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: 1350 Morrison Street

Name of Owner:

Address of Owner (if different than above):

Daytime Phone: Evening Phone:

Email Address:

Name of Applicant (Owner's Representative): Paul Kardatzke, Architect

Address of Applicant: 560 Sunrise Drive
Spring Green, WI 53588

Daytime Phone: 608-588-7484 Evening Phone: 608-574-7053 (cell)

Email Address: paul.kardatzke@jewellassoc.com

Description of Requested Variance:

The applicant is requested that the third floor of this building will be permitted to be occupied as a third tenant space. The building is currently occupied with two tenant spaces, one tenant on the first level and one tenant on the second level. The third floor has previously been permitted by the city to be remodeled as habitable spaces with a full bathroom. The variance requested is to provide clarification that this space is permitted to be occupied by a third tenant rather than restricted to increased tenant space for the second floor tenant.

(See reverse side for more instructions)

FOR OFFICE USE ONLY

Amount Paid:	$300	Hearing Date:	12-19-19
Receipt:	095558-0002	Published Date:	12-12-19
Filing Date:	9/20/19	Appeal Number:	LNDVAR-2019-00014
Received By:	TWS	GQ:	ok
Parcel Number:	071007302260	Code Section(s):	28.045(2)
Zoning District:	TR-C4		
Alder District:	6- Rummel		

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 previous owner of the property was granted a variance at this property in September 2002 that permitted habitable occupancy of the third floor (including a full bathroom and dormer additions) using the existing rear stairway as the primary means of egress - and front egress windows as a secondary means of egress. A fire in 2017 required substantial reconstruction in the space at which time the previous owner completed the permitting process for electrical, plumbing and HVAC system upgrades to create a full bathroom on the third floor. The renovation work resulting from the fire creates a unique condition that may allow for a third tenant space to be developed to support the need in the community for housing in addition to constructing a second stairway at the front of the building.

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.

In 2002 the city granted a variance to permit the third floor space to be used for additional habitable spaces. The previous owner completed additional remodeling to add a full bathroom on this level. This variance is in keeping with these prior decision. The external modification to install a front stairway to the third floor is minimal, and does not extend the building footprint on the site.

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 existing lot and existing building footprint do not provide space for additional greenspace or parking. Two tandem off-street parking spots are provided in the driveway. The proposed project does not reduce the existing greenspace or off-street parking spaces that currently exist.

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.

An additional staircase will be added to provide addition access to and egress from the third floor space at the front of the building which will improve egress routes and occupant safety. The ordinance precludes use of this space by a third tenant, but its use as a habitable space is allowed by a prior granted variance.

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

The exterior of the building will be substantially unchanged as a result of the proposed interior changes. The adjacent properties will not be affected by permitting a third tenant to occupy the third floor in place of the space being occupied by the second floor tenant.

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

The character of this community is influenced by the fact that it is composed of a mixture of multi-family (2-5 unit) and single-family homes. This variance supports the improvement and maintenance of one of these existing structures to strengthen this character into the future and is compatible with the immediate 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).
NA ☐	**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.
NA ☐	**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.
NA ☐	**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:** 9/20/19

