



**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: 1021 High St. - Madison, WI

Name of Owner: Steven Mckenzie, Vanessa Mckenzie

Address of Owner (if different than above): 4173 County RD P  
Cross Plains, WI 53528

Daytime Phone: ( ) - - - - - Evening Phone: ( ) - - - - -

Email Address: - - - - -

Name of Applicant (Owner's Representative): Ryan Schultz - OpeningDesign

Address of Applicant: 316 W. Washington Ave. Suite 675  
Madison, WI 53703

Daytime Phone: 773.425.6456 Evening Phone: 773.425.6456

Email Address: ryan@openingdesign.com

**Description of Requested Variance:**

Through this application, we are requesting a variance on the required 7ft side yard setback (*as outlined in Section 28.042 TR-C1 District*) for a new 2nd floor residential addition. To avoid costly structural work and an oddly shaped home, on the west side of the house, we would like to align the new 2nd floor wall directly above the existing 1st floor wall. Although an official CMS has yet to be drafted at the time of this application, per scaled measurements via the Dane County GIS aerals, we estimate the existing, west facing, 1st floor wall is 5 to 6 from the property line. The proposed 2 story house will be an owner occupied, single family residence.

*(See reverse side for more instructions)*

**FOR OFFICE USE ONLY**

Amount Paid: <u>\$ 300 -</u>	Hearing Date: <u>10-18-2018</u>
Receipt: <u>003201-0007</u>	Published Date: <u>10-11-2018</u>
Filing Date: <u>9-27-18</u>	Appeal Number: _____
Received By: <u>JEM</u>	GQ: _____
Parcel Number: <u>0709-767-1629-7</u>	Code Section(s): _____
Zoning District: <u>TR-C1</u>	_____
Alder District: <u>13- <del>AR</del> ARAGON</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.

This existing 55ft wide lot is relatively narrow compared to the majority of lots in the surrounding Bay Creek neighborhood.

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With an existing driveway along the sideyard, for access to the backyard garage, the remaining space for a house has resulted in an existing home where the west wall is relatively close to the lot line.

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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.

Considering, within a 1 block radius from the property about half of the lots in the area are dedicated to 2 story duplexes and quadplexes that have similar side yard setback conditions, we anticipate the proposed variance will not be contrary to the public's interest. See attached photos of few typical residential structures in the immediate neighborhood.

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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.

Compared to the structural gymnastics necessary to bear a wall and beam above the current kitchen and dining room, significant construction costs will be saved by aligning this 2nd floor west wall directly above the 1st floor wall. In addition, there is more precedence, design-wise in the neighborhood, for aligning the 1st and 2nd floors.

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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.

When the width of the vast majority of residential lots in the Madison area are greater than 55feet, a 7 feet second floor setback is not necessarily burdensome. With these older, narrows lots, however, there is a relative hardship in accommodating a modest 2 story residence within the required setbacks.

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

Although we hope to have an official CMS by the scheduled ZBA meeting, we guesstimate the current setback is between 5 or 6 feet. With an anticipated variance of 1 or 2 feet, and considering the narrow 55ft lot and other neighborhood precedents for narrower side yard setbacks, we do not anticipate an unusual or substantial detriment to the adjacent property.

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

Compared to the design topologies of the surrounding homes, the flat roof design of the existing 1-story residence is relative oddity, design-wise. There is more precedence, within the immediate neighborhood, where the roof ridge runs parallel with the street, and the gable ends face the side yards.

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## 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"/>	<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 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 type="checkbox"/> Lot lines</li><li><input type="checkbox"/> Existing and proposed structures, with dimensions and setback distances to all property lines</li><li><input type="checkbox"/> Approximate location of structures on neighboring properties adjacent to variance</li><li><input type="checkbox"/> Major landscape elements, fencing, retaining walls or other relevant site features</li><li><input type="checkbox"/> Scale (1" = 20' or 1' = 30' preferred)</li><li><input type="checkbox"/> North arrow</li></ul>
<input 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 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 type="checkbox"/>	<b>CHECK HERE.</b> I acknowledge any statements implied as fact require supporting evidence.
<input 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: \_\_\_\_\_

