



**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: 4809 HILLYVIEW TERRACE

Name of Owner: TODD JINDRA

Address of Owner (if different than above): _____

Daytime Phone: 608 577 6940 Evening Phone: 608 577 6940

Email Address: TKJINDRA67@GMAIL.COM

Name of Applicant (Owner's Representative): TODD JINDRA

Address of Applicant: _____

Daytime Phone: _____ Evening Phone: _____

Email Address: _____

Description of Requested Variance:

REDUCTION IN SIDEYARD SETBACK FROM 30' TO 20.4'

See reverse side for more instructions.

FOR OFFICE USE ONLY	
Amount Paid: <u>\$500.00</u>	Hearing Date: <u>6-15-23 / 7-20-23</u>
Receipt: <u>129618-0001</u>	Published Date: <u>6-8-23 / 7-13-23</u>
Filing Date: <u>5-18-23</u>	Appeal Number: <u>LN0VAR-2023-00010</u>
Received By: <u>NJK</u>	GQ: _____
Parcel Number: <u>0709 392 22035</u>	Code Section(s): <u>28.131(d)</u>
Zoning District: <u>SR-C1</u>	_____
Alder District: <u>11-Fishler</u>	_____

Standards for Variances:

The Zoning Board of Appeals shall not grant a variance unless you show, and the Board finds, that your proposed variance meets all the following standards:

1. There are conditions unique to the property of the applicant that do not apply generally to other properties in the district.
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.
3. For an area 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.
5. The proposed variance shall not create substantial detriment to adjacent property.
6. The proposed variance shall be compatible with the character of the immediate neighborhood.

Responses to “STANDARDS FOR VARIANCES” questions

1. The combination of the property being a Reverse corner lot and the subsequent setbacks (30' side yard setback); the existing grades; and the mature trees (which we'd like to preserve) both on the property and in the city terrace, limit the usability of the site.
2. The new garage is in character with the existing home's architectural style, matching in height and roof design (flat), window sizes and siding type. The upper level has been reduced from 24' to 14'-5" in depth. This revision to the upper level is now in full compliance with the zoning code 30' setback compared to our previous submittal; therefore, providing the neighbor with a viewpoint that the zoning code has intended. The lower level of the structure has been reduced in depth from 24' to 22, which has resulted in the westerly wall to be shifted easterly, thus reducing the variance dimension an additional 2' compared to the previous request.
3. To comply with the 30' setback, would result in the removal of a major shade tree on the lot. Pushing the garage easterly would no doubt result in significant damage to the root system of this tree resulting in the loss of the tree. Taking direction from the board and Staff, I have retained Stephenson Tree Care to compile a Level 2 analysis of the tree in question and have included the report with the submittal package.
4. The terms of the Ordinance create a hardship for the development and usability of a reverse corner lot that has the added challenge of unique grade changes associated with this lot. Well established landscaping (mature tree in rear yard) that is unique to the lot would undoubtedly be lost if Compliance with the Ordinance was followed.
5. In this reverse corner lot, the Zoning code takes into consideration the neighbor that is, in this case, to the south of the new garage. (My rear property line is their side yard property line) (1) From the neighbor's perspective the new garage is constructed of the same materials and of the same height as the existing home as evidenced in the renderings. (2) The upper level of the structure is now set back 30' and in full compliance with the Zoning code and providing an improved view to the NW due to the fact that the existing 5' tall fence will be removed, and the new structure is set back at 30'. (4) The lower level

of the structure is now reduced to 22' in depth compared to 24' in the previous application. This results in a variance request of 7.6' This design change results in the fact the westerly wall of the garage will be set back even further than the west wall of the house, as well as being set back further than the mass of earth/ grades that currently occupy that space. (5) The sub-terrarium design of the lower level is not in the line of sight for my neighbor and therefore does not inhibit the view of the neighbor to the south; this in combination of the redesign of the upper level to comply with the 30' setback, I believe has provided a design that takes into consideration everyone's concerns and still provides a viable solution.


6. With the garage being sub-terrarium but having a structure built on top, but set back, is consistent with many of the architectural styles of the homes in the neighborhood. The architectural style and materials used will match the current home. The roof line will match the existing single story flat roof design. The added retaining wall design will match existing timber retaining wall and screen the location of the previous garage door, thus allowing for additional planting beds. The new driveway approach location will be set even further back from the nearest intersection. The new private driveway will match the current design dimensionally.

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:

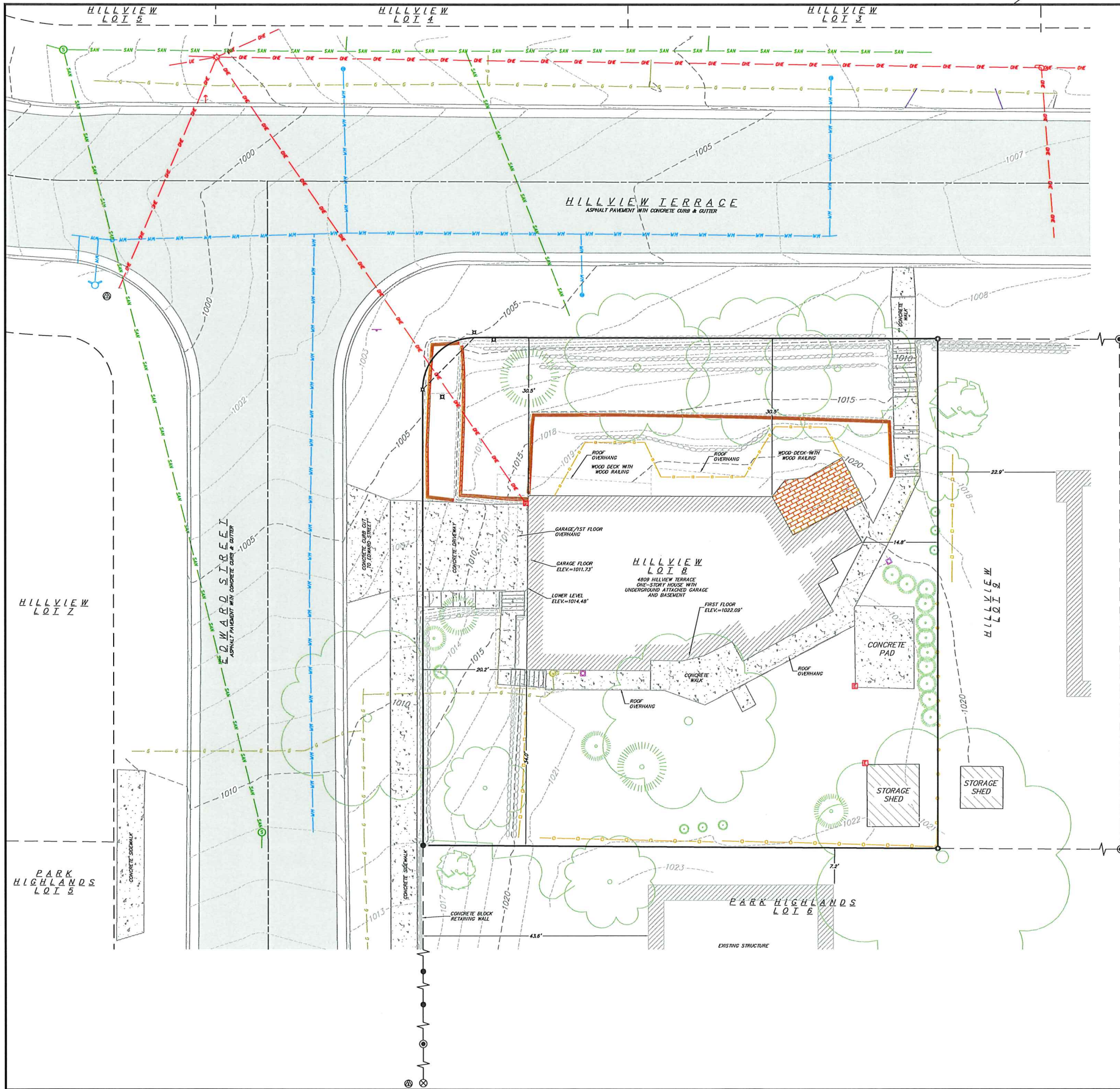
<input checked="" type="checkbox"/>	Pre-application meeting with staff. Before you submit this application, meet with the Zoning Administrator. Together, you will discuss your proposed project and submission material. Contact Zoning at least one week prior to the application submission deadline to schedule 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 type="checkbox"/> Lot lines. <input type="checkbox"/> Existing and proposed structures. Include dimensions and setback distances to all property lines. <input type="checkbox"/> Approximate location of structures on properties next 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 directions showing existing and proposed. Show the existing structure and proposed addition(s).
<input checked="" type="checkbox"/>	Interior floor plan of existing and proposed structure , if required. Most additions and expansions will require floor plans.
<input checked="" type="checkbox"/>	SIDE yard variance requests. Show the front yard setback of all other properties on the same block face.
<input type="checkbox"/> NA	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"/> NA	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:  Date: 5/18/23

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

<u>DECISION</u>	
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: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Conditionally Approved	
Zoning Board of Appeals Chair:	Date:



SURVEY LEGEND

- FOUND 1" Ø IRON PIPE
- ⊙ FOUND 1-1/2" Ø IRON PIPE
- ⊗ FOUND 2-1/2" Ø IRON PIPE
- FOUND 3/4" Ø IRON ROD
- ⊠ SET 3/4" Ø x 18" SOLID IRON MIN. WT. 1.50 lbs./ft.
- ⊕ BENCHMARK

SYMBOL LEGEND

- EXISTING POST
- ⊠ EXISTING SIGN
- ⊙ EXISTING SANITARY MANHOLE
- ⊕ EXISTING FIRE HYDRANT
- ⊕ EXISTING WATER MAIN VALVE
- ⊕ EXISTING CURB STOP
- ⊕ EXISTING GAS VALVE
- ⊕ EXISTING GAS METER
- ⊕ EXISTING AIR CONDITIONING PEDESTAL
- ⊕ EXISTING DOWN GUY
- ⊕ EXISTING ELECTRIC PEDESTAL
- ⊕ EXISTING ELECTRIC METER
- ⊕ EXISTING LIGHT POLE
- ⊕ EXISTING SHRUB
- ⊕ EXISTING CONIFEROUS TREE
- ⊕ EXISTING DECIDUOUS TREE

LINEWORK LEGEND

- EXISTING BOULDER OR ROCK RETAINING WALL
- EXISTING CONCRETE BLOCK RETAINING WALL
- EXISTING TIMBER/RR TIE RETAINING WALL
- EXISTING CHAIN LINK FENCE
- EXISTING WOOD FENCE OR RAILING FOR DECK
- EXISTING METAL RAILING
- EXISTING GAS LINE
- EXISTING UNDERGROUND ELECTRIC LINE
- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING SANITARY SEWER LINE
- EXISTING WATER MAIN
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING CONCRETE SURFACE
- EXISTING ASPHALT SURFACE
- EXISTING BRICK PAVERS