----------(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:**

Two-Story Two-family Two Unit

Construct Roof Dormer

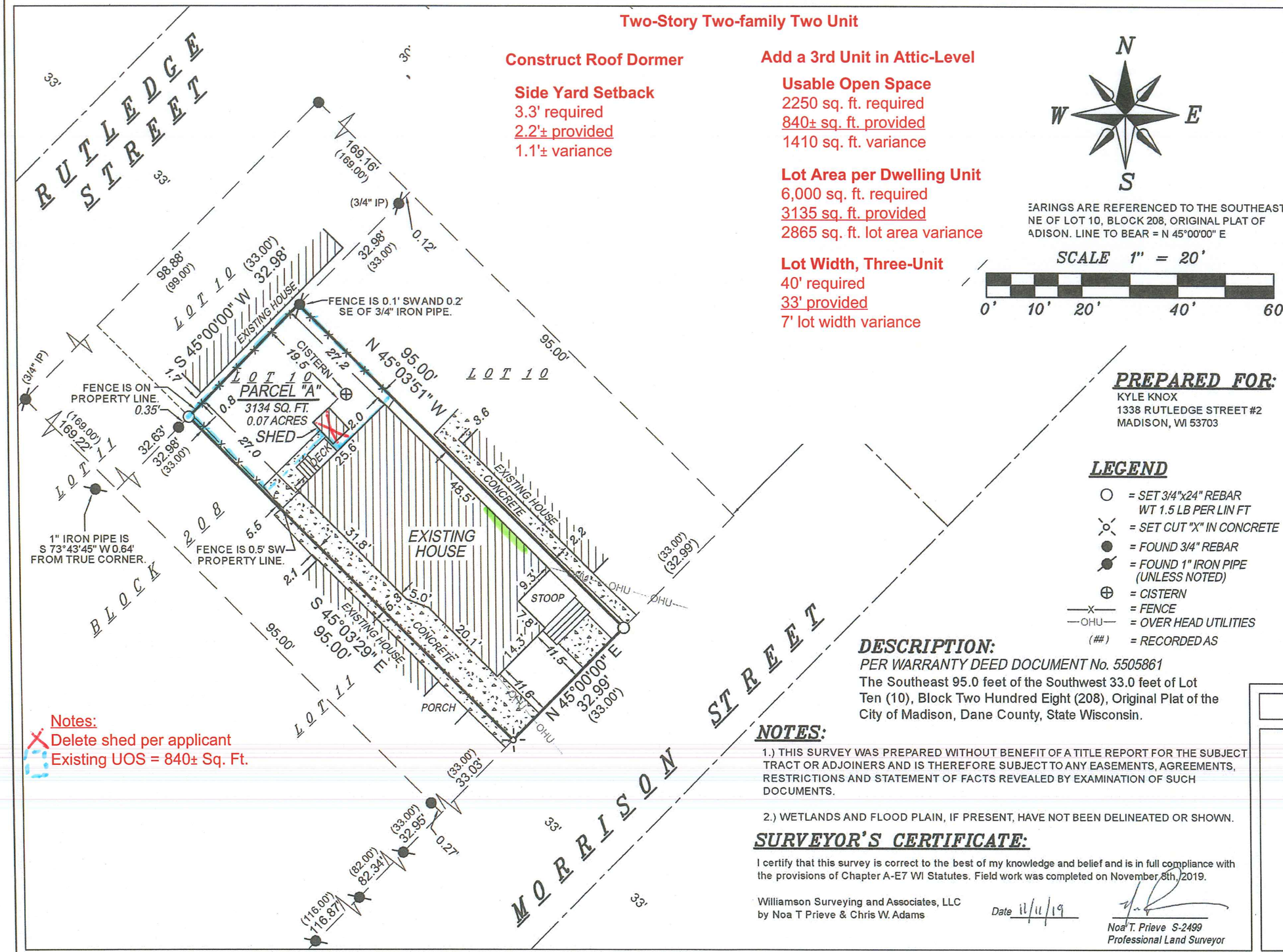
Side Yard Setback
3.3' required
2.2'± provided
1.1'± variance

Add a 3rd Unit in Attic-Level

Usable Open Space
2250 sq. ft. required
840± sq. ft. provided
1410 sq. ft. variance

Lot Area per Dwelling Unit
6,000 sq. ft. required
3135 sq. ft. provided
2865 sq. ft. lot area variance

Lot Width, Three-Unit
40' required
33' provided
7' lot width variance



Notes:
Delete shed per applicant
Existing UOS = 840± Sq. Ft.

BEARINGS ARE REFERENCED TO THE SOUTHEAST NE OF LOT 10, BLOCK 208, ORIGINAL PLAT OF ADISON. LINE TO BEAR = N 45°00'00" E

SCALE 1" = 20'

0' 10' 20' 40' 60'

PREPARED FOR:
KYLE KNOX
1338 RUTLEDGE STREET #2
MADISON, WI 53703

LEGEND

- = SET 3/4"x24" REBAR WT 1.5 LB PER LIN FT
- = SET CUT "X" IN CONCRETE
- = FOUND 3/4" REBAR
- = FOUND 1" IRON PIPE (UNLESS NOTED)
- = CISTERN
- —X— = FENCE
- —OHU— = OVER HEAD UTILITIES
- (##) = RECORDED AS

DESCRIPTION:
PER WARRANTY DEED DOCUMENT No. 5505861
The Southeast 95.0 feet of the Southwest 33.0 feet of Lot Ten (10), Block Two Hundred Eight (208), Original Plat of the City of Madison, Dane County, State 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 AND FLOOD PLAIN, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.

