



**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: 2521 Upham Street

Name of Owner: Tim Felt and Pam Foster Felt

Address of Owner (if different than above): same

Daytime Phone: 608-334-6264

Evening Phone: same

Email Address: tfelt123@gmail.com

Name of Applicant (Owner's Representative): Tim Felt and Pam Foster Felt

Address of Applicant: same

Daytime Phone: 608-334-6264

Evening Phone: same

Email Address: same

Description of Requested Variance:

This is a front yard variance request to change the use of existing uninsulated, "3-season" porch which lies within the 20-ft. front setback. Proposed improvements serve two purposes: 1) incorporating porch area into living space, specifically front entry and kitchen, and 2) adding footers beneath the porch, which is sinking. The project proposes modernization of a dated kitchen and improved, insulated living space without changing the footprint, adding a second floor or altering the roofline.

(See reverse side for more instructions)

FOR OFFICE USE ONLY

Amount Paid: \$300 -

Receipt: 150339

Filing Date: 1-2-13

Received By: mwa

Parcel Number: 0710-061-1311-3

Zoning District: TR-C4

Alder District: 12-PALM

Hearing Date: 1-23-14

Published Date: 1-16-14

Appeal Number: 012314-1

GQ: OK!

Code Section(s): 28.045 (2)

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.

This home is in a neighborhood of 80-100 year-old small homes sitting near the edges of narrow city lots. The project is unique in the immediate neighborhood because of the unusual location of the kitchen on the front of the home: the porch is the only possible area to absorb any kitchen expansion without drastically reconfiguring the interior.

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.

The proposed project is designed NOT to change the appearance or character of the home or make the house stand out among neighboring homes. The project's intent is to make the home's interior more functional for a growing family without changing the exterior.

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.

Compliance with the ordinance prevents conversion of the porch into usable living space, an improvement that has been made to other homes on the block in the past. The porch is currently used exclusively for storage: it is literally freezing in winter and too hot in the summer. Strict compliance with current zoning does not permit those 144 sq. feet of the existing structure to be insulated and lived in. This variance request is essentially a request that "living space" be a permitted purpose for that part of the home.

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 the ordinance post-dates the construction of the houses in this neighborhood, nearly all of which sit outside the current setbacks, the terms of the ordinance are preventing expansion of a 50+ year-old kitchen by preventing changed use of the existing structure within the existing footprint.

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

There are no proposed changes to the footprint of the house or the location of existing doors, driveway, or any feature of the house that might encroach onto the neighbors' lots alter existing sightlines from neighbors' properties.

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

The proposed addition would retain the visual nature of an enclosed front porch. The two nearest neighbors to the south west have converted porches to living space. The alterations would remain in the character of the neighborhood with double hung windows with trim painted to match the existing. The siding would be eight inch overlap cement board painted to match the existing eight inch composite siding and the cement board on the garage.

Application Requirements

Please provide the following Information (Please note any boxes left unchecked below could result in a processing delay or the Board's denial of your application):

| | |
|--------------------------|--|
| <input type="checkbox"/> | Pre-application meeting with staff: Prior to submittal of this application, the applicant is strongly encouraged to discuss the proposed project and submittal material with Zoning staff. Incomplete applications could result in referral or denial by the Zoning Board of Appeals. |
| <input type="checkbox"/> | Site plan , drawn to scale. A registered survey is recommended, but not required. Show the following on the site plan (Maximum size for all drawings is 11" x 17"): <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 type="checkbox"/> | Elevations from all relevant directions showing existing and proposed views, with notation showing the existing structure and proposed addition(s). (Maximum size for all drawings is 11" x 17") |
| <input 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). (Maximum size for all drawings is 11" x 17") |
| <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 type="checkbox"/> | CHECK HERE. I acknowledge any statements implied as fact require supporting evidence. |
| <input 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:

[Handwritten Signature]

Date: 1/2/2014

----- (Do not write below this line/For Office Use Only) -----

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:

