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: 2224 Waunona Way, Madison, WI 53713

Name of Owner: Brian & Annette Hellmer

Address of Owner (if different than above):

Daytime Phone: 608-239-5686 Evening Phone: 608-239-5686

Email Address: brian@hellmerfamily.com

Name of Applicant (Owner's Representative):

Address of Applicant:

Daytime Phone: Evening Phone:

Email Address:

Description of Requested Variance: We are requesting a variance to be able to address issues related to the elevated deck off the back of our house (which faces Lake Monona). The current deck is both too small to be functional and in need of repairs. Zoning rule changes subsequent to the house being built do not allow for permits to be granted. We are seeking a variance that would allow us to construct a new deck that is further back from the lake but is more functional in that it would facilate us having both a grill and a table and chairs on the deck.

(See reverse side for more instructions)

FOR OFFICE USE ONLY

Amount Paid:	$300	Hearing Date:	4/18/19
Receipt:	089320-0003	Published Date:	4/11/19
Filing Date:	3/21/19	Appeal Number:	
Received By:	TWS	GQ:	Lakefront, C.U.
Parcel Number:	0710-194-0201-6	Code Section(s):	28.138 (4) (a)
Zoning District:	TR-C1		
Alder District:	14-Carter		

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.

   Our propoerty is unique in that since the construction of the house the ordinances have changed making our current deck non-conforming. It is on Lake Monona and is subject to the calculation of setback that disadvantages us given the curve of the shoreline.

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 request is consistent with the current regulations as our proposed deck would not interfere with our neighbors site lines, pulls the front edge of the deck back further from the lake, would improve the aesthics of the home, and would make the deck functional in that it could support both a grill and a table/chairs.

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 current ordiance would not allow us to addres it's functional limitations or obtain permits to to maintain the current deck. It's current size does not support normal use and detracts from the value of the house.

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.

   Yes - the terms of the ordinance do not allow the current deck to exist at all. The curve of the shoreline combined combined with the setback rules do not technically allow any deck to exist despite the fact that it does not create any sight line issues for our neighbors.

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

   It will not. The proposed variance does not create any sight line issues for neighbors and actually pulls the front edge of the desk back from the lake by roughly 1 foot.

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

   Yes - our new deck will better match the aesthitics of the neiighborhood by stretching across the back of the house, and will allow the deck to have the same functionality as other houses in the neighborhood.

Application Requirements

Please provide the following information: Incomplete applications could result in referral or denial by the Zoning Board of Appeals. (Maximum size for all drawings is 11" x 17".)

☒	**Pre-application meeting with staff**: Prior to submittal of this application, the applicant has met to discuss the proposed project and submittal material with the Zoning Administrator.
☒	**Site plan**, drawn to scale. A registered survey is recommended, but not required. Show the following: ❑ 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
☒	**Elevations** from all relevant directions showing existing and proposed views, with notation showing the existing structure and proposed addition(s).
☐	**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).
☐	**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.
☒	**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.
☐	**Variance requests specifically involving slope, grade, or trees.** Approximate location and amount of slope, direction of drainage, location, species and size of trees.
☐	**Digital** copies of all plans and drawings should be emailed to: zoning@cityofmadison.com
☒	**CHECK HERE.** I understand that in order to process my variance application, City Staff will need access to my property so that they can take photographs and conduct a pre-hearing inspection of the property. I therefore give City Staff my permission to enter my property for the purpose of conducting a pre-hearing inspection and taking photographs.
☒	**CHECK HERE.** I acknowledge any statements implied as fact require supporting evidence.
☒	**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: _____ **Date:** 3/21/19

----------(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.