SURVEYED FOR:
TODD JINDRA
4809 HILLVIEW TERRACE
MADISON, WI 53711

SURVEYED BY:
VERBICHER ASSOCIATES, INC.
BY: MICHAEL S. MARTY
999 FOURIER DRIVE,
SUITE 201
MADISON, WI 53717
(608)-821-3955
mmr@vierbicher.com

NOTES

1. The parcel surveyed contains 5.315 acres or 231,546 square feet, more or less.
2. This survey is based upon field survey work performed on November 14, 16, and 18, 2022. Any changes in site conditions after November 18, 2022 are not reflected by this survey.
3. No attempt has been made as a part of this survey to obtain or show data concerning size, condition, or capacity of any utility or municipal/public service facility. For information regarding these utilities contact the appropriate agencies.
4. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, or ownership title evidence.
5. Elevations are based upon the NAVD83 Datum (2012 Geoid).
6. Utility locations were field located based upon substantial, visible, above ground structures, upon maps provided to the surveyor, or upon markings on the ground placed by utility companies and/or their agents. No warranty is given to the utility markings by others or that all underground utilities affecting this property were marked and subsequently located for this survey. A locate request was sent to Digger's Hotline per Digger's Hotline One-Call ticket numbers. Location of buried private utilities are not within the scope of this survey.
7. Existing structures located on 4805 Hillview Terrace and 505 Edward Street are based upon aerial imagery. No survey work was completed to verify distances to property lines.

BENCHMARK TABLE:

- ⊕ BENCHMARK #1 - ELEV. 1001.75'; TOP NUT OF FIRE HYDRANT LOCATED IN THE SW QUADRANT OF HILLVIEW TERRACE AND EDWARD STREET.
- ⊕ BENCHMARK #2 - ELEV. 1039.91'; TOP NUT OF FIRE HYDRANT LOCATED ON THE EAST SIDE OF EDWARD STREET, 425'± SOUTH OF THE INTERSECTION OF HILLVIEW TERRACE AND EDWARD STREET.

DESCRIPTION FURNISHED:

LOT EIGHT (B), HILLVIEW, IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN.

DIGGERS HOTLINE
Dial 811 or (800) 242-8511
www.DiggersHotline.com



Existing Conditions
4809 Hillview Terrace
Madison
Dane County, Wisconsin

REVISIONS		REVISIONS	
NO.	DATE	NO.	DATE

DATE
06/21/2023

DRAFTER
BSCH

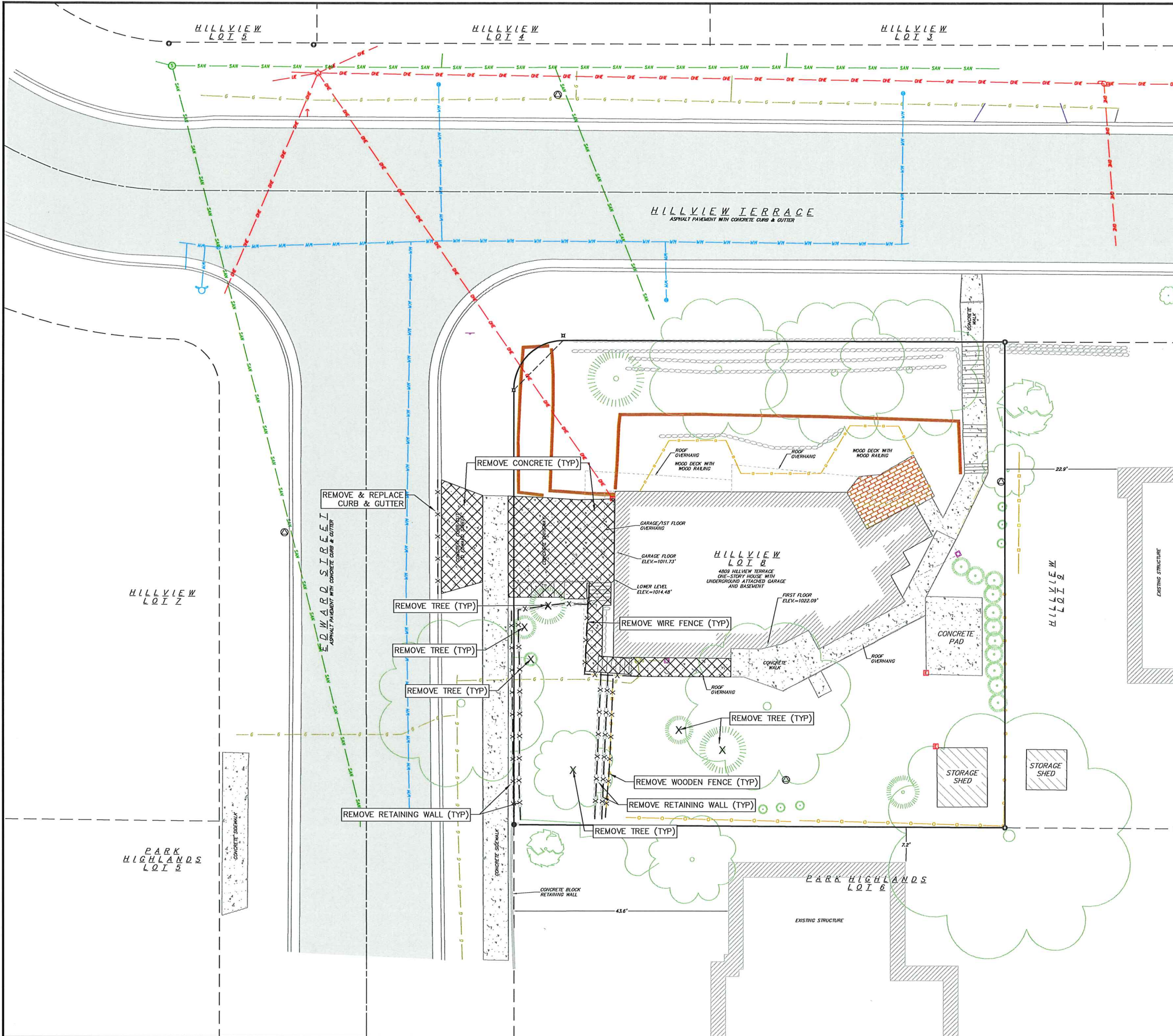
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RKOL

