



## Zoning Board of Appeals Meeting Minutes October 15, 2019

The Zoning Board of Appeals met at 1:00 p.m. on Tuesday, October 15, 2019, in the second-floor conference room of City Hall. Members Mike Hittner, Rick Pompa, Lee Gossick, Bruce King, and Dennis Polach (alternate) were present. Jerry Feith was absent, and James Gignac was present but did not participate in the meeting. Also present was City Attorney Sue Schill.

1. Call to order.

The meeting was called to order by Chairperson Hittner at 1:05 p.m.

2. Approval of the report from the October 8, 2019 Zoning Board of Appeals meeting.

Motion by King, second by Polach, to approve the minutes as presented. Motion carried, 5-0.

3. Public Hearing on VARI-19-0898; James and Margaret Gignac. The applicant is requesting a variance to increase the allowable driveway width from 30 feet to 37 feet. The subject property is located at 900 2nd Avenue South (Parcel 34-02946).

A public hearing was held. James Gignac explained his application. He spoke with all neighbors and none had objection. He presented a letter from a neighbor.

City Attorney Sue Schill recommended denial of the application. There is no uniqueness of the property and no hardship demonstrated. The public hearing was closed.

4. Action on VARI-19-0898; James and Margaret Gignac.

Motion by Polach, second by Pompa, to approve the variance with the conditions as noted in the Staff Report. Motion carried, 5-0. See *Decision of Board of Zoning Appeals – Case VARI-19-0898*, which is incorporated herein by reference.

5. Motion by King, second by Gossick, to adjourn. Motion carried 5-0. Meeting adjourned at 1:34 p.m.

Sue Schill  
Acting Secretary

# Decision of Board of Zoning Appeals

## Wisconsin Rapids, Wisconsin

CASE: VARI-19-0898

### FINDINGS OF FACT

Having heard the testimony and considered the evidence presented, the Board determines the facts of this case to be:

1. Filing Date: **September 19, 2019.**
2. Affidavit of publication *is* on file.
3. Hearing Date: **October 15, 2019.**
4. The applicant is:  
**James and Margaret Gignac, 900 Second Avenue South, Wisconsin Rapids, WI 54495.**
5. The applicant is the **owner** of the subject property located at:  
**900 Second Avenue South, City of Wisconsin Rapids, Wood County, Wisconsin.**
6. The property is presently in use for:  
**Single Family Residence.**
7. The applicant proposes:  
**To increase the allowable driveway width from 30 feet to 37 feet.**
8. The section of the ordinance from which the applicant requests relief is:  
**11.06.66(e)(2) - Driveways; Maximum Width.**

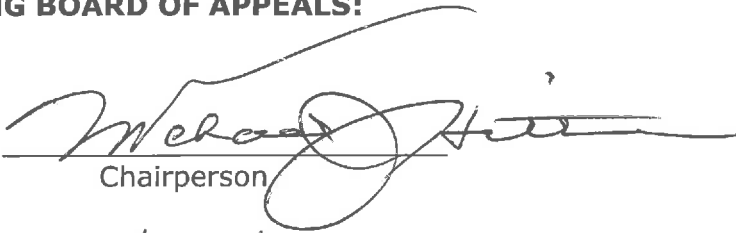
### CONCLUSIONS OF LAW

Based on the Findings of Fact, the Board concludes that:

The variance **does** meet all three of the following tests:

1. There **is** a hardship due to physical limitations of the property rather than the circumstances of the appellant because:  
**Over time, the driveway has been expanded to the current size. No documents exist which indicate previous variances or permits for the driveway. The residence on the property is an older building which originally was a carriage house. The garage is not tall enough for the applicants' truck. The applicant believes the driveway as currently configured should be "grandfathered", and the Board agrees. If a sidewalk was ever installed across the driveway, there would not be room for a vehicle to be parked between the sidewalk and the garage, so extra driveway access and parking**

**ZONING BOARD OF APPEALS:**

Signed   
Chairperson

Dated: 10/30/19

**APPLICANT:**

Signed   
James Gignac

Dated: 10/30/19