

CITY OF MONONA
ZONING BOARD OF APPEALS
Monona City Hall – Conference Room
5211 Schluter Road, Monona, WI 53716
Thursday October 15, 2020
5:45 p.m.

NOTICE OF ELECTRONIC MEETING

Due to the current state of emergency because of the COVID-19 pandemic, this meeting will be conducted via electronic videoconferencing/teleconferencing. As such, it is likely that some or all members of, and a possible quorum, may be in attendance via electronic means and not physically present. In accordance with Wisconsin law, the meeting will remain open to the public. The public may still attend in person at the location stated in this agenda. However, due to the need to maintain social distancing in accordance with Emergency Order #12 (Safer At Home Order) and the limited physical space available, the public is encouraged and requested to also attend via electronic means. Directions to do so are listed at the bottom of this agenda. Upon reasonable notice, the needs of disabled individuals will be accommodated through auxiliary aids or services. For additional information or to request this service, contact Joan Andrusz at 608-222-2525.

1. Call to Order.
2. Roll Call.
3. Appearances.
4. Approval of September 17, 2020 Minutes.
5. Public Hearing: Ben Fisher and Claire Pellegrini, 4602 Tonyawatha Trail are requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(4)(a) Street Yard Setbacks for the purpose of constructing a new front porch. (Case No. Z-007-2020)
6. Consideration of Action: Ben Fisher and Claire Pellegrini, 4602 Tonyawatha Trail are requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(4)(a) Street Yard Setbacks for the purpose of constructing a new front porch. (Case No. Z-007-2020)
7. Next Meeting Date
 - a. Upcoming Regular Meeting Dates: November 19, 2020, December 17, 2020
8. Adjournment.

DIRECTIONS TO ATTEND MEETING ELECTRONICALLY

You may attend via videoconference by downloading the free Zoom program to your computer at <https://zoom.us/download>. At the date and time of the meeting log on through the Zoom program and enter Meeting ID: 858 7424 0594.

You may attend via telephone conference by calling the following phone number:

PHONE NUMBER: 1-301-715-8592 / MEETING ID: 858 7424 0594, FOLLOWED BY #
Please Mute Your Phone When Not Speaking To Ensure Best Possible Audio Quality.

NOTE: Upon reasonable notice, the City of Monona will accommodate the needs of disabled individuals through auxiliary aids or services. For additional information or to request this service, contact Joan Andrusz at (608)222-2525, FAX: (608)222-9225, or through the City Police Department TDD telephone number 441-0399. The public is notified that any final action taken at a previous meeting may be reconsidered pursuant to the City of Monona ordinances. A suspension of the rules may allow for final action to be taken on an item of New Business.

It is possible that members of a possible quorum of members of other governmental bodies of the municipality may be in attendance at the above state meeting to gather information or speak about a subject, over which they have decision-making responsibility. Any governmental body at the above state meeting will take no action other than the governmental body specifically referred to above in this notice.

Agenda posted on the City Hall, Library, and Community Center bulletin boards and on the City of Monona's website, www.mymonona.com.

**Minutes
City of Monona
Zoning Board of Appeals
Thursday September 17, 2020**

Chair Thomas called the meeting of the Monona Zoning Board of Appeals to order at 5:46 pm.

Present: Alder Thomas (Chair), Ms. Steele, Mr. Conrad, Ms. Piliouras & Mr. Schweiger

Excused: Mr. Davies (1st Alternate)

Also Present: City Planner Douglas Plowman

Approval of Minutes:

A motion by Mr. Conrad, seconded by Ms. Steele, to approve the minutes of August 20, 2020 carried with no corrections.

Appearances:

Mr. Tom Thompson – 5705 Winnequah Road (Spoke in favor of Z-006-2020)

New Business:

Public Hearing: Scott and Kacey Kronenfeld, 5707 Winnequah Road are requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(4)(a) Street Yard Setbacks for the purpose of constructing an addition to the primary residence. (Case No. Z-006-2020)

Ms. Kronenfeld presented their variance request. The property is 100 years old, with 3 bedrooms and 2,200 square feet above ground. They hope to make the home more functional to support a growing family with members also working from home. The existing garage is sized for 1.5 cars; 2 vehicles can not fit at the same time. Ms. Kronenfeld works as an emergency physician, for which she has a response vehicle at home. The vehicle should be in a garage, especially in the winter to allow for a faster response. They hope to add another 1 car stall to the garage to allow for 2 cars to be parked inside. It is their intent to maintain the aesthetics and materials of the current building.