PROJECT NO.
220319

C1.0

THE LOCATION OF EXISTING UTILITIES, BOTH UNDERGROUND AND OVERHEAD ARE APPROXIMATE ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION OF ALL EXISTING UTILITIES WHETHER SHOWN ON THESE PLANS OR NOT, BEFORE COMMENCING WORK, AND SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE CAUSED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UTILITIES.

CALL DIGGER'S HOTLINE
1-800-242-8511



TOPOGRAPHIC SYMBOL LEGEND

- EXISTING BOLLARD
- EXISTING POST
- ⊕ EXISTING SIGN (TYPE NOTED)
- ⊕ EXISTING SANITARY MANHOLE
- ⊕ EXISTING FIRE HYDRANT
- ⊕ EXISTING WATER MAIN VALVE
- ⊕ EXISTING CURB STOP
- ⊕ EXISTING GAS METER
- ⊕ EXISTING ELECTRIC PEDESTAL
- ⊕ EXISTING ELECTRIC METER
- ⊕ EXISTING SHRUB
- ⊕ EXISTING CONIFEROUS TREE
- ⊕ EXISTING DECIDUOUS TREE

TOPOGRAPHIC LINEWORK LEGEND

- EXISTING RETAINING WALL
- EXISTING CHAIN LINK FENCE
- EXISTING WIRE FENCE
- EXISTING WOOD FENCE
- EXISTING GAS LINE
- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING SANITARY SEWER LINE
- EXISTING WATER MAIN
- EXISTING CONCRETE SURFACE
- EXISTING ASPHALT SURFACE

DEMOLITION PLAN LEGEND

- X --- RETAINING WALL REMOVAL
- X --- WIRE FENCE REMOVAL
- X --- WOOD FENCE REMOVAL
- X --- CONCRETE REMOVAL
- ⊗ TREE REMOVAL

DEMOLITION NOTES:

1. CONTRACTOR SHALL KEEP ALL CITY STREETS FREE AND CLEAR OF CONSTRUCTION RELATED DIRT/DUST/DEBRIS.
2. ALL SAWCUTTING SHALL BE FULL DEPTH TO PROVIDE A CLEAN EDGE TO MATCH NEW CONSTRUCTION. MATCH EXISTING ELEVATIONS AT POINTS OF CONNECTION FOR NEW AND EXISTING PAVEMENT, CURB, SIDEWALKS, ETC. ALL SAWCUT LOCATIONS SHOWN ARE APPROXIMATE AND MAY BE FIELD ADJUSTED TO ACCOMMODATE CONDITIONS, JOINTS, MATERIAL TYPE, ETC. REMOVE MINIMUM AMOUNT NECESSARY FOR INSTALLATION OF PROPOSED IMPROVEMENTS.
3. CONTRACTOR SHALL PROVIDE AND SHALL BE RESPONSIBLE FOR ANY NECESSARY TRAFFIC CONTROL SIGNAGE AND SAFETY MEASURES DURING DEMOLITION AND CONSTRUCTION OPERATIONS WITHIN OR NEAR THE PUBLIC ROADWAY.
4. IF APPLICABLE, PROVIDE TREE PROTECTION FENCING PRIOR TO CONSTRUCTION OPERATIONS. MAINTAIN THROUGHOUT CONSTRUCTION.
5. CONTRACTOR SHALL CLOSE ALL ABANDONED DRIVEWAYS BY REPLACING THE CURB IN FRONT OF THE DRIVEWAYS AND RESTORING THE TERRACE WITH GRASS.
6. ANY DAMAGE TO THE CITY PAVEMENT, INCLUDING DAMAGE RESULTING FROM CURB REPLACEMENT, WILL REQUIRE RESTORATION IN ACCORDANCE WITH THE CITY ENGINEERING PATCHING CRITERIA.
7. ANY SIDEWALK AND CURB & GUTTER ABUTTING THE PROPERTY SHALL BE REPLACED IF IT IS DAMAGED DURING CONSTRUCTION OR IF THE CITY ENGINEERING DEPARTMENT DETERMINES THAT IT IS NOT AT A DESIRABLE GRADE, REGARDLESS OF WHETHER THE CONDITION EXISTED PRIOR TO BEGINNING CONSTRUCTION.



