



**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: 212 N Allen St. Madison, WI 53726

Name of Owner: JASON and Shannon Lessner

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

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

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

Name of Applicant (Owner's Representative): Jim Marx Marx Home Improvement LLC

Address of Applicant: \_\_\_\_\_

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

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

Description of Requested Variance: Detatched garage construction to be built within less than 3 ft of multiple property lines.

(See reverse side for more instructions)

FOR OFFICE USE ONLY	
Amount Paid: <u>\$300</u>	Hearing Date: <u>4/28/16</u>
Receipt: <u>019213-0002</u>	Published Date: <u>4/22/16</u>
Filing Date: <u>3/16/16</u>	Appeal Number: <u>INOVAR-2016-000016</u>
Received By: <u>DDA</u>	GQ: _____
Parcel Number: <u>0709-211-0903-3</u>	Code Section(s): <u>Sec 28.131(e)2.</u>
Zoning District: <u>FR-C2</u>	
Alder District: <u>5</u>	

## Application Requirements

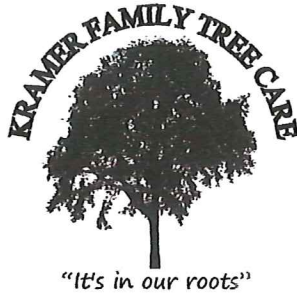
**Please provide the following Information** (Please note any boxes left unchecked below could result in a processing delay or the Board's denial of your application):

<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>
<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 type="checkbox"/> Lot lines</li> <li><input type="checkbox"/> Existing and proposed structures, with dimensions and setback distances to all property lines</li> <li><input type="checkbox"/> Approximate location of structures on neighboring properties adjacent to variance</li> <li><input type="checkbox"/> Major landscape elements, fencing, retaining walls or other relevant site features</li> <li><input type="checkbox"/> Scale (1" = 20' or 1" = 30' preferred)</li> <li><input 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")
<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.
<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.
<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:**  \_\_\_\_\_ **Date:** 4/1/2016

----- (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"/> <b>Approved</b> <input type="checkbox"/> <b>Denied</b> <input type="checkbox"/> <b>Conditionally Approved</b>
<b>Zoning Board of Appeals Chair:</b>
<b>Date:</b> <u>5/14/16</u>



April 4, 2016

To Whom It May Concern;

On April 3, 2016 Kramer Family Tree Care was asked to do a Green Space Impact Assessment on a current project at the address of 212 N. Allen Street, Madison Wisconsin. The following assessment is based on a physical inspection of entire green space adjacent to current garage location.

1. The primary concern with the projected location of garage will require the removal of 20" diameter spruce tree. The has been inspected and deemed to be in great health. This tree is approximately 40 years old and would be a great loss to the landscape of the home. This is service that Kramer Family Tree Care would perform for the amount of \$900.00. The removal of the stump would have a cost of \$120.00 and that price reflects returning the ground area to grade level.
2. The second concern is an ornamental cherry tree that will have be to relocated. Kramer Family Tree Care would perform this service for the amount of \$160.00.
3. The third concern is small Juniper that would be removed or relocated. Kramer Family Tree Care would remove the Juniper and the stump for a cost \$100.00.
4. The next concern for the projected garage location is soil compaction, the ground would have to be protected from construction traffic during all heavy equipment operations. Kramer Family Tree Care would protect these areas by using Altunamats rated for 120 tons, for a cost of \$14.00 a day per 4x8 mat.
5. There are also landscaping stones that would need to be removed. Kramer Family Tree Care would perform this task for a cost \$180.00
6. There is a 23" diameter Hack berry tree encroaching driveway that I recommend installing an EHS cabling system and having the tree pruned to allow more light and air penetration. These services would be performed by Kramer Family Tree Care for a cost \$360.00.

Respectfully Yours,

Nick Kramer  
Kramer Family Tree Care, LLC



**The Zoning Board of Appeals shall not grant a variance unless it finds that the applicant has shown the following standards are met: Standards for Variance**

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

We have limited property space to develop a detached, two car garage to adequately house two vehicles without significantly encroaching on the property's green space and removing two well established trees. If the garage were to be built as per the ordinance on the property's green space, it would eliminate most of our backyard and two healthy trees. In July 2015 we had vandalism that caused over \$15,000 in property damage to both of our vehicles. Police reports and insurance documentation can be shared upon request. The interest in positioning the garage as per the requested variance, would provide additional security for both of our cars and also allow for us to keep our backyard as a play area for our children and pets. We would plan to expand the current one car garage to a two car garage by utilizing an existing concrete pad that is directly adjacent to our existing 1 car garage without damaging our green space. Moreover, there is not sufficient space to maneuver vehicles into the garage if the detached garage were moved 12 - 36" closer toward the house.

