



**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: 2522 Chamberlain Ave

Name of Owner: Judy Woodburn and Kent Harris

Address of Owner (if different than above): _____

Daytime Phone: _____ Evening Phone: _____

Email Address: _____

Name of Applicant (Owner's Representative): Sam Breidenbach (TDS Custom Construction)

Address of Applicant: 1431 Northern Ct
Madison, WI. 53703

Daytime Phone: 608-669-8371 Evening Phone: _____

Email Address: sam@tdscustomconstruction.com

Description of Requested Variance:

Owner wishes to enclose 90 SF of a 145 SF existing open front porch with full height screens and one screen door. The screen system is designed to be installed, complimenting existing guard rails. The relatively tight existing three stair treads to grade will be rebuilt with four treads and new guard and hand rails for a safer transition.

(See reverse side for more instructions)

FOR OFFICE USE ONLY

Amount Paid: \$300

Receipt: 088277-0005

Filing Date: 2/20/19

Received By: [Signature]

Parcel Number: 0709-211-1226-8

Zoning District: TR-C2

Alder District: S-Bider-Siedlaff

Hearing Date: 2/21/2019

Published Date: 3/14/2019

Appeal Number: _____

GQ: ZBA

Code Section(s): 28.043(2)

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"): <ul style="list-style-type: none"> <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 checked="" type="checkbox"/>	CHECK HERE. I acknowledge any statements implied as fact require supporting evidence.
<input checked="" 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:

Spencer P. Woodburn

Date:

Feb 20, 2019

----- (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:

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.

Subject property has a front yard setback of 16.1' to open front porch

There are 12 properties on the same side of Chamberlain, 5 of which have enclosed porches.

--2 of the 5 have a front yard setback of 17'

--1 of the 5 has a front yard setback of 18'

--1 of the 5 has a front setback of 16'

--1 of the 5 has a front setback of 15.6'

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 average front yard setback of the 12 properties is 18'. We are requesting a 2' variance when average is factored in. The spirit of this entire block is a blend of open and enclosed porches, whose purpose is not contrary to our proposal. In the TR-C2 district open front porches are allowed to project 7' into the required 20' front yard setback. The intent of our proposal is to keep approximately 38% of the existing porch open.

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.

In addition to the reasons stated above, the strict letter of the ordinance does prevent Owner from reasonably using a portion of the existing porch for a permitted use, especially when approximately 40% of the homes along the block already incorporate a similar permitted use that is not compliant with the setbacks for this district.

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 Owner wishes to have a similar function and permitted use as 40% of their neighbors. The purpose of pursuing this variance is to avoid being adversely impacted by the strict letter of the ordinance.

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

Due to the average setback of 18' on this block for enclosed and open structures the impact would not be detrimental to adjacent properties, in addition to aforementioned reasons.

