



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, August 18, 2022

5:00 PM

Virtual

CALL TO ORDER / ROLL CALL

Berenyi moved to appoint Ostlind as acting chair for this meeting, Waugh seconded. The motion passed 3-0 by unanimous vote. Ostlind called the meeting to order at 5:03 pm.

Staff Present: Matt Tucker, Katie Bannon, Nancy Kelso, and Cary Olson

Board Members Present: 4 - Allie Berenyi, Angela Jenkins, Peter Ostlind, and David Waugh.

Board Members Excused: 1 - Craig Brown

APPROVAL OF MINUTES

A motion was made by Jenkins to approve the July 21, 2022 minutes, seconded by Waugh. The motion passed 3-0 by unanimous vote.

PUBLIC COMMENT

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

There were no public comments.

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

PETITION FOR VARIANCE, AREA EXCEPTIONS OR APPEALS

2. [73007](#)

Madeline Kasper and Bret Schluederberg, owners of the property at 445 N. Few Street, request a side yard setback variance to construct a two-story addition onto an existing two-story, single family house. Alder District #6.

Bannon explained the proposal to construct a two-story addition at the rear of the existing dwelling along the existing side yard setback which is 3.7 feet, zoning ordinance requires a 4.2 foot setback, resulting in a request for a .5 foot variance. Bannon shared photos and floor plans of the existing house and proposed addition to further clarify the variance request, noting that the rear stairway and second floor of the addition are placed in the required 4.2 foot setback.

Madeline Kasper, owner of the property at 445 N Few St., stated that having the existing structure situated in the setback, if the addition were to be positioned in the required setback, it would result in a 6 inch offset to the kitchen wall. Kasper noted that an offset would create difficulties with the kitchen floor plan. Kasper further explained how the positioning of the back stairway and second floor was done to minimize the variance request.

The Board questioned if the applicant spoke with neighboring property owners regarding the proposed addition. Kasper stated they had talked in some detail with the next door neighbor most impacted by the addition, noting those neighbors voiced their approval of the proposal. Additionally Kasper stated they spoke with the neighbor on the opposite side as well with other residents in the area.

The Board asked if alternate floor plans had been considered to adjust for the offset if the addition were built to meet the required setback. Kasper further clarified the existing floor plan, explaining the current kitchen width is somewhat narrow and the counters and refrigerator are not of standard size. Kasper also noted their desire to keep an historic-style window in place.

Ostlind closed the public hearing.

Wagh moved to approve the requested variance; Jenkins seconded.

Review of Standards:

Standard 1: The Board noted that downtown neighborhoods present a unique challenge where older structures exist in the setback.

Standard 2: The Board determined that with the reasonable effort made to maintain adequate buffering between properties, the proposal is not contrary to the spirit, purpose and intent of the ordinance.

Standard 3: The Board was divided on whether compliance with the ordinance would be unnecessarily burdensome. It was noted that with the second story meeting the setback requirement and the minimal amount of variance requested, strict compliance could be burdensome. Alternatively, it was stated that while compliance may be less than aesthetically optimal, alternate design aspects could be incorporated to meet code compliance.

Standard 4: The Board found that with the existing structure already situated in

the setback, strict adherence to the ordinance would be difficult. The Board noted that this is a common situation found with older homes in the City.

Standard 5: The Board determined there is no substantial detriment to the adjoining properties as the proposed addition aligns along the existing wall, the requested variance is modest in size, and the property owner most impacted has been informed of the proposal.

Standard 6: The Board found the proposed addition to be compatible to the character of the immediate neighborhood.

The Board voted 2-1 by roll call vote to approve the variance request.

DISCUSSION ITEMS

3. [08598](#) Communications and Announcements

Kelso noted there are two cases submitted for the September 15, 2022 meeting.

ADJOURNMENT

The Board adjourned at 5:45pm.