

1987  
1987

Handwritten notes on the left margin, including the year 1987 and other illegible text.



from  
LIVING ROOM



from  
LIVING ROOM



from back of  
LIVING ROOM



from  
Living Room

enormous wall of glass... all break...  
 with digital...  
 what I want...  
 you can...  
 you can...



Spring Harbor Park

doubled

House in question

Spring Ct

40 yds

Microsoft Virtual Earth™

© 2008 Microsoft Corporation © 2008 NAVTEQ © 2008 Pharmacy International Corp.

Circled homes which have been supersized in recent years

original  
homes



5116

now



5116

5114



5114



5110

5106

5104



5110



5106

5104

Item 13002  
5104 Spring Ct

PLEASE PASS ON AND  
RETURN TO STAFF

Kyle Metzloff  
5105 Spring Ct.  
Madison, WI 53705

Department of Planning and Community & Economic Development  
Madison Municipal Building  
215 Martin Luther King, Jr. Blvd.  
Madison, Wisconsin 53701

December 14<sup>th</sup>, 2008

Dear City Plan Commission,

I will not be able to attend in person the meeting on Dec. 15<sup>th</sup> in regards to a conditional use for the property at 5104 Spring Ct. I would like to submit a letter that documents the effect of the increase in the height of 5104 Spring Ct. on the adjacent Merrill Springs Park. Several issues such as light blockage and creation of a walled effect caused at least 10 neighbors to attend the zoning meeting in opposition of this as well as two petitions containing many more signatures. Please consider that an increase in height of the property at 5104 Spring Ct. would have a negative effect on the entire Spring Harbor Neighborhood and the City of Madison in that it is a public park for all to use and enjoy. The severe limitation of light to the park in the afternoon greatly concerns me and many of my neighbors that signed the petitions.

Sincerely,

Kyle Metzloff



Liz Metzloff



Kyle Metzloff  
5105 Spring Ct.  
Madison, WI 53705  
608-238-8923

September 10, 2008

Dear Matt Tucker and Zoning Committee,

**Below are some comments concerning the Variance Application for 5104 Spring Ct.  
ZBA Case No. 091108-1**

Since we last talked on the phone I have had two sincere conversations with Dave Walther. I showed him the sun setting over his house and asked him to reconsider his plan or modify them slightly to lower the roofline. I also told him I had no problem with the underground storage proposed. He indicated that his architect was making a alternative set of plans taking this into account. I urged him to do this right away and show it to the neighbors before the meeting so that we would not have to have a possible relationship damaging confrontation at this meeting. I was genuinely surprised to see nearly the same set of drawings for this meeting. I was hoping that after listening to sincere appeals from many residents in the neighborhood he would reconsider. I therefore submit an amended statement for this hearing that follows.

1. Statement or proof of hardship:

In The Zoning Administrator's Report ZBA Case No. 091108-1 the hardship mentioned was that the lot was a substandard width and length. This is true and the reason the house was originally so small was because of limitation by the zoning committee in when it was built and the R2 zoning laws have not changed since then so I cant see how a hardship can be declared. However, I understand the problem with storage of boating and other lake equipment and **I do not have a problem with the lake setback part of this variance.**

Comment #1 in your report says "there is no place on the lot where any addition could be built either than atop the existing house" I am not sure what you meant by this because the Walthers are intending to build on top of the existing structure, but it is not an addition of space. Increasing the roofline of the house is not a great benefit to the Walthers and does major damage to the neighborhood and Merrill Springs Park. **I am in opposition of raising the roofline for the reasons listed below. There is no hardship that would necessitate a higher ceiling in this situation.**

2. "The proposed variance will not substantially diminish or impair property values within the neighborhood." (variance standard 6)

In our conversation you mentioned that you thought property values would go up for all neighbors concerned even if a view were blocked. **I think that the value of houses on the lake will go up of course and the houses behind the lake wall will go down.**

Asking the neighbors to prove this each time someone makes a variance request is unreasonable, the burden of proof should be on the persons that want the variance.

"The Granting of the Variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood." (variance standard 5)

View Analysis - In order to determine the impact of building a 8/12 pitch roof on 5104 Spring Ct.. Blockage of the lake view of other houses will significantly decrease the values of many surrounding Spring Harbor homes. Some homes have had major improvements that take the lake view into account.

