



CITY OF MADISON ZONING BOARD OF APPEALS VARIANCE APPLICATION

\$500 Filing Fee

Type or legibly print using blue or black ink.

Address of Subject Property: 109 E Gorham Street, Madison WI, 53703

Name of Owner: Eric Helt, Chris Heck

Address of Owner (if different than above): PO Box 462, Waunakee WI, 53597

Daytime Phone: 608-512-5268 Evening Phone: _____

Email Address: eric@rent43north.com

Name of Applicant (Owner's Representative): Eric Helt, Chris Heck

Address of Applicant: 1006 North Division Street, Waunakee WI, 53597

Daytime Phone: 608-512-5268 Evening Phone: _____

Email Address: eric@rent43north.com

Description of Requested Variance:

We are requesting a variance to the zoning 5 foot minimum sideyard setback for a porch renovation at 109 E Gorham Street. With the existing stairwell in place today, there is less than one foot from the sideyard lot line. Our proposed porch renovation calls for a stairwell to be installed at 2 feet from the sideyard lot line (an improvement of one foot of the existing). We are requesting this variance because there are no other options to build a stairwell to code while incorporating historical components of the existing building.

See reverse side for more instructions.

FOR OFFICE USE ONLY

Amount Paid: <u>\$500.00</u>	Hearing Date: <u>5-18-23</u>
Receipt: <u>128644-0001</u>	Published Date: <u>5-11-23</u>
Filing Date: <u>4-20-2023</u>	Appeal Number: <u>LNOVAR-2023-0008</u>
Received By: <u>NJK</u>	GQ: _____
Parcel Number: <u>0709 44 06107</u>	Code Section(s): <u>28.078(2)</u>
Zoning District: <u>DR-1, HIS-MH</u>	_____
Alder District: <u>2-BENNETT</u>	_____

Standards for Variance

The Zoning Board of Appeals will only grant a variance if it finds that your proposal meets the following standards. Please explain how your variance request meets these standards.

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 situation due to the existing placement of the current stairwell and landing configuration. Our plan is to keep as much of the existing structure as possible, while bringing up the necessary components to current building code. The second floor landing is on the far left side of the house and the third floor landing is on the far right. In order to build a stairwell to code, your only option is to have stairs going from right to left initially (pushing into the side yard) and then up to the third floor from the left to right. Given the pitch and height of the building, these spans of stair, relative to the landings, push the structure into the sideyard.

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.

The proposed porch/stairwell plans remove the egress from the sideyard encroachment and places it directly in the center of our property. No longer will residents be trekking a foot from the neighboring property, but rather directly from our backyard.

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.

Due to the current structural load bearing components (deck posts, landing placements, and existing integrated interior structural components) and the placement of the existing porch landings, it is not possible to rebuild the proposed stair configuration without using 3 feet of the sideyard setback. Our plan also relies on existing vertical structural posts that are integrated into the interior of the building and support a major roofline on the south side of the building. If these were to be removed, it would require major reconstruction of the entire backside of the building.

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.

See answers #1 and #3 which create the alleged difficulty and hardship.

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

We are not creating detriment to the adjacent property as we are improving the sideyard setback, as well as moving the egress from the sideyard to the central location of the building. The new entrance to the stairway will be directly from the back of 109 E Gorham Street, not the sideyard. This in turn will eliminate foot traffic on the neighbors property.

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

It is our intent to maintain as much of the character and existing structure as possible, per our responses above. The variance would improve the existing sideyard setback and the structure will mimic those in the area.

Application Requirements

The Zoning Board of Appeals may refer or deny applicants with incomplete applications. Note, the maximum printed size for drawings is 11" x 17." Please provide the following information:

<input checked="" type="checkbox"/>	Pre-application meeting with staff. Before you submit this application, meet with the Zoning Administrator. Together, you will discuss your proposed project and submission material. Contact Zoning at least one week prior to the application submission deadline to schedule the meeting. Your application will not be accepted unless a pre-application meeting has been held.
<input checked="" type="checkbox"/>	Site plan , drawn to scale. We recommend a registered survey, but it is not required. On the plan, show the following: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Lot lines. <input checked="" type="checkbox"/> Existing and proposed structures. Include dimensions and setback distances to all property lines. <input checked="" type="checkbox"/> Approximate location of structures on properties next to variance. <input checked="" type="checkbox"/> Major landscape elements, fencing, retaining walls or other relevant site features. <input type="checkbox"/> Scale (1" = 20' or 1' = 30' preferred). <input checked="" type="checkbox"/> North arrow.
<input type="checkbox"/>	Elevations from all directions showing existing and proposed. Show the existing structure and proposed addition(s).
<input type="checkbox"/>	Interior floor plan of existing and proposed structure , if required. Most additions and expansions will require floor plans.
<input type="checkbox"/>	Front yard variance requests. Show the front yard setback of all other properties on the same block face.
<input type="checkbox"/>	Lakefront setback variance requests. Provide a survey prepared by a registered land surveyor. The survey must show existing setbacks of buildings on adjacent lots.
<input type="checkbox"/>	Variance requests involving slope, grade, or trees. Show: <ul style="list-style-type: none"> <input type="checkbox"/> Approximate location and amount of slope. <input type="checkbox"/> Direction of drainage. <input type="checkbox"/> Location, species and size of trees.
<input checked="" type="checkbox"/>	Email digital copies of all plans and drawings to: zoning@cityofmadison.com .
<input checked="" type="checkbox"/>	Pay \$500 filing fee on or before submission deadline. Payment may be made in person by appointment at the Zoning counter, by mail to City of Madison Building Inspection, P. O. Box 2984, Madison WI 53701-2984, or placed in the drop box at the Doty Street entrance to the Madison Municipal Building 215 Martin Luther King Jr. Blvd. When mailing or using the drop box, please include a note that payment is for a variance application, state the subject property address and provide your contact information.
<input checked="" type="checkbox"/>	CHECK HERE. I understand that as part of my variance request, City of Madison staff will need access to my property. Staff will take photographs and do a pre-hearing inspection of the property. I give City Staff permission to enter my property, inspect the property, and take photographs.
<input checked="" type="checkbox"/>	CHECK HERE. I acknowledge that any statements implied as fact require evidence.

CHECK HERE. City of Madison staff has given me a copy of the standards that the Zoning Board of Appeals will use to review variance applications.

