



**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: 5705 Forsythia Place, Madison, WI 53705

Name of Owner: Eva Ziegelhoffer

Address of Owner (if different than above): \_\_\_\_\_

Daytime Phone: 608-658-2067 Evening Phone: 608-233-7688

Email Address: evacziegelhoffer@yahoo.com

Name of Applicant (Owner's Representative): \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

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

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

**Description of Requested Variance:**

My property does not have a garage and I would like to add a garage. Given where the house was built, where the driveway was placed, the absence of any features (such as doors or windows) on the east side of the house, and the unusual shape of my lot which narrows sharply toward the backyard, the construction of an attached 2-stall garage seems to be the best option. Given that the lot is not a standard rectangle, but is rather a trapezoid, I am requesting to build the garage closer to the lot line than the 5-foot side yard setback for which my property is zoned. The attached garage and the house addition (which respects the 5-foot setback) that I am proposing would improve how my property looks in the neighborhood with the addition of doors and windows and exterior features that will be more consistent with the rest of the house and will be a great improvement over a blank, feature-less east side of my house. Furthermore, approving this variance request will allow me to construct a reasonable garage that not only provides sheltered parking but will also allow me to store my refuse and recycling bins along with yard maintenance items inside.

*(See reverse side for more instructions)*

FOR OFFICE USE ONLY	
Amount Paid: <u>\$300 (151755)</u>	Hearing Date: <u>3/27/14</u>
Receipt: <u>2/27/14</u>	Published Date: _____
Filing Date: <u>2/27/14</u>	Appeal Number: <u>032714-1</u>
Received By: <u>SA</u>	GQ: <u>OK</u>
Parcel Number: <u>0709-192-2502-3</u>	Code Section(s): <u>28.04J (2)</u>
Zoning District: <u>TR-C2</u>	_____
Alder District: <u>11 Schmidt</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.

My property does not have a garage, unlike most of my neighbors. The shape of my lot makes the addition of a garage difficult, without being allowed to build closer to the lot line than the zoned 5-foot side yard setback. My neighbors generally have rectangular lots that are 60' x 120' whereas my lot is a trapezoid that narrows to 44' in the backyard. The property that abuts my side yard is privately owned by the Crestwood neighborhood and has ample lawn and trees, and although it is a green space, there is no foot traffic through this immediately adjacent property. Therefore, granting me the requested variance should have no negative impact on the neighborhood. Given the existing house and driveway, adding a 2-car attached garage would be the most reasonable option to solve this problem.

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 variance that I am requesting is reasonable given the aspects of my unusual property. It is reasonable to have a garage on one's residential property, and the requested variance would allow me to add an attached 2-car garage that would be consistent with the age and style of my house and also with the 2-car wide driveway that exists on my property. An attached 2-car garage would provide not only sheltered parking but also storage for my refuse and recycling bins plus any yard maintenance items such as a lawn mower and garden tools. Furthermore, being allowed to build an attached 2-car garage as indicated in my application will not encroach on any neighboring properties and will only add value and improve the appeal of my property within the neighborhood. Finally, I will still have easy access to my backyard from the west side of my property, where there is a 10-foot wide open area.

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.

If I were not allowed a variance, I would not be able to add a garage that is consistent with the features that already exist on my property (including the placement of the house on the unusual lot which narrows toward the rear of the property and the placement and size of the 2-car wide concrete driveway). I am proposing to construct a reasonable, conventional size garage. Furthermore, my construction plans have taken the limitations of my property shape into consideration and have placed the garage forward of the house by 5 feet, which is only slightly further forward and still allows access to the existing walkway to the front door. Other garage options, such as extending the driveway to lead to a detached garage in the rear of the property would be unnecessarily burdensome because of the unique, angular property line. Furthermore, such an option would require extensive paving and would significantly detract from the property's appeal in the neighborhood.

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 house on my property was built in 1959, consistent with other ranch style homes at that time. The east side of the house has no external features such as doors or windows and appears as though it was designed to have an attached garage as a future addition. I became the homeowner in October 2013 and, having occupied the property through the winter, I have an acute understanding of the hardship of not having a garage. Adding a 2-car attached garage will connect the feature-less east side of my house with the existing 2-car wide concrete driveway. Given how severely the east side of my property angles down to 44' to the rear, the 5-foot side yard setback zoning ordinance restricts my ability to add the style and size of garage that matches the other features of my property. Therefore, I am requesting a variance to be able to add the most reasonable garage for my unique property.

