

BOARD OF APPEALS OF THE CITY OF PLATTEVILLE

Thursday, August 5, 2021 at 7:00 p.m.

Conference Chambers at City Hall

75 N. Bonson Street

Platteville, Wisconsin 53818

AGENDA

1. Roll Call

2. Approve Minutes: May 17, 2021

3. Motion:

1. Staff Presentation

2. Applicant Statement

3. Public Statements in Favor

4. Public Statements Against

9. Findings of Fact

5. Public Statements in General

6. Applicant Rebuttal

7. Board of Appeals Discussion

8. Board of Appeals Action

A. Variance: 858 Northside Drive – Brian Dailey (BA21-VA02-02)

4. Adjournment

If you have concerns or comments related to an item on this agenda, but are unable to attend the meeting, please send the comments to carrollj@platteville.org or call 608-348-9741 x 2235.

MINUTES
CITY OF PLATTEVILLE ZONING BOARD OF APPEALS

May 17, 2021 at 7:00 p.m.
Council Chambers at City Hall

MEMBERS PRESENT: Michael Knautz, Joie Schoonover, Mary Miller, Angie Donovan
ALTERNATE MEMBERS PRESENT: None
MEMBERS ABSENT: Isaac Shanley
STAFF PRESENT: Joe Carroll (Community Development Director), Ric Riniker (Building Inspector)

A regular Board of Appeals meeting was held at 7:00 p.m., May 17, 2021 via Zoom.

APPROVAL OF MINUTES:

Motion by Knautz, second by Schoonover, to approve the minutes of the December 21, 2020 meeting. Motion carried unanimously.

VARIANCE REQUEST:

Carroll introduced the variance request of Pioneer Lanes LLC who seeks permission to construct a single-family residence on the property at 1185 E. Business Highway 151 that is not in conformance with Chapter 22.059 of the City of Platteville Municipal Code.

The applicant would like to construct an accessory residence on the Pioneer Lanes property that would be used as a residence for the business owner. The zoning ordinance was recently changed to allow residential use in the B-3 district, but not on the ground floor as requested. The applicant is the owner of the Pioneer Lanes business. Due to the negative impacts of the pandemic on his business, he has needed to cut back on staffing and increased the number of hours that he spends at the business. As a result, he is interested in constructing/locating a single-family residence on the property for his own personal residence. This would reduce his commute time and his housing costs, and also allow him to better serve the business needs. There is an existing 24' x 42' detached garage/storage building toward the rear of the property. The applicant would like to expand this building with a 20' x 42' addition and convert the building to his residence. An alternate plan would be to install a 16' x 80' manufactured home at the rear of the building that would serve as his residence.

Joe Carroll addressed the three standards that must be considered for each variance request. He stated that it is questionable if the variance request meets all the standards needed for approval.

Carroll mentioned that Isaac Shanley, who is a member of the Board, was not able to attend the meeting and asked for his thoughts to be shared. Carroll read a statement from Shanley which indicated he is against the request because it doesn't meet the standards and would set a precedent to allowing more residential uses in the B-3 district, which he didn't think is appropriate.

The applicant statement was made by Joe Haack, who mentioned security improvement, proximity for running the business, the negative impacts from COVID as reasons for wanting to construct the residence on the site. The second story addition to the existing bowling alley would require the installation of a fire suppression system for the entire building, which would be significantly too expensive. The residence would be for his private use only, and would go in the building that is currently his office and personal storage.

Shoonover asked how many people would reside in the building. Haack responded that it would be three at the most.

There was a discussion regarding the two options. Haack mentioned that he prefers the option of adding on to the existing building.

Public statements in favor. Adam Arians, who owns the adjacent storage unit property, is in favor of the request because it would provide more security to have someone present living on the property.

Public statements against. None

Public statements in general. Nancy Bowers, who owns the property to the east of the site, had some questions regarding the proposal, but was not in favor or against.

Applicant Rebuttal. None

Board Discussion.

Motion by Knautz to approve the variance with the condition that the residence is only for an employee or manager of the business on the property, and related family members. Second by Donovan. Upon roll call vote, motion was approved 4 - 0.

The Findings of Fact were discussed:

The ordinance was modified to allow residential in the district.

The added cost of providing the residence on the second floor of the existing business building would be excessive and would be a hardship.

The storage building/office is already existing so modifications would not create a significant change to the property or the surrounding properties.

