



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: 1724 Madison Street, Madison, WI

Name of Owner: Timothy J Schmit and Mary Ellen Schmit

Address of Owner (if different than above): _____

Daytime Phone: 608 335 1757 Evening Phone: 608 770 8244

Email Address: maryellen.tim@gmail.com

Name of Applicant (Owner's Representative): _____

Address of Applicant: _____

Daytime Phone: _____ Evening Phone: _____

Email Address: _____

Description of Requested Variance: _____

We are requesting variances related to a replacement garage.

We are requesting building to 1 ft from both neighbors lot lines.

We are also requesting a 1'4" foot height variance, although not sure if we will need the full height variance.

See reverse side for more instructions.

FOR OFFICE USE ONLY

Amount Paid: \$500.00

Receipt: 127710-0001

Filing Date: 3-21-2023

Received By: NJK

Parcel Number: 0709 2231 7130

Zoning District: TR-C4

Alder District: 13-EVERS

Hearing Date: 4-20-2023

Published Date: 4-13-2023

Appeal Number: LNDVAR-2023-00004

GQ: _____

Code Section(s): 28.045(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.

The overall lot size is small (60 ft x 60 ft) and several large trees restrict the garage location.

The large nearby trees, the location of the house, and the others setbacks (from the house) don't allow for the garage to be in the backyard. Plus this might mean too much of the property becomes an impervious surface.

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 have signed maintenance agreements from both neighbors as they understand the current area between the existing structure and the property lines is not well used.

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 strict letter of the ordinance would limit being able to get into to or out of a car in the garage.

For example, just being able to open a car door about 1 foot. Moving the garage towards the street would partially block a first floor house window and would interfere with the roots and trunk of a mature tree.

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.

There are no other areas to place a usable garage on the property.

The height variance is to allow sufficient clearance to store both a car and canoe at the same time, or a taller vehicle.

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

A new, low-maintainance building will not create a detriment to the adjacent properties, especially compared to the current structure. This structure will not block views, etc. of the neighbors, based on the location of the other houses.

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

A new well maintained structure will not hurt the character of the immediate neighborhood.

The garage is fairly well hidden from many views off both Grant and Madison Streets.

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 checked="" 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: Timothy J Schmit, Mary Ellen Schmit Date: 3/19/23

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

DECISION

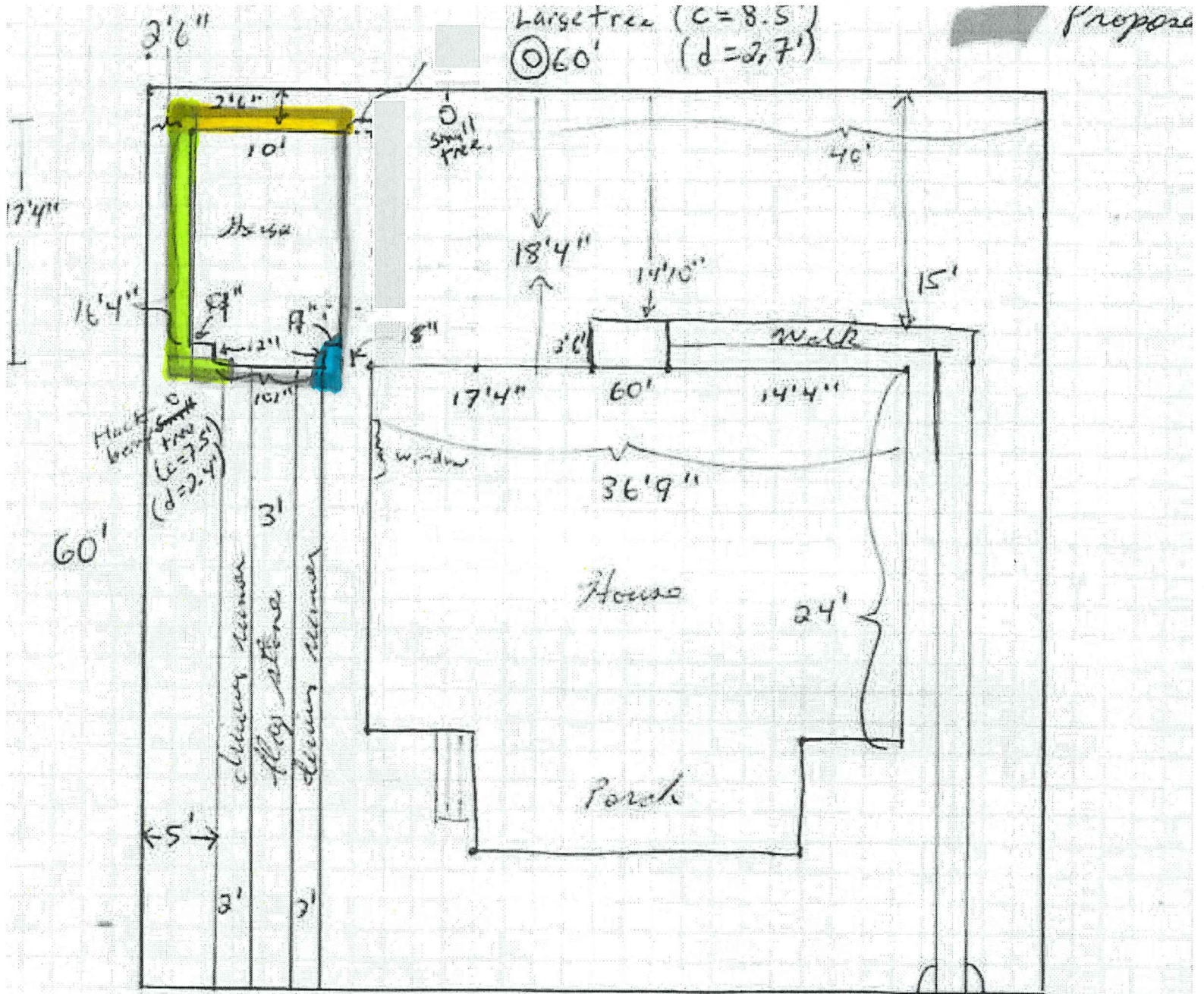
The Board, in accordance with its findings of fact, hereby determines that the requested variance for _____ **(does) (does not)** meet all the standards for a variance. Further findings of fact are stated in the minutes of this public hearing.

