

SPECIAL ZONING BOARD OF APPEALS MINUTES OF JANUARY 26, 2006

Meeting called to order by Chairman Zimmermann at 4:46 p.m. in the Executive Conference Room, City Hall Plaza.

PRESENT: Dean Markwardt, Wallace Reek, Don Wink, Karl Zimmermann and Marvin Duerr

ALSO PRESENT: Planner/Zoning Administrator Curtiss, Director of Planning and Economic Development Miller, Deputy Clerk Panzer, Mayor Meyers, Todd Felhofer, Todd Bushmaker, Paul Rodenbeck and David Gouin (arrived at 4:49 p.m.)

Deputy Clerk read the variance request from The School District of Marshfield related to a revised development plan for a new gymnasium/kitchen addition on the southwest corner of the Lincoln Elementary School building at 1201 E. 17th Street, zoned "R-4" Low-Density Single and Two-Family Residential District. Section 18-04(6) requires a special 50-ft major street setback from 17th Street. The applicant requests a 15' major street setback variance to construct the addition 35' from the 17th Street right-of-way.

Planner/Zoning Administrator Curtiss presented a statement of facts regarding the variance request.

1. The property contains almost 7-acres, bounded on all four sides by public streets and zoned "R-4" Residential (Low-Density Single and Two-Family District).
2. The site is currently developed with an existing 33,379-S.F. educational-institutional building. The building is located primarily on the south and west portions of the property. Parking is located along the 17th Street frontage, with access from 17th Street and Madison Avenue. The north and eastern portions of the property are undeveloped, but used as physical education and play areas.
3. The existing building is located 50' from E. 17th Street, 122.8' from Felker Avenue, approximately 140' from Madison Avenue and over 200' from E. 15th Street.
4. The attached site plan proposes an approximate 70' x 100' gymnasium addition on the southwest end of the existing building, with the longer elevation oriented N/S and setback over 50' from Felker Avenue. The south elevation is setback 35' from E. 17th Street. A smaller kitchen addition would extend from the gym eastward, at the same 35' setback.
5. Front setbacks are required from all public streets. Section 18-62 (5) (f) of the Municipal Code requires a 35' minimum front yard setback for non-residential uses in the 'R-4' Residential District. Section 18-04 (6) requires a more restrictive 50' setback along this section of E. 17th St, an existing major street identified in the transportation plan of the 1994 Comprehensive Plan. This section of East 17th Street is classified as a collector street between Peach Ave and Washington Avenue.
6. The purpose of a major street setback is to more properly establish adequate future street widths and setback lines.
7. The Director of Public Works indicates there are no long range plans to widen this segment of E. 17th Street.
8. Land on the north and south sides of E. 17th Street, from Washington Avenue to Peach Avenue, is developed with predominately single family residential, with the exception of the Southeast Greenway and the school. Because there are no large tracts of undeveloped land between Peach Avenue and Washington Avenue, and the fact that 17th Street is not included as a proposed or planned "future street" beyond Washington Ave., it is very unlikely that any future development may drive a need for additional right-of-way.
9. The physical character of the property doesn't exhibit any unique physical limitations, such as steep slopes, wetlands, irregular shape, etc., which would prevent compliance with the ordinance.
10. The application narrative indicates several design considerations for proposing the gym addition on the southwest corner of the building.

David Gouin arrived at 4:49 p.m.

Director of Planning and Economic Development Miller stated that the city just updated their functional classification through the DOT two months ago.

Duerr pointed out the fact that per the Director of Public Works the intention of that street originally for a 50' setback no longer exists. He questioned at what time they decide whether or not to take it off as a major arterial and downgrade it to a minor arterial.

Director of Planning and Economic Development Miller stated that DOT looks at it about every four years. They do traffic counts. They look at the overall street pattern (traffic coming into Marshfield and traffic going out of Marshfield) and how it relates to the adjacent road way. Since the functional classification was just updated, it will probably be another four years before they look at it again. She mentioned that this is the first change that we have had in our functional classification in 12 to 15 years.

Duerr pointed out that all the homes there were built prior to the 1994 upgrade of the street and those homes are in the 35' setback. If the variance is granted the school wouldn't extend out any farther than the homes do.

Planner/Zoning Administrator Curtiss explained that the 50' major street setback is not necessarily driven by the functional classification. It is driven by the planning. Should those classifications get upgraded, that we do have the adequate right-of-way and class of adequate setbacks based on the new established right-of-way. It is still a collector for the same reasons that it was a collector and will probably remain a collector.

ZB06-03 Motion by Duerr, second by Wink to grant the variance request.

Duerr stated that his reason for making the motion was based on all the information that was in front of him, he didn't see any reason not to grant it.

David Gouin spoke against putting the gym in the front of the school and cutting the trees down. As a resident of the community and as a resident living across the street from the school, he believes that they could put the addition of the gym on the backside of the school without a variance. There is plenty of room in the back to develop this and make a good school out of the existing property that they have without any variances. He added that he sees teachers bringing their students out and having classes out underneath those trees in the spring and in the fall. It is a great place to have a class if you want to have some outdoor education.

Todd Felhofer said that the trees are nice, but we have a fine line budget that the taxpayers have graciously granted to us and we want to make sure that we are able to come through for the public and in what we said that we were going to come through for with those dollars.

School District's reasons for not wanting to put the gym on the backside of the school:

- 1) Trying to put together a school that is going to be educationally sound for today and then well into the future.
- 2) Trying to stick to with what is acceptable in terms of educational design. Locating the art, the music, and the Phy Ed centrally and maintaining the stream academically wings.
- 3) Putting the gym in the back will cost more money.
- 4) They will lose the playground if the gym is put on the backside.

- 5) Putting the gym in the back will create an access issue which will also create a safety issue because the gym will also be the cafeteria and they will have to deliver to the cafeteria by driving on the back of the playground.
- 6) They would lose their softball fields which the city also uses for summer softball programs.

Vote on motion **ZB06-03**; All Ayes.

Motion carried.

Wink questioned if there has been any thought to putting a four way stop on Felker and 17th Street.

Paul Rodenbeck indicated that the School District and the City Engineering look at signage and the traffic plan after a permit is taken out and it is certainly something that they can consider.

Director of Planning and Economic Development Miller indicated that the city can't put out the traffic counters now, so they have to rely on the most recent numbers, but traffic counts are looked at anytime there is a new development.

Motion by Markwardt, second by Wink to adjourn at 5:04 p.m.

Motion carried

Lori A. Panzer
Deputy City Clerk