



**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: 311 S. Orchard Street, Madison WI 53715

Name of Owner: Steve O'Neil

Address of Owner (if different than above): \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Name of Applicant (Owner's Representative): Travis Hendricks (HENDRICKS LLC)

Address of Applicant: 6719 Seybold Road

Madison, WI 53719

Daytime Phone: 608.422.5100 Evening Phone: 608.279.8080

Email Address: travis@hendricksllc.com

**Description of Requested Variance:**

We are looking to do an entire gut rehab of an existing rental unit to turn into an Owner occupied single family home through the Greenbush housing TIF program. To do this, we are requesting a variance on the side setback to enable us to install a foundation under the existing covered porch. The new foundation would allow us to provide an internal staircase to the lower level, which currently doesn't exist within the house. The only access to the basement currently, is through an exterior cellar door. The existing covered porch has an intact and stable roof structure which would remain and be untouched. Essentially, we would not be changing the size or look of the existing footprint which currently encroaches on the 4' side yard setback.

**WE ARE REQUESTING A 1.5' VARIANCE TO THE EXISTING COVERED PORCH AT THE NORTH-EAST CORNER OF THE BUILDING SO THAT WE CAN EXCAVATE BENEATH THE PORCH AND POUR FOUNDATION WALLS. THIS WILL PROVIDE INTERNAL ACCESS TO THE BASEMENT.**

*(See reverse side for more instructions)*

**FOR OFFICE USE ONLY**

Amount Paid: 300 -  
Receipt: 02112-0002  
Filing Date: 9/22/2016  
Received By: LOOP  
Parcel Number: 0709-224-3107-1  
Zoning District: TR-C3  
Alder District: 13-ESKRICH

Hearing Date: 13 OCT 16  
Published Date: 6 OCT 16  
Appeal Number: LNDVAR-2016-00023  
GQ: ch  
Code Section(s): 28.044 (2)

# 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 is a unique lot in which it is located behind a larger parcel on Chandler Street. The house was built with access only from the alley side. It was built within the side set back when it was originally constructed. The house has no internal access to the basement. One must exit the house to access the basement from the exterior cellar door. The requested variance represents the only appropriate place for the new stairwell to be constructed.

---

---

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.

This variance would not be contrary to the intent of the regulations nor to the public interest. If this variance is requested, there will be no noticeable change to the size or location of the existing house footprint or roof lines. The existing roof will remain during construction. We will be shoring it up while we excavate for the new foundation within the existing building footprint.

---

---

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.

The house is currently considered substandard by not having internal access to the basement. Since there is no other location to construct an interior staircase on this property, the strict letter of the ordinance would prevent the Owner from being able to use his basement level as most normal situations allow. We believe it is a hardship and a burden to have to exit the residence to gain access to the basement of the said residence.

---

---

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 side setback requirement, along with the existing location of the house structure, together, create the proposed hardship. The house, as constructed doesn't allow an interior staircase without a setback variance.

---

---

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

No, the proposed variance will not create a detriment to adjacent properties. The existing building location and aesthetics in relation to the adjacent properties will not change.

---

---

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

We would argue, the building, without an interior staircase is substandard. Therefore, constructing an internal staircase will bring the house to be compatible with 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"/>	<b>Pre-application meeting with staff:</b> Prior to submittal of this application, the applicant is strongly encouraged to discuss the proposed project and submittal material with Zoning staff. <b>Incomplete applications could result in referral or denial by the Zoning Board of Appeals.</b> - MATT TUCKER 9/20/16, 2 PM
<input checked="" type="checkbox"/>	<b>Site plan</b> , 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"> <li><input checked="" type="checkbox"/> Lot lines</li> <li><input checked="" type="checkbox"/> Existing and proposed structures, with dimensions and setback distances to all property lines</li> <li><input checked="" type="checkbox"/> Approximate location of structures on neighboring properties adjacent to variance</li> <li><input checked="" type="checkbox"/> Major landscape elements, fencing, retaining walls or other relevant site features</li> <li><input checked="" type="checkbox"/> Scale (1" = 20' or 1' = 30' preferred)</li> <li><input checked="" type="checkbox"/> North arrow</li> </ul>
<input checked="" type="checkbox"/>	<b>Elevations</b> 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"/>	<b>Interior floor plan of existing and proposed structure</b> , 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")
N/A <input type="checkbox"/>	<b>Front yard variance requests only.</b> Show the building location (front setback) of adjacent properties on each side of the subject property to determine front setback average.
N/A <input type="checkbox"/>	<b>Lakefront setback variance requests only.</b> Provide a survey prepared by a registered land surveyor showing existing setbacks of buildings on adjacent lots, per MGO 28.138.
N/A <input type="checkbox"/>	<b>Variance requests specifically involving slope, grade, or trees.</b> Approximate location and amount of slope, direction of drainage, location, species and size of trees.
<input checked="" type="checkbox"/>	<b>CHECK HERE.</b> I acknowledge any statements implied as fact require supporting evidence.
<input checked="" type="checkbox"/>	<b>CHECK HERE.</b> 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.