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 November 8th, 2019.

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

Date 11/11/19

Noa T. Prieve S-2499
Professional Land Surveyor

PLAT OF SURVEY

The Southeast 95.0 feet of the Southwest 33.0 feet of Lot Ten (10), Block Two Hundred Eight (208), Original Plat of the City of Madison. Located in part of the Southeast 1/4 of the Northwest 1/4 of Section 7, T7N, R10E, Dane County, Wisconsin.

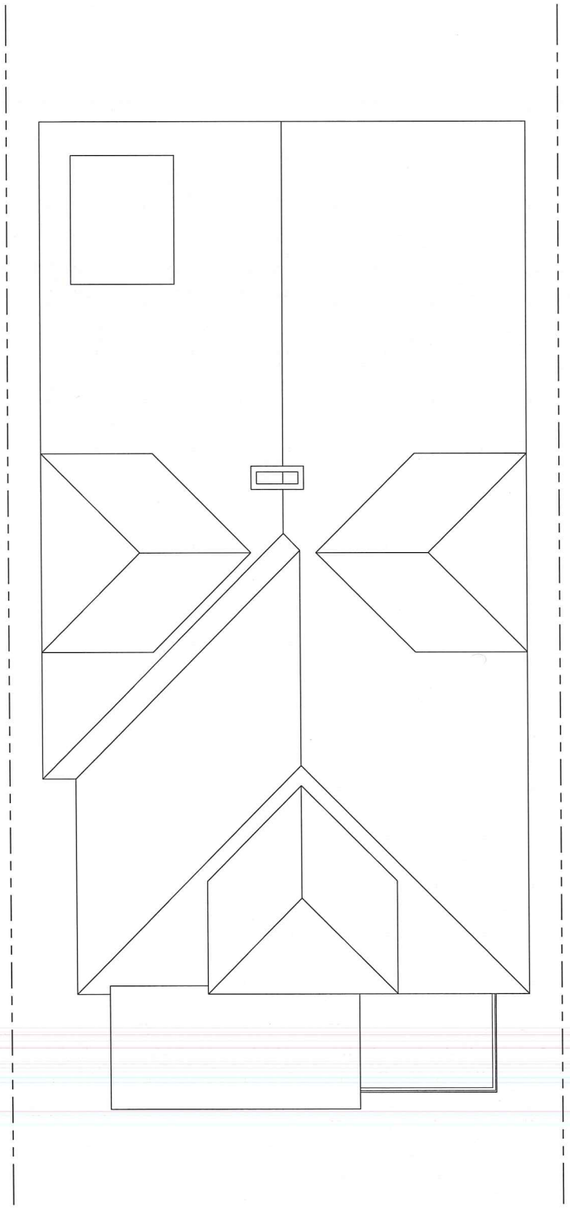
DATE	NOVEMBER 11TH, 2019	REVISION DATE:	CHECK BY	N.T.P.
SCALE:	1" = 20'		DRAWING NO.	19W-377
DRAWN BY	NEIL BORTZ		SHEET	1 OF 1