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

The adjacent property is owned by the Crestwood neighborhood and is partly wooded and partly lawn and, while it is a green space, there is no foot traffic through this immediately adjacent property. The proposed variance should not cause any detriment to the Crestwood neighborhood since the immediately adjacent property will be untouched and preserved as a green space. On the contrary, by building an aesthetically pleasing attached garage, the visual appeal of my home in the neighborhood will be improved. Furthermore, the plans that I have put forth in this application would have minimal impact on other nearby properties, including the next nearest property which is uphill, has many trees, and is separated from my back and side yard by the Crestwood owned property and by a city-maintained gravel access to a drainage basin surrounded by the Crestwood Trails. Finally, the proposed variance would create a legal parking area that would eliminate a non-conformity due to the existing driveway which violates front yard setback regulations.

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

The proposed variance will allow me to build a reasonably sized and reasonably located garage which is very consistent and compatible with the character of other properties in the neighborhood. An attached 2-car garage would be consistent with the style and design of similar-age ranch homes, and seems exactly like what is missing from the east side of my house which has no windows or doors. In trying to fit an attached 2-car garage on my trapezoid-shaped property, it seems reasonable to place the garage a few feet forward of the rest of the house, while maintaining a similar front yard setback as other properties along the street. To design the attached garage, my architectural plans include an addition to the house to have a hallway (which would lead to the door connecting the house and the garage) plus a small second bathroom and small main-floor laundry. The house addition respects the 5-foot side yard setback, so it is only the garage for which I am proposing a variance. The garage will have windows that will increase the appeal from the east side of my property. The roof pitch for the garage plus addition will be only slightly different than the rest of the house and an aesthetically pleasing gable front is proposed, which would be compatible with the style of my home.

## 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 checked="" type="checkbox"/>	<b>Pre-application meeting with staff:</b> Prior to submittal of this application, the applicant is strongly encouraged to discuss the proposed project and submittal material with Zoning staff. <b>Incomplete applications could result in referral or denial by the Zoning Board of Appeals.</b>
<input checked="" type="checkbox"/>	<b>Site plan</b> , 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"): <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Lot lines</li> <li><input checked="" type="checkbox"/> Existing and proposed structures, with dimensions and setback distances to all property lines</li> <li><input checked="" type="checkbox"/> Approximate location of structures on neighboring properties adjacent to variance</li> <li><input checked="" type="checkbox"/> Major landscape elements, fencing, retaining walls or other relevant site features</li> <li><input checked="" type="checkbox"/> Scale (1" = 20' or 1' = 30' preferred)</li> <li><input checked="" type="checkbox"/> North arrow</li> </ul>
<input checked="" type="checkbox"/>	<b>Elevations</b> 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 checked="" type="checkbox"/>	<b>Interior floor plan of existing and proposed structure</b> , 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"/>	<b>Front yard variance requests only.</b> Show the building location (front setback) of adjacent properties on each side of the subject property to determine front setback average.
<input type="checkbox"/>	<b>Lakefront setback variance requests only.</b> Provide a survey prepared by a registered land surveyor showing existing setbacks of buildings on adjacent lots, per MGO 28.138.
<input type="checkbox"/>	<b>Variance requests specifically involving slope, grade, or trees.</b> Approximate location and amount of slope, direction of drainage, location, species and size of trees.
<input checked="" type="checkbox"/>	<b>CHECK HERE.</b> I acknowledge any statements implied as fact require supporting evidence.
<input checked="" type="checkbox"/>	<b>CHECK HERE.</b> 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:**  **Date:** 2-27-14

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

### DECISION

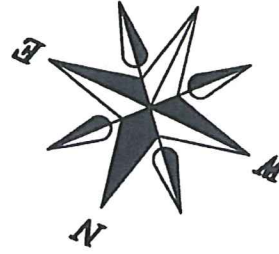
The Board, in accordance with its findings of fact, hereby determines that the requested variance for \_\_\_\_\_ **(is) (is not)** in compliance with all of the standards for a variance. Further findings of fact are stated in the minutes of this public hearing.