**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.**

We don't believe the newly designed structure will obstruct or hinder the values of the neighborhood. The detached garage building will suit the aesthetics of the neighborhood. It will also help us maintain our green space and mature, healthy trees. We think this corresponds with the spirit of Madison and that spirit is one of the reasons why Madison is a great place to live.

**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.**

Following the strict letter of the ordinance would require us to eliminate most of the green space in our backyard and remove two healthy trees. This could be avoided by using the existing concrete pad to construct the two car garage. This concrete pad has the perfect length and width to accommodate a two car garage without removing any grass or trees. Following the ordinance would also impact our ability to use the green space in our backyard, which is one of the property's best features. It would also negatively impact the appearance of the property.

**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.**

We intend to maintain the green space on the property in the condition it was in when purchased, to both provide our family with adequate outdoor space for children and pets as well as maintaining the natural beauty of the neighborhood and environment. The terms of the ordinance would create a hardship for our family by eliminating our green space.

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

The location of the requested variance will be an extension of an existing structure by approximately 10 feet on the same location. The garage building will maintain a similar appearance and outline with minimal change.

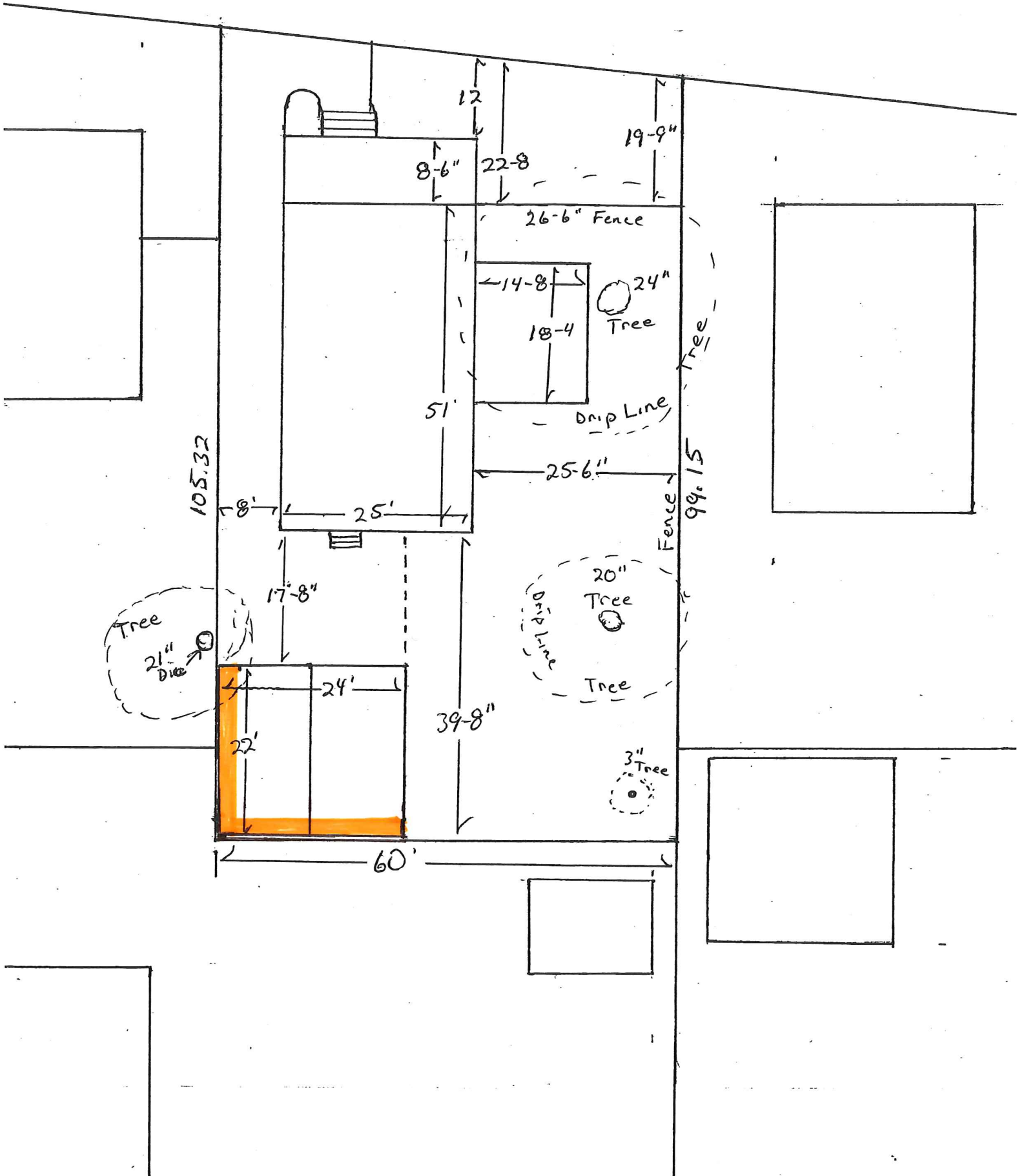
**6) The proposed variance shall be compatible with the character of the immediate neighborhood.**

