



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: 51642 Lake Mendota Drive, Madison WI 53705

Name of Owner: Jay and Janet Loewi

Address of Owner (if different than above): Same

Daytime Phone: 608.345.5548 (cell-Janet) Evening Phone: Same

Email Address: janetloewi@gmail.com

Name of Applicant (Owner's Representative): n/a

Address of Applicant: _____

Daytime Phone: _____ Evening Phone: _____

Email Address: _____

Description of Requested Variance: would like to add approx. 2'8" to 1/2 of our existing deck, approx. 29 s.f. Due to the meandering shoreline, ~~this~~ and neighbors' recent new home, this creates a late front set back variance, although it does not appear any closer to the lake than the existing other 1/2 of the deck. No ^{additional} living space is being proposed. Late front setback variance.

(See reverse side for more instructions)

FOR OFFICE USE ONLY	
Amount Paid: <u>\$ 300</u>	Hearing Date: <u>2-20-20</u>
Receipt: <u>99537-0001</u>	Published Date: <u>2-13-20</u>
Filing Date: <u>1/21/20</u>	Appeal Number: <u>LNDVAR-2020-0001</u>
Received By: <u>JLK MWT</u>	GQ: <u>Conditional use</u>
Parcel Number: <u>0759-182-0302-0</u>	Code Section(s): <u>28.138(4)(a)</u>
Zoning District: <u>IR-C1</u>	
Alder District: <u>19-Keith Farnham</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.

- Part of the deck is at grade, part elevated due to a walk-out basement below.

- Due to the meandering shoreline, this appears further from the lake (it's not as deep) as the other 1/2 of the deck, but is technically closer.

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.

- There is no public access to this lot.

- There is a precedent on Lake Monona where a meandering shoreline created a similar problem, which was approved.

- We will remain at or behind our neighbor's deck and screened porch.

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.

- We are removing two unnecessary sets of stairs, making the back of the deck smaller. The 1/2 of the deck we would like to increase is narrow, and will remain less deep than the other 1/2.

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 contractor had started construction when the error in process was pointed out (in Mid-August), at which time we stopped construction.

We had a permit only to upgrade, not add this. We are the third owners since this deck was built, so are unsure why they chose this configuration.

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

We remain further back from the closest neighbor's deck, and this will in no way affect light and air or sightlines.


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

- This type of deck is common on lake side properties, and this addition remains further back ^{from adjacent houses} than the other 1/2 of the existing deck.

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 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 checked="" 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 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:  _____ **Date:** 1/21/2020

----- (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:

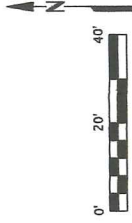
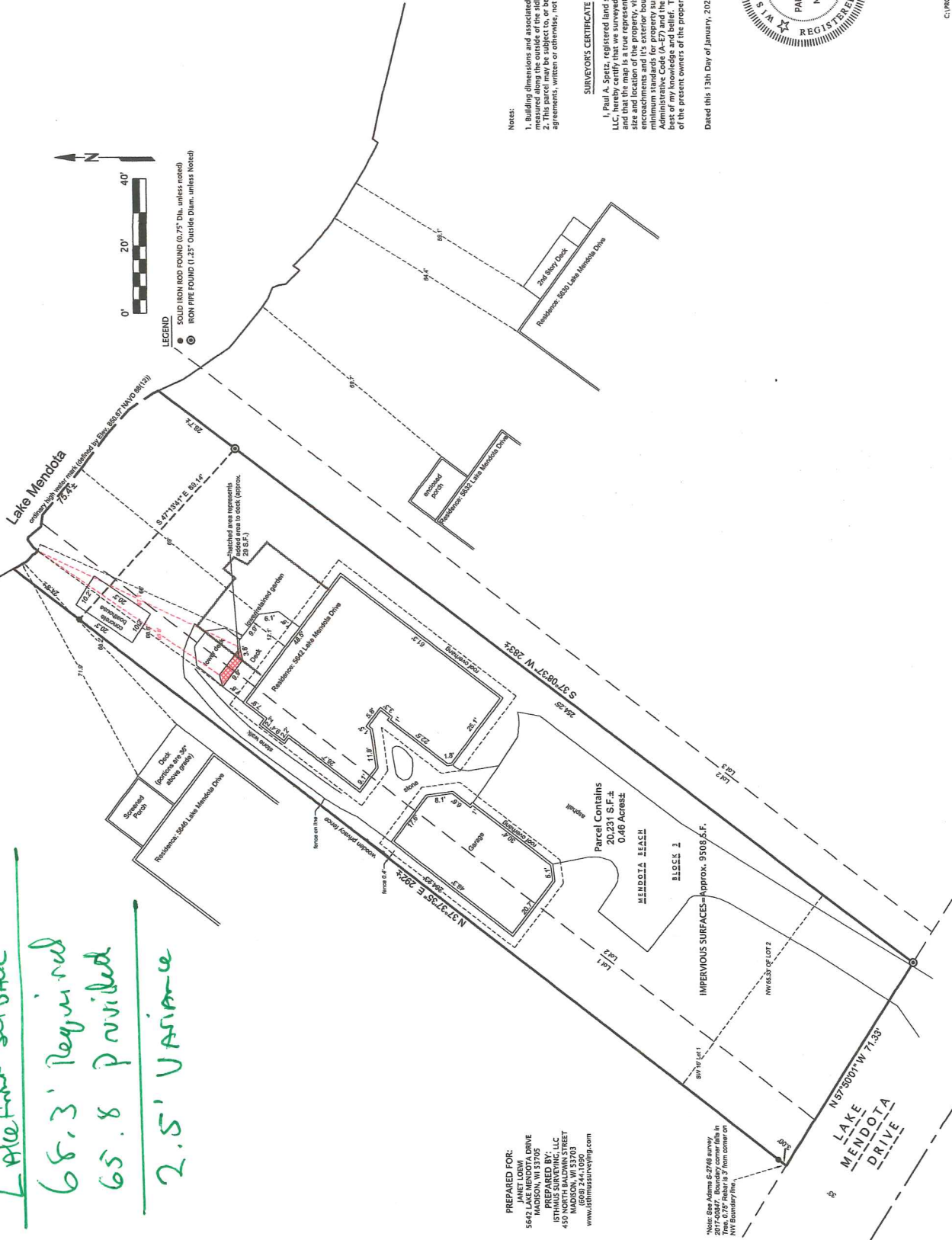
Plat of Survey

