



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: 2106 E. Mifflin St., Madison WI 53704

Name of Owner: Beth Cannestra

Address of Owner (if different than above): 2114 E. Mifflin St., Madison WI 53704

Daytime Phone: 608.266.3707 Evening Phone: 608.244.9524

Email Address: myjossi@yahoo.com

Name of Applicant (Owner's Representative): Same

Address of Applicant: _____

Daytime Phone: _____ Evening Phone: _____

Email Address: _____

Description of Requested Variance: sideyard variance to replace existing garage

(See reverse side for more instructions)

FOR OFFICE USE ONLY

Amount Paid: \$300.00
Receipt: 095513-0001
Filing Date: 9-19-19
Received By: NJK
Parcel Number: 071006303178
Zoning District: TR-C4
Alder District: 12-Abbas

Hearing Date: 10-17-19
Published Date: 10-10-19
Appeal Number: LNDYAR-2019-00012
GQ: _____
Code Section(s): 28.131(c)(2)
28.045(2)

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.

The property has an existing non-compliant garage on it which is typical in the neighborhood, however, this lot is narrower than many in the district which makes zoning compliance difficult, if not impossible.

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 will facilitate the maximum open space possible. Although the variance is for the side yard, there is little negative impact to the adjacent properties; the long side of the garage is adjacent to the neighbor's non-conforming garage and the short side frames out one side of the gravel driveway of the rear neighbor. Additionally, the rear neighbor uses the garage to "fence" their yard (fence extends from my garage to the neighbor to the east's garage).

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 the variance is not granted it is likely that a garage cannot be built. The garage is currently aligned with the driveway, if it is shifted over it is unlikely a car can swing around the rear corner of the house and clear the back porch to enter or exit the garage. Additionally, without the variance, the open space on the lot would be diminished. I have selected a garage closest in size to what I currently have and it is reasonably sized for the needs of the property. The desire is to maximize open space and still have an accessory structure.

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.

There is currently a garage on the property that likely existed prior to the development of the zoning code and was there when I bought the property. I have done my best to maintain this structure but it is no longer feasible to do so. If the terms of the ordinance must be met, the garage will be difficult to use as described above.

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

As described above, the garage would be adjacent to another garage and a gravel driveway and it helps frame the backyard of the rear property. The current structure is blighted and in need of a replacement. Granting the variance will permit replacement of this blighted structure.

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

The proposed structure is similar to other garages in the neighborhood and will have lap siding. Most garages in this older part of the city are on the lotline and this is commonly accepted and understood within 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".)

<input checked="" type="checkbox"/>	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.
<input checked="" type="checkbox"/>	Site plan, drawn to scale. A registered survey is recommended, but not required. Show the following: <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 checked="" type="checkbox"/>	Elevations from all relevant directions showing existing and proposed views, with notation showing the existing structure and proposed addition(s).
<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).
<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. N/A
<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. N/A
<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. N/A
<input checked="" type="checkbox"/>	Digital copies of all plans and drawings should be emailed to: zoning@cityofmadison.com
<input checked="" type="checkbox"/>	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.
<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:

Date:

-(For Office Use Only)

