



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: 1315 Rutledge St. Madison, WI 53703

Name of Owner: _____

Address of Owner (if different than above): _____

Daytime Phone: _____ Evening Phone: _____

Email Address: _____

Name of Applicant (Owner's Representative): Associated Housewrights

Address of Applicant: 1217 Culmen St Madison WI 53713

Daytime Phone: 608-204-7665 Evening Phone: _____

Email Address: meri.tepper@housewrights.com

Description of Requested Variance: _____

This application is requesting two separate rear yard setback variances to construct additions to the principal structure. One addition is an attached single car garage plus storage and the other is an enclosed unheated sunroom. The garage will replace an existing garden shed and will contain a single car, 4 bikes, 65 gallon trash and recycling receptacles, a lawn mower and snow blower. The enclosed porch is an expansion of an existing small enclosed porch.

(See reverse side for more instructions)

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Amount Paid:	<u>300 -</u>	Hearing Date:	<u>2-18-21</u>
Receipt:	<u>107278-0032</u>	Published Date:	<u>2-11-21</u>
Filing Date:	<u>1-20-21</u>	Appeal Number:	<u>LNDVAR-2021-00002</u>
Received By:	<u>MWT</u>	GQ:	<u>Third Lake Historic District</u>
Parcel Number:	<u>0710-073-0208-8</u>	Code Section(s):	<u>28.045 (2)</u>
Zoning District:	<u>TR-C4</u>		
Alder District:	<u>6 - Ruessel</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.

-The existing house built in 1892 is positioned very far back on the lot. The back of the house is presently 8'-4" into the rear yard setback.

-This property is in the Third Lake Ridge Historic District. The Landmarks Commission has definitively said that they will not allow any additions in front of the existing house. The Historic Preservation standards for exterior additions in this district focus on the appearance of the additions from the street facade. Both additions have received Landmarks certificate of appropriateness pending the receipt of the zoning variances.

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.

As the additions are positioned far back from the street there is nothing contrary to public interest. In fact, the position of the garage as an attached structure that maintains the 5'-0" side yard setback actually improves light and air to the neighbors to the side and rear. The designs have already received certificate of appropriateness demonstrating that the proposed work will not frustrate the public interest expressed in the Historic Preservation ordinance for protecting, promoting, conserving, and using the City's historic resources.

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

- There is no position on the property that would be able to strictly comply with all the Zoning, Conditional Use, or Landmarks ordinances. Had the garage been positioned as a detached structure it could have been placed 3 ft off the rear and side property lines, however, there is not enough rear yard for the garage to be positioned fully within the back yard, so a variance would have been needed to have the garage project past the back wall of the house. As an attached structure it is in the rear yard setback. The garage cannot move forward because of the architecture of the existing house, including exterior walls and windows. There is also an existing AC unit that the front wall of the garage avoids.

-For the enclosed porch addition, we applying the spirit of Ordinance (Cr. by ORD-13-00143, 9-11-13) that states single-story unheated open or enclosed porches attached to single-family or two-family dwellings may encroach into the rear yard setback if the porch extends no more than fourteen (14) feet from the exterior wall of the building and is no more than sixteen (16) feet wide. The position of the porch addition is the expansion of an existing space. It extends off the back wall of part of the house and holds up an existing sleeping porch above.

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.

Because Landmarks will not allow any building in-front of the existing house there are limited areas in-which to improve the use of the property for generally accepted structures like garages and porches.

There is no zoning compliant location for a garage for this property that would not require a conditional use approval or zoning variance

The porch expansion is taking an existing inadequately sized space and expanding it to the current size permitted by Zoning Ordinance (Cr. by ORD-13-00143, 9-11-13)

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

The position selected for the garage was studied as the best location to keep the structure away from the side and rear lot lines, thereby preserving light and air to the neighbors. The design conforms to the required side yard setback of 5'-0" which creates a nice space between the structure and the side lot line. The attached solar study shows that the bulk of the garage addition will not shade the neighbor's garden plot any more than the existing house and fence do. As previously discussed, any other location would position the garage closer to the property lines and adjacent property. Rainwater has been carefully considered. There is a gutter and downspout plan that shows that all rainwater will be discharged towards the street and onto the new driveway.