Legal Description of Record: Doc. No. 4295176

The Southwesterly 16 feet of Lot 1 and the Northwesterly 55.33 feet of Lot 2, Block 3, Mendota Beach Subdivision, in the City of Madison, Dane County, Wisconsin

2-story Single-Family Dwelling
Elevated Deck Addition

Lakefront Setback
68.3' Required
65.8' Provided
2.5' VARIANCE



LEGEND
 ● SOLID IRON ROD FOUND (0.75" Dia. unless noted)
 ○ IRON PIPE FOUND (1.25" Outside Diam. unless noted)

PREPARED FOR:
 JANET LORNI
 564 S. JEFFERSON AVE
 MADISON, WI 53705
 PREPARED BY:
 ISTHMUS SURVEYING, LLC
 450 UNIVERSITY BLVD
 MADISON, WI 53703
 (608) 244.1090
 www.isthmussurveying.com

Note: See Address & 2746 survey
 2017-03847. Boundary corner falls in
 line. 0.29' Bearer is 3' from corner on
 NW boundary line.

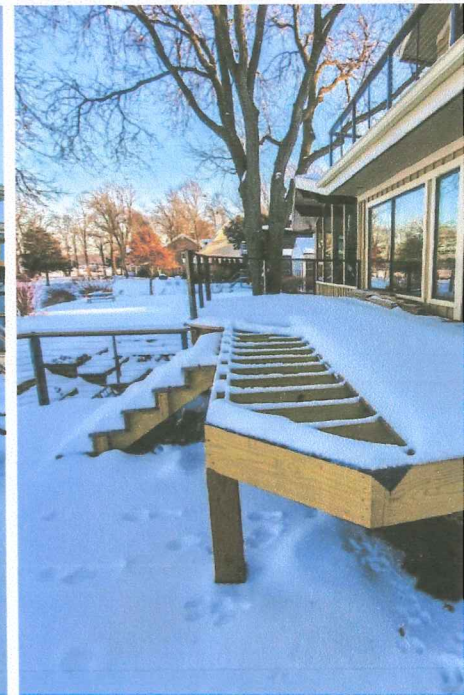
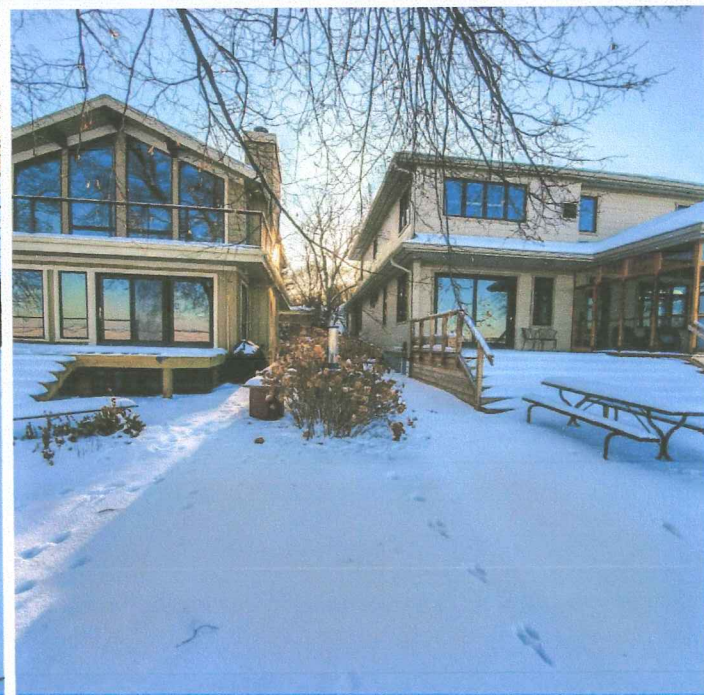
Notes:
 1. Building dimensions and associated offset distances were measured along the outside of the siding.
 2. This parcel may be subject to, or benefit from, Easements or agreements, written or otherwise, not shown herein.