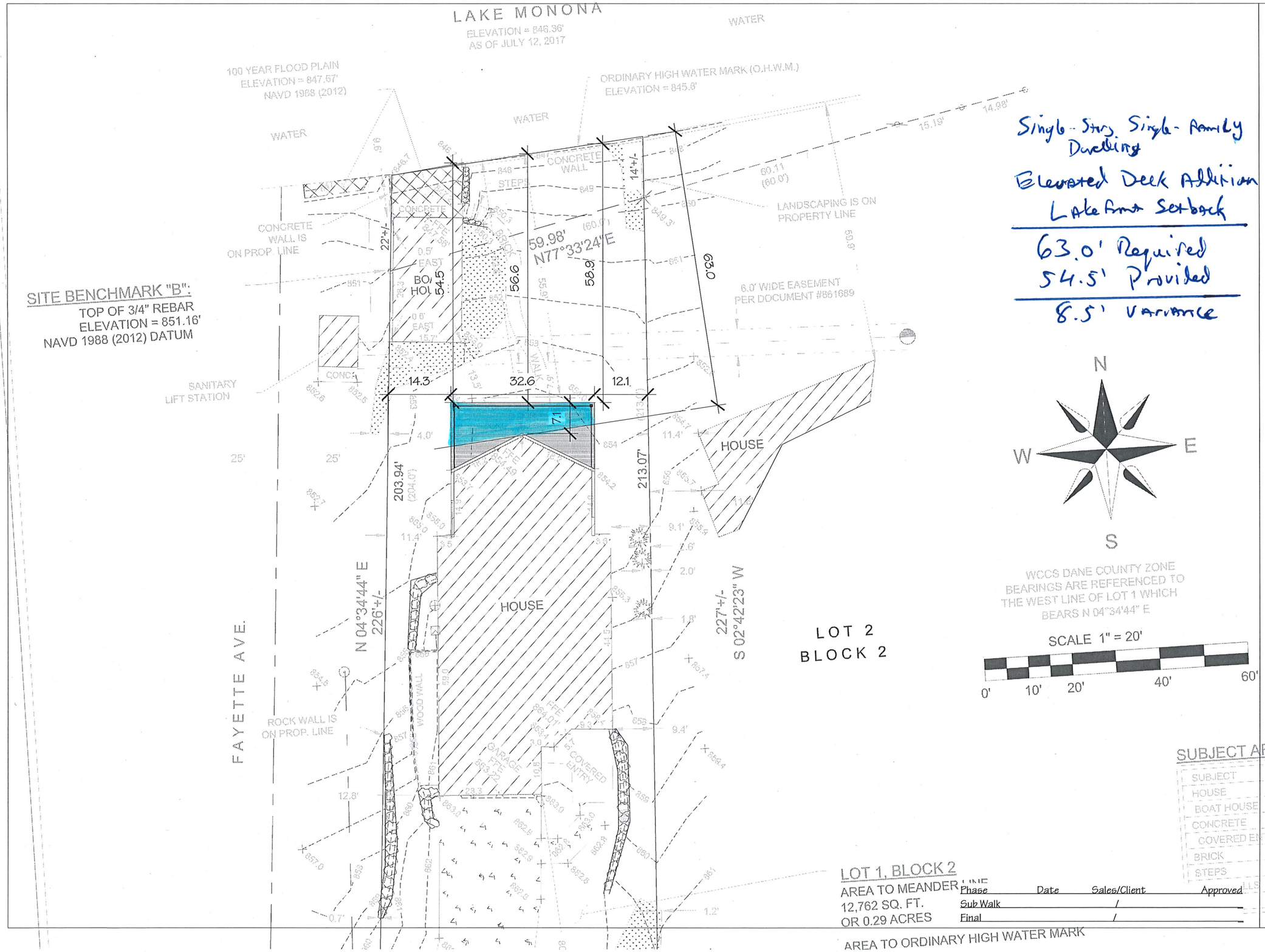
Further findings of fact are stated in the minutes of this public hearing.

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

Zoning Board of Appeals Chair: **Date:**

Tucker, Matthew

To: Brian Hellmer
Cc: Annette Hellmer
Subject: RE: Pictures - 2224 Waunona Way Deck - Hellmer