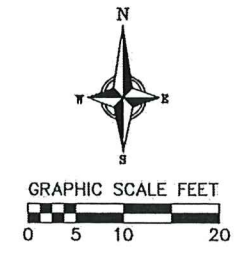
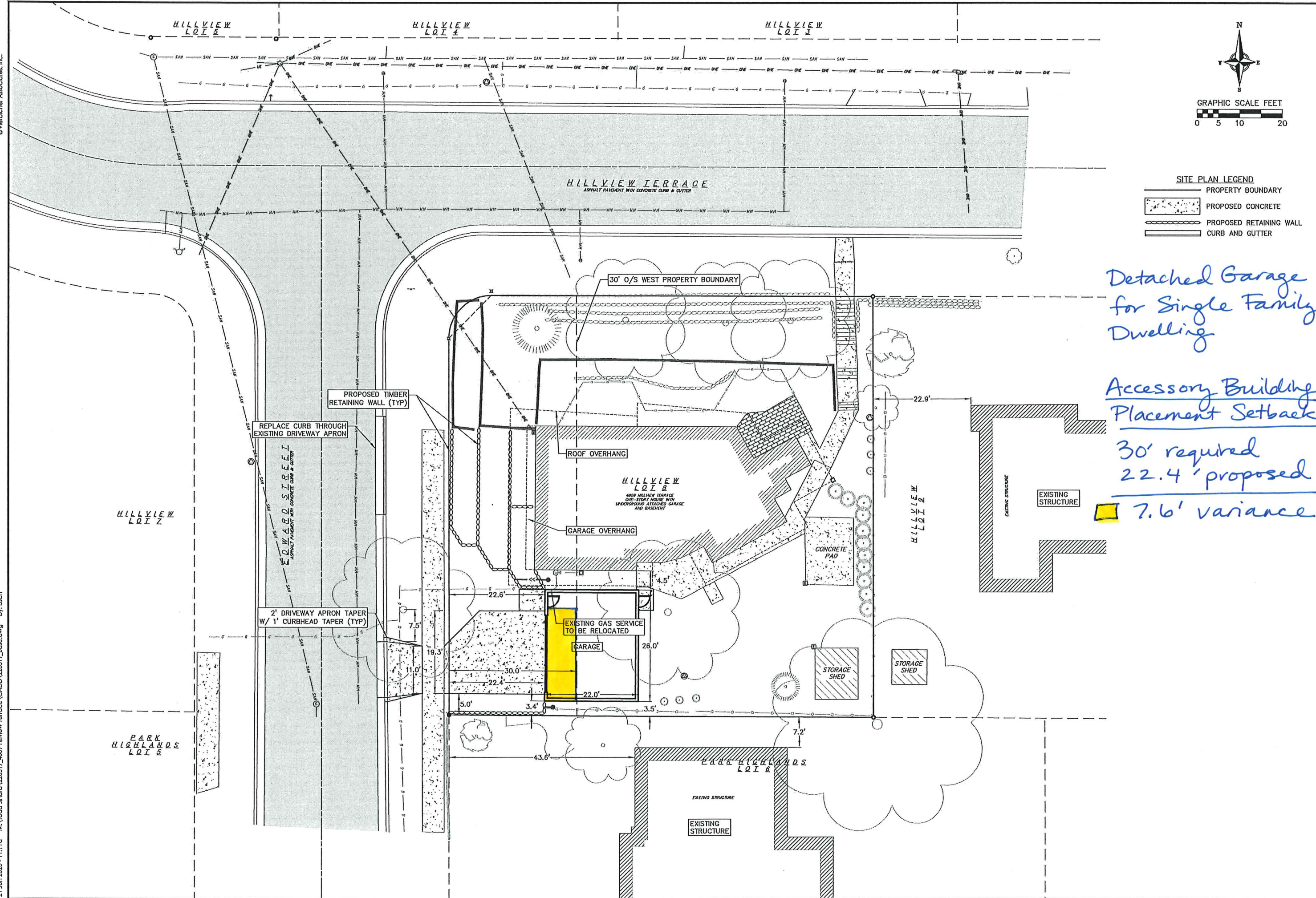
Demolition Plan
 4809 Hillview Terrace
 Madison
 Dane County, Wisconsin

REVISIONS		REVISIONS	
NO.	DATE	NO.	DATE

DATE: 06/21/2023
 DRAFTER: BSCH
 CHECKED: RKOL
 PROJECT NO.: 220319

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21 Jun 2023 - 11:11 a M:\Todd Jindra\220319_4809 Hillview Terrace\CADD\220319_Base.dwg by: bsch



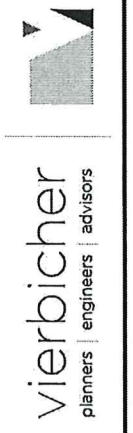
- SITE PLAN LEGEND**
- PROPERTY BOUNDARY
 - PROPOSED CONCRETE
 - PROPOSED RETAINING WALL
 - CURB AND GUTTER