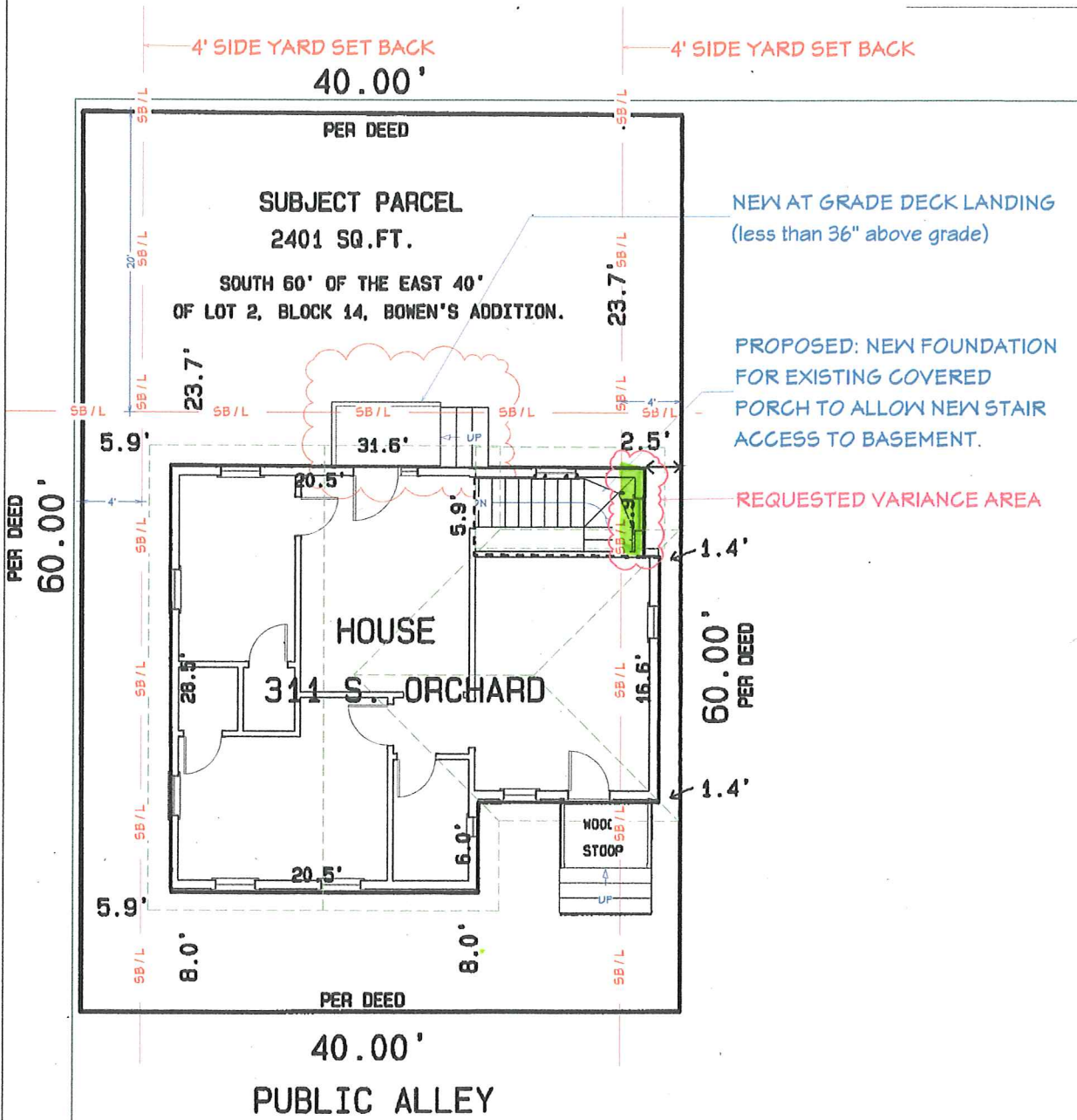
**Owner's Signature:** *M. Henderson, pres.* **Date:** 9-22-16

