



# City of Madison

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

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Thursday, November 19, 2015

5:00 PM

215 Martin Luther King, Jr. Blvd.  
Room LL-130 (Madison Municipal Building)

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### CALL TO ORDER / ROLL CALL

Corigliano, chair, called the meeting to order at 5:03 pm and explained the appeals process.

Staff Present: Matt Tucker and Chrissy Thiele

### APPROVAL OF MINUTES

A motion was made by Bulgrin to approve the September 24, 2015, minutes, seconded by Ostlind. The motion passed by voice vote/other.

### DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

### PETITION FOR VARIANCE OR APPEALS

1. Jacob Klein, owner of property located at 831 S. Brooks Street, requests a side yard variance for a first-story sunroom on a two-story single family home.

Ald. District #13 Eskrich

Tucker explained that the owners have applied to the Plan Commission to rezone a majority of the block from a TR-V1 to TR-C3, as well as re-platting a majority of the block. This existing building has a property line running through the sunroom, and while the re-platting should shift the lot line so it no longer runs through the building, the sunroom won't meet the side yard setbacks of a TR-C3 district. This property will have a zoning code requirement of 5' side yard setback, while the porch would provide a 2' 2" setback. Therefore, the owners are requesting a 2' 10" side yard variance.

Jacob Klein, owner, explained to board members that he has assembled these houses over the years and is redeveloping the area. He wishes to remedy the issue of the sunroom being situated over the property line. They are rezoning the properties to TR-C3 to alleviate the neighborhoods concerns about the new development going up, by restricting the use and number of people living in these homes. The other buildings on the block will meet the required setbacks for the TR-C3 district.

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

Board members agreed that the property line running through the house is

unique to the property, which the owners would otherwise have to demolish or shift the building to remedy. The owners also made sure that the other properties on the block being re-platted will meet the required setbacks. Board members also agreed that it fits with the characteristics of the neighborhood as the porch, which has been there for almost 100 years, will remain.

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

2. Linda Lehnertz requests an appeal to the Zoning Administrator's interpretation in regard to Zoning Code Ordinances 28.141(4)(f), 28.141(5), 28.173(1) and 28.173(7).

Ald. District #6 Rummel

Linda Lehnertz explained to board members her appeal regarding the number of parking spots and the building form.

Assistant City Attorney John Strange argued that the appellant does not have the standing to appeal the building form.

Ostlind motioned to approve that the appeal regarding building form has standing, seconded by Zimmerman. The motioned failed (0-4).

Ostlind motioned to approve that the appeal regarding parking has standing, seconded by Bulgrin. The motioned passed, (3-1, No - Bulgrin).

Linda Lehnertz explained to board members her appeal regarding the number of parking required determined by zoning staff and how it would affect her property.

Tucker explained how zoning calculates the number of parking required for new development and how properties can obtain more parking spots and also how to request a reduction from the number of parking required.

Ostlind motioned to affirm that the Zoning Administrator misinterpreted the zoning code in relation to parking as laid out in the applicant's filing and testimony, seconded by Bulgrin. The motioned failed (0-4).

## DISCUSSION ITEMS

3. Communications and Announcements

Tucker announced that the Dec. 3rd meeting has been cancelled.

## ADJOURNMENT

The meeting adjourned at 7:30 pm.

Matt Tucker  
City of Madison  
Zoning Board of Appeals, (608) 266-4569  
Wisconsin State Journal, November 12, 2015

