

ZONING BOARD OF APPEALS MINUTES OF JULY 8, 2014

Meeting called to order by Chairperson Gerl at 5:00 p.m. in the 1st Floor Conference Room, Suite 108, City Hall Plaza.

PRESENT: Ken Bargender, Ed Gerl, Robert Lewerenz and Dean Markwardt

ALSO PRESENT: City Planner Miller, Zoning Administrator Schroeder, Deputy Clerk Panzer and Dave Wasserburger

EXCUSED: Richard Kenyon and 1st Alternate Todd Zieglmeier

ZB14-013 Motion by Markwardt, second by Lewerenz to approve the minutes of June 10, 2014 as submitted.

Motion carried

Deputy Clerk read the variance request from Marshfield Utilities, for property located at 607 West Cleveland Street (Water Tower parcel at Grant Mini Park), zoned “SR-6” Single-Family Residential District, for a 29 foot variance, to construct a “Small Scale Public Services and Utilities” building (water system maintenance building with an approximate size of 10’ x 10’) at a front yard setback of 6 feet from the Cleveland Street right-of-way. Section 18-29(7) requires a minimum front yard setback of 35 feet for nonresidential uses.

Background

Marshfield Utilities is requesting a 29 foot variance along the south property line to construct a needed water system maintenance building, located at 607 West Cleveland Street, zoned “SR-6” Single Family District.

Marshfield Utilities needs to construct an approximate 10’ x 10’ building that is located approximately 6 feet north of the Cleveland Street right-of-way. This building will house an altitude valve and will allow maintenance and operation of the valve in a non-confined space condition. The altitude valve will be necessary to operate the public water system when both the existing Grant Tower and the new Depot Street Tower will be run on-line simultaneously. The building will be pre-manufactured similar to the existing cell phone provider buildings currently on site. The location of the proposed building is necessary due to the existing location of the water main that is supplying the water to the tower and the tower location. As neither can be relocated in a manner to meet the existing setback conditions, Marshfield Utilities is requesting a variance.

The building will be placed on the west side of the park and away from the playground area. The nearest home on the north side of Cleveland Street is nearly 400 feet away and would not have any impact on abutting property. This is an older part of the City with small lots where the homes have been built closer to the street and many of the homes in the area are not meeting the required setback (average setback of 14 feet). The building would also be south of the water tower and would not have any impacts on visibility for Cleveland Street traffic turning onto Doege Street.

City Planner’s statement of facts regarding the variance request:

1. The property is located at 607 West Cleveland Street (Water Tower parcel at Grant Mini Park).
2. The property is zoned “SR-6” Single Family Residential District.
3. The property has 309 feet of frontage along West Cleveland Street and is 70,050 square feet in area (1.6 acres).
4. The property meets the minimum lot size and width requirements of the “SR-6” Single Family Residential District.
5. The property has a unique triangle shape with two street frontages to the north and south and one unopened right-of-way to the east.

6. Section 18-29(7) requires a minimum front setback of 35 feet from the right-of-way in the “SR-6” Single Family Residential District.
7. The proposed setback is 6 feet, which requires a variance of 29 feet.

Variance Criteria (Section 18-165(6)(a))

(How will the variance not be contrary to the public interest?) *The building is necessary to operate and maintain the altitude valve in a non-confined space condition and to operate the two (water) towers in a simultaneous condition. To operate the towers in a simultaneous condition will allow the Utility to provide proper static and residual pressures to the City throughout the Primary (water pressure) Zone. To maintain the valve in a non-confined space condition is the safest condition for Public Employees that have to maintain/operate the valve. Since it is not feasible to re-locate the Grant Tower, the building also cannot be re-located to meet the normal setback conditions. From an aesthetic point of concern, the building will be made to look similar to the existing buildings that are currently in the park. All points above are in the public’s best interest.*

(Will substantial justice be done by granting the variance?) *Yes. By granting the variance it will allow Marshfield Utilities to optimize the use of the two water towers at the same time. This will help provide continued excellent water services for both potable water use and fire protection.*

(Is the variance needed so that the spirit of the ordinance is observed?) *Yes. Marshfield Utilities understands the need for the setback rules and if it was possible to construct the building to meet the setback limits we would do so. Since the tower cannot be feasibly relocated to meet the setback limits from Doege, Marshfield Utilities has no other choice to build the building as proposed.*

(Due to special conditions, will a literal enforcement of the provisions of the zoning ordinance result in unnecessary hardship?) *A literal enforcement of the setback rules will result in the Utility not being able to build the building and thereby to not install an altitude valve. Without the altitude valve, the Utility will not be able to use the two towers at the same time to their full design capacity. This will lower static and residual pressures throughout the City in the Primary Zone. It will also affect the overall storage capacity of the combined towers.*

City Planner Miller mentioned that the front yard setback is generally 25’ for most residential homes in the city. The average setback along the north side of Cleveland Street in this block is approximately 14’, so the general setback is not being met on this block. Many of the houses along that street are much closer. Cleveland Street will probably never be widened.

City Planner Miller pointed out that the proposed building will be much smaller than the existing building that is there. The existing building is 300 square feet almost three times the size of the proposed building.

Committee members expressed concerns with the appearance of security fencing and the proposed building structure.

Dave Wasserburger said the ideal fence would be bigger than what the top of the ball is on the water tower, so people don’t get hurt if ice slides off of it.

Lewerenz pointed out that chain link fencing is available with vinyl coating in different colors.

City Planner Miller recommended that the door of the proposed building not face Cleveland Street.

There were no objections from anyone in the neighborhood.

Dave Wasserburger said Marshfield Utilities has used split faced rock on other buildings before.

Gerl suggested putting fencing around all three buildings at that site.

ZB14-014 Motion by Markwardt, second by Lewerenz to grant the variance request from Marshfield Utilities for a 29 foot variance at 607 West Cleveland Street (Water Tower parcel at Grant Mini Park) to construct a “Small Scale Public Services and Utilities” building (water system maintenance building with an approximate size of 10’ x 10’) at a front yard setback of 6 feet from the Cleveland Street right-of-way.

Motion carried

Committee members would like the proposed building to look good since it will be right across the street from residential homes. They suggested that Marshfield Utilities use split faced block on the building.

Motion by Markwardt, second by Bargender to adjourn at 5:31 p.m.

Motion carried

Lori A. Panzer
Deputy City Clerk