The residence on site would provide added security for the property and the adjacent properties.

There is a hardship due to the COVID impacts on the business.

ADJOURN:

Motion by Schoonover, second by Knautz, to adjourn. Motion carried unanimously.

Joe Carroll
Community Development Director

Approved: _____

STAFF STATEMENT TO THE BOARD OF APPEALS

From: Community Planning & Development Department

Date: August 5, 2021

Re: Variance from Zoning Ordinance

Case #: BA21-VA02-02

Request: Variance from Section 22.04(B) of the Zoning Ordinance regarding the location of an accessory structure.

Applicant: Brian Dailey

Location: 858 Northside Drive

Surrounding Uses and Zoning:

Direction	Land Use	Zoning	Comprehensive Plan
Property in Question	Single-Family Residential	R-3	High Density Residential
North	Vacant	R-3	High Density Residential
South	Multi-Family Residential	R-3	High Density Residential
East	Multi-Family Residential	R-3	High Density Residential
West	Single-Family Residential	R-2	High Density Residential

BACKGROUND

1. The applicant owns a single-family home at 858 Northside Drive. The applicant would like to construct a shop/garage building between the house and the street, which would not be in conformance with the location requirements of the zoning ordinance.

PROJECT DESCRIPTION

2. The applicant wishes to construct a 24' x 24' shop/garage east of the house and in the northeast corner of the property. The applicant would also like to install a new 18' wide by 24' long driveway connecting the building to the street.
3. Although accessory structures are permitted in the R-1 District, Section 22.04 (B) requires all accessory structures to be located in the side or rear yard. The proposed building will be located closer to the street than the principal structure, which would be considered the street yard. Since the property is located on a corner, it has two street yards. The applicant is requesting a variance to allow the structure to be located in the street yard.

STAFF ANALYSIS

4. As with any variance request, there are three standards that must be considered. The first standard requires the applicant to show that a strict application of the dimensional standards in the Zoning Ordinance would lead to an unnecessary hardship. The Wisconsin State Supreme Court has determined that a hardship exists only when the applicant can show that the regulations would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome. The applicant has an existing house on the lot that is currently being used, and that can continue to be used. The property is a corner lot and accessory structures are not permitted in the street yard, so they are limited to the north side of the house and the rear yard. The logical location is on the east, which provides access to the building, which is where it is proposed. However, it is questionable if this situation meets the standard of being unnecessarily burdensome.
5. The second standard requires the applicant to show that the hardship is due to some unique feature of the property, such as an odd shape or the presence of natural features. The property is similar in size and shape to most of the lots in that area of the City. The property is approximately 156 feet wide by 116 feet deep. The property does have two street frontages - on Northside Drive and on Cody Parkway. Because of this situation, and the location of the house on the site, there is only a small rear yard where an accessory structure would be permitted. This situation does limit the ability to meet the ordinance, but it is questionable if this standard has been met.
6. The third standard requires the applicant to show that the variance, if granted, will not have a negative impact on the public interest. The impact on the public should be limited to the neighbors to the east and north. It is questionable if the third standard has been met for the variance request.

STAFF RECOMMENDATION

7. It is questionable if the request meets all three of the standards needed for approval. If the Board determines the standards have not been met, the request should be denied. If the Board determines the standards have been met, the request should be approved.