A graphical analysis of the view of the lake from the surrounding houses on Spring Ct. and Lake Mendota Drive was conducted to determine the effect on the view. There are at least 6 houses that would directly be affected by this build. The view of 5101 Spring Ct. was studied and the results are found in figure #1, 2 and 3. (See attached Fig #1, 2 and 3)

3. "The proposed Variance will not substantially diminish or impair an adequate supply of light and air to adjacent property." (variance standard 6)

In the Zoning Report there was no mention of the effect on the Merrill Springs Park next to this house. After many comments and letters this topic was not addressed in your letter. I am not sure why, but this is the problem that I, and all the people that signed the petition in the neighborhood have with this project. All we are asking for is that the roofline increase be denied.

Light Analysis – Spring Harbor residents are very concerned with the amount of light that will be blocked in the early afternoons to evening of Merrill Spring. Any increase in the height of 5104 Spring Ct. will likely draw a shadow across the entire park in the afternoon. The trees and flower garden planted by the Spring Harbor Neighborhood Association (SHNA) and Spring Harbor Middle School will also be severely impaired. (See attached Fig. #4-8)

4. The proposed variance will possibly endanger the life of trees in the Merrill Spring Park:

There are large branches of trees in the Merrill Spring Park that will possibly need to be cut in order to make way for the roof proposed in the variance. (See Fig.#9)

