



# 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: 333 E. Sunset Ct., Madison, 53705

Name of Owner: Victoria J. Opitz

Address of Owner (if different than above): 4521 Fox Bluff Lane, Middleton, WI 53562

Daytime Phone: 608 225-6081 Evening Phone: same

Email Address: opitz.vicky@gmail.com

Name of Applicant (Owner's Representative): Victoria Opitz

Address of Applicant: (same as above)

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

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

**Description of Requested Variance:**

Request an encroachment of 21.75" into side yard set back (7'-84")  
to construct a usable garage for modern vehicles and  
minimize impervious surfaces.

See reverse side for more instructions.

**FOR OFFICE USE ONLY**

Amount Paid: \$500.00  
Receipt: 128577-0006  
Filing Date: 4-20-2023  
Received By: NJK  
Parcel Number: 070920408329  
Zoning District: TR-C1  
Alder District: 5-VEDAVER

Hearing Date: 5-18-2023  
Published Date: 5-11-2023  
Appeal Number: LND VAR - 2023 - 00007  
GQ: \_\_\_\_\_  
Code Section(s): 28.042(2)

## 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.

Applicant is only home on street without a garage. Immediate neighbor has a reverse corner lot with over 35 ft from their garage to the PL and applicant has 16.8 ft from chimney to PL for a total of over 51 ft between buildings (more open space between buildings than elsewhere).

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. NO conflict with the intent of ordinance and parking standards which include: minimize congestion through off-street parking maintain open space, address + mitigate effects of climate change, encourage reduction of impervious surface to control run-off, provide adequate storage for bicycles, and encourage reinvestment in established neighborhoods.
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.

A rear yard garage is more burdensome to build and maintain and doubles the impervious surface due to the driveway extension and building footprint. An attached garage allows for the removal of some blacktop but the setback results in a very narrow garage making maneuvering + loading difficult even for small cars

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 ordinance leaves two garage options: A more burdensome to construct and maintain rear yard building that is environmentally backward with doubled impervious surface and blocks open space, or an excessively narrow attached garage that is impractical for use.

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

Adjacent neighbor currently sees cars + refuse cans on the side of one structure. They will still only see the mass of a single structure (although @ 40ft away instead of 51ft) which is a better option than seeing both the side of the house plus the side of a rear yard garage blocking open spaces.

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

All homes on the block have a garage and the majority have it attached to the house. The open space between the applicant and immediate neighbor will still be greater than the space between other homes along the block. 8 neighbors were notified on March 9 of intention to seek a variance and only one expressed concern (that he didn't want it in the backyard blocking open space!)

## 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"/>	<p><b>Pre-application meeting with staff.</b> 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. <i>Zoom 3-23-23 @ 1 pm</i></p>
<input checked="" type="checkbox"/>	<p><b>Site plan</b>, drawn to scale. We recommend a registered survey, but it is not required. On the plan, show the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Lot lines.</li> <li><input type="checkbox"/> Existing and proposed structures. Include dimensions and setback distances to all property lines.</li> <li><input type="checkbox"/> Approximate location of structures on properties next 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"/>	<p><b>Elevations</b> from all directions showing existing and proposed. Show the existing structure and proposed addition(s).</p>
<input checked="" type="checkbox"/>	<p><b>Interior floor plan of existing and proposed structure</b>, if required. Most additions and expansions will require floor plans.</p>
<input type="checkbox"/>	<p><b>Front yard variance requests.</b> Show the front yard setback of all other properties on the same block face. <i>n/a</i></p>
<input type="checkbox"/>	<p><b>Lakefront setback variance requests.</b> Provide a survey prepared by a registered land surveyor. The survey must show existing setbacks of buildings on adjacent lots. <i>n/a</i></p>
<input type="checkbox"/>	<p><b>Variance requests involving slope, grade, or trees. Show:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Approximate location and amount of slope.</li> <li><input type="checkbox"/> Direction of drainage. <i>n/a</i></li> <li><input type="checkbox"/> Location, species and size of trees.</li> </ul>
<input checked="" type="checkbox"/>	<p>Email <b>digital</b> copies of all plans and drawings to: zoning@cityofmadison.com. <i>4-19-23 8:25am</i></p>
<input checked="" type="checkbox"/>	<p><b>Pay \$500 filing fee on or before submission deadline.</b> 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.</p>
<input checked="" type="checkbox"/>	<p><b>CHECK HERE.</b> 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.</p>
<input checked="" type="checkbox"/>	<p><b>CHECK HERE.</b> I acknowledge that any statements implied as fact require evidence.</p>

**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: Victoria J. Pitz Date: 4-19-23

------(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: \_\_\_\_\_



# Side Yard Setback for Single Family House

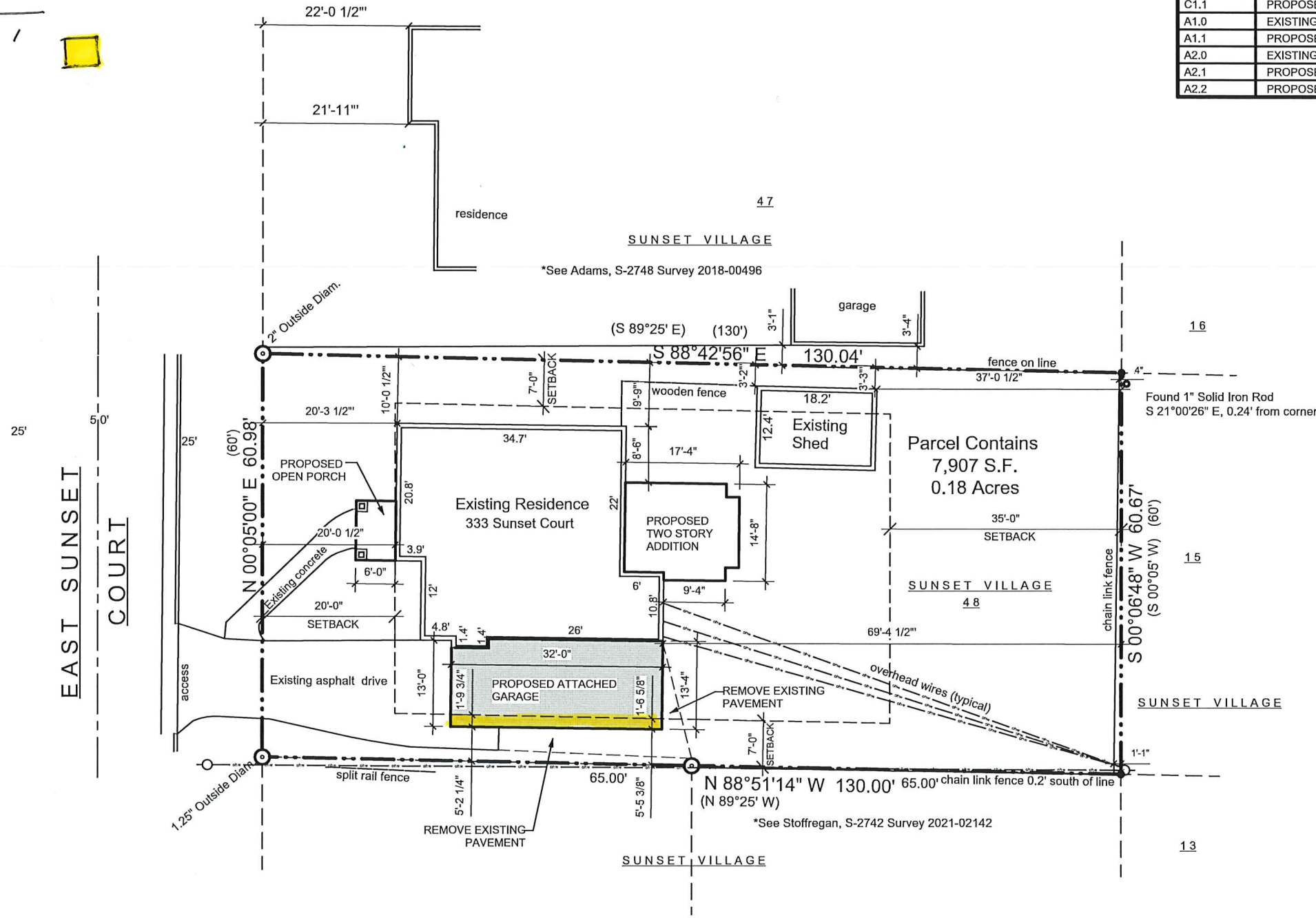
Required 7'  
Proposed 5.2'

