

**Minutes  
City of Monona  
Zoning Board of Appeals  
Thursday August 20, 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. Davies (1<sup>st</sup> Alternate)

Excused: Mr. Schweiger

Also Present: City Planner Douglas Plowman

**Approval of Minutes:**

A motion by Ms. Steele, seconded by Mr. Davies, to approve the minutes of July 9, 2020 carried with no corrections.

**Appearances:**

Mr. Mike Dwyer – 5703 Tonyawatha Trail (Spoke against Z-005-2020)

Ms. Valerie Drye – 5707 Tonyawatha Trail (Spoke on Z-005-2020)

**New Business:**

**Public Hearing: James Gallegos, 4707 Tonyawatha 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 screened in deck. (Case No. Z-003-2020)**

**Consideration of Action: James Gallegos, 4707 Tonyawatha 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 screened in deck. (Case No. Z-003-2020)**

Planner Plowman shared that Mr. Gallegos has withdrawn his application, and these two items will not be considered at this time.

**Public Hearing: Matthew and Molly Goetzinger, 5705 Tonyawatha Trail are requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(7)(c)(2) Accessory Building Side Yard Setbacks and 480-24(d)(7)(a) Accessory Building Height for the purpose of constructing a second level to an existing boathouse. (Case No. Z-005-2020)**

Mr. Matthew Goetzinger provided an overview of the improvements that he and his wife hope to make. They are requesting a variance to add an enclosed deck atop the existing boathouse. Designs call for a transparent structure, that is fitting with the existing architecture, and screen from the adjacent neighbor's property. The dimensions would be 23' in length, and 10' in width. The applicant expressed that the adjacent neighbor to the north presents a hardship through his current property maintenance and the impact this has on his enjoyment. The applicant has small children and they request a screened space in which they can gather and enjoy their back yard.

Mr. Mike Dwyer of 5703 Tonyawatha Trail spoke against the proposed plans. He explained that the existing boathouse is on his property slightly, for which the 1987 easement and accompanying letter are included in the packet. He apologized for the appearance of his back yard, referencing plans that were in place for work to start in the spring of 2020. Between COVID and Mr. Dwyer's business being very busy he has been unable to attend to the yard or begin construction as planned. He shared that the proposed addition would impact his lake views, particularly from his walk-out lower level. He referenced the easement, but raised issue with the proposed expansion of the boathouse.

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Additionally, he was unsure of the general stability of the structure, and if it could take an addition as proposed. He expressed that for long-term improvements it is not the right plan, and he would either recommend the boathouse be left as it is or reconstructed in the middle of Mr. Goetzinger's lot.

Ms. Valerie Drye of 5707 Tonyawatha Trail spoke regarding the addition, and the possibility of it impacting their view of the lake. In speaking to Ms. Goetzinger she believed that the top of the porch would be level with the yard. Although she hadn't viewed the plans, she shared that if this was the case she was comfortable with the proposal.

Planner Plowman shared 2 letters received by email from 5701 Tonyawatha Trail expressing their support for the application. Additionally, an email was received from 5706 Tonyawatha Trail concerned primarily about the construction taking place along the street and its impact on traffic, adjacent neighbors and the possibility for crime. Planner Plowman further discussed the easement, the 1.5' encroachment onto Mr. Dwyer's property, as well as City Attorney Cole's opinion that this addition would not violate the easement given it is fully on the applicant's property. There were no other appearances and the public hearing was declared closed.

**Consideration of Action: Matthew and Molly Goetzinger, 5705 Tonyawatha Trail are requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(7)(c)(2) Accessory Building Side Yard Setbacks and 480-24(d)(7)(a) Accessory Building Height for the purpose of constructing a second level to an existing boathouse. (Case No. Z-005-2020)**

Planner Plowman clarified the proposal put forward by Mr. Goetzinger to the Board. He shared that the proposal is entirely on the applicant's property, with no encroachment onto Mr. Dwyer's lot. He explained that both side yard setback relief and accessory building height relief were needed. Chair Thomas added that she visited the site and explained that the weeds at 5703 are a real issue. They were considerable in their height, and posed a significant impact to the Goetzinger property.

Ms. Steele asked for clarification with regards to the total building height, which is 21' as proposed. This includes the 12' existing boathouse, and 9' addition. Mr. Davies asked for clarification of the lot lines and to check the structure would not encroach onto Mr. Dwyer's property. Ms. Steele asked if the applicant had considered moving the boathouse to be central on their property. The applicant responded that it doesn't make financial sense given the structure is still sound. There are also topographic challenges present on the site, and it would result in the removal of existing vegetation. Mr. Conrad asked about the mosquito issues referenced in the applicant's application letter. Mr. Goetzinger responded that the proposal would provide a visual enhancement of the boathouse, but that in the 5 years they have owned the property their enjoyment has been hindered by the condition of the adjacent yard. Ms. Piliouras added that moving the boathouse would require significant excavation and likely more work to the shoreline too.

A motion was made by Mr. Davies, seconded by Ms. Piliouras to approve the side yard setback and building height variance requests for an accessory structure in order to construct a second level to an existing boathouse. The unnecessary hardship is present through the slope present on the property as well as the condition of the adjacent neighbor's yard. The proposal would limit erosion, and be in the best interest of the shoreline and existing vegetation. The application is not contrary to the public interest, it will not negatively impact the neighborhood, and it is in the spirit of the Zoning Ordinance.

The motion carried unanimously.

**Upcoming Meetings:**

Planner Plowman shared that he has already received an application for the September 17<sup>th</sup> meeting.

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**Adjournment:**

A motion by Mr. Conrad, seconded by Ms. Steele, to adjourn carried. (6:28 pm.)

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