Owner's Signature: Eric Helt Chris Heck Date: 4/14/2023

----- (For Office Use Only) -----

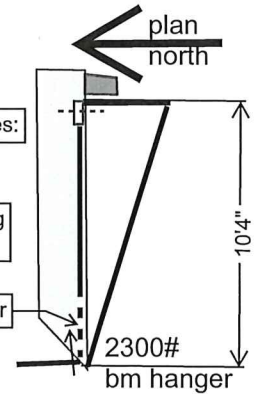
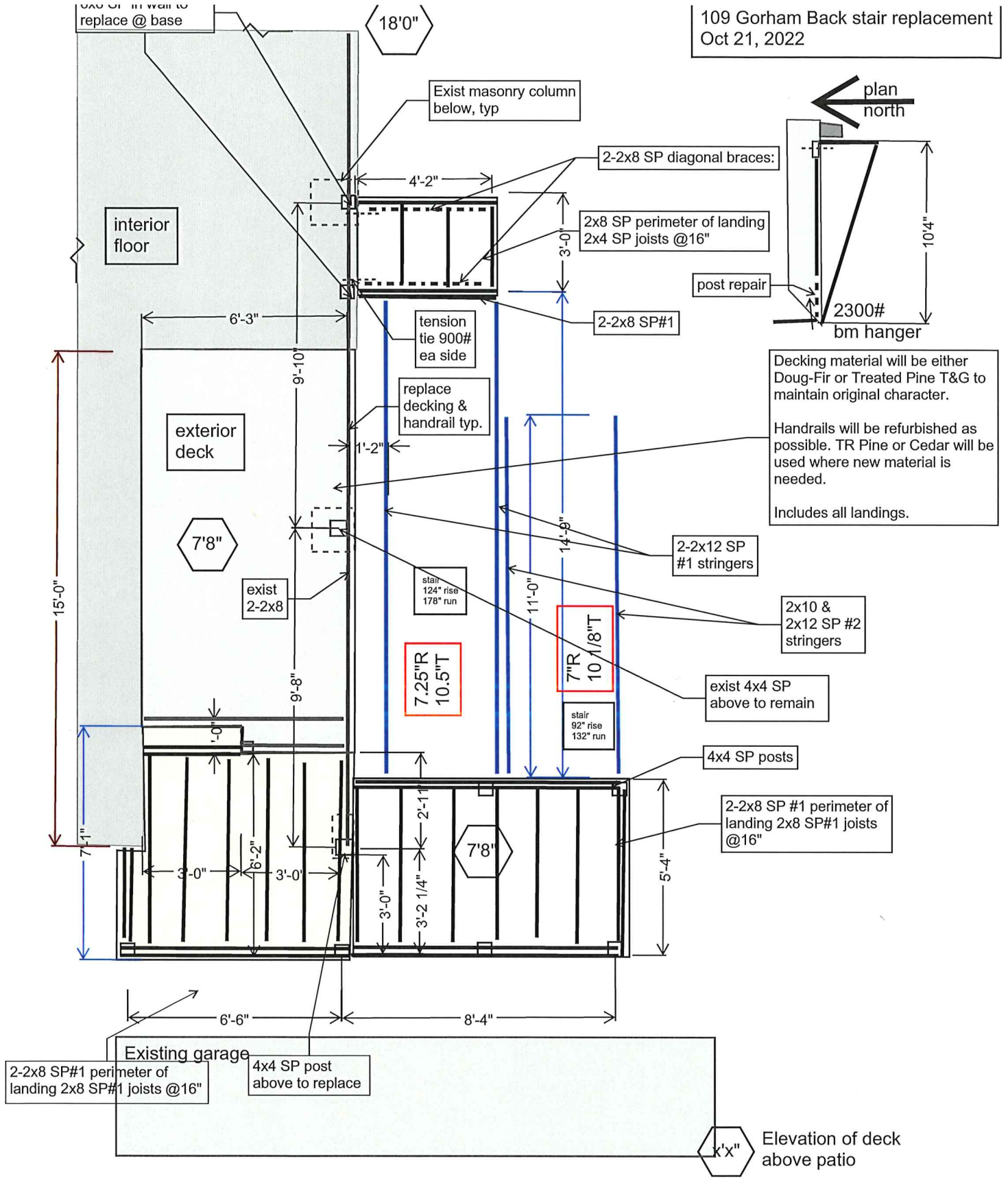
DECISION

The Board, in accordance with its findings of fact, hereby determines that the requested variance for _____ **(does) (does not)** meet all the standards for a variance. Further findings of fact are stated in the minutes of this public hearing.

The Zoning Board of Appeals: Approved Denied Conditionally Approved

Zoning Board of Appeals Chair:

Date:

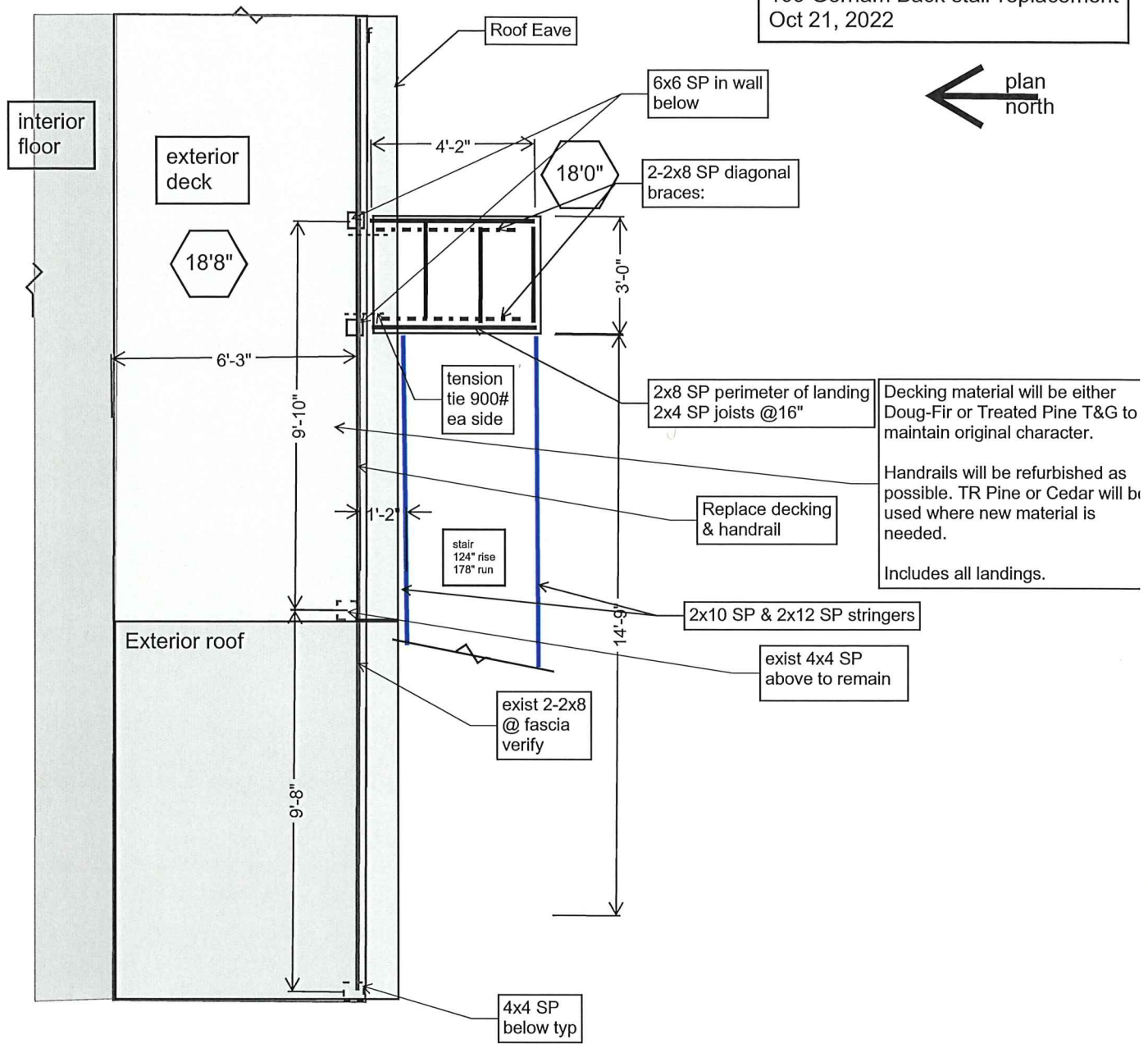


Decking material will be either Doug-Fir or Treated Pine T&G to maintain original character.
Handrails will be refurbished as possible. TR Pine or Cedar will be used where new material is needed.
Includes all landings.

stair framing plan

All new wood
Southern Pine #2
treated UN

1/4"=1'0"



Decking material will be either Doug-Fir or Treated Pine T&G to maintain original character.