Variance 1.8'



## ZONING BOARD SET

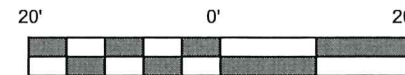
SHEET INDEX	
Sheet Number	Sheet Title
C1.1	PROPOSED SITE PLAN
A1.0	EXISTING FLOOR PLANS
A1.1	PROPOSED FLOOR PLANS
A2.0	EXISTING ELEVATIONS
A2.1	PROPOSED ELEVATIONS
A2.2	PROPOSED ELEVATIONS



### LEGEND

- SOLID IRON ROD FOUND (0.50" Dia. unless noted)
  - ⊙ IRON PIPE FOUND (1" Outside Diam. unless Noted)
  - ( ) INDICATES RECORDED AS
- DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.

1 PROPOSED SITE PLAN  
SCALE: 1" = 20'



BEARINGS ARE REFERENCED TO THE PLAT OF SUNSET VILLAGE, THE WEST LINE OF LOT 48 ASSUMED TO BEAR N 00°05'00" E

ZONING BOARD SET 4/13/23

PROJECT #2236  
SINGLE FAMILY HOME ALTERATIONS AND ADDITION  
333 E. SUNSET COURT  
MADISON, WI 53705

SCALE: 1"=20'  
DATE: 4.13.23

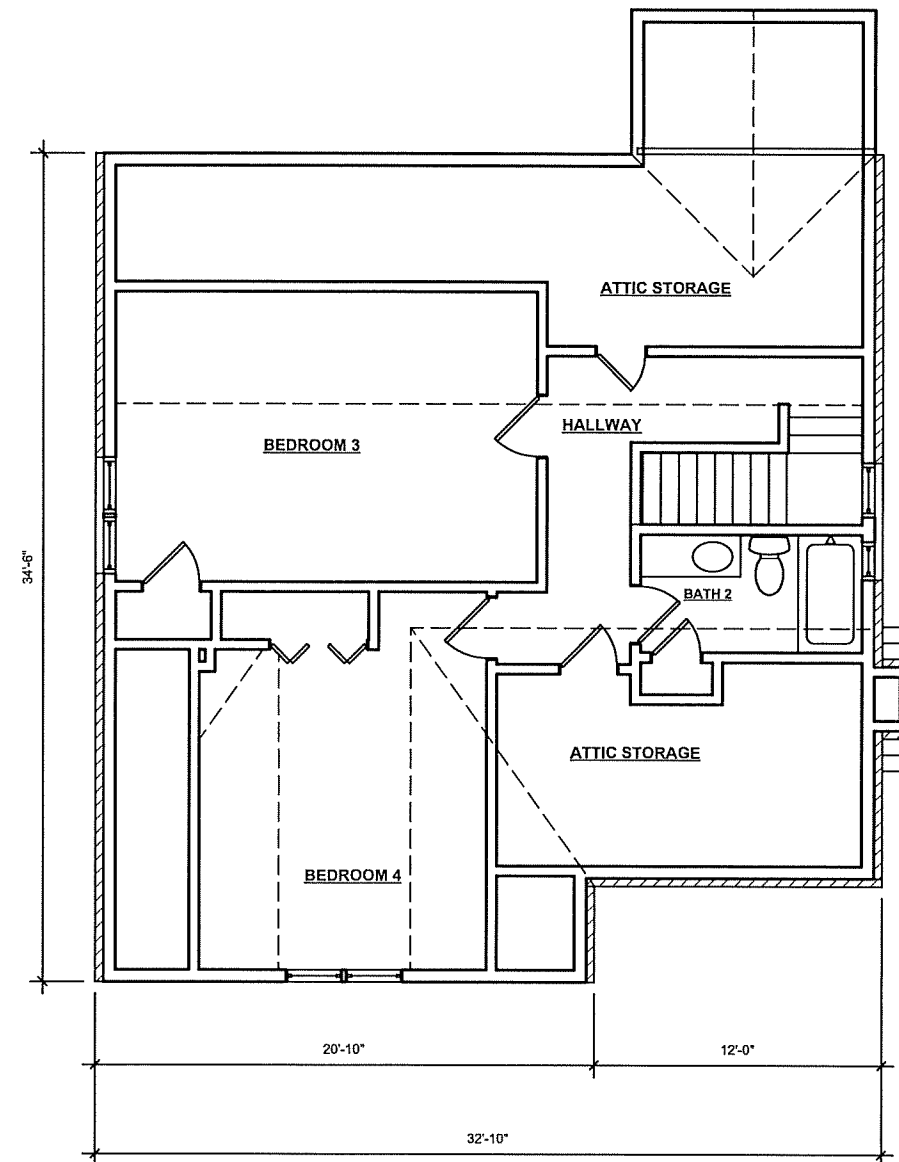
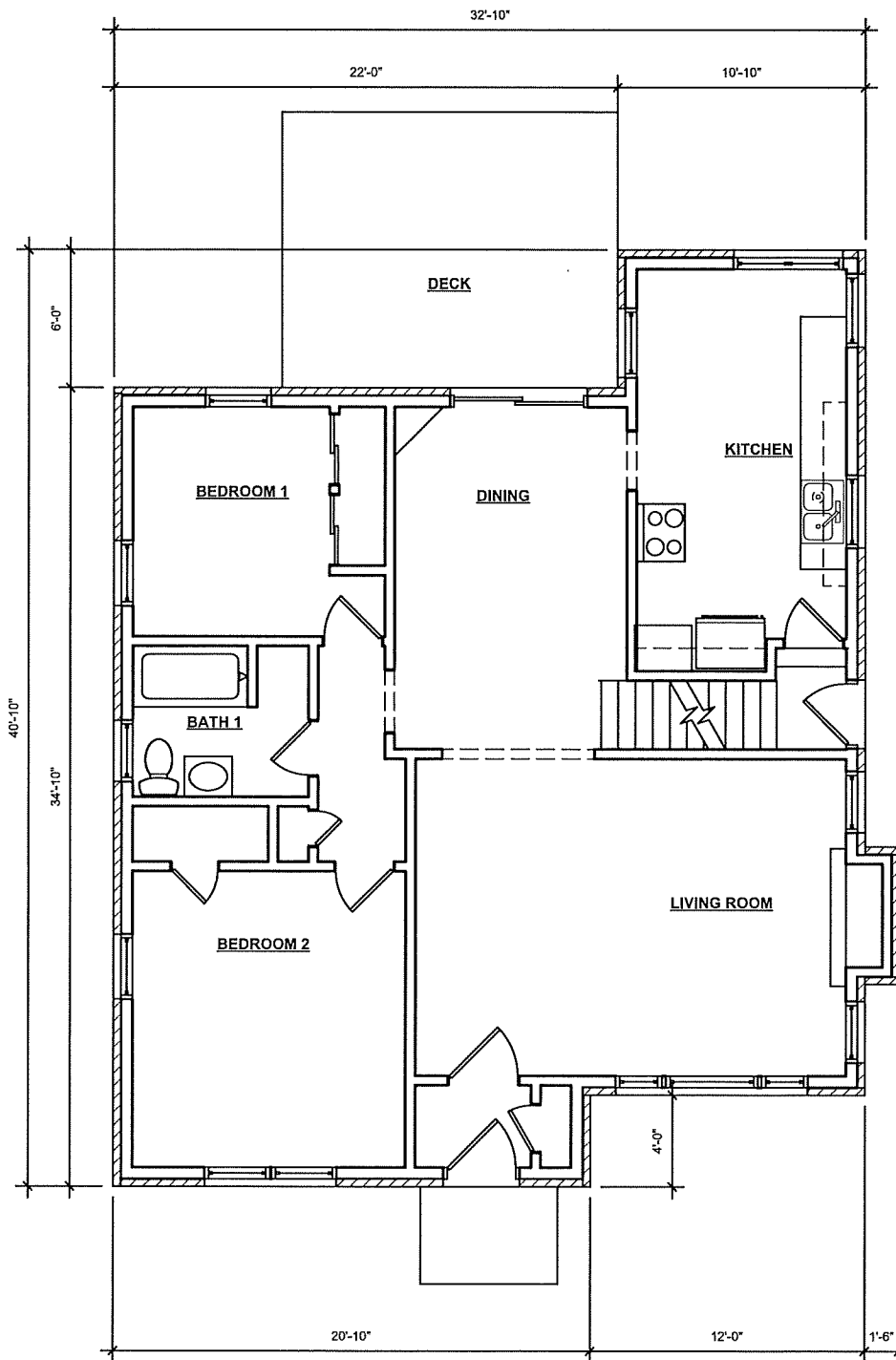
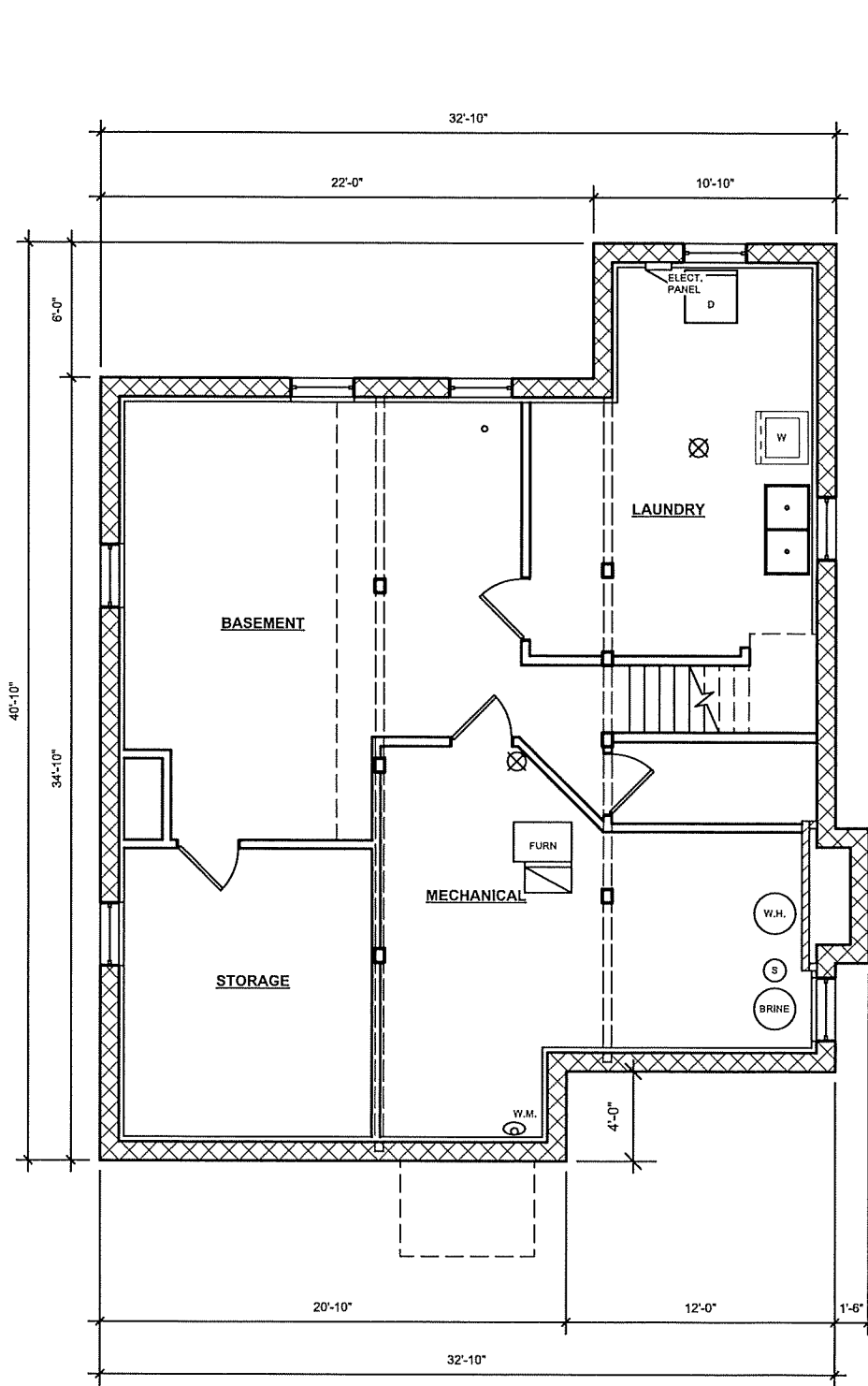
OWNER:  
KAY OPITZ  
4521 FOX BLUFF LANE  
MIDDLETON, WI 53562



DESIGNER:  
JM DESIGN STUDIO LLC  
4059 S 54th Street, Milwaukee, WI 53220  
Phone: (608) 516-7307 Email: jmdst@yahoo.com

