



**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: 102 N. Brearly Street Madison WI 53703

53703 Name of Owner: _____

Address of Owner (if different than above): _____

Daytime Phone: _____ Evening Phone: _____

Email Address: _____

Name of Applicant (Owner's Representative): Patrick Whitty, Whitty and Sons Construction, LLC

Address of Applicant: 4111 Veith Ave Madison WI 53704

Daytime Phone: 608.469.4098 Evening Phone: _____

Email Address: patrickw@whittyandsons.com

Description of Requested Variance: Remove existing 10.2' wide x 18.2' long garage with new 12' wide x 22' long garage as close to the property line as allowed by zoning ordinances. We're requesting a variance to make the new garage 2' wider and 4' longer to allow room for owners vehicle, side entry door, and room for access to vehicle. The requested variance with infringe on rear/side yard setback requirements, as well as the maximum lot coverage.

(See reverse side for more instructions)

FOR OFFICE USE ONLY

Amount Paid: <u>\$300.00</u>	Hearing Date: <u>10.15.2020</u>
Receipt: <u>104544-0002</u>	Published Date: <u>10.8.2020</u>
Filing Date: <u>9-9-2020</u>	Appeal Number: <u>LNDVAR-2020-00008</u>
Received By: <u>N. KELSO</u>	GQ: <u>OK!</u>
Parcel Number: <u>0709-131 19181</u>	Code Section(s): <u>28.131(e)(5)</u>
Zoning District: <u>TR-C4-WP-24</u>	<u>28.045(2)</u>
Alder District: <u>2-HECK</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.

102 N. Brearly is a reverse corner lot. If we follow the setbacks requirements for the lot, the garage wouldn't be useable as it would be too small to fit a car in. We are requesting a rear and side yard setback variance.

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 is not contrary to the public interest. We are requesting a variance for rear yard of 1', 1' side yard setback, and 7.75' reversed corner setback on the south side. We have the

~~approval for the reduced vision triangle. The variance request is common for this neighborhood.~~
maintenance easements with both affected neighbors signed, and traffic engineering has given approval for the reduced vision triangle. The variance request is common for this neighborhood. given the lot configurations.

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.

To strictly adhere to setback requirements on this lot, the maximum garage size would be 12'x13' and would not be useable. If the variance is not granted a usable garage would not be feasible and we feel this would affect the value of the property.

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 hardship is created by the lot size and configuration. this lot was subdivided into 2 smaller lots many years ago. The existing garage was built prior to the current owner purchasing the home and replacing the old garage with a new garage of the same size will still make the garage unuseable.

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

The proposed setback variance for the new garage will not be a detriment to the neighborhood as many of the properties along brearly have structures within the setback requirements. The existing garage is an eyesore and is unsafe. Granting the variance will permit replacement of the old blighted garage.

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

The proposed variance will be compatible with the character of the immediate neighborhood. The new garage will have cedar lap siding and will be painted to coordinate with the existing home.

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. completed 7/31/2020 with matt tucker
<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 checked="" 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.
<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"/>	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: _____

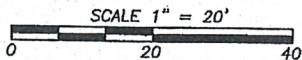


BIRRENKOTT SURVEYING, INC.

P.O. Box 237
1677 N. Bristol Street
Sun Prairie, WI 53590
Phone (608) 837-7463
Fax (608) 837-1081

Description:

SOUTHEAST 31 FEET OF LOT 10,
BLOCK 160, ORIGINAL PLAT OF
MADISON, CITY OF MADISON, DANE
COUNTY, WISCONSIN.



PLAT OF SURVEY

SURVEYOR'S CERTIFICATE:

I, Daniel V. Birrenkott, hereby certify that this survey is in compliance with the Wisconsin Administrative Code, Chapter A-E7. I also certify that I have surveyed and mapped the lands described hereon and that the map is a correct representation in accordance with the information provided and is correct to the best of my knowledge and belief.

Daniel V. Birrenkott
Wisconsin Professional Land Surveyor No. S-1531.6-12-2020

New Detached Garage
with roof Deck

Usable Open Space

750 SQ. Ft. Required

250 SQ. Ft. Provided

500 SQ. Ft. VARIANCE X

Lot Line Setbacks

3.0' Required

1.0' Provided

2.0' VARIANCES

Acc. Bldg. Placement

20.0' Required

7.9' Provided

12.1' VARIANCE

Notes:

This survey is subject to any and all easements and agreements both recorded and unrecorded.

The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes.

Wetlands, if present have not been delineated.

This survey shows visible, above-ground improvements only. No guarantee is made for below-ground structures.