Sincerely,



Kyle Metzloff

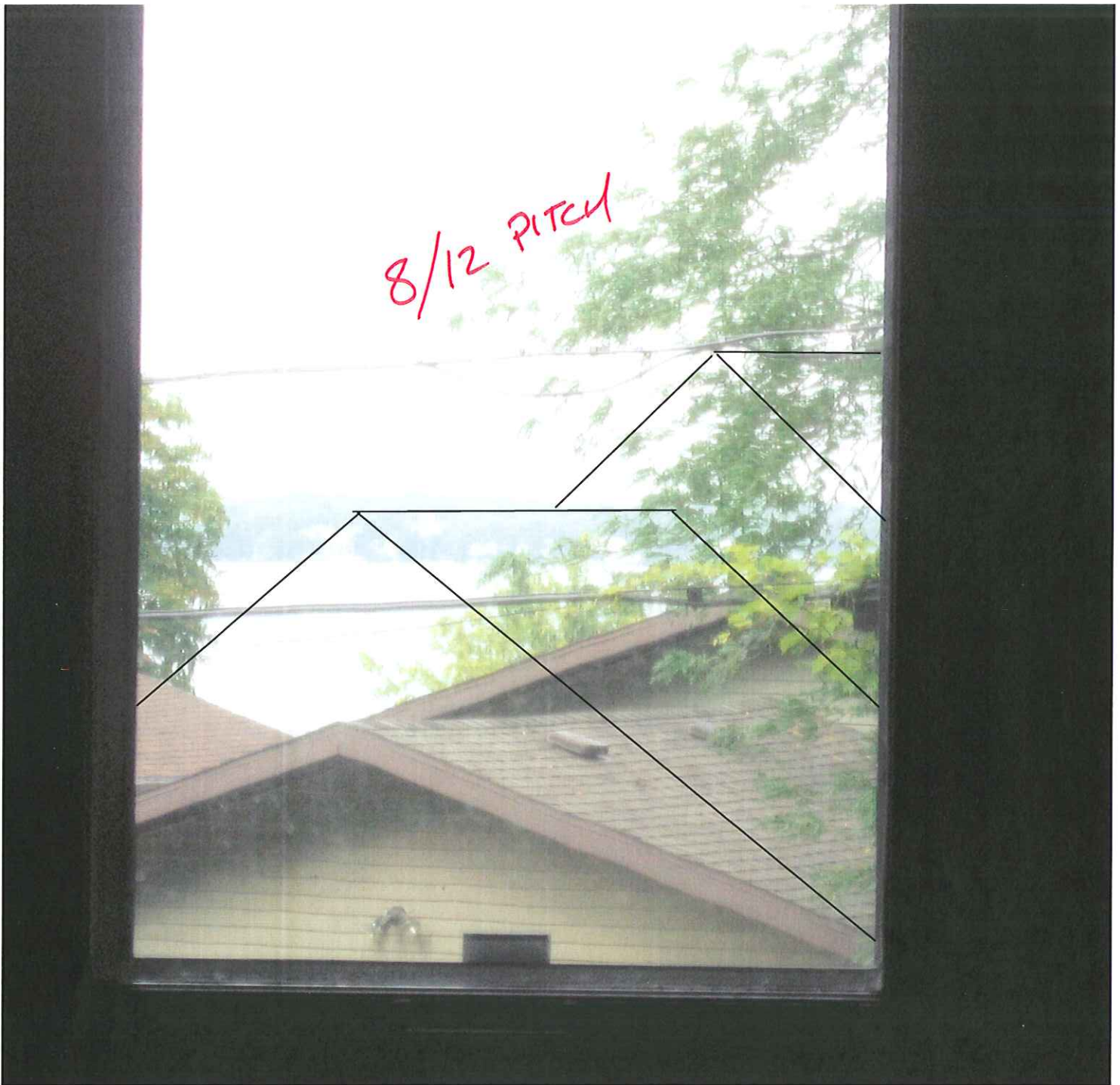


**Figure 1 - View from 5101 Spring Ct. from Porch.**





**Figure 2 - Same View from porch as Fig #1 but in Summer**



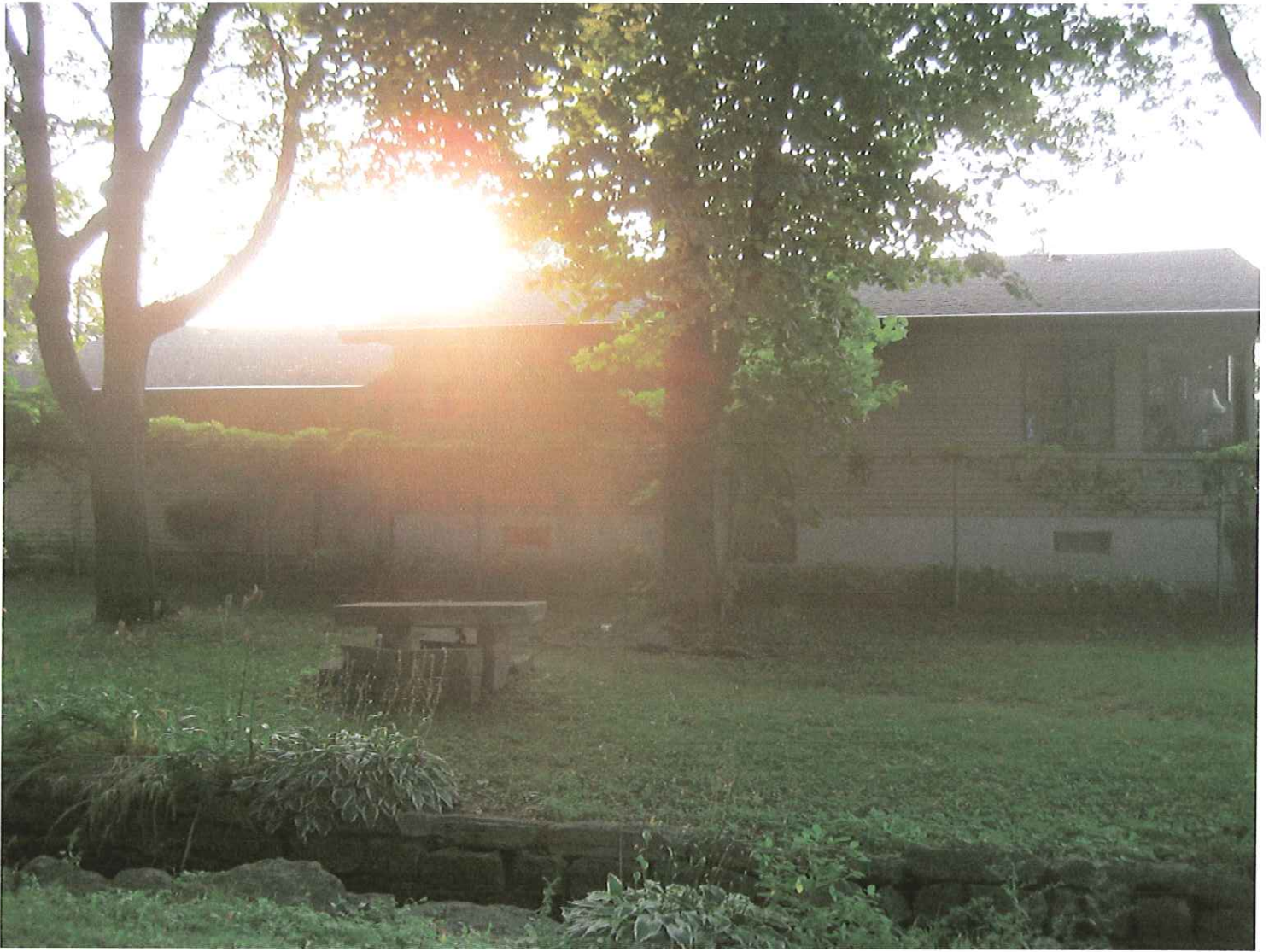
**Figure 3 - View from 5101 Spring Ct. from Living Room with Proposed Roofline Drawn. From this angle the view is drastically diminished.**