Single-story single
family home

Reconstruct / convert
existing enclosed front
porch into living space

Front yard

12.3' Required
12.0' Provided
0.3' VARIANCE

Side yard

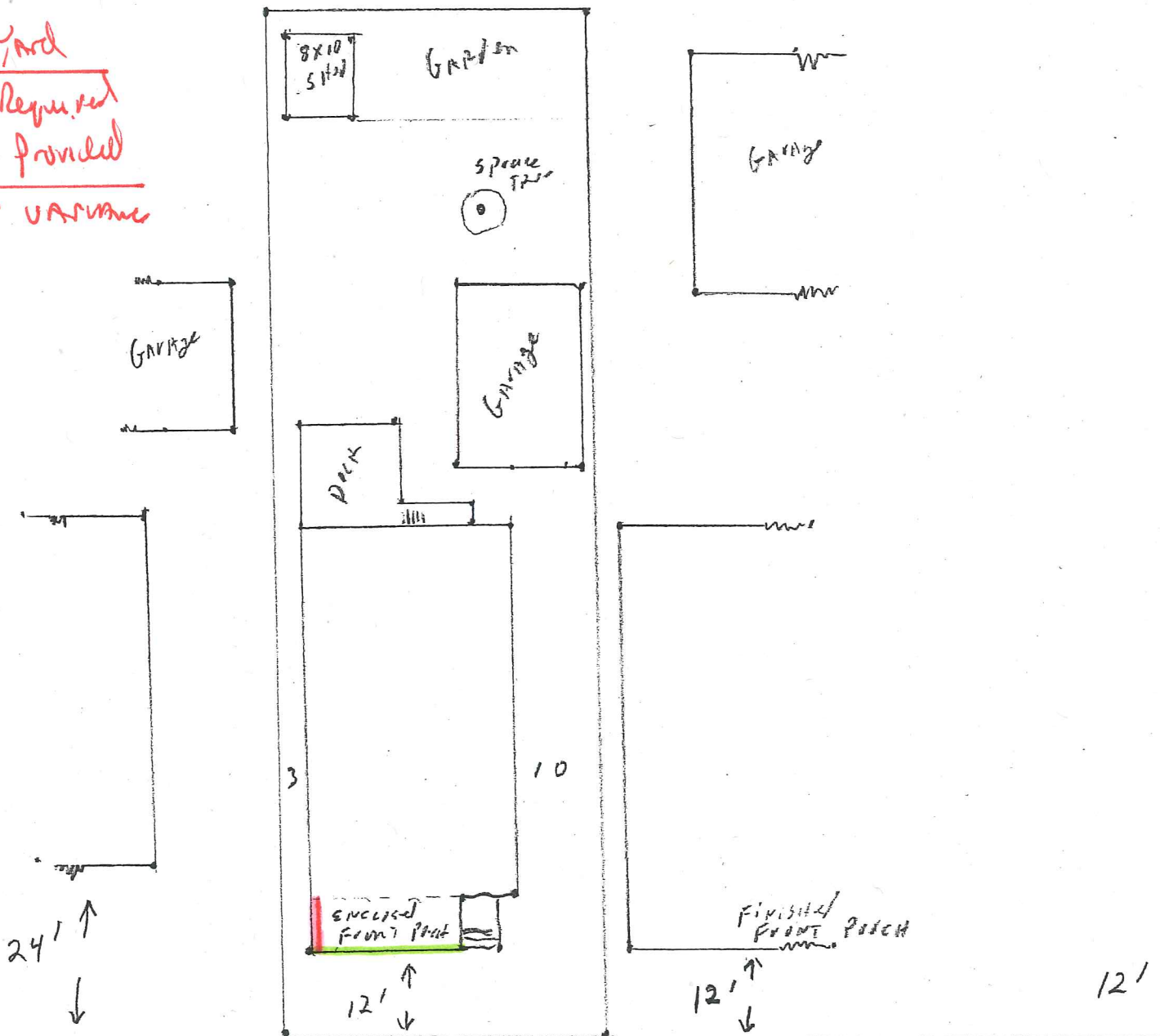
4.0' Required
3.0' provided
1.0' VARIANCE

PROPOSED SITE PLAN

2521 4th AVE ST

1" = 20'