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

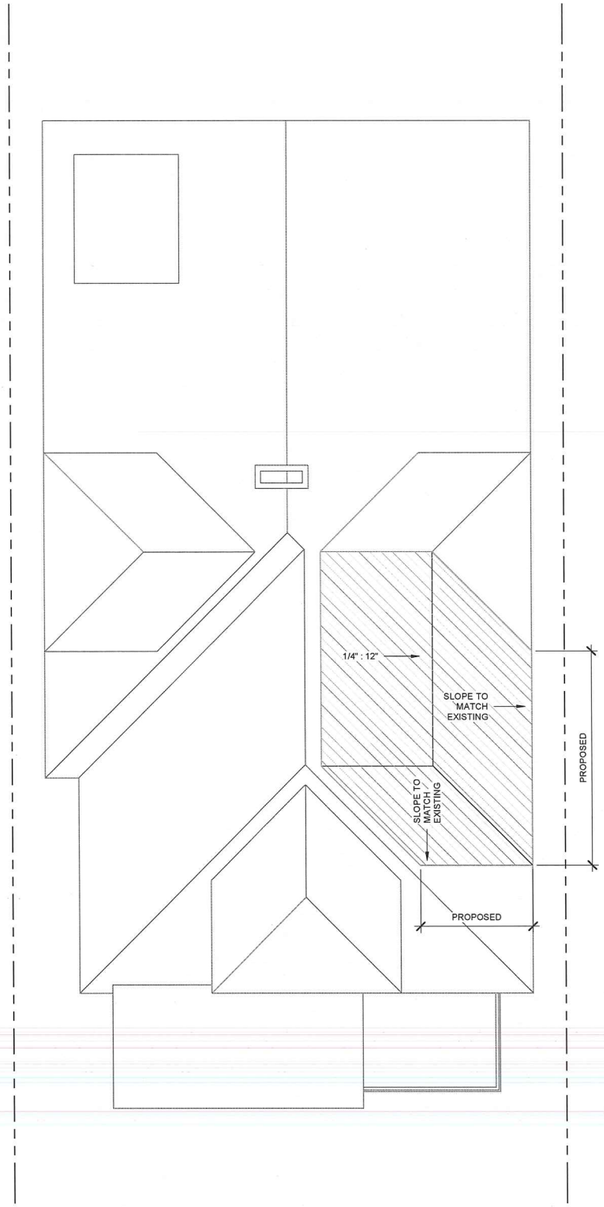
SURVEYORS SEAL

WISCONSIN NOA PRIEVE S-2499 LODI, WI LAND SURVEYOR

11-11-19



1 A1.3 Roof Plan - Existing
1/4" = 1'-0"



2 A1.3 Roof Plan - Proposed
1/4" = 1'-0"

The Southeast 90.0 feet of the Southwest 33.0 feet of Lot Ten (10), Block Two Hundred Eight (208), Original Plat of the City of Madison, County of Dane, State Wisconsin.

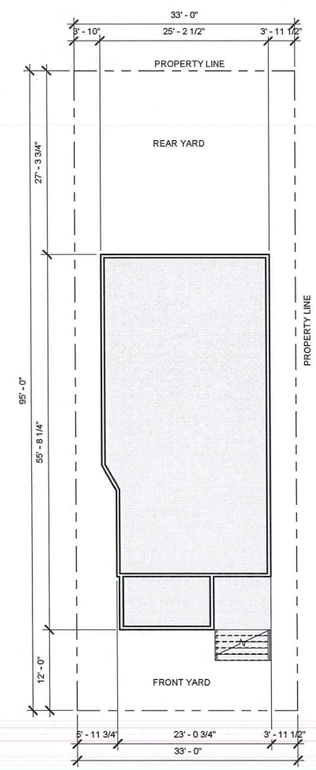
Tax Key No. 251/0710-073-0226-0

Address: 1348-1350 Morrison Street

Zoning District: TR-C4

Lot Area: 3,135 s.f.
Max. Lot Coverage: 65% = 2,037.75 s.f.
Building Footprint: 1,390 s.f.

Setbacks:
Front Yard: 20 feet
Side Yard: 6 feet Lot width <50 feet: 10% lot width = 3.3 feet
Rear Yard: Lesser of 30% lot depth or 30 feet = 28.5 feet



1. APPROXIMATE BUILDING LOCATION ON SITE.
2. NO CHANGE PROPOSED.
3. DIMENSIONS ARE BASED ON MEASUREMENTS TAKEN ON SITE BY THE BUILDING OWNER.