The Zoning Board of Appeals: ☐ Approved ☐ Denied ☐ Conditionally Approved

Zoning Board of Appeals Chair:

Date:

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Side Setback
 Required 6'
 Proposed 1'
 Variance 5' ■

Public Sidewalk
 Detached Garage for Single Family House

Rear Garden

Street

1724 Madison St

Rear Setback
 Required 3'
 Proposed 1'
 Variance 2' ■

Distance from Principal Building
 Required 3'
 Proposed 1.25'
 Variance 1.75' ■

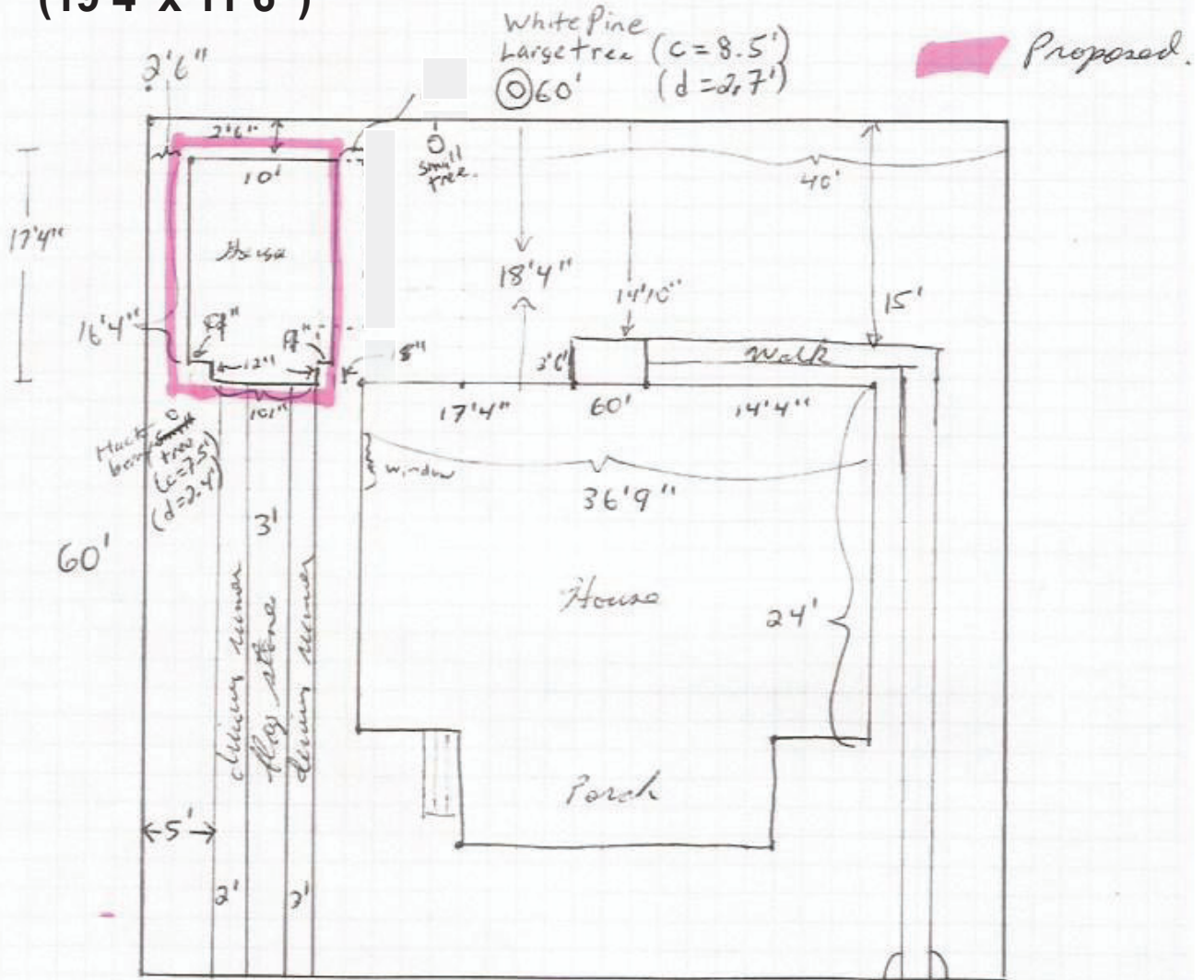




Also see separate plot survey

Proposed
(19'4"x 11'6")

Site Plan
1724 Madison St.



drive-way

Public Sidewalk

Rain Garden

Street

1724 Madison St.

1" = 10'
1 box = 2'



Top View

1 + 24 Medium St.

Current
(17'4" x 10')

Property line -- fence

2'5"

Property line -- fence

~2'6"

10'

~6'
door

height = ~8'8"
depth = 17'4"

depth = 17'4" (1' more than survey)

door
8'5"