No title provided at the time of survey:
June 5, 2020.

Legend:

- Wood Fence
- = Found 3/4" Iron Bar
- ⊙ = Found 1" Iron Pipe
- ⊗ = Found 1 1/2" Iron Bar
- = Found 1" Pinch Top Pipe
- = 3/4"x24" Iron Bar set
wt.=1.50#/in.ft.
- () = Recorded as data

Dated: June 3, 2020
Surveyed: T.A.S.
Drawn: B.E.R.
Checked: C.K.C.
Approved: D.V.B.
Field book: 378/23
Comp. File: J:\2020\CARLSON
Office Map No. 200380

Surveyed For:

Whitty and Sons Construction, LLC
4111 Veith Ave
Madison, WI 53704
(608) 469-4098

SHEET 1 OF

Lot Size - 66.12'x30.89' = 2042.45 SF

Existing House - 702.4 SF

Existing Porch - 126.06 SF

Existing Garage - 185.64 SF

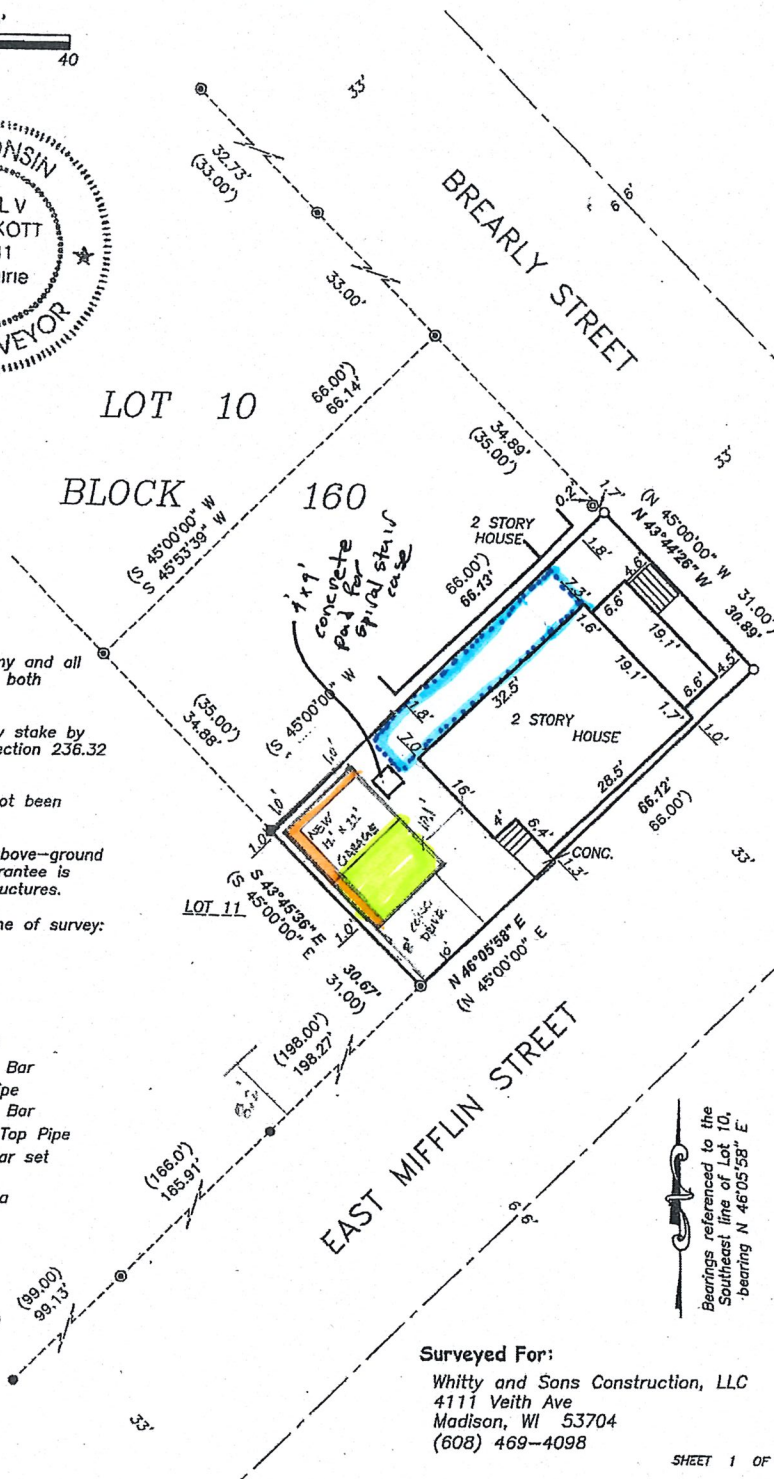
Concrete walk to house - 48 SF

Existing Lot Coverage - 1062.1 SF = 52% Lot Coverage, gravel driveway existing

New Garage - 18'x22' plus 4'x4' pad for spiral staircase = 280 sf less existing garage 185.64 sf = 94.36 sf added lot coverage = 1156.

