

CITY OF MONONA
ZONING BOARD OF APPEALS
Monona City Hall – Conference Room
5211 Schluter Road, Monona, WI 53716
Thursday November 19, 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 October 15, 2020 Minutes.
5. Public Hearing: Ralph and Carey Bradley, 611 Clear Spring Court 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 single family home on the property. (Case No. Z-008-2020)
6. Consideration of Action: Ralph and Carey Bradley, 611 Clear Spring Court 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 single family home on the property. (Case No. Z-008-2020)
7. Next Meeting Date
 - a. Upcoming Regular Meeting Dates: December 17, 2020, January 21, 2021
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: 868 3096 6269.

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

PHONE NUMBER: 1-301-715-8592 / MEETING ID: 868 3096 6269, 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 October 15, 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: Mr. Ryan Patton and City Planner Douglas Plowman

Approval of Minutes:

A motion by Mr. Conrad, seconded by Ms. Steele, to approve the minutes of September 17, 2020 carried with no corrections.

Appearances:

There were no appearances.

New Business:

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)

Mr. Fisher presented the variance application to the Board. The front of the house is already beyond the street yard setback, and at an angle to the property line. They are requesting a total of 9.7' of encroachment into the street yard setbacks to build a new front porch. The current entryway is not fully functional, as both doors are not able to be open at the same time. Additionally, the roof is leaking, and they would like to repair this at the same time as conducting the work. The applicant presented the hardship as being the front entry obstruction as well as the limited curb appeal of the home. The applicant argued that this was a reasonable expectation to be able to build a front porch addition to enjoy the lake views, and be in keeping with the lake cottage style of the home.

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)

Planner Plowman shared that the street yard setbacks are the reason for the request. The house is set at an angle as it relates to the street yard property line. It was recommended that the Board discuss the hardship, and run through the decision matrix as they consider the application.

Ms. Steele asked if the applicant has spoken to the neighbors regarding the request. Mr. Fisher responded that they know to some extent. The specific plans have not been shared, as they are not directly impacting their views. Ms. Steele sought clarification regarding how far the porch would extend based upon the photographs submitted to the Board. Chair Thomas discussed the porch, and the open nature of it. The suggestion was made that the Board may wish to consider a possible condition that requires the porch remain open, or come back for another variance. Mr. Conrad evaluated the front door challenges as the unnecessary hardship. It was discussed that it was unsafe, particularly if you were leaving in an emergency. There was also discussion of how the current pandemic increases the use of outdoor seating options versus indoor alternatives.

Mr. Schweiger asked if the deck wasn't built if they would need a variance. The applicant was also asked to show how the two front doors worked, and the challenges that they pose. Planner Plowman responded that the applicant could rebuild the existing porch with the same dimensions, but it couldn't be expanded as it's already within the setbacks. Uncovered steps are also allowed 3' into the setbacks that are necessary for access. Mr. Schweiger added that he was struggling to identify the hardship, as curb appeal or views are not hardships themselves. There was discussion of the curve of the lot frontage and if it was an unnecessary hardship or unique property limitation. Ms. Steele added that the street yard zoning restriction and angle of the house on the property creates an unnecessary hardship for the applicant to make improvements.

A motion was made by Ms. Steele, seconded by Ms. Piliouras to approve the street yard setback variance request for a new front porch with the condition that if the porch is to become enclosed, a new request will need to come before the ZBA. There is an unnecessary hardship with the zoning restrictions effect on the property due to the physical shape of the lot and the angle of both the lot and the house. There is no harm to the public interest, and there is no impact to adjacent neighbors and their views.

The motion carried with three votes in favor and one (Mr. Schweiger) in opposition.

