



# City of Madison

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

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Thursday, July 19, 2018

5:00 PM

210 Martin Luther King, Jr. Blvd.  
Room 351 (City-County Building)

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### CALL TO ORDER / ROLL CALL

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

**Staff Present:** Jenny Kirchgatter, Gretel Irving, and Cary Perzan

**Present:** 5 - Peter A. Ostlind; Agnes (Allie) B. Berenyi; Patrick W. Heck; Dina M. Corigliano and Jessica Klehr

**Excused:** 1 - Winn S. Collins

### APPROVAL OF MINUTES

A motion was made by Ostlind to approve the June 21, 2018 minutes with amendments, seconded by Heck.

The motion passed (3-0) by voice vote/other with Berenyi and Klehr abstaining.

### DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

### PETITION FOR VARIANCE

1. [52283](#) Vaughn Brandt, owner of property at 1314 Jenifer St, requests a side yard setback variance to construct a single-story addition at the rear of the existing two-story two-family dwelling.  
Alder District #6

Kirchgatter explained that the property in question had been zoned TRC4 and is in the Third Lake Historic District. The side yard setback is 3.3 feet or ten percent of lot width. The applicant is proposing to add a single-story porch addition to the two-story two-family dwelling on to the rear of the existing building, and is requesting variance to the side yard setback to be in line with existing house (1.66 ft) to 1.73 feet. The Landmarks Commission granted a Certificate of Appropriateness for the addition.

Vaugh Brandt, applicant, reported an objection to the staff report describing the project as a porch addition. He stated the renovations are intended to be a living space, with an unheated rear entry, that will replace an unenclosed lean-to bike shed. Previous renovations to the property include a front porch and rear 3-story deck. The applicant supplied a handout of interior photos. The applicant noted that the property had been split from the original plat to become a narrow lot.

The Board requested clarification if the addition could be built elsewhere on property. In response, Brandt stated he did not believe it could be done with the current dimensions to match the wall line and to accommodate the upper unit. Had it been placed under the deck, he would be concerned with water runoff and rot. Discussion included corrections to the provided floor plan and the possibility of alternate designs, including roof design, materials, and construction technique and the placement of the addition partially under the existing deck.

The Board noted that, as presented, the addition is designed as more of piecemeal addition rather than one coherent with the rest of the house. In addition, the maintenance of the property is dependent on the relationship of the property owner with owner(s) of the adjacent property.

Brandt noted that it is a hardship because the house is on a narrow lot, which, he believes, the zoning code does not accommodate. He stated that the addition would not cause harm and he would be okay with agreeing to the maintenance easement condition set forth by the Board with neighboring property owner if the application were approved.

Jesse Pycha-Holst of 1312 Jenifer Street spoke in favor of the applicant's request for variance. He is also in agreement with the maintenance easement condition set forth by the Board. He noted the applicant's dedication to well-crafted, historically-accurate past renovations and that this project application would not affect the neighboring line of sight.

Heck moved to approve a variance; Ostlind seconded the motion with the inclusion of the maintenance easement with 1312 Jenifer Street.

Review of Standards:

Standard 1: The Board noted the zoning code does address the applicant's

stated hardship of the narrow lot with the code stating ten percent of lot width for the side yard setback. The Board also noted that narrow lots and the placement of the house within its lot are common in this neighborhood. The Board recognized the continuity of the placement of addition with the house line, but noted alternatives to the design that would allow the addition to conform to zoning code without the variance approval.

**Standard 2:** The Board noted that the application would extend the existing problem of the narrow setback of the lot without minimizing issues related to buffering and access. The Board also noted that the addition of windows adds to privacy concerns between the adjacent properties.

**Standards 3 & 4:** Board members noted that the applicant has other viable options that would conform to current zoning code that might be more suitable for such an addition, especially in regards to other concerns the applicant noted: roof construction (sloped vs. flat) and water runoff.

**Standards 5:** The Board concluded that the proposal could be detrimental to the neighboring properties for the following reasons: there is a fence now, but it might not always be there; addition does create additional potential detriment because it increases narrow run between houses.

**Standard 6:** The Board concluded that based on photos of similar shed roofs in neighborhood, this addition is not out of line with those, but that the Landmarks Commission makes judgements based on the view from the front of a property, and that this addition is not within that scope as it is not visible from the front.

The Board voted 0-5 to deny the requested variance.

2. [08598](#) Communications and Announcements

There were no announcements.

## ADJOURNMENT

The Board adjourned at 6:05pm.