



City of Madison

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

Thursday, January 17, 2019

5:00 PM

215 Martin Luther King, Jr. Blvd.
Room 13 (Madison Municipal Building)

CALL TO ORDER / ROLL CALL

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

Staff Present: Matt Tucker and Cary Perzan

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

Excused: 1 - Jessica Klehr

APPROVAL OF MINUTES

A motion was made by Ostlind to approve the December 20, 2018 minutes with amendments, seconded by Heck. The motion passed (4-0) by voice vote with Berenyi abstaining.

PUBLIC COMMENT

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

PETITION FOR VARIANCE, AREA EXCEPTIONS OR APPEALS

54291

Asifa Quraishi-Landes, owner of property at 2332 West Lawn Ave., requests a front yard setback variance to construct an off-street parking space. Alder District #13

Tucker explained that the property in question is a single-family dwelling zoned TR-C2 on the near west side by the Edgewood campus. The request is for a legal front-yard paved parking spot, requiring a 20 ft. front yard parking area variance.

Asifa Quraishi-Landes, applicant, explained that part of the parking pad was already there and she wanted to connect it to a patio area to make it easier to enter or exit a vehicle. She noted she would be willing to add a raised step to the patio portion to ensure vehicle parking does not occur in that area of the pavement. The applicant also expressed safety concerns in the winter months for the joint driveway area and parking at the bottom of the driveway in the legal parking available there.

The Board questioned the applicant if parking at the bottom of the driveway in the tuck garage spot was impacted the rest of the year. The applicant responded that tuck garage spot is used the rest of year. She stated that it went beyond a maintenance issue with an approximate 8 ft. drop from the top of the driveway to the bottom.

The Board requested clarification about the commonness of shared driveways like this in the neighborhood. Tucker confirmed that this joint driveway is unique even though there are visually similar driveways with a double apron or two side-by-side driveways. He explained that by sharing a single drive, both 2332 and 2334 West Lawn Ave. can have larger homes on their respective lots. The tuck garage was a common design at the time the house was built.

The Board requested clarification about street parking options for the property. The applicant responded that street parking is much improved with new two-hour limits and that with a permit is doable, but not as easy for visitors to the property because of that same two-hour time limit.

Tucker reminded the Board that the information presented to them about the slope is new information and no research had been done beforehand to present them with facts about the slope on the property. He referenced case photos from a 2013 variance application to provide a visual representation of the property's slope and pulled up a topographic measurement of the property. He also noted that the first floor of the house sits approximately 2-3 ft. higher than the driveway so that drop is approximately 5-6 ft. across 44 ft. from the front of the house to the back, which he noted is not uncommon with back walkout style homes.

The Board asked the applicant if she agreed with the information presented by Tucker about the rough measurements of the property. She agreed, but added that the slope is not even the entire way, which complicates the situation in her judgement.

The Board questioned if maximums for impervious spaces should be considered here. Tucker responded that the project would be under the maximum for paving because the patio is not for parking and is not considered.

The Board discussed current legal parking options for the property and what conditions might make the slope of the property burdensome to the owner. Tucker added that terraced lots or properties on a bluff have met the burdensome standard in the past in regards to slope.

Ostlind moved to approve the variance as stated; Berenyi seconded the motion.

Review of Standards:

Standard 1: The Board noted the lot is a standard size and shape. The joint driveway is a unique characteristic of the property, but does lead to legal parking with no prevention of using said parking. The Board noted that the shared driveway allows the property to have a larger home.

Standard 2: The Board noted that the intent of the zoning code is to provide uniformity and green space across front yards in the neighborhood rather than provide front parking as a bonus to existing legal parking on the property.

Standards 3 & 4: The Board noted the frequency of adverse weather condition affecting the property are few each year and could be handled with maintenance. That the slope is only a factor on these limited occasions shows that it is not burdensome or a hardship, but more of an inconvenience. No information was presented that the ordinance created the burden or the hardship, which seeks only to maintain open space across yards for the first 20 ft.

Standards 5 & 6: The Board noted that it would be a detriment to nearby properties that may not appreciate setting a precedent for front yard parking in the neighborhood. And while taking a vehicle off the street may be good, a wider apron would not allow another vehicle to park, leaving no gain for street parking. The neighborhood is characterized by having lots of a similar size and shape with continuity across open fronts, which this would impact, and possibly encourage others to look for similar variances for front yard parking.

The Board voted 0-5 to deny the requested variance by voice vote.

DISCUSSION ITEMS

3. [08598](#) Communications and Announcements

There were no announcements.

ADJOURNMENT

The Board adjourned at 6:08 pm.