a larger lot without obstructions (except for their boat house), they have many more windows on the lakeside and their current view of the lake is one of the best along Sherman Avenue.

Their proposed addition would extend out about eight (8) to ten (10) feet along the side of our home and because our homes are close together it would greatly reduce our views of the lake, of our neighbors and of the University. It would also affect our light and air. We consider that this expansion would greatly affect our property's value and its resale value.

A realtor informed us that this expansion would reduce our property's value, but that the amount would very difficult to determine. They also said that it would make our home harder to sell.

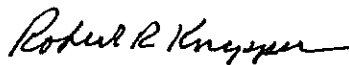
When we learned of their plans they had already contacted our neighbors and presented the plan to the neighborhood association who "did not oppose the plan if the neighbors are supportive of it." None of our neighbors would oppose this plan unless it directly affected them. **This plan only affects us.** We did approve a neighbor's plan once that did affect us and one other that had no impact on us.

We have tried to be **accommodating** and have attempted to **negotiate** with them on how this expansion would affect our property. We have made several **suggestions** on changes and we have also **made several compromises** which they said they would consider. But nothing has changed along our side of the property. They have said several times that this is their property and they can do what they want with it.

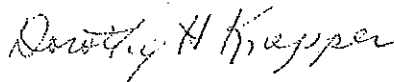
Our primary objection is to the 8 to 10 foot extension for the screened-in-porch next to our house. We have attempted to negotiate with them on this with no luck. This extension totally **blocks our lake view** from several rooms and **limits** the view from our really only room that has lake views. In this room the view would be obstructed anywhere from 20% to 70% depending where one sets or stands. An example of this is that our kitchen and dining room window's lake view would be totally blocked and we would only see their house 15' away. Also, the plan's side view does not show this as a screened-in-porch, but a four season porch. This extension also juts out several feet from the normal backyard alignment of neighboring homes.

While we would like to maintain our current view, we would like to limit the reduction of our present view.

Thank you for considering this request.



Robert R. Knepper



Dorothy H. Knepper

608-251-4468

Encl: pictures



LAKE VIEW OF BOTH HOUSES - NOTE WINDOWS



BETWEEN HOUSES - NOTE LACK OF SPACE



THEIR HOUSE AND NEIGHBOR'S GARAGE



VISION OUT OF OUR FIVE WINDOWS - NOTE TANK



STOVETOP VISION - LEFT WINDOW OBSTRUCTED



TABLE VISION OF LAKE - NOTE POLE



TABLE VISION OF UW - ALL WOULD BE BLOCKED



KITCHEN SINK VISION - NOTE POLE

Bob & Christy Holz
1234 Sherman Ave.
Madison, WI 53703
January 4, 2010

Mr. Kevin Firchow, Planner
Planning Division, Suit LL-100
215 Martin Luther King, Jr. Blvd,
Madison, WI, 53701-2985

Dear Mr. Firchow,

The goal of this letter is to provide you with our perspective and motivation for the proposed project at our home 1234 Sherman Avenue, as well as respond to the concerns voiced by two neighbors.

When we started this project our goals were to renovate and modernize while preserving the home's historical character. The home has not been maintained for many years with major structural problems. It is very difficult to keep warm in the winter. It has a first floor design that is not optimal for family living and lacks a bathroom. We have been advised that tearing the house down and rebuilding would be more economical than restoring and modernizing the existing home. However, we love the house and feel our proposed design maintains the historical nature of the home, minimizes the impact to our neighbors, while meeting our goals for the project. The scope of the project includes:

1. Replacing the three-season porch, which is structurally failing.
2. Adding a bathroom to the first floor (currently no bathroom on first floor).
3. Adding a single car garage (currently no garage).
4. Changing the layout of the first floor to create a more open and practical living area.
5. Maintaining a screen porch.
6. Air sealing and insulating (currently little to no insulation).
7. Fixing rotting woodwork, trim and paint.