W/C

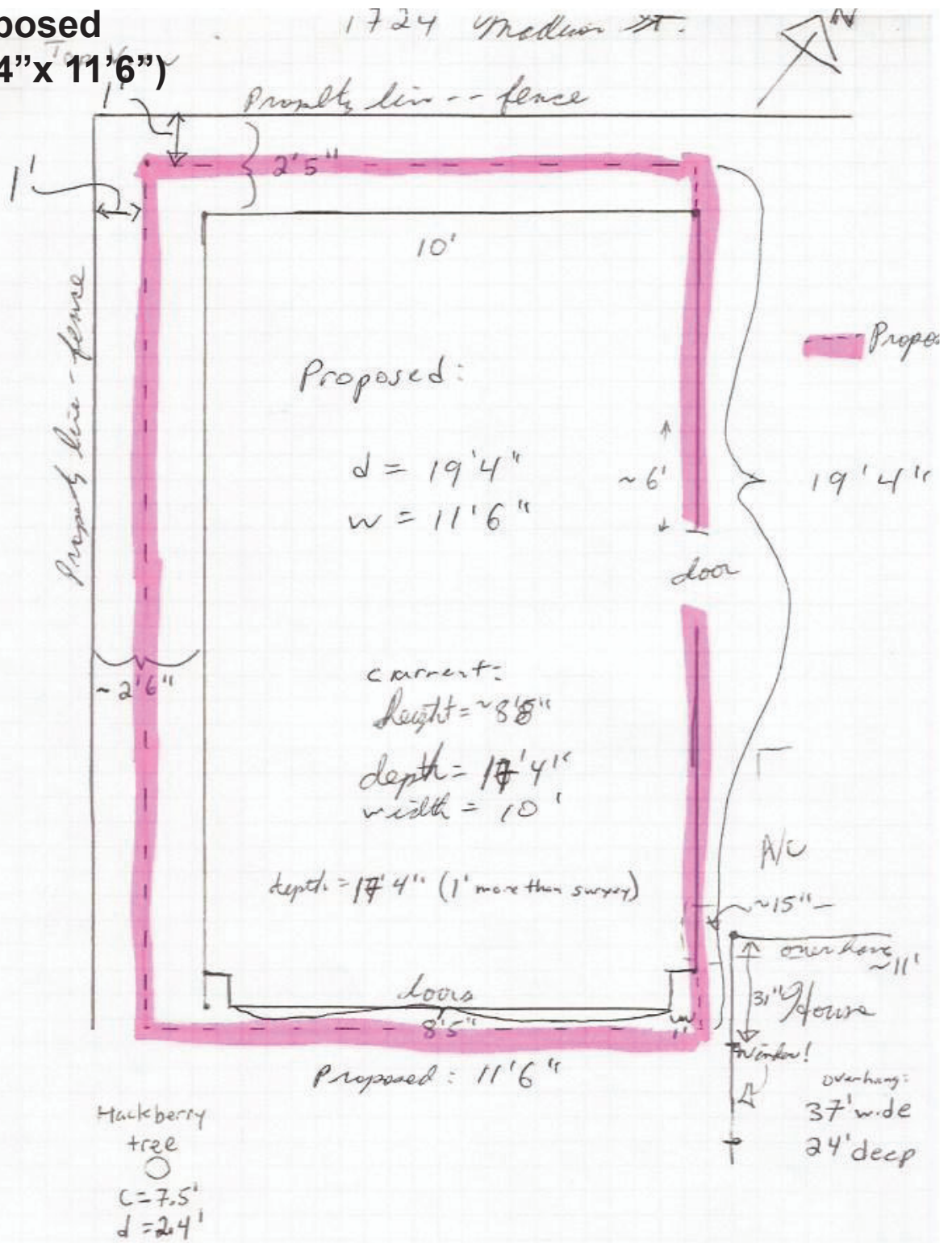
~15"
overhang ~11"
31" House
Window!
overhang:
37' wide
24' deep

Hackberry
tree
C = 7.5'
d = 2.4'

Lot: 60' x 60'

1" = 5 ss mas
1 sq = 1/2 ft.

