

**Minutes
City of Monona
Zoning Board of Appeals
Thursday October 21, 2021**

Chair Moore called the meeting of the Monona Zoning Board of Appeals to order at 5:47 pm.

Present: Alder Moore (Chair), Mr. Conrad, Ms. Steele, Ms. Piliouras & Mr. Davies (1st Alternate)

Excused: Mr. Schweiger & Mr. Patton (2nd Alternate)

Also Present: City Planner Douglas Plowman

Approval of Minutes:

A motion by Ms. Steele, seconded by Ms. Piliouras, to approve the minutes of August 26, 2021 carried with no corrections.

Appearances:

None.

New Business:

Public Hearing: Brandon and Emily Goetzman, 4541 Winnequah Road are requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(7)(a) Accessory Structure Maximum Height for the purpose of building a new pergola shade structure on top of the existing boathouse. (Case No. Z-009-2021)

Mr. Goetzman introduced the application for a new pergola shade structure atop their existing boathouse. This would be part of a larger project for the boathouse that is updating the steps and rooftop deck, but this element requires ZBA consideration. The applicant seeks some shade on the existing boathouse roof deck and protection from the sun as Ms. Goetzman is a skin cancer survivor. The applicant recognizes that this alone cannot be the grounds for granting the request. A number of other elements were raised. The parcel is at the tip of an outlet which creates significant winds throughout the year. This has limited their ability to gain shade with umbrellas. The second is that a tree that used to provide some partial shade to the roof has since died and been removed limiting natural shade options. Finally, the applicant believes their parcel is going to be significantly impacted by climate change given the open and uncovered views with no shade or trees. The applicant shared that the structure has been designed to be aesthetically appealing, and limit impact to adjacent neighbors. The top of the pergola is the same height as the fence line in the back yard given the grade drop from the yard to the boathouse. Finally, the fencing around the roof will now be glass which allows for greater transparency for adjacent neighbors than the existing rooftop fence.

Mr. George Kinsler of 4539 Winnequah Road spoke against the variance request. He spoke to the developments that have been added to the subject property over time and their impact on his property. He had concerns over what hardship is present as a basis for granting the variance. There were no other appearances and the public hearing was declared closed.

Consideration of Action: Brandon and Emily Goetzman, 4541 Winnequah Road are requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(7)(a) Accessory Structure Maximum Height for the purpose of building a new pergola shade structure on top of the existing boathouse. (Case No. Z-009-2021)

The Board began deliberation of the request for a new shade structure on the existing boathouse. Clarifying questions were asked regarding the application, and how they relate to City Zoning. 2009

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Building Permit plans were referenced by City Planner Plowman, and he showed that the existing boathouse is already at 14' without any rooftop structure. There was discussion of the permanence, and what is defined as a structure versus temporary and if it would be subject to zoning. Mr. Davies asked about the design intent, and specifically the mechanical louvers to block out the sun. Ms. Steele asked the height difference between the fence in their yard and the top of the pergola. Mr. Goetzman responded that he wasn't sure if the drawing was to scale, but it would be close.

Mr. Davies asked about the scope of the project, and what is being considered by the ZBA. Mr. Goetzman responded that the decking on the roof, the railing on the staircases will all be redone at the same time. City Planner Plowman responded that elements that are replacing like-for-like or are required for access can be replaced, and that the pergola is an addition and requires ZBA review. Elements of the request are also run by Building Inspection and the DNR depending upon the project scope. Mr. Davies also asked about enclosing the pergola with some sort of shade screen, how this evolves, and is monitored over time.

Chair Moore returned to the State Statue, and asked for the Board's consideration of both the unnecessary hardship that is unique to the property, as well as the property limitations unique to this parcel. Mr. Conrad echoed the comments, and that every lakefront resident could argue the same case put forward. The intention of the Ordinance is to prevent obstruction of the lakeside views, and he is concerned by the precedent that may be set by this. Ms. Steele struggled with the unnecessary hardship, and the impact felt by the adjacent neighbor. Ms. Piliouras asked about other applications that have come through, and how hardships were presented. Mr. Davies added that boathouses are difficult and unique structures that need to have a high level of scrutiny given their location. Mr. Goetzman responded to the Board's feedback. He highlighted some concern with maintenance at the neighboring property, and asked if that would have a bearing on the ZBA decision.

A motion was made by Mr. Davies, seconded by Ms. Steele to deny the accessory structure maximum height variance request for a new pergola in the shore yard. The applicant did not show any hardships that meet the requirements for the addition of the structure itself. The shoreline is consistent throughout the area, and so that is not a unique property limitation to this specific property. There are also concerns about the long term cumulative effects of permitting an increased height for a boathouse. The Board were unable to meet the required burden of proof needed to grant approval.

The motion carried unanimously.

Upcoming Meetings:

Planner Plowman shared that he has received at least one application for the November 18, 2021 meeting.

Updates/Discussion on Diversity, Equity and Inclusion (DEI) Efforts:

Chair Moore shared that the Plan Commission is currently considering a request for a workforce housing development on East Broadway, and initial consideration is expected in early November.

Adjournment:

A motion by Mr. Conrad, seconded by Ms. Piliouras, to adjourn carried. (6:35 pm)

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