



**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: 302 VAN DEVSEN

Name of Owner: DEVIN COOGAN

Address of Owner (if different than above): "

"

Daytime Phone: 505 231-6658 Evening Phone: "

Email Address: devincoogan@gmail.com

Name of Applicant (Owner's Representative): DEVIN COOGAN

Address of Applicant: _____

Daytime Phone: _____ Evening Phone: _____

Email Address: _____

Description of Requested Variance: lifting home for replacing foundation.
Home is in a setback. Footprint will not be changed.

(SEE ATTACHED DOCUMENTATION)

(See reverse side for more instructions)

FOR OFFICE USE ONLY	
Amount Paid: <u>\$300.00</u>	Hearing Date: <u>4-15-21</u>
Receipt: <u>108105-0015</u>	Published Date: <u>4-8-21</u>
Filing Date: <u>3-10-21</u>	Appeal Number: <u>LNOVAR-2021-00006</u>
Received By: <u>NJK</u>	GQ: _____
Parcel Number: <u>0709-2611-214-8</u>	Code Section(s): _____
Zoning District: <u>TR-C3</u>	_____
Alder District: <u>13-EVERS</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.

SEE Attached Documentation

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.

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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.

||

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.

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

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

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Application Requirements

Please provide the following information: Incomplete applications could result in referral or denial by the Zoning Board of Appeals. (Maximum size for all drawings is 11" x 17".)

<input checked="" type="checkbox"/>	Pre-application meeting with staff: Prior to submittal of this application, the applicant has met to discuss the proposed project and submittal material with the Zoning Administrator.
<input checked="" type="checkbox"/>	Site plan, drawn to scale. A registered survey is recommended, but not required. Show the following: <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).
<input 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).
<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"/>	Digital copies of all plans and drawings should be emailed to: zoning@cityofmadison.com
<input checked="" type="checkbox"/>	CHECK HERE. I understand that in order to process my variance application, City Staff will need access to my property so that they can take photographs and conduct a pre-hearing inspection of the property. I therefore give City Staff my permission to enter my property for the purpose of conducting a pre-hearing inspection and taking photographs.
<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.

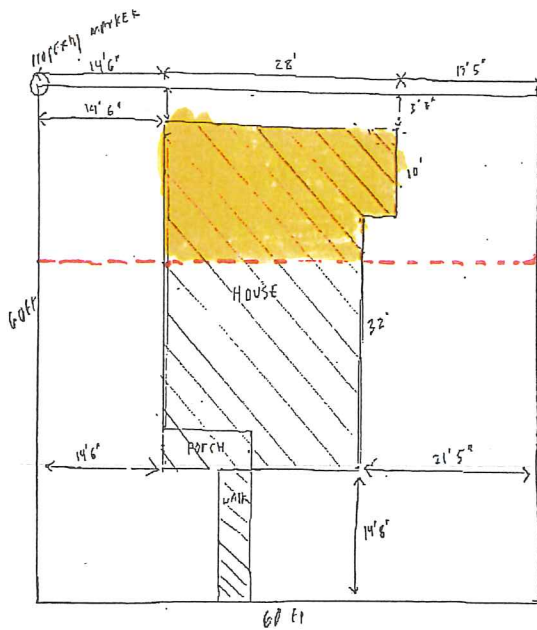
Owner's Signature: *Dominic Capp* Date: 3-8-21

----- (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:



302 VAN DEUSEN
NORTH FACING



11' 1" = 22.5'