3 A1.3 Site
1" = 10'-0"

JEWELL associates engineers, inc.
Engineers - Surveyors - Architects

560 Sunrise Drive
Spring Green, WI 53588
phone: 608-588-7484
fax: 608-588-9322

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Kyle Knox
Morrison Street House
Madison, WI

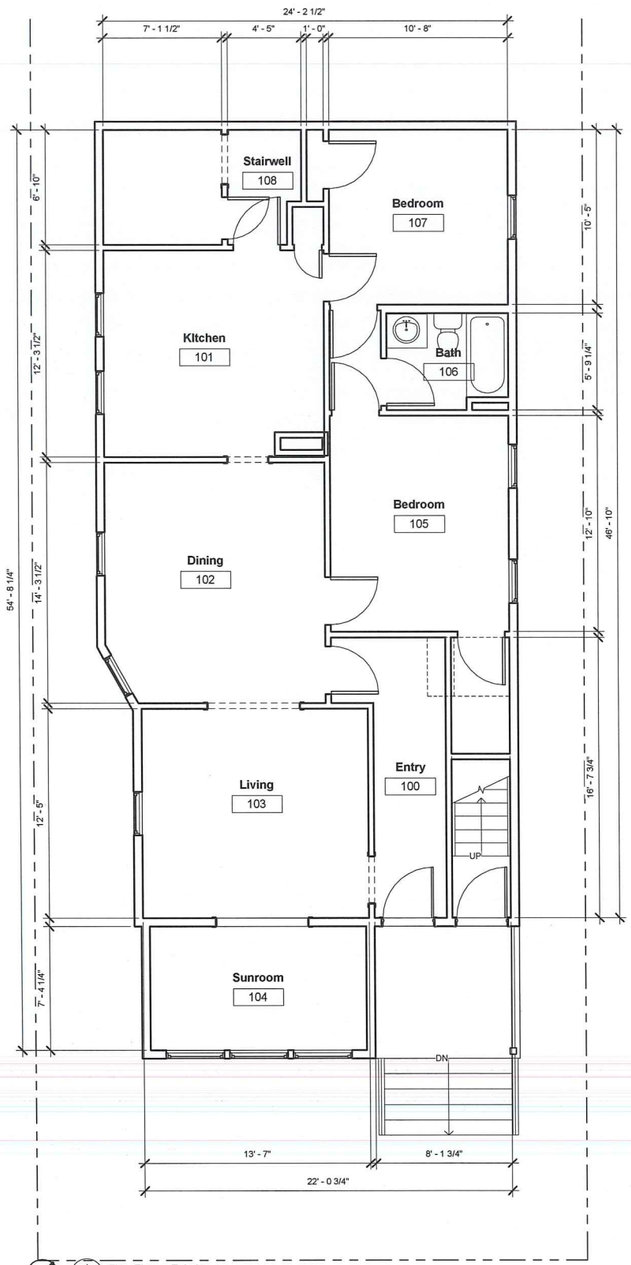
