

CITY OF MENASHA
BOARD OF APPEALS
Third Floor Council Chambers
140 Main Street, Menasha
February 10, 2009
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Klein at 11:00 a.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Comm Eckstein, Koslowski, Klein

ALSO PRESENT: CA/HRD Brandt, AP Beckendorf, Clerk Galeazzi,
Kevin & Julia LeNoble, Leon Church, Cathy & Marty Pavich

C. MINUTES TO APPROVE

1. Board of Appeals, 9/24/08

Moved by Comm. Koslowski, seconded by Comm. Eckstein to approve minutes
Motion carried on voice vote.

D. ACTION ITEMS

1. Request for Variance, Kevin and Julia LeNoble, 533 Broad Street

Clerk Galeazzi reported public hearing notice was properly noticed. It was published in the local newspaper and sent to property owners within 100 feet of subject property.

CA/HRD Brandt explained to the Commissioners they act on the evidence and testimony presented at today's hearing.

CA/HRD Brandt swore in the people that would be speaking in front of the Board.

AP Beckendorf explained staff's reason for not allowing the variance. She presented a map of a section of the City showing other properties with a similar lot size of the applicants. Granting the variance could adversely impact public interest by creating a precedent. Staff feels the applicants have other options for a new garage on the lot in a manner that complies with all requirements of the zoning ordinances.

Leon Church, Sweetwood Builders. He has explored other options with the LeNobles. Part of the lot is in the flood plain, which limits their options.

Kevin LeNoble, 533 Broad Street, explained the property was vacant when they purchased it a few years ago. Adding an attached garage would increase the value of the property.

Cathy Pavich, 529 Broad Street. She remodeled her property in 2003 and revised the original plans for a garage to stay within the requirements of the zoning ordinances. They have lived with the restriction. Also, if the variance is granted the width between their garage and the LeNoble's garage would be reduce which could cause a safety issue.

D. ACTION ITEMS, Cont'd

1. Request for Variance, Kevin and Julia LeNoble, 533 Broad Street, cont'd

Julia LeNoble, 533 Broad Street, explained they are required to purchase flood insurance as the current garage is located in a floodplain. Building an attached garage will not block the neighbor's view of the water. She showed pictures to the Board.

Marty Pavich, 529 Broad Street. Concerned with safety, mainly fire. Allowing to build so close to lot line would limit width between structures, which may cause limited access to the back of his property. Mr. Pavich showed the Board pictures of the two properties.

Commissioners asked questions.

Moved by Comm. Koslowski, seconded by Comm. Klein to deny variance.

Discussion

Moved on roll call 3-0.

E. ADJOURNMENT

Moved by Comm. Eckstein, seconded by Comm. Koslowski to adjourn at 11:46 a.m.

Motion carried on voice vote.

Respectfully submitted by
Deborah A. Galeazzi, City Clerk