

# BOARD OF APPEALS MINUTES

August 4, 2014  
3:00 P.M.

Meeting Rooms D&E  
City-County Government Center

160 South Macy Street  
Fond du Lac, Wisconsin

## CALL TO ORDER

ROLL CALL: Present: - Jerry Lauby  
Eric Drazkowski  
Howard Floeter  
Jeffrey Butzke  
Dan Hebel  
Scott Block

Absent: - Kirsten Quam (excused)  
Matthew Schoenleber (excused)  
John Piper (excused)

Administrative Staff: Joellyn Dahlin, Principal Planner

Acting Chairperson Floeter declared a quorum present.

## APPROVAL OF MINUTES

### June 2, 2014

Motion made by Lauby to approve the minutes of the regular meeting of June 2, 2014 of the Board of Appeals as presented.

Seconded by Hebel.

ROLL CALL VOTE: Aye - Butzke, Drazkowski, Floeter,  
Hebel, Lauby  
Nay - None

Carried.

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**HEARINGS**

**Appeal No.2014-13**

168 Hamilton Place

Fox Valley Savings Bank

**Zoning Code Regulation:**

720 Schedule II, Land Uses or Activities Residential Districts, does not allow a garage or miniwarehouse building as a principal land use in the R-4 zoning district.

**Variance Request:**

Use existing residential garage buildings for commercial rental storage units.

Appeared in Support:

Attorney Sam Kaufman, (Fox Valley Savings Bank) Waupun, WI

Appeared to Gather Information:

Shirley Ries, 55 N Military Rd., Fond du Lac

Motion made by Butzke to approve the variance request based on staff findings and because regulated and restricted use of the property would be in the best interest of the neighborhood.

Conditions of approval shall include:

1. Use of the buildings shall be limited to six storage units per building in the existing configuration. The buildings shall not be altered or modified to change the number of storage units. The addition of water, electrical or plumbing facilities is not permitted. The buildings shall not be altered to provide additional overhead or service doors on any façade.
2. Driveway access to the properties at 171 Forest Avenue (FDL-15-17-10-34-827-00) and 177 Forest Avenue (FDL-15-17-10-34-828-00) shall be provided in perpetuity with an ingress/egress easement recorded as part of a property survey for 168 Hamilton Place. Proof of such easement shall be provided to the Community Development Department within 10 days of variance approval.

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3. Driveway and pavement area shall be limited to one driveway on Hamilton Place to serve both buildings. Maximum driveway width shall not exceed 20 feet. The installation of pavement on the north, east or west sides of the buildings is prohibited.
4. Parking of vehicles owned or used by tenants of the storage units shall be limited to the temporary duration of the visit and shall not restrict or impeded access to the residential dwelling at 171 and 177 Forest Avenue.
5. Trees shall be planted in the side yard area east of the easterly building. Minimum spacing shall be 20 feet. Minimum caliper of a deciduous tree shall be 2.5"; evergreen trees shall be a minimum of 5' height at the time of planting. Trees shall be installed within 10 days of variance approval and shall thereafter be continuously maintained in a healthy growing condition.
6. Signage other than property address identification is prohibited. Temporary banners and other advertising devices shall be prohibited.
7. Outdoor storage of any kind - temporary or permanent - shall be prohibited. This restriction shall include boats, motor homes, trailers, recreational equipment, machinery, and similar vehicles, equipment and items.
8. Use of the buildings shall be strictly limited for storage purposes. The building shall not be used for residential, commercial or industrial activities including, but not limited to, habitable living space, workshop/repair, merchandise sales. No repair/maintenance/painting of vehicles shall be permitted; this restriction includes vehicles of any tenant or related party.
9. Exterior lighting shall be restricted to residential-scale fixtures wall mounted on the interior-facing building facades and/or the south facades. No freestanding lights shall be