SURVEYOR'S CERTIFICATE

I, Paul A. Spetz, registered land surveyor for Isthmus Surveying LLC, hereby certify that we surveyed the property described above and that the survey was made in accordance with the laws, rules, size and location of the property, visible improvement, potential encroachments and its exterior boundaries. Said survey meets the minimum standards for property surveys of the Wisconsin Department of Transportation and the Department of Natural Resources, to the best of my knowledge and belief. This Survey is solely for the use of the present owners of the property at the date below.

Dated this 13th Day of January, 2020; Paul A. Spetz, S 2325



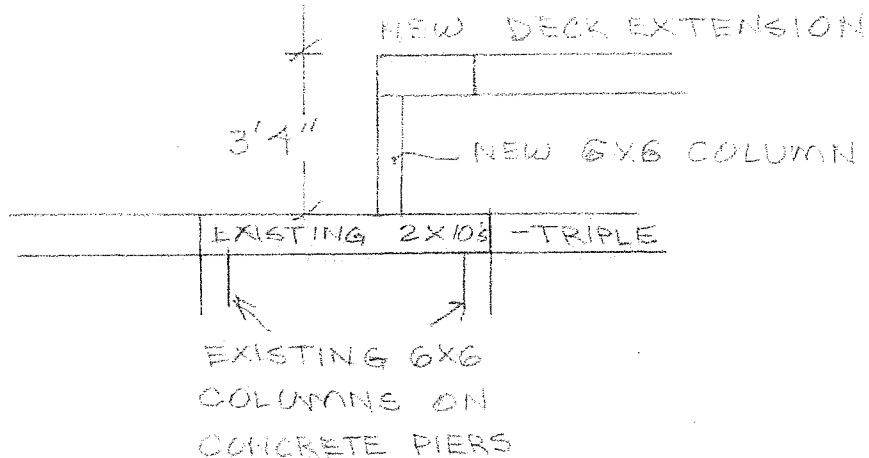
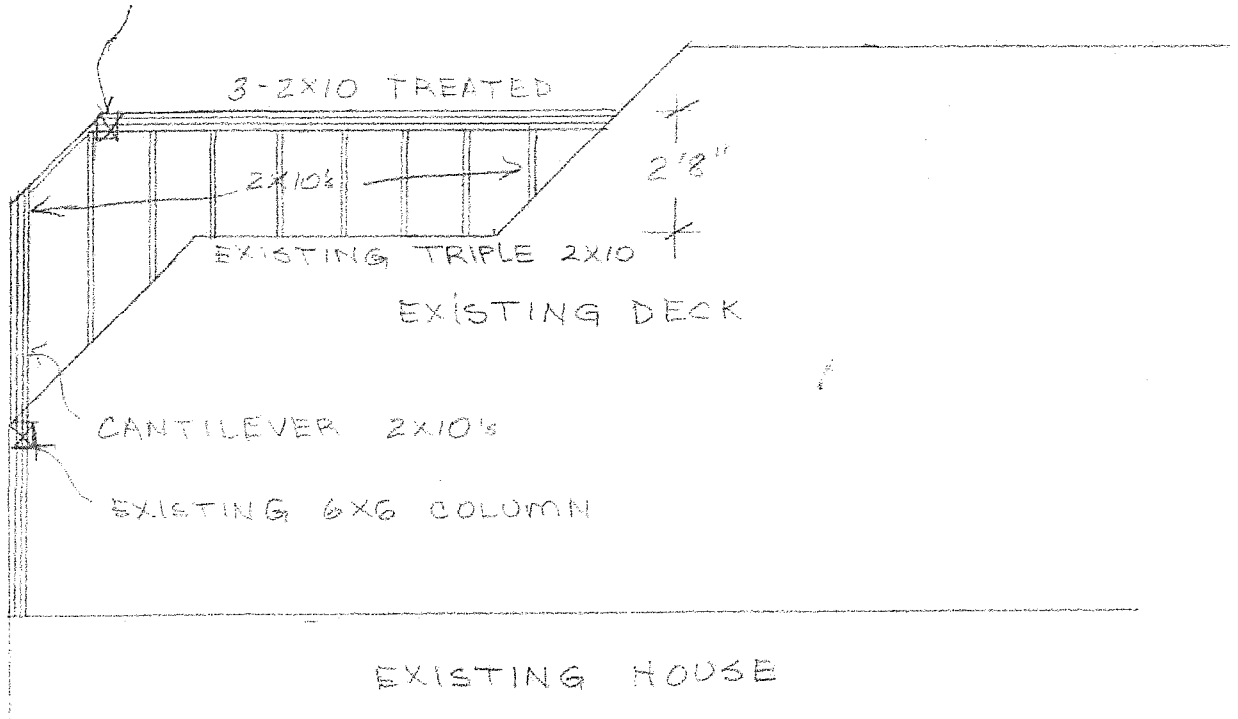