PROPOSED SITE PLAN

C1.1



1 EXISTING BASEMENT PLAN  
 SCALE: 1/8" = 1'-0" GROSS AREA=1,160 SQ. FT. ← N

2 EXISTING FIRST FLOOR PLAN  
 SCALE: 1/8" = 1'-0" GROSS AREA=1,160 SQ. FT. ← N

3 EXISTING SECOND FLOOR PLAN  
 SCALE: 1/8" = 1'-0" FINISHED AREA= 592 SQ. FT. ← N

ZONING BOARD SET 4/13/23

PROJECT #2236  
 SCALE: 1/8"=1'-0"  
 DATE: 4.13.23

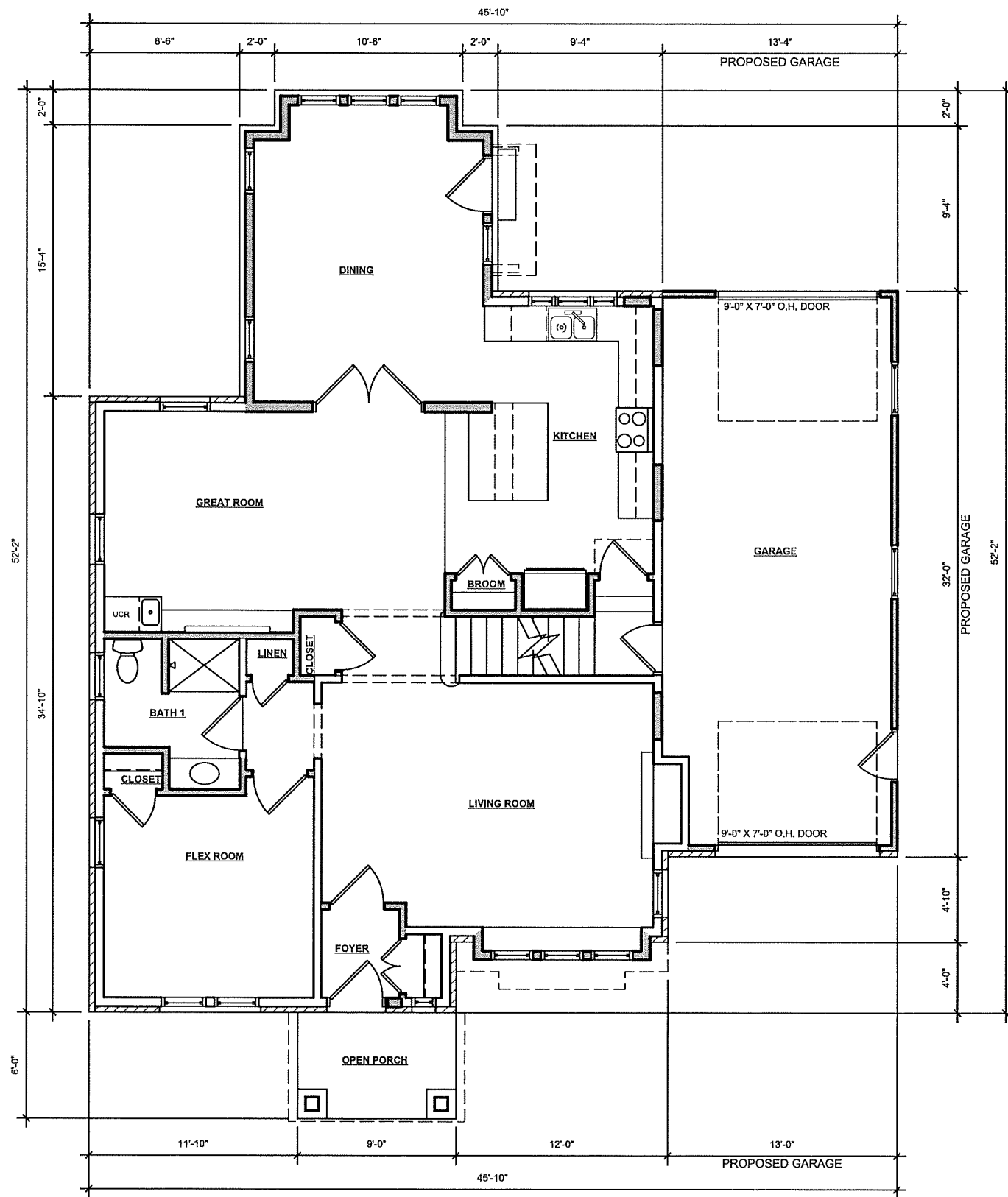
OWNER: SINGLE FAMILY HOME ALTERATIONS AND ADDITION  
 333 E. SUNSET COURT  
 MADISON, WI 53705

DESIGNER: KAY OPTIZ  
 4521 FOX BLUFF LANE  
 MIDDLETON, WI 53562

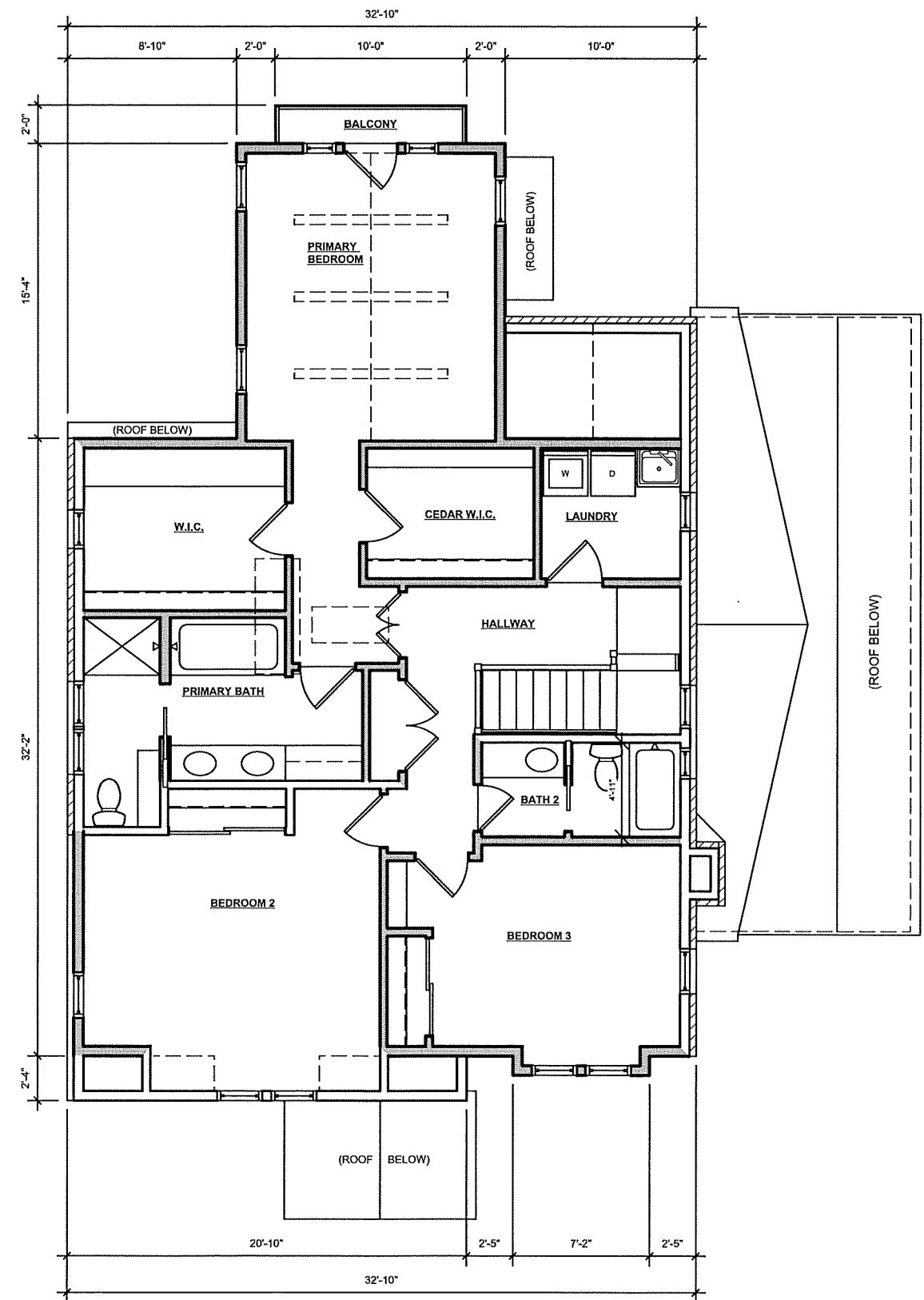
JM DESIGN STUDIO LLC  
 4059 S 54th Street, Milwaukee, WI 53220  
 Phone: (608) 516-7307 Email: jmdst@yahoo.com