302 VAN DEUSEN
53715, MAD WI
DEVIN COOBAN
51812020

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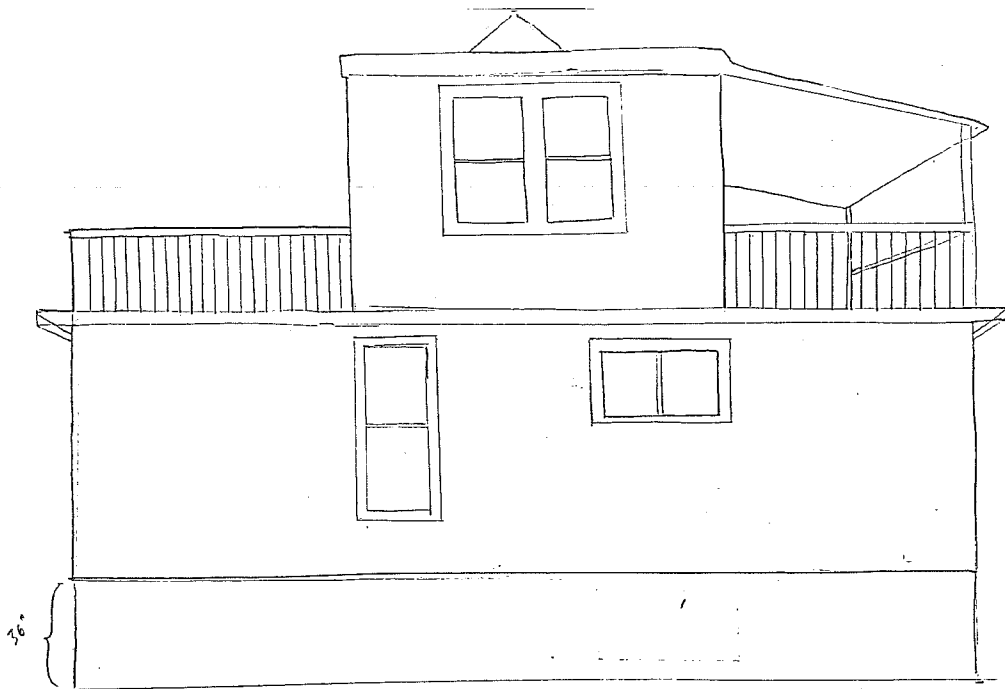
2-story 2-unit
Increasing building height

Rear Yard

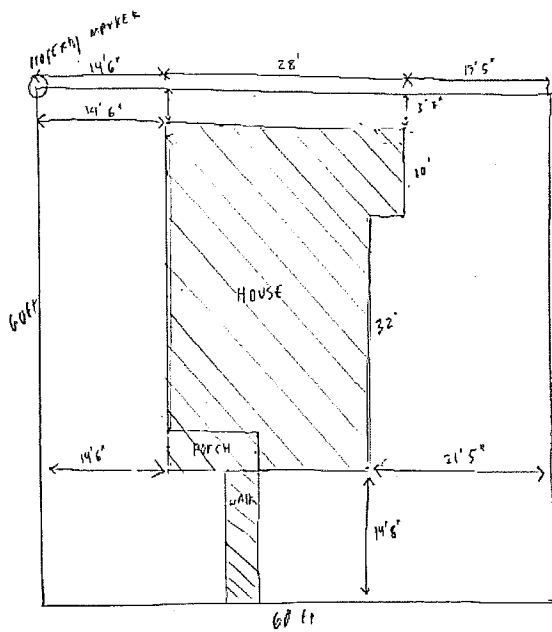
20' Required
3' 2" provided

10' 10" variance

Van Deusen St.



302 VANDEUSEN
NORTH FACING



1" = 1'

302 VAN DEUSEN
53715, MAD WI
DEVIN COOPER
5/8/2020

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Van Deusen St.

Devin Coogan
302 Van Deusen
Madison WI
53715

Zoning Variance Application

Description of Variance Request:

302 Van Deusen is a two-story owner-occupied home with a foundation failure and rim failure on southside of house resulting in differential settlement. The older home (1888) has a piecemeal foundation composed of wooden piers (original), brick frost wall, some concrete, and some internal wooden repair. The owner is requesting permission to support the home, excavate existing foundation, and replace entire foundation. This will not change footprint or character of home, but requires elevating structure. Because the home exists on a small lot in the setback, lifting the home requires a zoning variance. The southside of the home currently rests on grade, the owner is requesting a 28" to 36" lift of the house off of grade for foundation replacement.