*Steve McKeen*

Date: 09/27/2018

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

### DECISION

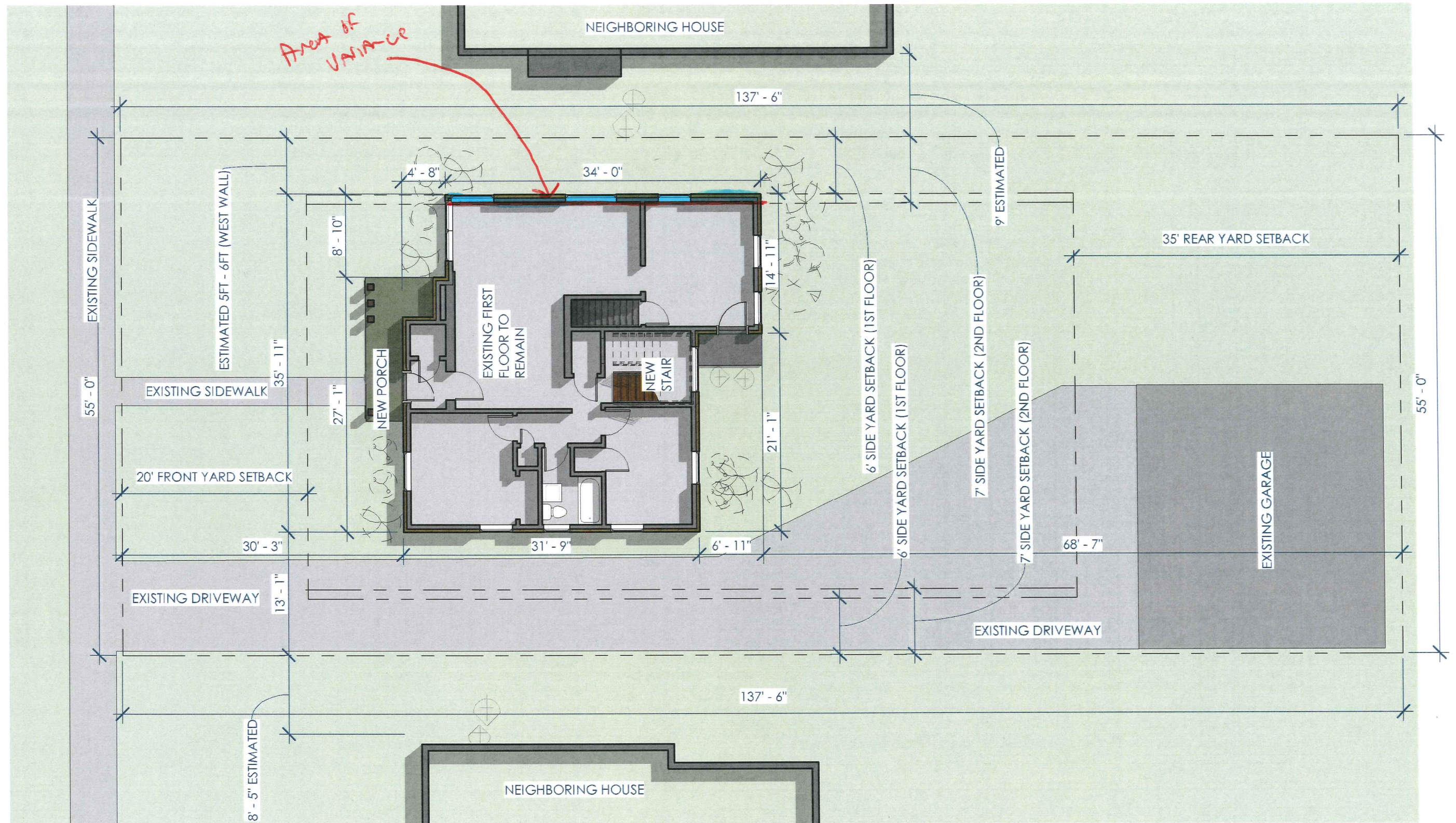
The Board, in accordance with its findings of fact, hereby determines that the requested variance for \_\_\_\_\_ (is) (is not) in compliance with all of the standards for a variance. Further findings of fact are stated in the minutes of this public hearing.