Upcoming Meetings:

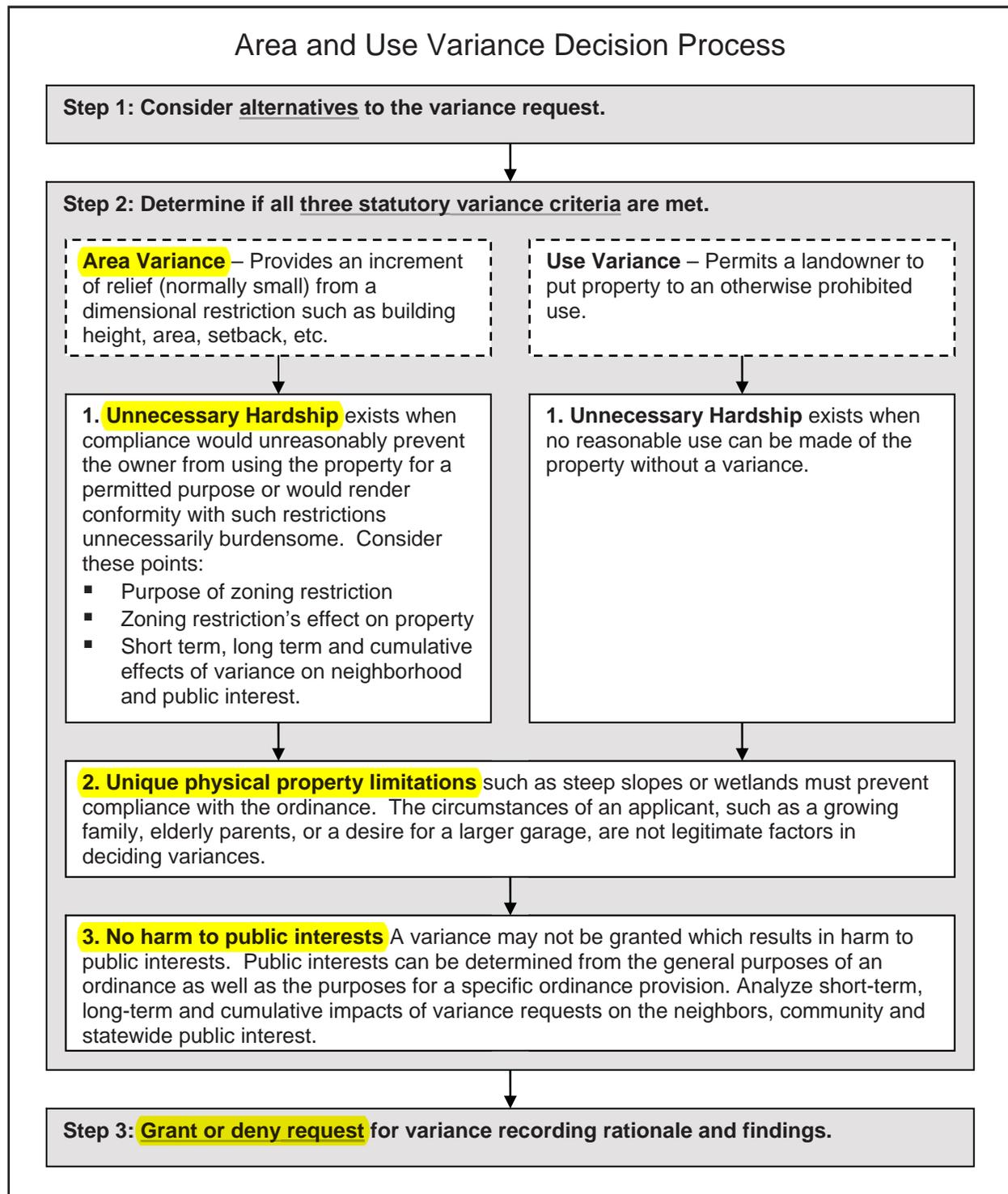
Planner Plowman shared that there have not yet been any applications received for the November 19th meeting.

