



City of Madison

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

Meeting Minutes ZONING BOARD OF APPEALS

Thursday, August 25, 2016

5:00 PM

215 Martin Luther King, Jr. Blvd.
Room LL110 (Madison Municipal Building)

CALL TO ORDER / ROLL CALL

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

Staff Present: Matt Tucker and Katrina Barger

APPROVAL OF MINUTES

A motion was made by Ostlind to approve the July 28, 2016, minutes, seconded by Collins, with a correction on the second page. The motion passed by voice vote/other, with Berenyi abstaining.

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

PETITION FOR VARIANCE, AREA EXCEPTIONS OR APPEALS

1. Hausspace LLC, owner of property located at 117 North Ingersoll Street, requests a side yard variance to construct a second-story addition with a single-story open front porch addition onto their two-story single family home. Ald. District #2 Zellers

Tucker introduced the project as having a zoning code requirement of 3.3' side yard setback, while the construction of a second story addition would provide a .7' setback. Therefore, the owner is requesting a 2.6' side yard variance. Property is zoned TR-V1. Tucker informed board members that the applicant modified the plans since the submittal to not include the front porch addition with the variance request. The bathrooms upstairs have changed slightly, but the overall size and setbacks of the second story addition remain the same.

Phil Jackson, the applicant, explained that this property was one of Ray Peterson's homes that he is trying to refurbish and update. He is looking to add a second story with three bedroom and two bathrooms. He stated that if he were to comply with the setbacks of the lot, the second story would look strange and not have as strong of support, as it would with the side wall of the first story and foundation wall. His intent is to keep the house a single-family home. He will be adding beams to the basement to increase support for the foundation, and extend the height of the first story to bring it to standard height, but will not be moving any of the first story exterior walls. He has altered the front porch to meet the side yard setback requirements.

Tucker informed board members that eaves and gutters are not allowed to extend over property lines, so the applicant will have to alter the design to meet this requirement.

Collins motioned to approve the variance request, seconded by Berenyi, with the condition that the applicant record a maintenance agreement between this property and the neighboring property and the roof overhang not go over the property line.

Board members agreed that the placement of the house and the size of the lot are unique for the property as well as creates the hardship. They pointed out that it would be burdensome to have the applicant move foundation instead of using what is already there. Also, taking two feet out of an already narrow floor plan can greatly affect the layout of the house, and create a substandard building. Most homes in this area are not centered on the property and are almost built to the property line, with the driveway acting as the buffer between homes; so the addition would fit in with the neighborhood.

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

2. Andrew and Erica Jessen, owners of property located at 1213-1215 Spaight Street, requests a side yard variance to construct an attic level dormer addition onto their two-story two family home.
Ald. District #6 Rummel

Tucker introduced the project as having a zoning code requirement of 3.3' side yard setback, while the construction of an attic level dormer addition would provide a 2' setback. Therefore, the owners are requesting a 1.3' side yard variance. The property is zoned TR-C4.

Jenny Dechant, the owners' representative, explained to board members that the owners would like to make the attic space habitable for the second unit of this two-unit building, but in order to meet current building code requirements they need to have a second stairway built to code. The dormer addition will provide code compliant head room for the stair way. Dechant pointed out that there isn't really any other place to locate the stairway, and they are adding on to an existing stairway location. The size and style of the dormer is based on recommendations from the Landmarks Commission, as this property is in the Third Lakes Historic District. The front of the attic space is currently finished off, as it used to be the servant's quarters when the house was built. The third floor bathroom location is directly above the second floor bathroom, to keep the plumbing as close together as possible. There is also an existing chimney they will be taking out, so there is a straight shot to the mechanics.

Collins motioned to approve the variance request, seconded by Berenyi.

Board members agreed the placement of the building is already in the setback, as well as the neighboring building. The property is also very narrow. The stairwell dormer looks like it would almost line up with the neighboring attic dormer.

Ostlind moved to re-open the hearing, seconded Collins, and called the Dechant back to the table.

Board members questioned the location of the window in the stairwell, to

which Dechant responded that someone would be able to look over the railing by the stairs to see out of the window.