As we will explain, the combination of the zoning rules and structural constraints limit where we can build on our lot. Given these restrictions, we feel we have done our best to minimize the impact of the design on our neighbors while meeting our goals for the project. We have spent many hours working with the city, the neighborhood and neighbors. This includes:

- Meeting with over 40 neighbors about the project over the past eight months
- Presenting at two neighborhood association meetings (June and December)
- Meeting with city zoning officials (Matt Tucker, Pat Anderson and Kevin Firchow) over five times in person in addition to e-mail and phone conversations
- Meeting with our Alder, Bridget Maniaci multiple times
- Meeting with both opposing neighbors multiple times (see attached appendix for details)

We are aware of two objections to our project that we would like to address. They are:

1. The impact of the screened porch on 1236 Sherman Ave side view (Knepper Household)
2. The proposed single car garage and the impact to our neighbor across the street at 1223 Sherman Ave (Tachovsky Household)

Screen Porch:

One of the goals of our project is to maintain a usable screen porch. A combination of lake setback restrictions and structural limitations due to the existing basement stairs resulted in the porch extending toward the lake on the Knepper's side as presented in Figure 1.

Our project has minimal impact on the Knepper's lake views. To provide a complete perspective we included the land survey and satellite image that accurately depicts the location of our homes and the minimum setbacks with relation to the lakeshore. Note the land survey does not include the Kneppers two-car garage and our historic carriage house, which are visible on the satellite image (please see Figure 1 and Figure 2). Based on these figures we would like to highlight these important points:

- The proposed addition does not block views from the Knepper's lakeside windows and has no impact on their second floor windows
- The project does impact the first floor side windows that are set back from the lake and currently face our home as presented in Figure 1 and Figure 3. It is the impact to the side views that the Knepper's are objecting to.
- The Knepper's letter includes a picture, the "kitchen sink window", showing one of the oblique views in Figure 4. **This window is approximately 14 feet** (see figure.3) from the lakeside. To obtain the view depicted by the Knepper's picture, one needs to be directly in front of the window and **angle the camera approximately 40 degrees towards the lake.**
- The Kneppers "dinning room window" presented in Figure 3 is also addressed in their letter. **This window is set back approximately 26 feet** from the lakeside. Currently to see the lake one must be directly on the window and **look approximately 60 degrees to the right.**
- Our home is and will remain set back from our minimum setbacks for both the lake and side limits. The proposed addition maintains a ten-foot setback from the side lot line and maintains four feet from the minimum lakeside setback. Please see Figure 1.
- The Kneppers have 11 lake view windows that will not be impacted at all by the project. The addition only impacts first floor side-facing windows that directly face our current home. Even with the proposed addition, the views from the side windows will be substantially better than most Sherman Ave homes with comparable size lots.
- Finally, it should be noted that the main obstruction of the Knepper's lake view is their two-car garage as shown on Figure 2.

Garage:

Our home currently does not have a garage. Winter storms with blowing and drifting snow deposit many feet of snow on our driveway (despite snow fences). Christy is a full time high school social worker and leaves to work at 6:45 AM to drop our daughter at daycare. Last year we had numerous days that Christy was late to work because her car was buried in many feet of snow, hence the motivation for the single car garage.

Our side lot is the only location that we are allowed to build a garage due to zoning restrictions. To limit the impact of the proposed garage to our neighbors across the street we have reduced the garage to a single car, single story structure. We are also maintaining seven feet from our side yard setback in addition to the space between our neighbor's two-car garage. Also please note that there is significant precedent for garages on Sherman Ave. Over 80% of homes on the lakeside of Sherman Ave have garages and those that do not are limited due to their lot size.

In summary, we enjoy old homes, love the lake and this neighborhood. These desires provided the motivation to purchase 1234 Sherman Ave approximately two years ago. When we purchased the home we realized the home had not been well maintained and we hoped to slowly renovate. After having a child and realizing the much larger scope of necessary renovations, it became evident that it would be most efficient (financially and practically) to renovate the house as one project. Due to the lead paint, lead varnish, mold and a young child, we will need to move out during the renovation. Despite these challenges we are committed to this home and neighborhood and hope to be here for many years to come.

