

**Minutes
City of Monona
Zoning Board of Appeals
Thursday July 15, 2021**

Chair Moore called the meeting of the Monona Zoning Board of Appeals to order at 5:45 pm.

Present: Alder Moore (Chair), Mr. Schweiger, Ms. Steele & Mr. Patton (2nd Alternate)

Excused: Mr. Conrad, Ms. Piliouras & Mr. Davies (1st Alternate)

Also Present: City Planner Douglas Plowman

Approval of Minutes:

A motion by Mr. Schweiger, seconded by Mr. Patton, to approve the minutes of June 24, 2021 carried with no corrections.

Appearances:

None.

New Business:

Public Hearing: Regina and Nicholas Templeton, 4807 McKenna Road are requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(4)(b) Side Yard Setbacks for the purpose of constructing a new carport to the side of the property. (Case No. Z-006-2021)

Mr. Nick Templeton and Ms. Gina Templeton introduced their request for a side yard variance. They would like to construct a carport that encroaches into the setbacks to accommodate their plug-in hybrid vehicle. The existing garage is too small, and the charging equipment needed for the vehicle should be covered rather than exposed to the elements. The applicant's shared that they have discussed the plans with their neighbors, who are in support of the plans. Ms. Templeton added that the hardship present is the location of the driveway on the side of the property, and size of the garage, limiting clearance and opportunities to add on. Mr. Templeton discussed the drawings included as part of the submitted application, highlighting that the design extends the roof line and adds a gable. Ms. Templeton added that the roof line will not encroach past the posts. Mr. Chris Winterhack of 4809 McKenna Road joined the meeting to express his support for the application. City Planner Plowman shared the letter from Ms. Amy Peterson of 4808 McKenna Road who was also in support of the project. There were no other appearances and the public hearing was declared closed.

Consideration of Action: Regina and Nicholas Templeton, 4807 McKenna Road are requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(4)(b) Side Yard Setbacks for the purpose of constructing a new carport to the side of the property. (Case No. Z-006-2021)

The Board asked about the electrical infrastructure needed for the vehicle charging, as well as alternative locations for improvements on the lot. The applicant's shared that the garage has always been too small, and they see this as one option to solve the problem. Board members shared that they empathize with the needs of the charging infrastructure, but that alone is not grounds for a variance. The Board asked for more detail of the hardship, as well as the unique property limitations. Mr. Templeton responded that there are limited options to add to the existing garage, rather there would need to be a full rebuild. Additionally, the established trees on the property limit locations that would be suitable. The lot size and shape were discussed by the Board, and while the lot width is somewhat narrow, it is not uncommon in Monona.

The applicant's shared their preference for the carport addition versus a new 2-car garage, and see it as a good compromise. Ms. Steele asked if there were other locations on the property that could meet their needs, to which Mr. Templeton responded it would be difficult. Chair Moore asked if there were any unique elements to the lot, that made zoning compliance difficult. The applicant's responded that the existing trees pose their own challenges, but that there are no drainage or topographical difficulties.

A motion was made by Mr. Schweiger, seconded by Mr. Patton to deny the side yard setback variance request for a new carport. While a positive long-term cumulative effect and no harm to the public interest were shown, the applicants were unable to present unique property limitations with their request. The needs of their vehicle charging alone do not provide grounds for a variance. The Board were unable to meet the required burden of proof needed to grant approval.

The motion carried unanimously.

Public Hearing: Robb Kahl, 1410 Neponset Trail is requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(4)(d) Shore Yard Setbacks for the purpose of constructing a deck and screen porch at the rear of the property. (Case No. Z-007-2021)

Mr. Robb Kahl introduced his request for a shore yard variance. The request is to permit an existing deck, and to build a screened porch and second floor deck above. The existing deck was installed in 2016, but a permit was not pulled by the contractor. The deck does not comply with the Zoning Ordinance, and requires a variance in addition to the improvements proposed above it. The application includes a request for a screened porch on the existing deck, and a deck of the same footprint (and railing) on the second level. The application included photographs showing an existing awning which has a very similar footprint to the proposal. The channel creates a wind tunnel and limits the usability of the awning and subsequently the shade available. Mr. Kahl shared examples of adjacent properties, as well as signatures supporting the application from surrounding neighbors. The request is for a shore yard variance, which is needed in part due to the angle of the shoreline on the lot. The lot challenges were listed as the hardship, in addition to comparing the Monona Ordinance shore yard regulations to other adjacent municipalities. There were no other appearances and the public hearing was declared closed.

Consideration of Action: Robb Kahl, 1410 Neponset Trail is requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(4)(d) Shore Yard Setbacks for the purpose of constructing a deck and screen porch at the rear of the property. (Case No. Z-007-2021)

City Planner Plowman added that the screened porch would need to be shown to be outside of the floodplain and recommended that the Board add verification as a possible condition of approval. Additionally, the submitted materials do not show the setbacks from the meander line, rather from the Ordinary High Water Mark. This revision was also put forward as a possible condition should the Board choose to approve the application. Mr. Schweiger shared that the zoning restriction has a negative impact on the property. He is not concerned with creep from this application, and agrees that the application has a positive effect on the property. The applicant has shown that alternatives have been explored, and that this is the most viable improvement. The unique property limitations are met through the oddly shaped lot, and there is support from the public. Mr. Patton added that he would have concern if the adjacent neighbors didn't approve of the application, but their support is important.

A motion was made by Mr. Schweiger, seconded by Ms. Steele to approve the shore yard setback variance requests for a deck and screen porch with two conditions of approval. The hardship is present through the shape of the lot. The proposal is a permissible use and a

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reasonable request. There is no harm to the public interest and the request has a positive cumulative effect.

1. The applicant shall provide an updated survey showing the setback distances measured to the meander line prior to the issuance of building permits.
2. The applicant shall provide spot elevations for the edges of the proposed addition in order to establish that the structure is outside of the floodplain prior to the issuance of building permits.

The motion carried unanimously.

Upcoming Meetings:

Planner Plowman shared that he has not yet received an application for the August 19, 2021 meeting.

Adjournment:

A motion by Ms. Steele, seconded by Mr. Schweiger, to adjourn carried. (7:02 pm)

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