	CITY OF MADISON ZONING BOARD OF APPEALS VARIANCE APPLICATION
I SCONSIL	\$500 Filing Fee Type or legibly print using blue or black ink.
Address of Subject Property: 4809 HILLVIEW	TEARACE
Name of Owner: TODD JINDRA	;;
Address of Owner (if different than above):	
Daytime Phone: 608 577 6940 Ev	ening Phone: 608 577 6940
Email Address: TKJINDRA 67@ GMAIL . COM	
Name of Applicant (Owner's Representative): <u>Tobb</u> J	NDA NDA
Daytime Phone: Ev	ening Phone:
Email Address:	
Description of Requested Variance:	The Tal - OAN
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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:

X	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.
শ্ব	 Site plan, drawn to scale. We recommend a registered survey, but it is not required. On the plan, show the following: Lot lines. Existing and proposed structures. Include dimensions and setback distances to all property lines. Approximate location of structures on properties next to variance. Major landscape elements, fencing, retaining walls or other relevant site features. Scale (1" = 20' or 1' = 30' preferred). North arrow.
×	Elevations from all directions showing existing and proposed. Show the existing structure and proposed addition(s).
×	Interior floor plan of existing and proposed structure, if required. Most additions and expansions will require floor plans.
× ^{SI}	DE yard variance requests. Show the front yard setback of all other properties on the same block face.
□᠕ᡨ	Lakefront setback variance requests. Provide a survey prepared by a registered land surveyor. The survey must show existing setbacks of buildings on adjacent lots.
1A	Variance requests involving slope, grade, or trees. Show:
LINA	Approximate location and amount of slope.
	Direction of drainage.
¥	Email digital copies of all plans and drawings to: zoning@cityofmadison.com.
¥	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.
×.	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.
X	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.

Apr ____ Date: <u>5/18/23</u> Owner's Signature: 🔔

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	(doe	eby determines the s) (does not) me	et all the standards for a variance. Further
findings of fact are stated in the n	ninutes of this publ	ic hearing.	
findings of fact are stated in the n The Zoning Board of Appeals:	hinutes of this public	ic hearing.	Conditionally Approved

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

- 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 homes architectural style, matching in height and roof design (flat), window sizes and siding type. It does not block views or project out further towards the property line than the current west elevation of the existing home. We have redesigned the soffit from our previous submittal from 4' overhangs to 2' overhangs to stay compliant with Zoning Ordinances
- 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) That said, 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, therefore the view of the structure from their property is the same as the current view. Secondly, I'd like to note that the design of the garage's height is LESS than what the Zoning code allows. The code allows for the peak of a gable roof structure to be significantly higher than the current height of the proposed garage.

Lastly, the new garage placement is within the Zoning code rear setback (to the south) and within the side yard setback (to the east).

have reviewed the project with both adjacent neighbors to the south and east. Both neighbors have no objections to the project.

6. The garage will be sub-terrarium which is consistent with the current garage design. 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.



March 30, 2023

Dear Todd,

A basic tree risk assessment Level 2 using visual inspection and soft end hammer for sounding with a thin metal probe for root and trunk examination was done on 3-8-2023. John Stephenson performed the analysis. I am a certified Arborist #WI-0609A and Tree Risk Assessment Qualified (TRAQ) from the International Society of Arboriculture for tree risk assessment. I own Stephenson Tree Care, Inc in Madison, WI.

Scope of work: Objectives were defined by the client in relation to a 22.5" diameter at breast height Norway maple located on the south side of the existing home at 4809 Hillview Terrace, Madison, WI 53711. A new garage and addition are planned by client at the same south side of the existing home. The building's addition will come within 10 feet of the tree with the rear wall of this addition. Objective was to determine health, condition, and survivability of this tree before, during and post construction. I used the ISA Basic Tree Risk Assessment protocol to determine targets, occupancy rates for the home, likelihood of impact on target/s and potential consequences in the event of a failure of the whole tree or specific portions or limbs on the said tree.

Documentation for the likelihood of failure is enclosed with the supplied worksheet.

Weather patterns and location. Prevailing westerly winds can impact said tree in summer storms but over-all the tree is fairly protected in this urban setting even though the home and tree sit on a high point in the neighborhood.