The other elements of the request are for additions to the main home. There have been issues with leaking in the roof, and there are more space limitations on the upper level. The proposed addition would allow for a true third bedroom with separate laundry area. The applicant also wishes to add more living space to the main level, utilizing the existing footprint of the deck and enclosing it as a 3-season porch. This will allow for much more functional space without a significant addition being needed outside of the existing footprint.

The applicant would also like to fix their storage shed in the shore yard which was damaged during the high water 2 years ago. They hope to rebuild the shed and enlarge it to accommodate yard equipment and kayaks. Chair Thomas asked if the shed can be moved to remove the need for side yard setback relief. The applicant does not foresee an issue with accommodating this request.

Mr. Tom Thompson of 5705 Winnequah Road shared his support for the proposed improvements. He and his wife have seen the clear need to accommodate the growing family. He added that the proposals are the minimum of what is needed to make the home livable for their needs. Planner Plowman shared an email from the residents of 5711 Winnequah Road who voiced their support, adding that they have no concerns with the plans.

Planner Plowman provided an overview of the application and what exactly is being considered. There are two main elements, the additions to the primary residence, and the second is the storage shed. The shed as proposed is requesting side yard relief, and is also in need of shore yard relief. Lakefront properties are only allowed boathouses and boat piers to locate in the shore yard. Any storage shed would require a variance. The second element is the addition to the primary residence. The variance request is for the street yard setbacks which need to be 30'. This property along with a couple of others on Winnequah Road were built to the property line. There is an extensive City right of way which encompasses the driveway. There is about 45' of depth from the curb to the property line. Any part of the addition within the 30' setback line needs a variance.

Jenny and Ron Binzley of 713 Moygara Road and Sharon Walsh of 712 Moygara Road joined the meeting and were interested in the project, as well as its possible impact on the Winnequah Road sidewalk project. Chair Thomas clarified that the request is not directly related to other Winnequah Road reconstruction. There were no other appearances and the public hearing was declared closed.

Consideration of Action: Public Hearing: Scott and Kacey Kronenfeld, 5707 Winnequah Road are requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(4)(a) Street Yard Setbacks for the purpose of constructing an addition to the primary residence. (Case No. Z-006-2020)

Chair Thomas asked the applicants contractor, Mr. Jeremy Ironside, for clarification on the distances from the lot line. The deck is at 27' and therefore 3' within the street yard setbacks. Mr. Schweiger asked for the property limitations present, as a growing family alone doesn't warrant a variance. Ms. Kronenfeld shared that the extensive right of way means there are no other options for garage and deck modifications without significant reconstruction. The current challenges and need for a new garage stems from the applicant's job and the need to store two vehicles inside. Chair Thomas raised the question of hardship to the applicant. It was clarified that the porch addition is approximately 1' within the street yard setback, and that the eastern most edge of that part of the addition would fall within the setback area. The applicant reiterated that they hope to maintain as much of the existing property as possible. Ms. Piliouras sought clarification for the additions being made and the request. The addition is being considered as one request, regardless of the elements being modified. Mr. Schweiger discussed the long term cumulative effects for the continued use of the structure and if an existing hardship is remedied by the 3 season porch and if it enhances the usability of the home and if it is in the public interest. Chair Thomas discussed the challenges of the small rooms in this historic home for any future owner. Mr. Schweiger agreed that the long-term cumulative effect is positive with more usable, modern living space.

A motion was made by Mr. Schweiger, seconded by Ms. Piliouras to approve the street yard setback variance request for an addition to the primary residence. There is an unnecessary hardship that would render burdensome for the existing use. The long term cumulative effect is improved with the variance. There are unique property limitations based upon the excessively large right of way. The request does not harm the public interest and only improves it by increasing the marketability of the home in the future, and the request is in the spirit of the Zoning Ordinance.