* Property currently provides 360 SQ. Ft. U.O.S.

56.6% LOT Cov





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SURVEYING, INC.**

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1677 N. Bristol Street
Sun Prairie, WI. 53590
Phone (608) 837-7463
Fax (608) 837-1081

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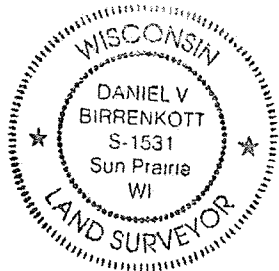
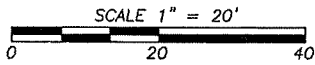
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COUNTY, WISCONSIN.



LOT 10
BLOCK 160

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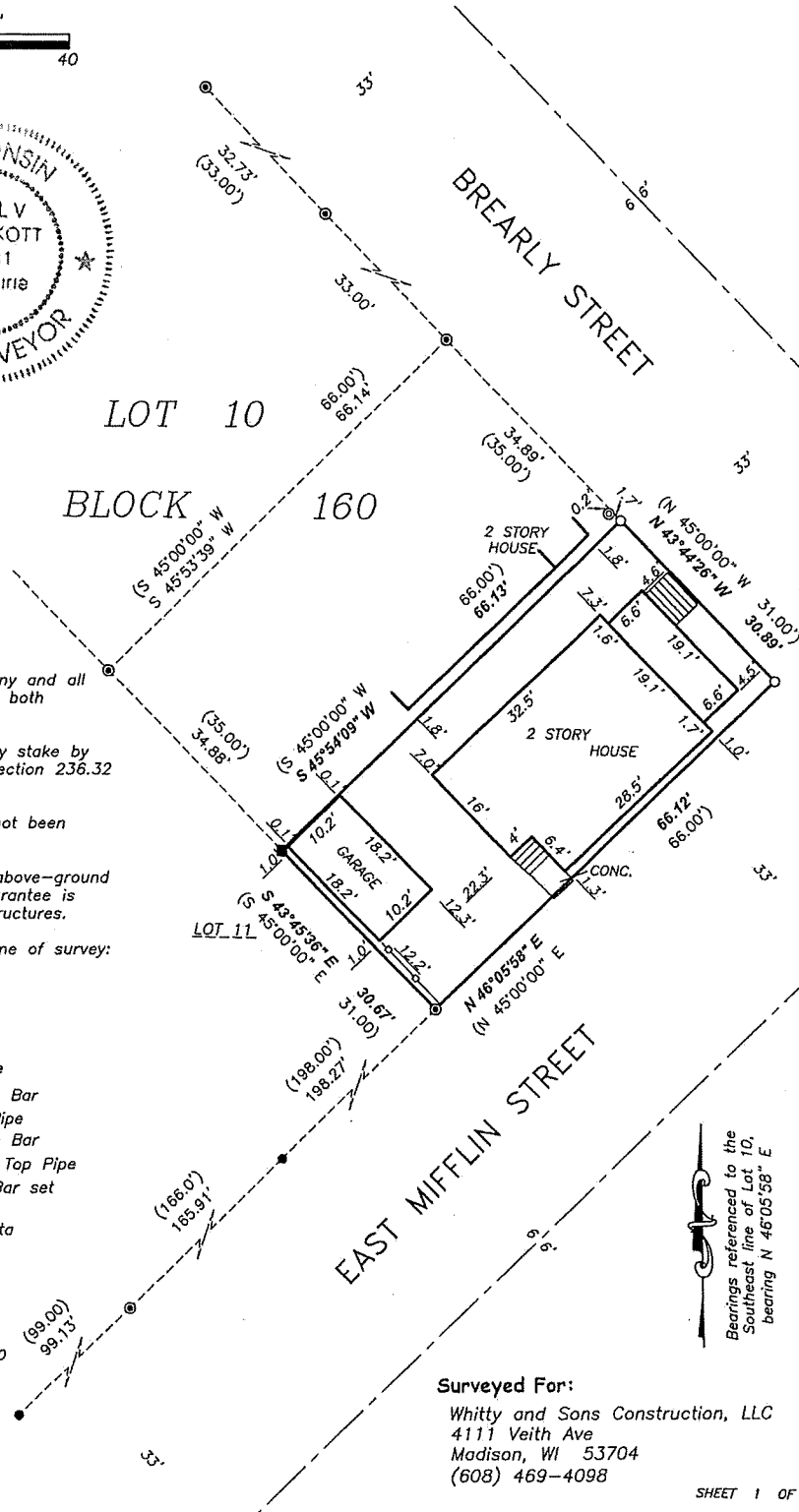
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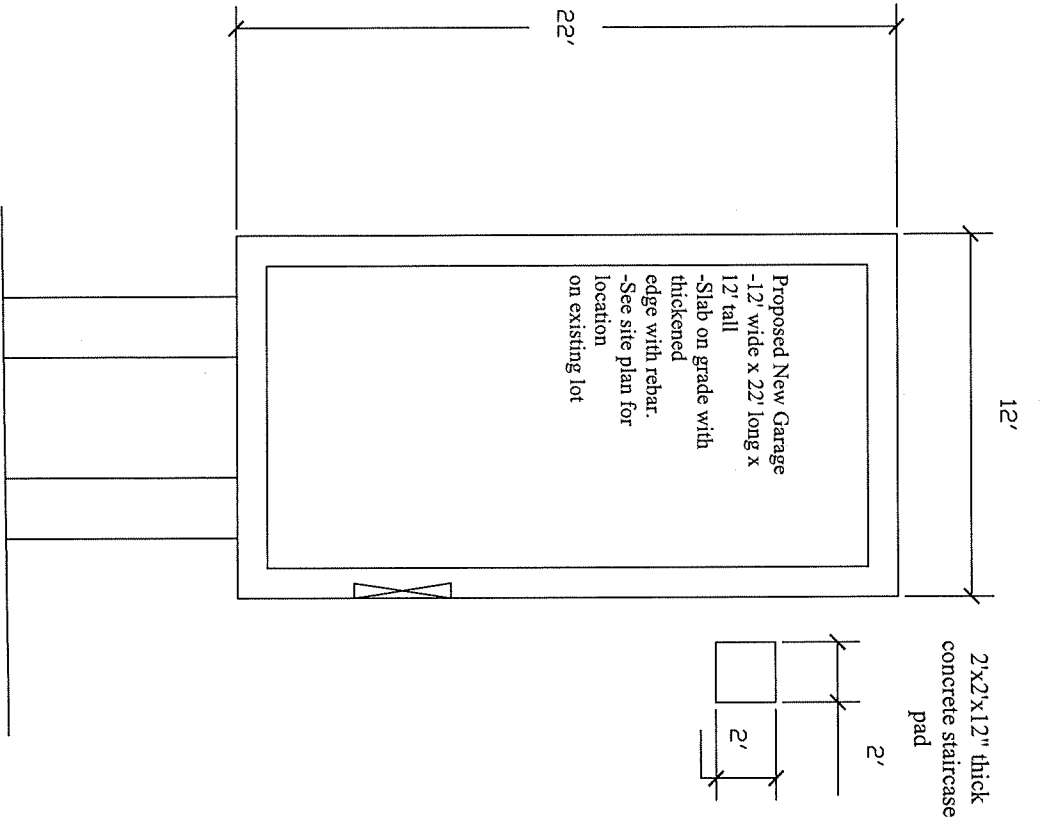
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Office Map No. 200380

