

**Minutes  
City of Monona  
Zoning Board of Appeals  
Thursday February 16, 2023**

Chair Moore called the meeting of the Monona Zoning Board of Appeals to order at 5:49 pm.

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

Excused: Mr. Conrad, Mr. Davies (1<sup>st</sup> Alternate) & Mr. Patton (2<sup>nd</sup> Alternate)

Also Present: Planning Director Douglas Plowman

**Approval of Minutes:**

A motion by Ms. Steele, seconded by Mr. Schweiger, to approve the minutes of December 15, 2022 carried with no corrections.

**Appearances:**

None.

**New Business:**

**Public Hearing: Brian and Megan Planey, 5109 Winnequah Road are 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 deck at the rear of the property. (Case No. Z-010-2022)**

Mr. Brian Planey introduced the request to the Board. The request is to add a new deck at the rear of the property that encroaches on the rear yard setbacks. Brian and Megan Planey purchased the property in 2014 which had a 240 sq. ft. deck at the back of the property. This was removed as part of a renovation project that took place in 2021 and because of concerns about the structural integrity of the back wall of the main house. The proposed deck is slightly larger than the previous construction, and is 5' north of the former location. The house is 35' back from the rear lot line, making any addition to the rear impossible without a variance. While rear yard setbacks are challenging, the property is 52' back from the street yard setback and further back than adjacent neighbors are. Additionally, the lot to the north of 5109 Winnequah Road is 14' deeper than that of the applicant, and this accounts for the peculiar lot line at the northwestern corner of the applicant's lot. Mr. Planey shared that this is a deck, with no plans for a main addition. It adjoins the main sliding door from the house, maintaining ingress and egress to the property. It was shared that the deck is not visible from neighboring properties, it is in the same spirit of the former deck, and would provide a meaningful improvement to the property.

Planning Director Plowman shared a letter of support from Mary O'Connor and Bob Bocher (5103 Winnequah Road) for the project. Chris Bondurant of 5107 Winnequah Road joined the meeting and shared his support for the application. There were no other appearances and the public hearing was declared closed.

**Consideration of Action: Brian and Megan Planey, 5109 Winnequah Road are 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 deck at the rear of the property. (Case No. Z-010-2022)**

Planning Director Plowman explained the reason for the request before the Zoning Board. The variance is needed because the deck is an addition to the main structure. The rear yard setbacks are 40' and this encroaches on the setback. Although a replacement of a previous deck, the location and size have both changed, meaning it must comply with current zoning regulations. Members clarified that the proposed deck is approximately 55 sq. ft. larger than the previous deck, and

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approximately 4' closer to the lot line. Mr. Schweiger acknowledged the challenges with the current location of the property, and that it is set back further than adjacent neighbors are. The question of why a deck instead of a patio was raised. The applicants responded that it provides better access to the main structure, and also provides an improvement without the need for more impervious surface. Mr. Schweiger asked the applicant's if the previous deck was unsafe before it was removed, to which the response was that it was unsafe and portions were bowing and would have had to be replaced.

Ms. Steele acknowledged the very unique shape of the lot, recognized the neighbor support, but struggled with the hardship. She asked Staff the purpose of the restriction, to which uniformity with rear yard depth and preservation of green space was suggested. Mr. Planey added that the request is limited in its impact, especially because it does not include a vertical component. Mr. Schweiger shared that the property does not accommodate a reasonable design, and that the house would have to be moved to add anything to the rear yard within current setbacks.

A motion was made by Ms. Piliouras, seconded by Ms. Steele to approve the request for a rear yard setback variance to construct a new deck at the rear of the property. The hardship is present through the fact that a reasonable design cannot be constructed in any way within the regulations, even when the previous deck was removed due to safety concerns. The new design is conservative, and allows for functional access in and out of the building. The property has unique limitations through the shape of the rear lot line, as well as the location of the house on the lot with significant street yard setbacks. Adjacent neighbors are in support and have shared this via both letters of support and their attendance at the meeting. The impacts are limited and do not infringe on the intent of the zoning restriction. A condition was added that the applicant may not enclose the footprint in the future without further consideration.

The motion carried unanimously.

**Upcoming Meetings:**

No applications have been received for the March ZBA meeting and it will be cancelled.

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

Planning Director Plowman shared that City Department Heads are conducting training with the Nehemiah Center. Chair Moore added that a survey for Madison Metro is underway, and encouraged everybody to review this. The City is waiting until the survey completes before making any decisions. Exploring transit options is included as a recommendation in both the Sustainability Plan and DEIB report.

**Updates/Discussion on Sustainability Efforts:**

None.

**Adjournment:**

A motion by Ms. Steele, seconded by Ms. Piliouras, to adjourn carried. (6:34 pm)

Respectfully submitted by:

Douglas Plowman, Director of Planning and Community Development