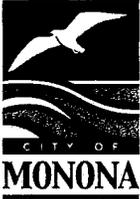
Adjournment:

A motion by Mr. Schweiger, seconded by Mr. Conrad, to adjourn carried. (6:12 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: Ralph and Carey Bradley	Home: n/a
Company:	Work: n/a
Email: rbradl63@gmail.com	Cell: (262) 215-1393
Mailing Address: 202 S. First St., Madison, WI 53704	

PROPERTY INFORMATION:		
Address of Property: 611 Clear Spring Ct., Monona, WI 53716		
Lot:	Block:	Plat:
Present Use of Property: Single family residential		
Proposed Use of Property: Single family residential		
Zoning Classification: Currently Public Facilities, pending application to re-zone 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

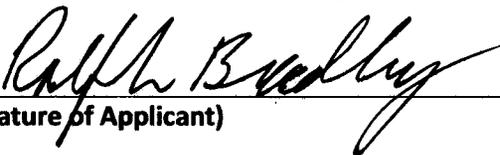
Property Accessibility for Site Review:

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.


(Signature of Applicant)

10/28/2020

(Date)

October 29, 2020

City of Monona Zoning Board of Appeals (ZBA),

Ralph and Carey Bradley are requesting a zoning variance at 611 Clear Sprint Court, reducing the front yard set-back requirements from the existing 30' requirement to 19'.

The existing house home at 611 Clear Spring Ct. is ~12' from the lot line and not within current set-back requirements, however, the existing single-family house has reached the end of its useful life and a property inspection report details material issues with all structural and mechanical areas of the structure. Our current intent will be to raze the existing house and build a new home on the property.

While the lot is large enough to support a new home (15,537 sq. ft.) the relatively unusual shape of the lot (i.e. "Pie-Shaped") has left little room for adjustments while fitting a new home within current set-back requirements. With the home we propose for the site as a 2,100 sq.ft., 3 BR, ranch style home, if we were to adhere to the required 30' setback at the front of the structure, the back of the house will be within ~8' of the back lot line. And while the proposed home can remain within the required back lot line setback of 7', there is an existing drainage swale running along the back of the lot which drains storm water from several neighboring lots to a culvert, shown on the attached site plans.

The reason for requesting this zoning variance is to rotate the footprint of the new home structure away from the rear lot line and provide a less impeded flow of water drainage from the adjacent neighborhood lots and the subject lot to the culvert pipe. The purpose of the variance is a precaution to diminish the likelihood of drainage issues that could affect property owners in the neighborhood.

The variance request is to rotate the structure forward to 14' 3" from the rear lot line. The front corner would be at approximately a 19' setback from the front lot line. Please consider that the corner of the house that is a proposed 19' setback from the front lot line has a substantial City owned land plot between that lot line and the street, thus not materially changing the visual appearance of the proposed home and neighboring properties; i.e., the corner of the proposed home in question would be greater than 200' from any street.

In summary, we believe that approval of the requested zoning variance will materially benefit the draining of the property in question, not materially change the visual appearance from the street and not infringe on other properties.

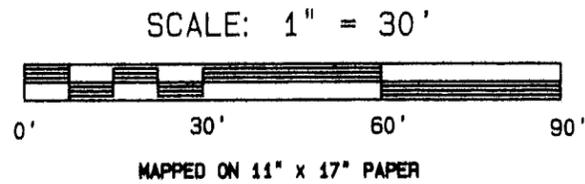
Respectfully,

Ralph and Carey Bradley

PLAT OF SURVEY

DESCRIPTION: AS RECORDED

LOT 11, BLOCK 5, TONYAWATHA LAND COMPANY'S REPLAT OF
BLOCK 4, TONYAWATHA SPRINGS, IN THE CITY OF MONONA,
DANE COUNTY, WISCONSIN.



BEARINGS ARE REFERENCED TO THE NORTHERLY
LINE OF LOT 11, BLOCK 5, TONYAWATHA LAND COMPANY'S
REPLAT OF BLOCK 4, TONYAWATHA SPRINGS.
ASSUMED TO BEAR: N 77°19'32" E.