Handrails will be refurbished as possible. TR Pine or Cedar will be used where new material is needed.

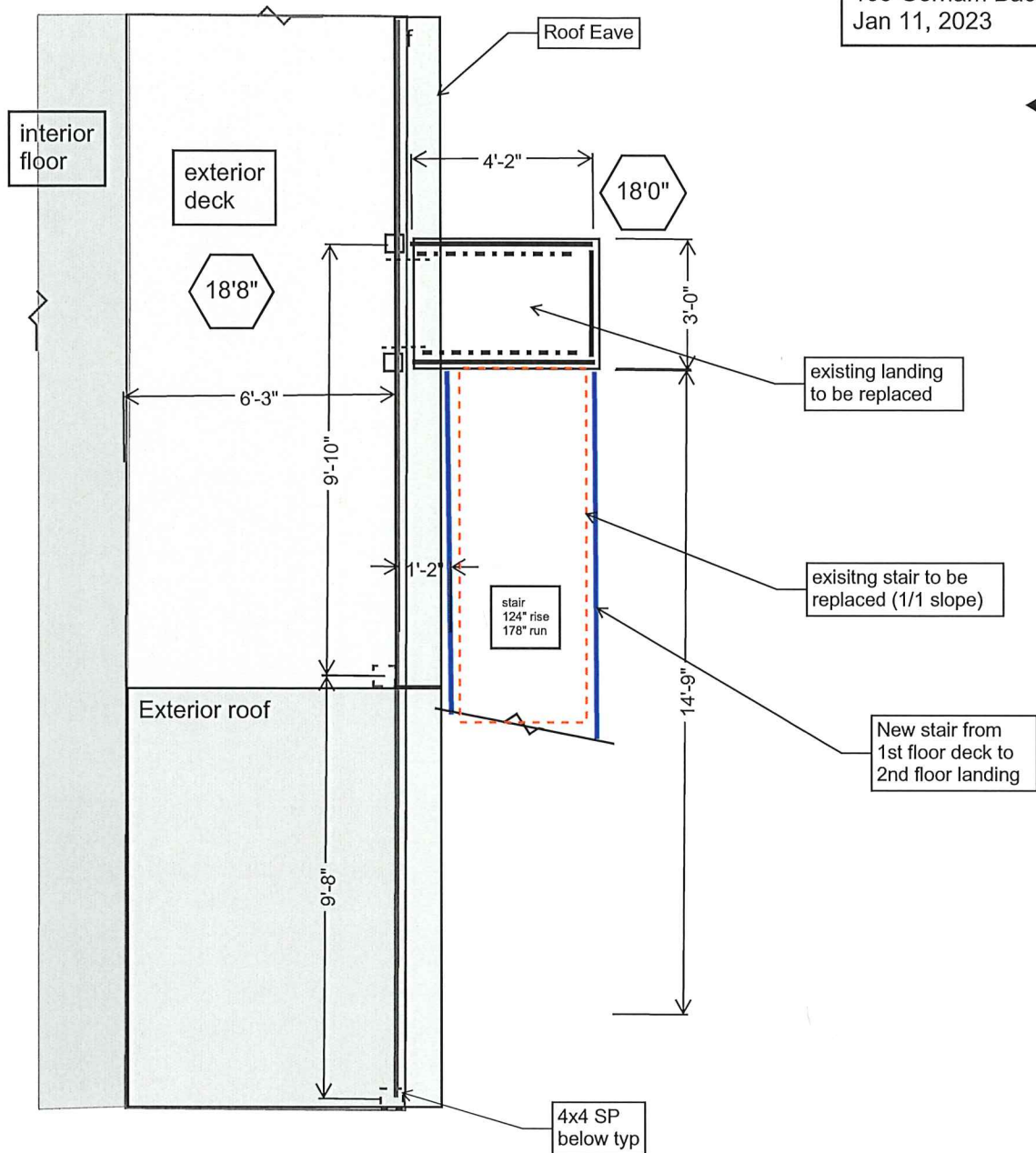
Includes all landings.

x'x" Elevation of deck above patio

All new wood
 Southern Pine #2
 treated UN

Upper level plan

1/4"=1'0"