Standards for Variance:

There are conditions unique to the property of the applicant that do not apply generally to other properties in the district.

Due to age of home the foundation is in crumbling and settling. See photos for details. The old home is also in a split lot. Due to settling the current south wall of the home is resting on grade, below code height for sill plate, while the north end of the home is at 9" from grade. The west side and southwest side of the home currently has negative grade towards the foundation of the home.

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.

If the variance were granted, the home would be at a height consistent with other homes on the block. With the variance request lifting of the house of 36" the house would still have a lower peak height than the east side neighbor, an abutting home. If the variance were granted the home's peak height would also not exceed the zoning limit of 35 feet, but instead would be at about 28 feet. The home also currently neighbors a two-story home with a 20" above grade foundation with a higher peak height, and is in a neighborhood with a number of two story homes with higher peak heights. I've also included a number of photos of homes within a few block radius with comparably high foundations as this request. These photos are not an exhaustive survey of the neighborhood. Additionally, siding can be extended down over the foundation to conceal most of the above grade foundation if needed.

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.

If I cannot get a variance, I cannot replace the foundation--it is not possible without a variance due to the house being in a setback. Some amount of elevation of the home will be required to replace the foundation. The house will then need to be set back down at a higher height in order to be able to achieve a positive grade away from the foundation. Currently the west side of the house would require approximately 3 inches of increased grade to be neutral; the lift of the home would allow for additional earth to be added for creating 6+ inches of grade within the first 10 feet of the foundation.

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 problems with the home predate this owner. At the time the home was built, the building was presumably code compliant/pre-code. At the time other fixes were made, the building was presumably code compliant. In order to fix the current problem, which has not been caused by current owner, a variance is needed.

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

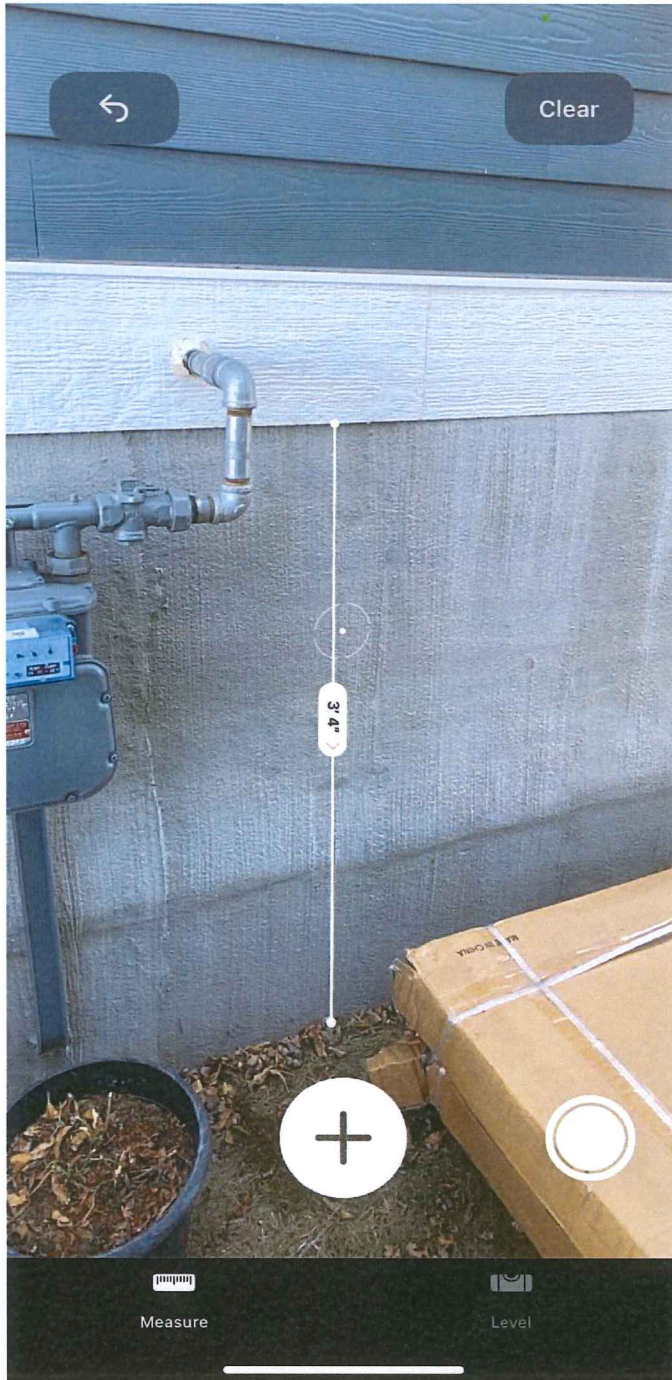
The proposed variance will not change the footprint of the home and home will be exactly as it was before. The leveling and preserving of the home's integrity will be a contribution to the upkeep of the neighborhood. The increased height of the property will create an increased shadow for north side abutting property. The north side of the home is not the tallest part of the structure; with a lift of 36" the northside of the home will stand at approximately 22'3".