Sincerely,

Bob, Christy and Trina Holz

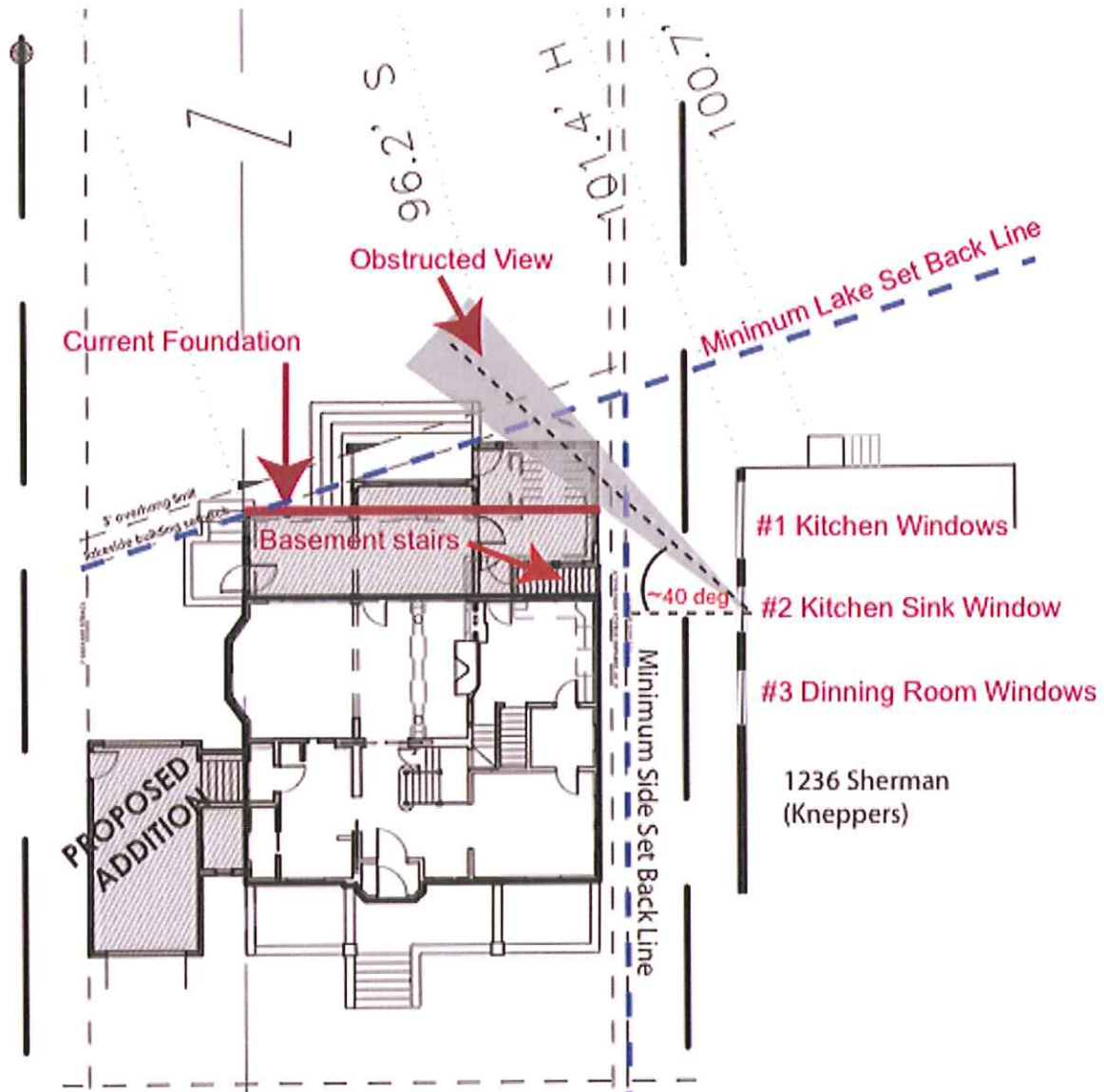


Figure 1: The land survey with the overlaid proposed project. The Knepper's window locations have been added which are referenced in their letter. The shaded area is the view blocked by our addition for window #2 "Kitchen Sink". Note to see the lake one must look approximately 40 degrees to towards the lake.