The motion carried unanimously.

Public Hearing: Scott and Kacey Kronenfeld, 5707 Winnequah Road are requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(4)(c)(2) Accessory Building Side Yard Setbacks and 480-24(d)(7)(c)(4) Accessory Building Shore Yard Setbacks for the purpose of constructing a new storage shed in the shore yard. (Case No. Z-006-2020)

Ms. Kronenfeld shared that the existing shed was damaged due to high water. As they need to rebuild, they would like to slightly enlarge and declutter the yard. They also have need for kayak

storage due to the lack of boathouse on the property. Chair Thomas asked Mr. Ironside if he thought the 3' side yard setback could be accommodated, he agreed. There were no other appearances and the public hearing was declared closed.

Consideration of Action: Scott and Kacey Kronenfeld, 5707 Winnequah Road are requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(4)(c)(2) Accessory Building Side Yard Setbacks and 480-24(d)(7)(c)(4) Accessory Building Shore Yard Setbacks for the purpose of constructing a new storage shed in the shore yard. (Case No. Z-006-2020)

Ms. Steele asked Planner Plowman why this needs a variance when a boathouse or boat pier is allowed. He responded that this is a storage shed, given both its location 60' off the shore line and the intent to store yard equipment within it as well as kayaks. This use is not allowed in the shore yard per City Ordinance. It was clarified that this request is in place of a boathouse and not in addition to.

There was discussion from members as to the definition of boathouse and if this could be clarified as one or a boat shelter. The applicant further clarified that they have an alcove already created for the shed and would rather keep it in its existing location than pursue a lakefront boathouse. Mr. Conrad clarified that there isn't a boathouse on the property, and so it needs a boathouse or boat shelter to store boats. Mr. Schweiger shared his opinion of the unnecessary hardship as being that a boathouse or boat shelter could be built, but that it would be significantly more expensive than the proposal. The applicant would also need to alter the shoreline that they are looking to preserve. It was shared that there are few alternative locations to place the shed on the property with limited street yard and side yard availability. Ms. Piliouras clarified if calling it a boat shelter precludes the applicant from building a boathouse at a later date. Planner Plowman responded that as long as it meets the maximum accessory structure square footage it is permitted. Ms. Steele clarified that storage in the garage is already limited. Storage of lawn equipment and bikes is needed elsewhere, and it was asked if this falls under unique property limitations given the age of the home. Mr. Schweiger added that the unique property limitations are met through there being limited alternative locations on the site. He added that the hardship is that there are no other practical storage spaces on the property given the importance of the garage for protecting the vehicles.

A motion was made by Mr. Schweiger, seconded by Mr. Conrad to approve the shore yard setback variance request for the purpose of constructing a new storage shed in the shore yard (side yard setback request withdrawn). The purpose of the zoning restriction is met with the proposal. The intent is not to disallow owner's adequate storage as they can build a boathouse. The long term effect on the property is met by avoiding the boathouse to preserve the shoreline. The long term cumulative effect on the neighborhood is enhanced. Unique property limitations are present with the limited options for shed location elsewhere. Nobody spoke against the proposal and there is no harm to the public interest.

The motion carried unanimously.

Upcoming Meetings:

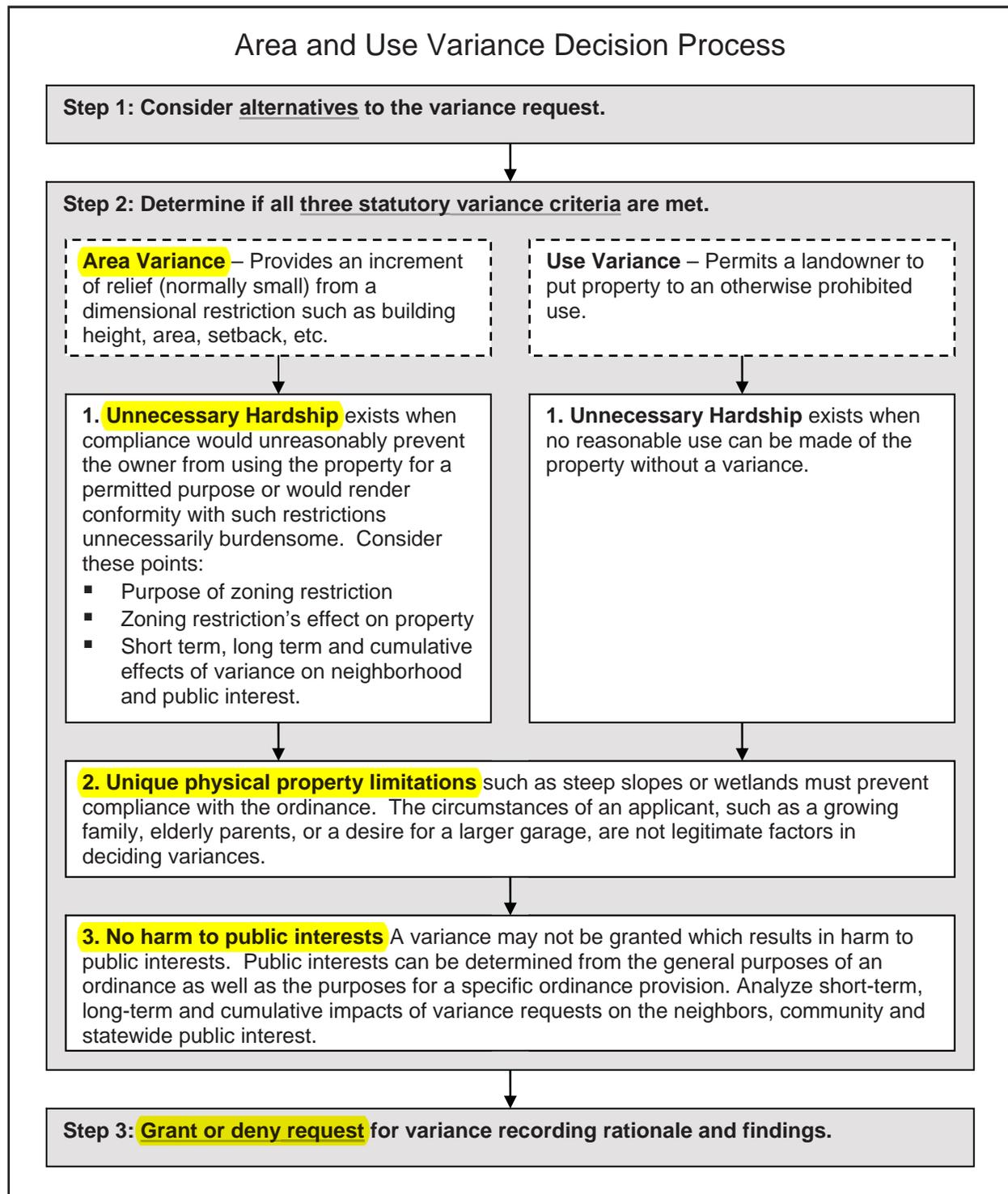
Planner Plowman shared that there may be one application ready for the October 15th meeting.

Adjournment:

A motion by Ms. Steele, seconded by Mr. Conrad, to adjourn carried. (6:49 pm.)

Respectfully submitted by:
Douglas Plowman, City Planner / Zoning Administrator

Figure 25: Area and Use Variance Decision Process





CITY OF MONONA: ZONING VARIANCE APPLICATION FORM

This application must be submitted to the Zoning Board of Appeals (ZBA) for approval. Applications must be complete before they are reviewed, and must be submitted to the City Planner at least **four weeks** before the ZBA meeting, due to noticing requirements. It is the responsibility of the applicant to contact the City Planner at (608) 222-2525 or dplowman@ci.monona.wi.us, with any questions.