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

Zoning Board of Appeals Chair: \_\_\_\_\_

Date: \_\_\_\_\_





1 SITE PLAN  
3/32" = 1'-0"



General Contractor: Legacy Custom Remodeling

7602 Riverside Rd. | Verona, WI 53593

josh@legacycr.com | 608-279-8764 | legacycr.com



Architect: Opening Design

316 W. Washington Ave. | Suite 675 | Madison, WI 53703

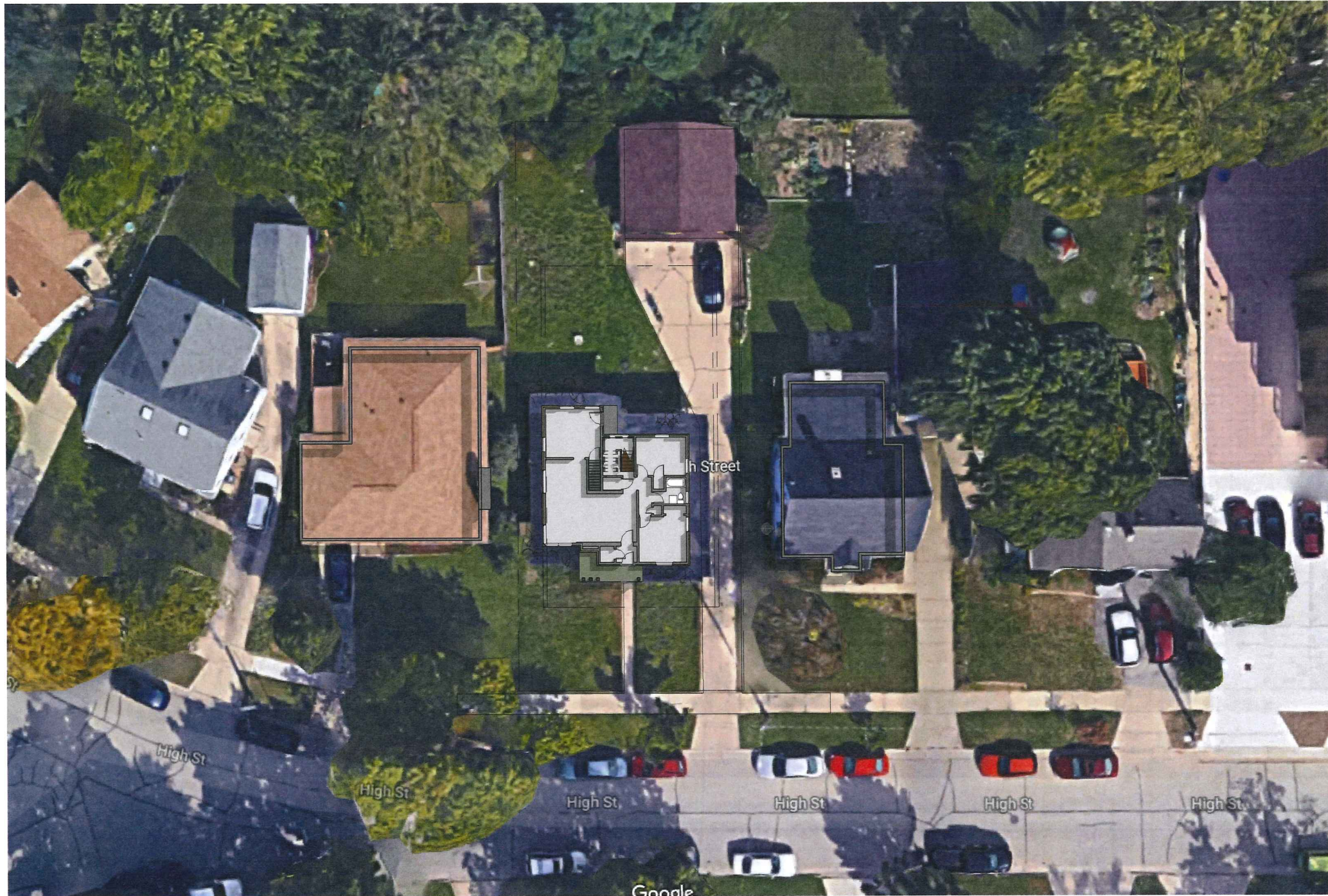
ryan@openingdesign.com | 773.425.6456