Figure 2: Aerial image of our homes

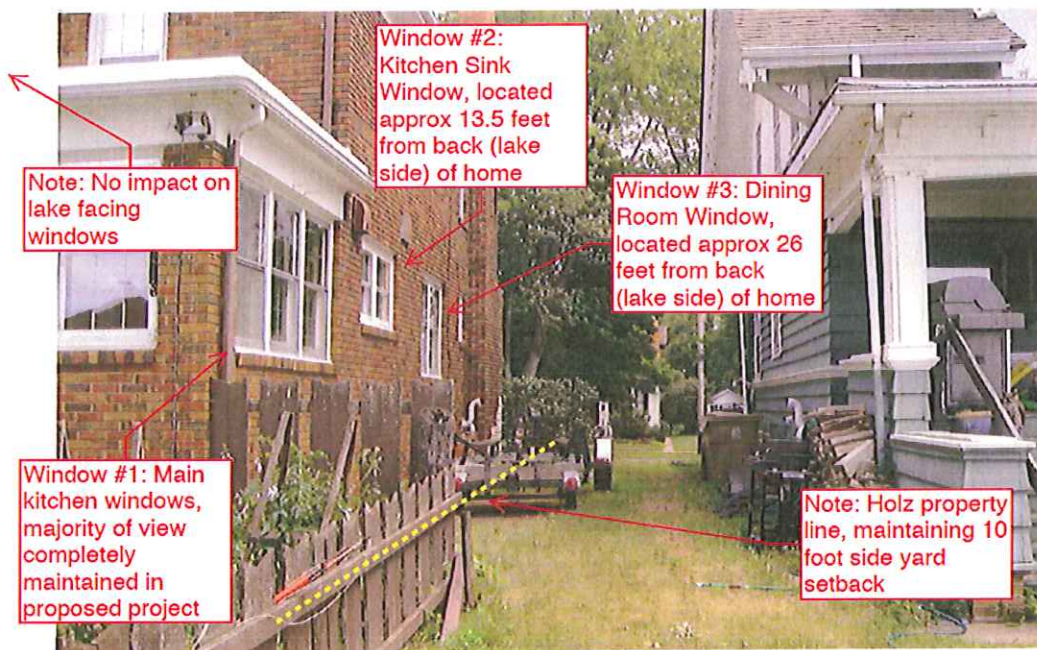
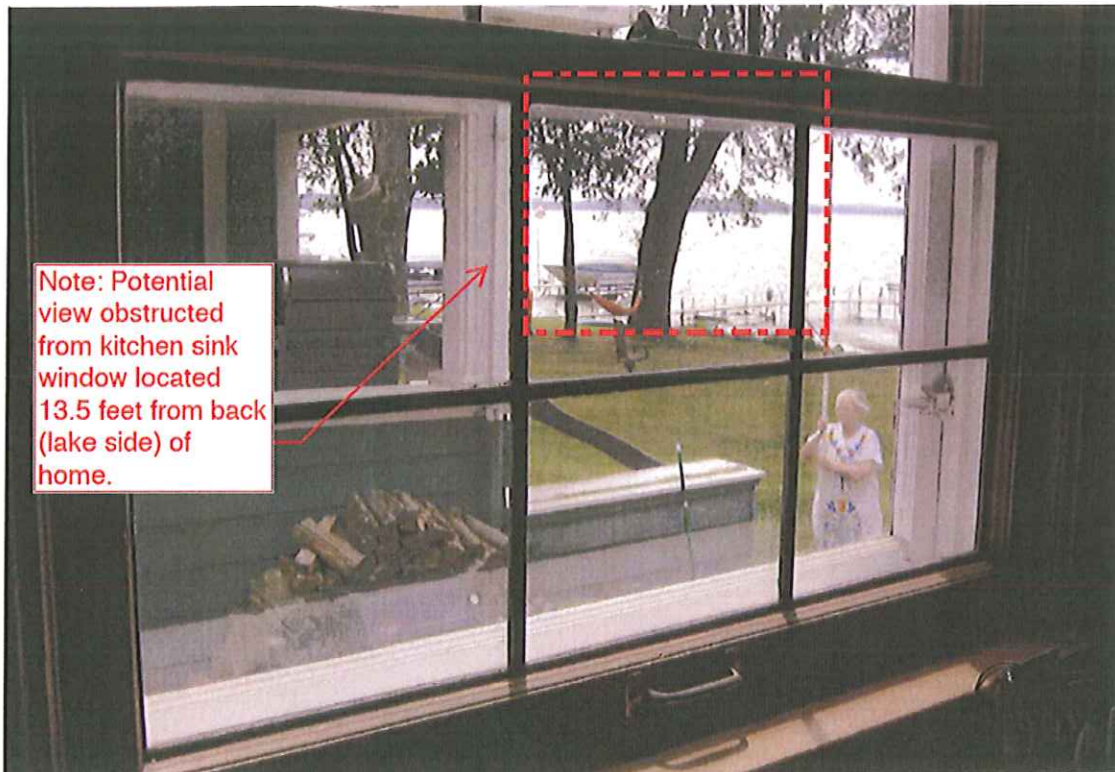


Figure 3: Annotated picture submitted by the Kneppers



KITCHEN SINK VISION - NOTE POLE

Figure 4: Picture submitted by Kneppers. Please note the 40-degree angle of the photograph in relation to Figure 1.