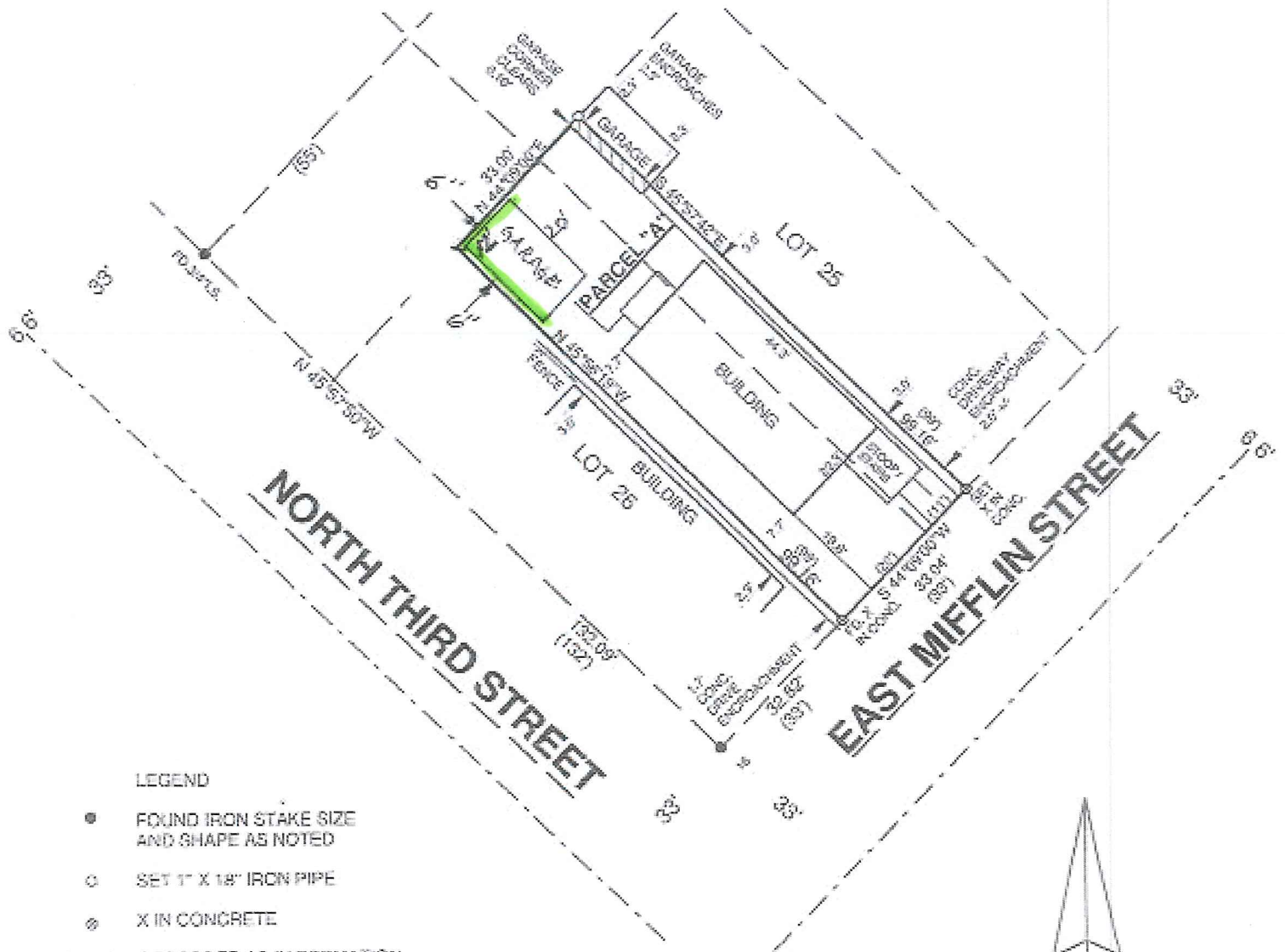
DECISION

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:



LEGEND

- FOUND IRON STAKE SIZE AND SHAPE AS NOTED
- SET 1" X 18" IRON PIPE
- ⊗ X IN CONCRETE
- () RECORDED AS INFORMATION

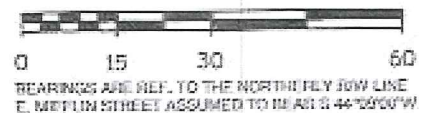
LEGAL DESCRIPTION: PARCEL "A" PER DOC. NO. 3270392

THE SOUTHWEST 11 FEET OF THE SOUTHEAST 99 FEET OF LOT TWENTY-FIVE (25) AND THE NORTHEAST 22 FEET OF THE SOUTHEAST 99 FEET OF LOT TWENTY-SIX (26), BLOCK THREE HUNDRED NINETEEN (319), MADISON SQUARE-RILEY PLAT, IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN.