Corigliano closed the public hearing.

Board members agreed that there wasn't a lot of change between what exists currently and what is being proposed. The bulk being added is above the roofline of the neighboring property.

Collins moved to re-open the hearing, seconded by Ostlind, and called the Dechant back to the table.

Board members questioned whether or not the stairway could be moved in, or if the stairway wall was a load bearing wall. Dechant stated she didn't have a structural engineer analyze it yet, but she believed it to be one. The stairs in question do not go to the basement, but the rear stairs do.

Corigliano closed the public hearing.

Board members debated whether or not strict compliance with the zoning code would be burdensome, and whether or not the applicant would be able to build the dormers to meet the setbacks and still meet building code requirements. They stated that while the dormers that are across from each other might be detrimental to the neighboring property, it is not substantial and you cannot get closer to the window than what the railing of the stairway would allow. They agreed that dormers are a common characteristic of the neighborhood and has been approved by Landmarks Commission, so it will fit in with the historic nature.

The motion to approve the variance request passed (3-1, Collins) by voice vote/other.

3. Board of Regents, University of Wisconsin System owners of property located at 1429 Monroe Street, requests a variance to the façade articulation and door/window opening requirement to construct a two-story addition to an existing public safety and services facility.

Ald. District #5 Bidar

Tucker introduced the project with the zoning code requirements of having façade articulation at 40' intervals, as well as door and window openings on the façade. The applicant is requesting an exception from these two design requirements for their two-story office and garage addition. The property is zoned CC-T.

Aaron Williams, a landscape architect and assistant campus planner for UW-Madison, explained that they have been planning this project since 2009 and they are planning on congregating all of the Campus Police Department program elements into one facility. The main level will be a parking structure, with offices located on the second floor. The building is designed with security and defense in mind for the campus police department.

Robert Barr, with Continuum Architects & Planners, explained the necessity for the addition and how the addition would meet the needs of the department. New landscaping will be installed in front of the building, but will remain low

for security. They have tried to make the building look as open and inviting as possible while still maintaining a certain level of defense.

Tucker explained that only the new addition has to meet the zoning code, and would not apply to the existing buildings.

Barr stated they had not considered using spandrel on the first floor to give the appearance of windows.

Tucker provided more information regarding the façade articulation requirements and how difficult it would be to design a façade consistent with a storefront building, but function as a public safety and services building. He pointed out that the windows on the second floor exceed the requirement.

Corigliano acknowledged Ann Hayes registered in support of the variance request.

Ostlind motioned to approve the variance requests, seconded by Collins.

Board members debated whether or not applying standards meant for retail and storefront properties is a hardship for this use. They also debated the purpose and intent of the code and whether or not the building should be designed to blend in more with the surrounding buildings.

Tucker reviewed the Ziervogal case and Assistant City Attorney Noonan's statements on said case with the Board. He tried to relate the outcome of the case with the variance requests currently before them.

Board members debated whether or not the applicants could try to meet the façade articulation by bumping the building addition in a few feet, or whether security was more of an issue.

Collins moved to re-open the public hearing, seconded by Ostlind. Board members asked the applicants if they would be interested in a referral instead of a straight up or down vote. Board members also asked applicants if they would be willing to make any effort to have the building look more inviting and blend in with the area.

Corigliano closed the public hearing.

Ostlind and Collins withdrew their motions to approve both variance requests.

Collins moved to approve the variance request for door and window openings, seconded by Ostlind. Motion passed by voice vote/other (3-1, Berenyi).

Collins motioned to defer the variance request for the façade articulation, seconded by Ostlind, to a meeting no later than October 27, 2016, with the understanding that if the applicant bring plans to Tucker showing that the façade articulation has been met, the applicant can withdraw the request. Motion passed by voice vote/other (4-0).

DISCUSSION ITEMS

4. Communications and Announcements

There were no announcements.

ADJOURNMENT

The meeting adjourned at 7:55 pm.

Matt Tucker
City of Madison
Zoning Board of Appeals, (608) 266-4569
Wisconsin State Journal, August 18, 2016