APPLICANT INFORMATION:	
Name: Ben Fisher and Claire Pellegrini	Home: 4602 Tonyawatha Trail
Company: N/A	Work:
Email: bmfisher89@gmail.com	Cell: 608-358-7260
Mailing Address: 4602 Tonyawatha Trail, Monona, WI 53716	

PROPERTY INFORMATION:		
Address of Property: 4602 Tonyawatha Trail, Monona, WI 53716		
Lot: 14	Block: 2	Plat: Tonyawatha Springs
Present Use of Property: Primary Home		
Proposed Use of Property: Primary Home		
Zoning Classification: Residential		

OWNER'S INFORMATION (if other than shown above):		<input type="checkbox"/> N/A
Name:	Company:	
Phone Number:	Email:	
Mailing Address:		

PREVIOUS APPEALS		
Has a previous appeal or application been made with respect to this property?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If 'yes', state nature of previous appeal or application:		

Request for Variance Application Checklist

The following materials are required for all variance requests:

A letter that details the variance requested and the reasons for the variance request. The letter should explain:

- The variance requested
- What special conditions exist which will cause practical difficulty or unnecessary hardship if the variance requested is not granted
- Why variance requested is not contrary to the public interest and will not endanger public safety and welfare;
- Why variance requested will be in accord with the spirit of the zoning ordinance
- How the variance, if granted, will cause substantial justice to be done

A copy of plat or plat of survey with the following information:

- The location, boundaries, dimension, elevations, and size of property;
 - Accessory structures and utility easements;
 - Streets and other public ways;
 - Driveways and existing highway access restrictions;
 - All abutting properties;
 - Proposed detailed building plans and elevations;
 - Requested change or addition;
 - Must accompany nine (9) sets of blue prints and nine (9) copies of the application.
-

Additional Information

Property Accessibility for Site Review:

By signing below, the applicant hereby grants the Zoning Board of Appeals members and City Staff access to the property in question, in the event that a site visit is deemed necessary for the variance review process.

Application Fee:

A \$250 non-refundable filing fee is required with each application. The fee can be paid by check, cash or credit card (fees apply) at City Hall.

I swear that all of the above statement and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.

Claire Pellegrini Digitally signed by Claire Pellegrini
Date: 2020.09.30 06:34:12 -05'00'

9/30/20

(Signature of Applicant)

(Date)

4602 TONYAWATHA TRAIL

Variance Requested:

The frontside (street/lake facing side) of our home is currently 5.3' beyond the street yard setback at its closest point ($30' - 24.7' = 5.3'$). We are requesting an additional 6.9' variance (at its closest point), for a total of **12.2'** of variance, or **9.7'** if including 2.5' of roof overhang encroachment beyond support structure ($12.2' = 30' - 17.8'$ and $9.7' = 12.2' - 2.5'$). This will allow us to extend our front roofline and build a covered 8' x 26.7' deck. Currently we have a poorly functioning 4' x 5' outcove that serves as our front door and entry. The new front deck and roofline extension will serve as a replacement to the current entry way and allow a space for sitting/dinning and viewing the lake as well as a better means of entering the home from the front.

Our proposed exterior renovation will incorporate a 9' total extension of the roof from the main front wall of our home - this roofline extension will only be about a 5' extension off the current front door portion. We intend to use 4 support pillars to support this new roofline and add new stairs to both the front and the driveway side of the new deck (all stairs will be under 3' in height). Additionally, we will be removing and demo-ing out this current front entryway, making the front of our home a flush, straight line in order to improve the curb appeal and function.

Unnecessary Hardship:

To further explain, our home is north east facing and is across the street from the Tonyawatha boat launch, so the front of our house offers a wonderful view of Lake Monona. By placing the deck at the front of the house, we will be able to enjoy and entertain in the front of the house, as many of our neighbors do. In terms of potential future sale of our home, and the popularity of living on, or near a lake, we feel this improvement is a reasonable expectation of prospective future home buyers who intentionally wish to purchase a home with a view of the lake down the road when we may be ready to move on. The views are the main selling points of the property and the current lack of windows in the small, dark and cramped 4' x 5' outcove entry obstructs this view entirely. The current front entry does not function properly as a good means of entering/exiting the home to enjoy our outdoor space. The tight area and direct stairwell as it currently is laid out promotes using the driveway as a main means to access the front yard. By demoing this entryway, extending the roofline and building a deck we can create a usable, functioning space at the front of our home.

In summation:

1. Our views are obstructed by the current front entry – this renovation would improve our view of Lake Monona.
2. Our home has no curb appeal – this renovation would greatly increase the curb appeal and beauty of the neighborhood as well as protect future resale value.
3. We have no good outdoor access from our front entry – this renovation would allow for ease of use and smoother transitions.

