

City of Columbus
BOARD OF ZONING APPEALS
APPLICATION FOR PUBLIC HEARING

PETITION: I, Josh Lamp HEREBY PETITION THE CITY OF COLUMBUS BOARD OF ZONING APPEALS TO HOLD A PUBLIC HEARING ON THE FOLLOWING REQUEST FOR:

- A VARIANCE FROM THE COLUMBUS ZONING ORDINANCE (CHAPTER 114)
- A VARIANCE FROM THE COLUMBUS FLOOD PLAIN ORDINANCE (CHAPTER 46)
- AN APPEAL OF THE ZONING ADMINISTRATOR'S DETERMINATION

APPLICANT (MAY OR MAY NOT BE PROPERTY OWNER—SEE BELOW):	PERSON'S NAME: <u>JOSH LAMP</u>
	FIRM'S NAME: <u>LAMPAS LANDING LLC</u>
	MAILING ADDRESS: <u>2230 FORDHEM AVE</u>
	CITY/STATE/ZIP: <u>MADISON WI 53704</u>
	DAYTIME TELEPHONE: <u>(608) 239-2559</u>
	EMAIL ADDRESS: <u>LAMPSELLS@GMAIL.COM</u>
PROPERTY OWNER CONTACT INFORMATION IF DIFFERENT FROM APPLICANT (PLEASE INCLUDE OWNER'S SIGNATURE ON THIS FORM):	<u>SAME</u>
LEGAL DESCRIPTION OF SUBJECT PROPERTY OR PARCEL NUMBER(S):	<u>LOT 18, CARDINAL HEIGHTS PLAT</u>
SUBJECT PROPERTY	<u>LOT 18</u>

STREET ADDRESS OR STREET BOUNDARIES OF SUBJECT PROPERTY (WHERE NOT YET ADDRESSED):	102 O'BRIEN COURT
	COLUMBUS WI
PRESENT ZONING:	R-3
PRESENT FLOOD PLAIN DESIGNATION:	NOT WITHIN FLOOD PLAIN
VARIANCE REQUEST: WHAT SECTION(S) OF THE ZONING CODE ARE YOU SPECIFICALLY ASKING TO BE VARIED, BY HOW MUCH, AND WHY? ENTER "N/A" IF NOT APPLICABLE.	<p>REQUESTING VARIANCE FROM THE SIDE YARD SETBACK UNDER SECTION 114-59. LOT IS 106' WIDE AT BUILDING SETBACK, BUT 64' OF THAT IS HWY SETBACK. RATHER THAN HAVING A SIDE YARD THAT IS 10% OF THE LOT WIDTH, THE REQUEST IS TO MATCH THE SIDE YARD OF THE ADJACENT LOT 17 ON THE NORTH SIDE ($10\% \times 56' \text{ WIDE} = 5.6'$) WHILE STILL HAVING A SIDE YARD OF 64' ON THE SOUTH SIDE.</p>

PLEASE STATE HOW YOUR REQUEST MEETS THE FOLLOWING STANDARDS, WHICH MUST ALL BE MET FOR THE BOARD OF APPEALS TO GRANT A VARIANCE: (Please attach another document if you more space or write see attached for each section and attach answers.)

How would compliance with the strict letter of the zoning or flood plain ordinance unreasonably prevent the owner from using the property for a permitted purpose or render conformity with such restrictions unnecessarily burdensome? It is not sufficient that a variance applicant show that the regulation(s) prevents or burdens his or her planned activity. You must show by competent evidence that the regulation unreasonably prevents or unnecessarily burdens the proposed activity.

THE HOUSE TO BE BUILT ON LOT 18 IS ONLY 39' WIDE, WHICH PROVIDES FOR A GARAGE AND FRONT ENTRYWAY FACING THE STREET (SEE ATTACHED FLOOR PLAN). THE ORDINANCE SPECIFIES A SIDE YARD OF 10.6', WHICH WOULD REDUCE THE BUILDING ENVELOPE BY 5' AND MAKE THE FLOOR PLAN UNUSEABLE. GRANTING A VARIANCE FOR THE NORTH SIDE OF THE HOUSE WILL GIVE THIS LOT THE SAME SIDEYARD AS THE NEXT 3 LOTS ALONG O'BRIEN COURT.

<p>How would compliance with the strict letter of the ordinance create unnecessary hardship due to a unique property condition, meaning a special physical feature or limitation of the property that is not generally shared by nearby land or property within the same zoning district or flood plain area? If a variance applicant fails to prove the existence of a unique property condition and a connection between the condition and the hardship, even if the hardship is great, a variance may not be granted. The purpose of the variance may not be based exclusively on financial concerns relating to the property.</p>	<p>THIS LOT IS UNIQUE IN THAT IT IS VERY WIDE, BUT WELL OVER HALF OF IT IS WITHIN THE HIGHWAY SETBACK WHICH CANNOT BE BUILT WITHIN, MAKING THE BUILDING ENVELOPE QUITE NARROW (SEE ATTACHE SITE PLAN).</p>
<p>How would the requested variance be consistent with the public interest?</p> <p>How does the variance not impact flooding in the community?</p>	<p>THE REQUESTED SIDE YARD WOULD MATCH THE NEXT 3 LOTS ON O'BRIEN COURT, SO IT WOULD FIT INTO THE NEIGHBORHOOD</p>
<p>1. Does the development cause an increase in the regional flood elevation?</p> <p>2. Is the lot less than one-half acre?</p> <p>3. Does the development impact public safety and nuisances?</p> <p>4. Does the development increase flood insurance for the community?</p>	<p>N.A.</p>

Describe alternatives to your proposal such as other locations, designs and construction techniques. Attach a site map showing alternatives you considered. (attached alternative and label it if needed).

A ZERO LOT LINE TWIN HOME WAS CONSIDERED ON LOTS 17 & 18.
(SEE ATTACHED ALTERNATE B)

Describe alternatives you considered that require a lesser variance and reason you rejected them. If you rejected them, provide the reasons you rejected them. (attached alternative and label it if needed).

THE ZERO LOT LINE TWIN HOME WAS NOT SELECTED
BECAUSE IT WOULD REQUIRE A CONDITIONAL USE, AND
MORE IMPORTANTLY THE MARKET DEMAND IS FOR A
SINGLE FAMILY HOME.