



City of Madison

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

Meeting Minutes - Approved ZONING BOARD OF APPEALS

Thursday, December 12, 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 5:06 pm and explained the appeals process.

Staff Present: Matt Tucker and Chrissy Thiele

Present: 5 -

John W. Schlaefter; Susan M. Bulgrin; Dina M. Corigliano; Michael A. Basford and Frederick E. Zimmermann

Excused: 2 -

Diane L. Milligan and Winn S. Collins

APPROVAL OF MINUTES

Schlaefter motioned to approve the minutes, seconded by Bulgrin, with a correction on page two. The motion passed by voice vote/other.

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

PETITION FOR VARIANCE OR APPEALS

1. [32459](#) Cathy Slichter and Nicholas Aiuto, owners of property located at 425 Woodward Drive, request a front yard variance to expand the existing garage and to construct an accessory dwelling unit.
Ald. District #18 Weier

Attachments: [425 Woodward Dr.pdf](#)
[425 Woodward Dr Staff Report.pdf](#)

Tucker introduced the project as having a zoning code requirement of 30' front yard setback while the expansion of the detached garage and construction of an accessory dwelling unit would provide a 24' 6" setback. Therefore, the owners are requesting a 5' 6" front yard variance. Property is zoned SR-C1.

Christi Weber, the owner's representative, explained that the owners would like to convert the shop behind the detached garage into an accessory dwelling

unit for their autistic son so he can be near them yet have his privacy, as well as expand the depth of the garage to accommodate their vehicles. The property has several unique conditions, such as a protected Indian mound, mature open maple woods, and a steep slope directly to the south of the garage that angles down towards the lake. She stated that all of these conditions limited the placement of building the accessory dwelling unit elsewhere on the property, and the owners would prefer to use utilize the structure that is already there rather than create an additional building on the lot. Weber added that the proposed won't alter the current setback of the garage, and many property owners in the neighborhood also have garages that do not conform to the setback requirement. She also mentioned that the project wouldn't detrimentally affect the neighboring homes due to the maple woods on the property and the lot across the street is also owned by the applicants.

Zimmermann motioned to approve the variance request, seconded by Schlaefer.

Board members acknowledged that the maple woods, the slope of the property, the Indian mound, and the current location of the house limited the placement of the accessory dwelling unit. They also acknowledged that the existing garage isn't parallel with the setback and if the owners tried to make the addition comply with the zoning code, they would end up with a weird looking building that also wouldn't conform. The garage is also over 100 years old, which creates a hardship. Board members pointed out that there would be a small portion of the second story in the setback variance, but overall the addition wouldn't detrimentally affect the surrounding properties as the lot is large and densely covered with trees. The project also fits in with the characteristics of the neighborhood.

The motion to approve the variance passed (5-0) by voice vote/other.

2. [32460](#)

Beth Israel Center, owner of property located at 1406 Mound Street, request front and reverse corner side yard variances, as well as a lot coverage variance, to construct a two-story addition onto a two-story synagogue.
Ald. District #13 Ellingson

Attachments: [1406 Mound St.pdf](#)
 [1406 Mound St Staff Report.pdf](#)

Tucker introduced the project as having a zoning code requirement of 10' front yard setback and a 31' 4" reverse-corner side yard setback, which includes a 136" side wall offset, while the two story addition to the synagogue would provide a 7' 4" front yard setback and a 5' reverse-corner side yard setback. Therefore, the owners are requesting a 2' 8" front yard variance and a 26' 4" reverse-corner side yard variance. The property also requires a lot coverage of 65% maximum allowed, while the proposed addition would have a coverage of 81.76%. As a result, the owners are requesting a variance to increase the lot coverage by 16.76%. Property is zoned TR-C4.

Paul Cuta, an architect associated with the proposed project, explained to board members that the synagogue would like to stay in the neighborhood instead of relocating somewhere else, but needs to expand their sanctuary to accommodate their congregation as well as create a parking lot to accommodate disability parking and create a safe drop off point for children.

He pointed out the apartments and commercial buildings located in the neighborhood are also built close to the front property line, so their addition wouldn't be out of place. Cuta pointed out to board members that the addition has to happen on the east side due to religious requirements and they couldn't expand up as they would be building beyond the allowed height limit and still need a variance. The synagogue also wants to maintain as much accessibility as possible. He also pointed out proposed terrace and Sukkah on the west side of the building is to act as a buffer between the synagogue and the neighboring apartment building and is also supposed to correct a drainage problem that causes water damage to the basement classrooms. He stated that they would be open to switching to pervious pavement to increase their lot coverage percentage, but they would most likely still need a variance for it.