Date
9-30-19

No.	Description	Date

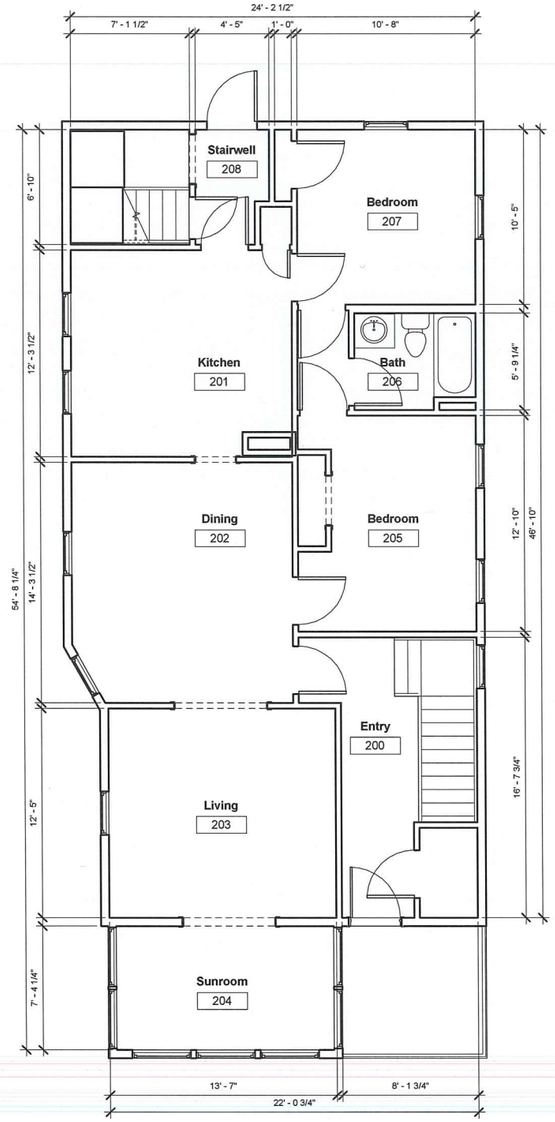
Drawing Name
Roof Plans

Project number
K73010

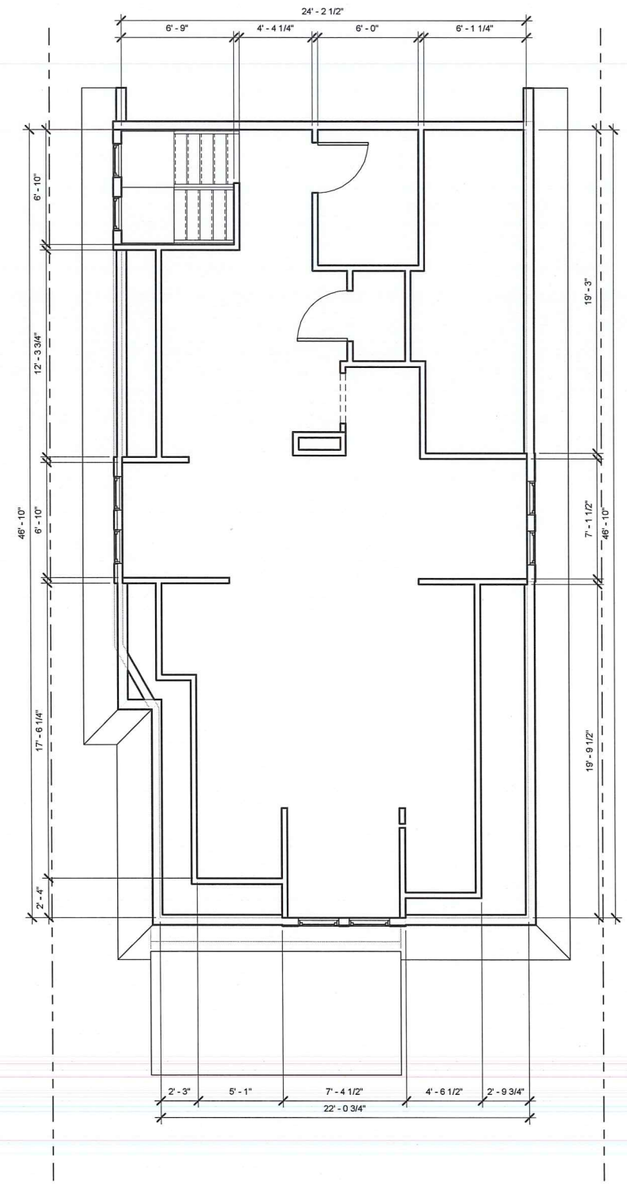
Sheet number
A1.3



1 A1.0 First Floor - Existing
1/4" = 1'-0"



2 A1.0 Second Floor - Existing
1/4" = 1'-0"