We plan to build a structure that will complement the style and architecture of the historic neighborhood. It will fit in well with the neighborhood and with our neighbor's properties. There are many examples of similar two car garages, like we intend to build, throughout the Regent community. Photographs of examples can be shared. We ask that you strongly consider our request and hope it's apparent that it is in our best interest for both our family and the surrounding area, thank you.

scale 1" = 16'

← 2

N. ALLEN ST.



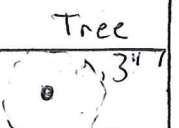
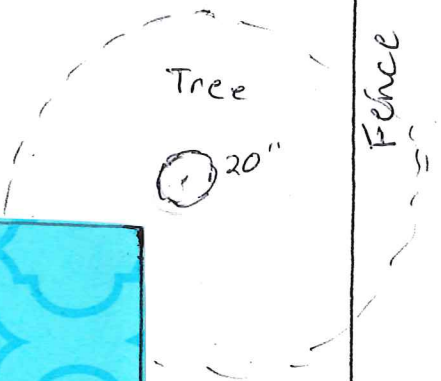
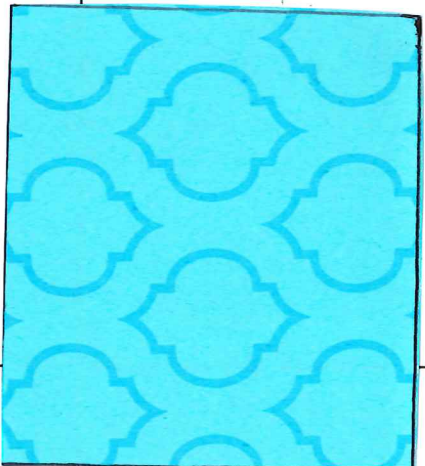
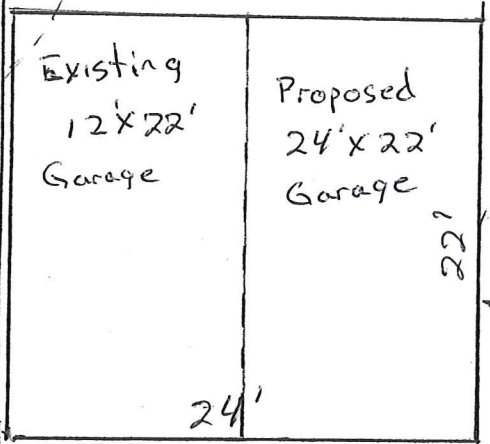
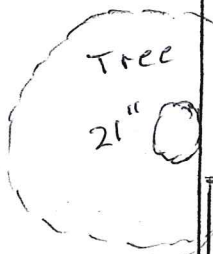
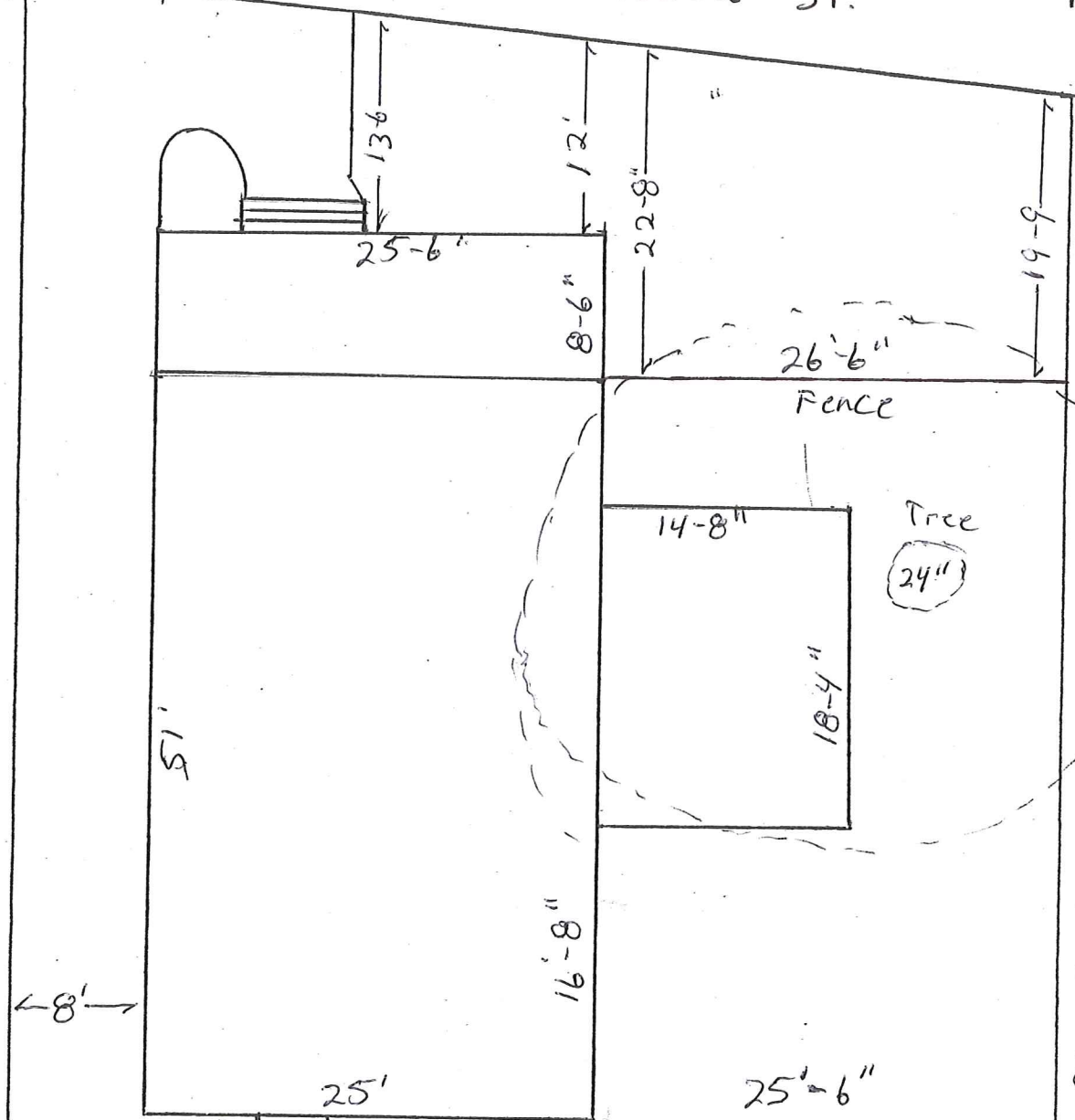