Lozwi Residence
5642 Lake Mendota Dr.
Madison, Wi. 53705

Proposed
2019/2020

Deck extension

NEW 6X6 COLUMN SUPPORTED ON EXISTING LOWER DECK



Loewji Residence
5642 Lake Mendota Dr.
Madison, WI. 53705

Existing-2019

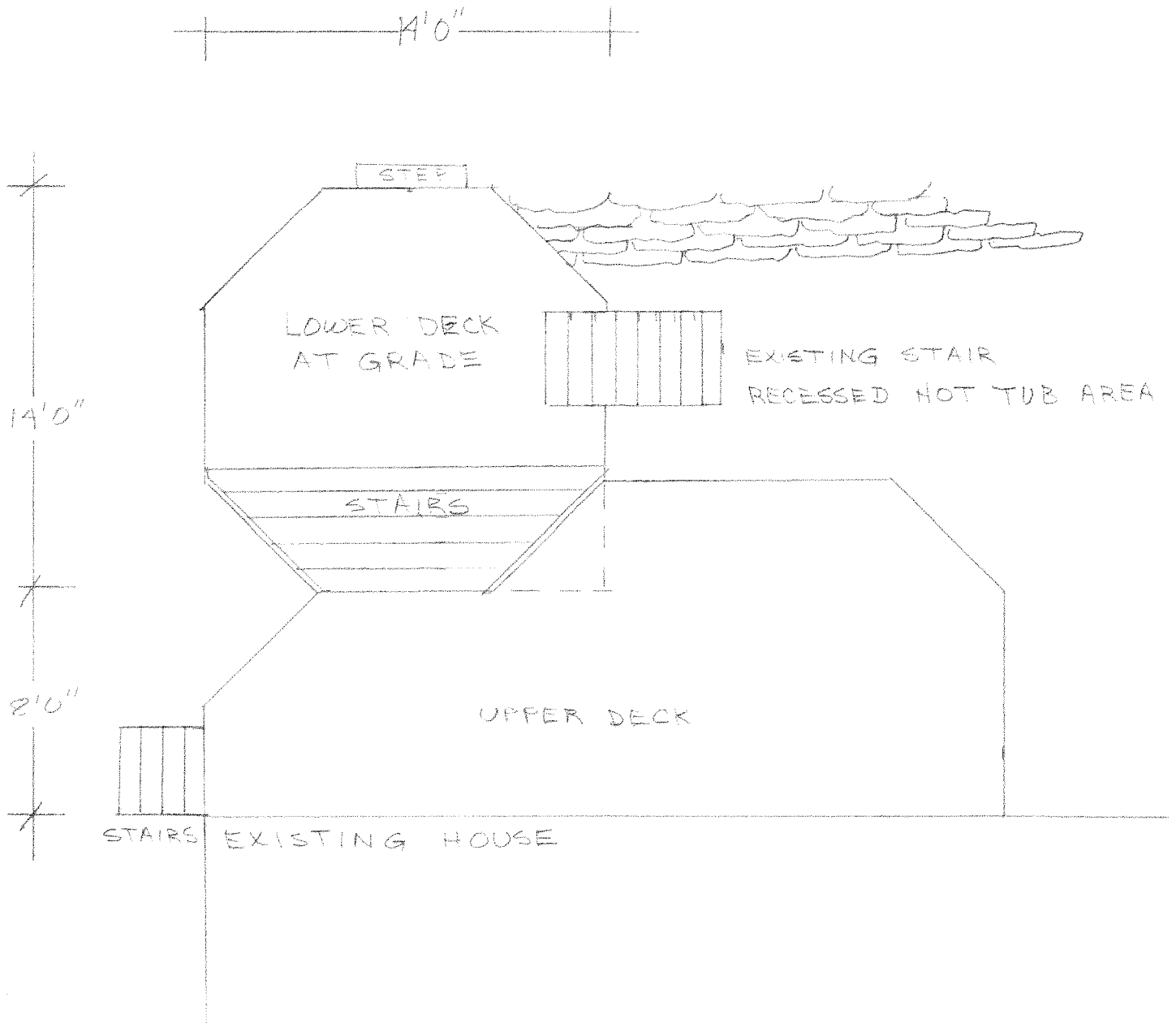
Existing decks

Scale $3/16" = 1'$

6x6 treated columns on concrete piers

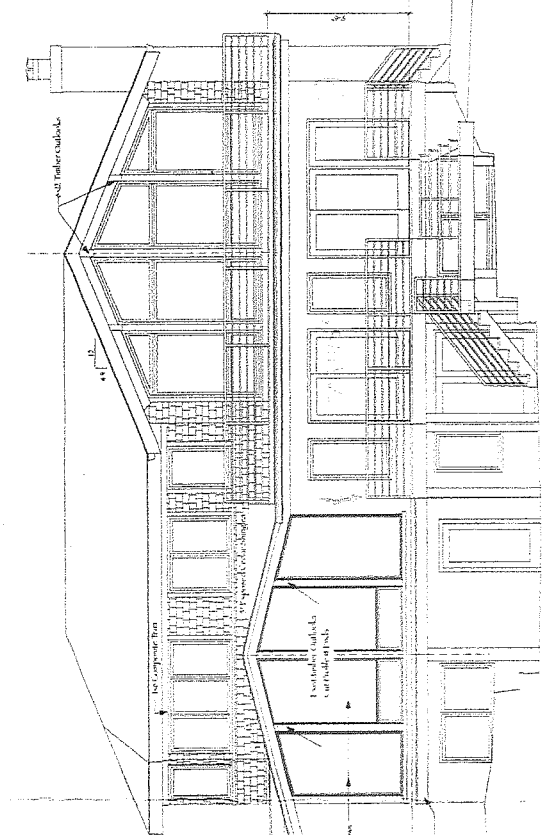
2x10 treated joists

$5/4 \times 6$ cedar decking

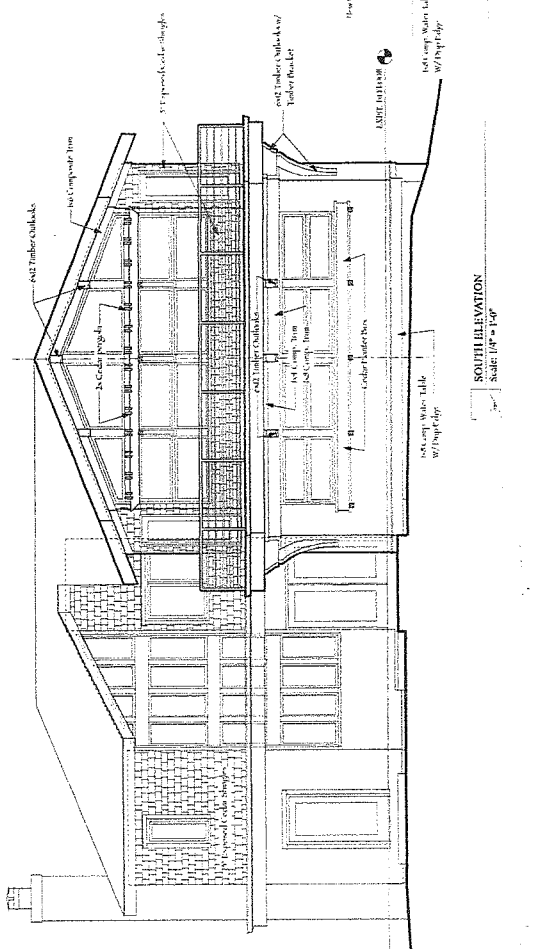


5747 Lake Mendota Drive, Madison
Drawings for