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

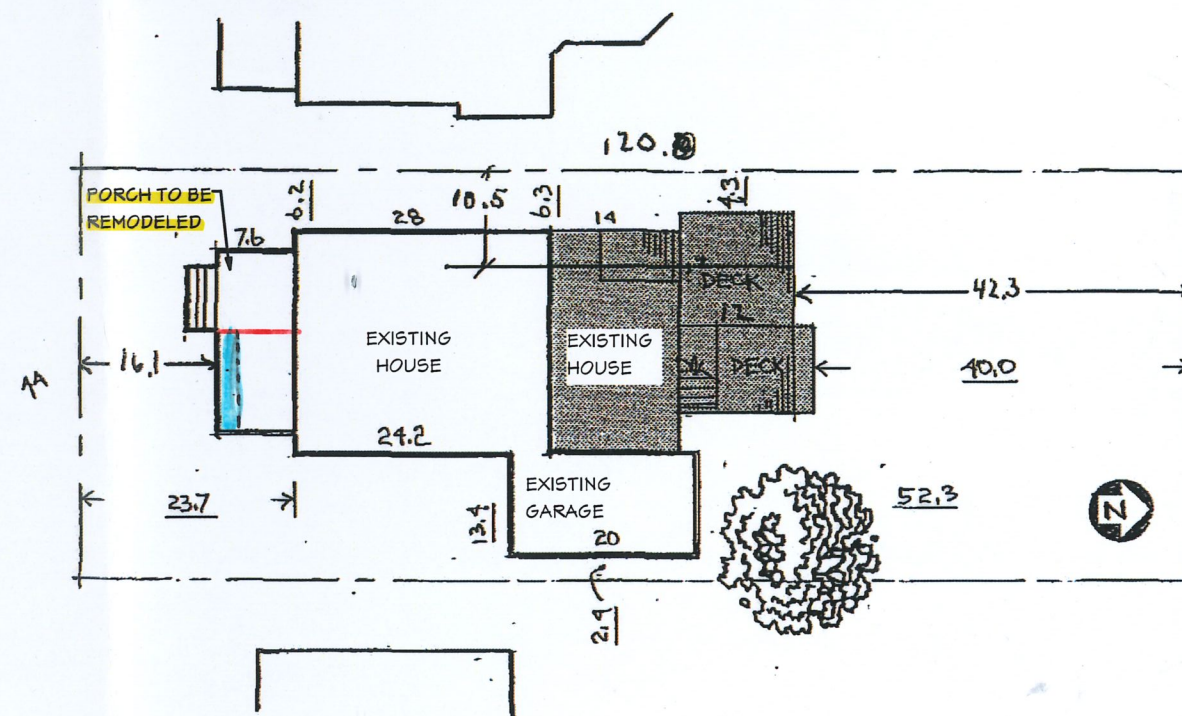
Our proposed design compliments other adjacent properties on both sides of Chamberlain with similar function and design. The existing decorative elements of the porch (guard rails, columns, and lattice) will be prominent, with new screens installed on interior side of the elements.

Two-Story Single Family Home
 Enclose Portion of Existing Open Front Porch
 Front Yard