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

The home will not change in style or character and will remain a quintessential and traditional contribution to the overall character of the neighborhood through preserving it by replacing the foundation.

Homes in Bay Creek Neighborhood With 3 foot + exposed Foundations (not exhaustive)

822 West Shore: 3' 4"



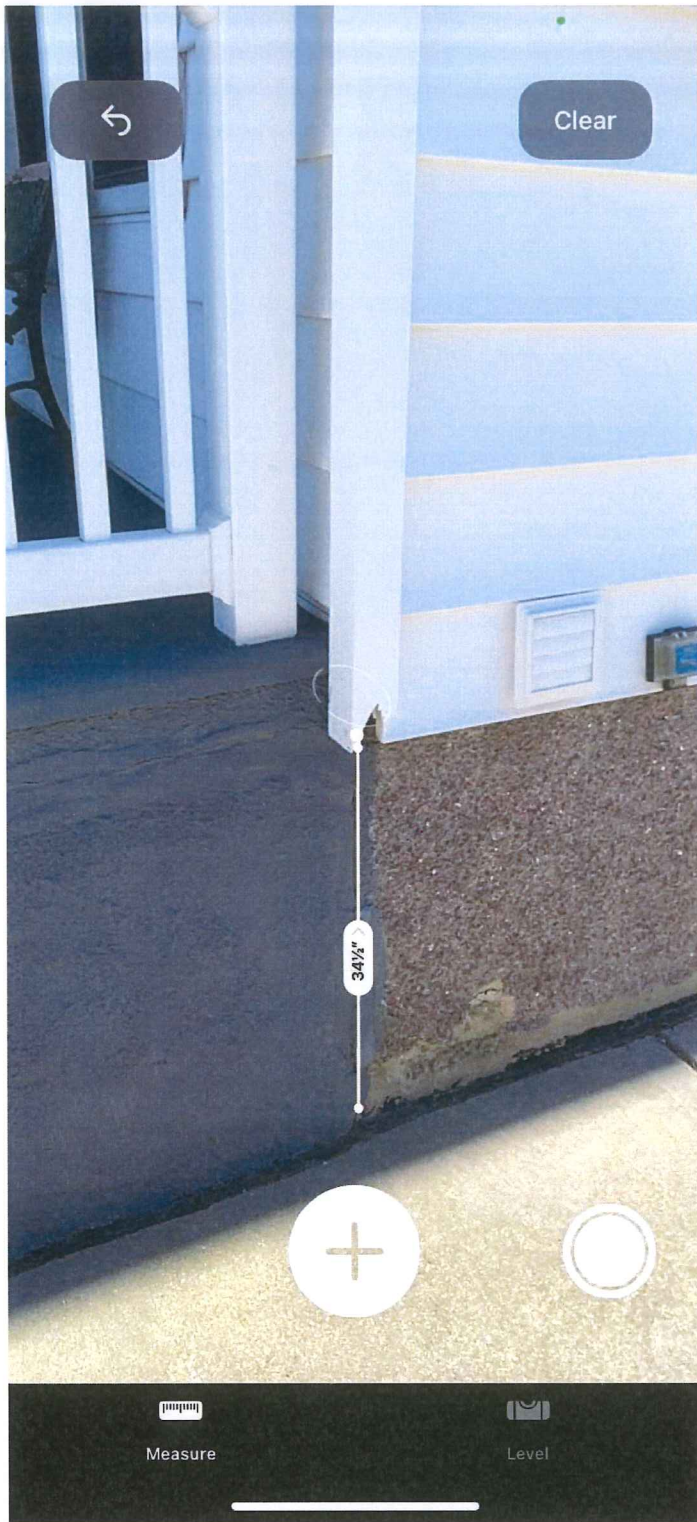
954 Parr Street: 4' 2"