2009
Exterior Renovations

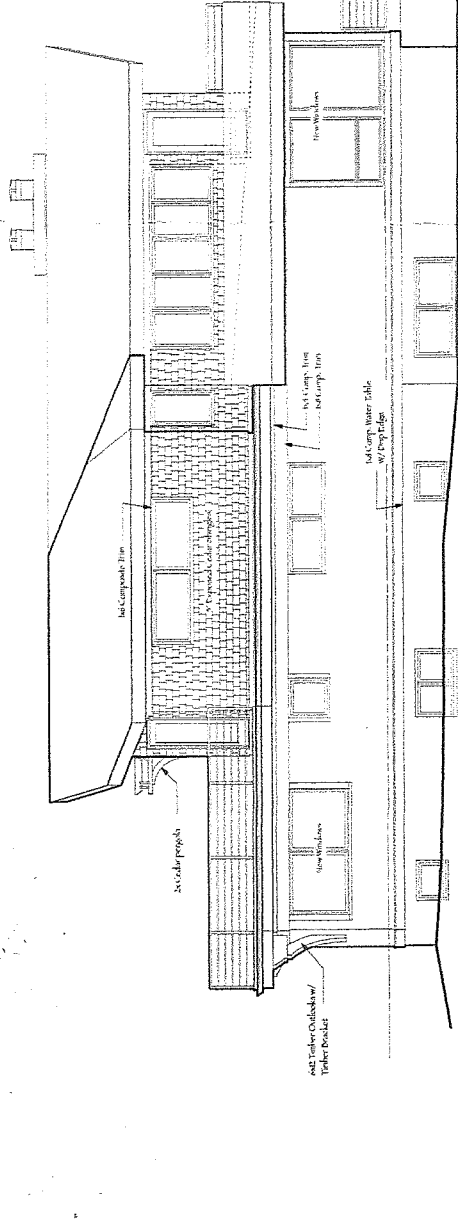
architecture
network, inc.
116 First Dunes Street
Madison, WI 53703
608-838-1144 Fax
www.architecturenetwork.net



SOUTH ELEVATION
Scale: 1/8" = 1'-0"



NORTH ELEVATION
Scale: 1/8" = 1'-0"



EAST ELEVATION
Scale: 1/8" = 1'-0"

- DATE: _____
CONSTRUCTION SET
PLAN REVIEW SET
BID SET
PRELIMINARY
NOT FOR CONSTRUCTION
PROGRESS SET
NOT FOR CONSTRUCTION
PROJECT: Kistig on
DRAWN BY: DTZ_JPE
DRAWING NAME:
DRAWING NUMBER:
DRAWING NUMBER:
DRAWING NUMBER:

Exterior Renovations
of
LOEWI RESIDENCE

1047 LAKE MONTECASSINO DRIVE
Madison, Wisconsin

DATE	Date
SCALE	AS SHOWN (6% EXAGER)
PROJECT	Kistig on
DRAWN BY	DTZ_JPE
DRAWING NAME	
DRAWING NUMBER	

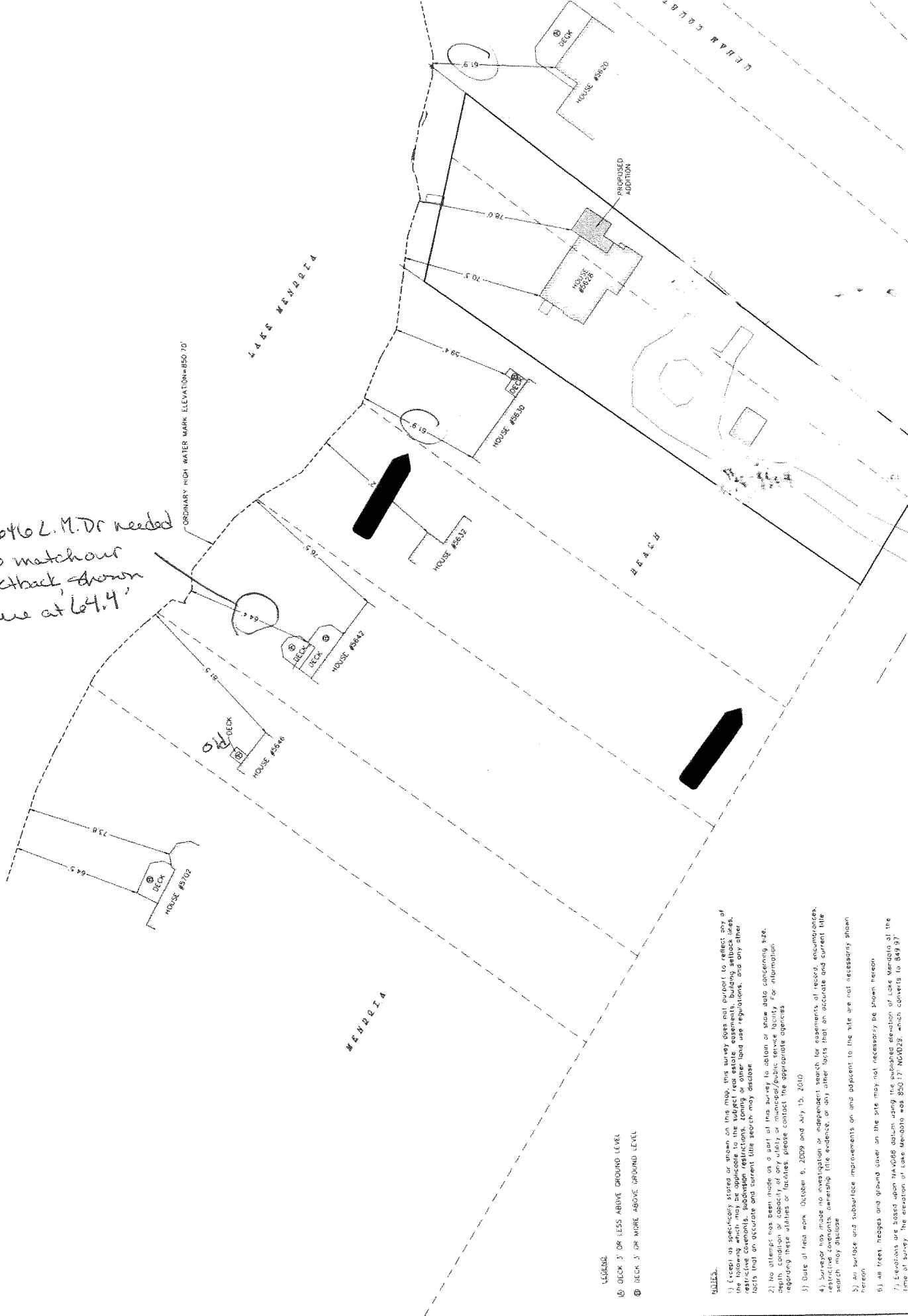
EXTERIOR
ELEVATIONS
DRAWING NUMBER:
A-2.0

CONVENTION BY ARCHITECTURE NETWORK, INC.

SETBACK EXHIBIT

PART OF MENDOTA BEACH SUBDIVISION, AS RECORDED IN VOLUME 4 OF PLATS, ON PAGE 27, AS DOCUMENT NUMBER 213041, DANE COUNTY REGI- NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 07 NORTH, RANGE 09 EAST.

5646 L.M.Dr needed to match our setback, shown here at 64.4'



- LEGEND:
- ⊕ DECK 3' OR LESS ABOVE GROUND LEVEL
- ⊙ DECK 3' OR MORE ABOVE GROUND LEVEL

1) Errors in specifications, errors or omissions on this map, this survey does not purport to reflect any of the facts or conditions which may be applicable to the subject real estate, including but not limited to, restrictive covenants, subdivision restrictions, zoning or other land use regulations, and any other facts that an accurate and current title search may disclose.

2) No attempt has been made as a part of this survey to obtain or show data concerning size, depth, condition or capacity of any utility or municipal/public service facility. For information regarding these utilities or facilities, please contact the appropriate agencies.

3) Date of field work: October 6, 2009 and July 15, 2010.