Single-Story Single-Family Dwelling

Elevated Deck Addition

Lake Front Setback

63.0' Required

54.5' Provided

8.5' Variance

SWEENEY

Dream Design Remodel

1008 Fish Hatchery Road Madison, WI 53715

Phone (608) 257-5034 Fax (608) 257-3003

www.remodelmadison.com

Client: Brian and Annette Hellmer

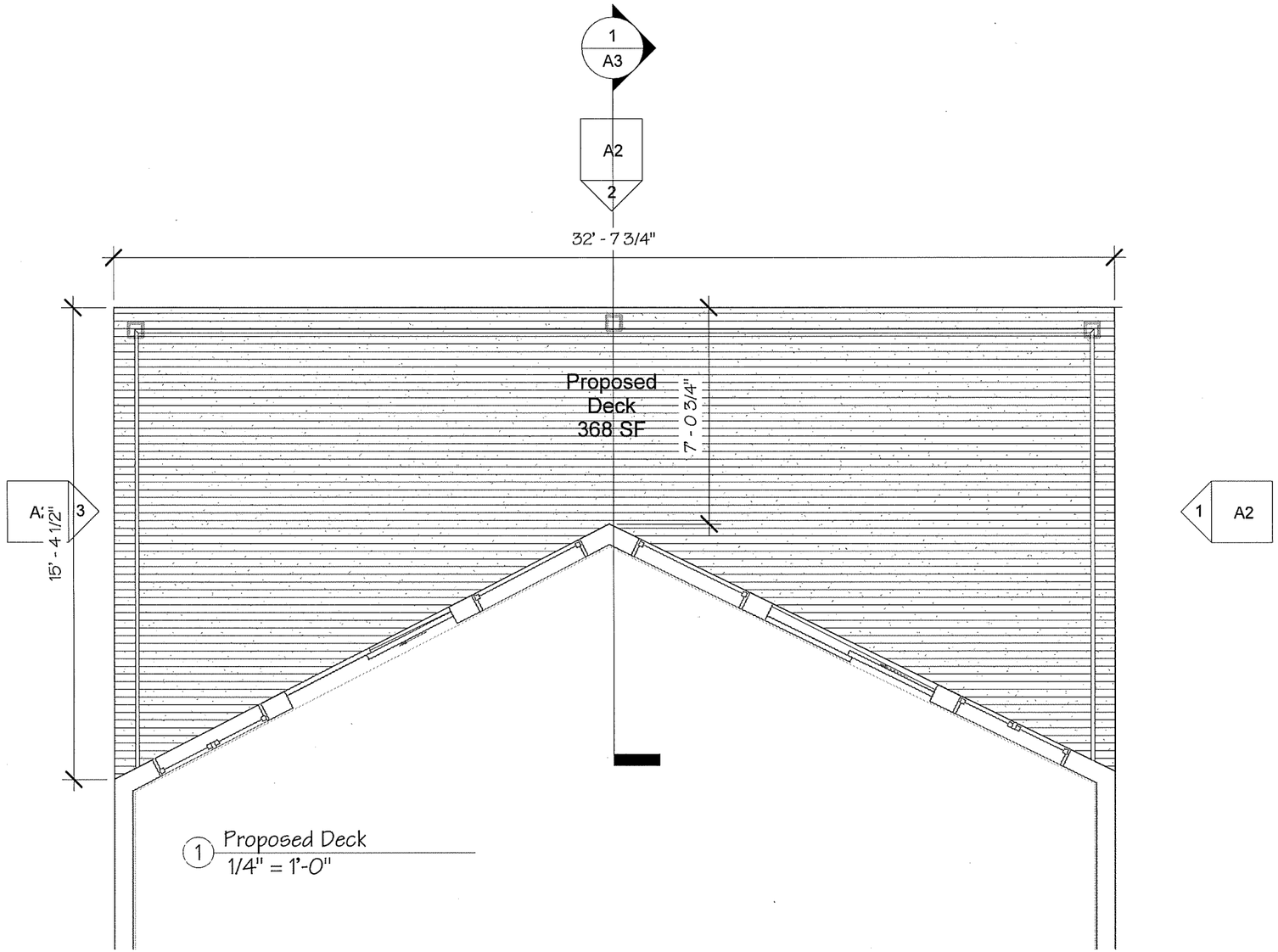
Address: 2224 Waunona Way
Madison, WI 53713

Deck Remodel

Date & Time: 3/12/2019 2:27:27 PM

Drawn by: las

C1



1 Proposed Deck
1/4" = 1'-0"

Preliminary - Not for construction

Phase	Date	Sales/Client	Approved
Sub Walk		/	
Final		/	

SWEENEY
Dream Design Remodel
1008 Fish Hatchery Road Madison, WI 53715
Phone (608) 257-3034 Fax (608) 257-3003
www.remodelmadison.com