617 South Shore: 3' 10"



613 South Shore: 34.5"



123 Van Deusen: 29.5"



Internal Photos of Current Foundation at 302 Van Deusen:













302 Van Deusen Foundation Project Proposal



Existing Conditions:

302 Van Deusen is a 1.75 story single family home built in 1888 in the Bay Creek neighborhood, south of Monona Bay. The foundation, originally wooden pier, with repairs and additions made over the years, including some brick, stone, concrete and an internal wooden repair, has experienced significant differential settling. Further deterioration of the foundation could result in damage to the structure, damage to utilities, and/or allow increased infiltration of water into the space below the house. The existing foundation is failing on the south west side, with a temporary internal wooden repair in place. For this reason, and given the condition of the rest of the existing foundation, repair of the existing, further repair will not be pursued.

Proposal:

The foundation replacement will consist of the following steps:

1. The house will be temporarily lifted off of its current foundation by a home lifting and moving contractor and rest on cribbing placed at an appropriate distance from any excavations.
 - a. Temporary connections will be made to continue water and sewer service to the house.
 - b. Overhead electrical service should be unaffected; MGE will be made

aware of the project and consulted regarding any changes that may be necessary.

c. Gas service will be disconnected for the duration of the project.

2. The selected contractor will demolish and remove the existing concrete foundation and complete any excavation necessary to create the work space needed for assembling concrete forms.

a. Excavations will be braced as necessary

b. Below-slab utility connections will be placed

3. The selected contractor will construct a reinforced slab with geotextile below gravel for additional settling resilience.

a. The footing will be extended beneath interior load-bearing walls for additional durability.

b. An egress window will be placed on the east side of the house

4. Once the concrete has cured appropriately, any necessary carpentry work will be completed.

a. The existing columns currently supporting areas of house

will be replaced with 2x6 stud walls with studs spaced 16" on center.

b. Cracked or damaged floor joists will be repaired or sistered as Necessary.

c. Any sections of the wall exhibiting water damage or rot will be repaired or replaced as necessary.

5. The house will be set on the new foundation and excavations will be Backfilled.

a. A spray-applied or peel-and-stick waterproofing will be applied to the exterior foundation wall and footing.

b. A perimeter drainage system will be installed to intercept infiltrating surface water – this will discharge to a sump.

c. Any needed weatherization will be completed.

Please refer to the included drawings for further details.