Single-story Single-Family home  
2nd story addition  
Side Yard  
7'-0" Required  
6'-0" Provided  
1'-0" Variance



BAY CREEK RESIDENCE - 10/18/2018  
1021 HIGH ST - MADISON, WI 53715  
SITE PLAN - (A001)





① SITE PLAN - VISCINITY AERIAL  
1" = 30'-0"



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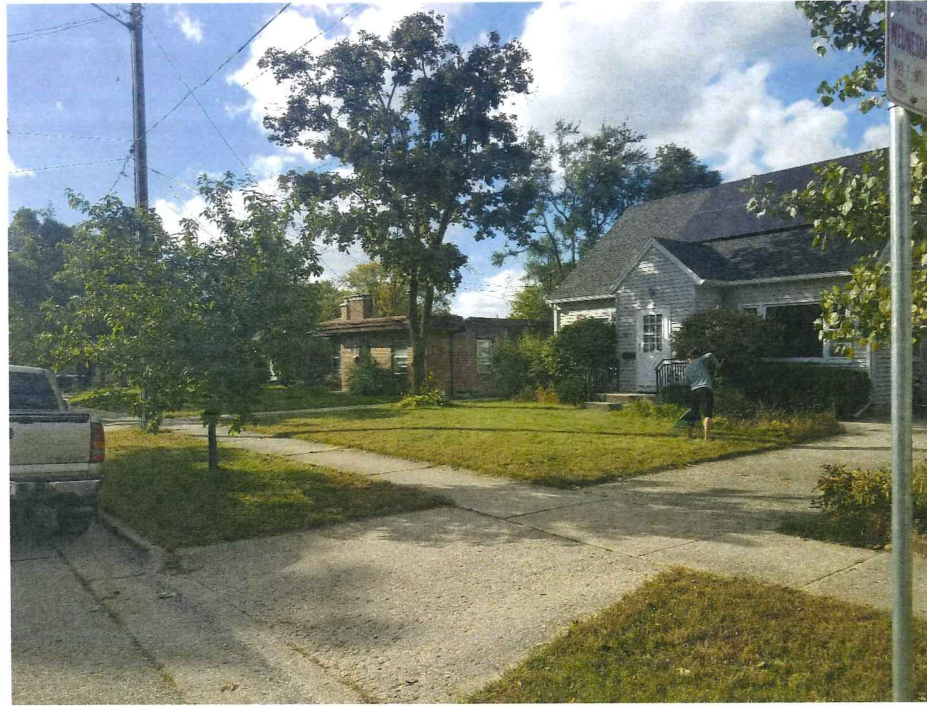


BAY CREEK RESIDENCE - 10/18/2018  
1021 HIGH ST - MADISON, WI 53715  
VICINITY AERIAL - (A000)