Client: Brian and Annette Hellmer

Address: 2224 Waunona Way
Madison, WI 53713
Deck Remodel

Date & Time: 3/12/2019 2:27:25 PM

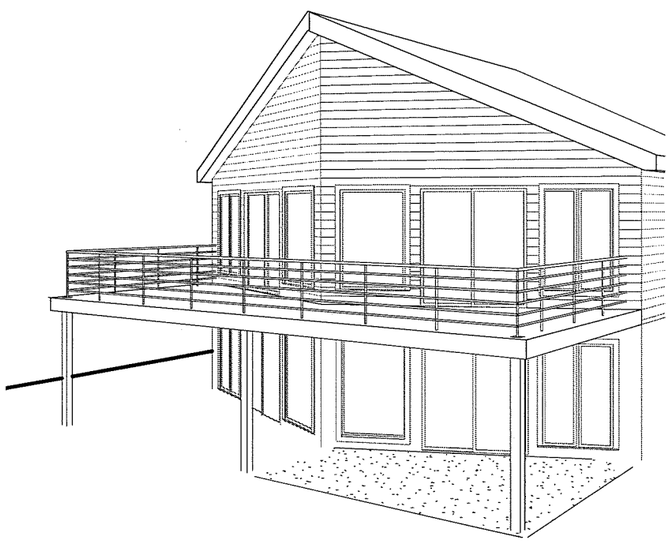
Drawn by: las

A1

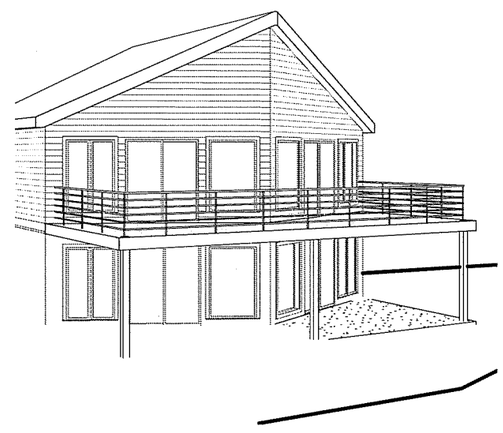
1 East
3/16" = 1'-0"

2 North
3/16" = 1'-0"

3 West
3/16" = 1'-0"



4 3D View 1



5 3D View 2

Final Plan Approval			
Sales	Date	Owner	Date

SWEENEY
Dream Design Remodel
1008 Fish Hatchery Road Madison, WI 53715
Phone (608) 257-3034 Fax (608) 257-3003
www.remodelmadison.com

