



City of Madison

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

Thursday, July 13, 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 5:00 pm and explained the appeals process.

Staff Present: Matt Tucker and Gretel Irving

Present: 5 - Peter A. Ostlind; Agnes (Allie) B. Berenyi; Patrick W. Heck; Dina M. Corigliano and Winn S. Collins

APPROVAL OF MINUTES

A motion was made by Heck to approve the June 22, 2017 minutes, seconded by Collins. The motion passed (4-0) by voice vote/other. Corigliano abstained.

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

PETITION FOR VARIANCE OR APPEALS

1. [47817](#) Iris & Michael Welch, owners of property located at 214 Dunning St, request a front yard variance to enclose their front porch on their two-story single family home.
Alder District 6 - Rummel

Tucker introduced the project as a request for a front-yard variance to enclose an existing, unheated front porch, explaining how setback averaging was used to produce a 13.2' front yard setback requirement.

Michael Welch, homeowner, stated the porch is in need of repairs providing an opportunity to expand the available living space. While the resulting porch would be unheated, the screens and storm windows would also provide greater insulation for the first floor. The project would maintain the existing footprint, roof and railing by using longer than usual screens and storm windows. The project would include new footings as the existing footings are slipping.

Ostlind moved to approve; Collins seconded the motion.

The Board reviewed the Standards for Approval:

- 1) The Board noted that many homes on this block already have enclosed

porches and structures located in the front yard setback so the desire to enclose this space is not unique; however this house already has living space that extends into the front yard setback which is unusual.

2) The impact from the new screens and storm windows on the existing sightlines would be minimal. The project would maintain the uniform appearance of the neighborhood as so many neighbors already have enclosed porches.

3) The hardship presented is the small size of both the lot and the house. In previous discussions, the Board had generally agreed that a reasonable depth for a porch was 7'. Moving the existing porch into the setback would result in an unreasonably narrow space.

4) As mentioned above, the size of the lot and placement of the house on the lot are contributing factors.

5 & 6) As clearly illustrated on the neighborhood map provided by the applicant, the proposal for screens and storm windows would fit the existing neighborhood and not detract from the adjacent neighbors.

There was concern from the Board that the submitted plans appear to depict casement windows and that future owners may replace the removable storm windows with permanent windows. Ostlind and Collins rescinded the motion and second respectively. A new motion was made to approve screens and storm windows specifically and not the installation of permanent windows.

The motion passed by a vote of 5-0.

2. [47818](#)

Jennifer Higgins and Robert Gillespie, owners of property located at 1806 Chadbourne Ave, request a variance to construct a detached shed.
Alder District 5 - Bidar-Sielaff

Tucker introduced the project by describing the setback requirements for sheds and accessory buildings. This is an undersized lot presenting challenges in placing the shed so as to preserve useable open space. He noted that an earlier Zoning Board (using the standards of the time) had approved a variance to allow for a detached garage but the project was not built.

Robert Gillespie, homeowner, stated the property currently doesn't have a garage or shed. The parcel was subdivided to fit three homes on what had been two lots so the current lot is smaller than usual. The homeowners wish to build a shed for storage of outdoor equipment and bikes. The applicants have already obtained approval from the Landmarks Commission for the design and have maintenance agreements with both adjacent neighbors.

It was noted that several properties on the block already have buildings in the setbacks as shown in photographs provided by the applicants. This property lies lower than its neighbors so there is not concern about water drainage from this proposal.

Tucker noted the Board could require that the maintenance agreements be recorded with the County Register of Deeds prior to obtaining building permits and that such easements are typically reciprocal.

The Board questioned the dimensions of the shed – 8' x 8' being more standard. The applicant answered that 7' x 8' allows them to fit an adult bicycle into the shed while preserving as much of the small rear yard as they could.

Collins moved to approve the request with the condition that the applicant record maintenance easement agreements with 1810 Chadbourne and 20 N Spooner prior to obtaining building permits; Ostlind seconded the motion.

1. The Board noted this is a uniquely under-sized lot.
2. The intent of the ordinance is to push accessory buildings into the rear plane, which is difficult with such limited space. The maintenance agreements would help to preserve the buffer between lots.
3. Full compliance would eliminate any useable open space on this lot. Some form of outdoor storage space is quite reasonable for a single family home.
4. The hardship was created by the platting.
5. The shed would border a driveway along 1810 Chadbourne and the maintenance agreement would preserve a buffer along 20 N Spooner.
6. The Board found there are already many non-conforming properties in this neighborhood due to its age. Approval from the Landmark Commission also shows this project would be compatible.

The motion passed by a vote of 5-0.

3. [08598](#) Communications and Announcements

The next meeting of the Board will be on July 27, 2017.

ADJOURNMENT

The meeting adjourned at 5:57 pm.