

# 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: 831 S. Brooks Street		
Name of Owner: Jacob Klein		
Address of Owner (if different than above): JT Klein Inc. 906 Bearclaw Way Madison, WI 53717		
Daytime Phone: 608-203-5326 Evening Phone:		
Email Address: jacob@jtklein.com		
Name of Applicant (Owner's Representative): J. Randy Bruce		
Address of Applicant: Knothe & Bruce Architects 7601 University Ave., Suite 201 Middleton, WI 53562		
Daytime Phone: 608-836-3690 Evening Phone:		
Email Address: rbruce@knothebruce.com		
Description of Requested Variance: The variance requested is to accommodate an existing condition at 831 S. Brooks Street. This property is currently zoned as TR-V1 and we have submitted a rezoning request on October 7, 2015 to be rezoned to TR-C3. The variance will allow a side yard of 2'-0" along the south property line. A 5'-0" side yard is required by TR-C3.		
(Saa waxayaa aida fan uu ana inatuu atana)		
(See reverse side for more instructions)		
Amount Paid:  Receipt:  Receipt:  Filing Date:  Received By:  Parcel Number:  Zoning District:  Alder District:  Alder District:  FOR OFFICE USE ONLY  Hearing Date:  Published Date:  Appeal Number:  Appeal Number:  Code Section(s):  28.044 (2)		

## **Application Requirements**

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

	<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>
	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"):  Lot lines  Existing and proposed structures, with dimensions and setback distances to all property lines  Approximate location of structures on neighboring properties adjacent to variance  Major landscape elements, fencing, retaining walls or other relevant site features  Scale (1" = 20' or 1' = 30' preferred)  North arrow
X	<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 $11'' \times 17''$ )
Ø	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 $11'' \times 17''$ )
	<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.
	<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.
	Variance requests specifically involving slope, grade, or trees. Approximate location and amount of slope, direction of drainage, location, species and size of trees.
X	CHECK HERE. I acknowledge any statements implied as fact require supporting evidence.
$\boxtimes$	<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:	
DECISION  The Board, in accordance with its findings of fact, hereby determines that the requested variance for	
The Zoning Board of Appeals: Approved Denied Conditionally Approved	
Zoning Board of Appeals Chair:	
Date:	

#### October 29, 2015

Matt Tucker Zoning Administrator City of Madison Madison, WI 53709

Re: 831 S. Brooks Street Zoning Board of Appeals Application

Dear Mr. Tucker,

Enclosed is our application to the Zoning Board of Appeals. We are requesting a variance to allow the improvement of an existing single-family home. The variance requested will allow for the existing home to meet the side yard setback zoning requirements for a replat of the lot and a rezoning to TRC-3.

We believe that the proposed rezoning meets the standards for a variance:

1. There are conditions unique to the property of the applicant that do not apply generally to other properties in the district.

The existing property at 831 S. Brooks Street, is currently zoned as TR-VI and is proposed to be rezoned as TR-C3. In order to meet the zoning requirements, a variance is needed to accommodate an existing sunroom on the South side of the building that extends into the side yard setback requirements for TR-C3. All other zoning requirements for this property are satisfied.

This property is part of a larger redevelopment proposal at 820 S. Park St. To accommodate the proposed development at 820 S. Park Street the existing TSS district would be expanded and the five single-family properties on Brooks Street would be rezoned to TR-C3. The TR-C3 district will reduce the allowable family size of the occupants, promote owner occupancy and is consistent with the majority of the Greenbush neighborhood. The expanded TSS district will more closely align with the TSS district boundaries on the block to the south of the site and provides a more appropriate transition to the St. Mary's Hospital complex to the north.

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.

This is an existing condition that has been in place for many years. The variance request is only triggered by the replat of the block and the relocation of the rear lot line at 820 S. Park St.

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.

The variance will allow the existing sunroom to remain in place. Without the variance, the existing sunroom would need to be removed and the existing house would be diminished and devalued.





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.

This was an existing condition prior to adopting of the zoning code. The rezoning from TR-VI (which requires a 6'-0" side yard) to TR-C3 (which requires a 5'-0" side yard) minimizes the encroachment into the required side yard, but does not eliminate it.

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

The variance will allow improvement of the existing property that will not change the size of the building or the impact of the building on the neighborhood. The proposed redevelopment will benefit the neighborhood by allowing for reinvestment in the property. This house is part of a larger plan that seeks to improve the housing stock along S. Brooks Street.

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

There is no change to the surrounding neighborhood.

