

**CITY OF GREEN LAKE
BOARD OF ZONING APPEALS PUBLIC HEARING
AND MEETING – APRIL 26, 2021**

Meeting was called to order at 4:00 pm by Mayor Raymond Radis. Pledge of Allegiance was recited followed by a moment of silent meditation.

Certification of Open Meeting Law: Public Hearing was published April 8 and 15, 2021. Agenda was posted April 5, 2021.

Roll Call: Dennis Fitzgerald, Charles Wallschlaeger, Linda Jankowski, Dale Fischer, Mary Scholetzky. Absent: Margaret Schultz. Also Present: City Attorney Daniel Sondalle, Zoning Administrator John Lust.

Agenda: Motion made by Wallschlaeger, second by Scholetzky to approve the agenda. Motion carried.

Minutes: Motion made by Wallschlaeger, second by Scholetzky to approve the Minutes of September 14, 2021. Motion carried.

Public Hearing: Application for variance from Federated Church of Green Lake (Barry L. Rogers), 490 Scott Street, for variance to replace existing storage structure. Hearing was opened at 4:01 pm. Barry Rogers addressed the Board. Applying for hardship variance to replace existing storage structure with larger storage structure in the same location. John Lust presented Staff Review Report. No one spoke in favor and no statements were received in favor of the proposed variance. No one spoke against and no statements were received against the proposed variance. Public Hearing adjourned at 4:08 pm. Meeting came to order immediately.

Variance Application from Federated Church of Green Lake to replace existing storage structure: Motion made by Jankowski, second by Wallschlaeger to grant variance as requested. Board review standards in Sections 13-1-50 and 13-1-66 of the Zoning Ordinance:

1. Denial of the variance may result in hardship to the property owner due to physiographical consideration. There is no other place for storage structure to be placed on their property.
2. Conditions upon which a petition for the variance is based are unique to the property for which the variance is being sought and that such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.
3. Purpose of the variance is not based exclusively upon a desire to increase the value or income of the property.
4. Granting of the variance will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.
5. Proposed variance will not undermine the spirit and general and specific purposes of the Zoning Code, specifically standards of Section 13-1-66.

- a. The establishment, maintenance or operation of the variance will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
- b. The uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the variance and the proposed use is compatible with the use of adjacent land.
- c. The establishment of the variance will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- d. Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- e. The proposed use does not violate flood plain regulations governing the site.
- f. When applying the above standards to the variance to place a storage shed without a principal structure, the proposed storage shed at its location does not defeat the purposes and objective of the Single-Family Residential Zoning District.

Ayes: 5 Nays: 0 Motion carried.

Motion made by Wallschlaeger, second by Scholetzky to adjourn. Motion carried. (4:12 pm)

Barbara L. Dugenske, Clerk