Appendix:

We value our relationships with our neighbors and have made numerous attempts to communicate with the Kneppers. The project began in April of 2009. We waited to submit our plans to the city until the Kneppers returned from their winter travels in the beginning of June. Below is a list of the dates and subjects of the communications starting in June.

- Beginning of June – Kneppers return from winter travel.
- Friday, June 5th – First attempted discussion: Kneppers did not want to look at the plans and said that no building would be acceptable.
- Wednesday, June 10th – Kneppers accepted our invitation to come over and look at the plans, we invited them to take the plans home with them and even offered to pay our architect to meet and discuss modifications.
- Wednesday, June 24th – Kneppers invited us to their home to see how their view may be obstructed; unfortunately we were unable to come to a compromise and were told that any obstruction to their view would be unacceptable.
- Friday, July 17 - Our architect was contacted by the city and the Knepper's lawyer, Mr. Christopher. Our architect requested a discussion with their lawyer as

another effort to communicate, however after a brief e-mail stating his clients would be interested in talking no return phone or e-mails were made from Mr. Christopher.

- Tuesday, July 21, Mr. Christopher, the lawyer representing the Kneppers submitted a letter to the city objecting to our project.
- Thursday, July 23: Variance hearing was cancelled due to lack of quorum
- Approximately a week later communication occurred between the Kneppers and us. The Kneppers said that they had not seen the lawyer's letter before it was submitted and told us they would be retracting it due mistakes, misleading information and strong tone of the letter
- August 9: Letter from their lawyer was retracted
- September: We met again with the Kneppers again to explain the project design and motivations for the renovations
- August through October: Project was put on hold. We met with our architect to address building options with city input and gathered more input from lake home owners to clarify if we are being unreasonable with our requests.
- Sunday, Nov 1st: Met with Kneppers to let them know that we would be submitting the plans to the city for the variance hearing
- Tuesday, Nov 17th: We contacted the Kneppers and they stated that they would be opposing the project
- Thursday, Nov 19th: Variance hearing, Variance approved; Kneppers vocally opposed the project at the hearing
- We have made compromises and scaled back the design. We are not adding any space to the second story nor are we filling out to the longest point of the setback line. According to the setback line we could expand our project four additional feet on their side but feel this is not necessary or reasonable for the Kneppers. In addition, we are not tearing down our home and building a McMansion! Our goal is to restore and modernize this historical home within reason.

Firchow, Kevin

From: Hans SOLLINGER [HANS@surgery.wisc.edu]
Sent: Thursday, January 07, 2010 1:14 PM
To: Firchow, Kevin
Cc: Mary Lang Sollinger
Subject: 1234 Sherman Ave project

Follow Up Flag: Follow up
Flag Status: Flagged

Attention Mr.Firchow:

To whom it may concern:

This response concerns the proposed changes for home 1234 Sherman Avenue, Madison, WI 53703.

My wife and I have been residents of Sherman Ave since 1978. First we owned Sherman Ave 1202 and later we built Sherman Ave 1206.

Our views regarding the building plans for 1234 Sherman are the following.

1. We fully support the construction of a garage. Nearly every Lakeside house on Sherman Ave. has at least one garage. The fact that some owners living across the street from 1234 Sherman had for many years the luxury of having lake view, does not mean that this should not allow the owners of 1234 Sherman to build a much needed garage. In fact they do have space for a 2 door garage and have voluntarily agreed to a one car garage. They should be permitted to build this garage as outlined in the plan.

2. The planned porch will cause some obstruction of the lake view from one of their neighbors kitchen. We do suggest that the stairs will be placed on the other side of the porch as this would reduce the obstruction as described. We do support adding the porch.

3. Remodeling of 1234 Sherman is much needed. This home has been neglected for many years and the current owners should be encouraged to go forward to preserve this house. My wife and I found ourselves in a similar situation in 1999 and finally had to completely rebuild our new home. The fact that Bob and Christy are willing to restore this home to make it liveable, given the difficult weather conditions on the Eastside of the lake should be applauded and supported.

Hans W. Sollinger, M.D., Ph.D., Dr.h.c.
Folkert O. Belzer Professor of Surgery
Director, Kidney Transplant Program