Physical Limitations:

Our home was built in 1920 at a sharp angle relative to the street yard property line and already extends beyond the street yard setback (reference images below). This makes it very difficult to create a usable outdoor space for sitting/dining and viewing Lake Monona. Additionally, according to the survey conducted by Isthmus Surveying, the current front entryway is already not in compliance with the setbacks and therefore, any work or updates that we would hope to have done will need a variance approval no matter what the intended project.

Public Interest:

We feel this enhancement would considerably improve the marketability and value of our home, not to mention the collective improvement to the face of the neighborhood. Most of the homes around us have undergone significant and expansive remodels/upgrades and though, our house is the smallest on the block, we feel this upgrade would positively impact not only the value of our home, but the values of those around us. Because this renovation would be a significant improvement to the home, it would increase the curb appeal value to the neighborhood as well.

In addition, the roof extension is single story, so there is absolutely no obstruction for any of the neighbors. Our house is set back relative to other homes on the street and so any potential risk of blocking the lake views to the public would not be applicable (view attached photos).

We are hopeful that this variance will pass and we can continue to work hard on upgrading our wonderful first home on Lake Monona. Thank you for your time!

Ben & Claire



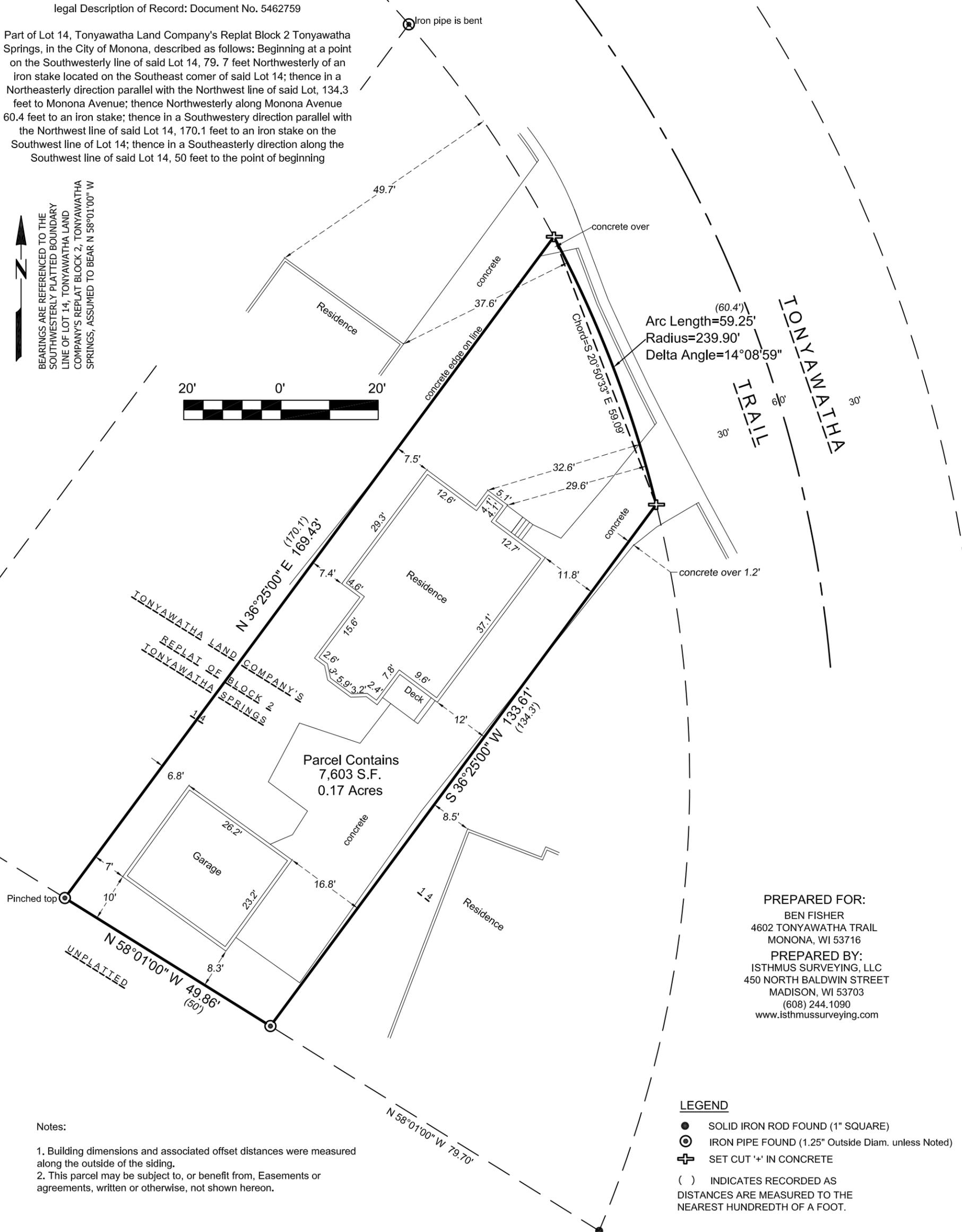
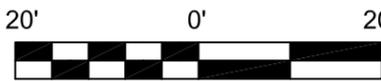


