



City of Madison

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

Thursday, January 11, 2018

5:00 PM

210 Martin Luther King, Jr. Blvd.
Room 103A (City County Building)

CALL TO ORDER / ROLL CALL

Corigliano, chair, called the meeting to order at 5:00 pm and explained the appeals process.

Staff Present: Matt Tucker and Gretel Irving

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

APPROVAL OF MINUTES

A motion was made by Collins to approve the January 11, 2018 minutes, seconded by Berenyi. The motion passed (5-0) by voice vote/other.

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

PETITION FOR VARIANCE

1. [49980](#) Cheri Baker, owner of property at 913 Harrison St, requests a variance to construct a one-story attached garage addition.

Tucker introduced the variance request to construct an attached one-story garage partially in the rear-yard setback.

Edward Linville, representing the applicant, outlined the reasons for moving the existing driveway from Harrison Street to Jefferson Street. The current drive is sloped down to the street and exits close to the intersection. The proposed driveway would provide parking level with the floor of the house and would enter the street farther from the intersection. The placement of the garage is designed to maximize open green space at the corner of the lot and preserve a mature oak tree. The applicant would also move the existing fence away from the lot line to line up with the garage.

In discussion with the Board, Linville stated that the applicant would be able to maintain the fence without accessing the neighboring property and would remove the existing driveway and apron and fill in the curb cut.

In discussion of setback requirements, Tucker noted that this property is zoned differently from many of its neighbors and thus has different setback requirements. If the applicant built a detached accessory structure in the proposed location, they could build up to 3' from the rear lot line but would

only have 9.5' of buildable space- too narrow for a garage. If they built a garage attached to the current driveway, a variance would not be needed; however, they would need to remove the oak tree, curve the driveway to reach the existing apron or move the apron closer to the intersection, and close several windows on the house. The proposed driveway would not require the removal of the other existing trees on the property or the terrace.

Collins moved to approve the application conditioned on the applicant obtaining all necessary permits for the closure of the existing driveway and construction of the proposed driveway; Ostlind seconded the motion.

Review of Standards:

Standard 1: Unique factors for this property stem from the lot division at the time of development causing it to be zoned differently from neighboring properties, creating the reverse-corner side yard and blocking access to the alley.

Standard 2: The Board noted that the area designated as a rear yard functions as a side yard in relation to 1820 Jefferson Street. The Board felt an acceptable buffer between the properties would remain, noting that the applicant could build a detached accessory building in this space without a variance .

Standards 3 & 4: Board members noted that, in other cases, removing a mature tree has been considered a hardship to both property owners and the neighborhood. The Board also considered the loss of windows and the safety concerns of exiting a driveway close to an intersection.

Standards 5& 6: The Board discussed the potential detriment of the proposed garage versus a compliant garage in relation to 1820 Jefferson St, the view corridor along Jefferson St and the potential loss of the tree for the neighborhood. The Board determined that a compliant garage would in total cause greater detriment to the neighborhood than the proposed variance.

The motion passed by a vote of 5-0.

2. [08598](#) Communications and Announcements

The next Board meeting will be held January 25, 2018.

ADJOURNMENT

The meeting adjourned at 6:00 pm.