

MINUTES OF THE ZONING BOARD OF APPEALS – October 15, 2013 5:15PM

MEMBERS PRESENT: Paul Steinbrecher, Jean Wakefield, Frank Rodriguez, Joe Mrotek, Howard Zimmerman

MEMBERS ABSENT: Don Orth, Mike Pappathopoulos

OTHERS PRESENT: Mark Peterman, Debra Wiegand, Dale Fetterere, Rick Schwarz,

The meeting was called to order by Acting Chairman Paul Steinbrecher at 5:15pm. It was moved by Howard Zimmerman and seconded by Joe Mrotek to approve the minutes of the October 16, 2012 meeting as submitted. Vote by the board was unanimous.

The appeal of Mark Peterman, 808 N 3rd Street, Manitowoc, Wisconsin, was read.

Secretary Rick Schwarz described for the board the minimum 25' sideyard (adjacent to the street) setback requirement in the R-3 zoning district and the hardship described by appellant. The appellant's appeal states the code required 2nd exit staircase from the 3rd story cannot be removed and believes if he maintains the required minimum 25' setback the proposed garage would be too close to the required staircase.

Acting Chairman Steinbrecher asked if there was any discussion from those in attendance.

Joe Mrotek asked why the staircase could not be altered, a landing added and turned 90 degrees to meet the minimum 25' setback requirement for the proposed garage. Mr. Mrotek noted the property was located on a high traffic corner. Jean Wakefield asked the appellant if rotating the stair was a possibility. Mr. Peterman stated changing the existing staircase would be an additional cost not budgeted for. Mr. Peterman also explained that water was being diverted from the properties to the south and west due to the lower grade of his property. Mr. Peterman was concerned that if he moves the proposed garage towards the south yard the water diversion issue could be worse. Mr. Mrotek asked if landscaping could not correct the drainage concern. Ms. Wakefield asked if the drainage concern was an issue or a hardship. Secretary Schwarz responded it was an issue.

Mr. Mrotek asked if there was a code required setback distance between the existing staircase and the proposed garage. Secretary Schwarz responded there was none. A discussion ensued by the board regarding creating a landing that would turn the existing staircase to the north.

Mr. Mrotek made a motion to deny the appeal stating a hardship was not proven and that the existing staircase could be turned to the north, landscape could be added to alleviate the drainage concern and the required minimum 25' sideyard (adjacent to the street) setback

could be maintained leaving a 17' setback to the south yard. Mr. Zimmerman seconded the motion.

Acting Chairman Steinbrecher asked if there was any other discussion. There being none. Vote by the board was unanimous (5 Ayes, 0 Nays) The motion was carried to deny the appeal.

The appeal of the Silver Lake College of the Holy Family, 2406 S. Alverno Road, Manitowoc, Wisconsin, was read.

Secretary Schwarz described for the board the ground (monument) sign area requirements in the R-6 zoning district and the hardship described by the appellant to install a 75 square foot ground sign in excess of the maximum allowable area of 24 square feet. The appellant's appeal states that a 24 square foot sign would be too small for Silver Lake College's promotional needs and not easily visible to passing traffic. Secretary Schwarz continued that the approval of the animated portion of the sign would be decided by the City Plan Commission.

The board discussed the school being a conditional use in an R-6 zoning district and questioned if the use of the property was more of a commercial application which zoning allows up to a maximum 500 square feet of total signage based on lineal feet of lot frontage. Board members discussed if a hardship was created by the R-6 zoning applied to Silver Lake College.

Mr. Mrotek asked if the proposed sign meets setback requirements of the R-6 zoning district for traffic purposes? Secretary Schwarz replied yes.

Mr. Zimmerman made a motion to grant the appeal. Frank Rodriguez seconded the motion.

Acting Chairman Steinbrecher asked if there was any further discussion. There being none. Vote by the board was unanimous (5 Ayes, 0 Nays) The motion was carried to grant the appeal.

There being no further business a motion was made by Frank Rodriguez to adjourn at 5:50 pm and seconded by Howard Zimmerman. Vote by the board was unanimous.

Submitted by,

Rick Schwarz
SECRETARY
ZONING BOARD OF APPEALS