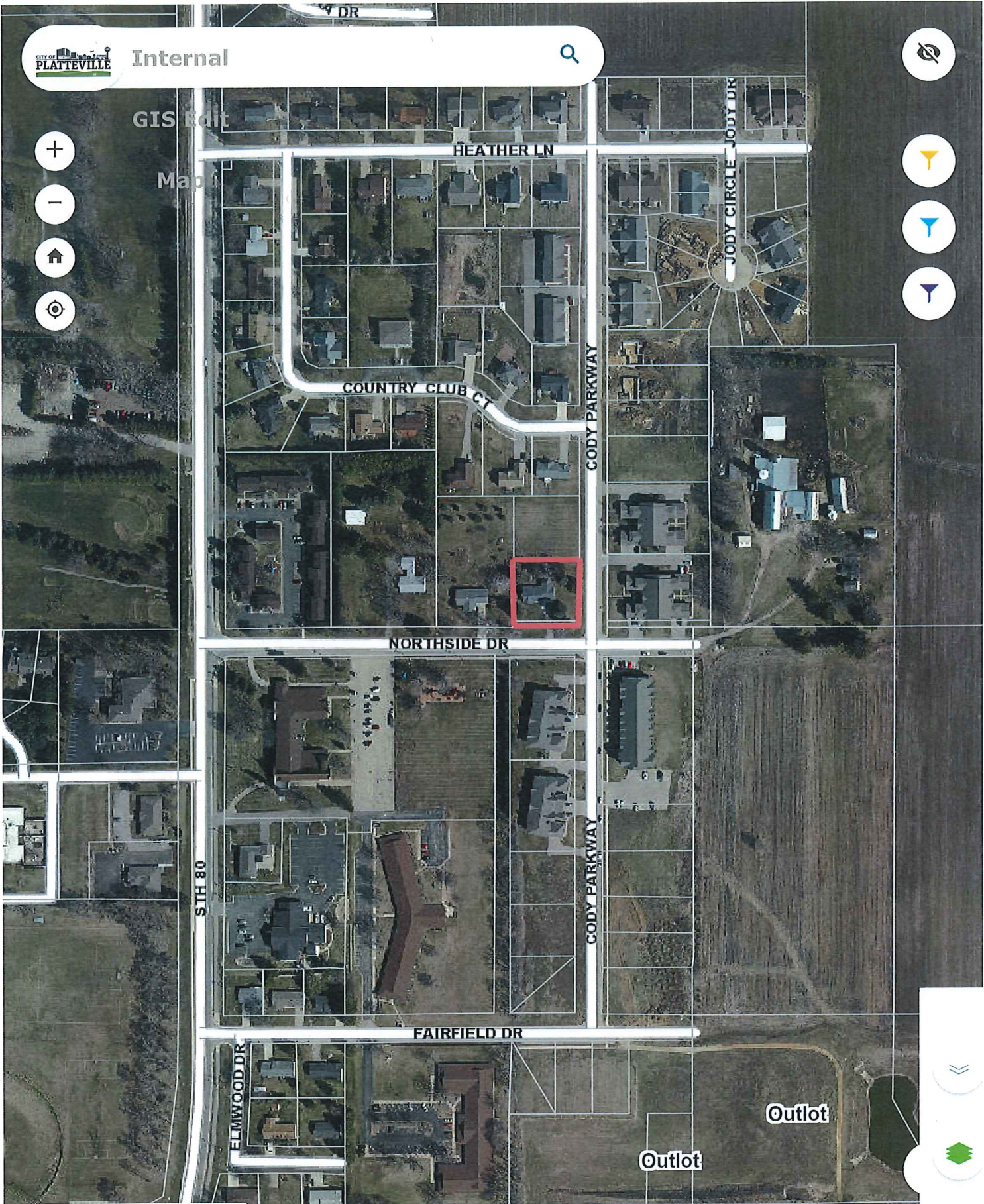
ATTACHMENTS:

1. Application
2. Site Plan



GIS Edit

Map



-90.462 42.748 Degrees

300ft



APPLICATION TO THE
BOARD OF APPEALS
 CITY OF PLATTEVILLE, WISCONSIN



GENERAL INFORMATION

	APPLICANT/AGENT	OWNER
NAME(S):		Briant Donna DAILEY
MAILING ADDRESS:		858 NORTH SIDE Drive PLATTEVILLE WI 53818
PHONE:		(608) 988-6810
EMAIL:		bddailey2@gmail.com

TYPE OF REQUEST: Variance from Code Requirements Appeal of Administration Decision

PROPERTY INFORMATION

SITE ADDRESS:	958 NORTHSIDE Drive PLATTEVILLE WI	PARCEL ID:	271-03047-0065
LEGAL DESCRIPTION:			
CURRENT USE & IMPROVEMENTS:	RESIDENTIAL		
PROPOSED USE & IMPROVEMENTS:	RESIDENTIAL SHOP/GARAGE 24x24' FOR WOOD WORKING EQUIPMENT.		