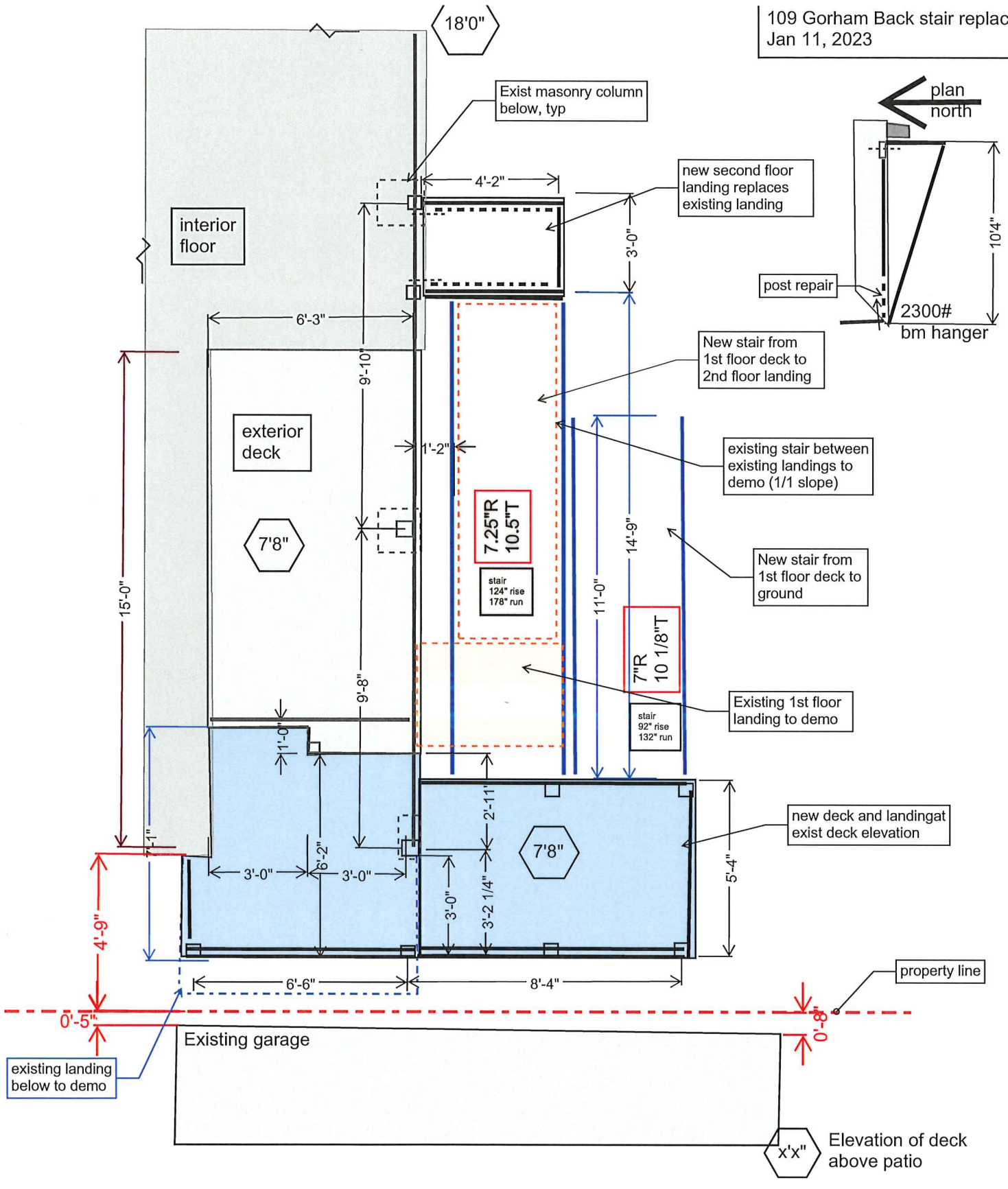


x'x" Elevation of deck above patio

All new wood
Southern Pine #2
treated UN

Upper level plan

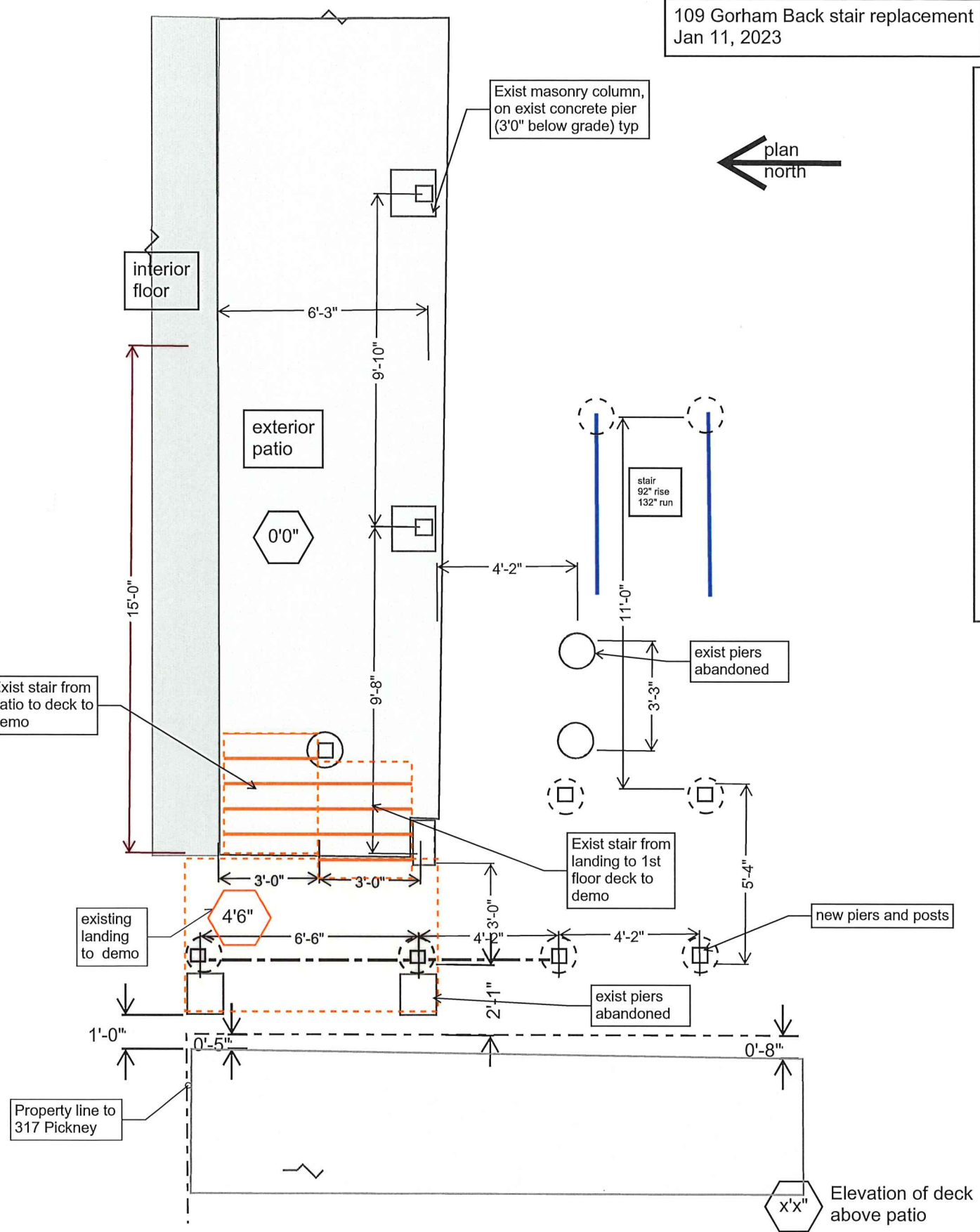
1/4"=1'0"



1st floor/stair plan

1/4"=1'0"