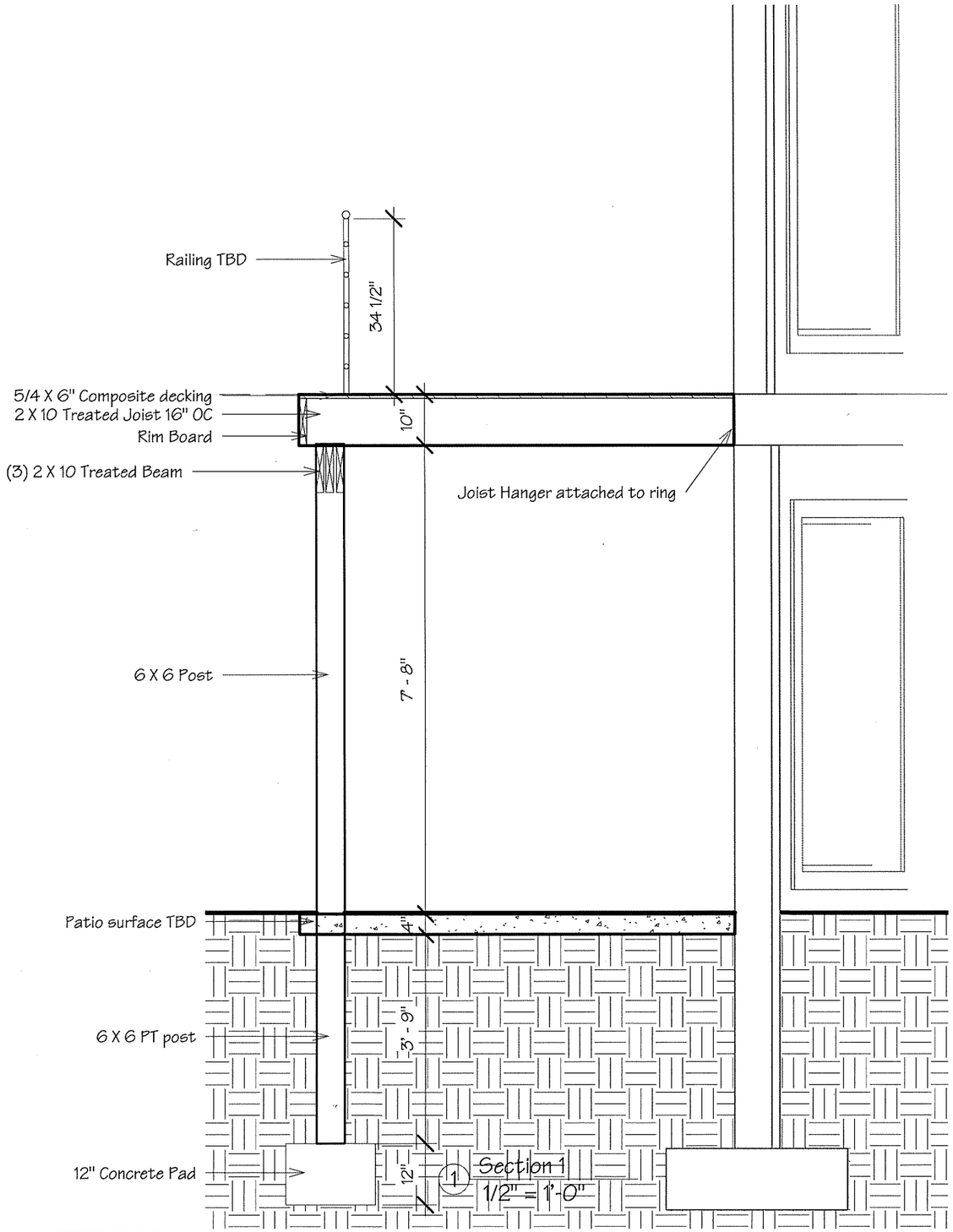
Client: Brian and Annette Hellmer

Address: 2224 Waunona Way
Madison, WI 53713
Deck Remodel

Date & Time: 3/12/2019 2:27:26 PM

Drawn by: las

A2



Final Plan Approval			
Sales	Date	Owner	Date

SWEENEY
Dream Design Remodel
1008 Fish Hatchery Road Madison, WI 53715
Phone (608) 257-3034 Fax (608) 257-3003
www.remodelmadison.com