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

<b><u>DECISION</u></b>
The Board, in accordance with its findings of fact, hereby determines that the requested variance for _____ <b>(is) (is not)</b> in compliance with all of the standards for a variance. Further findings of fact are stated in the minutes of this public hearing.
<b>The Zoning Board of Appeals:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Conditionally Approved
<b>Zoning Board of Appeals Chair:</b>
<b>Date:</b>

**SITE PLAN: exploded view**

**ELEVATIONS:**

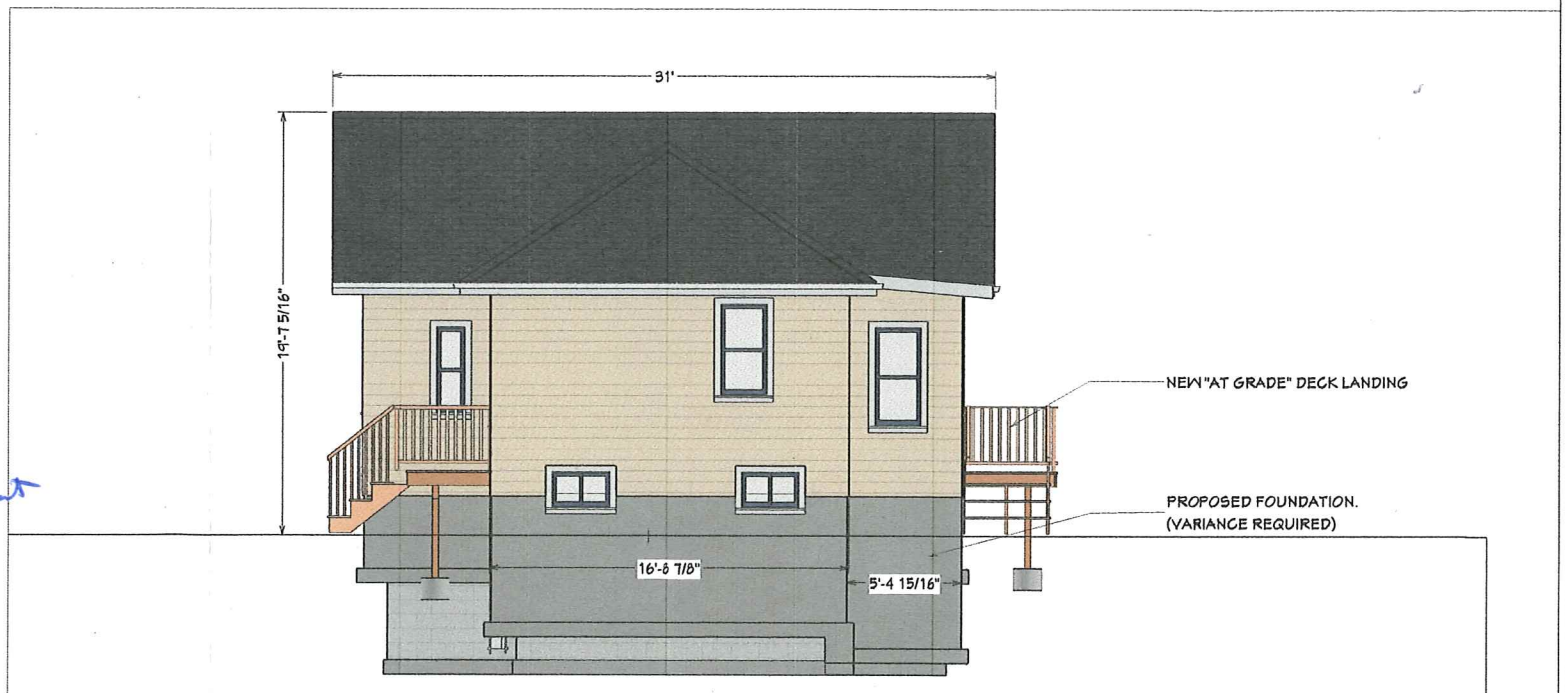


*Single-Story Single-Family home  
Construct enclosed stairwell to Basement  
side yard  
4.0' Required  
2.5' Provided  
1.5' Variance*

**View From the North Side**



**View From the East Side**



NO.	DESCRIPTION	BY	DATE
1	PRELIMINARY PERMIT PLANS	TJH	04-22-16
2	PERMIT PLANS	TJH	07-15-16
3	VARIANCE REQUEST	TJH	09-22-16

SHEET TITLE:  
O'NEIL HOME REMODEL  
311 S. ORCHARD ST  
MADISON WI 53715

PROJECT CLIENT:  
STEVE O'NEIL  
311 S. ORCHARD ST  
MADISON WI 53715

**HENDRICKS**  
RESIDENTIAL & COMMERCIAL CONSTRUCTION  
6719 SEYBOLD ROAD | MADISON, WI 53719  
608.422.5100 | www.hendricksllc.com  
construction@hendricksllc.com