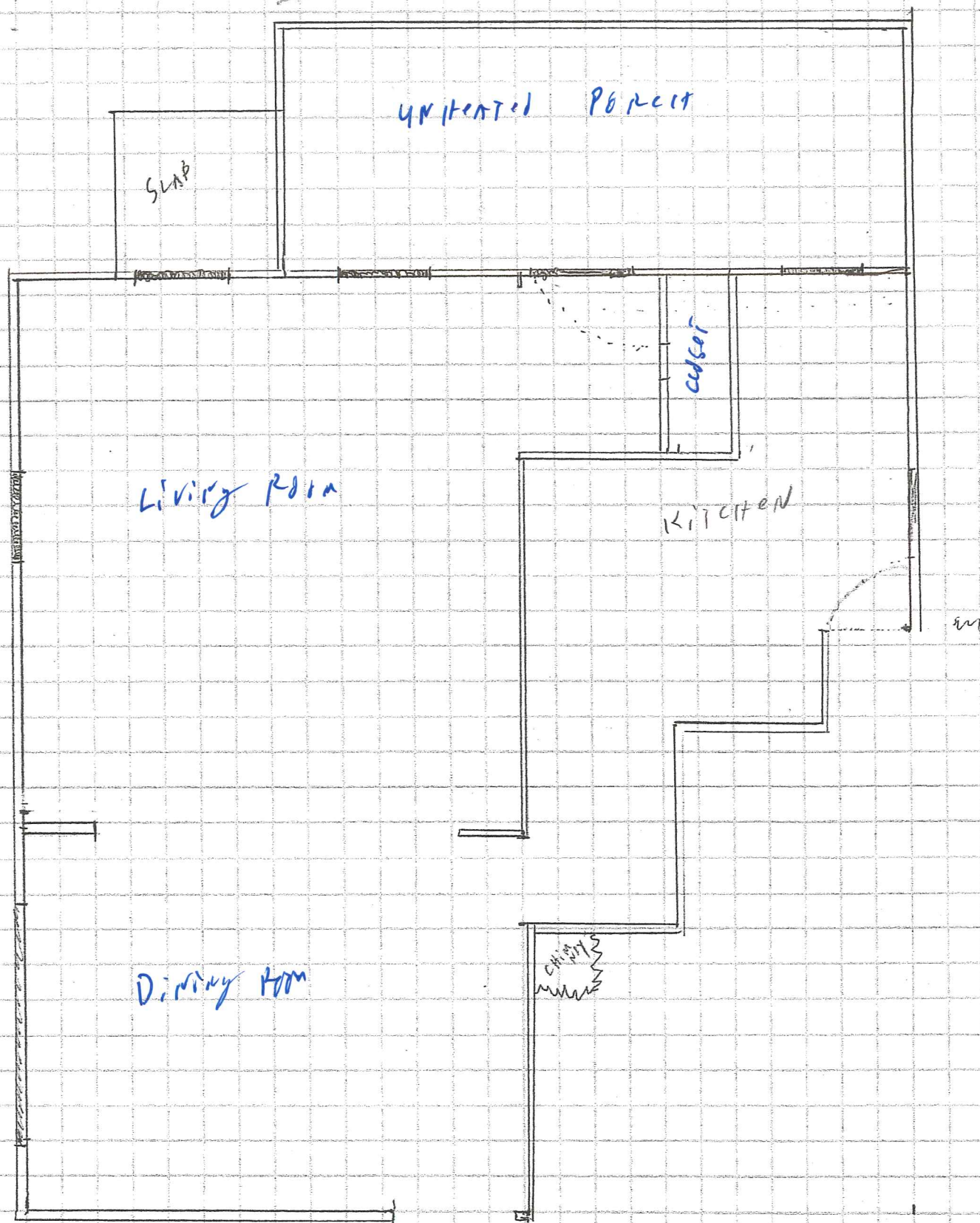
CONVERT ENCLOSED FRONT PORCH
TO CONDITIONED LIVING SPACE



