

MINUTES OF THE NEENAH BOARD OF APPEALS
April 18, 2017
4:00 P.M.
Hauser Room, City Administration Building

Members Present: Chairperson, Denise Burkett; Gail Dolan; Lewis Zielsdorf, and Ken Bonkoski.

Also Present: Community Development Deputy Director, Brad Schmidt; and Eric Daniels, 613 Congress Street

Roll Call and Declaration of Quorum: Chairperson Burkett indicated a quorum of the Board was in attendance. She proceeded to read the Announcement of Proceedings for the Board of Appeals meeting.

Approval of Minutes: MSC Bonkoski/Dolan, the Board approved the minutes of the February 15, 2017 meeting. All voting aye.

A request by Eric Daniels, owner of property located at 613 Congress Street, to decrease the R-1 District's side yard setback for accessory structures from 3 feet to 2.5 feet to construct a new detached garage. (Sec. 26-152(6)).

Applicant Eric Daniels provided an overview of his request to construct a new detached garage on his property to replace a deteriorated garage that has existed on the property for many years. The current garage is in disrepair and current is non-conforming to the side yard setback standards for an accessory structure. Mr. Daniels mentioned that he would like to place the new garage along the same 2.5-foot setback along the side property line. Mr. Daniels also handed out photographs and a site plan showing why it would be difficult to shift the garage over to meet the 3-foot setback.

Mr. Bonkoski asked whether the applicant would have been allowed to rebuild the garage in the same footprint if the garage was in disrepair. Deputy Director Schmidt indicated that any time a non-conforming structure would be removed, any new structure would have to meet the current regulations.

Chairperson Burkett explained the role of the Board of Appeals in granting variances and the findings of fact they need to determine before granting a variance.

Mr. Zielsdorf asked what the width of the current lot is. Deputy Director Schmidt indicated it was about 50 feet.

Chairperson Burkett indicated that the width of the lot presents a specific hardship and that the Board has traditionally accepted that a two-car garage is reasonable request and not something out of the ordinary.

Mr. Bonkoski raised issues with the potential of an overhang encroaching into the setback up to 2 feet which is currently allowed per the Zoning Ordinance. Mr. Daniels explained his overhang would be less than a foot. Mr. Bonkoski also raised issues with the potential of stormwater coming off the new garage onto the neighboring property.

On a motion by Bonkoski, seconded by Zielsdorf, the Board of Appeals granted the variance that is requested for 613 Congress Street to reduce the minimum side yard setback for an accessory structure from 3 feet to 2.5 feet (Sec. 26-152(6)) with the condition that the overhanging roof eave not encroach more than 1.5 feet into the setback . All Aye.

Adjournment: The Board of Appeals adjourned its meeting at 4:25 P.M. MSC Dolan/Bonkoski. All Aye

Respectfully Submitted,



Brad Schmidt
Deputy Director, Community Development