



City of Madison

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

Meeting Minutes - Approved ZONING BOARD OF APPEALS

Thursday, May 21, 2020

5:00 PM

Virtual Meeting

The City of Madison is holding the Zoning Board of Appeals meeting virtually to help protect our community from the coronavirus (COVID-19) pandemic.

CALL TO ORDER / ROLL CALL

Collins, chair, called the meeting to order at 5:01pm. Collins noted this was a virtual meeting and introduced City of Madison IT staff member Stephan Precourt as technical facilitator for the meeting.

Staff Present: Matt Tucker and Nancy Kelso

Present: 5 - Allie Berenyi, Winn Collins, Angela Jenkins, Peter Ostlind, and David Waugh

Excused: 1 - Jessica Klehr

APPROVAL OF MINUTES

A motion was made by Ostlind to approve, with modifications, the February 20, 2020 minutes, seconded by Berenyi. The motion passed 4-0 by voice vote.

PUBLIC COMMENT

DISCLOSURES AND RECUSALS

Board member Waugh disclosed that he had previously resided in the 1200 block of E. Mifflin St for a period of twenty years and that he personally knows the individuals who have submitted letters for this case. Waugh stated this would not impact his decision. There were no recusals.

PETITION FOR VARIANCE, AREA EXCEPTIONS OR APPEALS

1. [60443](#) Jim Vincent, representative of the owner of the property at 1154 E Mifflin St., requests front and rear setback variances and a variance to allow a three-story structure, to raise the existing structure to create a new basement level for an attached garage and entrance. Alder District #2.

Tucker stated the property lies in the east isthmus area near the intersection of Few St. and E. Mifflin St., and explained the proposed plan is to raise the existing structure up one level to obtain a garage, living space, and a modified entrance, resulting in a 3 story structure. Tucker explained how the front yard setbacks are determined by use of setback averaging, and detailed the placement of the structure which sits into the required setback areas.. It was noted that the neighboring property on Few St., to the rear of the subject property, was in the process of making repairs from damage sustained by a fire at the subject property. Tucker stated the requested front yard setback variance is 12.02 feet, the requested rear yard setback variance is 7.67 feet and a requested variance to allow a 3 story structure in a district where the maximum number of stories allowed is 2.

Jim Vincent, representative for applicant Gene Blabaum, stated he designed the proposed structure, noting the challenges to provide a plan for a single family home to include off street parking. Vincent also noted that the first floor sits 4 feet above grade as built, and that the increase of elevation would be approximately 4.5 feet. Vincent mentioned including a sprinkler system and other modifications to increase fire safety measures.

Applicant Gene Blabaum stated his goal is to include off street parking in a newer, updated home that would be more viable for future sale. Blabaum stated there were other recently constructed homes in the area on E. Mifflin and Williamson Streets that were similar in style to the proposed building plan for his property. Blabaum provided photos via e-mail of a property at 739 Williamson St. for comparison.

The Board clarified with Vincent and Blabaum that the new structure would provide an additional 70 square feet of living space and that the dormer with stairwell is required for a second exit. The applicant stated that if a sprinkler system is installed, they may not need to have the dormer/stairwell.

Tucker provided a correction to the staff report, noting that as proposed, the structure is to be picked up and shifted to the rear approximately 2.3 feet and about 6 inches to the northeast to comply with the 3.33 foot setback. Tucker also noted that if the proposed roof was not approved, a variance would be required for the existing shed roof if the structure were to be raised to 3 stories.

The Board noted and the petitioners agreed, that the property could be rebuilt and fire damage repaired as originally constructed without requiring any variances. The petitioners stated that the repositioning of the building provides more room to a neighboring home and that in the area there are some homes that are classified as 2 story structures but have more height than the proposed structure.

It was clarified for the Board that the home to the rear of this building was damaged by a fire in this building and that the proposed placement of the new structure sites it closer to that home.

Christine Knorr of 1152 E. Mifflin St. registered to speak in opposition of the proposal. Knorr stated she lives in the blue house next door to 1154 E. Mifflin St and is deeply opposed to the expansion of this property. Knorr stated that the property was purchased in the 1980s without off street parking and that it has been rented through the years to multi-year renters without any apparent parking issues. Knorr further articulated reasons for her opposition and provided photos to support her statements.

A letter written by the resident of 1141 E Mifflin in support of the proposal was read in. The list of registrants who are opposed but didn't wish to speak was read in. Knorr's letter that was submitted to the Board prior to the meeting, was re-submitted with additional signatures from area neighbors to support the stated point of view.

In rebuttal to Knorr's statements, petitioners Vincent and Blabaum further discussed the issue of on and off street parking in the immediate neighborhood and noted that there appeared to be a shift among area neighbors from supporting to opposing the project.

There was further clarification for the Board as to placement of the structure on the lot, side yard setback compliance, and consideration by the applicants to repair the structure to original design rather than repair and remodel according to the proposed design.

Collins closed the public hearing.

Ostlind moved to approve the three requested variances; Berenyi seconded.

Review of Standards:

Standard 1: The Board noted that unique to this lot is the required front and rear yard setbacks which leave very little room on the lot to add on to what currently exists.

Standard 2: The Board determined that the proposed changes conflict with the intent of the code.

Standard 3: The Board noted that compliance with the ordinance would not be burdensome as the structure could be rebuilt using the original design.

Standard 4: The Board found that any difficulty or hardship is not caused by adhering to the ordinance but rather from the desire to change the building structure by adding a level.

Standard 5: The Board found that there is detriment to adjacent properties as the proposed structure adds considerable bulk and moves closer to adjacent properties.

Standard 6: The Board concluded the structure would not be in keeping with the character of the neighborhood.

The Board voted 0-4 to deny the requested variances by roll call vote.

DISCUSSION ITEMS

2. [08598](#) Communications and Announcements

Communication: Tucker noted that no new cases have yet been presented, that forthcoming meetings are cancelled and will be re-scheduled as needed, and meetings will be held virtually rather than in person until further notice.

ADJOURNMENT

The Board adjourned at 6:35 pm.