



# City of Madison

City of Madison  
Madison, WI 53703  
[www.cityofmadison.com](http://www.cityofmadison.com)

## Meeting Minutes - Approved ZONING BOARD OF APPEALS

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Thursday, July 24, 2014

5:00 PM

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

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### CALL TO ORDER / ROLL CALL

Basford, chair, called the meeting to order at 5:04 pm and explained the appeals process.

**Staff Present:** Matt Tucker and Chrissy Thiele

**Present:** 5 - John W. Schlaefter; Diane L. Milligan; Susan M. Bulgrin; Dina M. Corigliano and Michael A. Basford

**Excused:** 2 - Frederick E. Zimmermann and Winn S. Collins

### APPROVAL OF MINUTES

A motion was made by Milligan to approve the July 10, 2014 minutes, seconded by Schlaefter. The motion passed by voice vote/other.

### DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

### PETITION FOR VARIANCE OR APPEALS

1. [34778](#) Michael Bergin, owner of property located at 3134 Hermina Street, requests a side yard variance for a first story enclosed stair addition and single-story attached garage at his two-story two-family home.  
Ald. District #6 Rummel

**Attachments:** [3134 Hermina St.pdf](#)  
[3134 Hermina St. Staff Report.pdf](#)

Tucker introduced the project as having a zoning code requirement of 4.26' side yard setback, while the construction of an attached garage and first story enclosed stair addition would provide a 3' setback. Therefore, the owner is requesting a 1.26' side yard variance. Property is zoned TR-C4.

Michael Bergin, the owner, explained to board members that currently the first and second floor tenants are obstructed by the rear stairwell to the basement and he wishes to remedy this by moving it forward. This stairwell would be used by the first floor tenant to access the basement and the back yard, while the second floor tenant would be able to access the basement via the front stairwell. Without the rear stairwell for the first floor tenant, the front stairwell would have to be shared by both tenants, inconveniencing the privacy of the second floor tenant. Also, the detached garage is on a mound, so he cannot move it back any further. Bergin has not planned out the space in the

basement to be used by each tenant yet, but they might share a laundry facility.

Tucker informed board members that there is a code requirement to provide two exits and for there be a certain distance between them.

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

Board members agreed that the grade drop of the property is significant, making it unique to the property as well as creating a hardship. They acknowledged that the applicant has minimized the bulk of the addition and has made the garage as narrow as possible while still being able to function as a garage. The addition shouldn't detrimentally impact the surrounding properties, fits well with the neighborhood, and is an improvement to the property.

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

2. [34779](#)

Patricia Brown, owner of property located at 1949 E. Main Street, requests a rear yard variance for a second story three-season porch on her two-story single family home.

Ald. District #6 Rummel

Attachments: [1949 E Main St.pdf](#)  
[1949 E Main St. Staff Report.pdf](#)

Tucker introduced the project as having a zoning code requirement of 12.29' rear yard setback, while the addition of a second story three-season porch would provide a .4' setback. Therefore, the owner is requesting an 11.89' rear yard variance. Property is zoned TR-V1.

Patricia Brown explained to board members that she has a long and shallow lot, with the rear property line abutting the railroad corridor. Neighboring properties have deeper rear yards as they purchased property from the railroad in the past. She would like to purchase a portion of the railroad property behind her house and is currently in communication with the State of Wisconsin and Union Pacific. Brown also explained that the original house is two stories and was moved to this property in 1952. An addition was built afterwards, with a flat roof, and that is where she would like to build the three-season porch. She was given a variance by the Building Code Appeals Board with the condition that she use 5/8" drywall for the three-season porch and move the ground level screened porch another foot from the property line, in order to provide additional fire-proofing to the house. Brown pointed out that the three-season porch would not be adding to the footprint of the house and she would have to cut down mature trees if she were to build it elsewhere on her property. She originally wanted a screened porch on the second floor, but it would affect the exception in the code that would allow her to build the screened porch on the first floor.

Tucker explained to board members the building code requirement when building close to the property line is to provide additional fire protection.

Michael Parson, a neighboring property owner, spoke in support of the variance, stating it had a nice aesthetic to the property.

Ben Anton registered in support of the variance request.

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

Board members acknowledged the shape of the lot being long and narrow, as well as the placement of the house are unique to the property and also create the hardship. The owner is also trying to purchase part of the railroad property behind her house, but the sale might not go through. They acknowledged that the three-season porch isn't adding to the footprint of the house and isn't going back further than any of the neighboring homes. There also are mature trees close to the home, making it inconvenient to build elsewhere. Board members agreed that the addition wouldn't negatively impact surround properties and blends in with the characteristics of the neighborhood.

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

### DISCUSSION ITEMS

3. [08598](#) Communications and Announcements

There were no communications or announcements.

### ADJOURNMENT

Meeting adjourned at 5:47 pm.

Matt Tucker  
City of Madison  
Zoning Board of Appeals, (608) 266-4569  
Wisconsin State Journal, July 17, 2014