



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved ZONING BOARD OF APPEALS

Thursday, August 10, 2017

5:00 PM

210 Martin Luther King, Jr. Blvd.
Room 103A (City County Building)

CALL TO ORDER / ROLL CALL

Corigliano, chair, called the meeting to order at 5:02 pm and explained the appeals process.

Staff Present: Matt Tucker and Gretel Irving

Present: 4 - Peter A. Ostlind; Agnes (Allie) B. Berenyi; Patrick W. Heck and Dina M. Corigliano

Excused: 1 - Winn S. Collins

APPROVAL OF MINUTES

A motion was made by Ostlind to approve the July 27, 2017 minutes, seconded by Berenyi. Heck abstained. The motion passed (3-0) by voice vote/other.

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

PETITION FOR VARIANCE

1. [48266](#) Jon Grefsheim, owner of property at 5209 Harbor Court, requests a front-yard setback variance to construct a new two-story single-family dwelling. Alder District #19

Tucker introduced the project which is located on a harbor but treated as lakefront property for zoning purposes. The district front yard setback minimum is 20'; setback averaging brings it down to 10'. The existing house and garage encroach into the front yard setback as do many of the homes in this neighborhood. The proposal would demolish and rebuild the existing structures.

Chris Miller explained that design options for the garage were limited by the utility poles and fire hydrant. The design also prioritized preserving the rear and lakefront setbacks and reduced the front yard encroachment of the current buildings. Jon Grefsheim explained that the property has been in his family since it was first built in the early 1900s. He had received an earlier variance from this board in 2010 but was unable to go forward with the project at that time.

Tucker confirmed that the proposal would meet the setback requirements on the other sides and echoed that the zoning code does allow for weighting of setbacks, particularly for more vulnerable areas like waterfronts. Miller emphasized that the new buildings would be set further back than at present but also that they did not want to be too far behind the other properties on the block; the new design is intended to match the characteristics of the neighborhood.

Board members questioned the size of the buildings particularly the garage. While they are not out of step with the neighborhood, it does not seem burdensome to reduce the square footage to bring them within the setback. Miller explained that due to the high water table, it is not feasible to build a basement. The garage space would house the mechanicals and storage that would typically go in a basement. Raising the house above the water table would add many steps, creating a physical burden for residents.

Discussion turned to the vision triangle and placement of the garage. Tucker explained that the vision triangle requirements are now part of the minimum housing ordinances and not the zoning ordinances. Traffic Engineering has granted an exception for this project.

The Board discussed the Standards:

1) Unique aspects of this project are the irregular shape of the lot along with placement of the utility poles. The high water table is a limiting factor.

2) The intent of the front yard setback is to create a buffer. The proposal would improve on the current conditions. The Board agreed that it is reasonable to weight the lakefront setback over the front yard setback and to position the structures in line with the neighboring properties.

3) The Board agreed that the buildings could be designed to be compliant but disagreed whether the resulting space would be unreasonable, particularly for the garage. Arguments for allowing a larger garage included the lack of a basement and reasonable use of a garage.

4. The Board did not recognize the need for regular maintenance of the current buildings as a hardship. However the high water table is a consideration. The Board also recognized that the proposal would decrease the amount of the existing encroachments and remove a current parking space which is non-compliant.

5. The proposal would not have a negative effect on neighboring properties.

6. The proposal matches the characteristics of the neighborhood.

Discussion centered on standards 3 and 4. Ostlind emphasized the benefits of improving upon the current conditions. This is an older neighborhood where the buildings are closely-knit and the proposal would blend in. Berenyi felt the buildings could be compliant without diminishing their value; there are design solutions other than a variance.

The Board approved the motion 3-1.

Ayes: 3 - Peter A. Ostlind; Patrick W. Heck and Dina M. Corigliano

Noes: 1 - Agnes (Allie) B. Berenyi

Excused: 1 - Winn S. Collins

2. [08598](#) Communications and Announcements

The Board will meet Aug 24th to consider two cases.

ADJOURNMENT

The meeting adjourned at 6:11 pm.