DATE:  
9/22/2016

SCALE:  
1/4" = 1'-0"

SHEET:  
**A-5**

**SITE PLAN & EXISTING HOUSE PICTURES:**

View From the West Side



View From the South Side



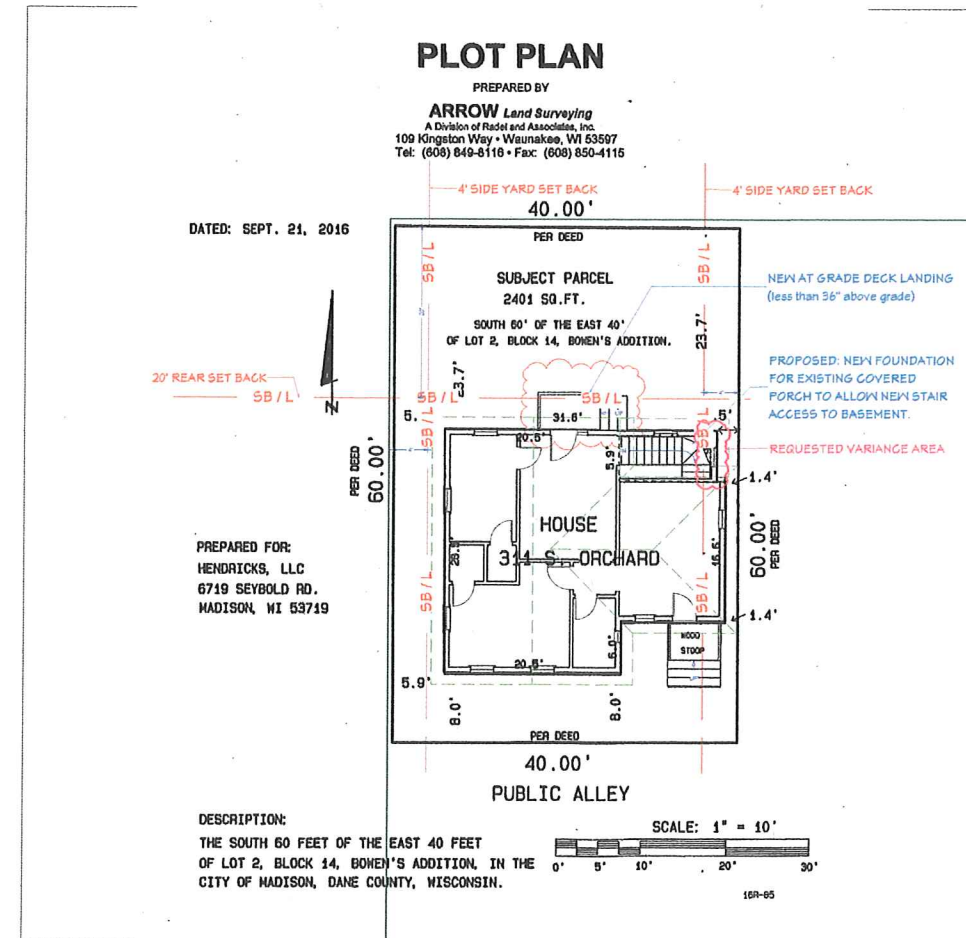
View From the North Side



View From the North-East Side



View From the South-East Side



NO.	DESCRIPTION	BY	DATE
1	PRELIMINARY	TJH	04-22-16
2	PERMIT PLANS	TJH	07-15-16
3	VARIANCE REQUEST	TJH	09-22-16