3 A1.0 Third Floor - Existing
1/4" = 1'-0"

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Existing Plans

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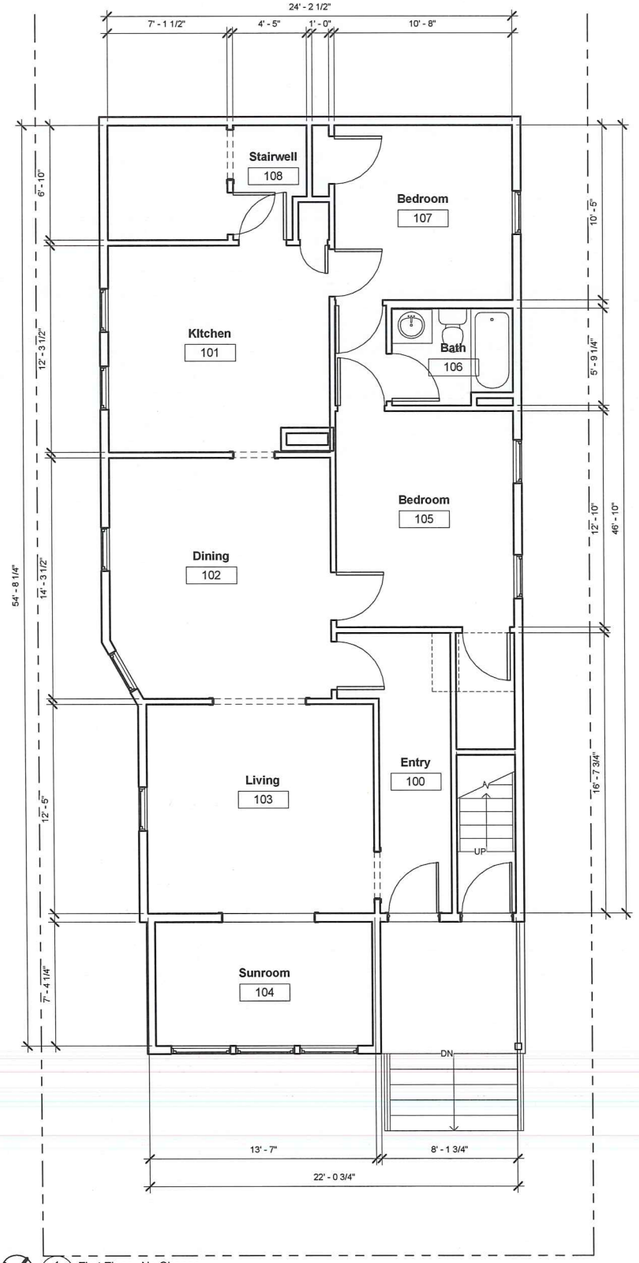
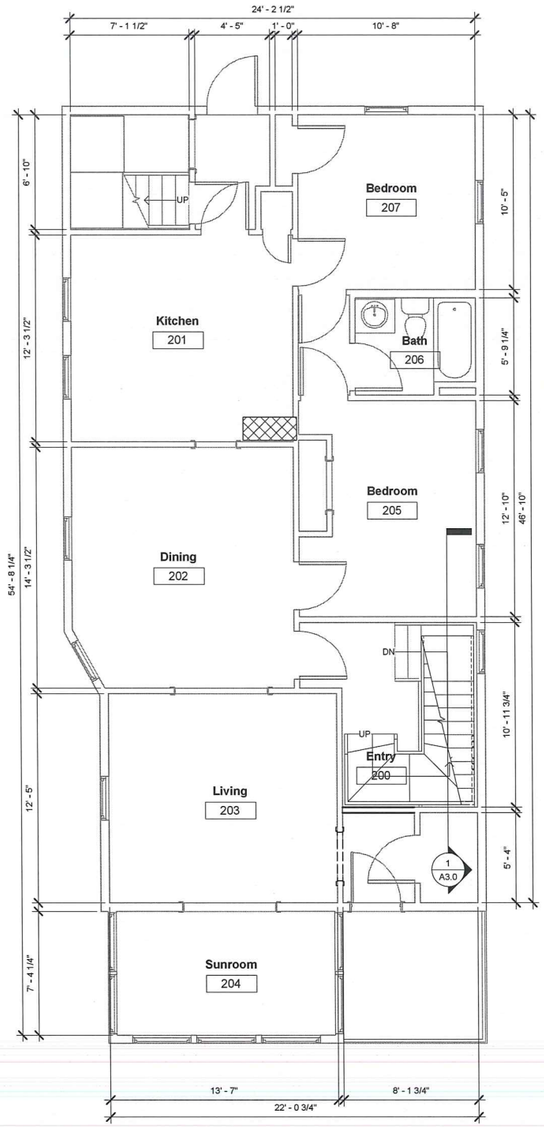
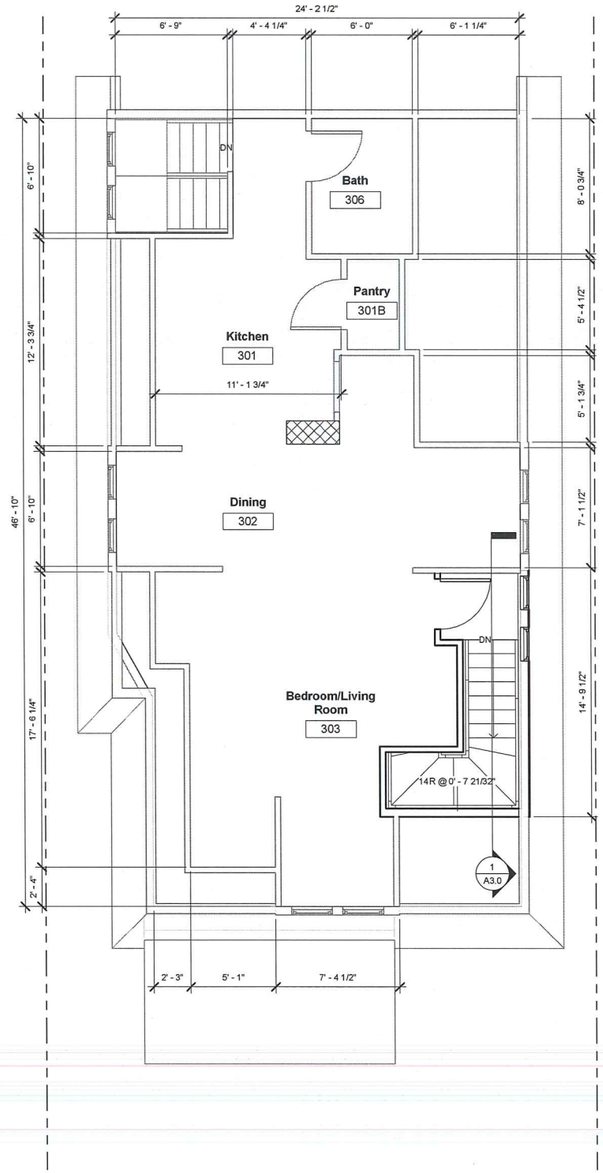
Sheet number A1.0