REFERENCE SURVEYS:

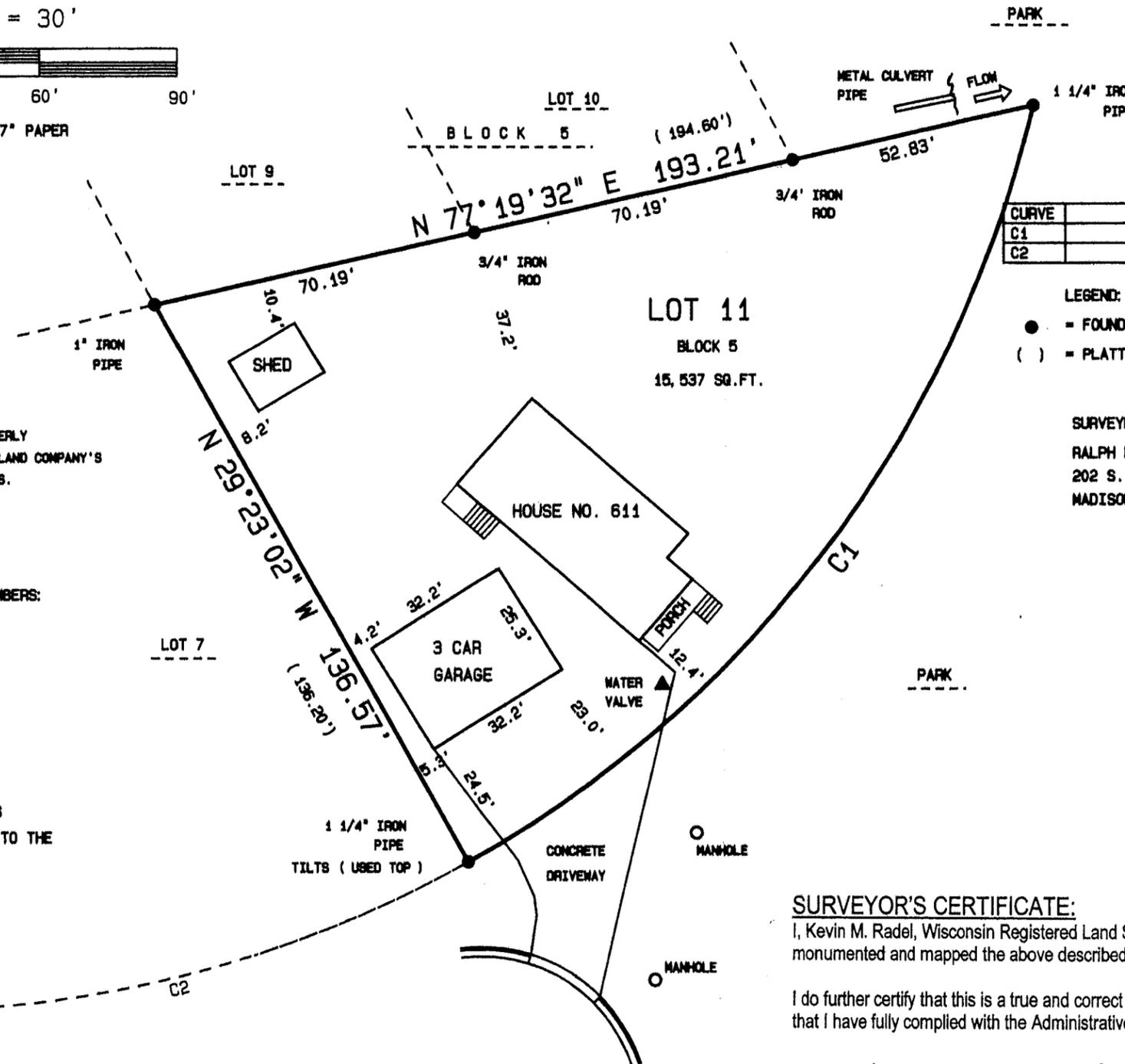
DANE COUNTY REFERENCE NUMBERS:
2017-01252 (RADEL)
AND
2009-00873 (SPETZ)

NOTE:

DISTANCES BETWEEN LOT LINES
AND BUILDINGS ARE MEASURED TO THE
SIDING CORNERS.