4) Surveyor has made no investigation or independent search for easements, of record, encroachments, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

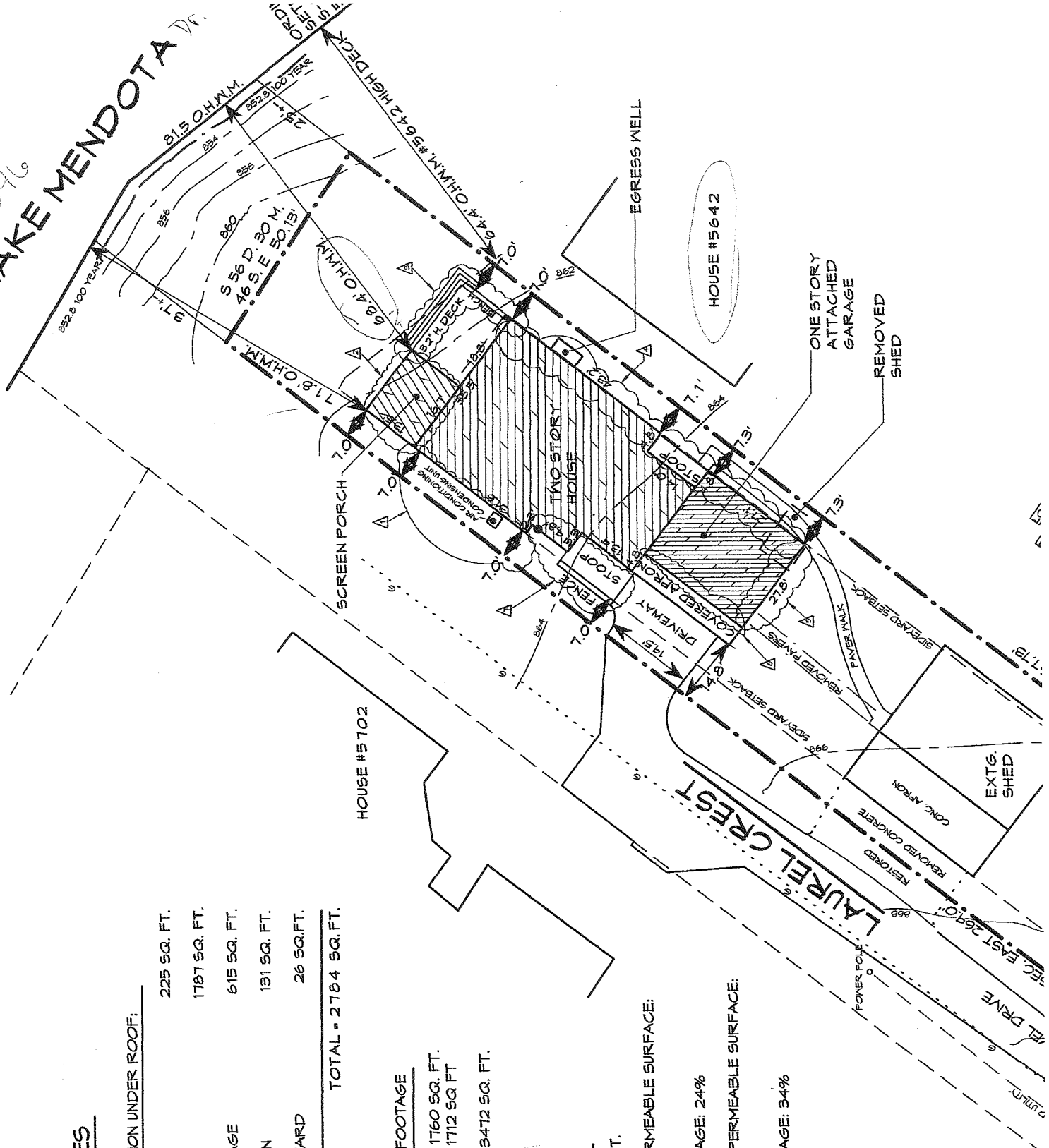
5) All surveys and subsurface improvements on and adjacent to the site are not necessarily shown herein.

6) All fence heights and ground cover on the site may not necessarily be shown herein.

7) Elevation is based upon NAVD83 datum using the published elevation of Lake Mendota at the time of survey. The elevation of Lake Mendota was 850.17' MGD28, which converts to 849.97' NAVD83 using 'MSSCON' conversion software.

57646

LAKE MENDOTA Dr.



COVERAGES

NEW CONSTRUCTION UNDER ROOF:

SCREEN PORCH	225 SQ. FT.
TWO STORY	1787 SQ. FT.
ATTACHED GARAGE	615 SQ. FT.
COVERED APRON	131 SQ. FT.
STOOP AT SIDYARD	26 SQ. FT.
<hr/>	
TOTAL	2784 SQ. FT.

HEATED SQUARE FOOTAGE

FIRST FLOOR:	1760 SQ. FT.
SECOND FLOOR:	1712 SQ. FT.
TOTAL	3472 SQ. FT.