EXISTING FLOOR PLANS

A1.0



**② PROPOSED FIRST FLOOR PLAN** ← N  
 SCALE: 1/8" = 1'-0" EXISTING HOUSE AREA= 1,160 SQ. FT.  
 PROPOSED ADDITION AREA= 239 SQ. FT.  
 TOTAL HOUSE AREA= 1,399 SQ. FT.  
 PROPOSED GARAGE AREA= 418 SQ. FT.



**③ PROPOSED SECOND FLOOR PLAN** ← N  
 SCALE: 1/8" = 1'-0" EXISTING FINISHED AREA= 592 SQ. FT.  
 PROPOSED ADDITION AREA= 687 SQ. FT.  
 TOTAL FINISHED AREA= 1,279 SQ. FT.

ZONING BOARD SET 4/13/23

PROJECT #2236  
 SCALE: 1/8"=1'-0"  
 DATE: 4.13.23

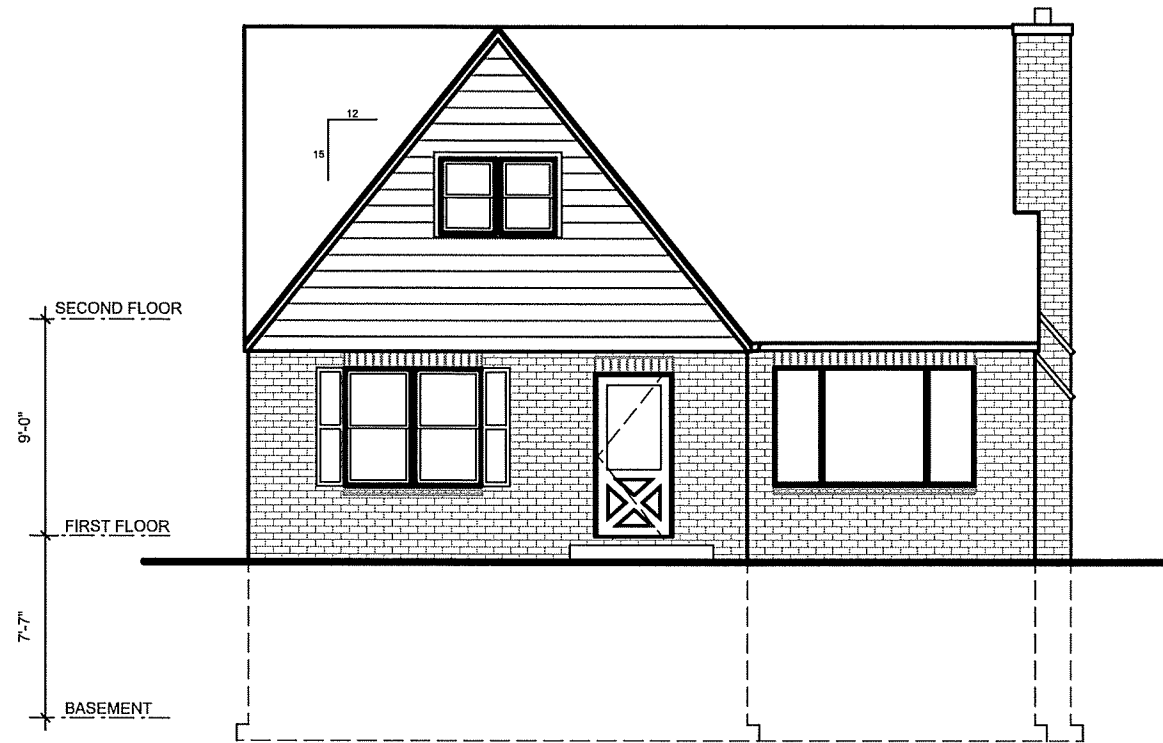
PROJECT: SINGLE FAMILY HOME  
 ALTERATIONS AND ADDITION  
 333 E. SUNSET COURT  
 MADISON, WI 53705

OWNER: KAY OPTIZ  
 4521 FOX BLUFF LANE  
 MIDDLETON, WI 53562

DESIGNER: JIM DESIGN STUDIO LLC  
 4059 S 54th Street, Milwaukee, WI 53220  
 Phone: (608) 516-7307 Email: jmdst@yahoo.com