FROM STREET/SIDEWALK LOOKING NORTHEAST



STREET/SIDEWALK LOOKING NORTHWEST



FROM STREET/SIDEWALK LOOKING NORTH



BACK YARD - LOOKING SOUTH - WEST LOT LINE



STREET/SIDEWALK LOOKING NORTH - WEST LOT LINE



WEST LOT LINE - BETWEEN HOUSES - LOOKING NORTH



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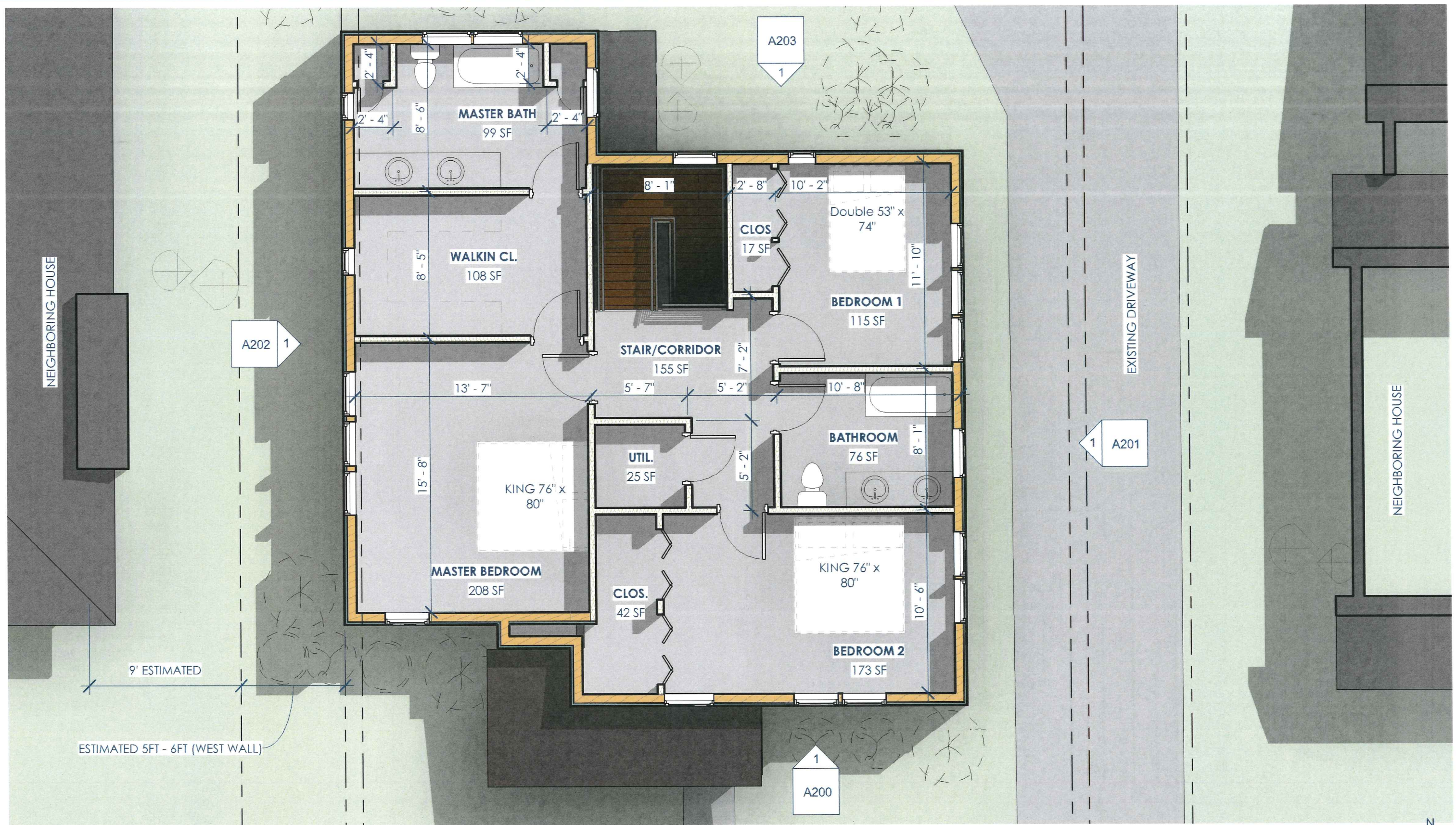
ryan@openingdesign.com | 773.425.6456

BAY CREEK RESIDENCE - 10/18/2018  
1021 HIGH ST - MADISON, WI 53715  
PHOTOS OF EXISTING HOUSE - (A050)









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**Architect:** OpeningDesign