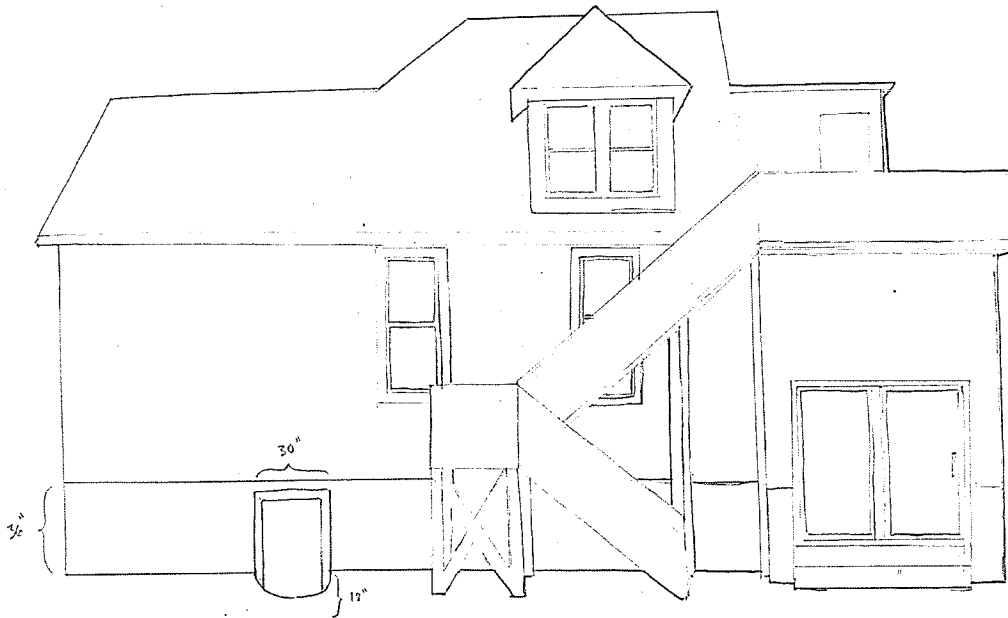
302 VAN DEVSEN
FOUNDATION REPLACEMENT
PROPOSAL
DEVIN COOPER



36" APPROX

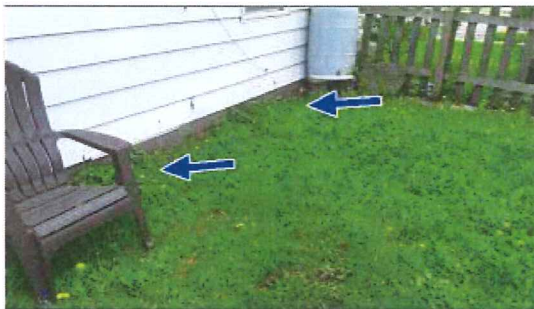


302 VAN DEUSEN
WEST FACING

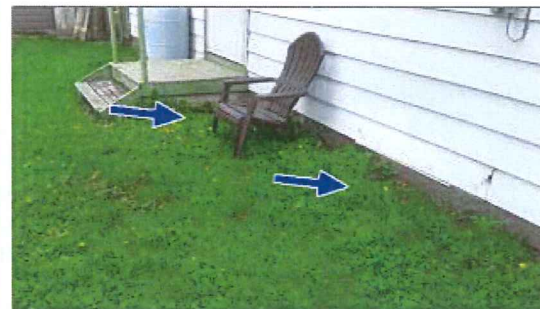


302 EAST FACING
VAN DEUSEN

West side of house grade toward current foundation



1.5 Item 2



1.5 Item 3

⚠ **1.5 (3)** The home had areas of neutral or negative drainage at grade, sunken or low spots, towards the west side of home, which do not appear to drain water away from home and will route runoff from precipitation to the foundation. Excessive moisture content in soil supporting the foundation can cause foundation and other structural damage from undermining, heaving or settling, depending on soil composition, moisture content and other conditions.

The ground should slope away from the home 1/2-inch per foot for a distance of at least six feet from the foundation if possible.

Current measurements of corners of structure from grade (note, north side of structure is addition with concrete foundation)



**South wall; approx 2.4" from
grade**



South east corner; approx 5.3"



West wall, approx 4" from

grade



North West corner, approx 9.25" from grade (different segment of foundation, addition concrete)



North west corner, approx 9-10" from grade (also concrete section from addition)

Height of structure south face as is approx 19ft (South facing)



Current height of North facing side of structure is approx 19'3"



Foundation replacement would add 36\" to height