Figure 4 - Afternoon Shadow in Merrill Spring Park - which will be severely extended with proposed addition.



**Figure 5 - Proof that the sun sets exactly over the roofline of 5104 Spring Court from lake end of the park and that much sunlight filters through the trees.**



**Figure 6 - The sun setting over the other end of 5104 Spring Ct.**

*8/12/2011*



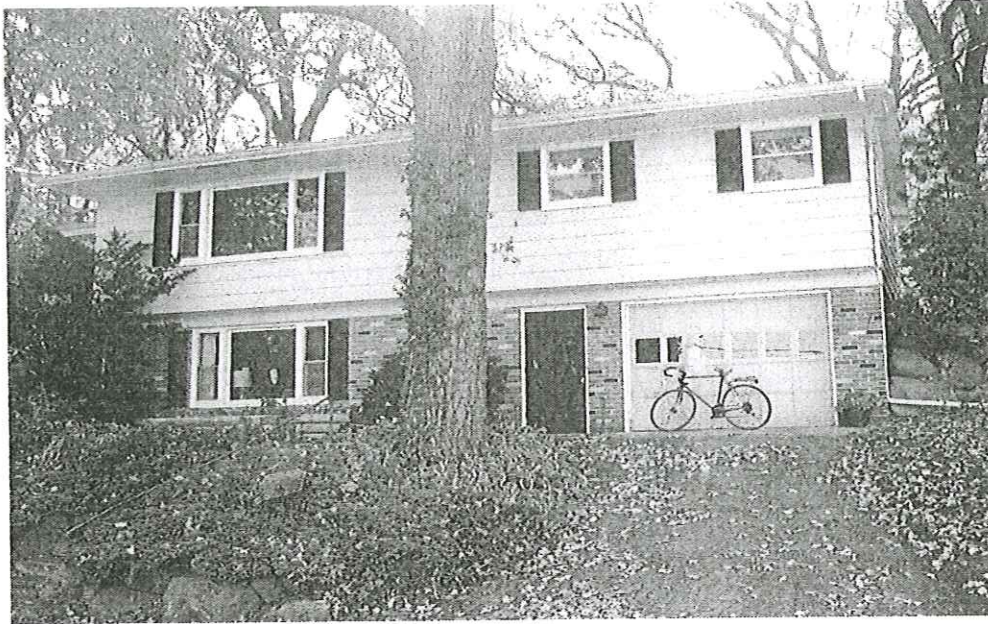
**Figure 8 - The black line represents where the shadow in the park will be at 5:30 pm, the shadow nearly covering the park.**

*early spring*



Figure 9 - Possible Tree Damage to Merrill Spring Trees by increased roofline.

