



City of Madison

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

Meeting Minutes - Draft ZONING BOARD OF APPEALS

*Consider: Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?*

Thursday, September 18, 2025

5:00 PM

VIRTUAL

The City of Madison is holding the Zoning Board of appeals is meeting in virtual format.

Written Comments: You can send comments on agenda items to zoning@cityofmadison.com

Register for Public Comment:

- Register to speak at the meeting
- Register to answer questions
- Register in support or opposition of an agenda item (without speaking)

If you want to speak at this meeting you must register. You can register at <https://www.cityofmadison.com/MeetingRegistration>. When you register to speak, you will be sent an email with the information you will need to join the virtual meeting.

Watch the Meeting: If you would like to join the meeting as an observer, please visit <https://www.cityofmadison.com/watchmeetings>.

Listen by Phone: (877) 853-5257 (Toll Free) Webinar ID: 850 4017 9848

Call to Order/Roll Call

Jenkins called the meeting to order at 5:01 PM.

Staff Present: Zoning Administrator Katie Bannon, Gabriela Arteaga, and Cary Olson

Board Members Present: 4 –, Angela Jenkins, David Waugh, Sam Fritz, Cliff Goodhart

Board Members excused: 2 - Peter Ostlind, Allie Berenyi

Waugh made a motion to nominate Jenkins to be the chair for this meeting. Fritz seconded the motion. The motion passed 3-0 by unanimous vote.

Approval of Minutes

Waugh made a motion to approve the minutes from the June 12, 2025 meeting. Goodhart seconded the motion. The motion passed 3-0 by unanimous vote.

Public Comment

1. [89796](#) Public Comment (9/18/25)

There were no public comments.

Disclosures and Recusals

There were no disclosures or recusals.

Petition for Variance, Area Exceptions or Appeals

2. [89794](#) Anthony Dreyfuss, owner of the property at 1017 Lawrence St, requests front and side setback variances for a detached garage for a single-family house. Alder District #13

Attachments: [1017 Lawrence St - Aerial.pdf](#)
[1017 Lawrence St - Sanborn.pdf](#)
[1017-Lawrence-St-addresses.pdf](#)
[Marked Up Site Plan \(updated 9-12-25\).pdf](#)
[1017 Lawrence St - Application \(updated 9-12-25\).pdf](#)
[1017 Lawrence Presentation.pdf](#)
[1017 Lawrence St - Staff Report.pdf](#)

Zoning Administrator Bannon explained that the applicant requests a 10-foot front yard setback variance and a side yard setback of one foot to build a detached garage. The site is unusual because it's a through lot. These are lots that have two street frontages. The zoning code treats through-lots as if they have two front yards, two front setbacks, and two front lot lines. In Madison, through lots for small lot single-family lots are very uncommon. The functional front of the house is on Lawrence St, and there's also a Homer Ct front. Today, there's an existing shed structure towards Homer Ct. What's proposed is removing the existing shed and adding a new detached garage. The required front yard setback is 20 feet, which also applies to Homer Ct. The petitioners request a 10-foot front yard setback variance to build the garage. Behind the rear of a house, a three-foot side yard setback is allowed, but there is no rear of the house according to the zoning code. Instead, the code requires the four-foot side yard setback, which matches the building envelope. Applicant proposes a three-foot side yard setback.

Bannon suggested a condition if the Board chooses to approve the variance. The property has a preexisting nonconforming driveway and parking area. If approved, the approval would not extend to the illegal nonconforming issue. The petitioners would have to address the nonconforming driveway and parking area before Building Inspection can issue a permit for the garage. We would need an approved site plan that meets zoning code before issuing a permit.

Petitioner Tony Dreyfuss confirmed that Bannon's description of the request was accurate. Petitioners explained that the property has unique conditions as a through lot, which is unusual for a single-family home. On the block, Homer Ct functions more as an alley than a street. There is no sidewalk, and most

homes already have garages and parking pads close to the street. The unique layout makes it difficult to apply the normal rules to the lot. For the second standard, Dreyfuss said that the goal of setbacks is to create space and protect neighbors. Dreyfuss asserted that the proposal does that as it would place the garage further back from the street than many of the neighboring houses. It would also meet traffic safety requirements. Dreyfuss said the home was built in 1916, and following the code would place the garage in an impractical spot.

The Board asked Bannon questions.

Jenkins closed the public hearing.

