



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Meeting Minutes - Approved ZONING BOARD OF APPEALS

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Thursday, December 13, 2012

5:00 PM

215 Martin Luther King, Jr. Blvd.  
Room LL-110 (Madison Municipal Building)

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### CALL TO ORDER / ROLL CALL

Basford, chair, called the meeting to order at 5:07 pm and explained the appeals process.

**Staff Present:** Jenny Kirchgatter and Chrissy Thiele

**Present:** 5 -

John W. Schlaefer; Diane L. Milligan; Susan M. Bulgrin; Michael A. Basford and Frederick E. Zimmermann

**Excused:** 1 -

Dina M. Corigliano

### APPROVAL OF MINUTES

Schlaefer motioned to approve the minutes, seconded by Bulgrin, with the spelling correction of Haver's name in the first item. The motion passed by voice vote/other.

### DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

### PETITION FOR VARIANCE, AREA EXCEPTIONS OR APPEALS

1. [28475](#) Troy Kattreh and Pam Schwarzbach, owners of property located at 3741 Hillcrest Drive, request a right side yard area exception to construct a second story addition to their two-story single family home.  
Ald. District #5 Bidar-Sielaff

**Attachments:** [3741 Hillcrest Dr.pdf](#)

Kirchgatter introduced the project as having a zoning code requirement of 9' 6" right side yard setback, including a 30" right side depth penalty, while the construction of the second story addition would provide a 7' setback. Therefore, the owners are requesting a 2' 6" right side yard area exception.

Troy Kattreh explained to the board members that he wished to remove the shed dormer on the second floor and construct a gable style roof line and expand the second floor to the full width of the house by using the first floor foundation walls. He stated that the style of the addition would tie in with the rest of the house. Kattreh then went on to show pictures of other homes with recent additions in his neighborhood.

Tom McHugh, the architect, assured the board members that the extension of the house would not extend farther than the houses neighboring the property.

Schlaefer motioned to approve, seconded by Bulgrin.

Board members agreed that there were many different styles of homes in this neighborhood and the addition would fit in with the area. They also agreed the addition harmonizes with the style of the house.

The motion to approve the area exception passed (5-0) by voice vote/other.

2. [28476](#)

Constance Trantow and Jay Mitchell, owners of property located at 230 N. Owen Drive, request a side yard variance to construct an attached garage addition to their two-story single family home.

Ald. District #11 Schmidt

Attachments: [230 N Owen Dr.pdf](#)

Kirchgatter introduced the project as having a zoning code requirement of 7' side yard setback, while the construction of an attached garage addition would only provide a 4' 8" setback. Therefore, the owners are requesting a 2' 4" side yard variance.

Jay Mitchell explained to the board members that the current garage and addition to the house have flat roofs and are prone to leak. He is worried about the structural integrity and mold. The project he is proposing will have a similar placement in the yard where the current structures are. They are looking to replace their current garage with a two-car garage by building it within three feet of the fence and have the remaining portion extend into the house. He had considered building a tandem garage, but it wouldn't fit with the house design like the current proposal would. He also stated that the slope would be steeper with the tandem, versus having a more gradual slope with the proposed garage. This should also relieve flooding to the neighbors further to the south, who are lower on the slope.

Tom McHugh, the architect, explained to the board members that currently the owners have to shuffle cars in and out of the driveway and having a two car garage would alleviate this. He also explained that the tandem garage would have blocked the windows on the south side of the house, blocking all natural lighting to the inside.

Bulgrin motioned to approve, seconded by Schlaefer.

Board members discussed whether or not there was a topographical hardship for this property. They recognized that the neighborhood had various types of garages ranging from none to two car and tandems. Board members agreed that the proposed garage wasn't overly large and acknowledged that the owners tried to limit the impact by having part of the garage built into the house.

The motion to approve the variance passed (5-0) by voice vote/other.

3. [28477](#) Chris Houden, owner of property located at 140 Iota Court, requests a waterfront setback variance to enclose the existing open porches on the 38-unit apartment building.  
Ald. District #2 Maniaci

**Attachments:** [140 Iota Ct.pdf](#)

Kirchgatter introduced the project as having a zoning code requirement of 60.26' waterfront setback, while enclosing the existing open porches would provide a 37.4' setback. Therefore, the owners are requesting a 22.86' waterfront variance. She also explained that this project is part of a larger rezoning project and is contingent on the successful rezoning of the other properties within the development to a PUD.

Randy Bruce, the architect, explained to the board members that they are not asking to increase the structure itself any further, just move the exterior wall out to the end of the structure, in order to increase the size of the apartments and make them more functional. He stated there was also a small extension from the building that would come from the installation of the French balconies, but it would only allow the renter to open the doors and look outside. Bruce also explained that the waterfront setback is not available to a PUD, so that is why he is before the Board.

Kirchgatter clarified to the board members that the French balconies would be a permitted obstruction into the lakefront setback.

Schlaefer motioned to approve, seconded by Zimmermann, with the condition that the variance approval be contingent upon the authorization of the PUD.

Board members agreed that they didn't see any motive for economic or material gain with the proposed project. They also agreed that the lot irregularity and the placement of the building were topographical hardships, and the design was a nice improvement to the building.

The motion to approve the variance passed (5-0) by voice vote/other, with the condition that the variance approval be contingent upon the authorization of the PUD.

#### NEW BUSINESS

4. [28505](#) Approval of Peterson variance application pursuant to judicial order in Dane County Case No. 2011 CV 3376.

**Attachments:** [3017 Irvington Way.pdf](#)  
[Peterson-Collins Decision Order.pdf](#)  
[Link to Legislative File 22798](#)

Schlaefer motioned to approve, seconded by Bulgrin.

The motion to approve the variance passed (4-0) by voice vote/other, with Milligan abstaining.

**DISCUSSION ITEMS**

5. [08598](#) Communications and Announcements

Thiele announced the December 27 meeting had been cancelled and the next meeting will be held on January 10.

Schlaefer and Milligan indicated they have encouraged colleagues to apply for the currently vacant ZBA Alternate position.

Basford reminded board members to hand in their Statement of Interest if they have not already done so.

**ADJOURNMENT**

Meeting adjourned at 5:59 pm.

**Matt Tucker**  
City of Madison  
Zoning Board of Appeals, (608) 266-4569  
Wisconsin State Journal, December 6, 2012