



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, September 21, 2023

5:00 PM

Virtual

CALL TO ORDER / ROLL CALL

Ostlind called the meeting to order at 5:02 pm.

Staff Present: Matt Tucker, Nancy Kelso, and Cary Olson

Board Members Present: 5 – Peter Ostlind, Allie Berenyi, Angela Jenkins, Craig Brown, and Sam Fritz

Board Members excused: 1 - David Waugh

APPROVAL OF MINUTES

A motion was made by Jenkins to approve the August 10, 2023 minutes, noting she was excused from that meeting and will abstain from voting. The motion was seconded by Berenyi. The motion passed 4-0 by unanimous vote.

PUBLIC COMMENT

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

There were no public comments.

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

PETITION FOR VARIANCE, AREA EXCEPTIONS OR APPEALS

2. [79720](#)

Mark Kunkel and Peggy Hurley, owners of the property at 1414 Jenifer St, request a side yard setback variance to construct a building addition on a single-family dwelling. Alder District #6.

Tucker explained the proposal is to remove an existing one story, 10' x 14' finished, conditioned space and replace it with a similarly sized (13' x 13.3') addition, slightly inset from the existing addition's location along the side lot line. Tucker stated that the required side yard setback is 3.3', the proposal provides 2.2', resulting in the request for a 1.1' variance. Utilizing photos and the submitted plans, Tucker provided further details of the proposal, noting that the structures on either side of this property are of equal or greater depth to the existing structure with the proposed addition.

Peggy Hurley, co-owner of the property at 1414 Jenifer St., stated the replacement of the existing room is needed because at the time it was constructed the foundation was not set deep enough, which over years of settling has resulted in structural failings such as cracked walls and door frames becoming offset. Hurley explained how the positioning of the addition minimized the amount of requested variance, noting the difficulty encountered when trying to design a code compliant addition. Hurley expressed the opinion that any impact to adjoining properties would be minimal due to slightly more space gained along the side lot line and the small amount of extension towards the rear lot line.

Mark Kunkel, co-owner of the property at 1414 Jenifer St., stated the larger depth of the addition is preferred in order to increase useful living space for future needs.

There were no questions from the Board for either applicants or City staff.

Ostlind closed the public hearing.

Brown moved to approve the requested variance; Fritz seconded.

Review of Standards:

Standard 1: The Board determined that the location of the existing structure on a narrow lot and the interior configuration of the current addition presented conditions unique to this property.

Standard 2: The Board found this standard was met as the proposal improves on the existing conditions, increasing the amount of area between the neighboring property and is contained within the building envelope of the current structure.

Standard 3: The Board stated that the addition could be built to meet code compliance, however that would require a significant reconfiguration of the kitchen which would be unnecessarily burdensome.

Standard 4: Stating that City ordinance would not allow an addition to be built in the same location without a variance, and noting the existing foundation issues necessitate the need to rebuild, the Board determined that adherence to the ordinance would cause difficulty and hardship,

Standard 5: The Board found no substantial detriment to neighboring properties, noting the proposed addition is placed less into the setback than the current structure, minimizing the overall impact.

Standard 6: The Board determined the proposal would be compatible with the character of the immediate neighborhood, stating that the proposed addition improves upon the existing structure while the street facing view remains unchanged.

The Board voted 4-0 by unanimous vote to approve the requested variance.

DISCUSSION ITEMS

3. [08598](#) Communications and Announcements

Kelso stated there were no submissions by today's deadline for the October 19, 2023 meeting.

ADJOURNMENT

Fritz moved to adjourn the meeting; Brown seconded. By unanimous vote of 4-0 the Board adjourned at 5:30pm.