**PROPOSED FLOOR PLANS**

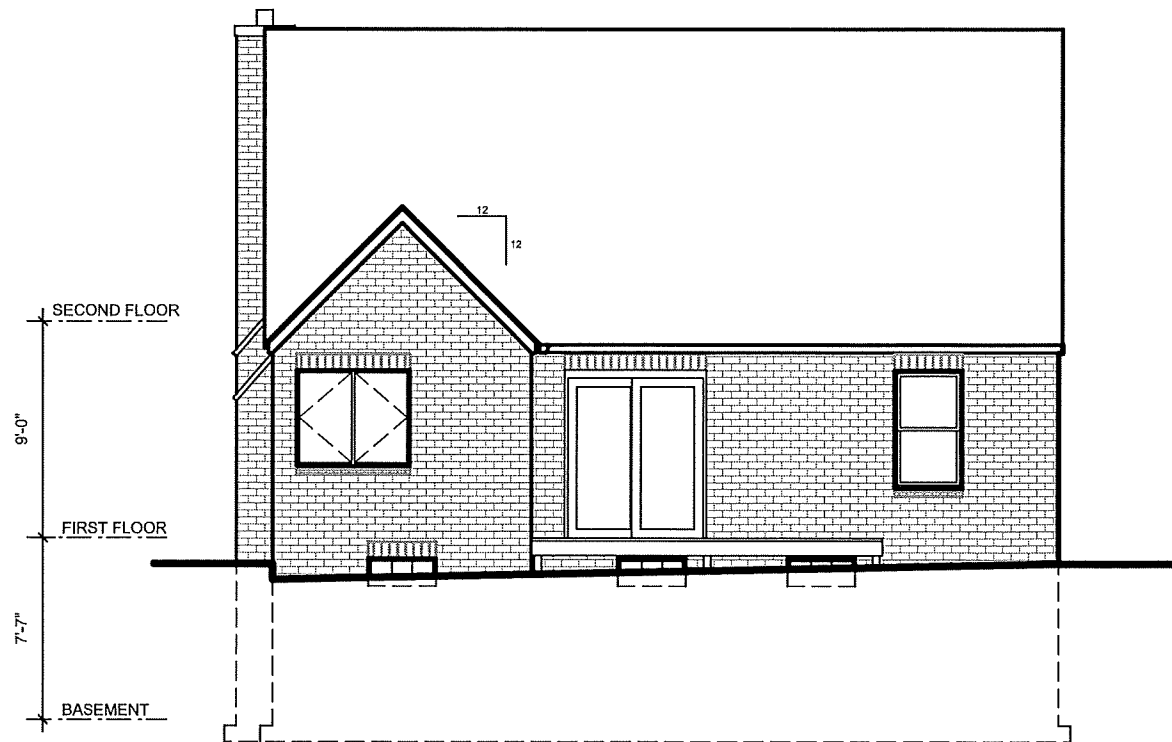
A1.1



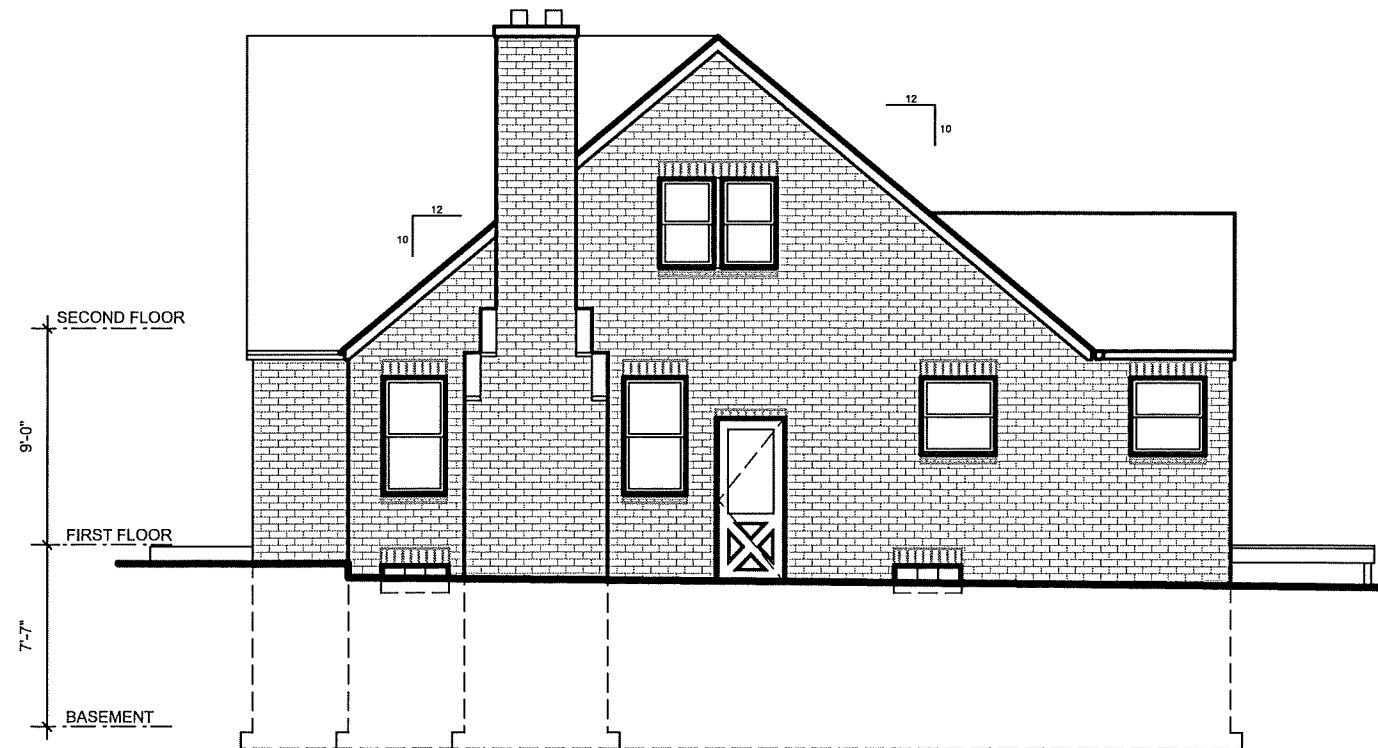
① EXISTING FRONT (WEST) ELEVATION  
SCALE: 1/8" = 1'-0"



② EXISTING SIDE (NORTH) ELEVATION  
SCALE: 1/8" = 1'-0"



③ EXISTING REAR (EAST) ELEVATION  
SCALE: 1/8" = 1'-0"



④ EXISTING SIDE (SOUTH) ELEVATION  
SCALE: 1/8" = 1'-0"