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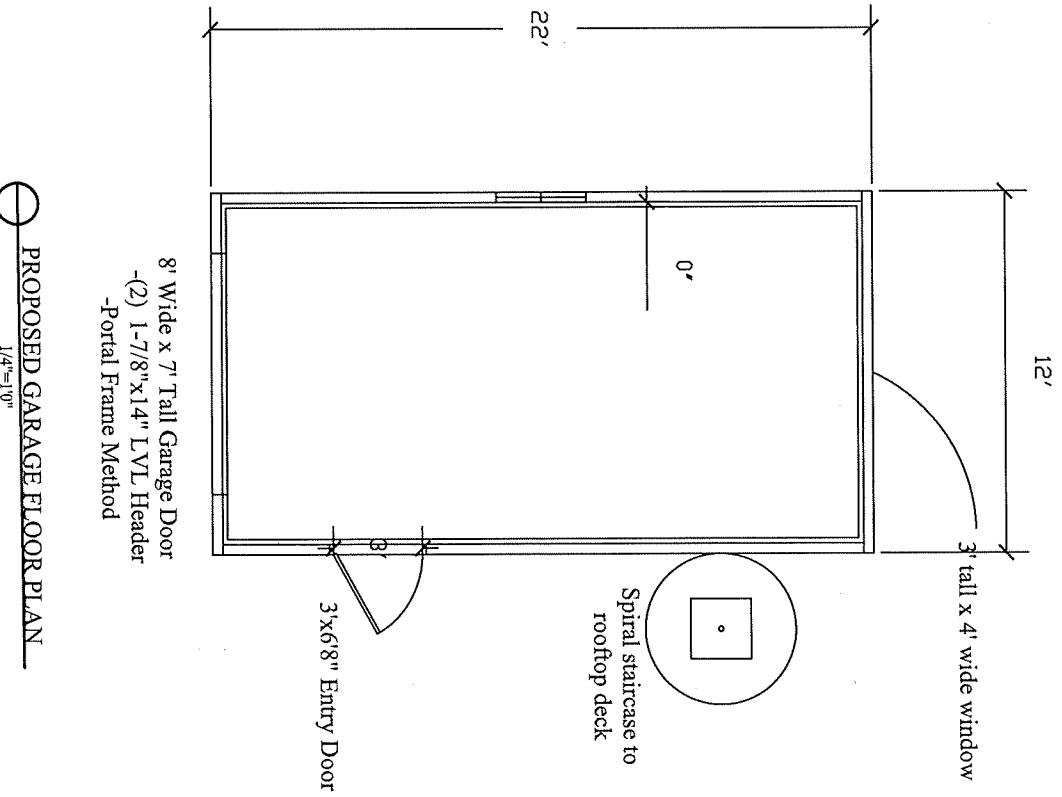
Whitty and Sons Construction, LLC
4111 Veith Ave
Madison, WI 53704
(608) 469-4098

SHEET 1 OF





⊖ PROPOSED GARAGE SLAB
1/4"=1'0"



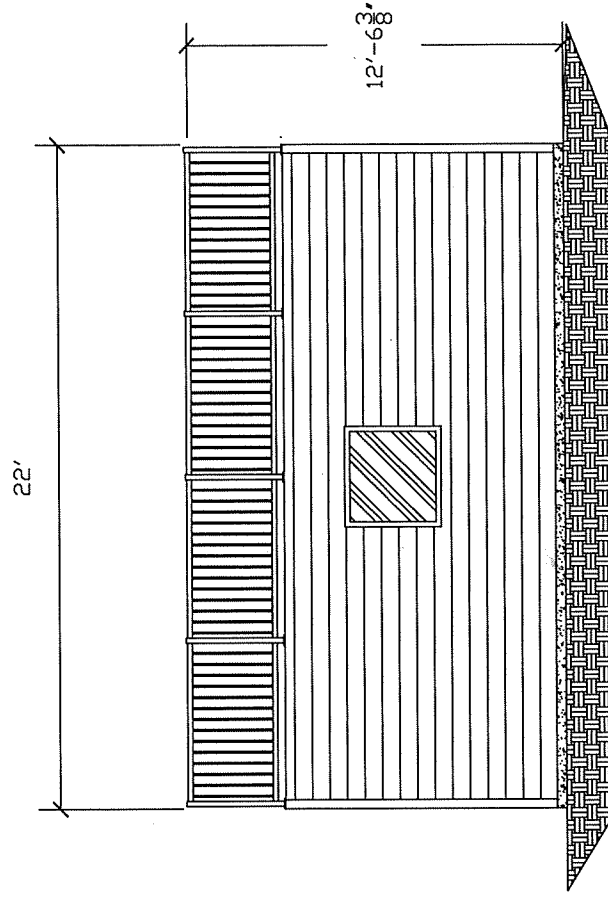
⊖ PROPOSED GARAGE FLOOR PLAN
1/4"=1'0"