SUBJECT TO EASEMENTS AND AGREEMENTS RECORDED AND UNRECORDED.



SCALE: 1" = 30'



Detached Accessory Structure

Lot Line Setback

3'-0" Required

0'-6" Provided

2'-6" Variance

usable open space

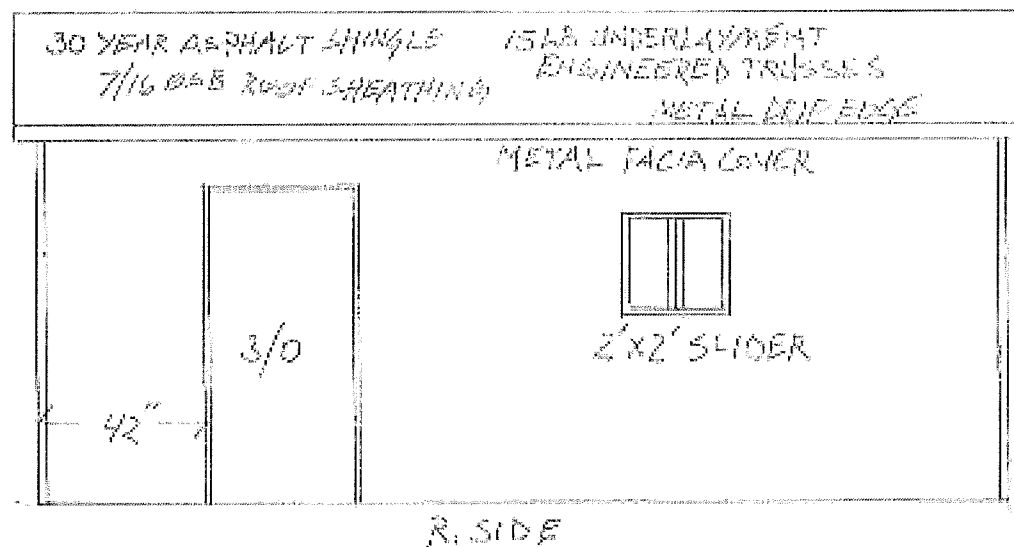
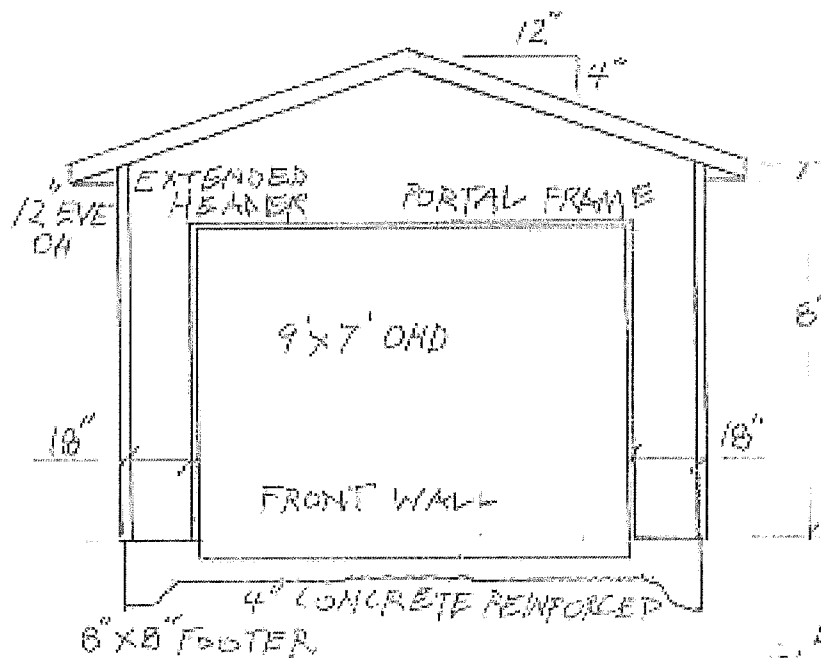
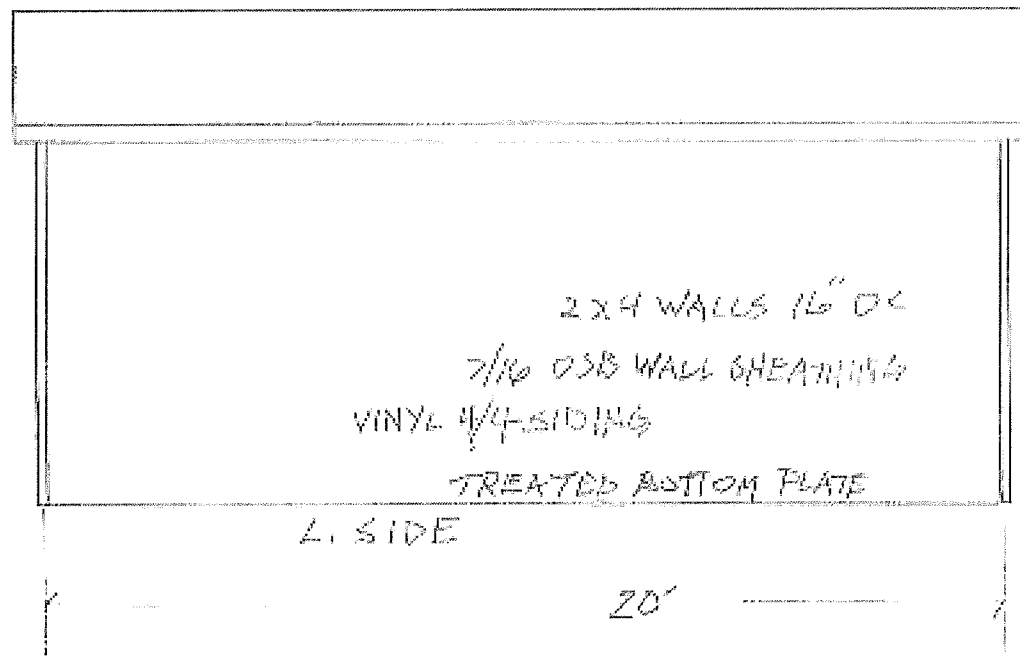
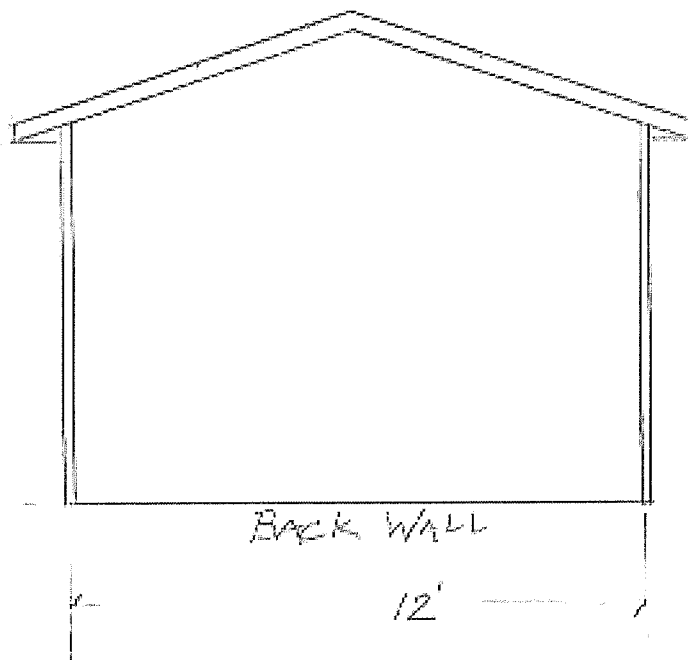
1,500 SQ. FT. Required