Existing garage

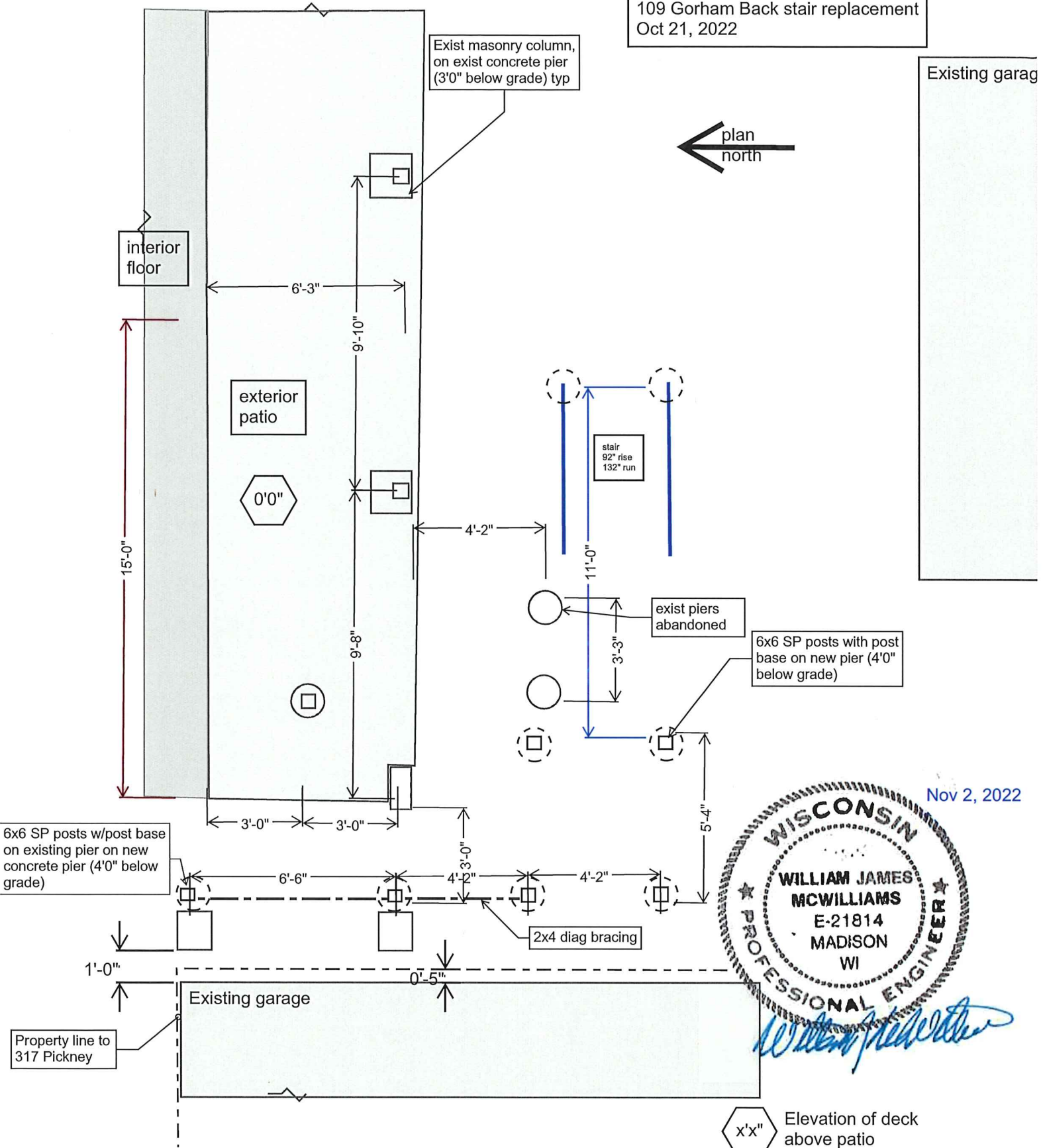


Ground floor plan

1/4"=1'0"

109 Gorham Back stair replacement
Oct 21, 2022

Existing garage



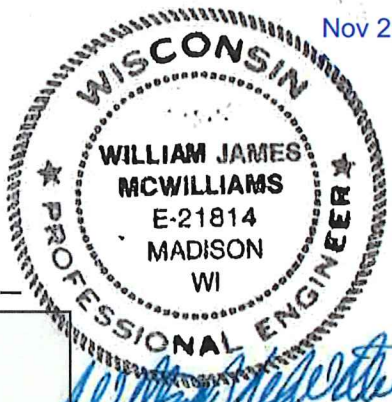
6x6 SP posts w/post base on existing pier on new concrete pier (4'0" below grade)

Exist masonry column, on exist concrete pier (3'0" below grade) typ

stair
92" rise
132" run

exist piers abandoned

6x6 SP posts with post base on new pier (4'0" below grade)



Nov 2, 2022

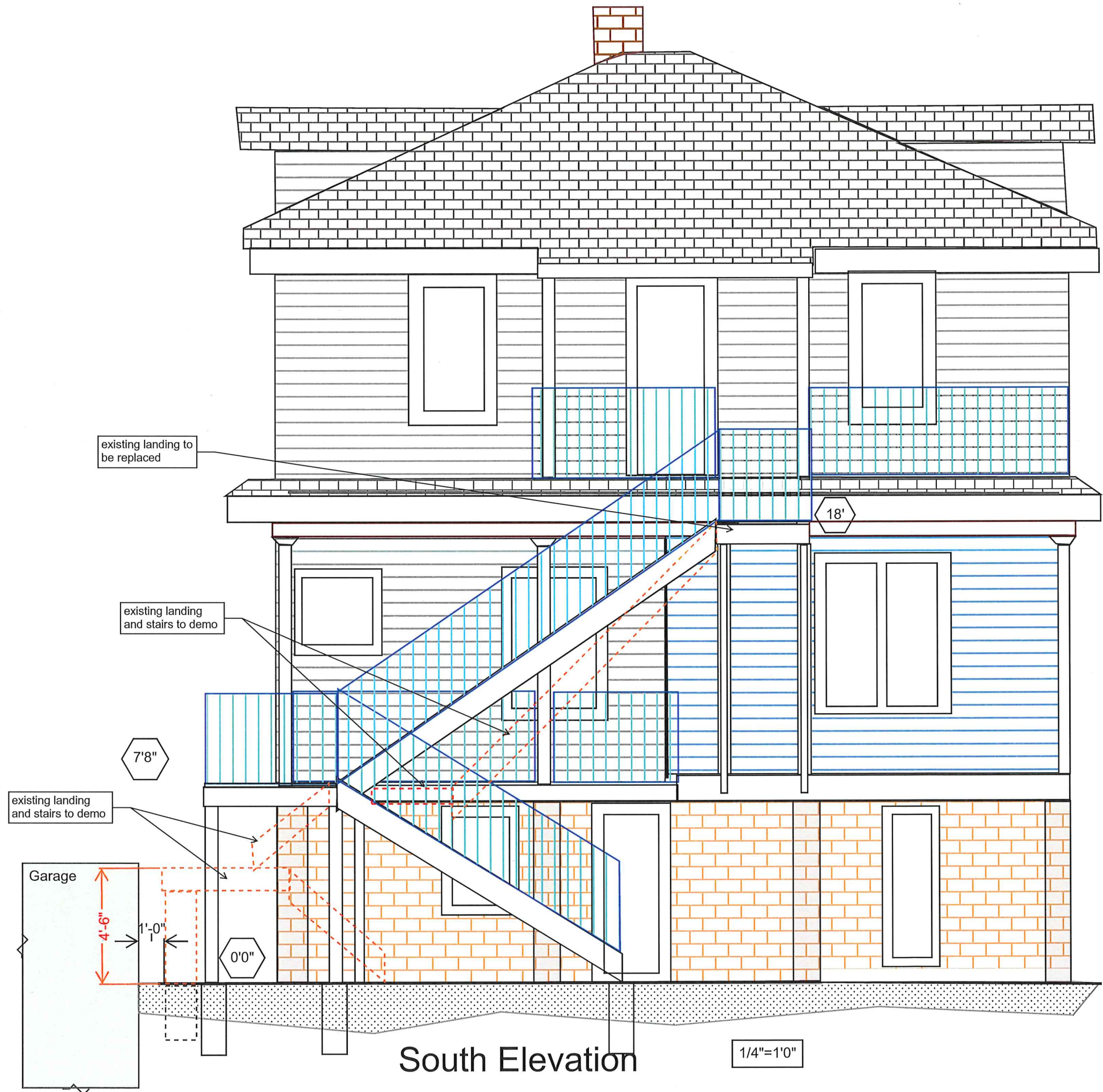
William James McWilliams

x'x" Elevation of deck above patio

Foundation plan

1/4"=1'0"

All new wood
Southern Pine #2
treated UN





South Elevation

1/4"=1'0"



West Elevation

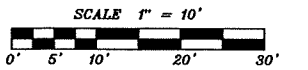
1/4"=1'0"

