



City of Madison

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

*Consider: Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?*

Thursday, February 18, 2021

5:00 PM

Virtual Meeting

CALL TO ORDER / ROLL CALL

Winn Collins, chair, called the meeting to order at 5:04pm.

Staff Present: Matt Tucker, Nancy Kelso and Cary Olson

Present: 5 - Winn Collins, Allie Berenyi, Angela Jenkins, and David Waugh.

Excused: 1 - Peter Ostlind

APPROVAL OF MINUTES

A motion was made by Jenkins to approve the January 21, 2021 minutes, seconded by Berenyi. The motion passed 3-0 by unanimous vote.

PUBLIC COMMENT

1. [61712](#) Zoning Board of Appeals Public Comment Period

DISCLOSURES AND RECUSALS

Board member Berenyi disclosed that she knows applicants Heather Clefisch and Nathan Zolik, however this would not impact her decision.

Board chair Collins disclosed he knows applicant Nathan Zolik. Collins recused himself from acting as a voting member but remained as chair to preside over the meeting.

Board member Jenkins disclosed she is acquainted with registrant William White, however this would not impact her decision.

PETITION FOR VARIANCE, AREA EXCEPTIONS OR APPEALS

2. [63584](#)

Meri Tepper, representative for the owners of the property at 1315 Rutledge St., requests rear and side yard setback variances for an attached garage addition with covered walkway and a rear yard setback variance for a 3-season porch addition. Alder District #6.

Tucker stated the proposal is for a rear yard and side yard setback variance to construct an attached garage and covered walkway. Tucker noted that the application included a variance request to construct a 3 season porch, however upon review of the application it was determined that this component would be code compliant and not need a variance.

Meri Tepper, representative for applicants Heather Clefisch and Nathan Zolik, stated the house was built in 1850 and situated far back on the lot, with the rear of the structure only 20 feet from the lot line making this a non-conforming property. Tepper explained that the positioning of the garage on the lot was determined through meeting with and obtaining approval from the City of Madison Landmarks Commission and exploring the options between a detached and attached garage. Tepper noted both options for a garage would require a variance and the least impactful option was chosen.

The Board asked for further clarification regarding options for placement of the garage. Tepper stated that much of the design was dictated by standards set by the Landmarks Commission. Tepper provided further details regarding a water management study with those findings incorporated in to the proposal. Tucker provided clarification regarding the Landmarks Commission involvement with this request and their relationship to the Zoning Board of Appeals process concerning structures within historical neighborhoods.

The Board asked for further details regarding the need for the covered walkway. Tepper noted that a prior design was for an enclosed mudroom that would provide entry from the garage directly in to the house. Tepper stated that eliminating that enclosure and replacing it with the covered walkway reduced the amount of variance while still providing some protection from inclement weather when moving between the garage and house.

Michael Wolfe and Bernice Mattson, owners and residents of property at 1318 Morrison St, submitted a written statement of opposition to the Board on February 17, 2021 and registered to speak at the meeting. Wolfe and Mattson voiced their objections and provided opinions regarding possible changes to the proposal. Tepper responded noting that any impact to neighboring properties was taken into consideration when drafting the proposal. Tepper re-iterated that the scope of options was limited by the standards set forth by the Landmarks Commission.

Wolfgang Reichenberger, owner of property at 1339 Rutledge Street, voiced support in favor of the proposal.

Collins closed the public hearing.

Berenyi moved to approve the requested variance; Waugh seconded.

Review of Standards:

Standard 1: The Board noted that the placement of the structure on the lot and

the historic neighborhood designation presents a unique challenge.

Standard 2: The Board determined that the proposal does not conflict with the intent of the code.

Standard 3: The Board noted that compliance with the ordinance would be burdensome, that any difficulty or hardship is created by the terms of the ordinance, and that any form of a garage structure would require a variance.

Standard 4: The Board found that the combination of the property being in a historical district and placement of the structure on the lot presents code compliance hardships.

Standard 5: The Board determined that although there is some detrimental impact to the adjacent property, the proposal presented, supported by the certificate of appropriateness from the Landmarks Commission, offers the better option with the least detriment.

Standard 6: The Board found the proposed design compatible and consistent with the character of the neighborhood.

The Board voted by roll call 3-0 to approve the requested variance.

DISCUSSION ITEMS

3. [62505](#) Zoning Board of Appeals Notice Requirements

Discussion regarding the requirements the Zoning Board of Appeals and the City have to notify the public of impending hearings was referred to the next scheduled meeting.
4. [08598](#) Communications and Announcements

ADJOURNMENT

The Board adjourned at 6:25 pm.