*Detached Garage
for Single Family
Dwelling*

*Accessory Building
Placement Setback*

*30' required
22.4' proposed*

7.6' variance

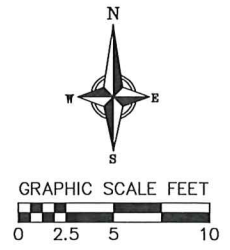
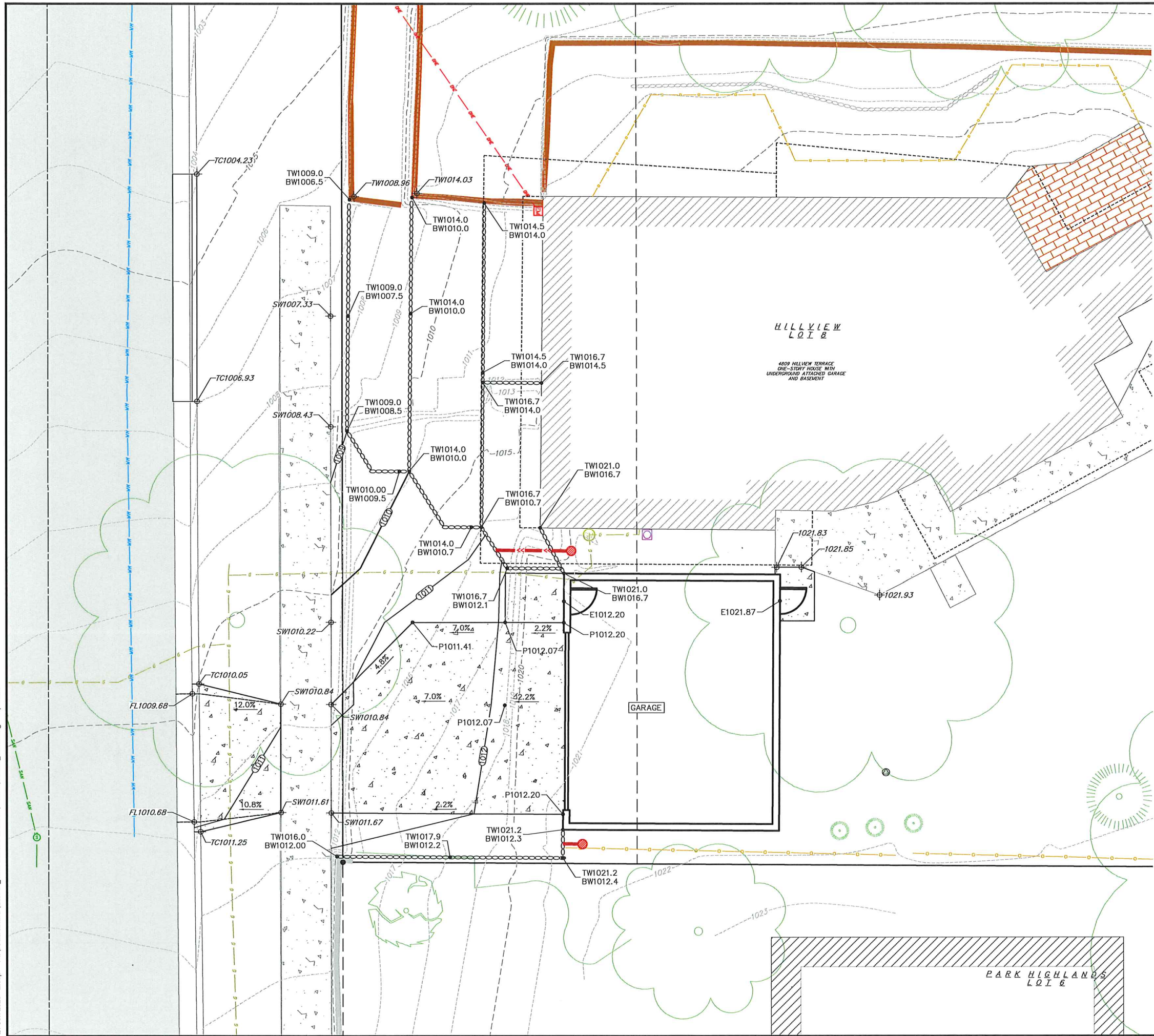


Site Plan
4809 Hillview Terrace
Madison
Dane County, Wisconsin

REVISIONS		REVISIONS	
NO.	DATE	NO.	DATE

DATE: 06/21/2023
 DRAFTER: BSCH
 CHECKED: RKOL
 PROJECT NO.: 220319

C3.0



GRADING LEGEND

- EXISTING MAJOR CONTOURS
- EXISTING MINOR CONTOURS
- PROPOSED MAJOR CONTOURS
- PROPOSED MINOR CONTOURS
- DRAINAGE DIRECTION
- PROPOSED SLOPE ARROWS
- EXISTING SPOT ELEVATIONS
- PROPOSED SPOT ELEVATIONS

ABBREVIATIONS

- TC - TOP OF CURB
- FF - FINISHED FLOOR
- FL - FLOW LINE
- SW - TOP OF WALK
- TW - TOP OF WALL
- BW - BOTTOM OF WALL

GRADING NOTES:

1. CONTOURS ARE SHOWN FOR PURPOSES OF INDICATING ROUGH GRADING. FINAL GRADE SHALL BE ESTABLISHED ON PAVED SURFACES BY USING SPOT GRADES ONLY.
2. ALL GRADES SHOWN REFERENCE FINISHED ELEVATIONS.
3. CROSS SLOPE OF SIDEWALKS SHALL BE 1.5% UNLESS OTHERWISE NOTED.
4. NO LAND DISTURBANCE ACTIVITIES SHALL BEGIN UNTIL ALL EROSION CONTROL BMP'S ARE INSTALLED.