1" IRON PIPE

CLEAR SPRING CT.



CURVE	ARC	DELTA	RADIUS	CHORD LENGTH	CHORD BEARING
C1	207.97	47°44'26"	249.60	202.01	S 36°58'13" W
C2	134.26	30°49'11"	249.60	132.65	S 76°15'01" W

C-1 (207.50')

LEGEND:

- = FOUND IRON STAKE, SIZE AND TYPE INDICATED ON MAP.
- () = PLATTED AS DATA.

SURVEYED FOR:

RALPH BRADLEY
202 S. FIRST ST.
MADISON, WI 53704

NOTES:

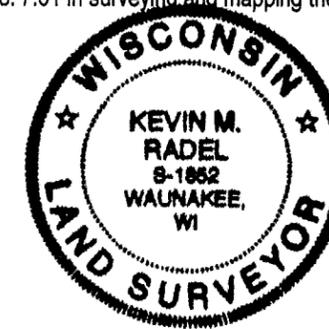
The disturbance of a survey stake by anyone is in violation of
Section 236.32 of Wisconsin Statutes.
Wetlands if present have not been delineated.
This survey is subject to any and all easements and agreements
both recorded and unrecorded.

SURVEYOR'S CERTIFICATE:

I, Kevin M. Radel, Wisconsin Registered Land Surveyor S-1852, do hereby certify that by the order of those listed hereon, I have surveyed,
monumented and mapped the above described lands.

I do further certify that this is a true and correct representation of the boundaries of the lands surveyed, including any features shown hereon, and
that I have fully complied with the Administrative Code No. 7.01 in surveying and mapping the same to the best of my knowledge and belief.