Jordan Loeb, president-elect of the synagogue, informed board members of the history of the synagogue, as well as explained the religious requirements their members take part in, such as not using electricity or drive their cars on holidays or Sabbath day. He also informed board members that they have brought their proposed project before the surrounding neighborhood associations and have received unanimous support for it. He also mentioned support from the alderman for the project.

Basford acknowledged registration statements in support for the variance requests from Mark Schellpfeffer, Joshua Ben-Gdeon, Mike Huffman, and Rosalind Woodward. He also acknowledged a letter of support from Alderman Sue Ellingson for the variance requests.

Corigliano motioned to approve the front yard and reverse-corner side yard variance requests, seconded by Zimmermann.

Board members determined that the existing placement of the building, the sloping of the property, and the irregular shape of the lot are unique conditions to the property and limit the placement of the additions. Board members agreed that the proposed additions match the distance from the sidewalk of other buildings on Mound Street and the applicants are limiting the impact of their additions. The proposed additions would also have a minimal effect on neighboring properties and fits in with the other buildings in the area.

The motion to approve the variance request passed (5-0) by voice vote/other.

Corigliano motioned to defer the lot coverage variance request, seconded by Bulgrin, to a meeting no later than February 13, 2014.

Board members requested that the applicant provide more information as to what they can do in order to provide more pervious surface and also more information on the lot coverage presented so board members can make an informed decision for the lot coverage variance request.

The motion to defer the variance request passed (5-0) by voice vote/other.

3. [31998](#)

Cora Lee Kluge, owner of property located at 121 South Owen Drive, requests a side yard variance to construct a new detached accessory structure.
Ald. District # 11 Schmidt

Attachments: [121 S Owen Dr Original.pdf](#)
 [121 S Owen Dr. Revision.pdf](#)
 [121 S Owen Dr Staff Report.pdf](#)

Tucker introduced the project as having a zoning code requirement of 6' side yard setback while the construction of a new attached garage would provide a 3' 2" setback. Therefore, the owners are requesting a 2' 10" side yard variance. Tucker informed board members that the previous proposal was for a detached garage. Property is zoned TR-C1.

Cora Lee Kluge, the owner, informed board members that the house and garage were built in 1936 and has been unable to park her car in the garage for many years due to its narrow size. She pointed out that the width between the house and the garage isn't very large and provides the only access to the back yard, as there are retaining walls on both sides of her property. She also informed board members that her basement and backyard have been flooding ever since her neighbor built the backyard addition. The new garage will act as a retaining wall to keep the water running off from her neighbor's property into hers and stated her neighbor fully supports the proposed plans.

Todd Barnett, the owner's representative, added on that they have reduced the size of the structure from 40' to 28' and plan to have a retaining wall in the front and back of the garage to control the runoff from the neighbor's yard. He handed out an additional plan to board members showing the bay view window on the side of the house next to the garage and pointed out that it projects out 7.5" from the house. He also showed board members pictures showing the placement of the current garage. He added that they had looked into other solutions for the flooding problem, such as underground pipes, etc., but the cost and maintenance would be greater than installing the retaining walls.

Zimmermann motioned to approve a 2.1' side yard variance, seconded by Corigliano.

Board members determined that the placement of the house affects the placement of the garage and no matter where the garage is placed it will need some sort of variance. They also determined that the slope of the lot creates a hardship in the placement of the garage. Board members agreed that the garage wouldn't create substantial detriment to the surrounding properties and fits in with the neighborhood.

The motion to approve the 2.1' side yard variance passed (5-0) by voice vote/other.

DISCUSSION ITEMS

4. [32415](#) Reminder that all members of City of Madison committees, commissions, or boards must file a Statement of Interests form with the City Clerk's Office by January 7, 2014.

Basford reminded board members to hand in their Statement of Interests cards before the end of the year.

5. [08598](#) Communications and Announcements

Tucker announced that there would not be a meeting on December 26th.

ADJOURNMENT

Meeting adjourned at 6:33 pm.

**Matt Tucker
City of Madison
Zoning Board of Appeals, (608) 266-4569
Wisconsin State Journal, December 5, 2013**