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

The designs have already met the Historic Preservation standards for the certificate of appropriateness for gross volume, height, proportion and rhythm of solids to voids in street facades.

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 checked="" 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: Heather Clepser **Date:** 2021-01-20

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DECISION

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: **Approved** **Denied** **Conditionally Approved**

Zoning Board of Appeals Chair: _____ **Date:** _____

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*Not intended for construction

Two-Story Single-Family Dwelling

Single-Story Attached Garage with covered walkways
Rear Yard

30.0' Required
15.6' Provided

14.4' Variance

Side Yard

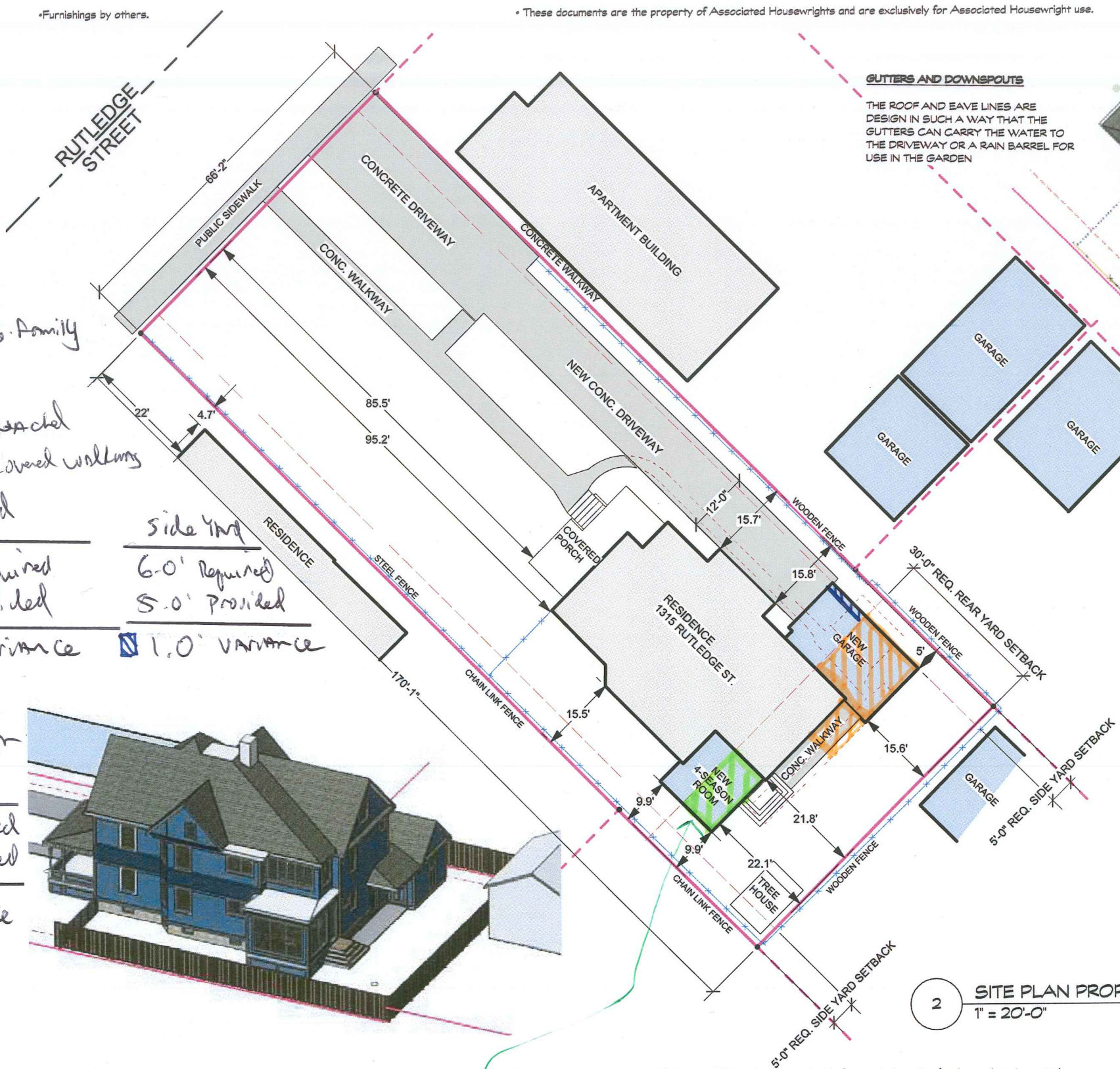
6.0' Required
5.0' Provided

1.0' Variance

3-Seasons Room
Rear Yard

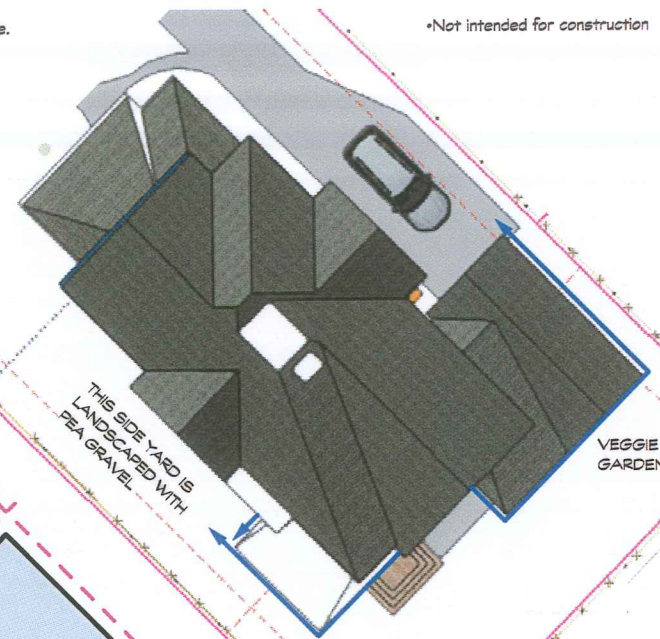
30.0' Required
22.1' Provided

7.9' Variance



GUTTERS AND DOWNSPOUTS