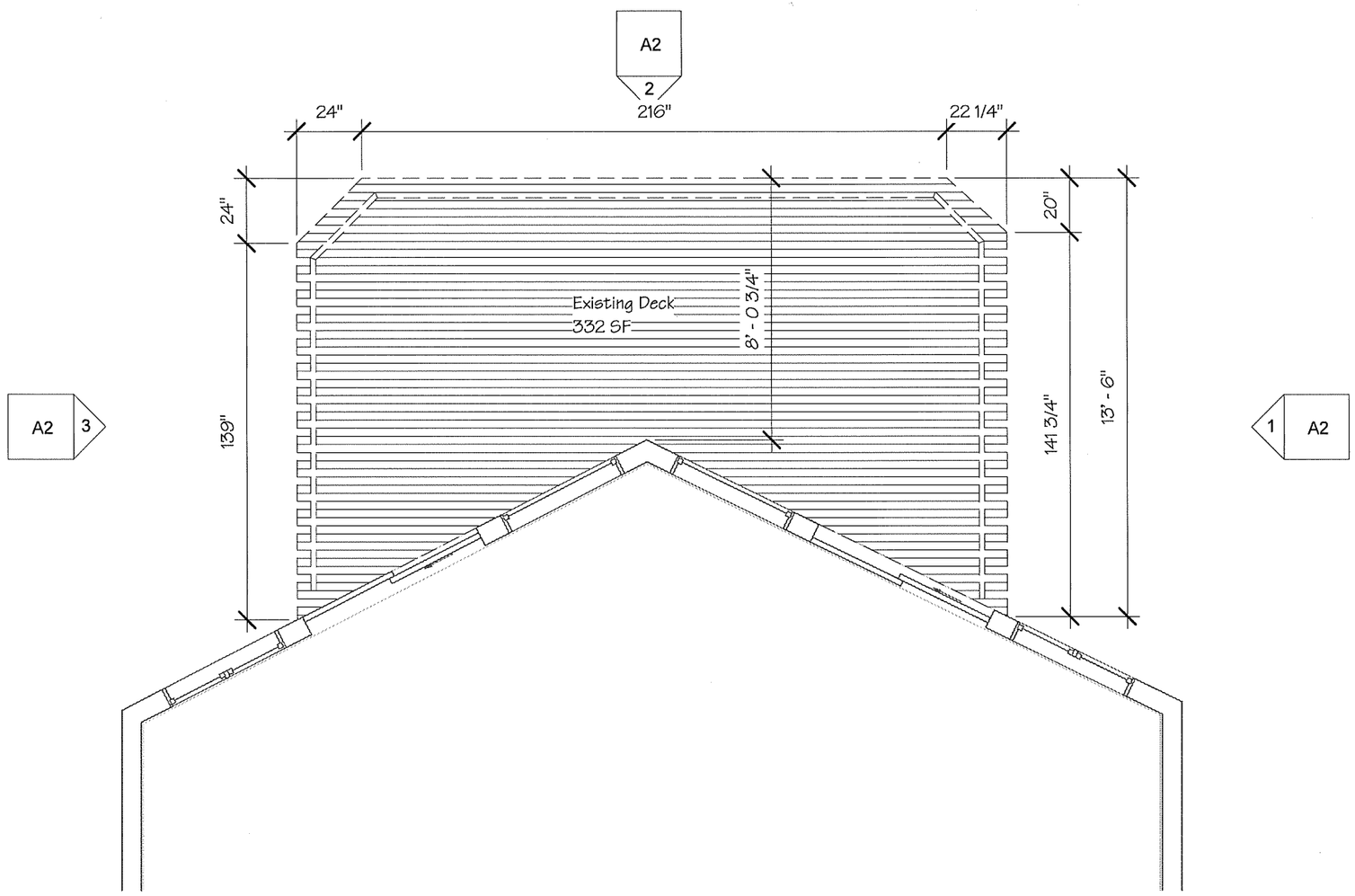
Client: Brian and Annette Hellmer

Address: 2224 Waunona Way
Madison, WI 53713
Deck Remodel

Date & Time: 3/12/2019 2:27:26 PM

Drawn by: las

A3



1 Demo Plan of Deck
1/4" = 1'-0"

Phase	Date	Sales/Client	Approved
Sub Walk		/	