ZONING BOARD SET 4/13/23

PROJECT #2236  
SCALE: 1/8" = 1'-0"  
DATE: 4/13/23

PROJECT: SINGLE FAMILY HOME ALTERATIONS AND ADDITION  
333 E. SUNSET COURT  
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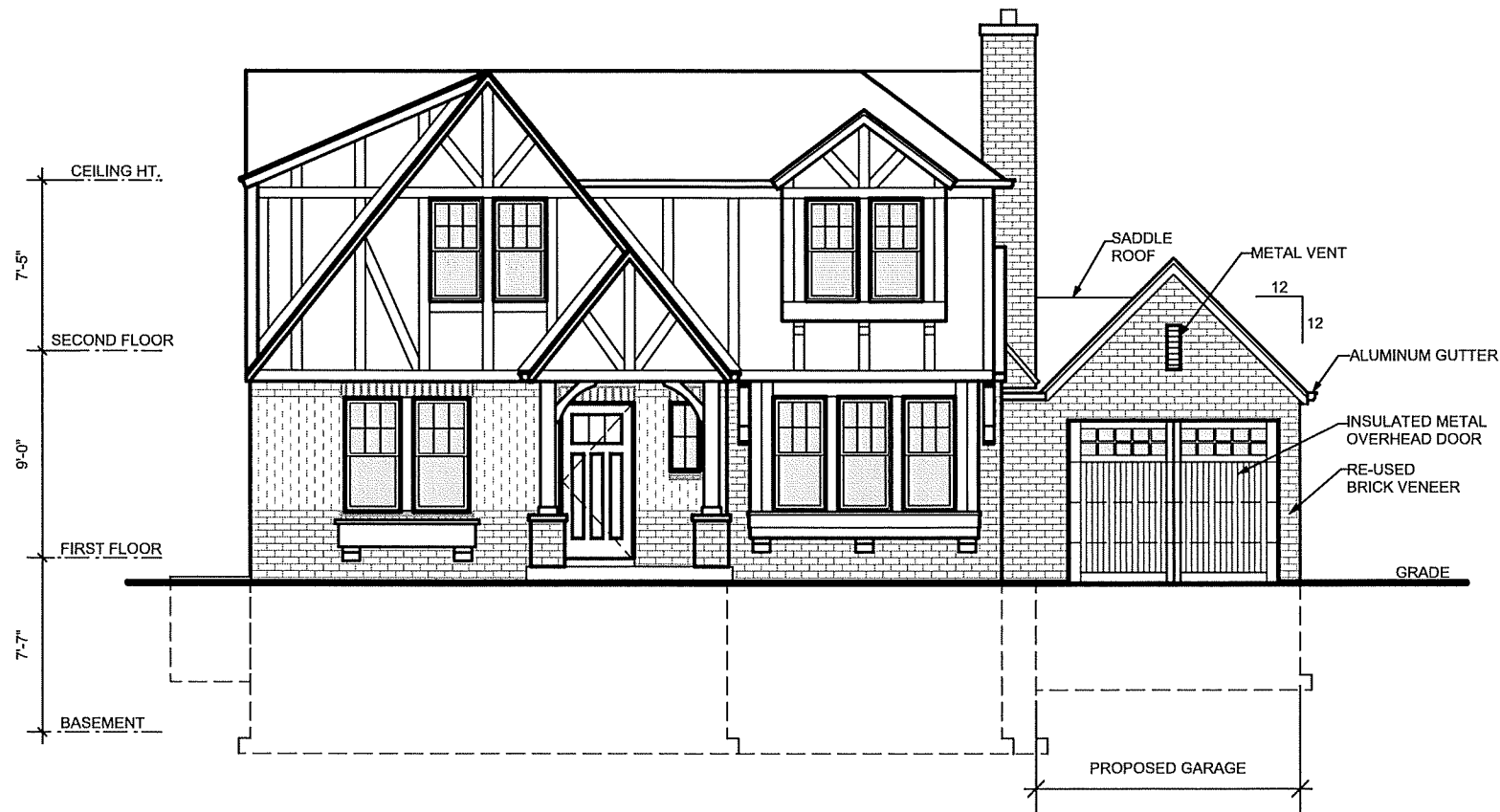
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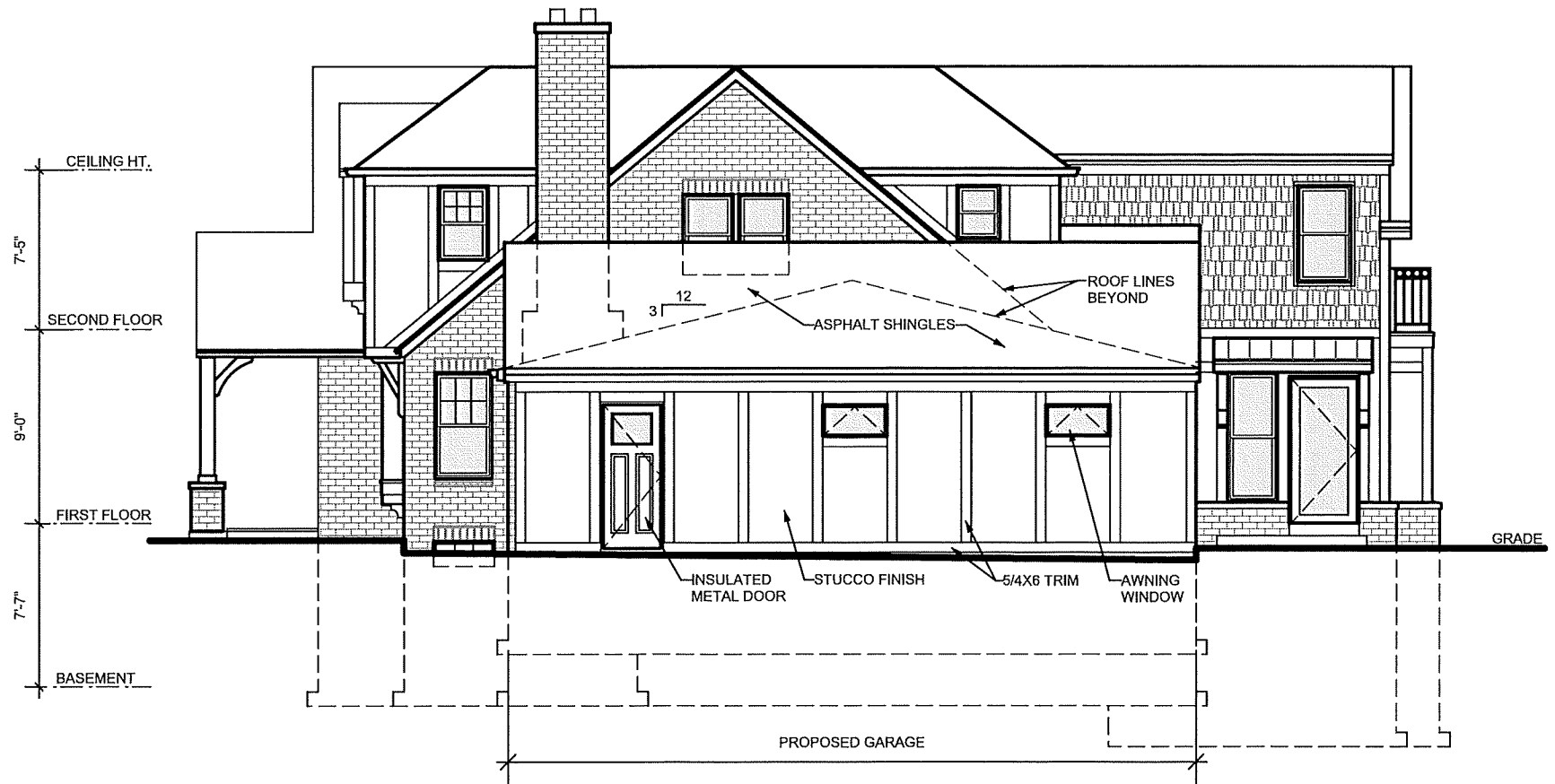
EXISTING ELEVATIONS