DIMENSIONS	REQUIRED (FT OR SQ FT)	REQUESTED (FT OR SQ FT)	CORNER LOT?
STREET YARD:			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
LEFT SIDE YARD:			ZONING DISTRICT:
RIGHT SIDE YARD:			CODE REFERENCE (SECTION NO.):
REAR YARD:			
AREA:			
OTHER:			

OFFICE USE ONLY

Date Application Filed: 7/2/21 Fee Paid (\$): 150 Receipt Number: 14.006453
 Board of Appeals Action: _____ BoA Date: 7/19/21 Permit Number: _____
 Conditions: _____

APPLICATION TO THE
BOARD OF APPEALS
 JUSTIFICATION FOR THE REQUEST



VARIANCE: State in the spaces below how your variance request conforms to the Three Standards Test as described in the "Zoning Variance FAQ" document.

<p>1. <u>UNNECESSARY HARDSHIP IS PRESENT BECAUSE:</u></p>	<p>OUR House is setting on a 1/2 acre lot, BUT WITH THE HOUSE SETTING BACK SO FAR FROM THE FRONT STREET, THE ONLY AVAILABLE SPACE IS TO THE BACK SIDE CORNER OF LOT, THAT FACES THE SIDE STREET (LODY PARKWAY)</p>
<p>2. <u>THE HARDSHIP IS DUE TO THE UNIQUE FEATURES OF THE PROPERTY IN THAT:</u></p>	<p>THE PROPERTY IS ON A CORNER LOT, AND HAS A SMALL BACKYARD & SIDE YARD THAT WOULD BE DIFFICULT TO IMPOSSIBLE TO ACCOMMODATE A 24x24' BUILDING</p>
<p>3. <u>THE VARIANCE WILL NOT BE CONTRARY TO THE PUBLIC INTEREST BECAUSE:</u></p>	<p>THE SHOP WILL BE SET BACK FROM THE STREET WILL BE BUILT TO MATCH THE HOUSE SO IT LOOKS LIKE IT BELONGS, AND WILL BE WELL MAINTAINED AS IS THE REST OF THE PROPERTY.</p>

APPEAL OF AN ADMINISTRATIVE DECISION: Provide a description of your appeal.

<p>CITY OFFICIAL(S) WHO MADE THE DECISION YOU ARE APPEALING:</p>	
<p>DECISION OF OFFICIALS:</p>	
<p>DESCRIBE YOUR APPEAL:</p>	

SIGNATURES: The undersigned person(s) hereby give notice to the Board of Zoning Appeals of the City of Platteville, Wisconsin, of an appeal and/or request for a variance. *Typing your name(s) below signifies your application to the Board.*

APPELLANT: Brian A. DAILEY
 APPELLANT: _____

DATE: 7-1-2021
 DATE: _____



GIS Edit

271-03047-0060

01430



Map



24x34
HEX
SHOP
18'x25'
D.WAY

271-03047-0065

858

050-00387-0010

-90.463 42.748 Degrees

40ft

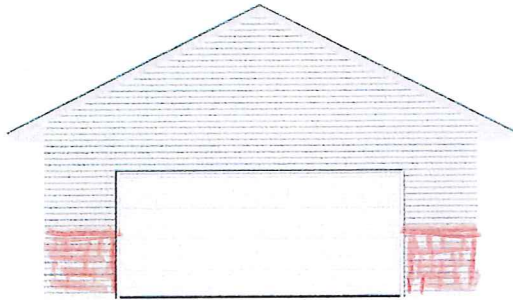


Design ID: 323159106398
Estimate ID: 96297

Dimensions

Wall Configurations

*Illustration may not depict all options selected.



ENDWALL B

Ideal Door® 4-Star 16' x 7' White Select Value Insulated



SIDEWALL D

Design ID: 323159106398

Estimate ID: 96297

MENARDS

Design & Buy™ GARAGE



SIDEWALL C

24"W x 24"H JELD-WEN® Vinyl Slider



ENDWALL A

Mastercraft® 36"W x 80"H Primed Steel Internal 9-Lite

24"W x 24"H JELD-WEN® Vinyl Slider

*Some items like wainscot, gutter, gable accents, are not displayed if selected.

Design ID: 323159106398

Estimate ID: 96297

How to purchase at the store

1. Take this packet to any Menards store.
2. Have a building materials team member enter the design number into the Garage Estimator Search Saved Designs page.
3. Apply the design to System V to create the material list.
4. Take the purchase documents to the register and pay.

How to recall and purchase a saved design at home

1. Go to Menards.com.
2. Select the Garage Estimator from the Project Center.
3. Select Search Saved Design.
4. Log into your account.
5. Select the saved design to load back into the estimator.
6. Add your Garage to the cart and purchase.

Garage Image