500 SQ. FT. Provided

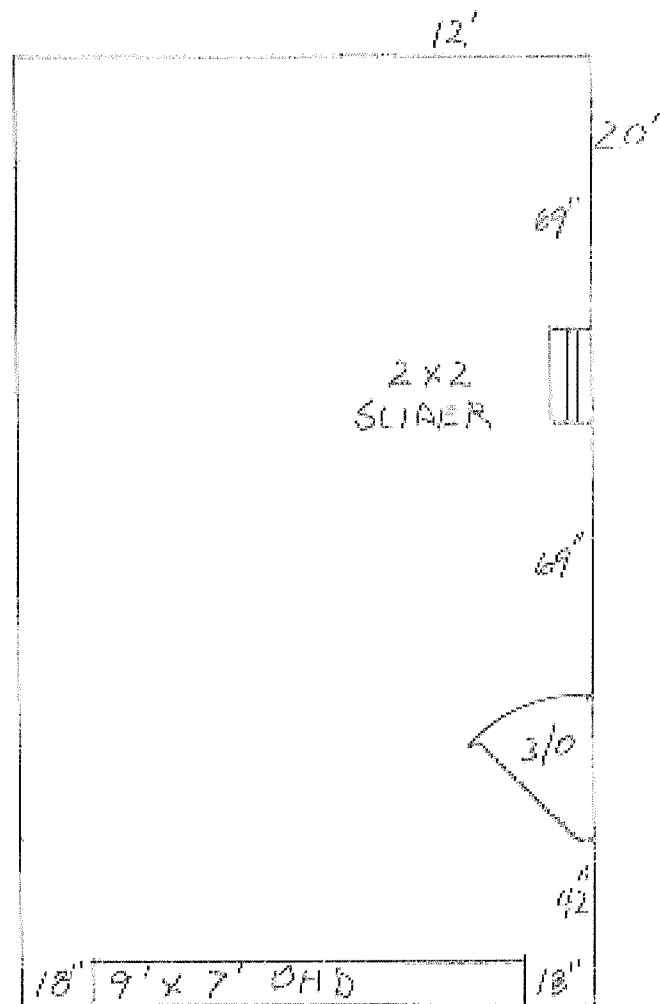
920 SQ. FT. Variance

SITE PLAN

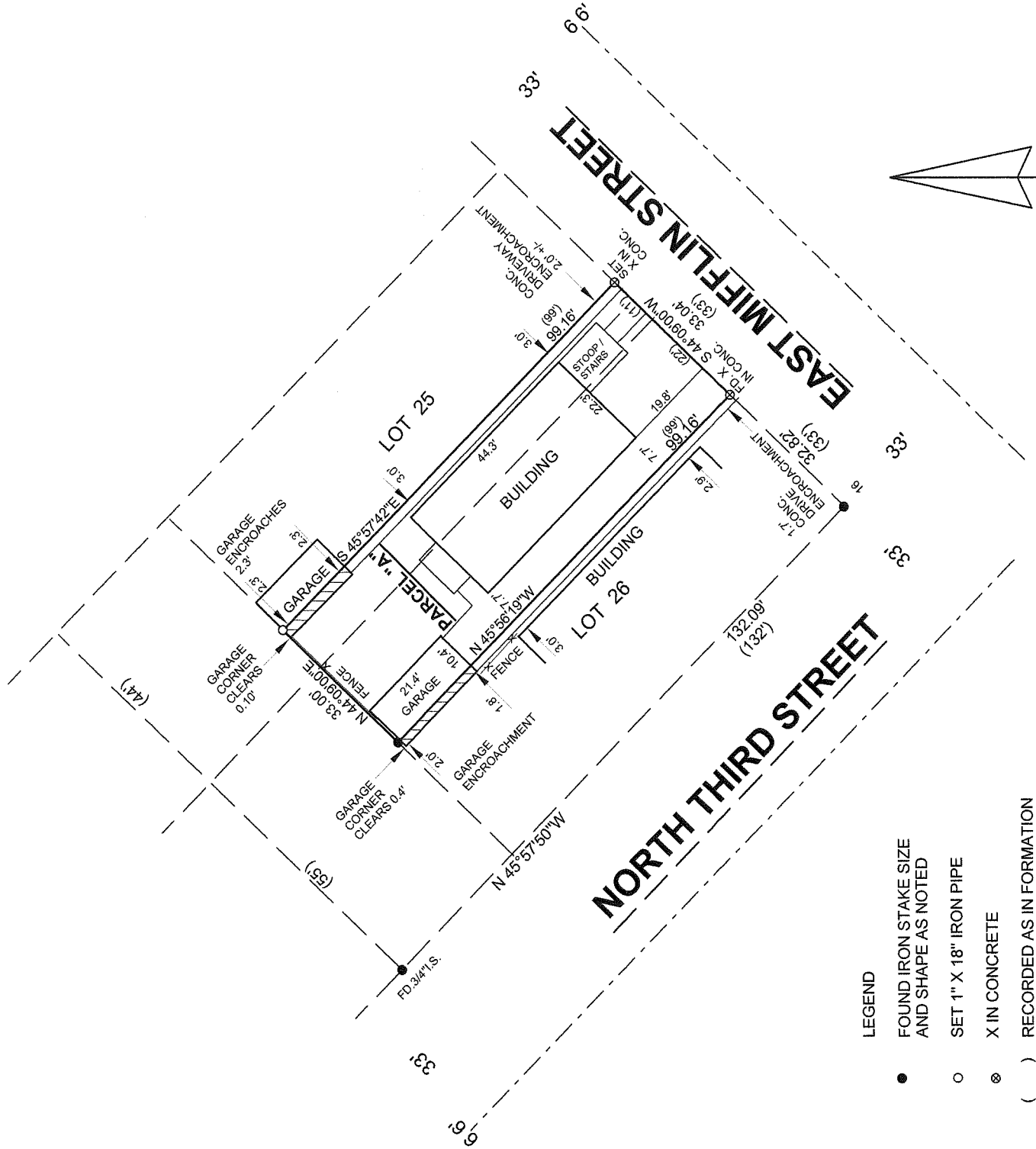
PREPARED FOR:
BETH CANNESTRA
2106 E. MIFFLIN STREET
MADISON, WI 53704



ELEVATIONS
12' x 20' ACCESSORY STRUCTURE
2106 E. MIFFLIN ST.
BETH LANNESTRA 7/9/19 SCALE 1/4" = 1'



FLOOR PLAN
 12' x 20' ACCESSORY STRUCTURE
 2106 E. MIFFLIN ST.
 BETH CANNESTRA
 9.9.19 SCALE 1/4" = 1'



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SUBJECT TO EASMENTS AND AGREEMENTS RECORDED AND UNRECORDED.

SURVEYOR'S CERTIFICATE:

I, Mark Steven Gerhardt, Professional Land Surveyor, S-1983, do hereby certify that I have surveyed the property shown on this plat in accordance with the descriptions and instructions furnished by the persons who caused this survey to be made and that this plat is a correct and accurate representation of said survey.

Date: August 8, 2019

Mark Steven Gerhardt
Mark Steven Gerhardt,
Professional Land Surveyor, S-1983

PREPARED FOR:
BETH CANNESTRA
2106 E. MIFFLIN STREET
MADISON, WI. 53704

SCALE: 1" = 30'



BEARINGS ARE REF. TO THE NORTHERLY R/W LINE
E. MIFFLIN STREET ASSUMED TO BEAR S 44°09'00"W



BADGER SURVEYING AND MAPPING SERVICE

2033 TOWN SITE ROAD, WINCHESTER, WISCONSIN 54557 - (608) 244-2010

SCALE
1" = 30'

APPROVED BY:

M. S. GERHARDT

DRAWN BY
M.S.G.

DATE
AUGUST 11, 2019

REVISED

PLAT OF SURVEY

DRAWING NUMBER

19G-42

