

BOARD OF APPEALS MINUTES

January 4, 2016
3:00 P.M.

Meeting Room D
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

CALL TO ORDER

ROLL CALL: Present: Scott Block
Alexander Fiebig
Howard Floeter
Jerry Lauby

Absent: Dan Hebel
Thomas Leu
John Piper
Kirsten Quam
Matthew Schoenleber

Administrative Staff: Joellyn Dahlin, Principal Planner
Doug Hoerth, Chief Inspector

Acting Chairperson Floeter declared a quorum present.

APPROVAL OF MINUTES

December 7, 2015

Motion made by Lauby to approve the minutes of the December 7, 2015 meeting of the Board of Appeals as presented.

Seconded by Floeter.

ROLL CALL VOTE: Aye - Block, Fiebig, Floeter, Lauby
Nay - None

Carried.

HEARINGS

14 5th Street (Jeffrey Brown dba *Right Choice Improvements*)

Appeal No. 2016-01

Code Requirement: Chapter 720, Schedule IV, Land Uses or Activities Business Districts, does not allow a contractor's facility in the C-2 district.

Proposal: Exception to allowable land uses to permit a contractor's facility within an existing building zoned for commercial use.

Appeared in Support:

Greg Barber, Property Owner, 14 & 18 5th Street, Fond du Lac

Adam Semenas, Owner's Representative, 40 East 4th Street, Fond du Lac

Motion made by Block to approve a variance to allow use of the building for a contractor's facility because property conditions do not logically allow a use permitted by the site's zoning designation, property conditions provide only minimal on-site parking that would not satisfy a typical business use, and the proposed use is characteristic of previous use of the building.

Conditions of approval shall include:

1. A minimum of three (3) parking spaces shall be provided on the south side of the building for employee and customer use. Construction vehicles, equipment, and trailers shall not be parked in the parking spaces regardless of duration (temporary and/or long term).
2. All business activities shall be confined to the interior of the building. This includes the parking and/or storage of construction vehicles, equipment, trailers, and similar items anywhere on the property.
3. Certificate of occupancy required.
4. Sign permit required. Signage shall be of professional quality. Remove all signage that does not pertain to the proposed use prior to occupancy.

Seconded by Lauby.

ROLL CALL VOTE: Aye - Block, Fiebig, Floeter, Lauby
 Nay - None

Carried.

14 South Portland Street (Meyer Property Group)

Appeal No. 2016-02

Code Requirement: Chapter 720, Section 720-50, Dwelling Units C-1 Zoning District, states a dwelling unit(s) may be allowed, provided that such dwelling unit(s) is located entirely above the ground floor of a building.

Proposal: Provide dwelling units on the first and second floors of a building in the C-1 district.

Appeared in Support:

Sam Meyer, Petitioner, 358 Tyler Court, Fond du Lac

Motion made by Lauby to approve a variance to allow residential use of the building because flexibility in determining an appropriate use of the small commercial building relates to the property location and surrounding land uses.

Condition of approval shall include:

1. Four designated parking spaces shall be provided for the two-family residence (two per dwelling unit). Off-site leased parking may be provided, to be approved by the Community Development Department prior to the issuance of a Certificate of Occupancy. It shall be the responsibility of the property owner to provide such leased parking spaces on a continuing basis.

Seconded by Floeter.

ROLL CALL VOTE: Aye - Block, Fiebig, Floeter, Lauby
 Nay - None

Carried.

ADJOURN

Motion made by Floeter to adjourn.
Seconded by Lauby.

ROLL CALL VOTE: Aye – Block, Fiebig, Floeter, Lauby
 Nay - None

Carried.

Meeting adjourned at 3:20 pm.

MARGARET HEFTER
CITY CLERK