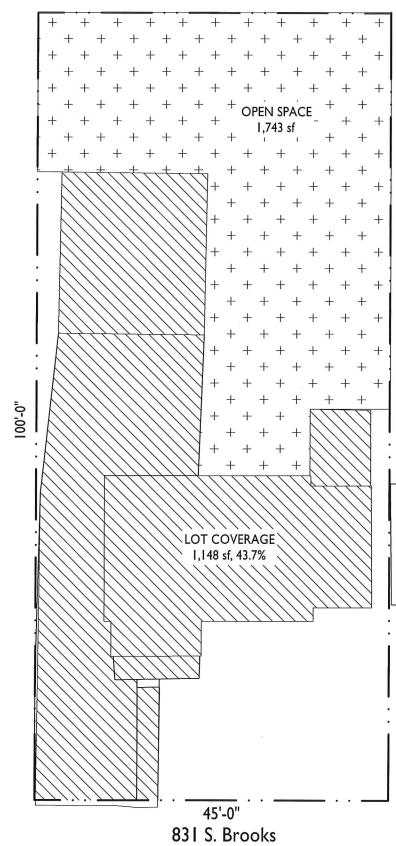
Thank you for your time reviewing our proposal.

Sincerely,

J. Randy Bruce, AIA Managing Member



FIRST FLOOR PLAN
LOT DIMENSIONS / BUILDING SETBACKS



LOT COVERAGE / OPEN SPACE



Two-Stors Single-from y Home Silb yHrd settlack for 122 Shrs Schron

5'-0" Required
2'-2" Provided
2'-10" VARIANCE

ISSUED
Issued for Zoning Board of Appeals - October
2015

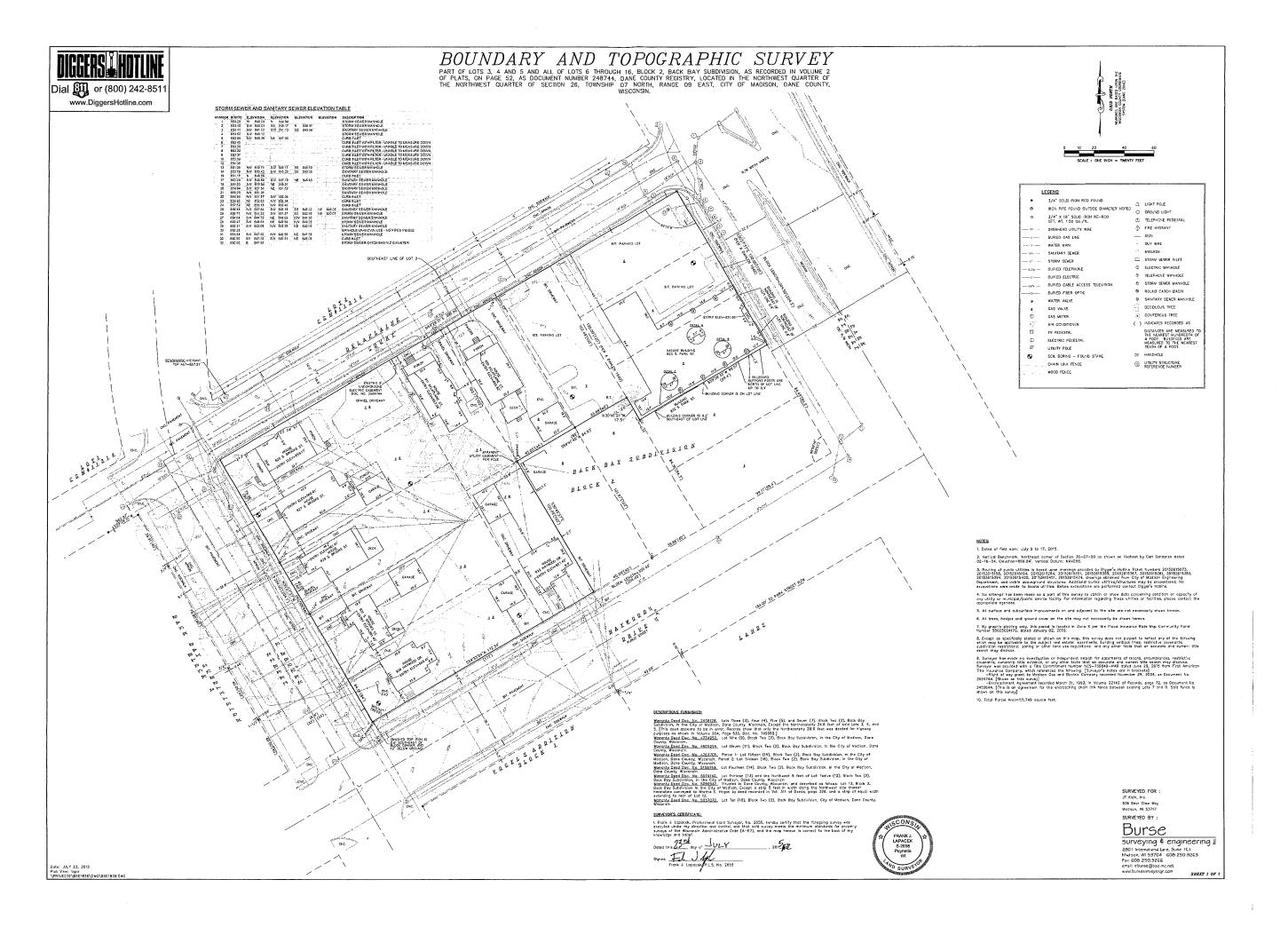
PROJECT TITLE
S. PARK STREET
& HAYWOOD
DRIVE