LOT COVERAGE

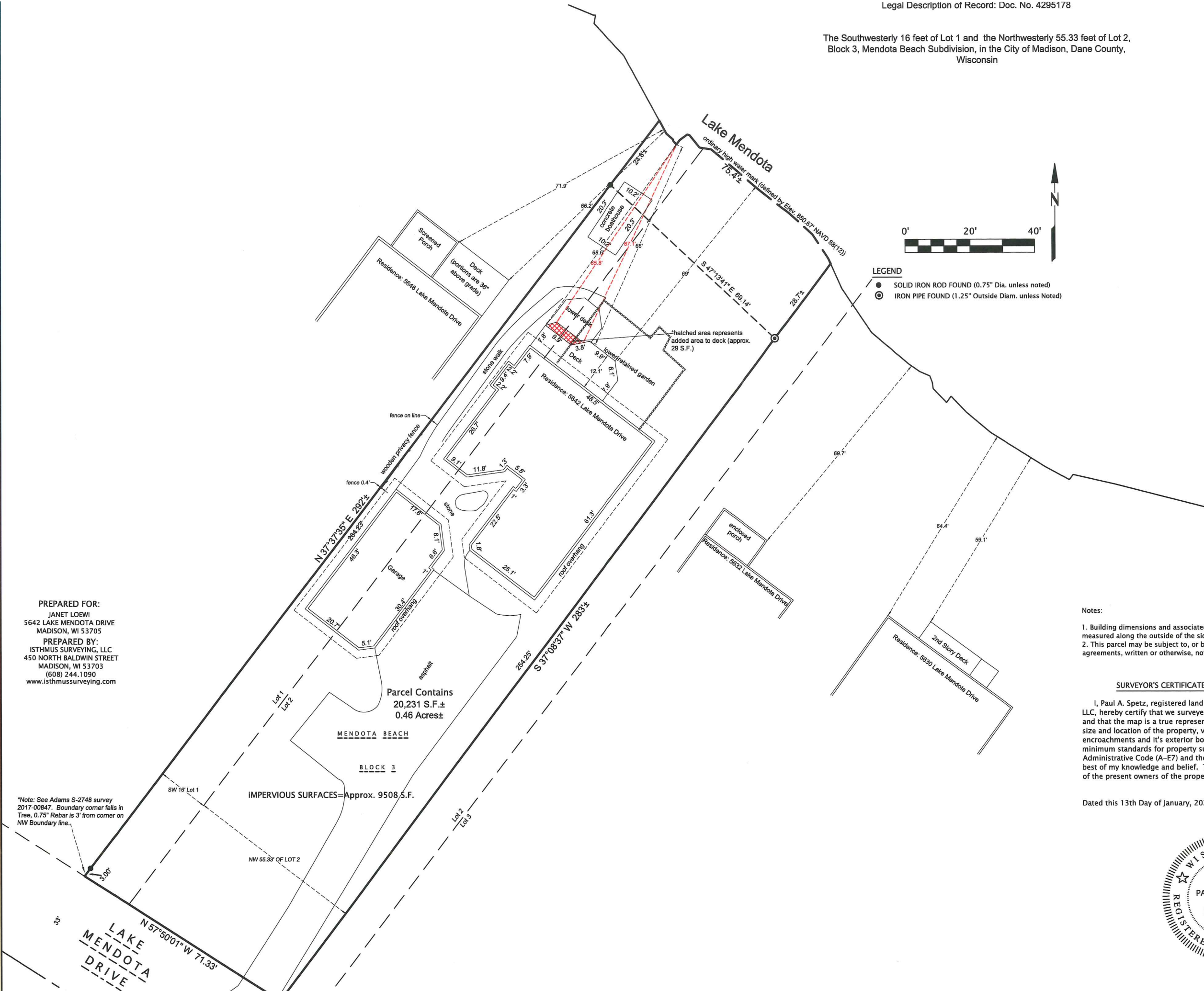
LOT:	13,393 SQ. FT.
EXISTING NON PERMEABLE SURFACE:	3201 SQ. FT.
PERCENT COVERAGE:	24%
TOTAL NEW NON PERMEABLE SURFACE:	4592 SQ. FT.
PERCENT COVERAGE:	34%

Lot 3
Block 3

2009
Exterior Renovation
Renovations



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LEGEND
 ● SOLID IRON ROD FOUND (0.75" Dia. unless noted)
 ○ IRON PIPE FOUND (1.25" Outside Diam. unless Noted)

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SURVEYOR'S CERTIFICATE

I, Paul A. Spetz, registered land surveyor for Isthmus Surveying LLC, hereby certify that we surveyed the property described above and that the map is a true representation thereof and shows the size and location of the property, visible improvement, potential encroachments and its exterior boundaries. Said survey meets the minimum standards for property surveys of the Wisconsin Administrative Code (A-E7) and the map hereon is correct to the best of my knowledge and belief. This Survey is solely for the use of the present owners of the property at the date below.

Dated this 13th Day of January, 2020: Paul A. Spetz, S 2525



PREPARED FOR:
 JANET LOEWI
 5642 LAKE MENDOTA DRIVE
 MADISON, WI 53705
 PREPARED BY:
 ISTHMUS SURVEYING, LLC
 450 NORTH BALDWIN STREET
 MADISON, WI 53703
 (608) 244.1090
 www.isthmussurveying.com

*Note: See Adams S-2748 survey 2017-00847. Boundary corner falls in Tree, 0.75" Rebar is 3' from corner on NW Boundary line.

Parcel Contains
 20,231 S.F.±
 0.46 Acres±

IMPERVIOUS SURFACES=Approx. 9508 S.F.

LAKE MENDOTA DRIVE
 N 57°50'01" W 71.33'