18'-1" Required

16'-1" Provided

2'-0" Variance



SITE PLAN

FROM CERTIFIED SURVEY 9/23/19

PRELIMINARY - NOT FOR CONSTRUCTION



1431 NORTHERN CT
 MADISON, WI 53703
 P 608.251.1814

PORCH & BUILT-INS

Judy Woodburn & Kent Harris
 2522 Chamberlain Ave
 Madison, WI, 53705

SITE PLAN

OWNER APPROVAL

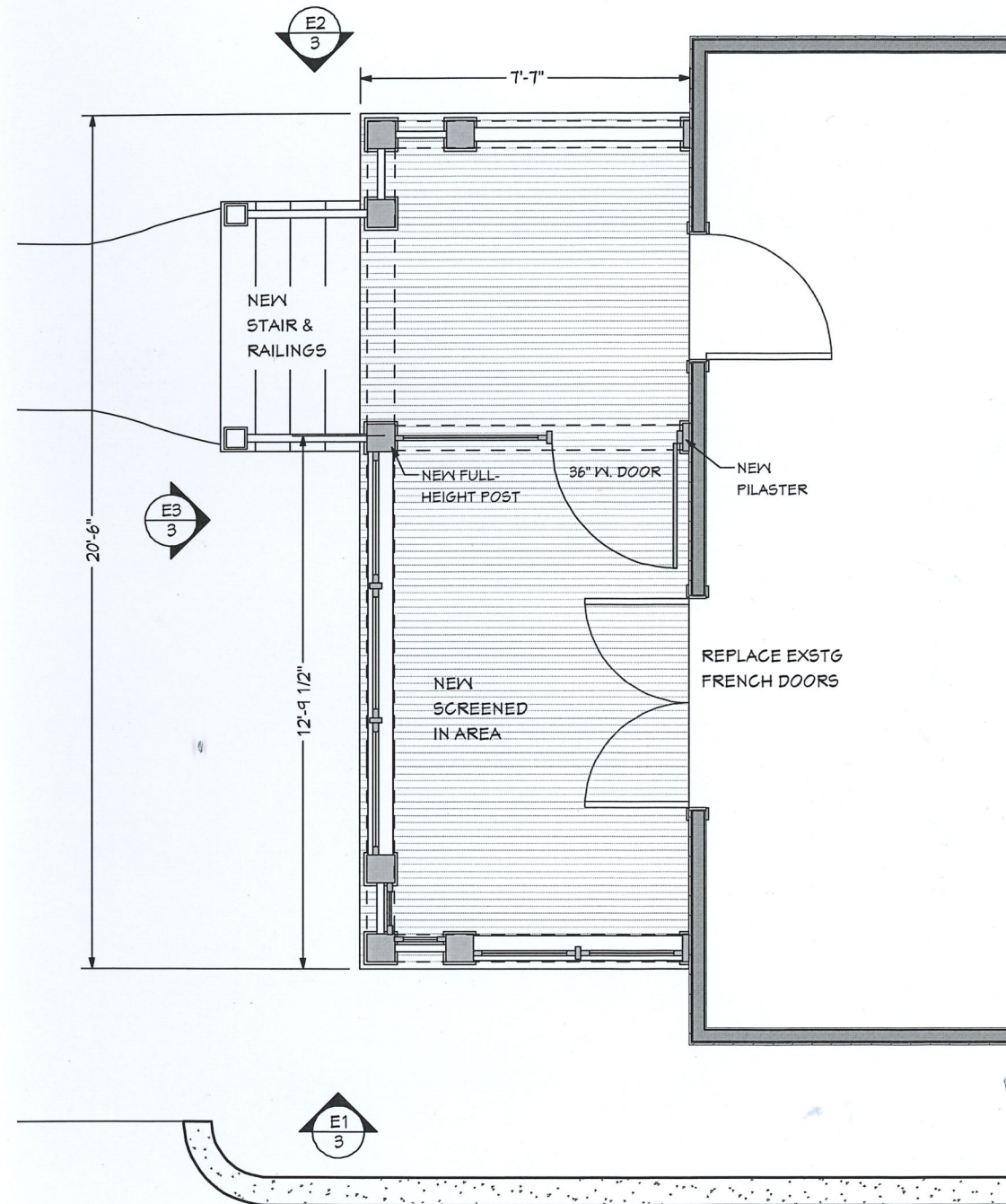
DRAWN BY: CLW

DATE: 03/5/2019

SHEET NO.