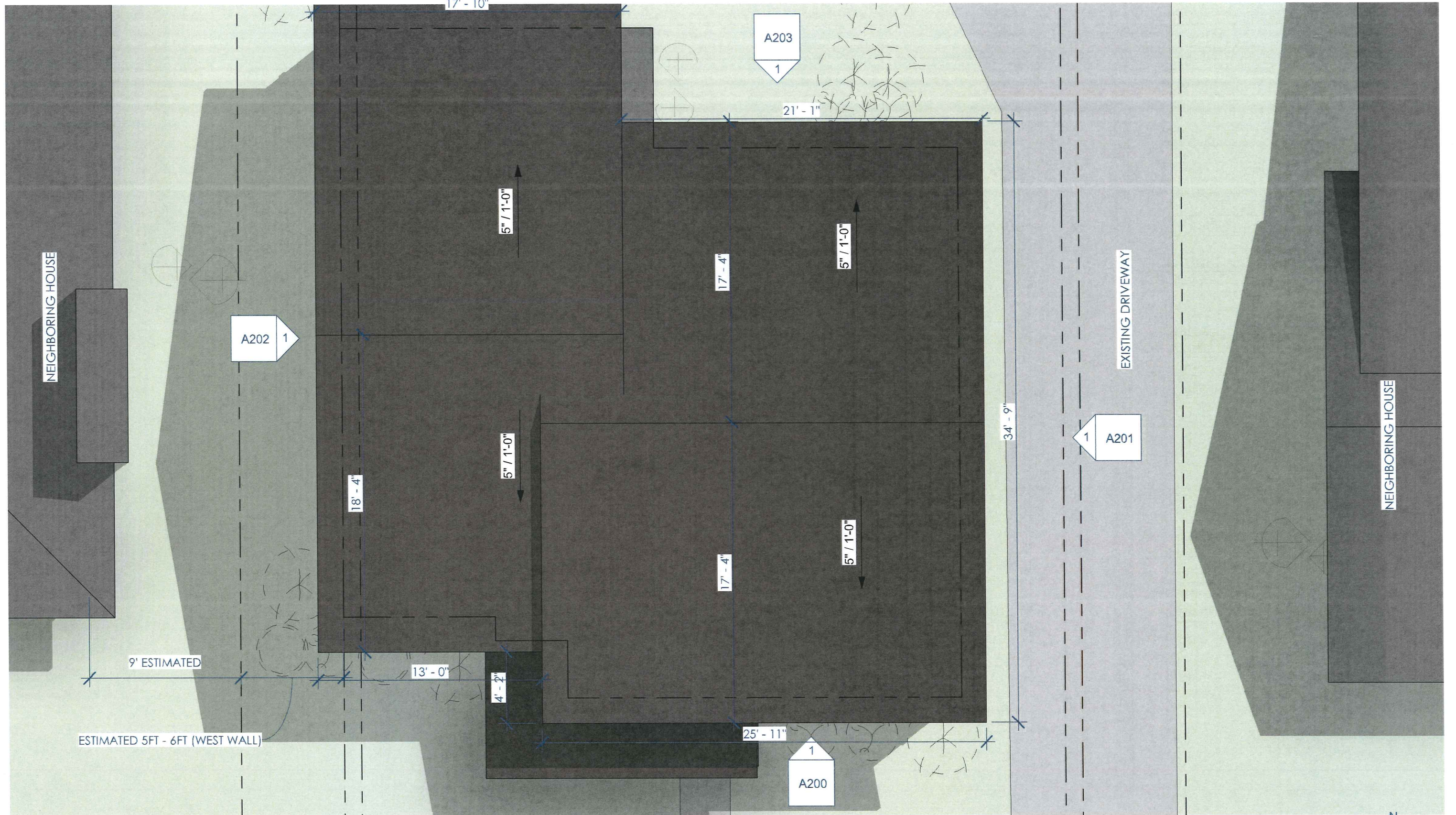
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**BAY CREEK RESIDENCE - 10/18/2018**  
**1021 HIGH ST - MADISON, WI 53715**  
**FLOOR PLAN - 2ND FLOOR - (A102)**





**General Contractor:** Legacy Custom Remodeling

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**Architect:** OpeningDesign

