

**REPORT OF THE ZONING BOARD OF APPEALS OF THE CITY OF WISCONSIN RAPIDS
JANUARY 8, 2019**

The Wisconsin Rapids Zoning Board of Appeals met at 1:00 PM on Tuesday, January 8, 2019 in the 2nd Floor Conference Room at City Hall.

Members Present:

Mike Hittner, Chairperson
Jerry Feith
Lee Gossick
Dennis Polach (1st Alternate)
Jim Gignac (2nd Alternate)

Others Present:

Todd Drew
Andy Edwards
Marlene Lech
Ron Lech
Jim Koehntopp
Adam Tegen

Members Absent:

Rick Pompa

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

1. Approval of the report from the December 11, 2018 Zoning Board of Appeals meeting.

Motion by Feith, second by Gignac, to approve the December 11, 2018 report.

Motion carried (5-0).

2. **VARI-18-1084; Todd Drew.** The applicant is requesting a variance to allow for the construction of a new detached garage on the subject property. The property is located at 2331 2nd Street South (Parcel 34-11183).

Todd Drew, owner, stated that he desires to build a new detached garage and include a 10 feet wide overhang for a sheltered area that would not be enclosed. He considered adding a covered porch to the home but it would be substantially more expensive. The enclosed portion of the garage is under 900 square feet but the overhang puts the total square footage of the building at 1,176 square feet.

Polach asked if the proposed sheltered area would be near a neighboring property line.

Todd Drew noted that the sheltered area would face into the yard, versus facing the closest neighbor. He would estimate it would be 40 feet from the neighbor it would face.

Ron and Marlene Lech, neighboring property owners, stated they appreciated having Todd as a neighbor and had no concerns with the request.

Feith asked for clarification on the maximum square footage allowed for a detached building on the property and how the request related to that maximum.

Adam Tegen stated that due to the size of the rear yard, the maximum size permitted for an accessory building would normally be 720 square feet. Overall, the proposed enclosed garage of 896 square feet would be 176 square feet over the maximum and the sheltered area would be an additional 280 square feet over that.

Andy Edwards, builder, stated that if the sheltered area was attached to the home the square footage would not be an issue. For ease of construction the applicant is proposed to include the porch on the new detached garage.

Adam Tegen stated that it is extremely hard for a larger garage to meet the standards for a variance. Staff feels there is no hardship and recommends denial of the variance.

Motion by Gignac to approve VARI-18-1084 with the detached garage restricted to 896 square feet subject to the 3 conditions recommended by staff.

Motion died for lack of a second.

Polach asked if there had been any consideration to reduce the size of the garage to keep the total building area under 900 square feet.

Todd Drew stated that the size of the building was designed to allow sufficient space for the various vehicles and equipment that he owns. Those items are currently stored elsewhere verses outdoors onsite.

Jim Koehntopp, neighboring property owner, noted that other homes in the area have junk and cars parked all over the yards. The fact that the applicant wishes to build a larger garage to keep those items indoors and out of view is a better solution.

Todd Drew stated that the smaller rear yard area creates the issue for the enclosed portion of the garage being too large. He wishes to store his items in the correct way and follow the correct procedures to do so. He reiterated that the size of the sheltered area would not be an issue if it was attached to the house.

Feith clarified that the Board needs to establish a hardship and show that the three main factors are met for a variance. While the owner may want to do what he feels is best for the neighborhood, that does not establish a hardship.

Motion by Hittner to approve VARI-18-1084 with the detached garage restricted to 1,176 square feet subject to the 3 conditions recommended by staff.

Motion died for a lack of a second.

Motion by Gossick, second by Hittner, to approve VARI-18-1084 as requested by the applicant, subject to the following conditions:

- 1. The variance to increase the allowed square footage of a detached accessory building shall only apply to the detached garage shown on the site plan submitted by the applicant and shall not exceed 1,176 square feet. No additional detached accessory buildings are permitted.**
- 2. The detached accessory building shall be constructed of materials that match and harmonize with the existing single-family home located on-site.**

- 3. Gutters shall be provided around the perimeter of the detached garage.**
- 4. Compliance with all other applicable codes and ordinances.**

Gossick stated that the neighborhood has a lot a yards that need attention. This type of investment is needed.

Feith noted that he is unable to vote for the variance due to the lack of hardship. However, knowing the intentions of the owner he will not vote against it either.

Polach stated he is on the fence with his vote. He remembers similar requests there have either resulted in a compromise presented by the applicant to reduce the variance request or others have been denied.

Gignac noted that initially he was opposed to the request, but with the neighborhood support and desire of the owner to keep the yard well maintained he will support the request.

Motion carried (3-1-1). Polach voted no and Feith abstained.

3. Adjourn.

Motion by Polach, second by Feith, to adjourn.

Motion carried (5-0).

Meeting adjourned at 1:25 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 January 9, 2019


MEETING SIGN-IN SHEET

Meeting: Zoning Board of Appeals

Meeting Date: 1/8/2019

Meeting Time: 1 p.m.

Place/Room: 2nd Floor Conference Room

Name	Address	Phone
	2331 2 nd St So	715-570-3536
Andy Edwards		715-213-8180
Marene Leck	2321 2 nd St. S.	715 423-8956
Bon Leck	" "	715-423-8956
Jim GIGNAR	900 2 nd Ave S	715-424-6232
KAREN FEITZ	LVR	
Jeni Koehnert	111 + 113 Pepper.	715/424-1706
Maria Ju	980 - 1 st Ave S.	
DENNIS POLACIK	241-14 th St. So.	
Lee Kossick	541 Wisconsin St	715-252-7114