Final		/	

SWEENEY
Dream Design Remodel
1008 Fish Hatchery Road Madison, WI 53715
Phone (608) 257-3034 Fax (608) 257-3003
www.remodelmadison.com

Client: Brian and Annette Hellmer

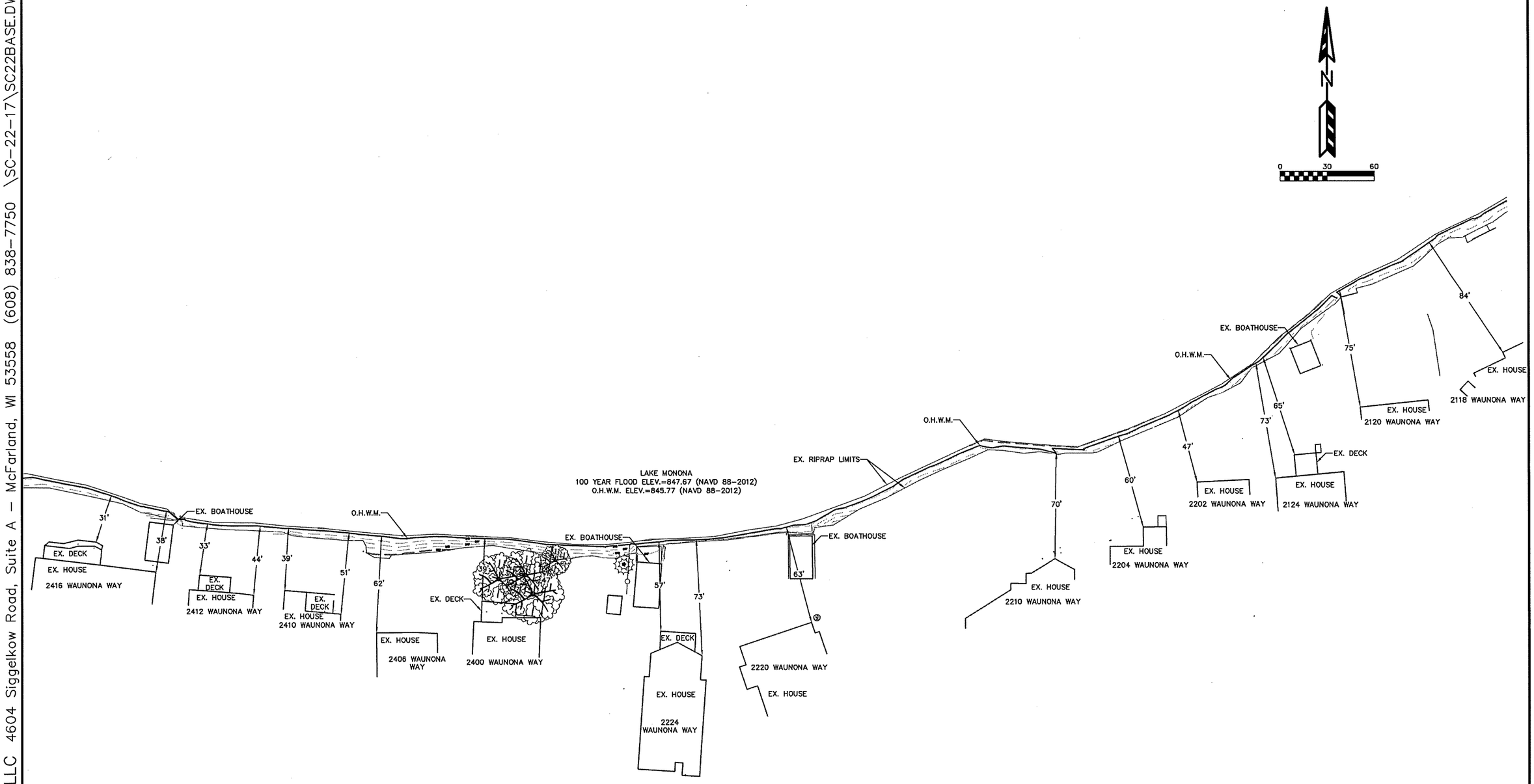
Address: 2224 Waunona Way
Madison, WI 53713
Deck Remodel