THE ROOF AND EAVE LINES ARE DESIGN IN SUCH A WAY THAT THE GUTTERS CAN CARRY THE WATER TO THE DRIVEWAY OR A RAIN BARREL FOR USE IN THE GARDEN



3 ROOF PLAN & DRAINAGE
1/8" = 1'-0"

LAND USE SUMMARY TABLE ZONE TR-C4

SITE AREA = 11,244 SF

LOT COVERAGE = 410 SF OR 36.5% LOT COVERAGE.
Max lot coverage for TR-C4 is 65%.

The total area of all buildings, measured at grade, all accessory structures including pools, patios, etc and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.

PRINCIPAL STRUCTURE AND ADDITIONS TO IT = 2280 SF OR 20% OF THE LOT AREA.

ZONING DISTRICT TR-C4

REQUIREMENTS	REQUIRED	PROPOSED
LOT AREA (SF)	4000 (SF)	11,244 (SF)
LOT WIDTH	40 FT	66 FT
FRONT YARD SETBACK	20 FT	85.5 FT
SIDE YARD SETBACK	one story 5FT	5'-0" east garage 9'-10" west sunroom
REAR YARD SETBACK	30 FT	15' ft 7 in.
USABLE OPEN SPACE	750 SF	6483 SF
MAX. LOT COVERAGE	65%	36.5%
MAX. BLDG. HEIGHT	2/STORIES 35FT	additions are one story

2 SITE PLAN PROPOSED
1" = 20'-0"

* Site verify all dimensions. Report discrepancies to AH Design.

* Plan views assume walls have first layer of sheathing on each side (see typical sections) unless otherwise noted.

