

**Minutes
City of Monona
Zoning Board of Appeals
Thursday February 17, 2022**

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

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

Excused: Mr. Davies (1st Alternate) & Mr. Patton (2nd Alternate)

Also Present: City Planner Douglas Plowman

Approval of Minutes:

A motion by Mr. Schweiger, seconded by Ms. Steele, to approve the minutes of December 16, 2021 carried with no corrections.

Appearances:

None.

New Business:

Public Hearing: Karen Birrenkott, 4203 Winnequah Road is requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(4)(c) Rear Yard Setbacks for the purpose of building a new attached deck to the existing property. (Case No. Z-001-2022)

Ms. Birrenkott introduced her request for a variance. She explained that the house and garage were built in 1932, which meant both were pushed back very far in the lot. Ms. Birrenkott has an outside entrance to the basement of the house, and this is how she accesses the laundry. This can be a challenge with poor weather, and the intent was to create a safer entrance to the basement. A better deck was needed to provide a better landing before accessing the basement. The applicant met with City Staff to discuss possibly enlarging the size of the existing porch which was not possible without a variance, choosing to pursue the deck instead. She thought the deck was permitted, and that is why work started without permits being pulled. Ms. Birrenkott intended to create a safe route that would allow her to age in-place. Brady Boland, the applicant's contractor, was also present to share that he will work with the City to ensure compliance moving forward. He added that it is a modest deck, and allows safe passage to the basement.

Mr. Bob Worm (4129 Monona Drive) appeared at the meeting in support of the request. Mr. John Fadness (4205 Winnequah Road) also appeared in support of the request. There were no other appearances and the public hearing was declared closed.

Consideration of Action: Karen Birrenkott, 4203 Winnequah Road is requesting a variance from Monona Municipal Code of Ordinances Sec. 480-24(d)(4)(c) Rear Yard Setbacks for the purpose of building a new attached deck to the existing property. (Case No. Z-001-2022)

City Planner Plowman introduced the application and explained that the deck is treated the same for setbacks as the primary structure. The side yards appear to be clear, and the rear yard setback needs a variance. Permits had not been pulled for the installation of the deck, and when found to be out of compliance, had to seek a variance. The Board began deliberation of the request. Mr. Conrad asked how different the new deck is from the previous deck that was removed. The applicant responded that the old deck was much smaller. Ms. Steele asked about the repaired 3-season porch leading onto the deck. The applicant replied that construction did not change the existing footprint, alleviating the need for a variance.

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Mr. Schweiger asked how the deck provides better safety or access to the basement as opposed to a concrete patio. The applicant responded that the deck provides a flat landing and comes straight out from the back of the house, whereas a patio would need steps immediately from the house increasing potential hazards. Ms. Steele asked about the setbacks and clarifying questions about existing conditions. Planner Plowman confirmed that the deck does not extend further north beyond the edge of the existing garage, but that the Board may choose to request a site survey to confirm the deck is completely on the property given some uncertainty around the property lines. Mr. Schweiger asked how the use of the space would be impacted by inclement weather. Ms. Birrenkott shared the request is all about safety, especially during inclement weather and it may impact her decision to stay in the house long term. There was discussion of the fact that the deck started without building permits, and the applicant's contractor was not under the impression that they needed a permit for this part of the work. Ms. Piliouras shared her concern with the uniqueness of the request given the house is the difficulty, and asked about physical characteristics of the lot.

A motion was made by Ms. Steele, seconded by Mr. Schweiger to approve the request for a rear yard setback variance to construct an attached deck. Structural limitations exist and it creates an unnecessary hardship given the age of the home and location on the lot. Had it been placed elsewhere it could have been conforming. The safety issues are an unnecessary hardship that is preventing a permitted purpose from being completed without exiting the house first. A remodel for an interior entrance would be unnecessarily burdensome to the homeowner. The unique property limitation is present given where the house is located within the lot. There is no harm to the public interest, and there was both written and verbal support for the project.

The motion carried unanimously.

Upcoming Meetings:

Planner Plowman shared that he will need to cancel or postpone the March 17, 2022 meeting as he is not available on that date.

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

Planner Plowman shared that zoning practices are being evaluated as part of the DEI City-wide assessment. Alder Moore raised that she suggested application forms be translated into Spanish once a priority order of forms has been established.

Updates/Discussion on Sustainability Efforts:

Alder Moore introduced this item and the intention of adding this to all City meeting agendas. A lot more is going on for sustainability initiatives than is known, so giving a dedicated space to discuss allows everybody to remain accountable. Mr. Conrad suggested adding a question for environmental impact or considerations on the variance application form.

Adjournment:

A motion by Mr. Conrad, seconded by Ms. Steele, to adjourn carried. (6:22 pm)

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