



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

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, December 19, 2024

5:00 PM

Virtual

CALL TO ORDER / ROLL CALL

Ostlind called the meeting to order at 5:03pm.

Staff Present: Katie Bannon, Nancy Kelso, Cary Olson, and Gabriela Arteaga

Present: 4 - Peter A. Ostlind; Agnes (Allie) B. Berenyi; David P. Waugh and Samuel V. B. Fritz

Excused: 1 - Angela Jenkins

APPROVAL OF MINUTES

Fritz moved to approve the November 21, 2024 minutes; Berenyi seconded the motion. The motion passed 4-0 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. [86385](#) Terence Gregory Blake & Yuyang Zhong, owners of the property at 18 Powers Ave, request a side yard setback variance for a second story addition to a single family house with accessory dwelling unit. Alder District #15.

Zoning Administrator Bannon introduced the case, using photos and diagrams. The request is a side yard setback variance on the north-side of the house to build an accessory dwelling unit (ADU) as a second story addition. There is an existing one-story single-family house on the property and the required side yard setback for this 40-foot-wide lot would be four feet. The existing house has a three-foot side setback. There are a couple of existing trees in the backyard. The garage is in failing condition, which is part of the eventual proposal. Bannon explained zoning code changes over the past few years that have expanded ADU allowances.

Applicants Terence Gregory Blake and Yuyang Zhong verified that Bannon's description of their proposal was accurate. Blake stated that since the roof is failing structurally and the house is small, they want to replace the roof structure to create an ADU. Applicants initially looked to expand or add dormers to the existing roof, but the ceiling joists are only 2x6 and would not adequately hold up the floor. Blake further stated that because the height of the current roof is only ten feet, the resulting roof line would be very low pitch and would not have enough insulation. Applicants decided to add a second floor with 2x10 joists and a new roof line.

The proposed floor plan uses high efficiency roof trusses and a standard eight-foot ceiling. With a lower pitch roof, the proposed roof height would be 26 feet. The current roof height is 22 feet. The house was built three feet from the property line in 1940, and so needs a variance. Blake explained that they looked to expand the rear of the house rearward, but there are very mature trees that occupy the majority of the backyard. Therefore, it is not possible to dig a foundation towards the rear without compromising an otherwise healthy tree. Blake stated that it would also leave them with the current roof line dilemma. The proposed variance does not increase the footprint of the house, but it does increase the height by four feet and widens the side profile. Blake stated the design fits the aesthetics of the neighborhood and that a two-unit fits as well, as there are many multi-family buildings. Blake also expressed that there is enough off-street parking.

The Board praised the application as very complete. The Board asked Bannon about the relevance the information she shared about ADU code changes. Bannon stated that it was additional information and context since the board had not seen many variance requests that included them.

The Board questioned whether the water flow from the pitch of the roof would be the same as the current roof line. Blake confirmed that the water will run toward the street and driveway, not towards the neighboring house.

Ostlind closed the public hearing.

Waugh moved to approve the variance request; Fritz seconded the motion.

Review of Standards:

Standard 1: The Board determined that the existing placement of the house and the mature trees at the rear present conditions unique to this property.

Standard 2: The Board found that the variance proposal met the standard. The standard was met as the proposal does not add bulk to the setback and has a minimal impact on the neighboring property. Additionally, the roofline is only changing by four feet and the lower pitched roof does not add much bulk.

Standards 3 & 4: Noting the conditions, the Board determined that strict adherence to the ordinance would cause hardship and be unnecessarily burdensome because of the existing house's placement on the lot.

Standard 5: The Board found no substantial detriment to neighboring properties. They noted that the proposal adds little bulk and does not change the water flow to the neighboring property. Also, the repair will improve the

aesthetics of the neighborhood. Additionally, the windows are closer to the front and back walls of the building. Since the windows are offset from those of the adjacent structures, it minimizes visual impact.

Standard 6: The Board stated the proposal is compatible with the character of the immediate neighborhood.

The Board voted 4-0 by unanimous vote to approve the requested variance.

DISCUSSION ITEMS

3. [08598](#) Communications and Announcements

Kelso noted there is one case for January.

ADJOURNMENT

Waugh moved to adjourn the meeting; Fritz seconded the motion. By unanimous vote of 4-0 the Board adjourned at 5:33 pm.