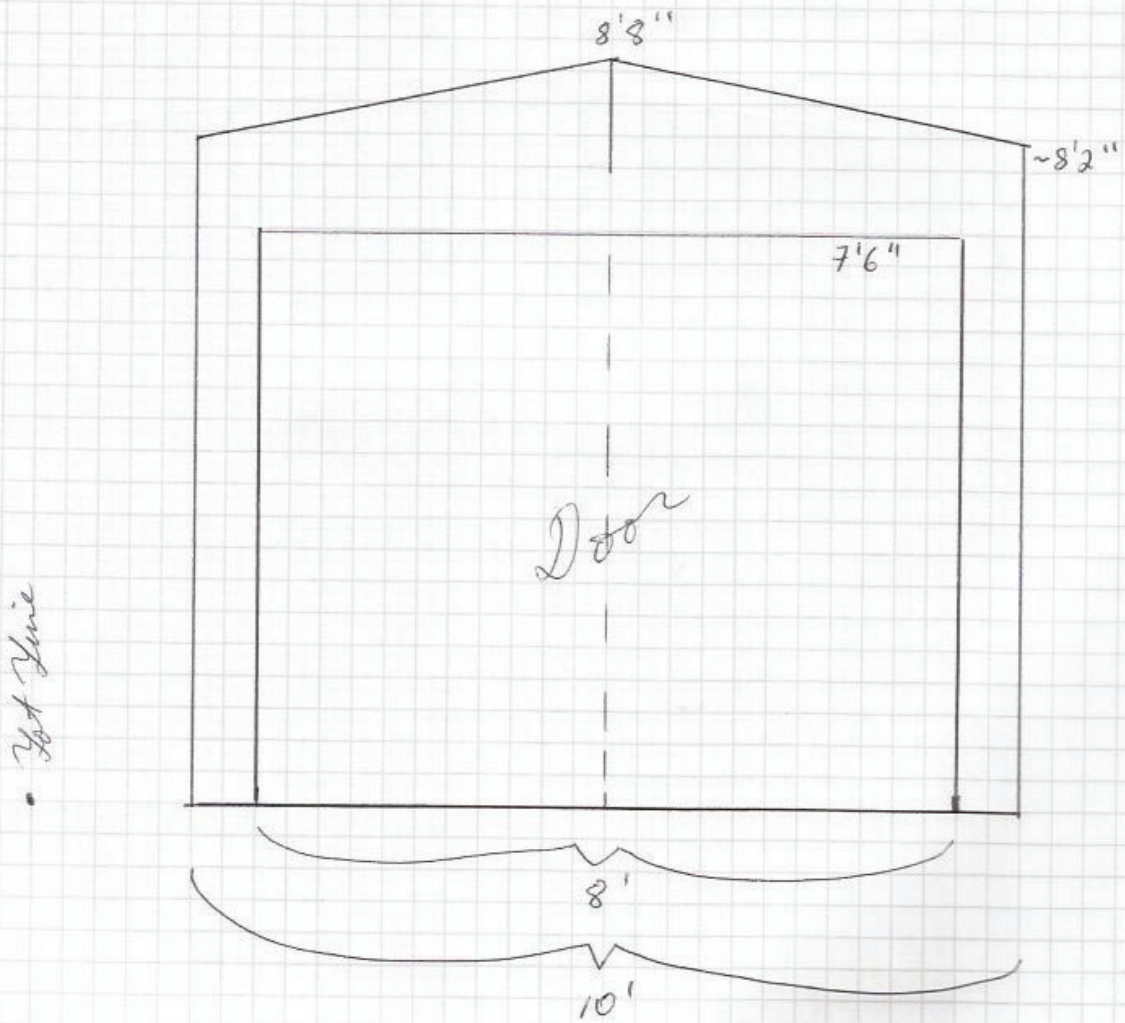
**Proposed
(19'4"x 11'6")**



Lot: 60' x 60'