K. M. Radel
Kevin M. Radel
Registered Land Surveyor S-1852
Dated: *Sept. 22, 2020*



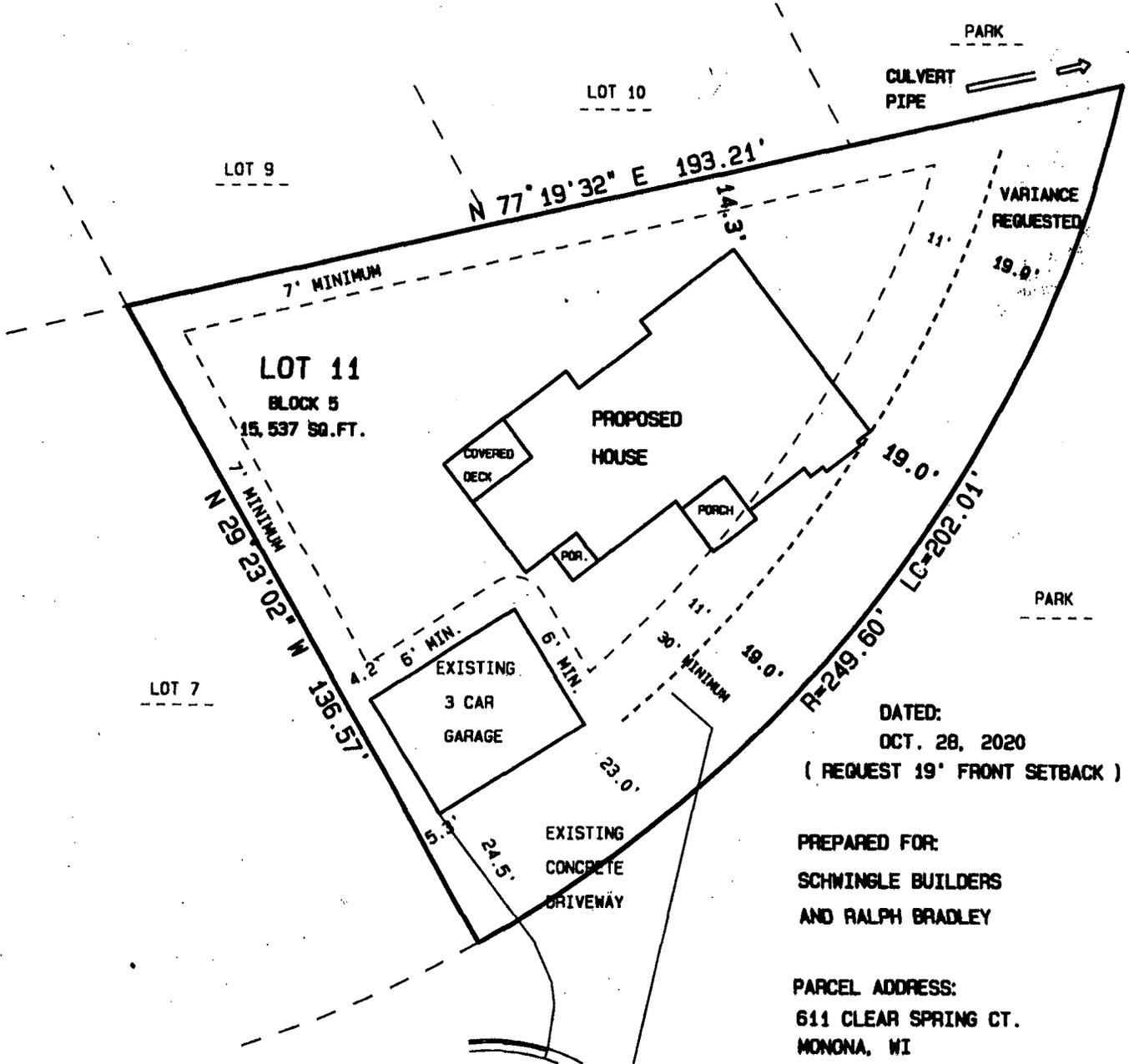
PREPARED BY
ARROW Land Surveying
A Division of Radel and Associates, Inc.
109 Kingston Way
Waunakee, WI 53597
Tel: (608) 849-8116

Job No. 20R-104

PLOT PLAN

PREPARED BY

ARROW Land Surveying
 A Division of Radel and Associates, Inc.
 109 Kingston Way • Waunakee, WI 53597
 Tel: (608) 849-8116 • Fax: (608) 850-4115



DATED:
 OCT. 28, 2020
 (REQUEST 19' FRONT SETBACK)

PREPARED FOR:
 SCHWINGLE BUILDERS
 AND RALPH BRADLEY

PARCEL ADDRESS:
 611 CLEAR SPRING CT.
 MONONA, WI

DESCRIPTION:

