

**REPORT OF THE BOARD OF ZONING APPEALS OF THE CITY OF WISCONSIN RAPIDS
AUGUST 14, 2018**

The Wisconsin Rapids Board of Zoning Appeals met at 1:00 PM on Tuesday, August 14, 2018 in the 2nd Floor Conference Room at City Hall.

Members Present:

Mike Hittner, Chairperson
John Knolinski
Jim Gignac (2nd Alternate)

Members Absent:

Lee Gossick
Rick Pompa
Jerry Feith
Dennis Polach (1st Alternate)

Others Present:

Sonia Lewis
Shawn Lewis
John Buettgen
Sharon Them-Buettgen
Adam Tegen

With a quorum present, Mike Hittner called the meeting to order at 1:00 p.m.

1. Approval of the report from the July 24, 2018 Board of Zoning Appeals meeting.

Motion by Knolinski, second by Gignac, to approve the July 24, 2018 report.

Motion carried (3-0).

2. **VARI-18-0591; Shawn & Sonia Lewis.** The applicants are requesting variances to allow for the reconstruction of the existing parking areas including setback requirements and the modification of the required driveway location requirements. The subject property is located at 2210 to 2240 8th Street South (Parcel 34-12139).

Sonia Lewis, applicant, noted that they are looking to reconstruct the existing parking surface on the property. They are not looking to expand the parking area with the exception of removing a 3' x 70' grass area along the sidewalk on 8th Street. There are some locations where the 5 feet setback would not be an issue, but on the side of the property and the rear of the property it would result in access or parking issues.

Shawn Lewis, applicant, stated that the driveway access design requirements on 7th Street South would result in loss of access to overhead doors and parking areas along the rear of the property.

Knolinski noted that he felt the hardships are similar to those found for the Ace variance request a couple of years ago. The proposed \$120,000 investment in the parking area is needed. Requiring grass areas would be unique to this property compared to the neighboring properties.

Gignac stated that the concerns with the access design standards for 7th Street South seemed valid with their impact on parking and access. The concerns with impact on parking and access on the north and south sides were also reasonable. With recent emphasis on looking for ways to improve the aesthetics of 8th Street, it seemed unfortunate to eliminate the existing grass area.

There was a general discussion between the Board and the applicant on the need and impact of the existing green space along 8th Street South.

Adam Tegen stated that staff recommends denial. Alternative design options exist that would address many of the variance requests.

Motion by Knolinski, second by Gignac, to approve VARI-18-0591 subject to the following conditions:

1. **The variance from Section 11.17.03 shall only apply to the reconstruction of the existing paved parking and vehicle use areas and the removal of the 3 foot by 70 foot grassed area along 8th Street South shown on the submitted site plan. No parking shall take place within the public right-of-way or within the vision triangles.**
2. **The variances from Section 11.06.65 shall only apply to the reconstruction of the existing paved access points on 7th Street South. No parking or storage of vehicles shall occur within the public right-of-way or within the vision triangles.**
3. **Compliance with all other applicable codes and ordinances.**

Motion carried (3-0).

3. **VARI-18-592; Buettgen Wis Rapids Prop LLC.** The applicant is requesting a variance to allow for the reconstruction of an existing access point including location requirements. The subject property is located at 631 East Grand Avenue (Parcel 34-07811).

John Buettgen, applicant, noted that the request is to allow the existing layout to remain. When a funeral procession occurs, the entrance off of East Grand and 7th Street South are important for staging and departure. There are existing parking issues caused by the storm drain that was installed. Modifications to the layout would only negatively impact the area more.

Gignac clarified that the adjoining parking areas are owned and utilized by the applicant.

Knolinski clarified that there is only one entrance off of East Grand Avenue to the property.

Gignac stated he would like to see the landscaping area between the sidewalk and building remain after East Grand Avenue construction is complete.

Adam Tegen noted that staff recommends approval on the East Grand entrance but denial on the 7th Street entrance.

Motion by Knolinski, second by Gignac, to approve VARI-18-0592 subject to the following conditions:

1. **The variance shall only apply to the replacement of the existing entrance point on East Grand Avenue and the existing entrance point on 7th Street South.**
2. **Compliance with all other applicable codes and ordinances.**

Motion carried (3-0).

4. Discussion on Potential Staff Review of Variances for Existing Driveways in Residential Districts.

With the limited number of members present the Board requested that this item be placed on the next agenda for discussion.

5. Adjourn

Motion by Knolinski, second by Gignac to adjourn.

Motion carried (3-0).

Meeting adjourned at 1:40 p.m.

Appeals: The decisions contained herein may be appealed by a person aggrieved by any decision or by any officer, department, board or bureau of the municipality by filing an action in certiorari in the circuit court for this county within 30 days after the date of filing of this decision. The municipality assumes no liability for and makes no warranty as to reliance on this decision if construction is commenced prior to expiration of this 30-day period.

Submitted by Adam Tegen on August 16, 2018