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

**Zoning Board of Appeals Chair:**

**Date:**





SCALE 1" = 30'

BORDER DRIVE

NOTES:

- 1.) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT FOR THE SUBJECT TRACT OR ADJOINERS AND IS THEREFORE SUBJECT TO ANY EASEMENTS, AGREEMENTS, RESTRICTIONS AND STATEMENT OF FACTS REVEALED BY EXAMINATION OF SUCH DOCUMENTS.
- 2.) WETLANDS, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.
- 3.) FLOOD PLAIN, IF PRESENT, HAS NOT BEEN LOCATED OR SHOWN.

LEGEND

- = SET 3/4"x24" REBAR  
WT 1.5 LB PER LIN FT
- ✕ = FOUND PK NAIL
- ✕ = FOUND CHISELED "X"
- = FOUND 3/4" REBAR
- = FOUND PIPE
- (##) = RECORDED AS
- X— = FENCE
- ⊙ = HYDRANT

PREPARED FOR:  
EVA ZIEGELHOFFER

DESCRIPTION: (PER WARRANT DEED 4972122)

Part of Lots One Hundred Thirty-four (134) and One Hundred Thirty-five (135), Crestwood, in the City of Madison, Dane County, Wisconsin, described as following: Commencing at the most Southerly corner of said Lot 135; thence South 65 degrees 24' West, along the Southeast line of Lot 134 a distance of 44.0 feet; thence North 24 degrees 36' West parallel with the Southwest line of said Lot 134, a distance of 120.0 feet to the Northwest line of said Lot 134; thence North 65 degrees 24' East along the Northwest line of said Lots 134 and 135 a distance of 104.0 feet; thence Southerly to the point of beginning. This deed is given in completion of a land contract between the same parties dated January 1, 2010, and recorded January 28, 2013, as Document No. 4955705, Dane County, Wisconsin records.

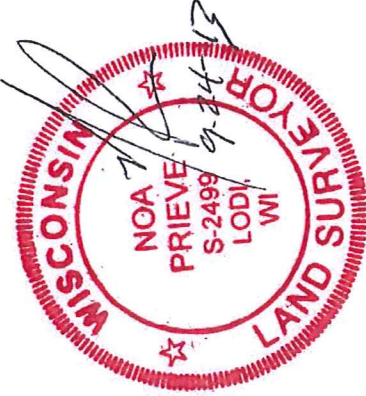
SURVEYOR'S CERTIFICATE:

This plat and survey were performed under my supervision, and was surveyed, divided, and mapped according to the official records of the property described and pictured hereon. This plat is a true scaled and dimensioned representation of the boundaries, buildings, improvements and all visible encroachments if any.

Williamson Surveying and Associates, LLC  
by Noa T. Prieve & Chris W. Adams

Date SEPT. 24, 2013

Registered Land Surveyor - Owner  
Noa T. Prieve S-2499



PLAT OF SURVEY

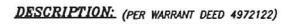
PART OF LOT 134 AND 135, CRESTWOOD, IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN

DATE	SEPTEMBER 24, 2013	REVISION DATE		CHECK BY	N.T.P.
SCALE	1" = 30'			DRAWING NO.	13W-356
DRAWN BY	NEIL BORTZ			SHEET	1 OF 1

WILLIAMSON SURVEYING & ASSOCIATES, LLC  
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597.  
NOA T. PRIEVE & CHRIS W. ADAMS