* Larger scaled drawings supersede smaller scale drawings.

* Note: porch to be 3-Seasons, unheated. (w/)

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MADISON, WI 53703

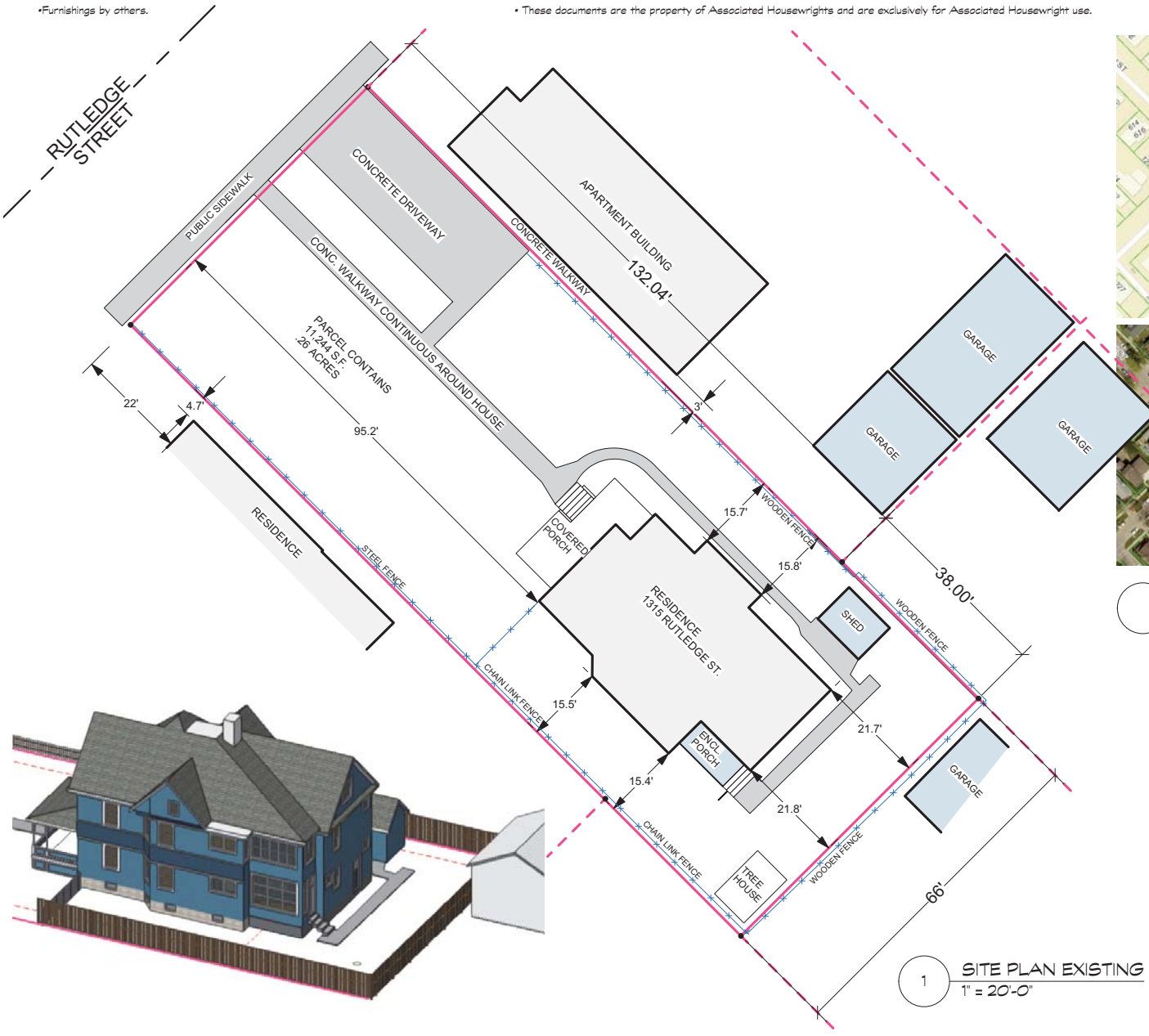
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www.housewrights.com
(608) 238-7519