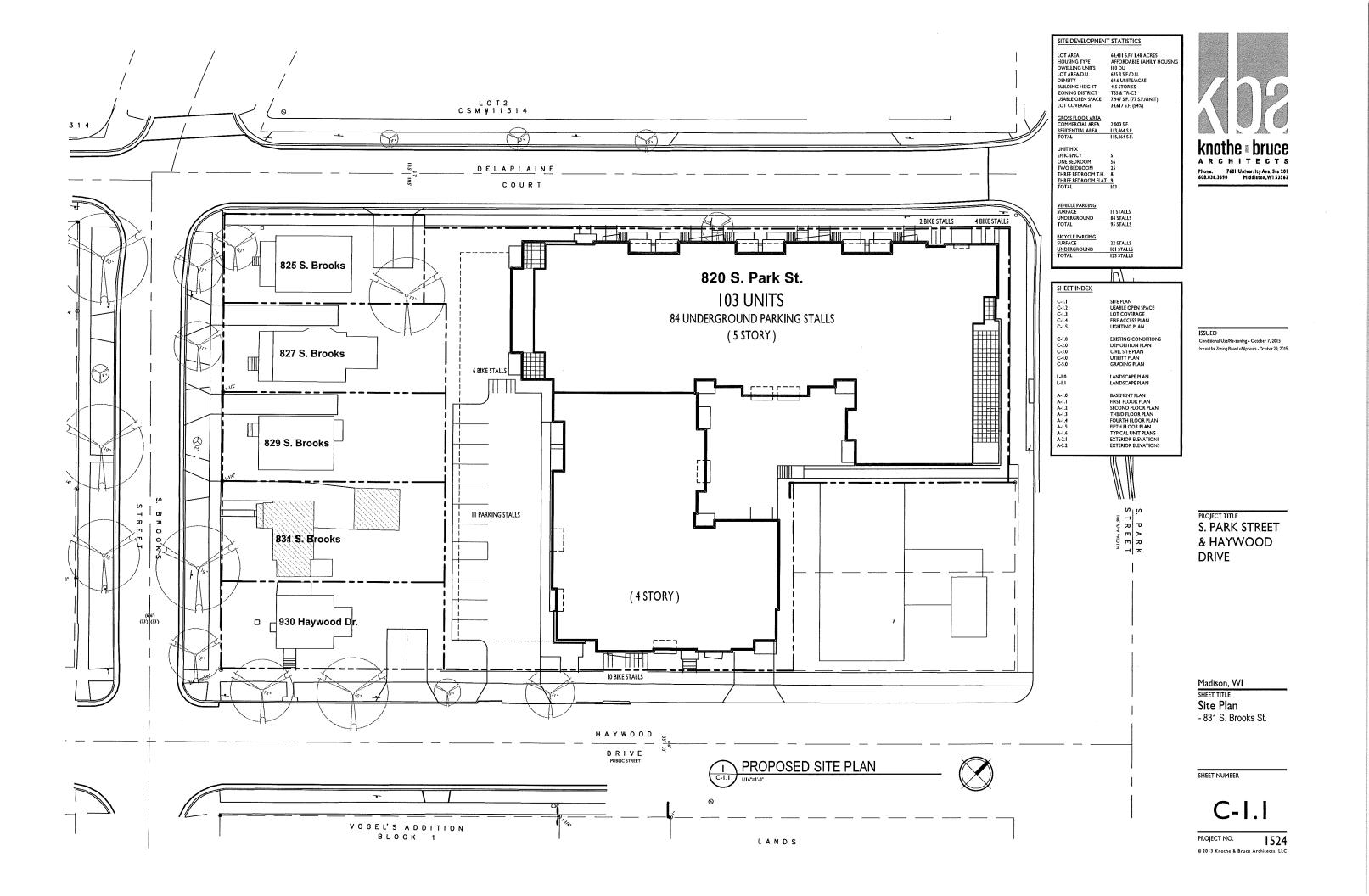
Madison, WI
SHEET TITLE
Zoning Analysis
and Proposed
Improvements 831 S. Brooks

SHEET NUMBER

A-1.

PROJECT NO.



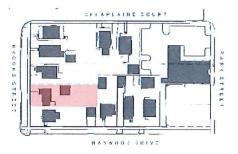


## 831 S. Brooks St.

October 28, 2015

#### **SUMMARY**

The existing sunroom on the south side yard.





**BROOKS ST. ELEVATION** 



VIEW FROM 930 HAYWOOD DR.



**REAR AND SIDE ELEVATION** 



**VIEW FROM BACKYARD**