whitty
AND SONS CONSTRUCTION, LLC

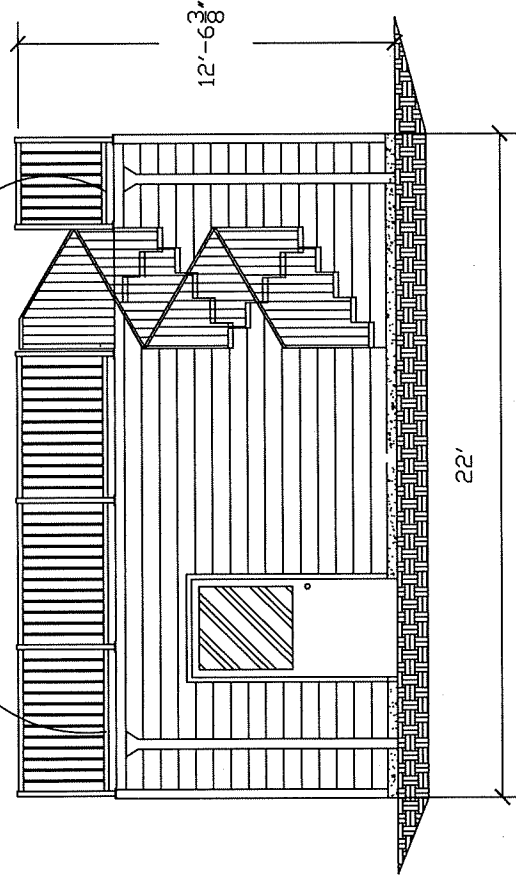
Kowalski Garage Replacement 102 N. Brearly Street MADISON, WI 53704	8/11/2020	A1
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- Exterior Finishes -
- Cedar Bevel Lap Siding 7" Exposure - Painted
 - Cedar Outside Corners/Detail Trim
 - 7' wide x 8' tall garage door with windows
 - (1) Exterior Light - Style TBD
 - Rooftop Deck - Cedar Deck Boards
 - Black Aluminum Spiral Staircase
 - White vinyl window
 - Black aluminum railing

Roof Scuppers/Downspouts to grade



○ West Elevation
1/4" = 1' 0"

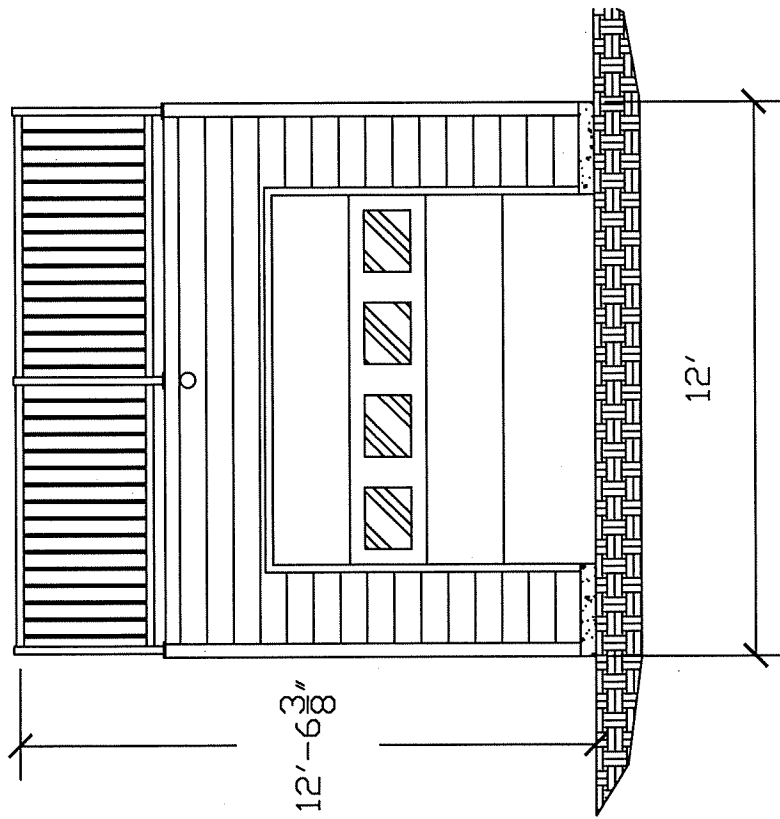


○ East Elevation
1/4" = 1' 0"

