



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved 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, January 21, 2021

5:00 PM

Virtual Meeting

CALL TO ORDER / ROLL CALL

Winn Collins called the meeting to order at 5:01pm.

Staff Present: Matt Tucker, Nancy Kelso and Cary Olson

Present: 5 - Winn Collins, Allie Berenyi, Angela Jenkins, Jessica Klehr, and Peter Ostlind.

APPROVAL OF MINUTES

A motion was made by Jenkins to approve the October 15, 2020 minutes, seconded by Klehr. The motion passed 4-0 by unanimous vote.

PUBLIC COMMENT

1. [61712](#) Zoning Board of Appeals Public Comment Period

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

PETITION FOR VARIANCE, AREA EXCEPTIONS OR APPEALS

2. [63583](#) George and Barb Perkins, owners of the property at 442 Toepfer Avenue, request a side yard setback variance to raise the height of the roof of the existing single story attached garage of the two-story single family dwelling. Alder District #11.

Tucker stated the property, zoned TR-C1, is on Madison's west side located in the area of Mineral Point Rd. and Westmorland Blvd. Tucker explained the existing structure projects into the side yard setback and the proposal is to reconstruct the existing one story attached garage by raising the walls and roof, and adding overhang to create more pitch and slope to improve drainage. Tucker noted this results in a bulk change in the setback area; the side yard setback for a two story home is 7 feet, the existing setback on this property is 3 feet, resulting in the request for a 4 foot variance.

Applicant George Perkins stated that the garage roof is in need of repair due to water leaks that have been an ongoing issue since purchasing the property. Their proposal to construct a hip (pitched) roof would match the roofline of the garage to that of the home structure, enhance the backyard view of the house and provide a permanent solution to the water leaks. Perkins had obtained a written statement of support from the immediate neighbors at 438 Toepfer Ave. A copy of this statement was provided to all Board members.

The Board asked for clarification on the setback request. Tucker stated that the requested variance is only for the changes to the garage located in the setback area. Tucker noted that if the roof were to be repaired in keeping with the current design, a variance would not be needed.

The Board asked for further information regarding the construction of the garage walls and roof. Perkins provided details of the materials used for the structure, noting that the drain pipe for the garage has been previously replaced several times.

Collins closed the public hearing.

Ostlind moved to approve the requested variance; Berenyi seconded.

Review of Standards:

Standard 1: The Board noted that although the lot is not unique the setting of the structure on the lot, having been placed in the setback, presents a unique challenge.

Standard 2: The Board determined the changes to the structure are minimal, relatively non-intrusive, and maintains the intent and purpose of buffering between properties.

Standards 3 & 4: The Board found that due to the placement of the structure on the lot, changes to zoning ordinance since original construction, and with no change in area of the structure, code compliance would be unnecessarily burdensome and cause hardship.

Standard 5: The Board determined there would be no detriment to neighboring properties, the neighbors most affected have expressed their support of this

proposal.

Standard 6: The Board found the proposed design compatible with the existing house and consistent with the character of the neighborhood.

The Board voted by roll call 4-0 to approve the requested variance.

DISCUSSION ITEMS

3. [62505](#) Zoning Board of Appeals Notice Requirements

Further discussion took place among the Board members and Tucker regarding the requirements the Zoning Board of Appeals and the City have to notify the public of impending hearings. Tucker provided details of current practices and offered options for changes to consider. Discussion on this item will continue at the next scheduled meeting.

4. [08598](#) Communications and Announcements

Tucker indicated that there is a case scheduled for the meeting on February 21, 2021.

ADJOURNMENT

The Board adjourned at 6:46 pm.