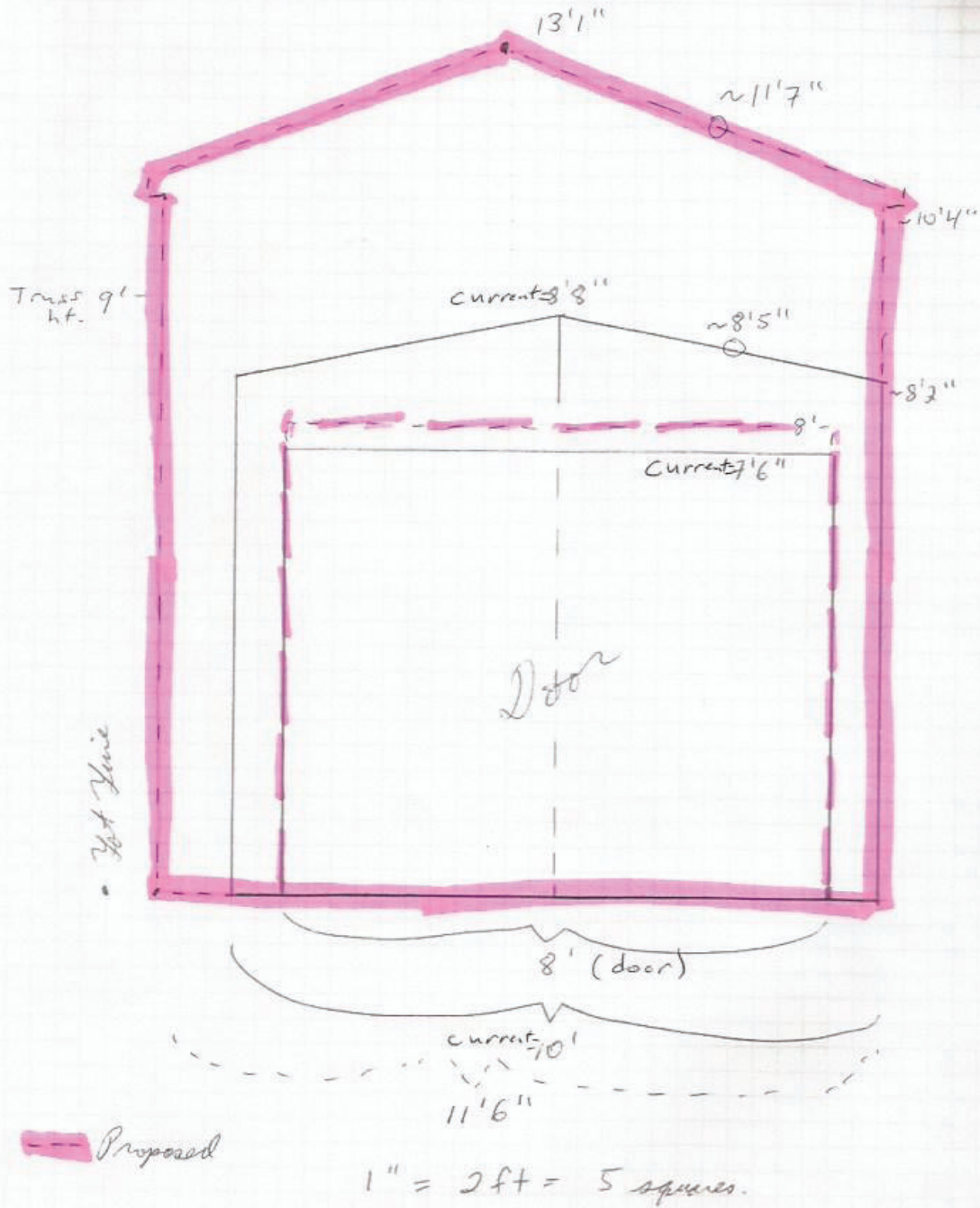
Current

Front View
1724 Madison St.



1" = 2 ft = 5 squares.

Front View
1724 Madison St.



Roof/Siding: Premium Steel Panel
Steel garage door

Proposed – concept only
(this version has 7 ft garage door height, not 8 foot)

Colors TBD



Foundation: Concrete Slab (concrete floor)
Roof pitch: 6/12
Walk door: 3' x 6'8"