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VICTINITY MAPS
N.T.S

1 SITE PLAN EXISTING
1" = 20'-0"

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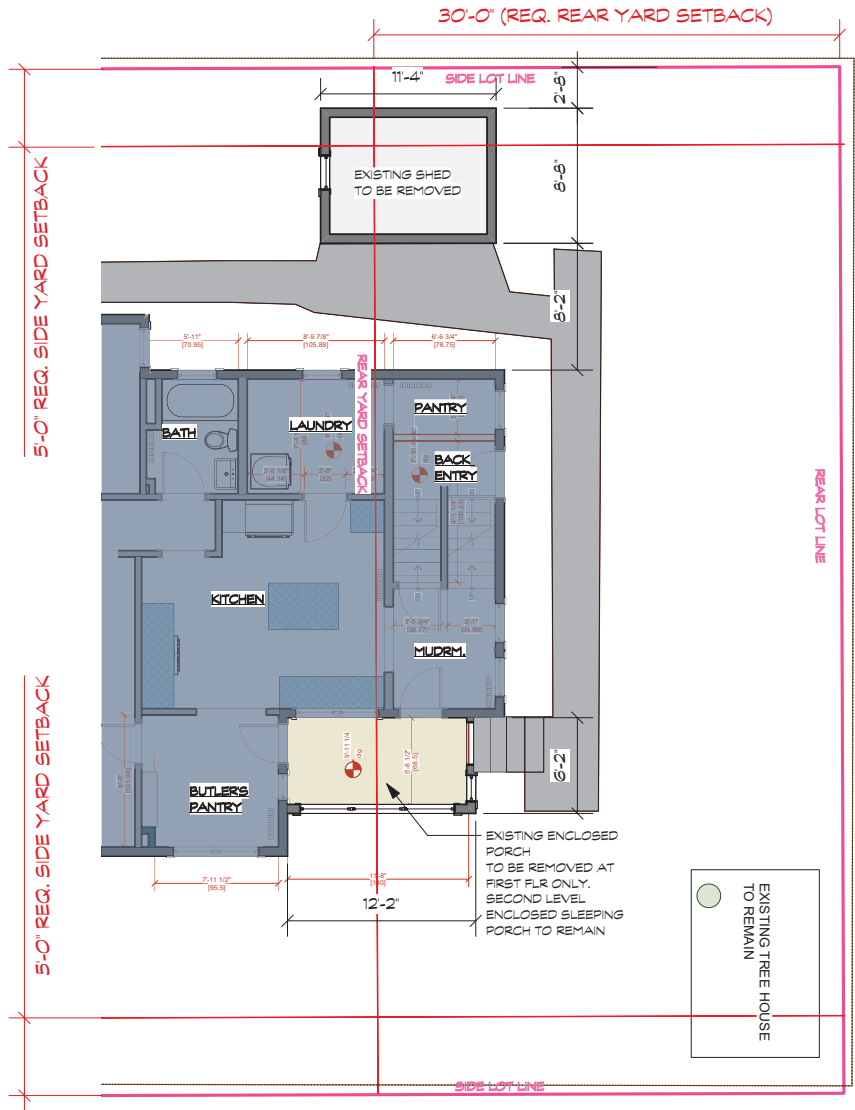