SHEET TITLE:  
O'NEIL HOME REMODEL  
311 S. ORCHARD ST  
MADISON WI 53715

PROJECT CLIENT:  
STEVE O'NEIL  
311 S. ORCHARD ST  
MADISON WI 53715

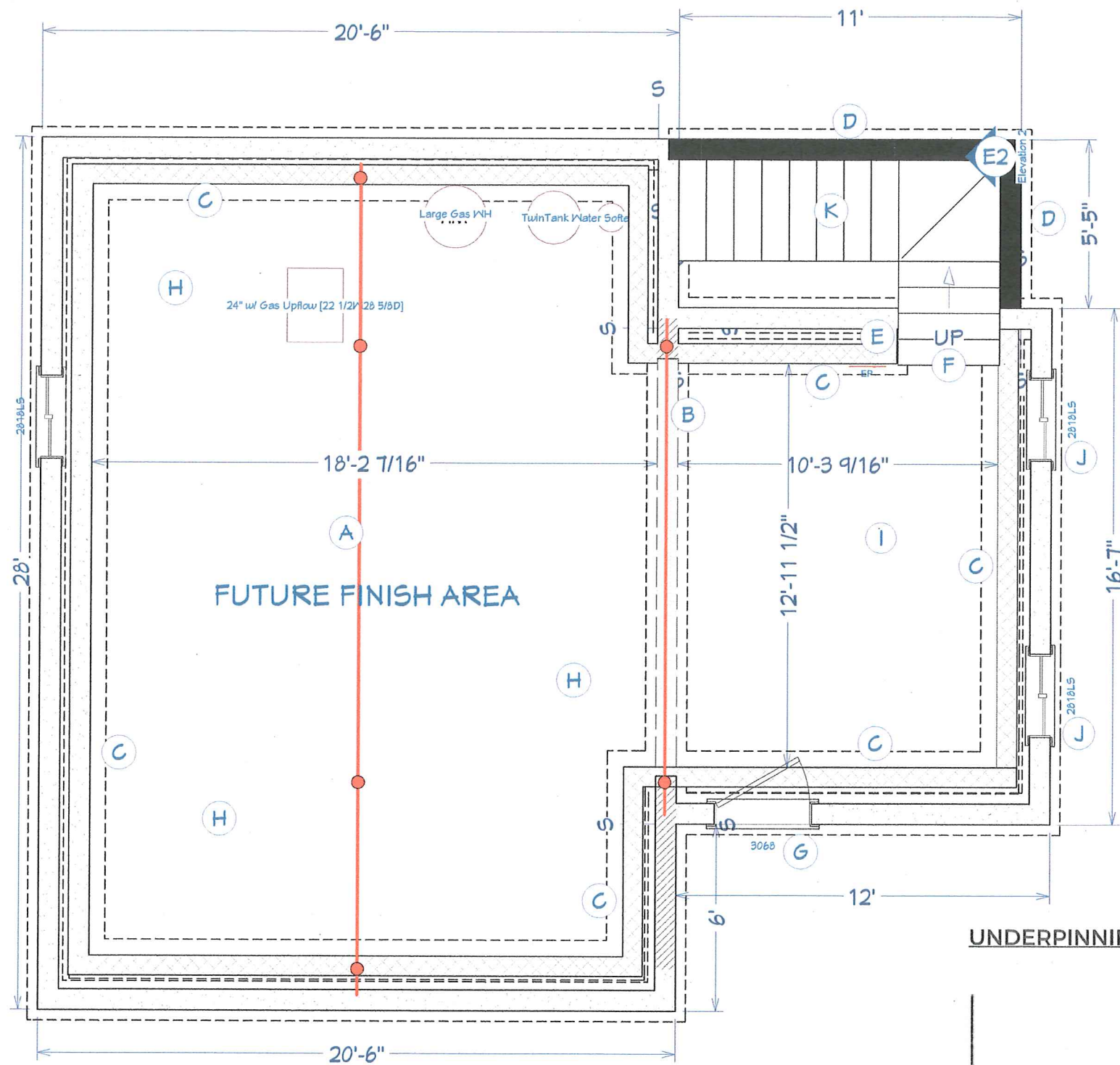
**HENDRICKS**  
RESIDENTIAL & COMMERCIAL CONSTRUCTION  
6719 SEYBOLD ROAD | MADISON, WI 53719  
608.422.5100 | www.hendricksllc.com  
construction@hendricksllc.com

DATE:  
9/22/2016

SCALE:  
1" = 10'-0"