EAST GORHAM STREET

PREPARED FOR:
SODERHOLM FAMILY
INVESTMENTS
31 SOUTH HILLS ST.
MADISON, WI 53715

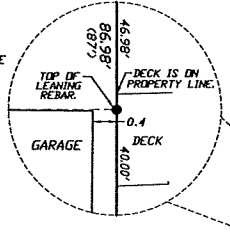
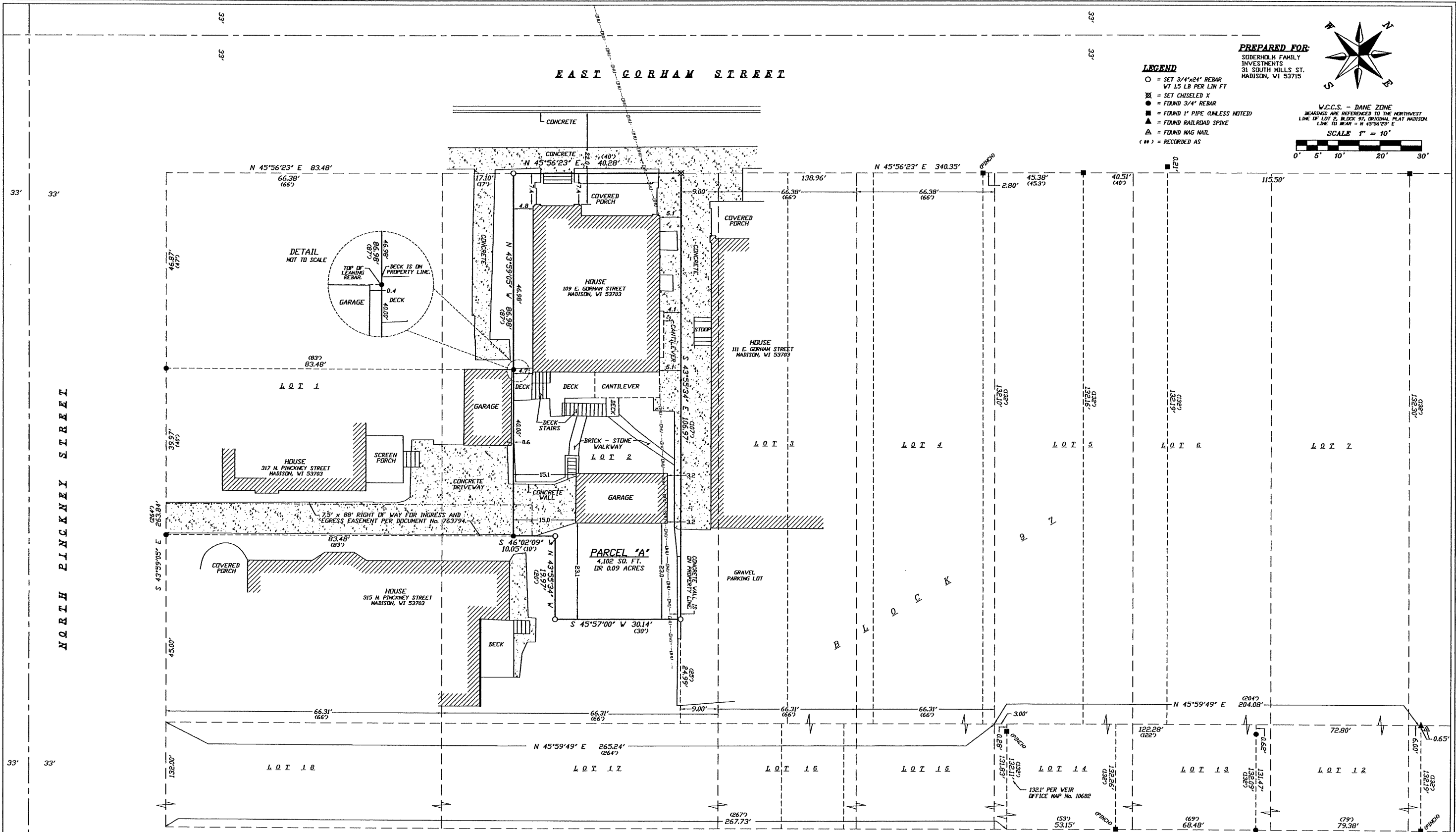


V.C.C.S. - DANE ZONE
BEARINGS ARE REFERENCED TO THE NORTHWEST
LINE OF LOT 2, BLOCK 97, ORIGINAL PLAT MADISON
LINE TO BEAR = N 45°56'23" E



LEGEND

- = SET 3/4"x24" REBAR
VT 1.5 LB PER LIN FT
- ⊗ = SET CHISELED X
- = FOUND 3/4" REBAR
- = FOUND 1" PIPE (UNLESS NOTED)
- ▲ = FOUND RAILROAD SPIKE
- △ = FOUND NAG NAIL
- (##) = RECORDED AS



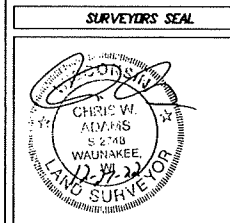
NORTH PINKNEY STREET

EAST JOHNSON STREET

DESCRIPTION OF RECORD:
PER VD DOC. 5613730 & CORRECTION INSTRUMENT DOC. 5879403 (PARCEL 2 & 2A)
Part of Lot 2, Block 97, Original Plat of Madison, in the City of Madison, Dane County, Wisconsin, described as follows: Beginning on the Northwest line of said Lot 2, 9 feet from the North corner thereof; thence Southwest along said Northwest line 40 feet; thence Southeast at right angles 87 feet; thence Northeast 40 feet; thence Northwest 87 feet to the point of beginning.
AND
The Northeast 30 feet of the Northwest 20 feet of the Southeast 45 feet of the Southwest 57 feet of Lot 2, Block 97, Original Plat of Madison, in the City of Madison, Dane County, Wisconsin.
A right of way over part of Lots 1 and 2, said Block 97, described as follows: Beginning on the Southwesterly line of said Lot 1, 45 feet Northwest of the South corner thereof; thence Northeast parallel to the Northwest lines of said Lots 1 and 2, 88 feet; thence Northwest 7.5 feet; thence Southwest 88 feet to the Southeast line of said Lot 1; thence Southeast 7.5 feet to the point of beginning.

- NOTES:**
- 1) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT FOR THE SUBJECT TRACT OR ADJOINERS AND IS THEREFORE SUBJECT TO ANY EASEMENTS, AGREEMENTS, RESTRICTIONS AND STATEMENT OF FACTS REVEALED BY EXAMINATION OF SUCH DOCUMENTS.
 - 2) WETLANDS, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.
 - 3) FLOOD PLAIN, IF PRESENT, HAS NOT BEEN LOCATED OR SHOWN.

SURVEYOR'S CERTIFICATE:
I certify that this survey is correct to the best of my knowledge and belief and is in full compliance with the provisions of Chapter A-E7 WI Statutes. Field work was completed on December 12th, 2022.
Williamson Surveying and Associates, LLC
by Chris W. Adams
Date: Dec 27, 2022
Chris W. Adams S-2748
Professional Land Surveyor



WILLIAMSON SURVEYING & ASSOCIATES, LLC
104 A WEST MAIN STREET, WAUKESHA, WISCONSIN, 53597
NOA T. PRIEVE // CHRIS W. ADAMS // NEIL F. BORTZ
PROFESSIONAL LAND SURVEYORS
PHONE: 608-255-5705 FAX: 608-849-9760 WEB: WILLIAMSONSURVEYING.COM

PLAT OF SURVEY
A parcel of land located on part of Lot 2, Block 97, Original Plat of Madison, located in part of the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 14, T7N, R9E, City of Madison, Dane County, Wisconsin.