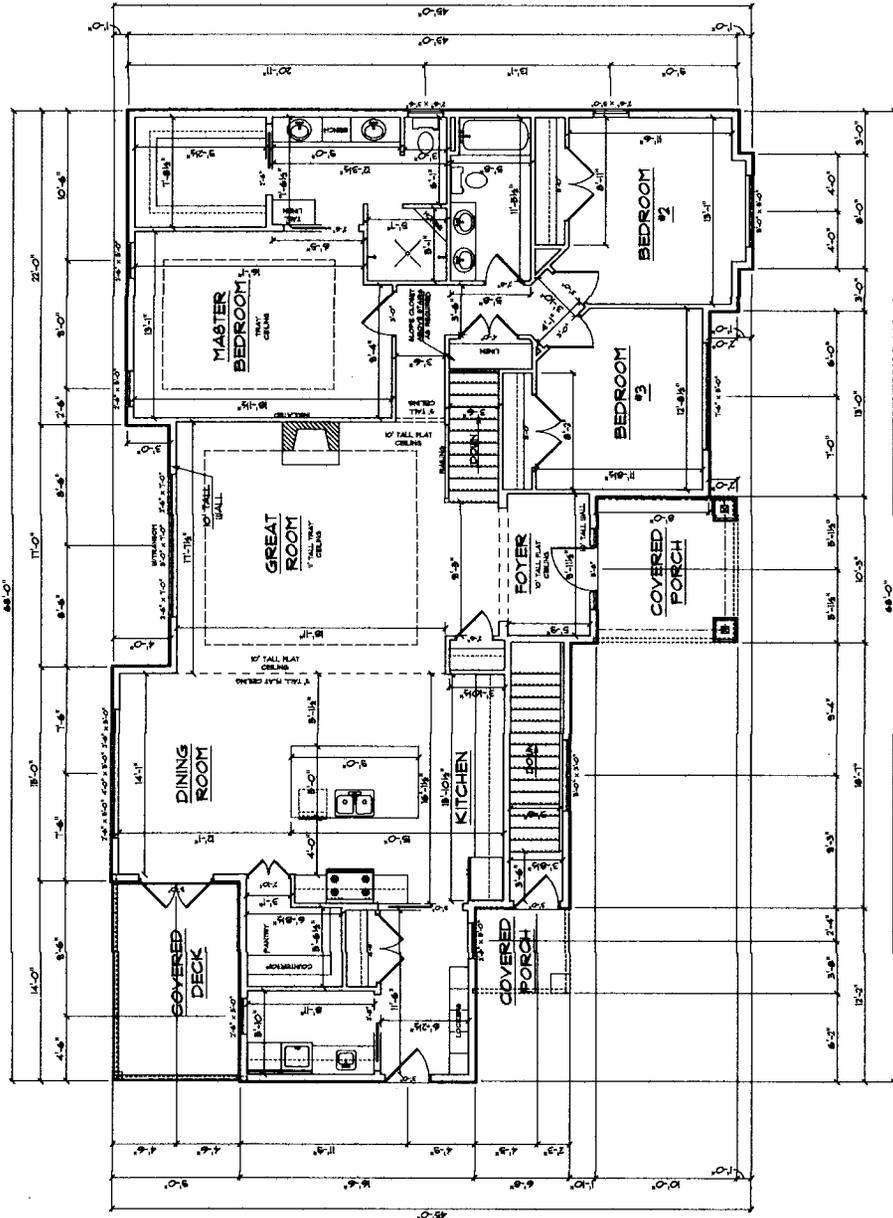
LOT 11, BLOCK 5, TONYAWATHA LAND COMPANY'S
 REPLAT OF BLOCK 4, TONYAWATHA SPRINGS, IN THE
 CITY OF MONONA, DANE COUNTY, WISCONSIN.

20R-104
 PLOT: 20R-104-A

AMERICAN DESIGN CONCEPTS LLC.
 DESIGNED BY: ISA APPLICATE
 HAZORON
 (608) 715-0170
 ALL RIGHTS RESERVED
 © AMERICAN DESIGN CONCEPTS

AMERICAN DESIGN CONCEPTS
 SCHWINGLE BUILDERS
 BRADLEY RESIDENCE

FIRST FLOOR FLOOR PLAN
 2130 SQFT TOTAL AREA
 SCALE: 1/4" = 1'-0"



1ST FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 2130 SQFT LIVING AREA

THIS PLAN WAS CREATED AS A DRAFTING
 SERVICE FOR THE CLIENT AND DOES NOT
 OR ASSUME ANY RESPONSIBILITY FOR THE
 ACCURACY OR COMPLIANCE OF THESE PLANS
 IN ANY PORT
 ALL CALLS SHALL BE REFERRED TO
 BE ENGINEERED BY MATERIAL SUPPLIER

