



City of Madison

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

Meeting Minutes - Approved ZONING BOARD OF APPEALS

Thursday, August 8, 2013

5:00 PM

215 Martin Luther King, Jr. Blvd.
Room LL-110 (Madison Municipal Building)

CALL TO ORDER / ROLL CALL

Basford, chair, called the meeting to order at 5:10 pm and explained the appeals process.

Staff Present: Matt Tucker and Chrissy Thiele

Present: 4 -

John W. Schlaefler; Diane L. Milligan; Dina M. Corigliano and Michael A. Basford

Excused: 2 -

Susan M. Bulgrin and Frederick E. Zimmermann

APPROVAL OF MINUTES

Schlaefler motioned to approve the minutes, seconded by Corigliano. The motion passed by voice vote/other, with Basford and Milligan abstaining.

DISCLOSURES AND RECUSALS

Schlaefler disclosed that he has worked in the past with many of the people registered to speak at this meeting, but that will not affect his judgment on any of the agenda items.

PETITION FOR VARIANCE OR APPEALS

1. [30945](#) Sigma Alpha Epsilon Corp., owner of property located at 627 North Lake Street, requests lakefront setback variance for a new five-story multi-family building. Ald. District #8 Resnick

Attachments: [627 N Lake St.pdf](#)
[627 N Lake St Staff Report.pdf](#)

Tucker introduced the project as having a zoning code requirement of 75' lakefront setback, while the construction of the new five story fraternity house would provide a 53' 9" setback. Therefore, the owners are requesting a 21' 3" lakefront variance.

Steve Harms, from Tri-North Builders, stated that the current structure the fraternity inhabits no longer meets their needs and wish for more rooms in order to house more members. He indicated that it would be difficult to add on the current building, and the fraternity would like to keep the height of the building at five stories, even though they could go two stories higher. They chose the five story design because they believed it would fit better with the neighborhood and to have more fraternity members on one floor. Their lot is

the smallest one in comparison to the others by the lake, making it a hardship.

Harms pointed out adjacent properties that are closer to the lake than theirs would be with variance request. He also pointed out the letter of support from the Alumni Association across Lake Street. They plan to improve the lakefront landscaping, take care of storm water issues, and grant a 10' easement for the future lakefront walk path if the variance is approved.

John Etter, a SAE officer, explained that many of the buildings are no longer fraternity homes and are now apartment buildings or commercial buildings. He also explained that their fraternity is one of the largest on campus and many of the members would like to live in the fraternity house, which they currently cannot accommodate without building a large addition. However, the building is very old and by next year need to install a sprinkler system, which would be expensive and makes more sense financially to build a new building. Etter stated that their new building won't impact too much of neighboring properties view of the lake and the properties across the street on Mendota Court don't have a view.

They plan to meet with the neighboring property owners to discuss their project in the upcoming week and requested the board refer their application to another meeting so they could address the neighboring properties concerns.

Jason Tish, Director of Madison Trust for Historic Preservation, pointed out that Langdon Street is a historic district under the federal program, and the building that would be demolished is considered a contributing building for that historic district.

Nathan Wautier, representing the property owner of 616 Mendota Court, informed board members they submitted a letter requesting them to defer this application until after they have met with the applicants to discuss this project.

Fred Mohs believed the applicants were applying for this project to increase the value of their property and rent out the bedrooms to non-members, like Sigma Chi. He also believed that if the board members were to approve this variance, other properties would start requesting their own variance to build closer to the lake.

Franny Ingebritson stated she agreed with Jason Tish's arguments and reiterated Mohs's argument that this would lead to more lakefront variance requests. She also provided board members with maps showing the historical district and contributing buildings.

Mary Devine, property owner of 661 Mendota Court, would also like meet with the applicants and review the project before the board members make a decision.

Etter and Harms acknowledged opponents' concerns, but indicated the new building is necessary, not only to house more fraternity members, but also to help prevent hazing and address numerous safety concerns. Also, the property is not owned by them, but is leased to them, so there isn't a huge financial gain and whatever excess money they have, they use for scholarships for fraternity members.