Plat of Survey

Legal Description of Record: Document No. 5462759

Part of Lot 14, Tonyawatha Land Company's Replat Block 2 Tonyawatha Springs, in the City of Monona, described as follows: Beginning at a point on the Southwesterly line of said Lot 14, 79.7 feet Northwesterly of an iron stake located on the Southeast corner of said Lot 14; thence in a Northeasterly direction parallel with the Northwest line of said Lot, 134.3 feet to Monona Avenue; thence Northwesterly along Monona Avenue 60.4 feet to an iron stake; thence in a Southwesterly direction parallel with the Northwest line of said Lot 14, 170.1 feet to an iron stake on the Southwest line of Lot 14; thence in a Southeasterly direction along the Southwest line of said Lot 14, 50 feet to the point of beginning

BEARINGS ARE REFERENCED TO THE SOUTHWESTERLY PLATTED BOUNDARY LINE OF LOT 14, TONYAWATHA LAND COMPANY'S REPLAT BLOCK 2, TONYAWATHA SPRINGS, ASSUMED TO BEAR N 58°01'00" W



TONYAWATHA TRAIL
60'
30'

Arc Length=59.25'
Radius=239.90'
Delta Angle=14°08'59"

Parcel Contains
7,603 S.F.
0.17 Acres

PREPARED FOR:
BEN FISHER
4602 TONYAWATHA TRAIL
MONONA, WI 53716
PREPARED BY:
ISTHMUS SURVEYING, LLC
450 NORTH BALDWIN STREET
MADISON, WI 53703
(608) 244.1090
www.isthmussurveying.com

- LEGEND**
- SOLID IRON ROD FOUND (1" SQUARE)
 - ⊙ IRON PIPE FOUND (1.25" Outside Diam. unless Noted)
 - ⊕ SET CUT '+' IN CONCRETE
 - () INDICATES RECORDED AS DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.

- Notes:**
1. Building dimensions and associated offset distances were measured along the outside of the siding.
 2. This parcel may be subject to, or benefit from, Easements or agreements, written or otherwise, not shown hereon.

SURVEYOR'S CERTIFICATE

I, Paul A. Spetz, registered land surveyor for Isthmus Surveying LLC, hereby certify that we surveyed the property described above and that the map is a true representation thereof and shows the size and location of the property, visible improvements, potential encroachments and it's exterior boundaries. Said survey meets the minimum standards for property surveys of the Wisconsin Administrative Code (A-E7) and the map hereon is correct to the best of my knowledge and belief. This Survey is solely for the use of the present owners of the property at the date below.