SHEET:  
**A-4**

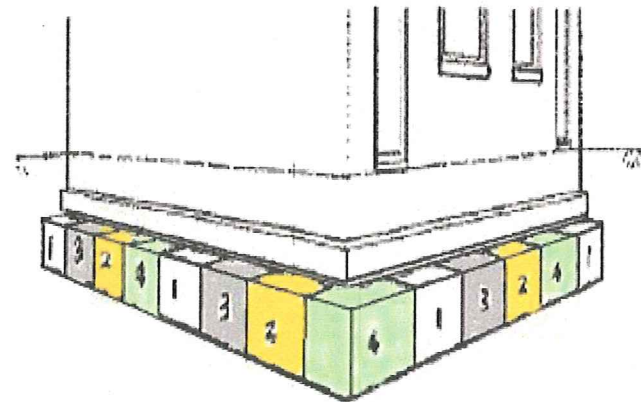
**LOWER LEVEL PLAN:**



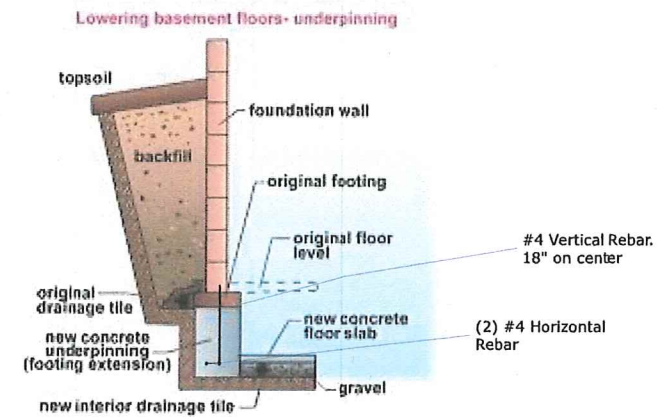
**LIVING AREA**  
833 SQ FT

- (A) NEW LVL HEADER TO CARRY FLOOR LOAD
- (B) CUT AND REMOVE WALL. NEW POST FOOTINGS (DEEPER) & LVL BEAM
- (C) MASS CONCRETE UNDERPINNING WITH INTERIOR DRAIN TILE. TIE IN NEW CONCRETE WITH EXISTING FOOTING WITH #4 REBAR EVERY 12" VERTICALLY AND RUN 2 #4 BARS HORIZONTALLY IN NEW FOOTING.
- (D) NEW 7"9" FOUNDATION WALL TO REPLACE EXISTING 4 SEASON STRUCTURE.
- (E) RELOCATE ELECTRICAL PANEL
- (F) CUT EXISTING FOUNDATION WALL FOR STAIRS
- (G) LOWER DOOR OPENING TO NEW BASEMENT FLOOR HEIGHT FOR FUTURE DOOR.
- (H) EXCAVATE APPROX. 4' OF SOIL FOR 7"9" WALL HEIGHT.
- (I) DEMO CONCRETE FLOOR. EXCAVATE APPROX. 2' OF SOIL FOR 7"9" WALL HEIGHT.
- (J) NEW WINDOW
- (K) NEW WOOD STAIRS