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BAY CREEK RESIDENCE - 10/18/2018  
1021 HIGH ST - MADISON, WI 53715  
ROOF PLAN - (A104)





General Contractor: Legacy Custom Remodeling

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Architect: Opening Design

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BAY CREEK RESIDENCE - 10/18/2018  
1021 HIGH ST - MADISON, WI 53715  
ELEVATION SOUTH - (A200)





General Contractor: Legacy Custom Remodeling

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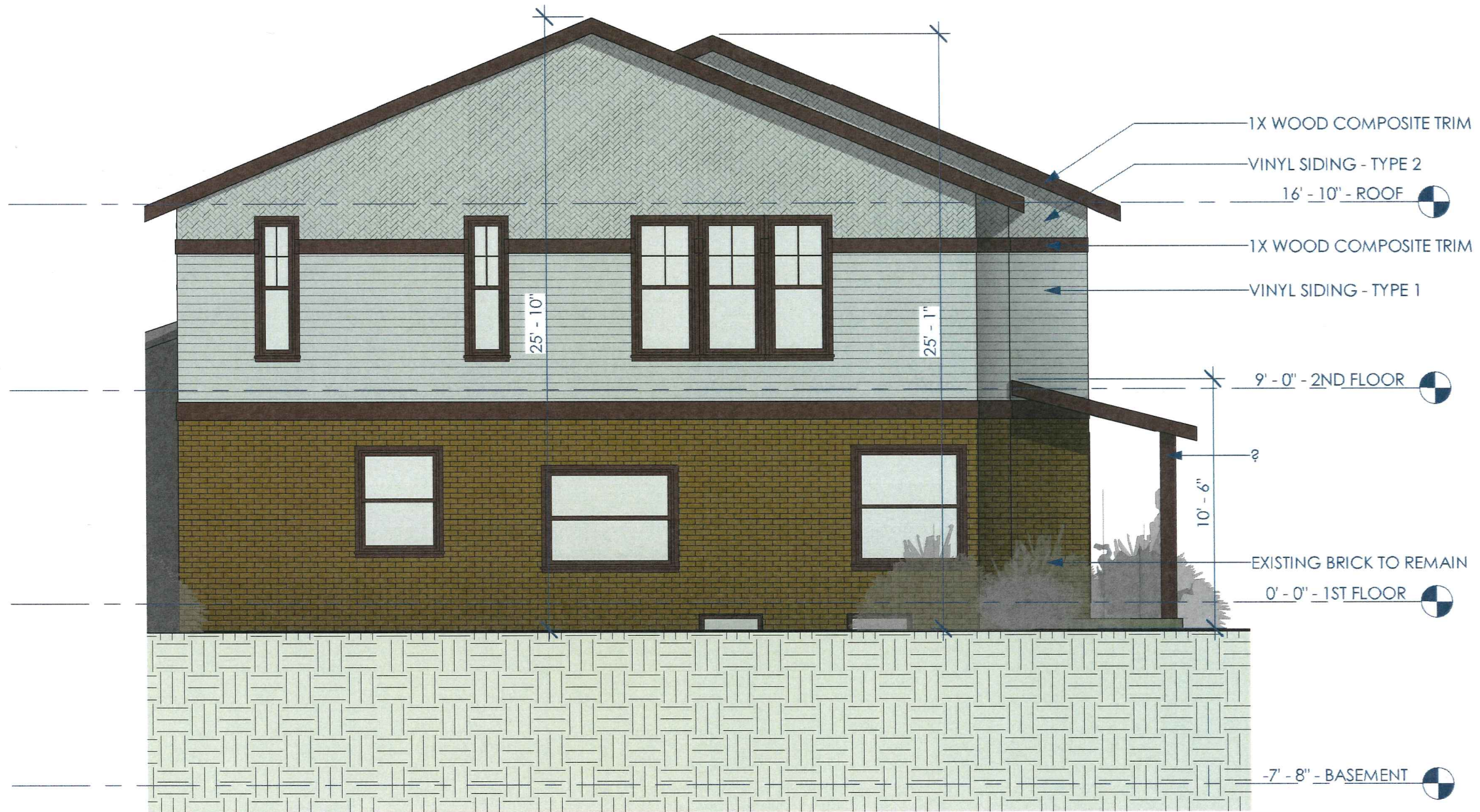
Architect: Opening Design