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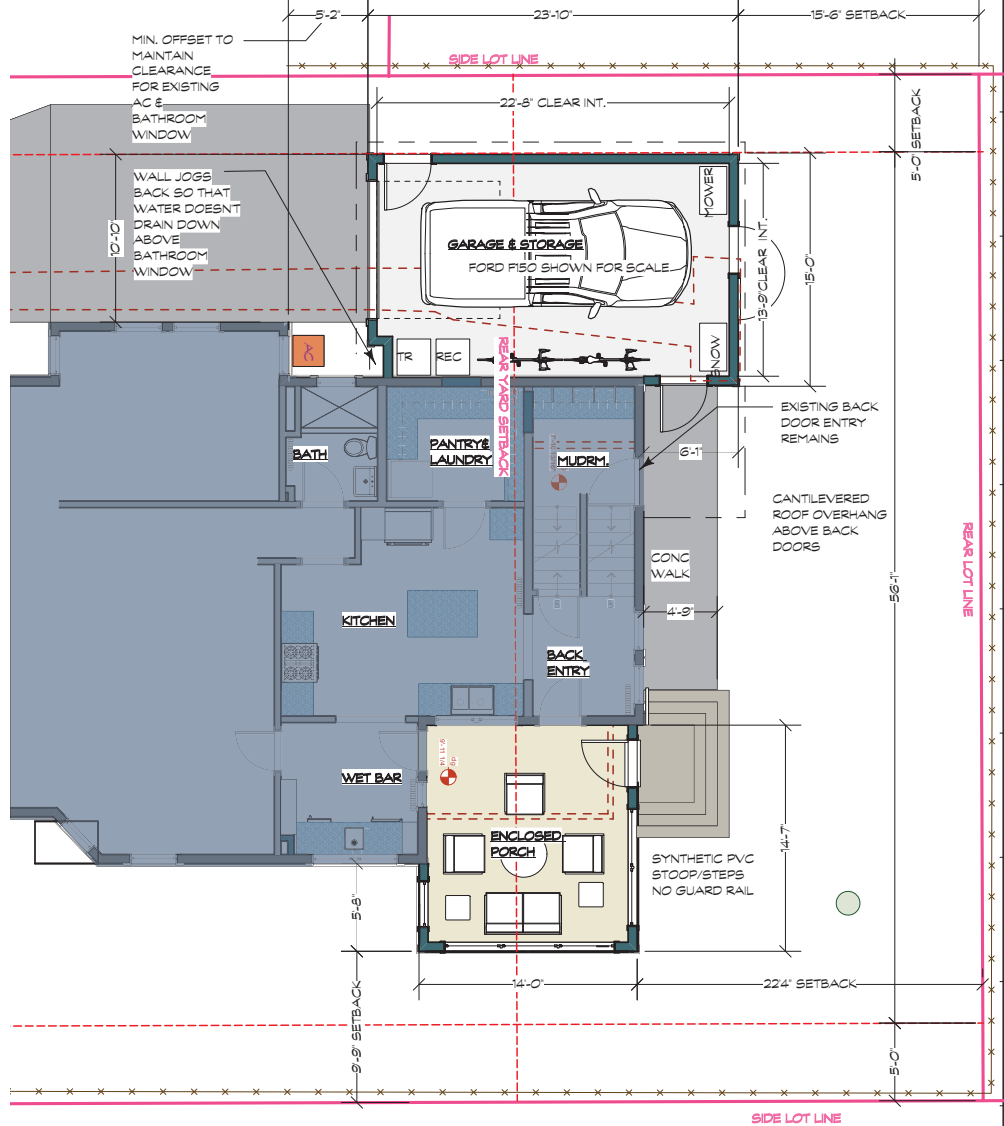
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4 EXISTING FLOOR PLAN
1/8" = 1'-0"