1 A1.1 First Floor - No Change
1/4" = 1'-0"



2 A1.1 Second Floor - Proposed
1/4" = 1'-0"



3 A1.1 Third Floor - Proposed
1/4" = 1'-0"

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Kyle Knox
Morrison Street House
Madison, WI

Date
9-30-19

No.	Description	Date

Drawing Name
Proposed Plans

Project number
K73010

Sheet number
A1.1

1 A2.0 South - Existing
1/4" = 1'-0"

2 A2.0 East - Existing
1/4" = 1'-0"

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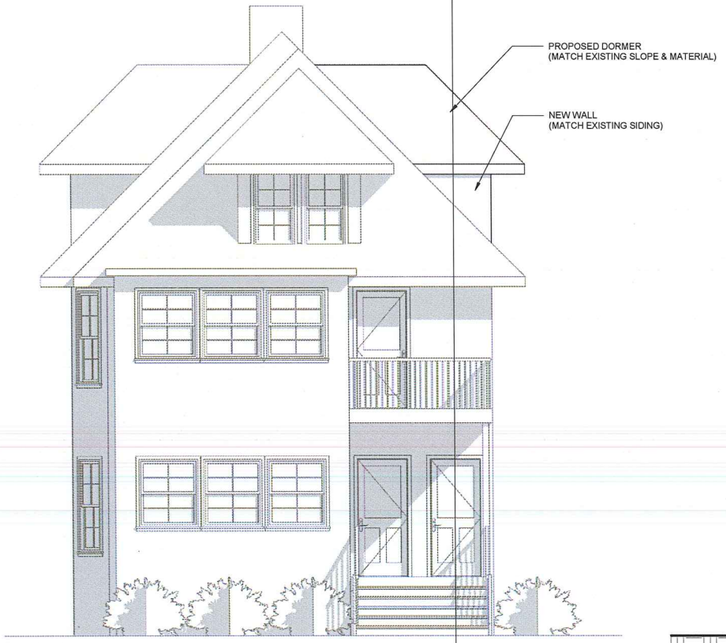
9-30-19

No.	Description	Date

Drawing Name
Existing Elevations

Project number K73010
Sheet number A2.0



1 A2.1 South - Proposed
1/4" = 1'-0"

2 A2.1 East - Proposed
1/4" = 1'-0"

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Project number K73010
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