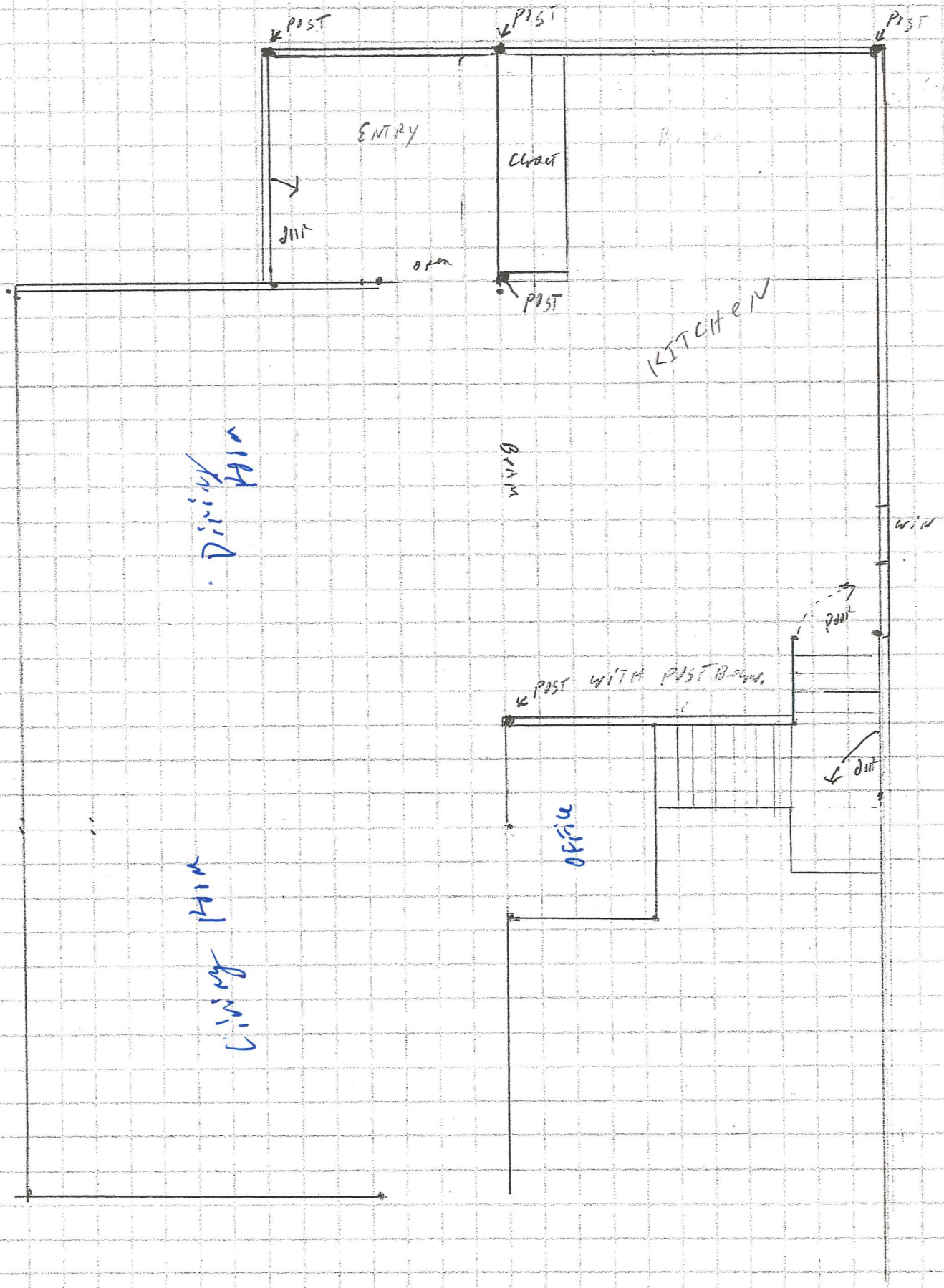
9/28/2012

1/4" = FOOT

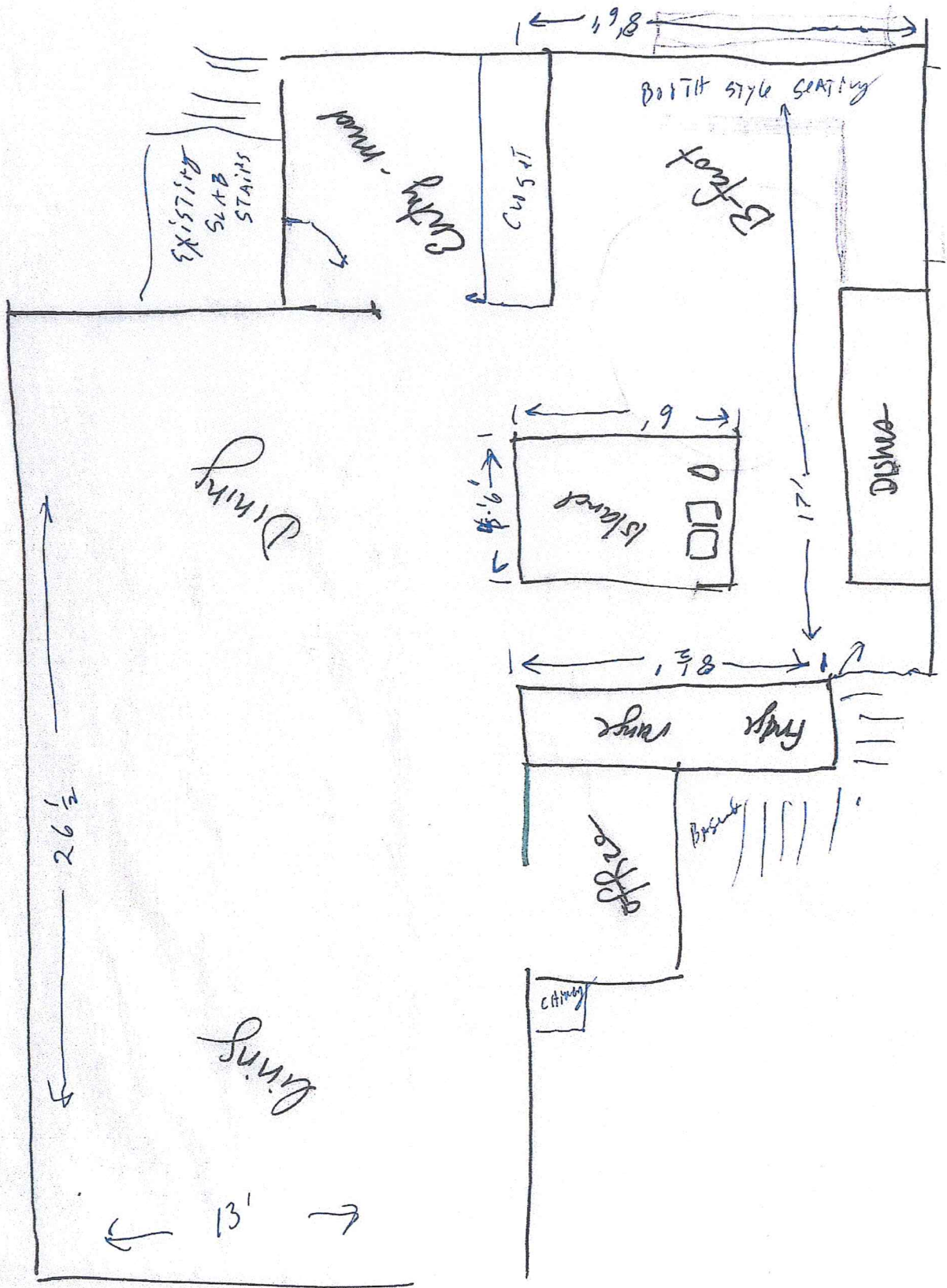
EXISTING 2521 UPHAM STREET