5 PROPOSED FLOOR PLAN
1/8" = 1'-0"

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6 FRONT ELEVATION PROPOSED
1/8" = 1'-0"



7 FRONT ELEVATION EXISTING
1/8" = 1'-0"

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8 SW SIDE ELEVATION PROPOSED
1/8" = 1'-0"



9 SW SIDE ELEVATION EXISTING
1/8" = 1'-0"

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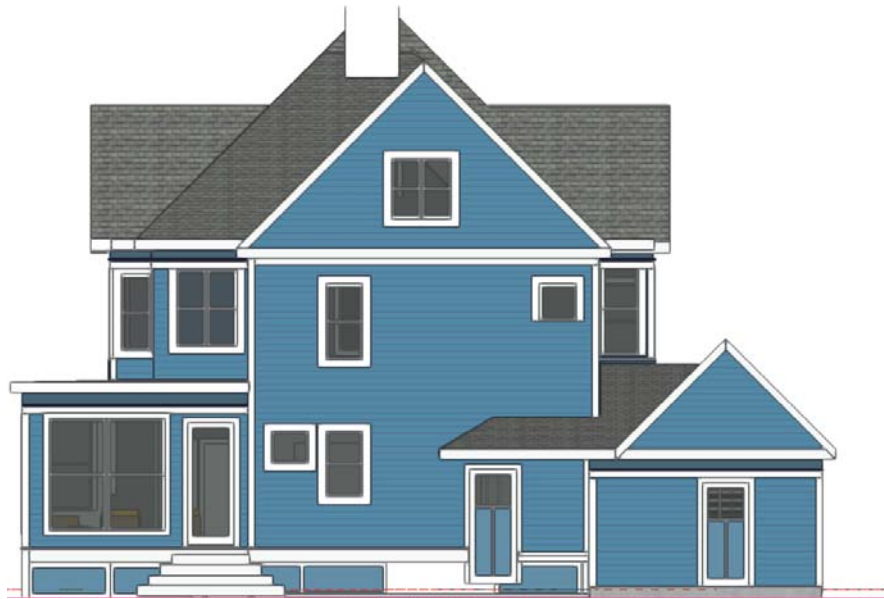
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10 REAR ELEVATION PROPOSED
1/8" = 1'-0"



11 REAR ELEVATION EXISTING
1/8" = 1'-0"

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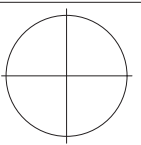
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12 NE SIDE ELEVATION PROPOSED
1/8" = 1'-0"



