

BOARD OF APPEALS MEETING

MINUTES

Date: March 1 2022 Time: 4:00 pm

1. **Call to Order:** The meeting was called to order at 4PM by Mayor Smith.
2. **Roll Call:** Present were: Mayor Mike Smith Chair, Larry Van Frachen, Mel Edinger, Craig Orth, and Dan Ferrell. Absent: Sue Cohen.

Staff : Present were: Public Works Director Andy Geiger, and Building Inspector Paul Birschbach.

Guests: Glen Braun, Mike Zirbel, Bill Foytik, Donna Foytik, Monica Schmidt, Tom Kees, Brian Stieglitz.

3. **Approval of Agenda:**
Motion: Van Frachen moved to approve the March 1, 2022 agenda as printed. Second by Edinger. Motion carried.
4. **Approval of Minutes of April 13, 2021:**
Motion: Edinger moved to approve the minutes of the April 13, 2021 meeting with 2 typo corrections on page 2 (no to not in the first paragraph and server to serve under new business). Second by Farrell. Motion carried.
5. **Public Hearing -** Glen Braun, Requesting Variance of the zoning Requirement Sec. 106-92, R-2, as it relates to occupancy. He is requesting to remodel the existing building into office space without having living quarters in the building.
6. **Discussion of the Facts and testimony** – Bieschbach explained the process of the denial of the permit per code and filing of the request for variance. Geiger explained the layout of the property and the current zoning for the surrounding properties which would not allow for a zoning change to C-1. Braun and Zirbel presented the uniqueness of the current building in that it was built as a meeting hall and never intended for residential use. It has very low ceilings in the basement and has only approximately 500 sq ft of first floor area. The intent is to make this into a seasonal office for a pest control business. He would build a garage for vehicle storage and storage of chemicals. Chemicals come in small quantities and delivered by UPS typically. No big trucks. The driveway would provide some off street parking for clients, and there would be very little foot traffic in and out of the office.

Tom Kees expressed concerns with large trucks, street parking and damage to his property. He was ok with the variance as long as it specified office space and didn't impact his concerns.

Brian Stieglitz expressed that it should stay as a residential unit for less traffic and utilize empty office space in the downtown for a new office.

Monica Schmidt expressed concern about the sump pump in the existing building that runs all the time. Where is the runoff going to go if a garage is built? The area between her house and the Legion hall is quite low and water stands there. She also expressed her concern for the ongoing violations of parking on this street. The street becomes impassible for and vehicles, especially EMS, when people violate the no parking zones. She is very frustrated with the lack of enforcement by the Police Department.

Geiger noted that he had a call from Nicole Gilbertson and that she was ok with the variance as long as it didn't impact street parking.

Birschbach noted that this is a unique property in that it fits the definition for variance.

7. Decision and Related Actions

- A. Glen Braun, Requesting Variance of the zoning Requirement Sec. 106-92, R-2, as it relates to occupancy. He is requesting to remodel the existing building into office space without having living quarters in the building.

Motion: Edinger moved to grant the variance as office space only. Second by Van Frachen.

Discussion:

Farrell questioned about future use of this property. Geiger explained that the variance stays with the property however it will still fall under R-2 zoning code

The hardship was stated the structure was not built for residential use.

Pole vote: Van Frachen – yes, Edinger – yes, Orth – yes, Farrell – yes. Motion carried. Variance granted.

8. Old Business:

Geiger noted that with the vacancy of Bill Konwal, if anyone knows of anyone to fill the vacancy, that they should contact the Mayor so that we can get the Board to full staff to make it easier to get a quorum for future meetings.

9. New Business:

None

10. Adjournment:

The meeting was adjourned at 4:48 PM.

Mike Smith
Mayor