$\frac{1}{4}" = 1 \text{ FOOT}$
PROPOSED 2521 UPTOWN STREET

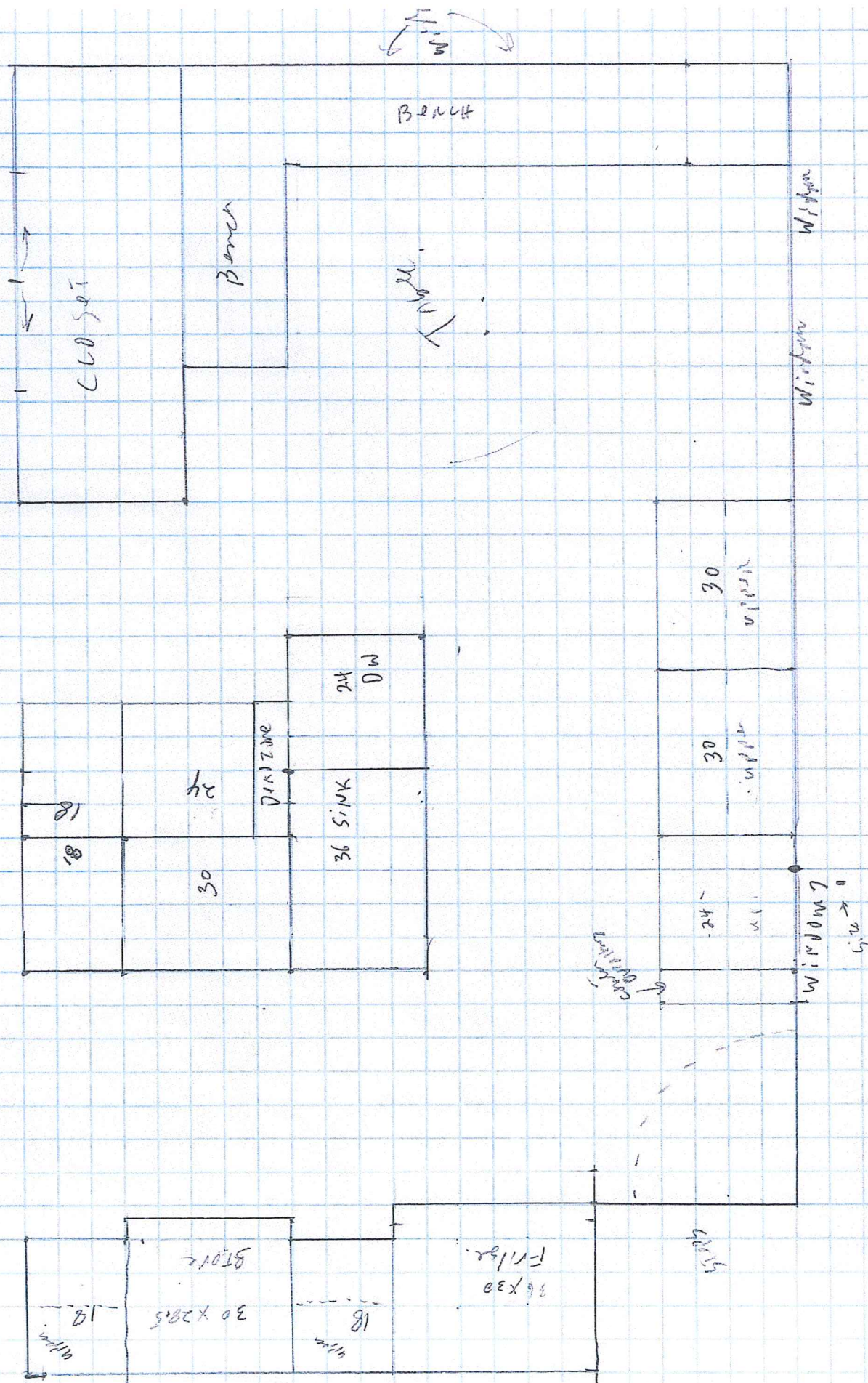


2521 Upton St