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OF 3



1 PORCH PLAN
2 SCALE: 1/4" = 1'-0"

PRELIMINARY - NOT FOR CONSTRUCTION



1431 NORTHERN CT
MADISON, WI 53703
P 608.251.1814

PORCH & BUILT-INS

Judy Woodburn & Kent Harris
2522 Chamberlain Ave
Madison, WI, 53705

**PORCH PLAN &
RENDERINGS**

OWNER APPROVAL

DRAWN BY: CLW

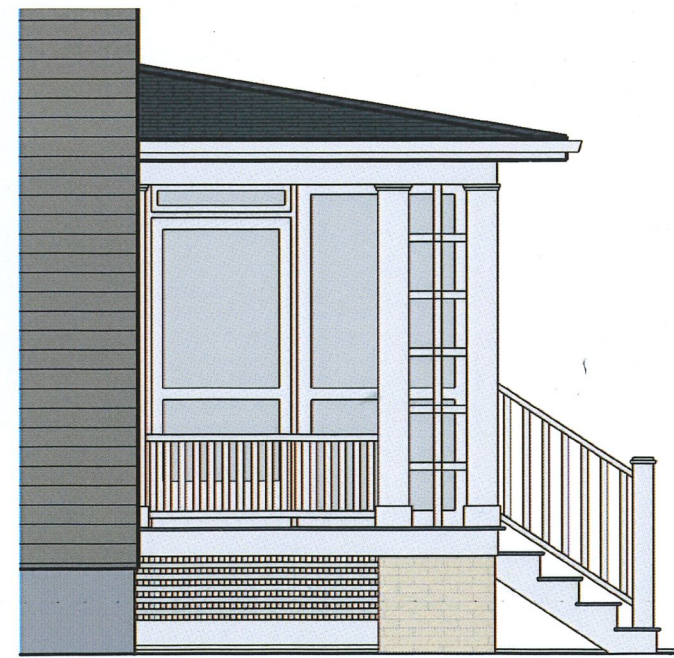
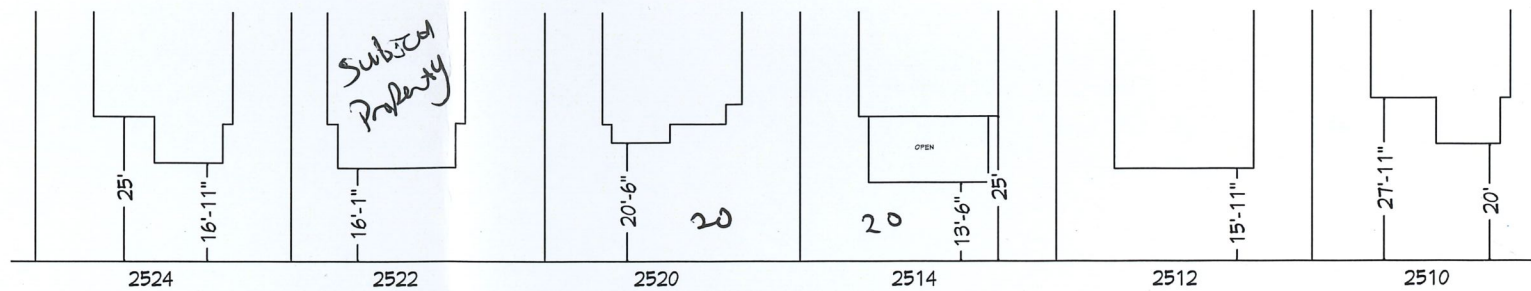
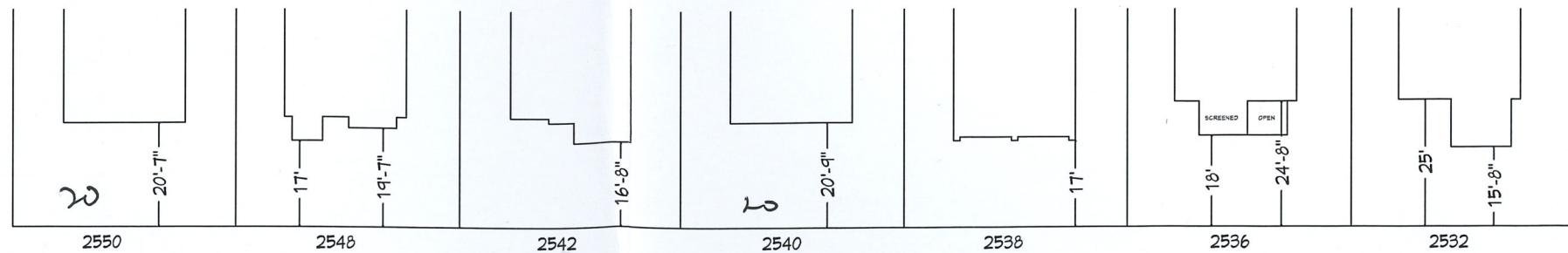
DATE: 03/5/2019

SHEET NO.

2

OF 3

Setback average = 18'-1"



PRELIMINARY - NOT FOR CONSTRUCTION

TD Custom
CONSTRUCTION

1431 NORTHERN CT
MADISON, WI 53703
P 608.251.1814

PORCH & BUILT-INS

Judy Woodburn & Kent Harris
2522 Chamberlain Ave
Madison, WI, 53705

**ELEVATIONS &
ADJACENT PROPERTIES**

DATE: 03/5/2019

DRAWN BY: CLW

OWNER APPROVAL

SHEET NO.

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OF 3