REGISTERED LAND SURVEYORS  
PHONE: 608-255-5705 FAX: 608-849-9760 WEB: WILLIAMSONSURVEYING.COM





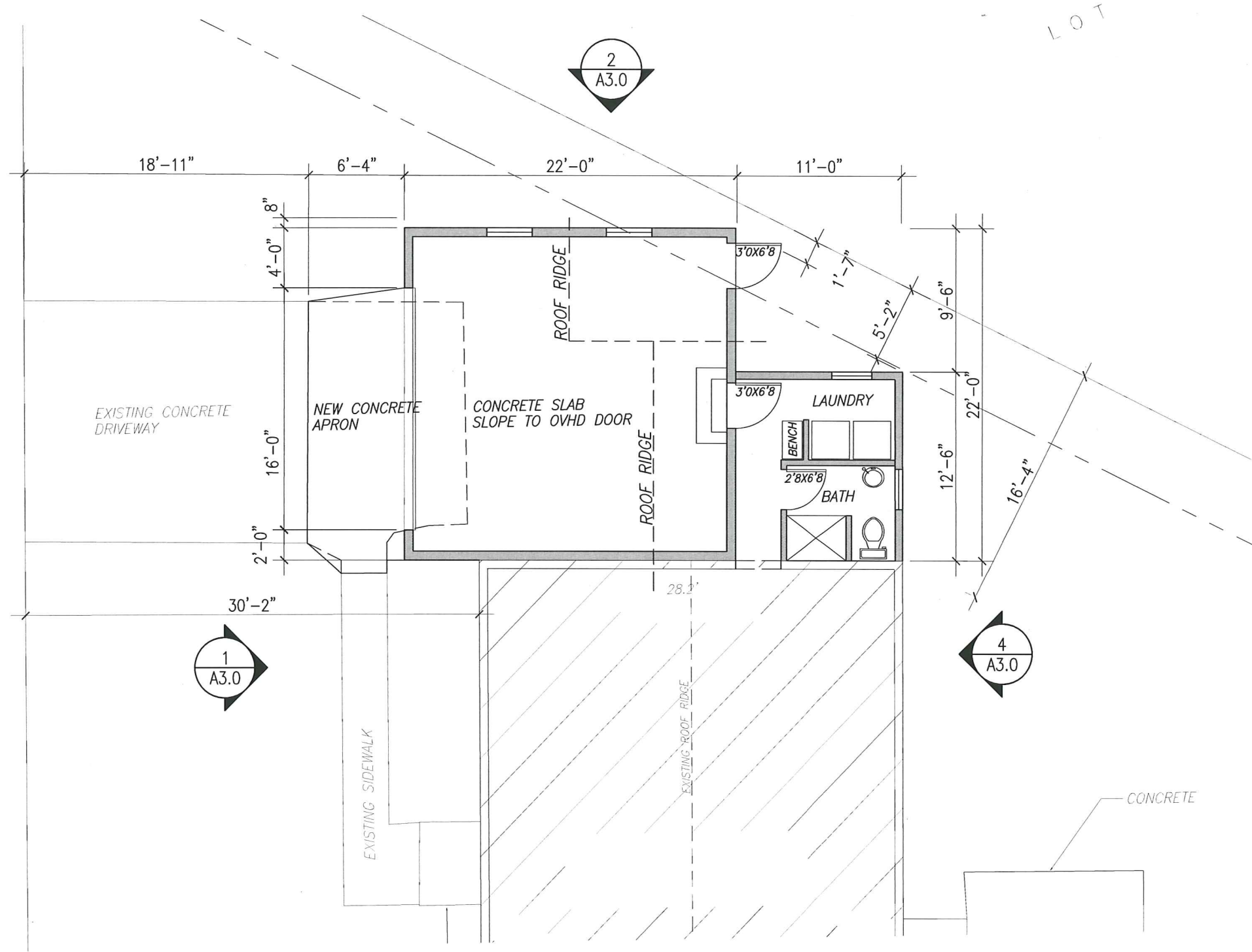
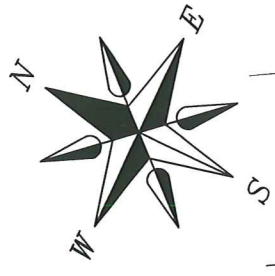
### 3'-5" Variance

[illegible]

