

# REPORT OF THE ZONING BOARD OF APPEALS OF THE CITY OF WISCONSIN RAPIDS OCTOBER 9, 2018

The Wisconsin Rapids Zoning Board of Appeals met at 1:00 PM on Tuesday, October 9, 2018 in the 2nd Floor Conference Room at City Hall.

## Members Present:

Jerry Feith  
John Knolinski  
Rick Pompa  
Dennis Polach (1<sup>st</sup> Alternate)  
Jim Gignac (2<sup>nd</sup> Alternate)

## Others Present:

Ronald Kingman  
Adam Tegen

## Members Absent:

Mike Hittner, Chairperson  
Lee Gossick

With a quorum present, acting chairperson Jerry Feith called the meeting to order at 1:02 p.m.

1. Approval of the report from the August 14, 2018 Board of Zoning Appeals meeting.

**Motion by Gignac, second by Knolinski, to approve the August 14, 2018 report.**

**Motion carried (5-0).**

2. **VARI-18-0839; Ron & Sandy Kingman.** The applicants are requesting a variance to allow for the reconstruction of an existing driveway. The subject property is located at 520 Grove Avenue (Parcel 34-12904).

Ron Kingman stated that the old driveway was in need of repair or replacement. They have already moved forward with replacing the driveway. Meeting the required 3 feet setback would have made access to the rear of the home and garage difficult.

Knolinski noted that the driveway has already been replaced, except for the approach, which will need to be done soon as well. When the approach is replaced it should be done in concrete verses asphalt.

Ron Kingman added that the distance from the fence line to the edge of the pavement is only 15 feet. That would normally be more than enough but the location of the garage and access to the property off of Grove make a wider driveway necessary.

Polach stated that the request seemed appropriate based on the reduced width of the lot and the driveway design matching the existing approach in the right-of-way.

Pompa reiterated that the new driveway was put in the same location and size as the previous driveway.

Adam Tegen stated that staff recommends denial. The maximum driveway width in the code is 12 feet for this type of layout. If/when the approach is replaced, the ordinance will require concrete.

**Motion by Knolinski, second by Polach, to approve VARI-18-0839 subject to the following condition:**

- 1. The variance shall only apply to the reconstructed driveway shown on the submitted site plan. The driveway shall be constructed of asphalt or concrete. All future additions and/or changes to the driveway shall comply with the zoning ordinance in effect at the time of construction.**

**Motion carried (5-0).**

After the vote it was clarified between the Board and the applicant that the driveway approach is required to be replaced by June 30, 2019 and will need to be concrete.

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

Adam Tegen provided an overview of the new zoning code regulations regarding driveways was provided along with some potential language to reduce the number of driveway variance requests.

After a lengthy discussion, the Board supported the draft language provided by staff and felt that including language to require the replacement of non-conforming approaches at the time of driveway replacement would be appropriate.

4. Adjourn.

Prior to adjourning, Knolinski tendered his resignation from the Zoning Board of Appeals effective at the end of the meeting.

**Motion by Knolinski, second by Polach to adjourn.**

**Motion carried (5-0).**

Meeting adjourned at 1:55 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 October 10, 2018