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BAY CREEK RESIDENCE - 10/18/2018  
1021 HIGH ST. - MADISON, WI 53715  
ELEVATION EAST - (A201)





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BAY CREEK RESIDENCE - 10/18/2018  
1021 HIGH ST - MADISON, WI 53715  
ELEVATION WEST - (A202)





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BAY CREEK RESIDENCE - 10/18/2018  
1021 HIGH ST - MADISON, WI 53715  
ELEVATION NORTH - (A203)





② PERSPECTIVE - LOOKING NORTHEAST



① PERSPECTIVE - LOOKING NORTHWEST



③ PERSPECTIVE - LOOKING SOUTHEAST



④ PERSPECTIVE - LOOKING SOUTHWEST



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Architect: Opening Design

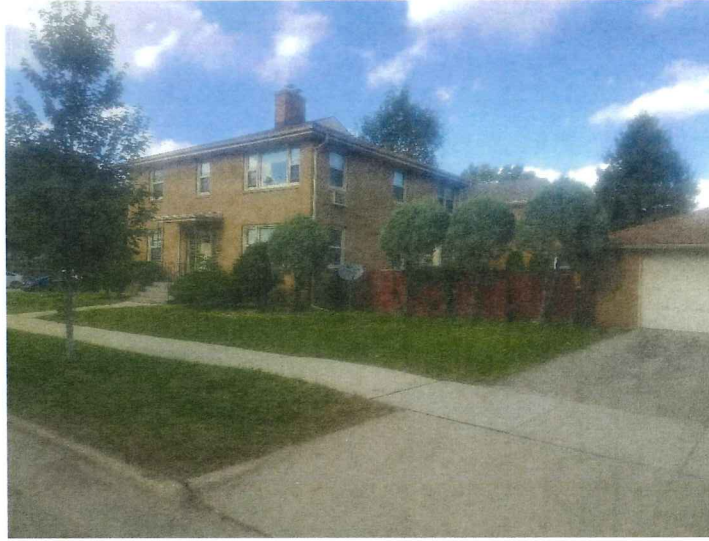
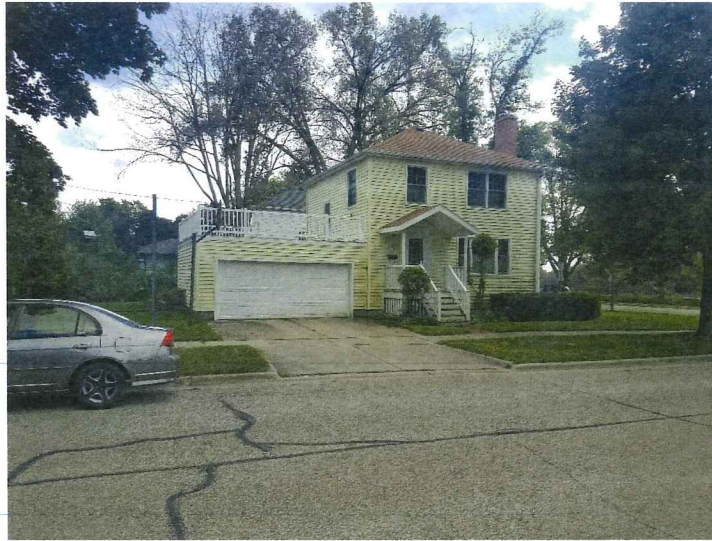
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BAY CREEK RESIDENCE - 10/18/2018  
1021 HIGH ST - MADISON, WI 53715  
3D PERSPECTIVES - (A500)



C



B



A



General Contractor: Legacy Custom Remodeling

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BAY CREEK RESIDENCE - 10/18/2018

1021 HIGH ST - MADISON, WI 53715

PHOTOS EXISTING RESIDENCES IN THE NEIGHBORHOOD - (A600)