vierbicher
planners | engineers | advisors

Grading Plan

4809 Hillview Terrace
Madison
Dane County, Wisconsin

REVISIONS		REVISIONS	
NO.	DATE	NO.	DATE

DATE
06/21/2023

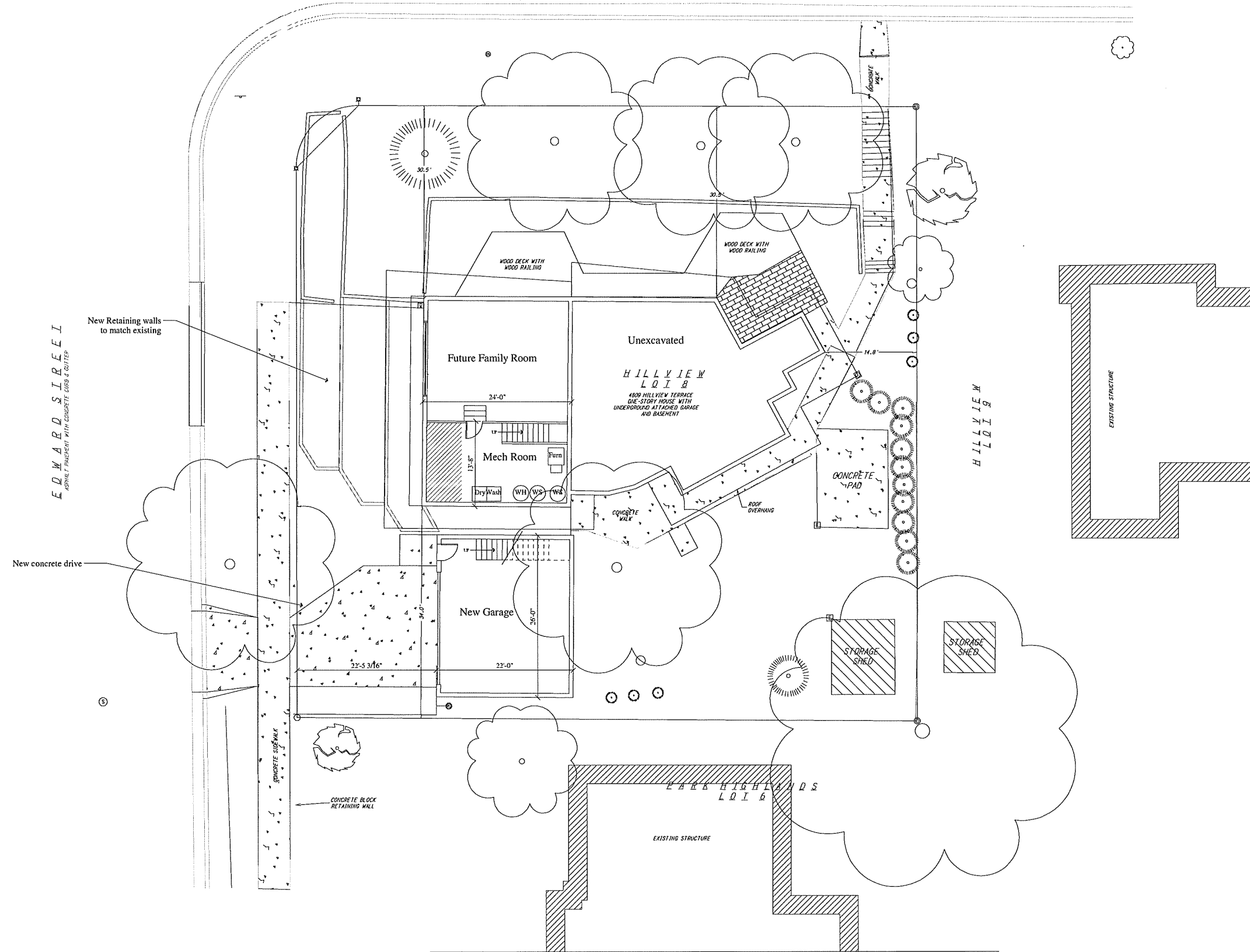
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BSCH

CHECKED
RKOL

PROJECT NO.
220319

C4.0

HILLYVIEW TERRACE
ASPHALT PAVEMENT WITH CONCRETE CURB & GUTTER



Lower Level Plan
 Scale = 1/8"=1'-0"

Jeffery Groenier, Architect
 W125 Amidon Road
 Brooklyn, WI 53521
 608-698-3196

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 in
 Architecture, LLC

Proposed for: **Todd Jindra**
 Address: 4809 Hillyview Terrace
 Madison, WI
 608-577-6940

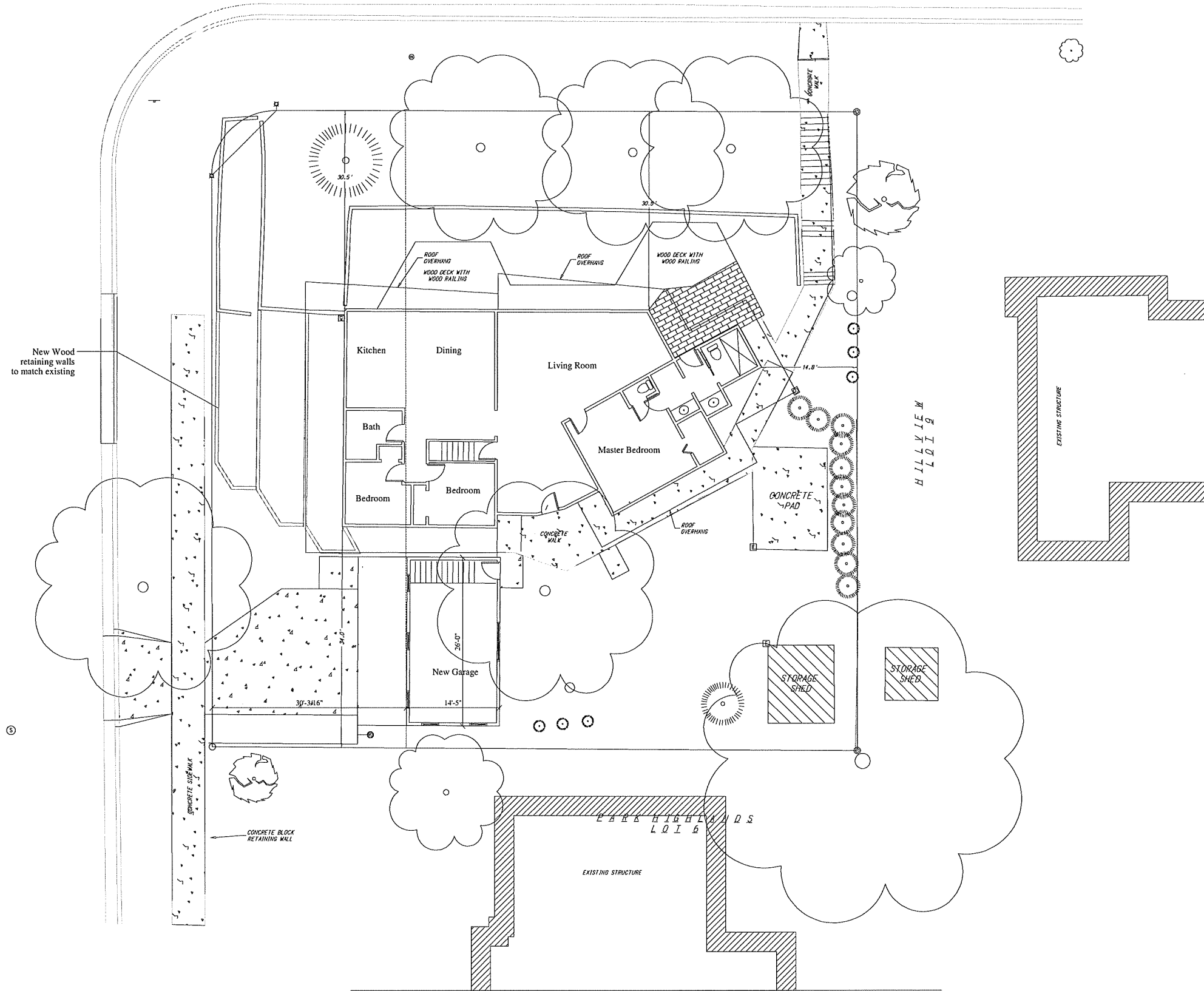
Project: **Garage Addition**
 Address: Madison, WI
 Sheet Title: **Floor Plan**