 Proposed Kitchen Sketch
 conceptual only
 4' = 1 Foot



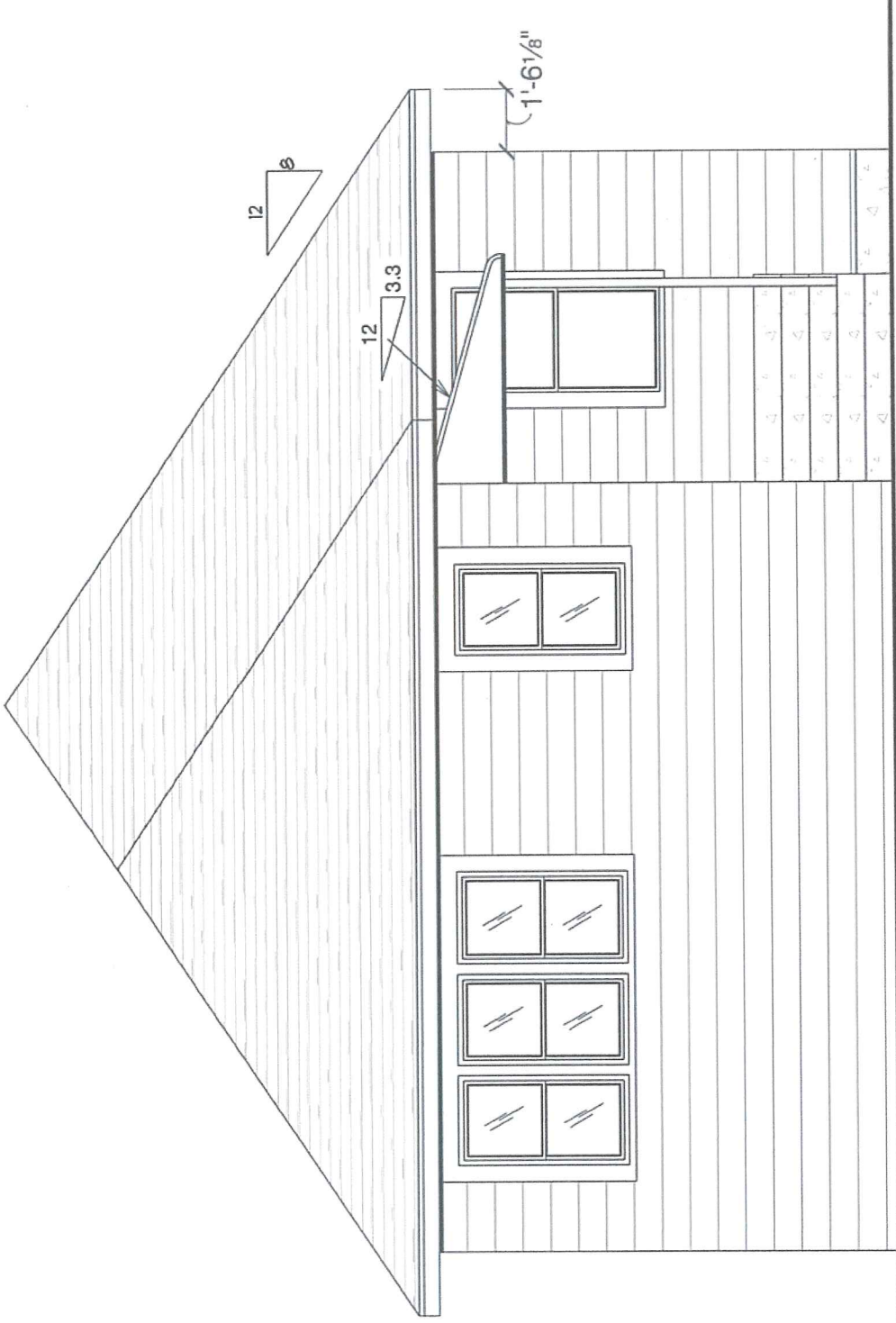
ceiling 11' 10" 101"