Mitigation. Limited options. Tree cannot be moved and new addition will be placed within 10 feet of described tree. Access to rear entry at house is permanent at this side and tree cannot be moved. Tree protection fencing needs to be installed to drip-line on non-build outside of tree circumference to prevent incursion and soil compaction. I would suggest watering this tree prior to beginning and during if adequate rainfall does not fall.

Residual risk is ever present with any tree. Disturbing the soil and roots in the critical root zone cannot be avoided with this build. But the build out will only impact approximately 25-30% of the existing root zone on the westside of the tree. This loss though concerning leaves more than adequate remaining critical root zone to allow the tree residual stability for anchoring and for nutrient uptake and water transfer into the future. Reassessment intervals should be done during construction at the initial excavation and during the build and then every other year for a period of 6 years to monitor health, stability, and condition.

Limitations of this assessment: Any tree can fail at any time. Pre-history of this tree and impacts to it are unknown. Level 2 Assessment has limitations which are beyond the scope of the asked for analysis. More sophisticated assessment is available but was not the scope of this project nor was it needed at this time based on the trees condition and field observations.

Conclusion: This tree with proper management during and after construction will survive the build-out and will give the client continued value add for years to come.

John Stephenson. President/Stephenson Tree Care, Inc.

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ISA Basic Tree Ris	k Assessmen	t Fo	orr	n	ີ່ລ	\cdot 45	
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— Trunk —	— Roots	and l	Root	Col	lar —		
Dead/Missing bark Abnormal bark texture/color Codominant stems Included bark Sapwood damage/decay Cankers/Galls/Burls Sapwood damage/decay Cankers/Galls/Burls Lightning damage Heartwood decay Cavity/Nest hole % circ. Lean ° Corrected? Response growth 12 1 0 0000 Condition (s) of concern Condition (s) of concern	Collar buried/Not visible Dead De Ooze C Cracks Cut/Damaged Root plate lifting Response growth Condition (s) of concern	De cay 🗖 roots E	pth	Distanc	Stem Conks/Mus Cavity [] e from trun Soil we	girdling hrooms % c k eakness	g 🗆 s 🗆 Lirc.
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Page 1 of 2

		Risk Cat	egoi	izat	ion														•		
							Likelihood										C -				
Target		Condition(a)	Failure		Impact			failure & Impact (from Matrix 1)				consequences									
(Target number or description)	Tree part	of concern	Improbable	Possible	Probable	Imminent	Very low	Low	Medium	High	Unlikely	Somewhat	Likely	Very likely	Negligible	Minor	Significant	Severe	Risk rating (from Matrix 2)		
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Matrix I. Likelihood matrix.

Likelihood		Liko	elihood of Impa	ct
of Failure	Very low	Low	Mediur	n High
Imminent-	Unlikely	Somewhat lik	ely Likely	Very likely
Probable	Unlikely	Unlikely	Somewhat	likely Likely
Possible	Unlikely	Unlikely	Unlikel	y Somewhat likely
Improbable	Unlikely	Unlikely	Unlikel	y Unlikely

Motrix 2. Risk rating matrix.

Likelihood of -	Consequences of Failure
Failure & Impact	Negligible Minor Significant Severe
Verylikely	Low Moderate High Extreme
Likely	Low Moderate High High
Somewhat likely	Low Low Moderate Moderate
Unlikely	Low Low Low

Notes, explanations, descriptions





Vitigation	options
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1. Protection Lencing Quing Construction & inspection 2. intervals every Zyland for Ce years.	Residual risk <u>Low</u> Residual risk
3 <u>U</u> <u>U</u> <u>U</u>	Residual risk
4	Residual risk
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Overall residual risk None 🗆 Low 🎉 Moderate 🗆 High 🗆 Extreme 🗆 Recommended inspection inter	val <u>Biannus /ley</u> o,
Data AFinal Preliminary Advanced assessment needed No Yes-Type/Reason	
Inspection limitations	











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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	1
TC - TOP OF CURB	
FL - FLOW LINE	
TW - TOP OF WALL	
DW - BUITOM OF WAL	L

GRADING NOTES:

- 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.

JGrading Plan		4809 Hillview Terrace	Madison	Dane County, Wisconsin
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VISIONS	REMARKS			
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4809 Hillview Terrace, Madison, WI



PROJECT #

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BASEMENT FLOOR PLAN



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4809 Hillview Terrace, Madison, WI



FIRST FLOOR PLAN



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1 FIRST FLOOR PLAN



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ENLARGED FIRST FLOOR PLAN



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