DATE	DECEMBER 27, 2022	REVISION DATE	CHECK BY	N.T.P.
SCALE	1" = 10'		DRAWING NO.	22V-454
DRAWN BY	NEIL BORTZ		SHEET	1 OF 1

EAST GORHAM STREET

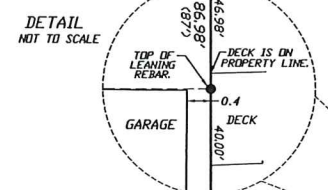
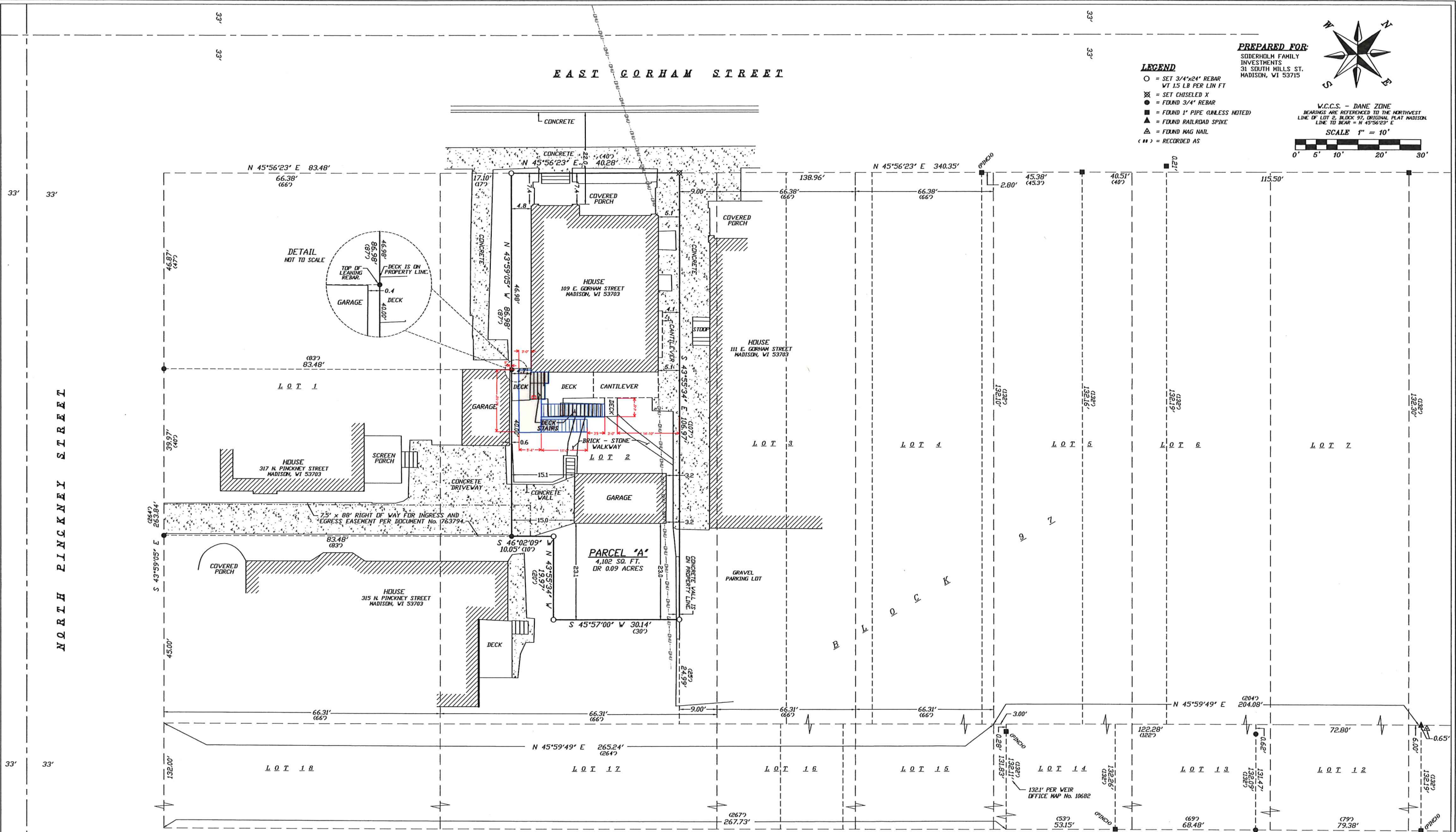
PREPARED FOR:
SODERHOLM FAMILY INVESTMENTS
31 SOUTH HILLS ST.
MADISON, WI 53715



V.C.C.S. - DANE ZONE
READINGS ARE REFERENCED TO THE NORTHWEST
LINE OF LOT 2, BLOCK 97, ORIGINAL PLAT MADISON.
LINE TO BEAR = N 45°56'23" E
SCALE 1" = 10'

LEGEND

- = SET 3/4"x24" REBAR
VT 1.5 LB PER LIN FT
- = SET CHISELED X
- ⊗ = FOUND 3/4" REBAR
- = FOUND 1" PIPE (UNLESS NOTED)
- ▲ = FOUND RAILROAD SPIKE
- △ = FOUND MAG NAIL
- (#) = RECORDED AS

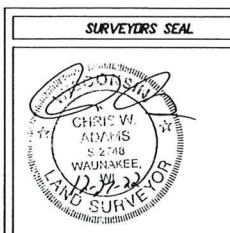


DESCRIPTION OF RECORD:
PER WD DDC 5613730 & CORRECTION INSTRUMENT DDC 5879403 (PARCEL 2 & 2A)
Part of Lot 2, Block 97, Original Plat of Madison, in the City of Madison, Dane County, Wisconsin, described as follows: Beginning on the Northwest line of said Lot 2, 9 feet from the North corner thereof; thence Southwest along said Northwest line 40 feet; thence Southeast at right angles 87 feet; thence Northeast 40 feet; thence Northwest 87 feet to the point of beginning.
AND
The Northeast 30 feet of the Northwest 20 feet of the Southeast 45 feet of the Southwest 57 feet of Lot 2, Block 97, Original Plat of Madison, in the City of Madison, Dane County, Wisconsin.

- NOTES:**
- 1) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT FOR THE SUBJECT TRACT OR ADJOINERS AND IS THEREFORE SUBJECT TO ANY EASEMENTS, AGREEMENTS, RESTRICTIONS AND STATEMENT OF FACTS REVEALED BY EXAMINATION OF SUCH DOCUMENTS.
 - 2) WETLANDS, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.
 - 3) FLOOD PLAIN, IF PRESENT, HAS NOT BEEN LOCATED OR SHOWN.

SURVEYOR'S CERTIFICATE:
I certify that this survey is correct to the best of my knowledge and belief and is in full compliance with the provisions of Chapter A-E7 WI Statutes. Field work was completed on December 12th, 2022.
Williamson Surveying and Associates, LLC
by Chris V. Adams

Date Dec 27, 2022
Chris V. Adams S-2748
Professional Land Surveyor



WILLIAMSON SURVEYING & ASSOCIATES, LLC
104 WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53592
NDA T. PRIEVE // CHRIS V. ADAMS // NEIL F. BORTZ
PROFESSIONAL LAND SURVEYORS
PHONE: 608-255-5705 FAX: 608-949-9760 WEB: WILLIAMSONSURVEYING.COM

PLAT OF SURVEY
A parcel of land located on part of Lot 2, Block 97, Original Plat of Madison, located in part of the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 14, T7N, R9E, City of Madison, Dane County, Wisconsin.