# Lake Views!

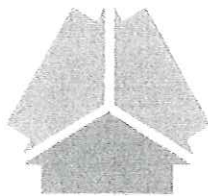


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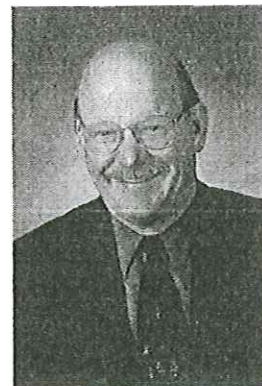
- ✓ **Overlooks Lake Mendota**
- ✓ **Brick fireplace wall**
- ✓ **Wood burning fireplace in LR**
- ✓ **Large 3-season sun room**
- ✓ **1-car extra deep garage**
- ✓ **2 bedroom 1 3/4 bath**
- ✓ **Ceramic tile in main bath**
- ✓ **7 x 11 finished storage room**
- ✓ **Large master bedroom**
- ✓ **Park-like setting**



**Kathy Klein**  
**828-5134**



**First Weber Group**  
7979 Greenway Blvd.  
Middleton, WI 53562



**Terry Hollenback**  
**828-5139**



Dear Zoning Board,

We reside in the Spring Harbor Neighborhood and will be affected by the proposed increase in the roofline of 5104 Spring Ct. in many ways. The house faces North and South and therefore the roofline is perpendicular to the rays of the sun in the afternoon. This will cause large areas of Merrill Spring Park to be in complete shade in the afternoon. This concerns us because we love the park and this will create an undesirable walled effect in the park and to the residents across the street. The increase in height will also shade the plantings and foliage in the park. The tree line will have to be modified to increase the height of the roof. This will likely adversely affect the health of the trees.

Thank you for your consideration of our concerns,

Name	Signature	Address
DON CARL JONES	<i>Don Carl Jones</i>	5139 Spring Court
DAVE GEORGE	<i>Dave George</i>	1130 MINOCQUA CRESCENT
CAROLYN STOCK	<i>Carolyn Stock</i>	1130 MINOCQUA CRESCENT
Matt Metzger	<i>Matt Metzger</i>	5133 Tomahawk Trail
Rachel Metzger	<i>Rachel Metzger</i>	5133 Tomahawk Tr
Ron Aschenbrenner	<i>Ron Aschenbrenner</i>	5134 Tomahawk
<i>Patricia Brythe</i>	<i>Patricia Brythe</i>	5146 Lake Mendota Dr.
<i>Kim M. Bude</i>	<i>Kim M. Bude</i>	5114 Lake Mendota Dr.
Elma Metzloff	<i>Elma Metzloff</i>	5122 Lake Mendota Dr.
Carlton Metzloff	<i>Carlton Metzloff</i>	5122 Lake Mendota Drive
Donald Macaulay	<i>DON MACAULAY</i>	5058 LAKE MENDOTA DR.
Bernard Weiskum	<i>Bernard Weiskum</i>	5110 Lake Mendota Dr.
Maurice D. Rickman	<i>Maurice D. Rickman</i>	5053 Lake Mendota Dr.
ROBERT C. RICKMAN	<i>Robert C. Rickman</i>	5053 LAKE MENDOTA DR.
Michael Rosenblum	<i>Michael Rosenblum</i>	1134 Merrill Springs Road
Corinna Crade	<i>Corinna Crade</i>	5136 Lake Mendota Dr.
Heather Crade	<i>Heather Crade</i>	5136 Lake Mendota Dr.
<i>Steve Crade</i>	<i>Steve Crade</i>	5136 Lake Mendota Dr.
BRETT PAUSCH	<i>Brett Pausch</i>	1137 MINOCQUA CRESC.
NANCY PAUSCH	<i>Nancy Pausch</i>	1137 MINOCQUA CRESC.
JACKSON TIFFANY	<i>Jackson Tiffany</i>	1134 Minocqua Crescent
Virginia Tiffany	<i>Virginia Tiffany</i>	1134 Minocqua Crescent
Jeanette Tierney	<i>Jeanette Tierney</i>	5438 Lake Mendota Dr.
Michael Tierney	<i>Michael Tierney</i>	5438 Lake Mendota Dr.

My name is Jeannine Sievert.

I live at 5101 Spring Court, directly across the street from 5104, the site of the proposed roof pitch change. My objection to this change is two-fold.

When I looked for a home in 1988, I wanted a ready-to-live-in house or condo. 5101 Spring Court was anything but. It had a steep driveway, a trashed interior and smelly carpets. I couldn't get out fast enough. What drew me back for a second look and ultimate purchase was the view over the rooftops to the lake and far distant shore. That view was the only reason I purchased my home.