Front views





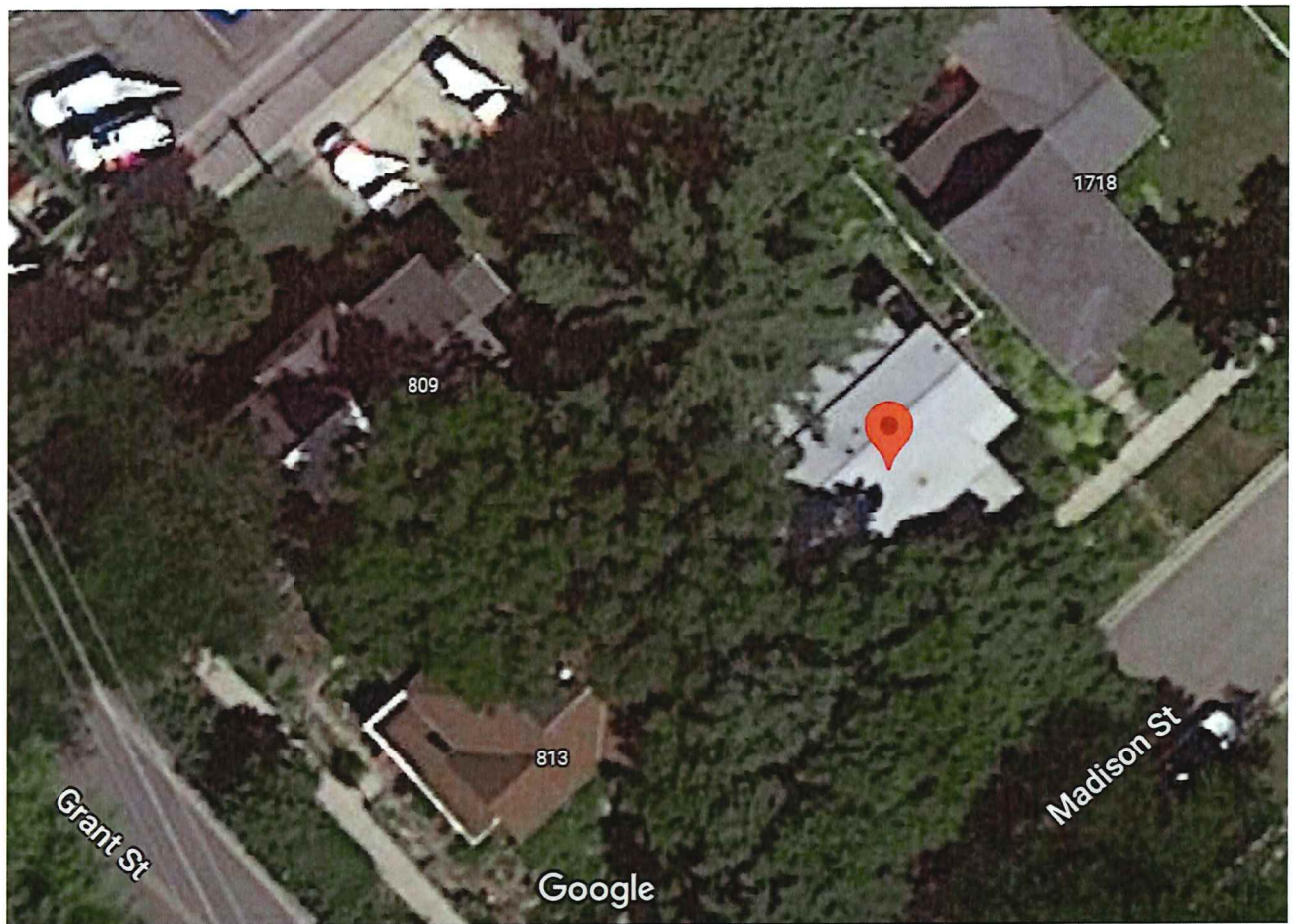
Backyard view



Alley view



Grant Street view



Google satellite view

MAINTENANCE EASEMENT

Peter Schofer, owner of property located at 813 Grant St, Madison, WI
hereinafter referred to as the "Grantor", grants to Timothy J and Mary Ellen Schmitt
owner of property located at 1724 Madison Street, Madison, WI (Legal Description:
WINGRA PARK SE 1/2 OF, LOT 8, BLOCK 1

),
hereinafter referred to as the "Grantee", the right, privilege, and easement to temporarily use and
occupy, for maintenance purposes only, the land immediately adjacent to the proposed
garage

The Grantor grants the Grantee a right, privilege, and easement to temporarily use and occupy
the parcel of land hereinbefore described for the maintenance of the exterior of
garage

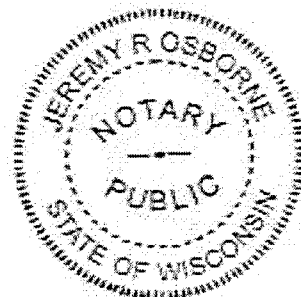
The foregoing maintenance easement is granted subject to the following conditions: (1) that
immediately following any maintenance activities, the Grantee will remove all debris, surplus
material, and maintenance equipment and supplies from the easement area and leave the
premises in a neat and presentable condition; and (2) that in the event any fences, bushes,
driveway, or other improvements within the easement are removed or damaged during any
maintenance activities, the Grantee will repair, replace, or restore such improvements to the
satisfaction of the Grantor.

Executed this 10 day of March, 20²³

[Signature]
Grantor

The signatures of Peter Schofer
(Grantor) has been authenticated by me this
10th day of March, 20²³.