N. ALLEN ST.

Scale 1" = 10'

2

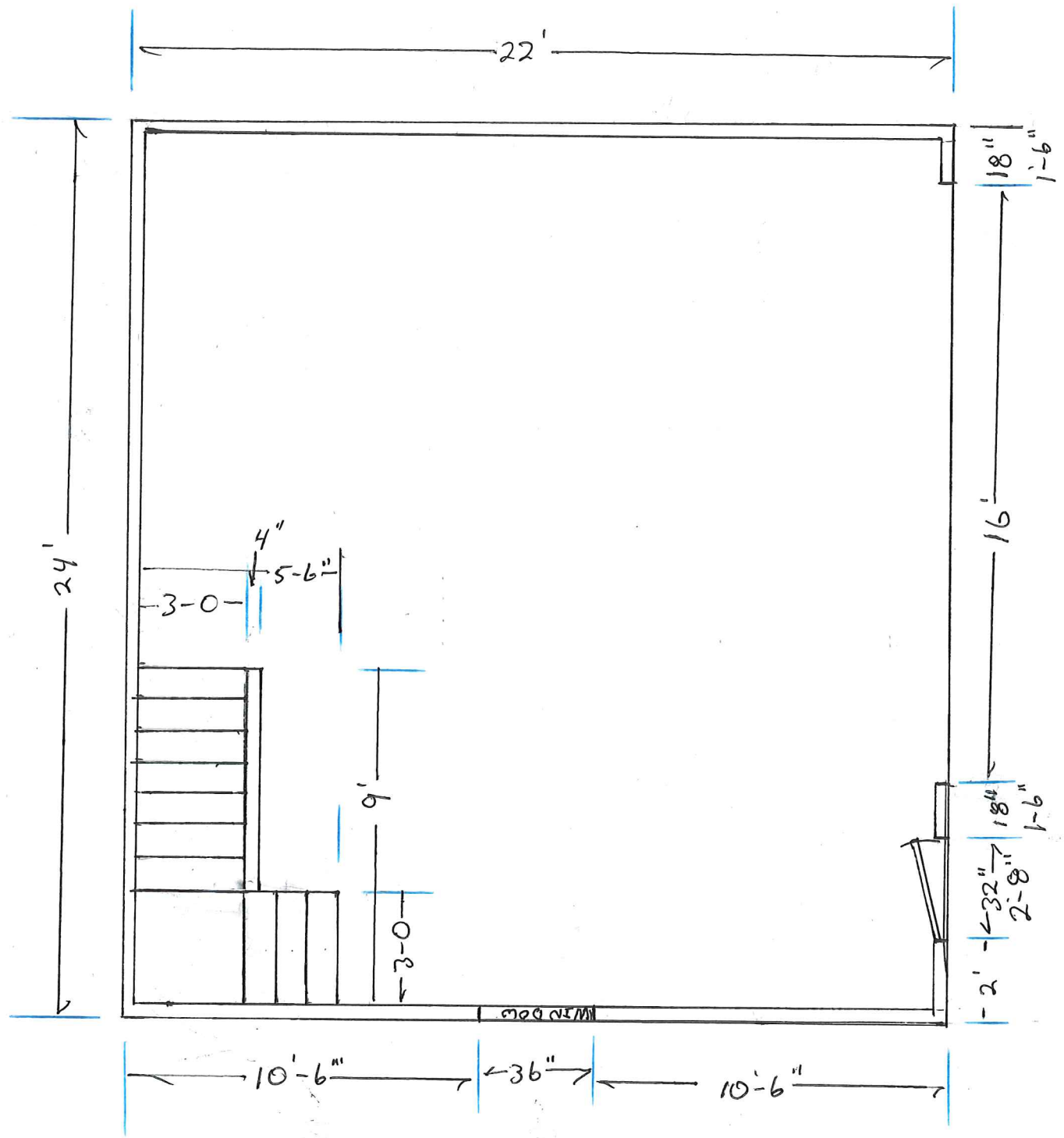
