



# 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, March 27, 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 5:10 pm and explained the appeals process.

**Staff Present:** Matt Tucker and Jenny Kirchgatter

**Present:** 5 -

John W. Schlaefter; Susan M. Bulgrin; Dina M. Corigliano; Michael A. Basford and Winn S. Collins

**Excused:** 2 -

Diane L. Milligan and Frederick E. Zimmermann

### APPROVAL OF MINUTES

The minutes of March 13, 2014, were incomplete and could not be approved.

### DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

### PETITION FOR VARIANCE, AREA EXCEPTIONS OR APPEALS

1. [33409](#) Eva Ziegelhofer, owner of property located at 5705 Forsythia Place, requests a side yard variance to construct a two-car attached garage addition with bath and laundry room onto her single-story, single-family home.  
Ald. District #11 Schmidt

**Attachments:** [5705 Forsythia 3-27-14.pdf](#)  
[5705 Forsythia Staff Report.pdf](#)

Tucker introduced the project as having a zoning code requirement of 5' side yard setback while the construction of a two car garage addition would provide a 1' 7" setback. Therefore, the owner is requesting a 3' 5" side yard variance. Property is zoned TR-C2.

Eva Ziegelhofer, owner, explained that her property has never had a garage, but has a nonconforming parking space in front of her home, which is wide enough to accommodate the construction of a two car garage, that she would like to remedy. She pointed out that her property is irregularly shaped and the placement of the driveway and home limit location of the proposed garage. She also pointed out that most of the properties in her neighborhood have either a one or two-car garage. Ziegelhofer believed that her addition wouldn't adversely impact the neighboring property as it is an empty wooded lot.

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

Board members agreed that the irregular shape of the lot and the location of the house are burdensome and limit the location of a garage. They acknowledged that most of the neighborhood has two-car garages and the proposed placement of the attached garage wouldn't detrimentally affect surrounding properties, as the neighboring lot is an outlot. Board members also agreed that the proposed garage would fit in with the surrounding neighborhood.

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

2. [33410](#)

Society of St. Vincent de Paul, owner of property located at 6301 Odana Road, requests a building design variance to provide a reduction in the provided percentage of window openings in the street-facing wall of the building.  
Ald. District #19 Clear

**Attachments:**     [6301 Odana Rd 3-27-14.pdf](#)  
                              [Montelbano E-Mail 3-24-14.pdf](#)  
                              [MP2 Letter 3-20-14.pdf](#)

The applicant withdrew the variance request.

3. [33411](#)

900 Nolen Residences LLC and Causeway Office Center Unit Owners Association Inc., owners of property located at 900 John Nolen Drive, requests a setback variance for the drive aisle of a new mixed-use development.  
Ald. District #14 Strasser

**Attachments:**     [900 John Nolen 3-27-14.pdf](#)  
                              [900 John Nolen Dr Staff Report.pdf](#)

Tucker introduced the project as having a zoning code requirement of 25' setback for a drive aisle, while the construction of a new mixed-use building wouldn't provide a setback. Therefore, the owner is requesting a 25' variance for the drive aisle. Property is zoned SE.

Kirk Keller, the applicant's representative, explained to board members that they are requesting the variance in order to keep the existing access drive aisle that is part of an easement agreement and serves as the only access point to neighboring properties. He provided handouts depicting how the property would look if the access drive aisle were removed, in order to accommodate the zoning code requirement, and instead place it in the parking lot of the proposed mixed-use building. The disadvantage of this plan is it would create potential hazards. Keller also explained that they wouldn't be able to move the access drive behind the proposed building, as they had to increase the public access to a pipe easement that had been installed in the wrong location, and they would fall short of the minimum parking requirement if they removed the parking stalls in front of the building. He pointed out that their overall landscape proposal exceeds the minimum requirement by having a green roof. They plan to heavily landscape the green belt between the drive aisle and the parking lot and have proposed to build a bike station next to the bike path in front of the building. They also plan on working with City Parks and Engineering to possibly landscape the right-of-way between the drive aisle and bike path in order to accommodate for their inability to meet the zoning code requirement.

Barb Thiermann, employee of Turnville Bay MRI and Radiation Oncology

Center, spoke in support of the variance request. She explained to board members that many of the people that come to their office are sick and elderly and the current location of the drive aisle provides the quickest and safest access point to their building.

Jim Ott, employee of Turnville Bay MRI and Radiation Oncology Center, also spoke in support of the variance request. He pointed out that semi trucks also frequent their office in order to drop off supplies and are unable to turn around in their parking lot. Therefore, they need to back down the access drive, which would not only be unsafe but also extremely difficult to do if their access drive were moved into a parking lot.

Collins motioned to approve the variance request, seconded by Corigliano, with the condition that the developer provide landscaping within the adjacent right-of-way, as prescribed and approved by the City of Madison Parks, Forestry, Traffic Engineering, and Engineering.

Board members found the shape of the lot and the easement agreement for the access drive conditions unique to the property as well as hardships. They agreed that the applicant's proposal of landscaping the greenway in front of the parking lot, as well as the green space in the right of way between the bike path and the access drive, accommodates the intent of the zoning requirement. They pointed out that moving the access drive would create potential safety hazards, as well as potentially harm the neighboring companies ability to do business. Board members also agreed that the proposed variance wouldn't detrimentally affect the surrounding properties and fits in with the characteristics of the neighborhood.

The motion to approve the variance request with the condition that the developer provide landscaping within the adjacent right-of-way, as prescribed and approved by the City of Madison Parks, Forestry, Traffic Engineering, and Engineering passed (5-0) by voice vote/other.

4. [33142](#)

Meredith and Jenifer Bell, owners of property located at 1436 Vilas Avenue, request a rear yard variance to construct a two-story addition to the rear of their two-story single family home.

Ald. District #13 Ellingson

**Attachments:**    [1436 Vilas 3-27-14.pdf](#)  
                          [1436 Vilas Ave.pdf](#)  
                          [1436 Vilas Ave Staff Report.pdf](#)  
                          [1436 Vilas Ave Staff Report 3-27-14.pdf](#)

Tucker introduced the project as having a zoning code requirement of 20' rear yard setback while the construction of a two story addition would provide a 10' ± setback. Therefore, the owners are requesting a 10'± rear yard variance. Property is zoned TR-C3.

Meredith Bell, owner, explained that the lot is irregularly shaped and the placement of the house is skewed in comparison to other homes in the area, limiting their ability to add on. They would like to add a second garage to their home as there is no room to park their second car in their driveway and during the winter there is no room to park in front of their house. They are also looking to update their home to have modern conveniences such as a master bedroom, first floor laundry room, etc. He also addressed the concerns of Eileen Thompson regarding the drainage from their driveway into the alley by

being open to installing permeable pavement.

Jennifer Bell, owner, explained to board members how they reduced the size of the addition, as requested by board members from the February 27 meeting, by turning the laundry room into a laundry closet, reducing the size of the pantry, etc.

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

Board members determined the shape of the lot and the placement of the house are unique to the property, as well as create the hardship. Board members pointed out that the addition wouldn't project any closer to the neighboring property than what is current there, and the alley acts as a buffer for the other surrounding properties. They also pointed out that almost any addition would require a variance and the features of the proposed addition are fairly common features for homes in the neighborhood.

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

#### DISCUSSION ITEMS

5. [08598](#) Communications and Announcements

The ZBA meeting for April 10, 2014, has been cancelled.

#### ADJOURNMENT

Meeting adjourned at 6:15 pm.