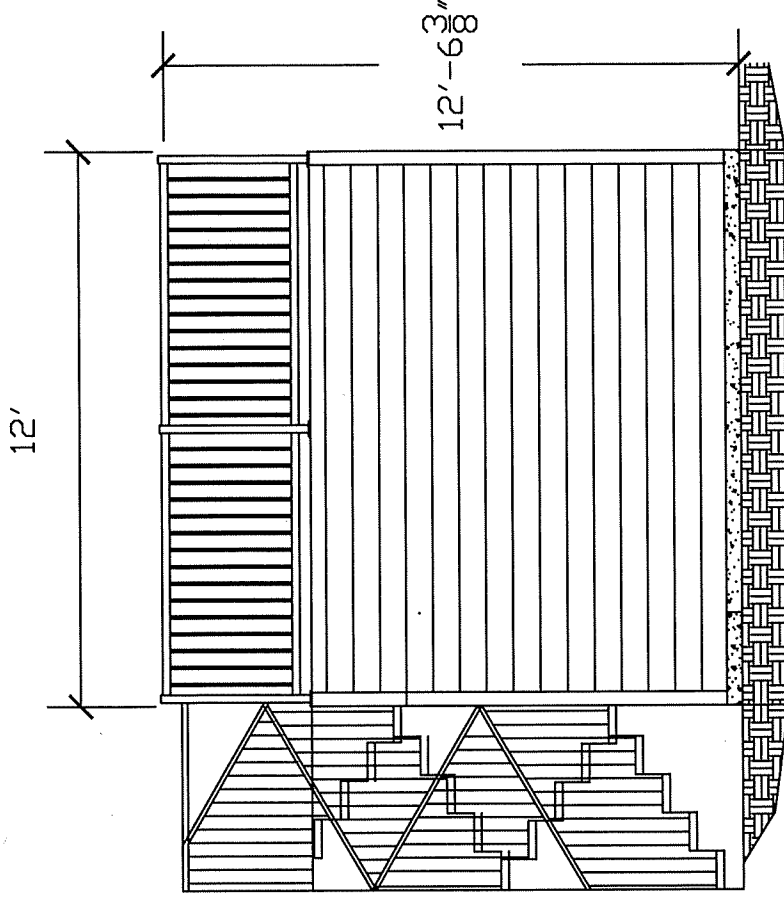
Kowalski Garage Replacement 102 N. Brearly Street MADISON, WI 53704	7/31/2020	A3
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whitty
AND SONS CONSTRUCTION, LLC

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 - 7' wide x 8' tall garage door with windows
 - (1) Exterior Light - Style TBD
 - Rooftop Deck - Cedar Deck Boards
 - Black Aluminum Spiral Staircase
 - White vinyl window
 - Black Aluminum Railings



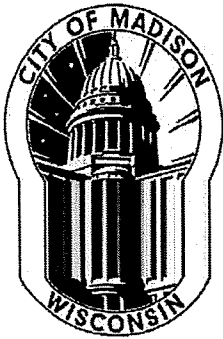
○ South Elevation
1/4"=1'0"



○ North Elevation
1/4"=1'0"



Kowalski Garage Replacement	8/11/2020
102 N. Brearly Street MADISON, WI 53704	
A2	



TRAFFIC ENGINEERING AND PARKING DIVISIONS

Madison Municipal Building, Suite 100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986



Phone: (608) 266-4761
Fax: (608) 267-1158
www.cityofmadison.com

REQUEST FOR REDUCTION OF
THE VISION CLEARANCE TRIANGLES

Site Address: 102 N. BREARLY STREET, MADISON, WI 53704

Application Date: 8/3/2020

Contact Person: PATRICK WHITY, WHITY AND SONS CONSTRUCTION LLC

Telephone: 608 469 4098 Email: patrickw@whityandsons.com

Property Owner: TOSHA KOWALSKI

Address: 102 N. BREARLY STREET MADISON

Reason for Reduction:

OWNER WOULD LIKE TO REMOVE EXISTING, UN-USABLE 10.2' X 10.2' GARAGE & REPLACE WITH NEW 12' WIDE X 22' LONG GARAGE. LOT IS A REVERSE CORNER LOT WITH DRIVEWAY ACCESS ON MIFFLIN STREET. CURRENT GARAGE IS SETBACK 12.2' FROM PROPERTY LINE ON MIFFLIN STREET SIDE. NEW GARAGE FRONT WALL WILL BE APPROXIMATELY 7.9' FROM PROPERTY LINE/SIDEWALK. SIDEWALK IS APPROX. 6" FROM PROPERTY LINE



Application Approved (see attached diagram for reduced Vision Clearance Triangle)