105.32



Fence 99.15

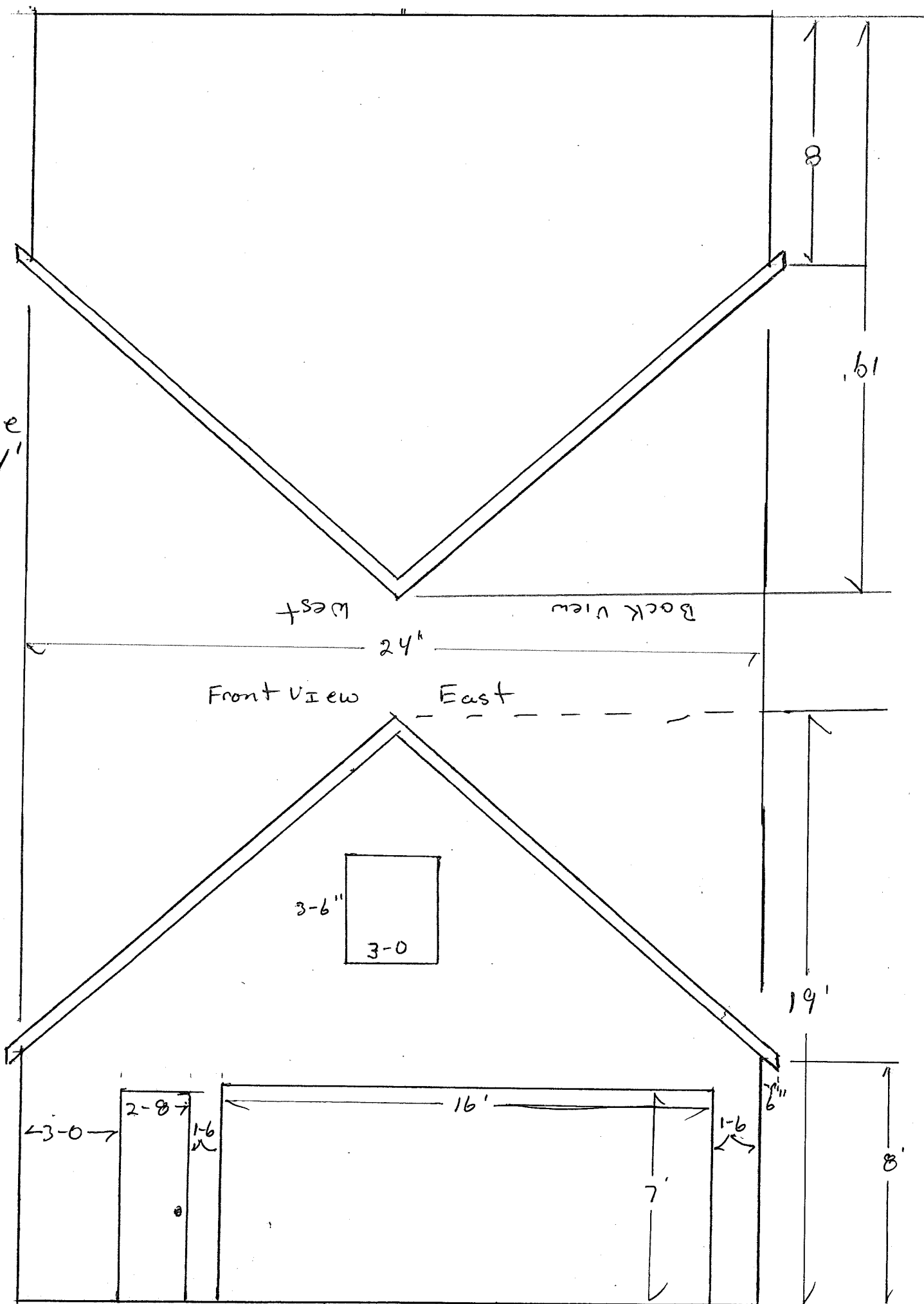
Fence

1" = 4"