[Signature]
My Commission expires on 2-15-27

No Blue ink or FAXED copies please!



MAINTENANCE EASEMENT

Geraldine G Bodley, owner of property located at 809 Grant St, Madison, WI
hereinafter referred to as the "Grantor", grants to Timothy J and Mary Ellen Schmitt
owner of property located at 1724 Madison Street, Madison, WI (Legal Description:
WINGRA PARK SE 1/2 OF LOT 8, BLOCK 1

hereinafter referred to as the "Grantee", the right, privilege, and easement to temporarily use and
occupy, for maintenance purposes only, the land immediately adjacent to the proposed
garage

The Grantor grants the Grantee a right, privilege, and easement to temporarily use and occupy
the parcel of land hereinbefore described for the maintenance of the exterior of
garage

The foregoing maintenance easement is granted subject to the following conditions: (1) that
immediately following any maintenance activities, the Grantee will remove all debris, surplus
material, and maintenance equipment and supplies from the easement area and leave the
premises in a neat and presentable condition; and (2) that in the event any fences, bushes,
driveway, or other improvements within the easement are removed or damaged during any
maintenance activities, the Grantee will repair, replace, or restore such improvements to the
satisfaction of the Grantor.

Executed this 7 day of March, 2023

Mallory M Bodley
Grantor

The signatures of Geraldine Bodley
(Grantor) has been authenticated by me this

7th day of March, 2023

M. Greaney
My Commission expires on 10/10/26

No Blue ink or FAXED copies please!

