



**PLEASE TAKE NOTICE** that there will be a City of Lodi Board of Appeals meeting held on Tuesday, June 25, 2019 at 5:30 pm in the Council Room, City Hall, 130 South Main Street, Lodi, WI.

### **Board of Appeals Minutes**

1. Call To Order

Meeting was called to order at 5:30 by Chair Detmer.

2. Roll Call

Members present: Ken Detmer, Audrey McCubbin, Adele Van Ness. Excused: Don Thistle. Staff present: Andrew Bremer, Zoning Administrator.

3. Public Input

Michael Clemens (4910 Laub Lane, Madison) provided the Board members with a copy of material regarding zoning and building questions for parcel 11246-325. Bremer indicated that he would review the material and research Mr. Clemons questions and reconnect with him the following week. Douglas Koop (510 Woodlawn Ave.) indicated he may need a variance for a future construction project at his residence and was in attendance to learn about the process for applying for a variance. Bremer indicated that he should locate his property corners and develop a site plan sketch of what he would like to build and submit that to the City for initial review to determine if a variance is necessary or if there are other design alternatives. Bremer indicated that if he does desire to proceed with a variance than a variance application and fee would need to be submitted to the City Clerk to officially begin the review process. Douglas inquired whether a plat of survey would be required. Bremer indicated that it is possible that the City would require a plat of survey based on the circumstances of the property and request. Bremer indicated that he should consult his property records to see if one has been completed in the past.

4. Approve Minutes from August 2, 2018

Motion by Van Ness, seconded by McCubbin to approve the minutes as presented. Motion passed 3-0.

5. Public Hearing to consider a request for a variance for parcel 11246-384, 238 Lodi Street. The purpose of the variance request is to allow a reduction in the minimum setback requirements to construct a new detached two car garage off of Sauk Street.

Detmer opened the public hearing at 5:40pm. Bremer provided an overview of the variance request. Kevin Shara and Elizabeth Gade-Schara were present and added that they did not intend to relocate the driveway off of Sauk Street and that based on all the setback requirements the proposed garage was in the best location with the minimum amount of relief to the setbacks to Sauk Street. Mr. Buchanan, neighboring property owner (242 Lodi Street), was present at the meeting but did not request to speak. After no further public comment Detmer closed the public hearing at 5:47pm.

6. Discussion and action on a variance request for parcel 11246-384, 238 Lodi Street.

Bremer reviewed the staff report dated June 20, 2019, including his opinion that the variance request met conditions 1-6 of Section 340-114.B of the Zoning Code. Bremer indicated that he recommended two conditions of approval. The first was that a building permit will be required to raze the existing carriage house and to build the new garage. The second condition was all site grading shall be inspected for acceptance by the City prior to issuance of a final inspection building permit. The proposed site grading shall not impact the Sauk Street roadway or modify the maximum height of the berm within the right-of-way on the south side of Sauk Street. Bremer indicated that there is no curb and gutter along the portion of Sauk Street adjacent to the existing structure. Instead there is a small grass berm running parallel to the road which channels stormwater along the edge of the road down to the corner of Lodi Street where there is a stormwater main inlet. Bremer indicated that the applicant is proposing some regrading of the embankment against the existing structure. Bremer noted that the recommendation was meant to protect both the City and the property owner by maintaining the highpoint of that parallel berm that is a couple feet off the road edge. Kevin and Elizabeth indicated that they understood the intent of the recommendation and also want to avoid creating a situation where water might runoff into the new garage. Bremer indicated that the inspection of the regrading could be completed by either the Building Inspector or the Director of Operations. Van Ness asked to clarify whether the proposed structure was in the same location as the existing structure. Bremer indicated it would be setback further from the side lot line and the Sauk Street lot line, but still non-conforming to the Sauk Street setback. McCubbin asked how any future improvements to Sauk Street might impact the request. Bremer noted that the proposal moves the structure further from Sauk Street and if any improvement were planned for Sauk Street it would likely be in the existing right-of-way. If the ROW need to be moved closer to the structure as part of a street improvement project, it would increase the non-conformity of the new structure, but it would still likely be setback further than the existing structure is to the ROW. Detmer indicated the Board would take separate motions on each of the conditions for variance under Section 340-114.B before taking a final motion on the entire application.

Motion by Van Ness, seconded by McCubbin that conditions of Chapter 340-114.B(1) Exceptional Circumstances have been met as noted in MSA's memo dated 6-20-19. Motion passed 3-0.

Motion by Van Ness, seconded by McCubbin that conditions of Chapter 340-114.B(2) Exceptional Circumstances have been met as noted in MSA's memo dated 6-20-19. Motion passed 3-0.

Motion by Van Ness, seconded by McCubbin that conditions of Chapter 340-114.B(3) Exceptional Circumstances have been met as noted in MSA's memo dated 6-20-19. Motion passed 3-0.

Motion by Van Ness, seconded by McCubbin that conditions of Chapter 340-114.B(4) Exceptional Circumstances have been met as noted in MSA's memo dated 6-20-19. Motion passed 3-0.

Motion by Van Ness, seconded by McCubbin that conditions of Chapter 340-114.B(5) Exceptional Circumstances have been met as noted in MSA's memo dated 6-20-19. Motion passed 3-0.

Motion by Van Ness, seconded by McCubbin that conditions of Chapter 340-114.B(6) Exceptional Circumstances have been met as noted in MSA's memo dated 6-20-19. Motion passed 3-0.

Motion by Van Ness, seconded by McCubbin, to conditionally approve the variance request as submitted with those two conditions as noted in MSA's memo dated 6-20-19:

1. Obtaining a building permit from the City Building Inspector prior to the demolition and building project.
2. All site grading shall be inspected for acceptance by the City prior to issuance of a final inspection building permit. The proposed site grading shall not impact the Sauk Street roadway or modify the maximum height of the berm within the right-of-way on the south side of Sauk Street.

Motion passed 3-0.

7. Adjourn

Motion by Van Ness, seconded by McCubbin, to adjourn. Motion passed 3-0. Meeting adjourned at 6:13pm.

Minutes by Andrew Bremer, Zoning Administrator

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