2521 uPitAm
proposed kitchen



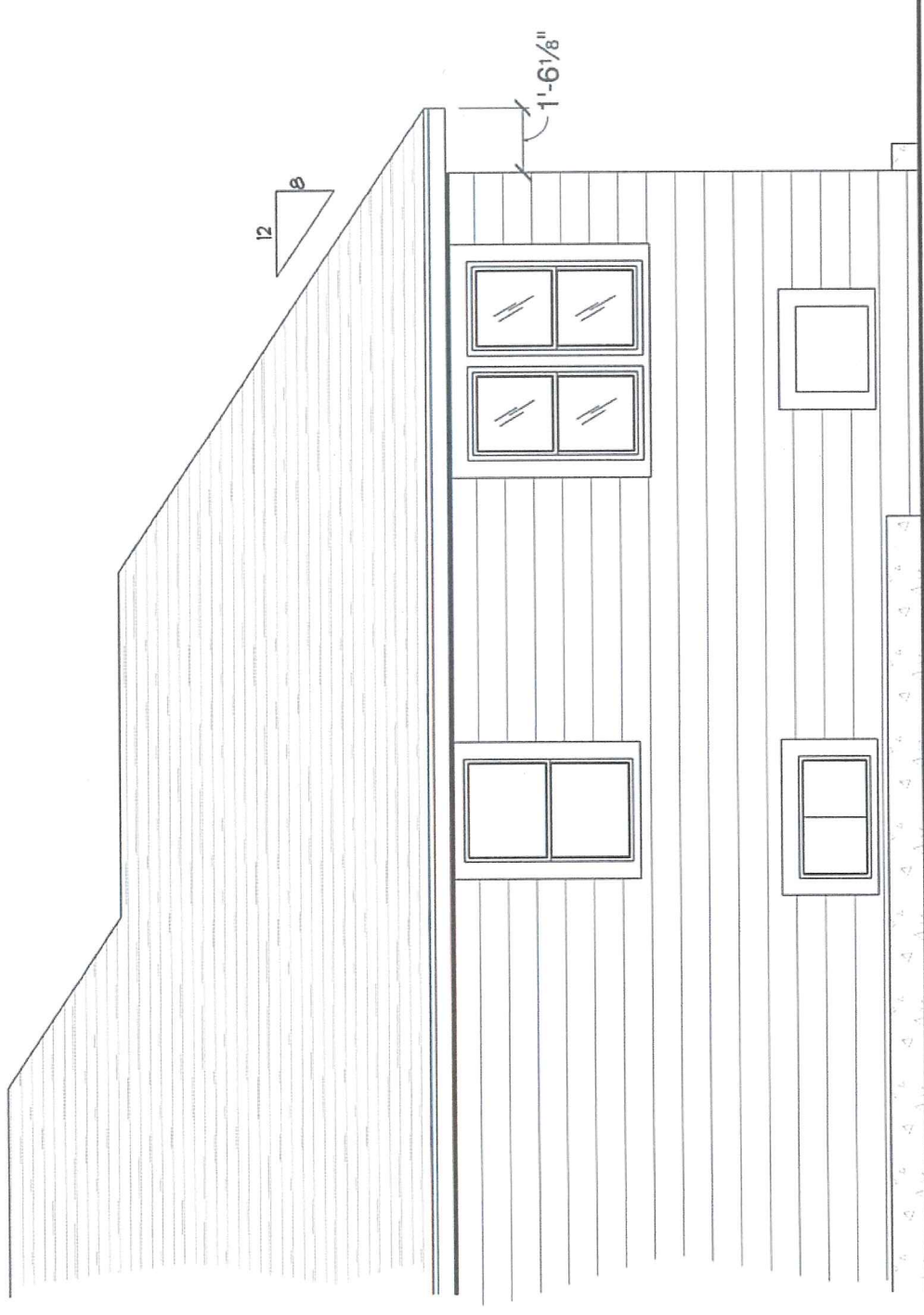
2521 UPITAM ST.
EXISTING





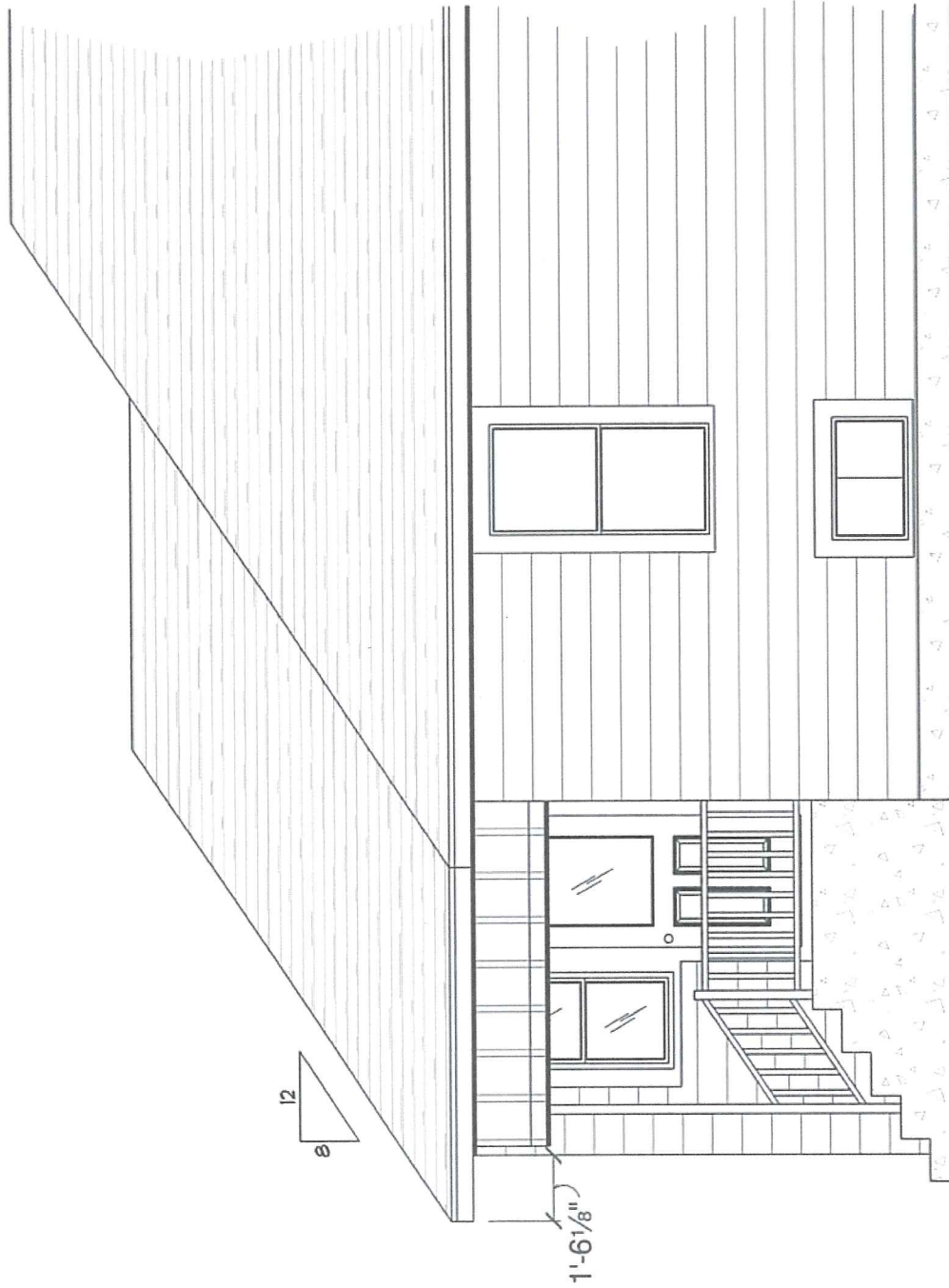
2521 UPHAM STREET MADISON, WI 53704

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| Scale: 1/4"=1'-0" Date: 12-31-13 | <div data-bbox="1356 1533 1437 1858"> </div> <div data-bbox="1388 1165 1461 1711"> <p>LUMBER COMPANY 1801 E. WASHINGTON AVE. MADISON, WI 53704</p> </div> <div data-bbox="1469 1102 1542 1711"> <p>ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTORS MUST CHECK ALL DETAILS AND DIMENSIONS AND BE RESPONSIBLE FOR THE SAME.</p> </div> | <div data-bbox="1356 388 1429 892"> <p>FRONT ELEVATION</p> </div> <div data-bbox="1453 304 1534 997"> <p>TIM FELT & PAM FOSTERFELT</p> </div> | <div data-bbox="1339 105 1445 283"> <p>DRAWN BY: Brian K. & Chris D.</p> </div> <div data-bbox="1453 105 1550 283"> <p>DRAWING NUMBER: 1 OF 3</p> </div> |
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2521 UPHAM STREET MADISON, WI 53704

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2521 UPHAM STREET MADISON, WI 53704

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| Scale: 1/4"=1'-0" Date: 12-31-13 | <div data-bbox="1347 1512 1429 1827"> </div> <div data-bbox="1429 1260 1461 1701"> 1801 E. WASHINGTON AVE. MADISON, WI 53704 </div> <div data-bbox="1461 1092 1542 1701"> ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTORS MUST CHECK ALL DETAILS AND DIMENSIONS AND BE RESPONSIBLE FOR THE SAME. </div> | <div data-bbox="1364 399 1429 882"> RIGHT ELEVATION </div> <div data-bbox="1461 294 1526 987"> TIM FELT & PAM FOSTERFELT </div> | <div data-bbox="1338 109 1445 281"> DRAWN BY: Brian K. & Chris D. </div> <div data-bbox="1445 109 1542 281"> DRAWING NUMBER: 2 OF 3 </div> |
|-------------------------------------|--|---|--|