Date & Time: 3/12/2019 2:27:27 PM

Drawn by: las

AE1

QUAM ENGINEERING, LLC 4604 Siggelkow Road, Suite A – McFarland, WI 53558 (608) 838-7750 \SC-22-17\SC22BASE.DWG



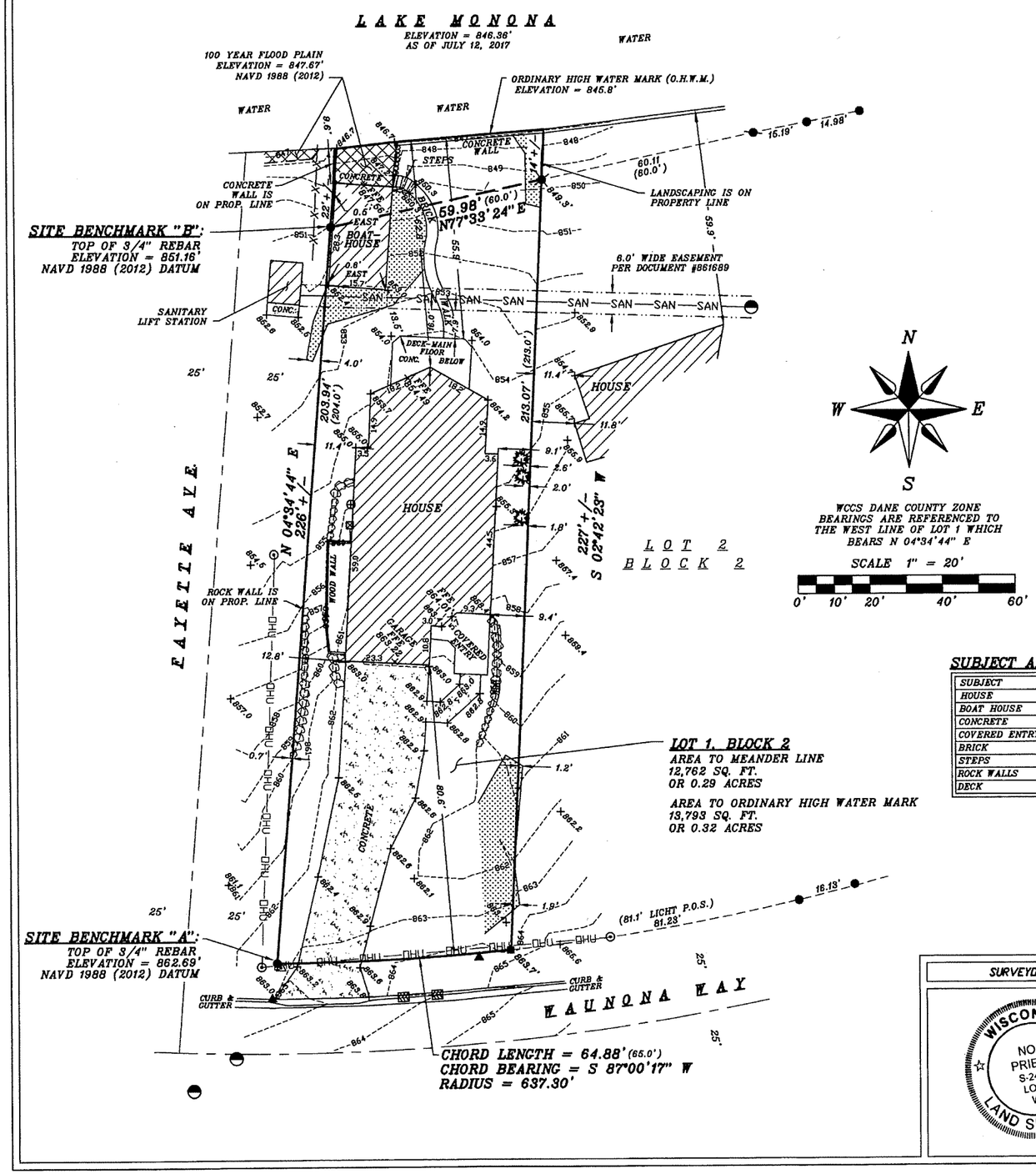
WAUNONA WAY

LAKESIDE SETBACK PLAN

PAGE: 1 OF 1
DATED: FEBRUARY 23, 2017

QUAM ENGINEERING, LLC
Residential and Commercial Site Design Consultants
www.quamengineering.com
4604 Siggelkow Road, Suite A – McFarland, Wisconsin 53558
Phone (608) 838-7750; Fax (608) 838-7752

PREPARED FOR:
SWEENEY CONSTRUCTION CORPORATION
1008 Fish Hatchery Rd,
Madison, WI 53715



WCCS DANE COUNTY ZONE
BEARINGS ARE REFERENCED TO
THE WEST LINE OF LOT 1 WHICH
BEARS N 04°34'44" E

SCALE 1" = 20'

0' 10' 20' 40' 60'

DESCRIPTION:

LOT 1, BLOCK 2, HOBOKEN BEACH, CITY OF MADISON, DANE COUNTY, WISCONSIN

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.) ALL ELEVATIONS ARE REFERENCED TO THE NAVD 1988 (2012) DATUM.

4.) THE SURVEYOR CAN ONLY CERTIFY TO HIS OPINION OF THE LOCATION OF THE ORDINARY HIGH WATER. THE LOCATION SHOWN IS APPROXIMATE BECAUSE ONLY THE DEPARTMENT OF NATURAL RESOURCES CAN DETERMINE THE EXACT LOCATION OF AN ORDINARY HIGH WATER MARK.

LEGEND

- = FOUND 1" PIPE
- = FOUND 3/4" REBAR
- = FOUND 1" PINCHED PIPE
- (##) = RECORDED AS
- 859.4 × = SPOT ELEVATION
- FFE 864.61' × = FINISHED FLOOR ELEVATION
- = LANDSCAPING
- = STORMWATER INLET
- = MANHOLE
- = FIRE HYDRANT
- = GAS METER
- = UTILITY POLE
- = ELECTRIC METER
- = FOUND CONCRETE MONUMENT
- = WATER VALVE
- = ARBORVITAE TREE
- = ROCK WALL

SUBJECT AREAS

SUBJECT	AREA (SQUARE FEET)
HOUSE	2,729
BOAT HOUSE	445
CONCRETE	1,990
COVERED ENTRY	190
BRICK	139
STEPS	19
ROCK WALLS	250
DECK	237

LINE LEGEND

- —SAN— = SANITARY SEWER
- —OHU— = OVERHEAD UTILITY LINE
- —X— = FENCE LINE

SURVEYOR'S CERTIFICATE:

I certify that this survey is correct to the best of my knowledge and belief and is in full compliance with the provisions of Chapter A-E7 WI Statutes. Field work was completed on July 12, 2017.

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

Date July 13, 2017

Noa T. Prieve S-2499
Professional Land Surveyor

SURVEYORS SEAL

WISCONSIN NOA PRIEVE S-2499 LODI, WI LAND SURVEYOR 7-13-17

WILLIAMSON SURVEYING & ASSOCIATES, LLC
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597.
NOA T. PRIEVE & CHRIS W. ADAMS
PROFESSIONAL LAND SURVEYORS
PHONE: 608-255-5705 FAX: 608-849-9760 WEB: WILLIAMSONSURVEYING.COM

TOPOGRAPHIC SURVEY/PLAT OF SURVEY

LOT 1, BLOCK 2, HOBOKEN BEACH, CITY OF MADISON, DANE COUNTY, WISCONSIN

DATE	JULY 13, 2017	REVISION DATE:	CHECK BY	N.T.P.
SCALE:	1" = 20'		DRAWING NO.	17V-254
DRAWN BY	BRAD ROOSMA		SHEET	1 OF 1