DATE	DECEMBER 27, 2022	REVISION DATE:	CHECK BY:	NTP:
SCALE	1" = 10'	DRAWING NO.	22V-454	
DRAWN BY:	NEIL BORTZ	SHEET	1 OF 1	

Side Yard Setback Variance for Multi-Family Building Stairs

5' Required

1.8' Proposed

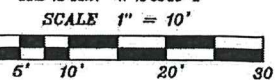
3.2' Variance

EAST GORHAM STREET

PREPARED FOR:
SODERHOLM FAMILY INVESTMENTS
31 SOUTH HILLS ST.
MADISON, WI 53715

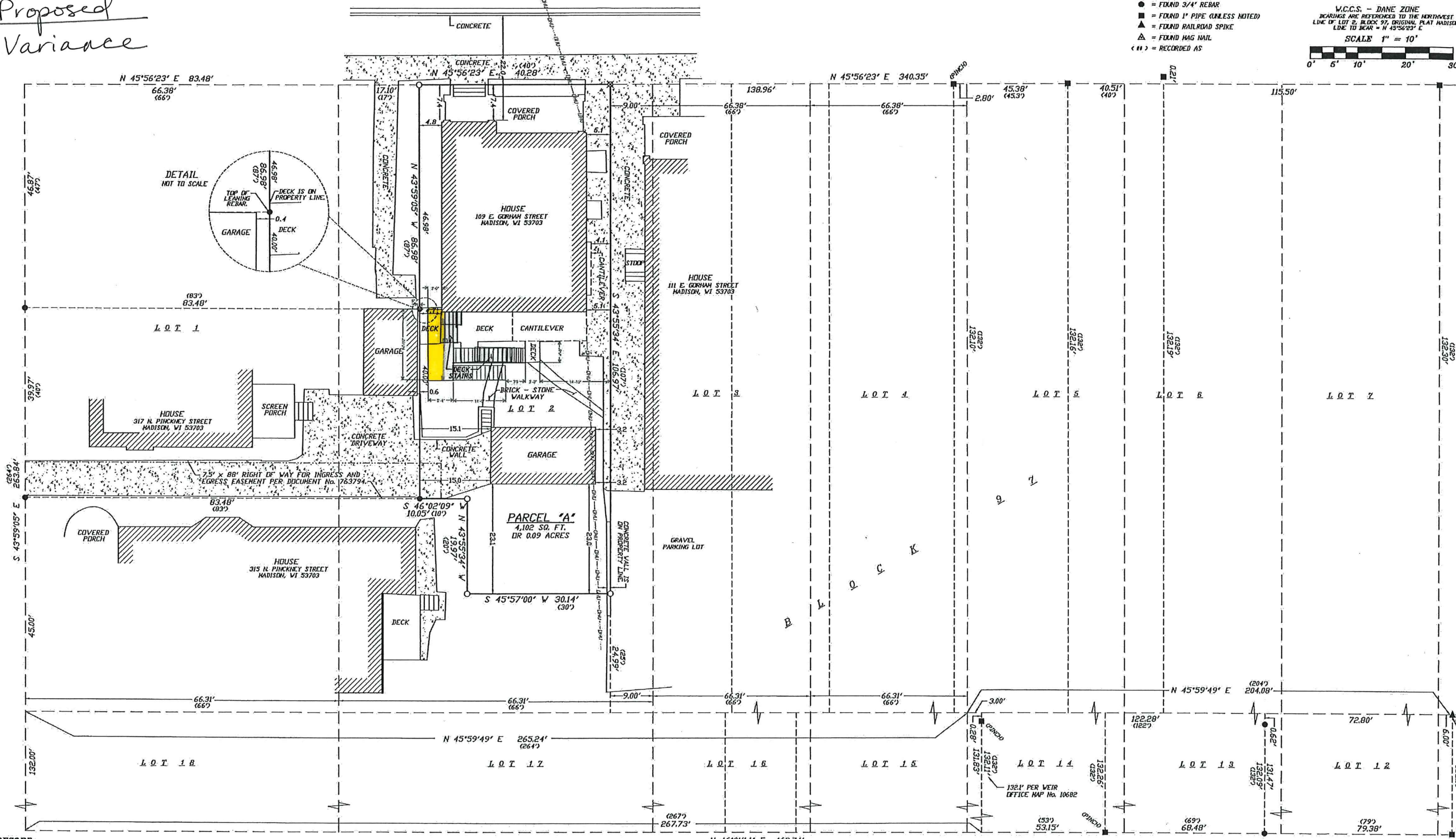


W.C.C.S. - DANE ZONE
BEARINGS ARE REFERENCED TO THE NORTHWEST
LINE OF LOT 2, BLOCK 97, ORIGINAL PLAT MADISON
LOT TO BEAR = N 45°56'23" E



LEGEND

- = SET 3/4"x24" REBAR
WT 1.5 LB PER LIN FT
- ⊗ = SET CHISELED X
- = FOUND 3/4" REBAR
- = FOUND 1" PIPE (UNLESS NOTED)
- ▲ = FOUND RAILROAD SPIKE
- △ = FOUND HAG NAIL
- () = RECORDED AS



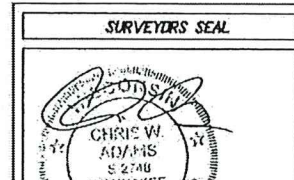
NORTH PINCKNEY STREET

DESCRIPTION OF RECORD:
PER VD DDC 5613730 & CORRECTION INSTRUMENT DDC 5879403 (PARCEL 2 & 2A)
Part of Lot 2, Block 97, Original Plat of Madison, in the City of Madison, Dane County, Wisconsin, described as follows: Beginning on the Northwest line of said Lot 2, 9 feet from the North corner thereof thence Southwest along said Northwest line 40 feet; thence Southeast at right angles 87 feet; thence Northeast 40 feet; thence Northwest 87 feet to the point of beginning.
AND
The Northeast 30 feet of the Northwest 20 feet of the Southeast 45 feet of the Southwest 57 feet of Lot 2, Block 97, Original Plat of Madison, in the City of Madison, Dane County, Wisconsin.
A right of way over part of Lots 1 and 2, said Block 97, described as follows:

NOTES:
1) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT FOR THE SUBJECT TRACT OR ADJOINERS AND IS THEREFORE SUBJECT TO ANY EASEMENTS, AGREEMENTS, RESTRICTIONS AND STATEMENT OF FACTS REVEALED BY EXAMINATION OF SUCH DOCUMENTS.

SURVEYOR'S CERTIFICATE:
I certify that this survey is correct to the best of my knowledge and belief and is in full compliance with the provisions of Chapter A-77 WI Statutes. Field work was completed on December 12th, 2022.
Williamson Surveying and Associates, LLC

EAST JOHNSON STREET



WILLIAMSON SURVEYING & ASSOCIATES,
104 WEST MAIN STREET, WAUKESHA, WISCONSIN, 53597
NOA T. PRIEVE // CHRIS W. ADAMS // NEIL F. BORTZ
PROFESSIONAL LAND SURVEYORS
PHONE: 608-255-5705 FAX: 608-849-9760 WEB: WILLIAMSONSURVEYING.COM

PLAT OF SURVEY
A parcel of land located on part of Lot 2, Block 97, Original Plat of Madison, located in part of the Northeast 1/4 and Southeast 1/4 of the Southeast