

MINUTES OF THE BOARD OF ZONING APPEALS – NOVEMBER 9TH 2016

A meeting of the City of Prairie du Chien Board of Zoning Appeals was held on Wednesday November 9th 2016 at 9:00 AM in City Hall. Chairman Dave Parks called the meeting to order.

GENERAL ITEMS TO BE ACTED UPON:

- 1. Call to order/Roll Call** – Dave Parks (Chairperson), Mark Oehler, Linda Munson, Robert Standorf ABSENT – Char Bender, Curt Kramer (Alternate) CITY STAFF ALSO PRESENT - Zoning Administrator Julie Jackson, City Administrator Aaron Kramer, City Attorney Lara Czajkowski-Higgins
- 2. Certification of the open meeting law agenda requirements and approval of the agenda** – MOTION: Munson SECOND: Standorf VOTE: 4-0
- 3. APPROVAL – Minutes of the October 12th 2016 meeting** – MOTION: Parks SECOND: Oehler VOTE: 4-0

ACTION ITEMS

4. PUBLIC HEARING- Application of Lawler School Lofts, LLC, 601 S. Beaumont Road, for a variance from each of the following requirements: 1) relating to locations for accessory structures, 2) setback requirements for accessory structures, and 3) side yard setback requirements (for principal structures) for purposes of constructing a detached garage in the front yard and creating a new certified survey map to divide the property in an R-3 High Density Residential Zoning District – Parks opened the public hearing at 9:04 AM. Jackson provided an overview of the request. Kevin McDonnell (Lawler School Lofts, LLC – The Commonwealth Companies) addressed the Board on the request. He discussed the need for the 40 garage units, which were not included in the original plans submitted to the Plan Commission at a rezoning hearing in 2015. Kramer read an email from Michael Rider (514 South Beaumont Road), opposing the variances, into the record. Jan Koecke (628 South Beaumont) spoke in opposition to the variance based on concerns over the impact on the neighborhood and landscaping concerns. Janet Finn (724 South Beaumont) and Richard Hesseling (796 Overview Court) also addressed the Board. Discussion was held on the specifics of what the criteria for granting a variance are. Czajkowski-Higgins recommended tabling the decision on this request to hear the next application. Parks closed the public hearing at 9:38 AM.

5. ACTION of aforesaid agenda item – ACTION: To table the application of Lawler School Lofts, LLC MOTION: Parks SECOND: Munson VOTE: 4-0

5. DISCUSSION AND ACTION - Application of River to Valley Initiatives, Inc., 601 S. Beaumont Road, for a variance from the following requirements: 1) that a principal structure be present or under construction before an accessory structure is allowed, and 2) setback requirements for accessory structures for purposes of allowing existing accessory structures to remain while creating a new certified survey map to divide the property into new parcels in an R-3 High Density Residential Zoning District – Parks opened the public hearing at 9:40 AM. Jackson provided an overview of the request. J.D. Milburn (River to Valley Initiatives) addressed the Board and explained the need for the variance, which has been created by dividing the original parcel into two parcels (one to be owned by Lawler School Lofts, LLC, and one by River to Valley Initiatives). Attorney Mike Olds (Platteville), representing River to Valley Initiatives, also addressed the Board on the variance, outlining some differences of interpretation between himself and City staff over the applicable local and state regulations. Parks asked the River to Valley Initiatives representatives if one of the buildings was currently being used as a storage/warehouse unit, in violation of the R-3 zoning designation. Judy Wall (River to Valley Initiatives) confirmed that some storage of appliances had been taking place in the building in question, and a payment had been received several months ago, but asserted that there was no written rental agreement and no payment had been received in the past two months. Jan Koecke (628 South Beaumont) addressed the Board and stated she has seen delivery trucks and semi-trucks making pickups and deliveries on a regular

basis, a claim Wall denied. Ted Finn (724 South Beaumont) expressed concerns over the archaeological impact of both variance requests and questioned how the utility tunnel factors into the situation. Carolyn Sand, representing the Prairie du Chien Historical Society, spoke in opposition to the variance requests. Discussion was held on the issue. Parks closed the public hearing at 10:21 AM. ACTION: To place the application of Lawler School Lofts, LLC, back on the table MOTION: Oehler SECOND: Standorf VOTE: 4-0 ACTION: To table the decision on the request of Lawler School Lofts, LLC MOTION: Standorf SECOND: Munson VOTE: 4-0 ACTION: To table the decision on the request of River to Valley Initiatives, Inc., to the same meeting as the one to be held to consider the application of Lawler School Lofts, LLC MOTION: Oehler SECOND: Parks VOTE: 4-0. McDonnell explained that his financing plan requires a decision on the variance requests no later than the end of the year. The consensus of the Board was to meet on Monday November 21st at 9 AM, prior to the Plan Commission meeting that night to consider a Certified Survey Map for the property.

6. ADJOURNMENT (10:30 AM) – MOTION: Oehler SECOND: Standorf VOTE: 4-0

Submitted by City Administrator Aaron Kramer