A2.0





1 PROPOSED FRONT (WEST) ELEVATION  
SCALE: 1/8" = 1'-0"



2 PROPOSED SIDE (SOUTH) ELEVATION  
SCALE: 1/8" = 1'-0"

ZONING BOARD SET 4/13/23

PROJECT #2236  
SCALE: 1/8" = 1'-0"  
DATE: 4.13.23

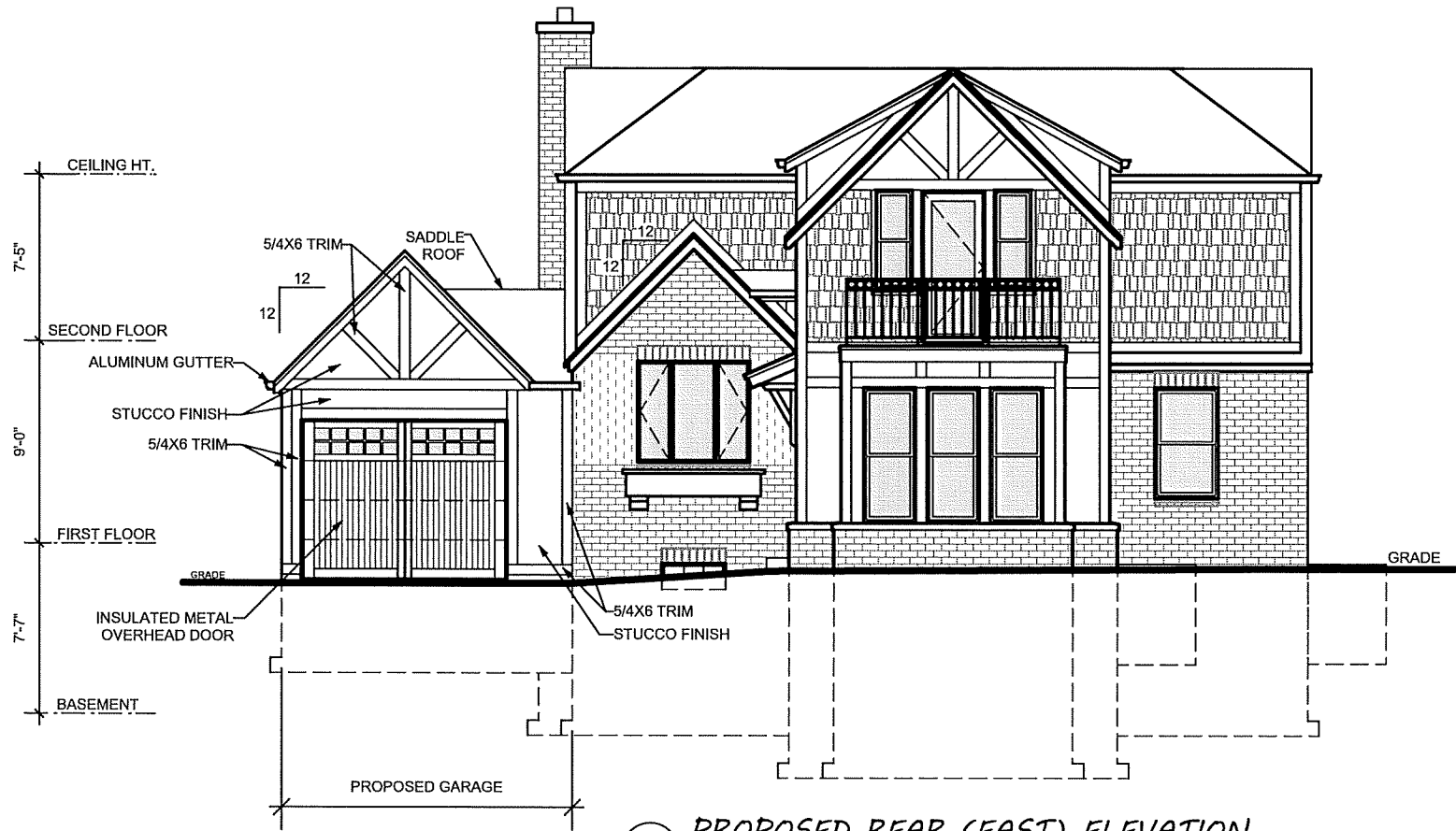
OWNER: SINGLE FAMILY HOME  
ALTERATIONS AND ADDITION  
383 E. SUNSET COURT  
MADISON, WI 53705

DESIGNER: KAY OPITZ  
4521 FOX BLUFF LANE  
MIDDLETON, WI 53562

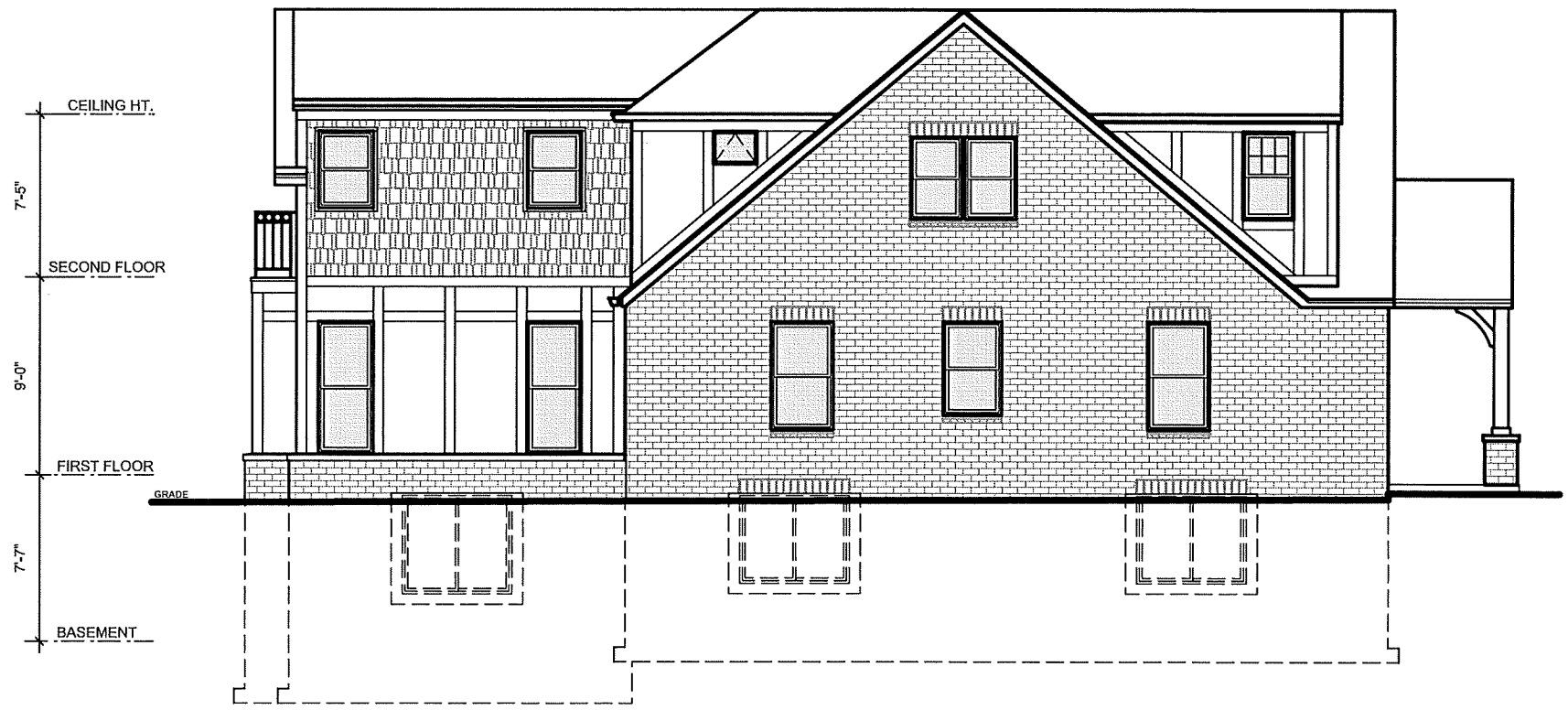
PROPOSED ELEVATIONS

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A2.1



① PROPOSED REAR (EAST) ELEVATION  
SCALE: 1/8" = 1'-0"



② PROPOSED SIDE (NORTH) ELEVATION  
SCALE: 1/8" = 1'-0"

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PROPOSED  
ELEVATIONS