Goodhart moved to approve the requested variance and added a condition that the petitioner work with staff to address the nonconforming driveway issue. Fritz seconded the motion.

Review of Standards:

Standard 1: There are conditions unique to the property of the applicant that do not apply generally to other properties in the district
The Board found that the variance meets the standard. The lot is unique in this district since it is a small, single-family home through lot.

Standard 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 Board found that this variance meets the standard. As a thought lot, the intent is to protect development at the front of the house. In this case, since it's a unique lot, the variance is for the functional rear of the house. Setbacks also serve to provide a building envelope, which makes sense for a large, multi-family through-lot. However, this lot is a small, single-family home through lot and so is not contrary to the regulations.

Standard 3: For an area 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.
The Board determined that compliance would be unnecessarily burdensome or prevent use of the property for a permitted purpose. Because of the lot, placing the garage so close to the house would interfere with the usability of the house. With regards to the side yard setback, the lot is unique as a smaller through lot. If we treat this property like the adjacent properties, the requested side yard setback variance would comply with those stipulations.

Standard 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 Board noted that the terms of the ordinance create hardship because of the unique conditions of the lot. The terms of the ordinance would prevent the petitioner from using their property in a similar way to neighboring properties.

Standard 5: The proposed variance shall not create substantial detriment to adjacent property.
The Board determined the proposal does not create substantial detriment to the adjacent properties. Since the proposal is in line with the structures on neighboring lots, there is not a substantial loss of light or air.

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

The Board stated that the variance would be compatible with the character of the immediate neighborhood. The garage matches the pattern of development on that block of Homer Ct. The proposed variance would allow building a garage that is safer than existing garages since it is further back from the street.

The Board voted 3-0 by unanimous vote to approve the requested variance.

3. [89795](#)

JD Development, representative of the owner of the property at 2110 Bascom St, requests a maximum height variance for an addition to a single family house. Alder District #5

Attachments: [Application - 2110 Bascom St.pdf](#)
[2110 Bascom St - addresses.pdf](#)
[2110 Bascom St - Aerial.pdf](#)
[2110 Bascom St - Sanborn.pdf](#)
[2110 Bascom Presentation.pdf](#)
[2110 Bascom St - Staff Report.pdf](#)

Bannon stated that the petitioners request a maximum height variance for an addition to the rear of the house. This district has a maximum height variance of 35 feet. The proposed height is 37.1 feet, and the applicants request a variance of 2.1 feet. The existing house is already over the height limit at 36.9 feet. There is a significant grade change toward the rear of the property. As the slope goes down, there is an increase in height. Bannon explained how the zoning code measures height. Because height is measured at the building midpoint, a rear addition moves the midpoint towards the rear of the building and further down the slope. Bannon also shared renderings of the proposal and photographs of the site.

The petitioner's representative confirmed that Bannon's description of the request was accurate. The home is from 1924, and the grading is existing. Any addition to the home would require a variance for the height.

The Board asked the representative questions.

Jenkins closed the public hearing.

Fritz moved to approve the requested variance. Waugh seconded the motion.

Standard 1: There are conditions unique to the property of the applicant that do not apply generally to other properties in the district

The Board found that the variance meets the standard. The property is on a slope and is prior nonconforming.

Standard 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 Board found that this variance meets the standard. From the intent and purpose, due to the slope, the variance does not create additional height. The height is not changing, only the way the code would calculate the height.

Standard 3: For an area 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.

The Board determined that compliance would be unnecessarily burdensome or prevent use of the property for a permitted purpose. To comply with the ordinance, the applicant would have to either change the grade of the house or reconstruct the roofline. Either option would be unnecessarily burdensome.

Standard 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 Board noted that the terms of the ordinance create the alleged hardship. The site, grade, existing roofline are unusual and in addition this is also a historic district.

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

The Board determined the proposal does not create substantial detriment to the adjacent properties. The variance does not add height to the house and would not negatively impact adjacent properties.

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

The Board stated that the variance would be compatible with the character of the immediate neighborhood. The addition would not add height to the house and is in keeping with the other homes in the historic district. It is nearly invisible from the street. The historic committee approved the design as far as compatibility with the neighborhood character.

The Board voted 3-0 by unanimous vote to approve the requested variance.

Discussion Items

4. [08598](#) Communications and Announcements

Gaby noted that we do not have cases for next month. The Board does have some administrative items to attend to.

Adjournment

Waugh moved to adjourn the meeting. Fritz seconded the motion. The Board adjourned at 6:04 PM.