Date: 06-21-2023
 Scale: As Noted
 Job #: 05-01

SHEET
A1.0

HILLYVIEW TERRACE
ASPHALT PAVEMENT WITH CONCRETE CURB & GUTTER

EDWARD STREET
ASPHALT PAVEMENT WITH CONCRETE CURB & GUTTER



Upper Level Plan

Scale = 1/8" = 1'-0"

Project: Garage Addition
Address: Madison, WI
Sheet Title: Floor Plan

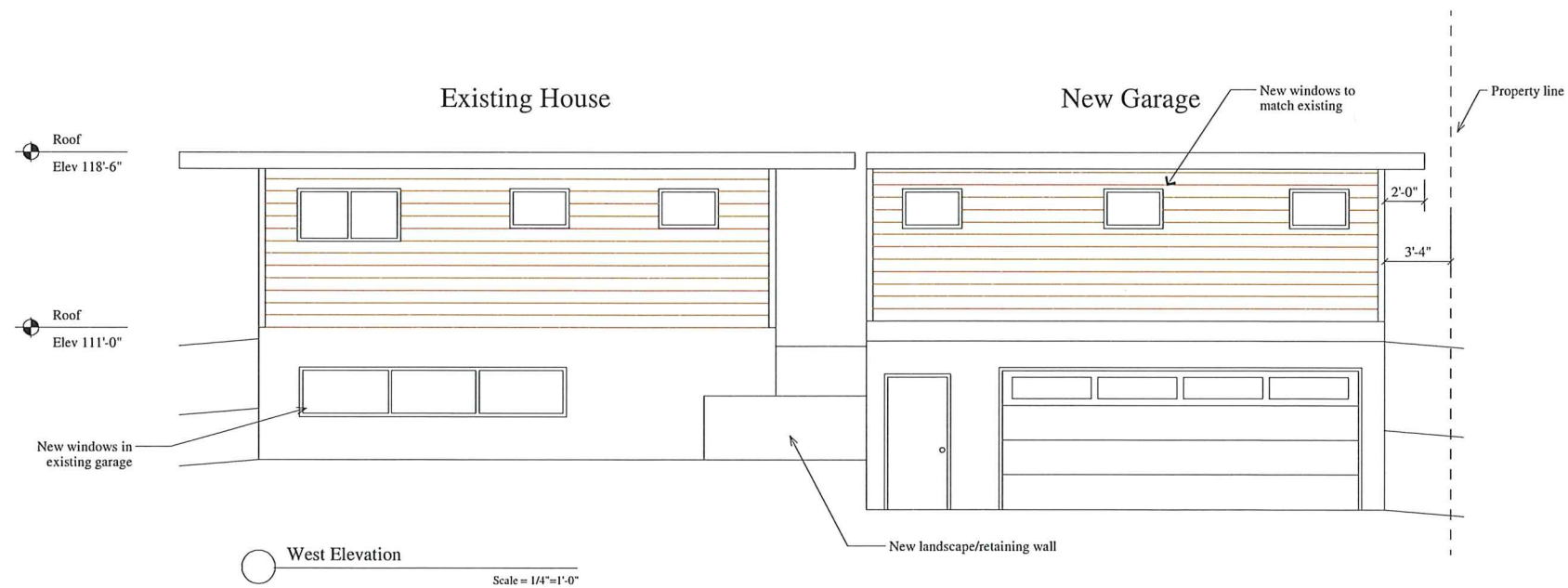
Date: 06-21-2023
Scale: As Noted
Job #: 05-01

SHEET
A1.1

Proposed for: Todd Jindra
Address: 4809 Hillyview Terrace
Madison, WI
608-577-6940

Concepts
Architecture, LLC

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Brooklyn, WI 53521
608-698-3196
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Proposed for:
 Todd Jindra

Address:
 4809 Hillview Terrace
 Madison, WI
 608-577-6940

Project:
 Garage Addition

Address:
 Madison, WI

Sheet Title:
 Elevations

Date: 05-23-2023

Scale: As Noted

Job #: 05-01

SHEET
 A2.0



Edward St