14 NE SIDE ELEVATION EXISTING
1/8" = 1'-0"

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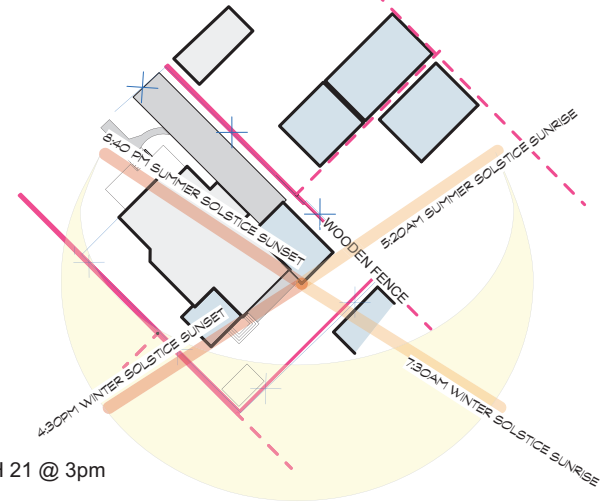
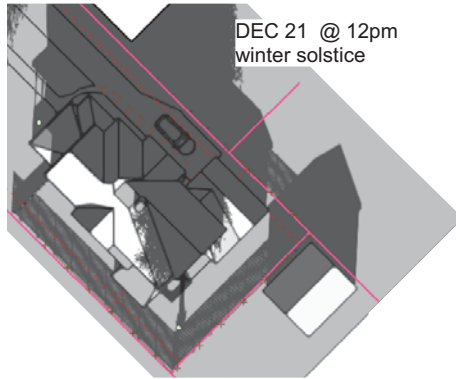
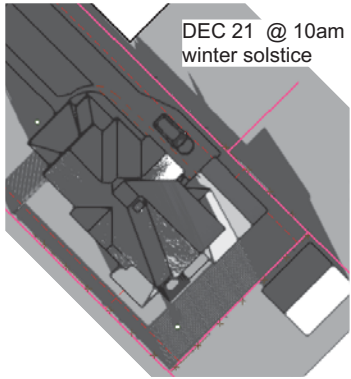
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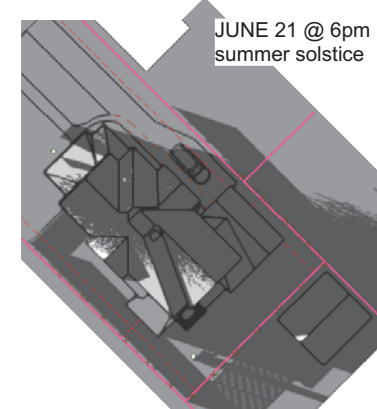
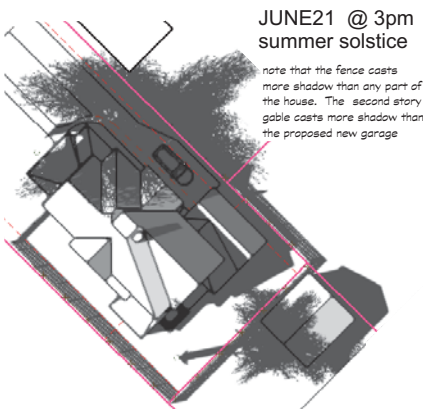
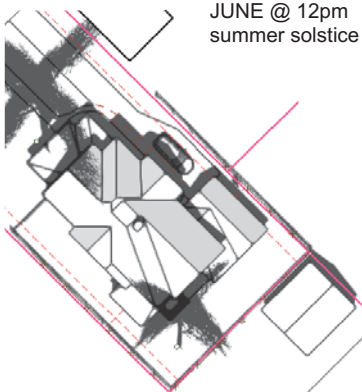
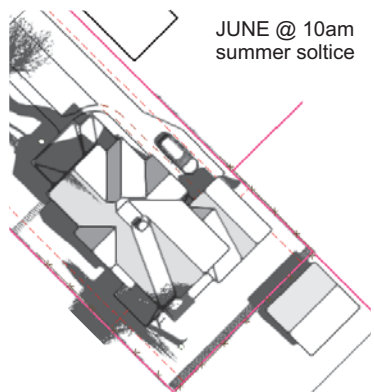
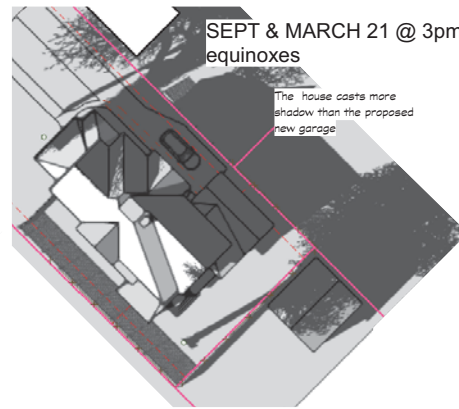
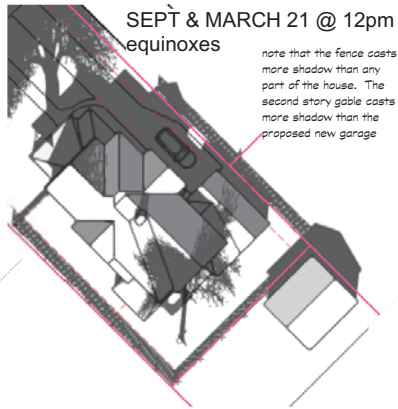
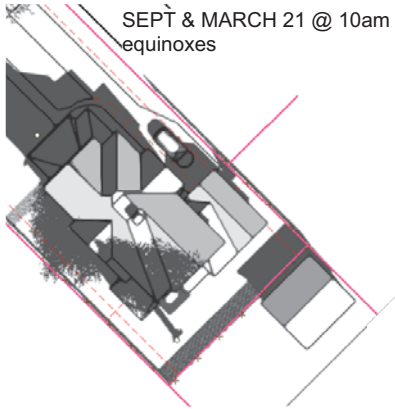
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15 SOLAR ANALYSIS
1:500



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