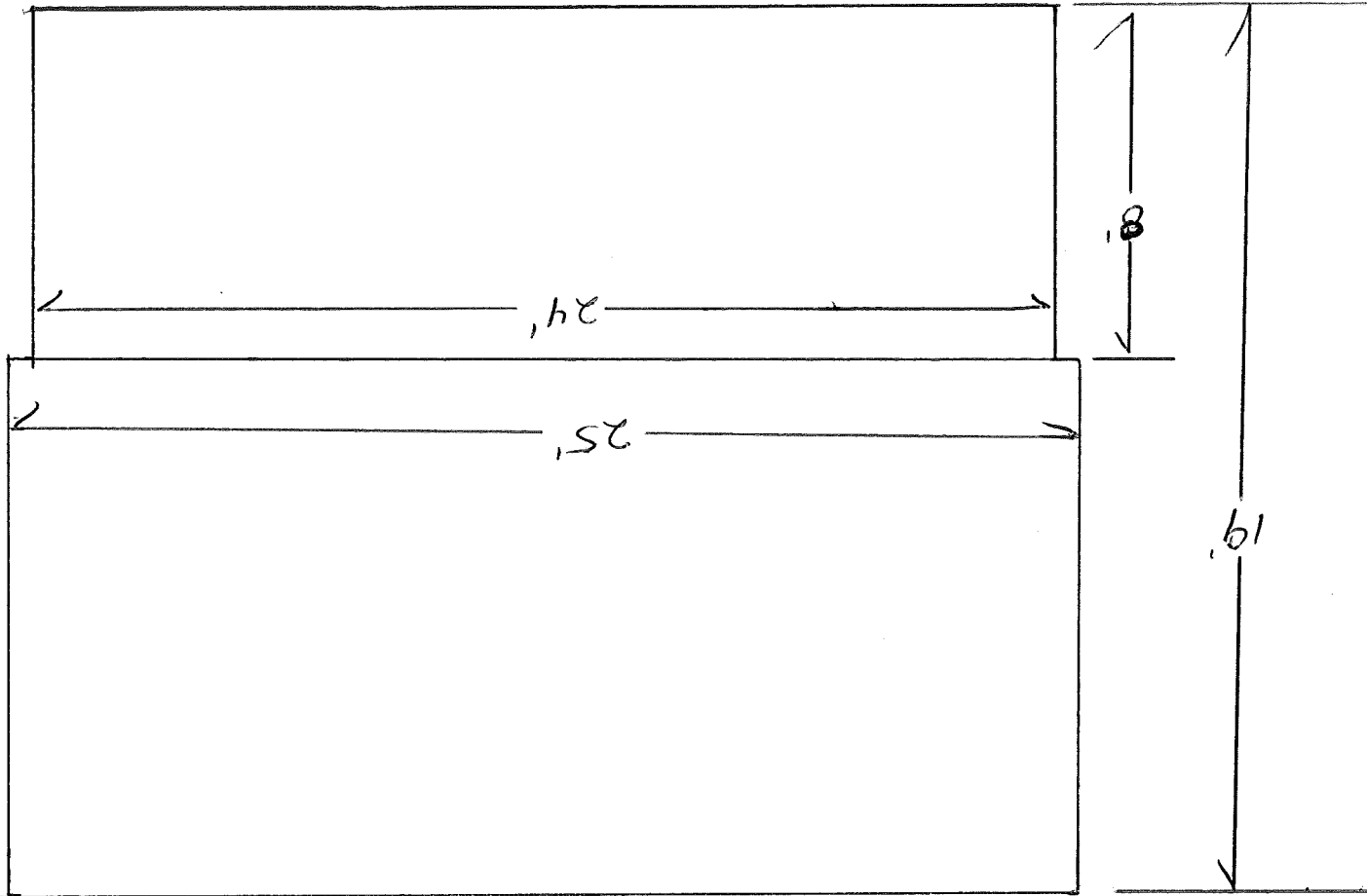




scale  
1" = 4'