**UNDERPINNING PHASES: NO SCALE**



**UNDERPINNING DETAIL: NO SCALE**



NO.	DESCRIPTION	BY	DATE
1	PRELIMINARY	TJH	04-22-16
2	PERMIT PLANS	TJH	07-15-16
3	VARIANCE REQUEST	TJH	09-22-16

**SHEET TITLE:**  
O'NEIL HOME REMODEL  
311 S. ORCHARD ST  
MADISON WI 53715

**PROJECT CLIENT:**  
STEVE O'NEIL  
311 S. ORCHARD ST  
MADISON WI 53715

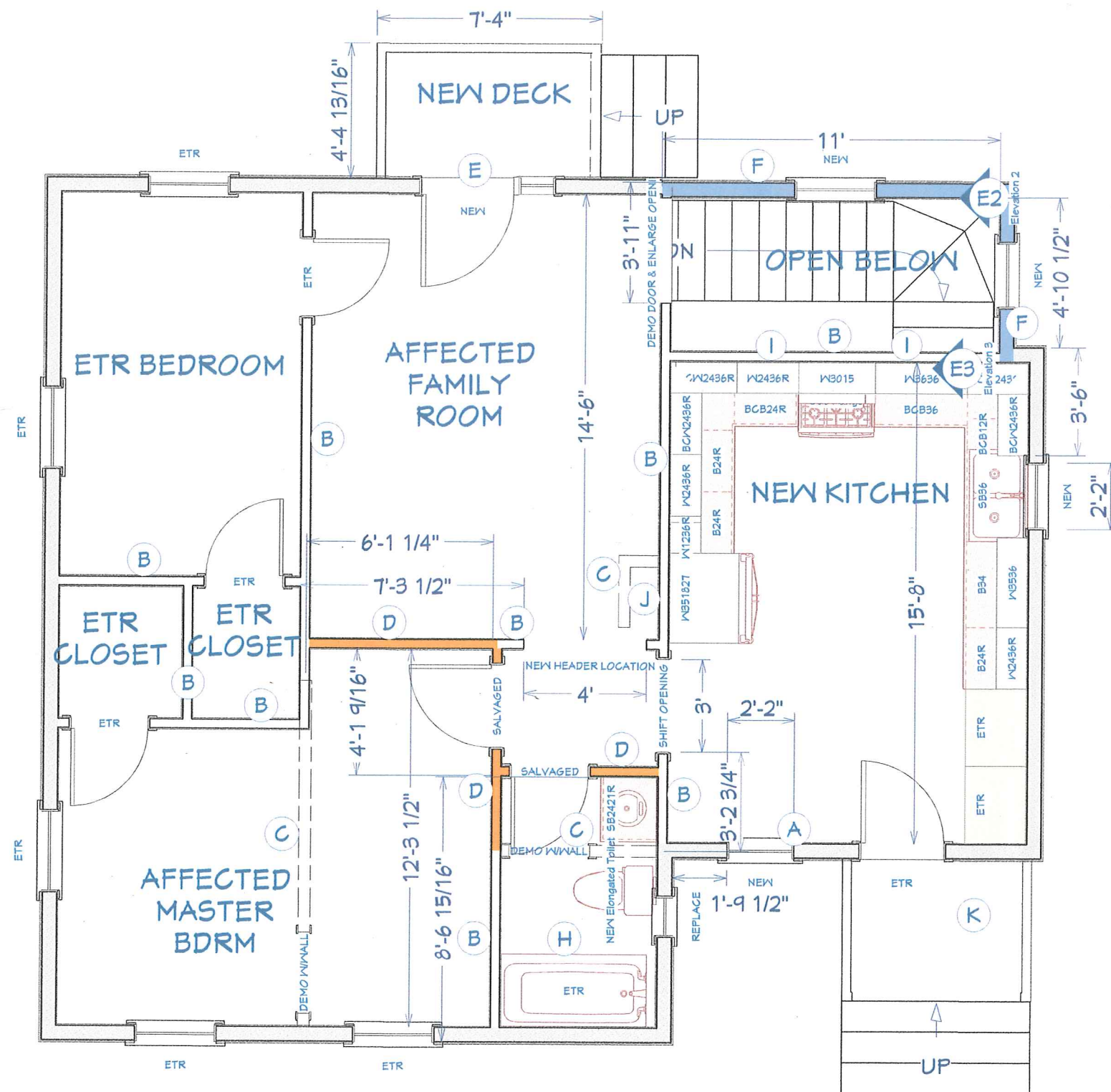
**HENDRICKS**  
RESIDENTIAL & COMMERCIAL CONSTRUCTION  
6719 SEYBOLD ROAD | MADISON, WI 53719  
608.422.5100 | www.hendricksllc.com  
construction@hendricksllc.com

**DATE:**  
9/22/2016

**SCALE:**  
1/2" = 1'-0"

**SHEET:**  
A-1

**MAIN LEVEL PLAN:**



**LIVING AREA**  
770 SQ FT

- (A) DEMO PLUMBING CHASE BUMP OUT.
- (B) EXISTING WALL TO REMAIN
- (C) DEMO EXISTING WALL
- (D) BUILD NEW WALL
- (E) DEMO EXISTING WINDOW AND REPLACE WITH NEW 36" EXTERIOR DOOR & SIDELIGHT
- (F) DEMO WALLS/WINDOWS AND REFRAME AS SHOWN ON NEW FOUNDATION. EXISTING ROOF TO REMAIN.
- (G) DEMO DRYWALL WALLS, INSULATE WITH FIBERGLASS BATTS, INSTALL NEW DRYWALL.
- (H) BATHTUB TO REMAIN, RELOCATE TOILET LOCATION, NEW SINK LOCATION.
- (I) INFILL DOOR AND WINDOW LOCATIONS
- (J) DEMO EXISTING CHIMNEY
- (K) EXISTING WOOD DECK TO REMAIN

ALL EXTERIOR WALLS TO REMAIN. NEW FRAMING AS REQUIRED FOR WINDOW MODIFICATIONS AS NOTED.