Tucker noted that any demolition or construction of a new building would require special approval, as well as certain types of additions for lakefront properties. As for this property, it will need demolition approval from the Plan Commission, as well as a Conditional Use for the fraternity house to be in a DR2 district.

Schlaefer motioned to defer the variance request to a meeting no later than September 26, seconded by Corigliano.

Board members wished for the applicants to clarify their necessity to build such a large building on a small lot, especially when they have the option to build up instead of out. In addition, they wished for them to provide calculations as to how difficult financially it would be between the two options. They also pointed out their caution towards creating precedents that other properties would request.

The motion to defer the variances passed (4-0) by voice vote/other.

2. [31042](#)

Stephen & Marlie Sramek, owners of property located at 2834 Waunona Way, request a lakefront setback variance to enclose the space under the deck and install a new mechanical equipment pit at their two-story single family home.
Ald. District #14 Strasser

Attachments: [2834 Waunona Way.pdf](#)
[2834 Waunona Way Staff Report.pdf](#)

Tucker introduced the project as having a zoning code requirement of 123.9' lakefront setback, while the enclosure of the space under the deck, as well as the construction of the mechanics pit, would provide a 35' setback. Therefore, the owners are requesting an 88.9' lakefront variance. Property is zoned TR-C1.

Steve Larson explained that the underground sewer line dictated the placement of the house when it was first built. The main a-frame, the decking, and the screened porch are original to the house. There is also a dramatic grade change between the front and back of the house, so only the basement facing the lakefront is exposed. The variance request is only to enclose the area below the deck and it wouldn't visually change the upper part of it. Also, everything is visually tucked in to the side of the building, so you can't see anything beyond the screened porch. The mechanical pit that is also in the setback area only goes two feet above the ground and does not reach the deck height.

Corigliano motioned to approve the variance, seconded by Schlaefer.

Board members determined that the sewer and the grade are unique to the property and also create a hardship. The placement of the addition has the least amount of impact on neighboring properties in comparison to building the addition in an allowed area. They also saw the addition to fit in with the characteristics of the neighborhood.

The motion to approve the variances passed (4-0) by voice vote/other.

3. [31043](#)

Bill & Nina Dvorak, owners of property located at 3358 Ridgeway Avenue, request a side yard variance to expand their existing single-story screen porch on their two-story single family home.

Ald. Distric #12 Palm

Attachments: [3358 Ridgeway Ave.pdf](#)
[3358 Ridgeway Ave Staff Report.pdf](#)

Tucker introduced the project as having a zoning code requirement of 7' side yard setback, while the construction of the three-season room would provide a 5.6' setback. Therefore, the owners are requesting a 1.4' side yard variance. Property is zoned TR-C1.

Bill Dvorak explained that the house has been in his family since 1955 and believes the porch to be original to the house, as it is included in the blue prints. He stated that the porch is in need of replacing and would like to replace it with a three-season room, which would add much needed space for his home. An addition was built when his parents were older, but was built two feet away from the screened porch, creating a small gap between the two. He would like to enclose that gap and make it part of the three-season room in order to improve the aesthetics of the house and improve drainage issues. Dvorak also stated he will replace the door on the second floor that leads out over the screen porch with a window.

Steve Slanner, employee of Champion Windows, added that the existing concrete wall and foundation of the screened porch is part of the house foundation and they plan to use that for the three-season room. They also plan on replacing the current roof with a studio roof.

Corigliano motioned to approve the variance, seconded by Milligan.

Board members determined that the existing location of the house drives the need for the variance and it would be difficult for them to build it at any other place. They also stated that the size of the project is standard and if the applicant were to meet the setback requirements, the resulting room would be very narrow. They didn't see any aspects of the project that would adversely affect surrounding properties and it fit with the characteristics of the neighborhood.

The motion to approve the variance passed (4-0) by voice vote/other.

DISCUSSION ITEMS

4. [08598](#) Communications and Announcements

Tucker announced that a new alternate ZBA member has been introduced at the Common Council meeting and will be approved at the September meeting.

ADJOURNMENT

Meeting adjourned at 5:42 pm.

Matt Tucker
City of Madison
Zoning Board of Appeals, (608) 266-4569
Wisconsin State Journal, August 1, 2013