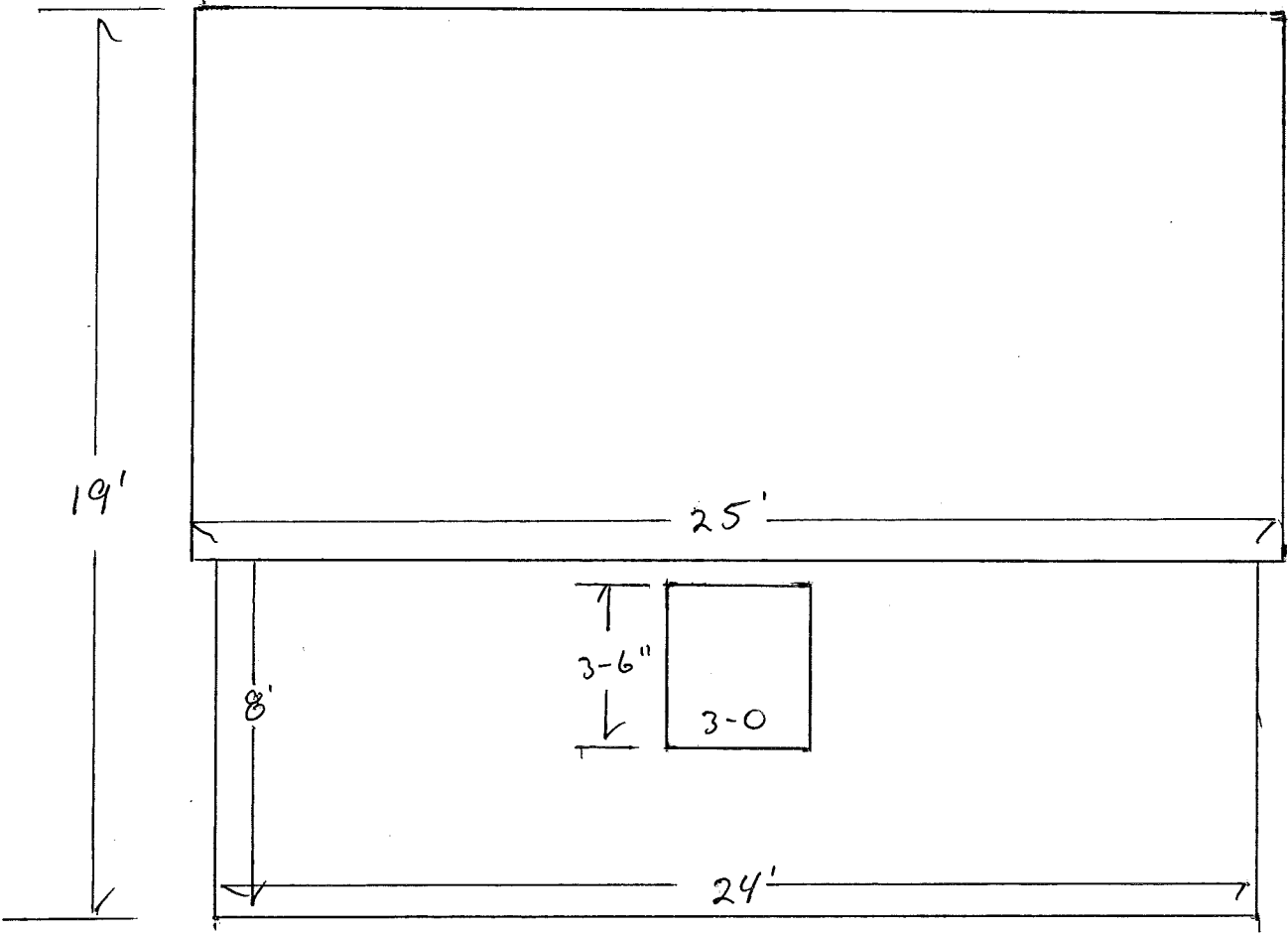


scale  
1" = 4'