That same view will be the primary selling point of my otherwise very ordinary two-bedroom house. The proposed roof pitch change to 5104 would greatly devalue my house and property by destroying that view. Moreover, if this application is successful, it is highly likely that the occupants of 5106 next door will apply for a similar-variance, *levation* reducing the value of my property even more.

Sharing my home is my 51 year old disabled son, who is no longer able to work. The house, and the proceeds from the eventual sale of it, will assure him a home after my death.

In summary, my protest is about more than aesthetics. It is about economics. The impact of the proposal would be enormously detrimental financially to me, and to my son.

Several years ago, an agent from First Weber Group asked to prepare a sales document, in case I wished to sell my house in the future. He gave me a mock-up of a sales leaflet that I have with me. As you will see, the main selling point consists of the lake views.

Thank you.

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petition  
signatures

August 4, 2008

Zoning Board,

Our neighborhood has just received notice of new construction plans for 5104 Spring Court. This has been a contentious property since it was first divided into undersized lots back in 1980. At that point, variances had to be approved (neighbors objected) on both 5104 and 5106 to put in basically identical houses that covered the lots.

In 2002, there was a proposal to elevate the roof on 5106 for a cathedral ceiling with a loft and it was denied unanimously by the board. This spring a proposal to put on a second floor was put forth by 5104, a smaller lot, and was pulled with notice that the neighbors had changed their plans to remodel it as a vacation home rather than enlarge it to be a permanent home. "the structure of our home will not be enlarged".

We were looking forward to a remodeling of the home and expecting something similar to 5106 which was eventually very tastefully done without changing the size of the structure. We are concerned with the current proposal for 5104 for the following reasons:

- The zoning form states that "elevations from three directions showing existing structure, proposed structure, and line differentiating existing from proposed structures". There is no visual to show a comparison between the existing and the proposed home. The summary of proposed construction says that the house and garage roofline will change from 4/12 to 8/12. This is doubling the roofline height which will be significant.
- It is impossible to read height numbers on A4 even with a magnifying glass.
- Regarding the standards for variance:
  - #1 – there is no hardship with the physical surrounding besides trying to expand on a lot that is already overtaxed. 5106 successfully remodeled with no exterior sizing changed.
  - #2 – A variance was denied to 5106 in 2002 when they proposed raising their roof.
  - #6 – Across the street, 5101 was purchased precisely because it was marketed as a lakeside view. There is great concern that this will impair the property value of the houses near the end of the court. Additionally if the precedence is set to raise this roofline, then 5106, when it is sold this year, will be able to apply to raise their roofline creating a formidable wall at the end of Spring Court.
- A subterranean addition requiring a variance is taxing lakeside land that is already taxed. Besides extending non permeable space towards the lake, other construction sites in the neighborhood have experienced difficulties with digging close to the lake and have had to make alterations during construction.

- There are no specifications regarding how far the next deck will extend towards the lake. It appears it is changing from 8' to 18' which as a result has the entire structure covering a large percentage of the lot.

We hope that the zoning board will take into consideration the history of this property and note that a successful remodeling job occurred at the nearly identical house next door (5106) with no exterior sizing alterations.

Sincerely,

Elyssa Melf 5105 Spring Ct.

K Lolly # 5129 Spring Ct

Jessan Roberts 5141 Spring Cr

Patricia Bayeth 5140 Lake Mendota Drive

Heather Crade 5136 Lake Mendota Dr

John Crade 5136 Lake Mendota Dr

Elma J Metzloff 5122 L. Mendota Dr.

X Carlton Metzloff 5122 Lake Mendota Dr.

Jeanine Sierert 5101 Spring Ct.

Bernard M. Blum 5110 Lake Mendota Drive

Trinity 5114 Lake Mendota Dr.

(out of town for Aug 14<sup>th</sup> meeting)

Cheryl Hites & Cindy Shual 5042 Lake Mendota Dr.

Blayne & Don Macaulay 5058 Lake Mendota Dr.

Cc Mr. and Mrs. David Walther

Todd Sierert 5101 Spring Ct.