**A1**

910 PARMENTER ST., SUITE #2  
MIDDLETON, WISCONSIN 53662  
TELEPHONE 608 831 7570  
FAX 608 831 6529

**SHULFER**  
ARCHITECTS, LLC



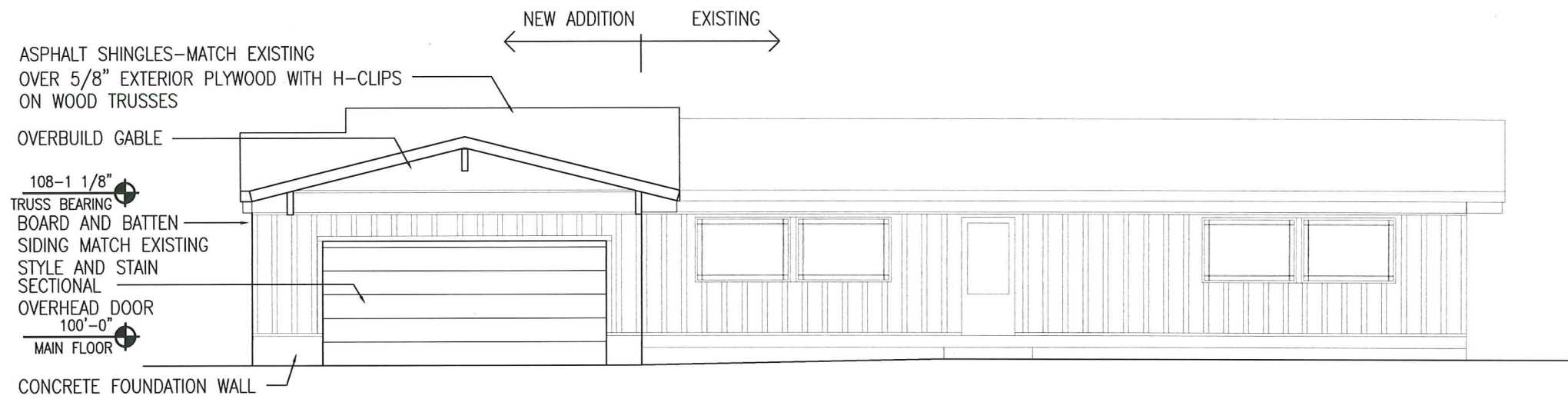
**ZIEGELHOFFER**  
RESIDENCE ADDITION  
5705 FORSYTHIA PLACE  
MADISON WI 53705

**FLOOR PLAN**  
SCALE 1/8" = 1'-0"

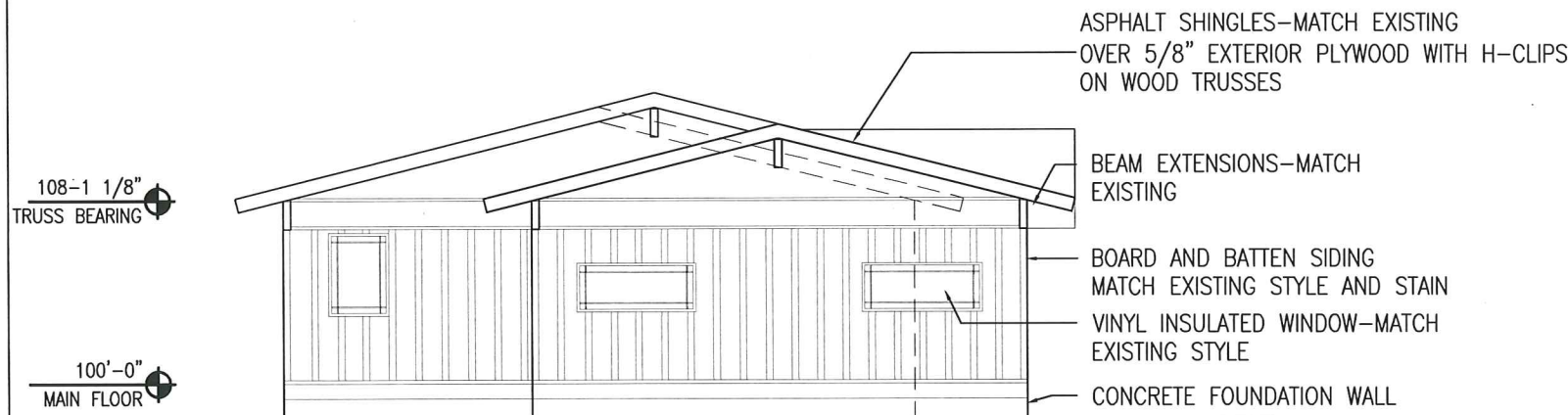
02.21.14  
REVIEW

**A2**

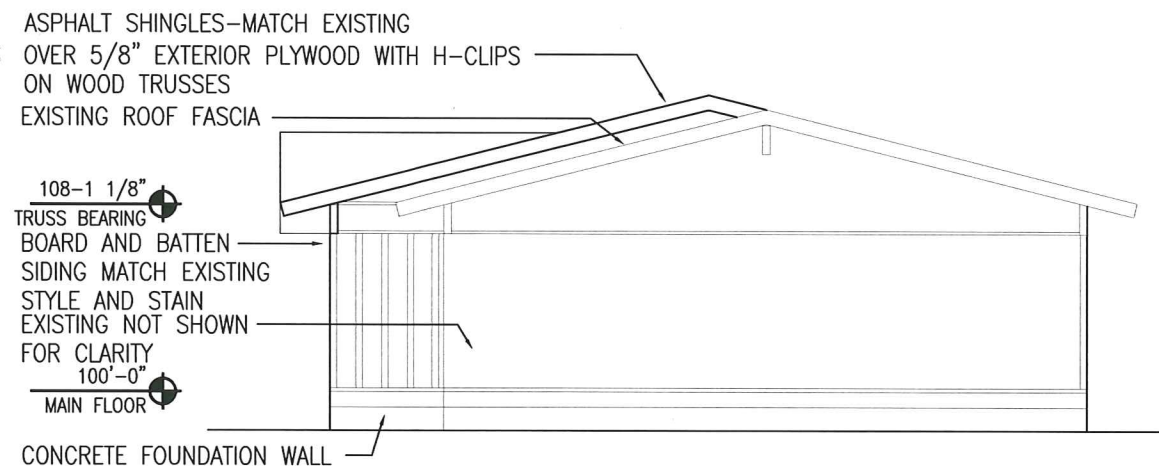
300 PLYMOUTH ST., SUITE 42  