North View

South View



19'

25'

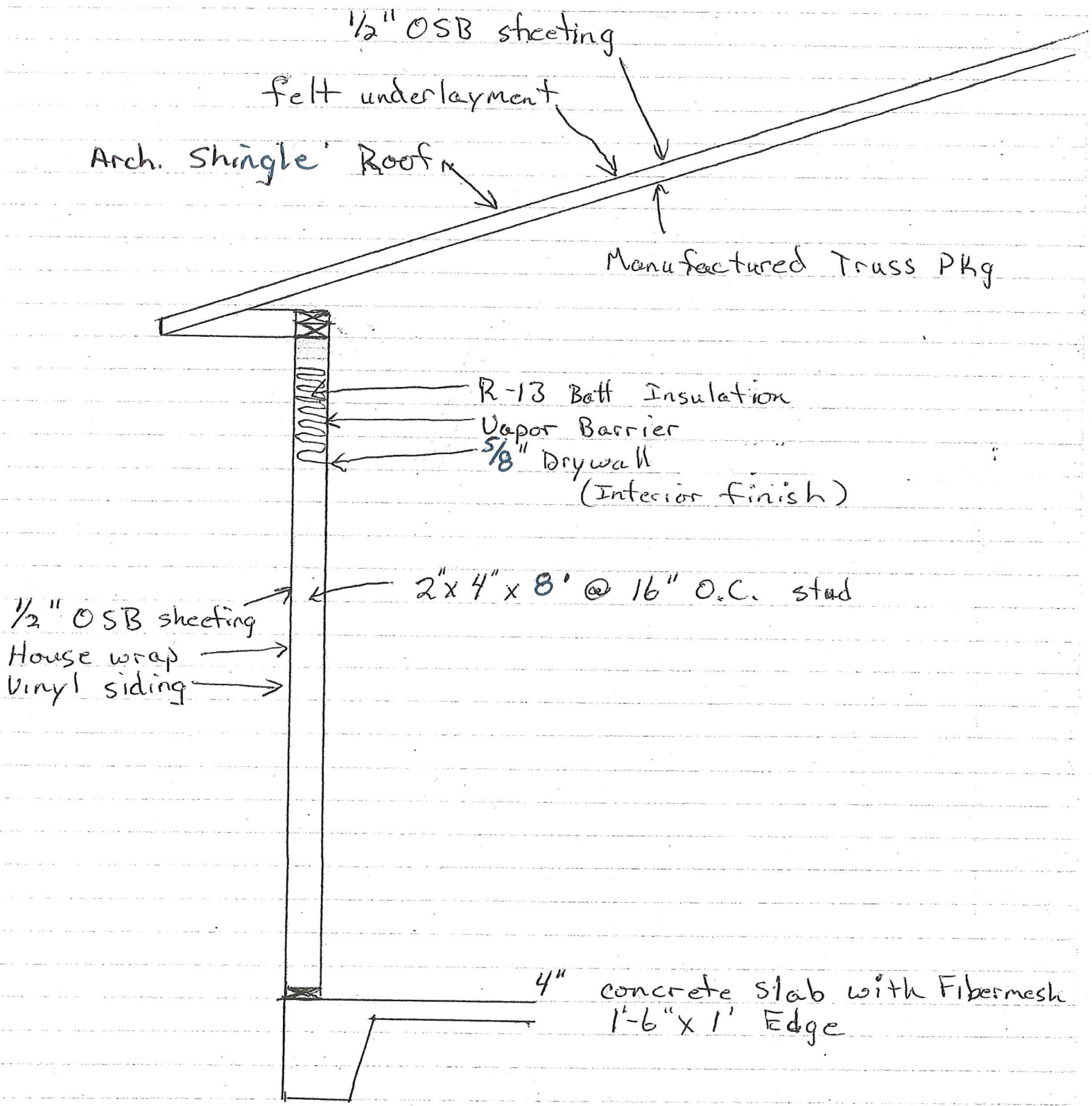
8'

3'-6"

3'-0"

24'

# General Cross Reference















2128 Kendall St.

An example showing the type of garage that will be constructed.