Application Denied

Reviewer: Jerry M

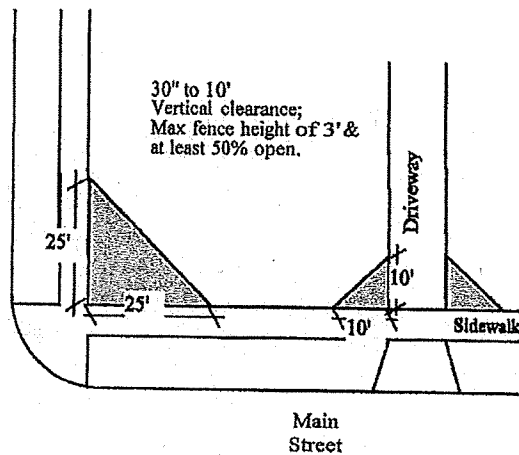
Date: 9/4/2020

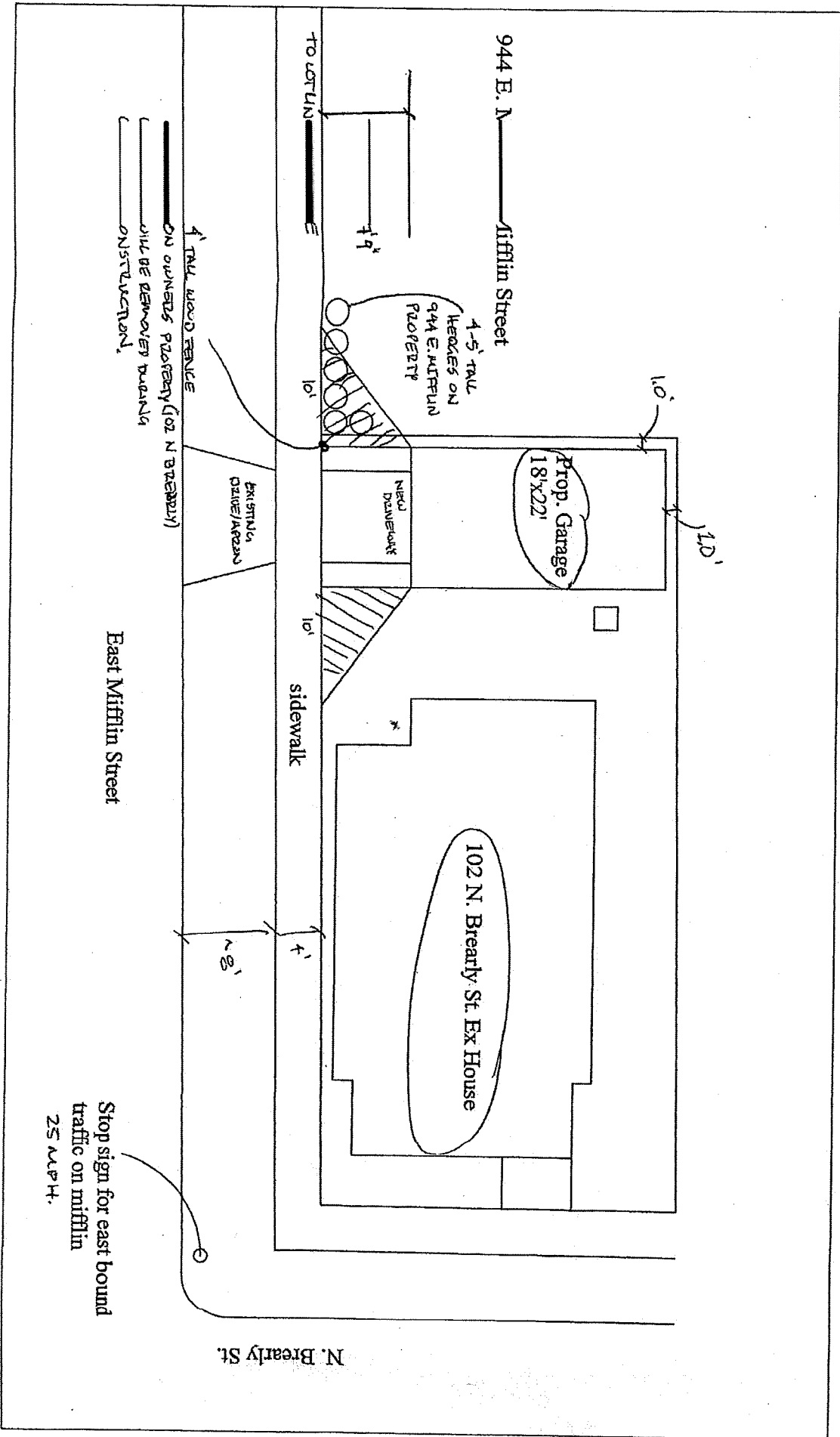
Include for Plan for Review Showing:

- Vision Clearance Triangle as described in MGO 27.05(2)(bb) – 25' at the corner and 10' at all driveways.
- Dimensions
- Public Right-of-Way adjacent infringement
- Any existing traffic control at the intersection for corners (Stop Sign, Yields, Signals)
- Posted Speed limits
- Traffic Volumes

MGO 27.05(2)(bb)

Figure 27-1: Vision Clearance Triangles for Street and Driveway





DRAINAGE PLAN - NOT TO SCALE