MILWAUKEE, WISCONSIN 53202  
TELEPHONE 414.224.1111  
FAX 414.224.1111  
**SHULFER**  
ARCHITECTS, LLC



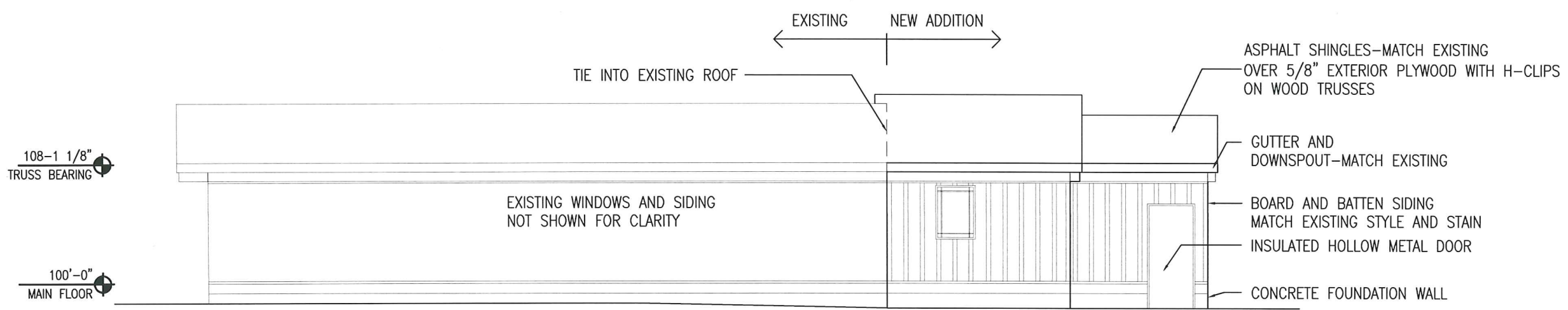
**1 NORTH ELEVATION**  
1/8"=1'-0"



**2 EAST ELEVATION**  
1/8"=1'-0"



**3 WEST ELEVATION**  
1/8"=1'-0"



**1 SOUTH ELEVATION**  
1/8"=1'-0"



**ZIEGELHOFFER**  
RESIDENCE ADDITION  
5705 FORSYTHIA PLACE  
MADISON WI 53705

**ELEVATIONS**

02.21.14  
REVIEW

**A3**