NO.	DESCRIPTION	BY	DATE
1	PRELIMINARY	TJH	04-22-16
2	PERMIT PLANS	TJH	07-15-16
3	VARIANCE REQUEST	TJH	09-22-16

**SHEET TITLE:**  
O'NEIL HOME REMODEL  
311 S. ORCHARD ST  
MADISON WI 53715

**PROJECT CLIENT:**  
STEVE O'NEIL  
311 S. ORCHARD ST  
MADISON WI 53715

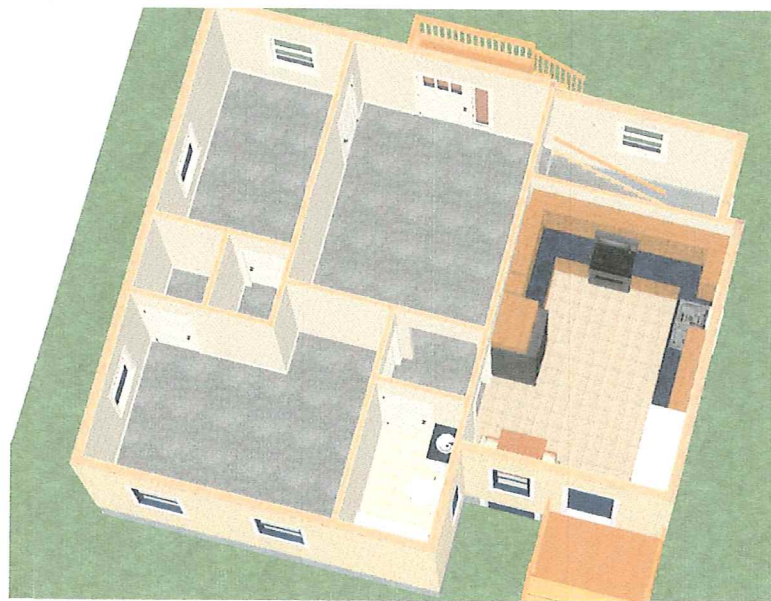
**HENDRICKS**  
RESIDENTIAL & COMMERCIAL CONSTRUCTION  
6719 SEYBOLD ROAD | MADISON, WI 53719  
608.422.5100 | www.hendricksllc.com  
construction@hendricksllc.com

**DATE:**  
9/22/2016

**SCALE:**  
1/2" = 1'-0"

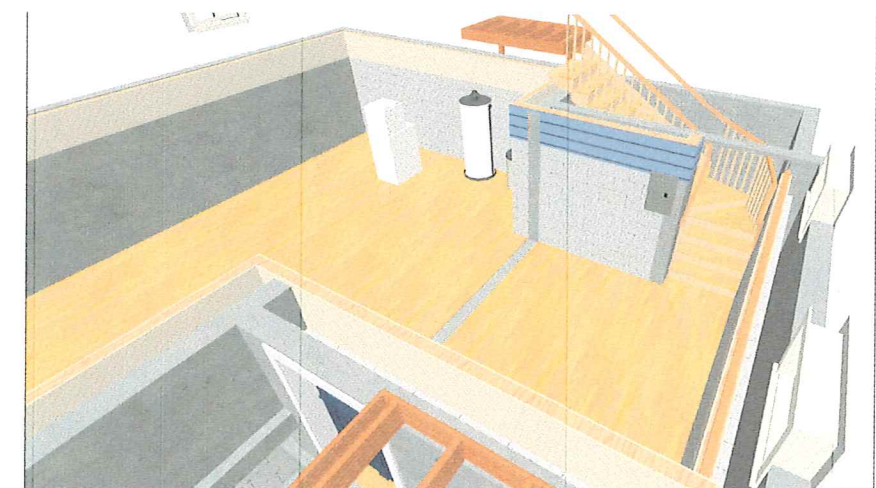
**SHEET:**  
A-2

**DETAILS AND 3D VIEWS:**



- EXISTING ROOF TO REMAIN.
- EXISTING 4 SEASON ROOM TO BECOME INTERIOR STAIRWELL TO BASEMENT.
- NEW 2x6 FRAMING WITH FIBERGLASS BATT INSULATION. 7/16" OSB SHEATHING W/HOUSE WRAP.
- NEW TREATED WOOD DECK.
- HEADROOM CLEARANCE IS 6'4" MIN.
- NEW 7'9" CONCRETE FOUNDATION WALL UNDER EXISTING ROOF STRUCTURE.
- INSTALL DRAINTILE AND SUMP PIT IN NEW LOWER BASEMENT.
- NEW 3" BASEMENT CONCRETE FLOOR.

Existing footing  
New poured concrete underpinned foundation under existing footing.



NO.	DESCRIPTION	BY	DATE
1	PRELIMINARY	TJH	04-22-16
2	PERMIT PLANS	TJH	07-15-16
3	VARIANCE REQUEST	TJH	09-22-16

SHEET TITLE:  
O'NEIL HOME REMODEL  
311 S. ORCHARD ST  
MADISON WI 53715

PROJECT CLIENT:  
STEVE O'NEIL  
311 S. ORCHARD ST  
MADISON WI 53715

**HENDRICKS**  
RESIDENTIAL & COMMERCIAL CONSTRUCTION  
6719 SEYBOLD ROAD | MADISON, WI 53719  
608.422.5100 | www.hendricksc.com  
construction@hendricksc.com

DATE:  
9/22/2016

SCALE:  
1/4" = 1'-0"

SHEET:  
**A-3**