Dated this 10th Day of September, 2020: Paul A. Spetz, S 2525



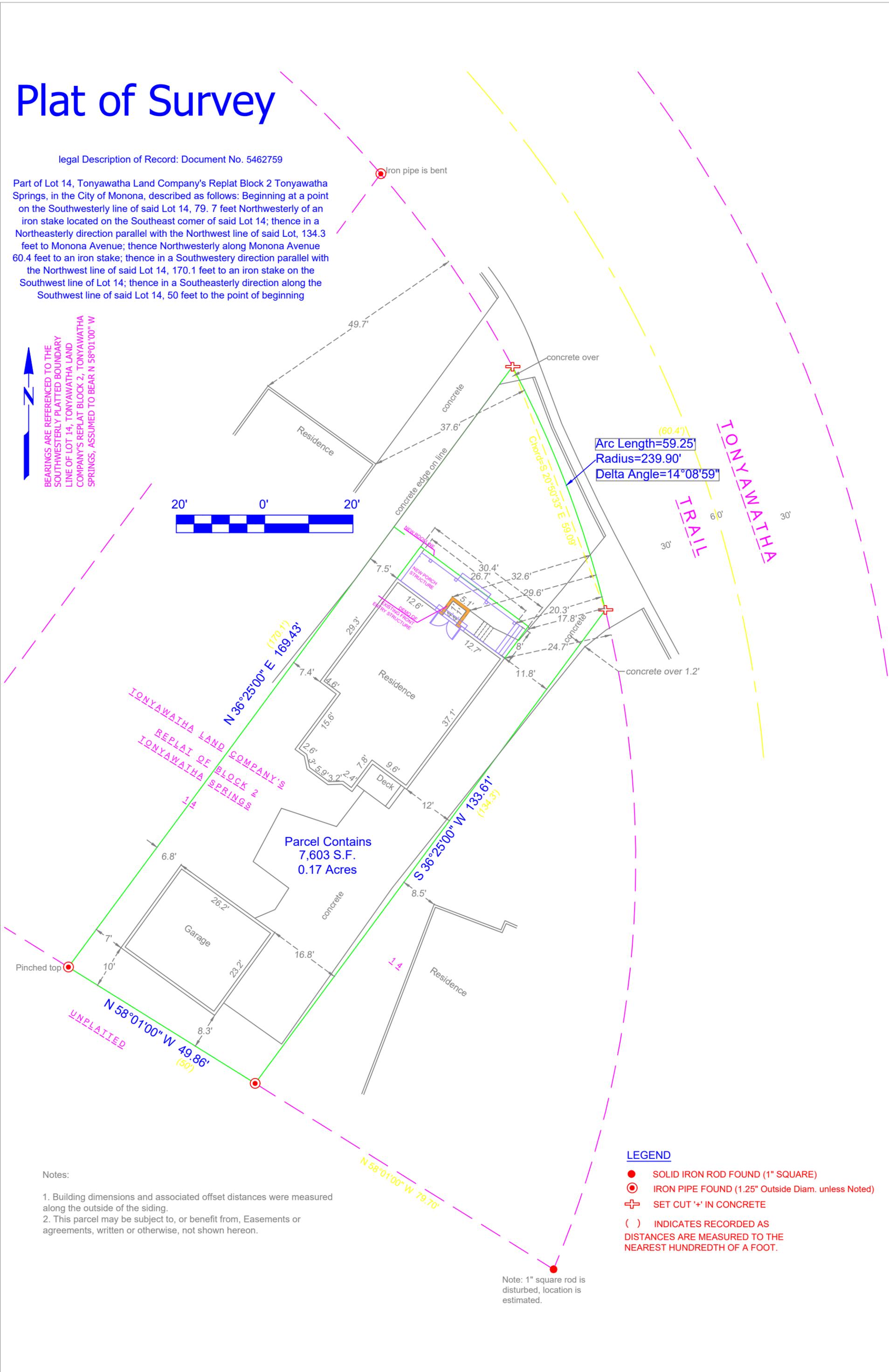
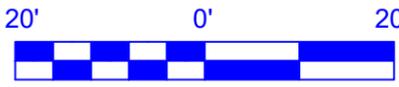
Note: 1" square rod is disturbed, location is estimated.

Plat of Survey

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BEARINGS ARE REFERENCED TO THE SOUTHWESTERLY PLATTED BOUNDARY LINE OF LOT 14, TONYAWATHA LAND COMPANY'S REPLAT BLOCK 2, TONYAWATHA SPRINGS, ASSUMED TO BEAR N 58°01'00" W



Notes:

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LEGEND

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