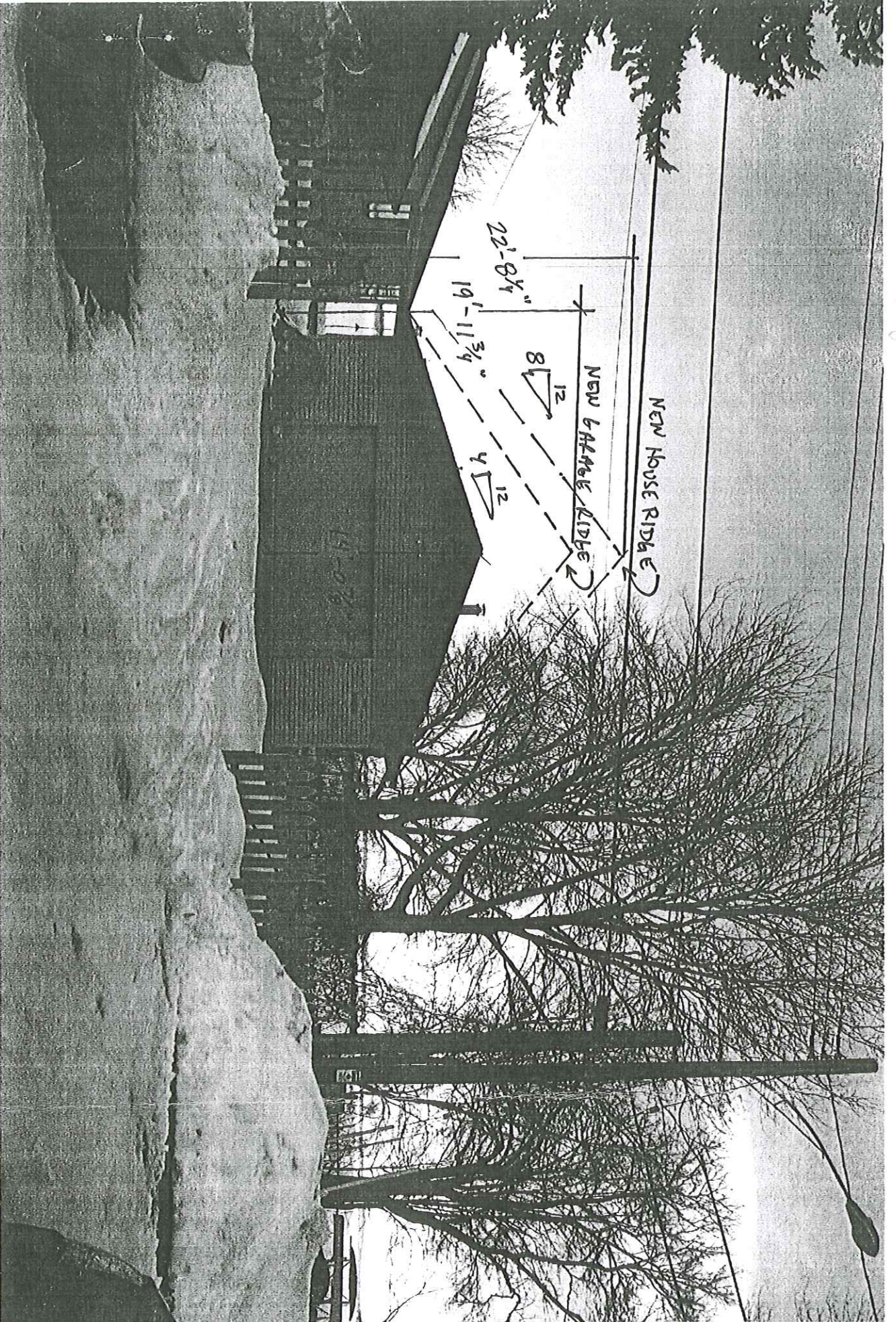
Kyle Metzloff 5105 Spring Ct. (out of town for 8/14 meeting)

Alice & Dave Erickson 5109 Spring Ct (out of town for 8/14 meeting)

Bill & Faith Fitzpatrick 5156 Spring Ct

copy from the

PLEASE REVIEW AND RETURN TO STAFF



Profile 5104 Springs Ct.

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