

ZONING BOARD OF APPEALS MINUTES OF MAY 14, 2013

Meeting called to order by Chairperson Gerl at 5:03 p.m. in the Council Chambers, Lower Level, City Hall Plaza.

PRESENT: Ken Bargender, Ed Gerl, Richard Kenyon, Robert Lewerenz, Dean Markwardt and 1st Alternate Todd Zieglmeier

ALSO PRESENT: Planner/Zoning Administrator Miller, Deputy Clerk Panzer and Heath Heck

Mayor Meyer by duty of statute appointed Ed Gerl as Chairman for the Zoning Board of Appeals at the Common Council meeting of April 23, 2013.

Chairperson Gerl asked for nominations for Vice Chairman.

Ken Bargender nominated Richard Kenyon.

There being no further nominations Chairperson Gerl declared nominations closed.

ZB13-05 Motion by Markwardt, second by Lewerenz to elect Richard Kenyon as Vice Chairman.
Motion carried

ZB13-06 Motion by Kenyon, second by Markwardt to approve the minutes of April 9, 2013 as submitted.
Motion carried

Deputy Clerk read the variance request from Ministry Saint Joseph's Hospital for the temporary use of a crane at 611 North St. Joseph Avenue, zoned CD, Campus District. The base elevation of this site is 1,315 feet above mean sea level (AMSL). The "Airport Overlay & Height Limitation Zoning Map, Marshfield Municipal Airport, Marshfield, Wisconsin," as identified in Sec. 18-93(4), limits structures at this location to not exceed 1,399 feet above mean sea level (AMSL) with an exception for structures that do not exceed 50 feet above ground level (AGL). The Applicant is requesting a 47 foot temporary variance so the proposed crane could extend up to 131 feet above ground level (AGL), potentially reaching an elevation of 1,446 feet AMSL. The crane will not exceed the roof of the penthouse of the building and will be utilized only during the repair of their roof.

Background

Ministry Saint Joseph's Hospital is in an immediate need of a temporary crane in order to raise necessary materials to repair the roof of the existing patient tower. Because of the elevation of the property and proximity to the Marshfield Airport, the size of the crane needed for construction exceeds the height limitation as set by the Height Limitation Zoning Overlay (HLZO) District.

A temporary variance cannot be administratively approved for this plan, based on Sections 18-93(8) of the Municipal Code. The Applicant is requesting a 47 foot temporary variance to exceed the 1,399 feet above mean sea level (AMSL) to allow the temporary crane to reach an elevation of 1,446 feet AMSL or 131 feet above ground level (AGL). The actual crane height will likely not exceed 126 feet AGL as the crane just needs to reach the roof of the 8th floor at an elevation of 1,420 feet AMSL.

Planner/Zoning Administrator's statement of facts regarding the variance request:

1. The property is zoned "CD" Campus District.
2. The property is located at 611 North Saint Joseph Avenue.
3. The Lot is 681,120 square feet in size, with roughly 850 feet of lot frontage along North Saint

Joseph Avenue, 860 feet of lot frontage along North Oak Avenue and 850 feet of lot frontage along Western Street.

4. The Lot is a conforming lot in the "CD" District. Lot standards for this district are based on campus master plans and/or conditional use criteria.
5. The site elevation of the location for the use of the crane is 1,315 feet Above Mean Seal Level (AMSL). The proposed crane would extend upwards of to 1,446 feet AMSL or 131 feet Above Ground Level (AGL).
6. The elevation of the 8th Floor roof is 1,420 feet AMSL, the location of the roof repair project.
7. The proposed use of a temporary crane would extend a maximum of 47 feet into the maximum elevation of the Height Limitation Zoning Ordinance (HLZO) of 1,399 feet AMSL.
8. The HLZO requires a determination from the FAA, the Wisconsin DOT and a recommendation from the airport manager.
9. The height of the proposed crane does not trigger review from the Federal Aviation Administration (FAA) as the crane will be substantially shielded by an existing structure and will not exceed the height of the structure (Hospital Penthouse).
10. The Marshfield Airport Manager also stated that since the crane was not going to exceed the height of the existing building, he was fine with the use and height of the crane.

Planner/Zoning Administrator Miller pointed out that #3 of his statement of facts was not correct and he apologized for the error. He also pointed out that the Hospital's campus plan has not been completed yet, so the information in item #4 of his statement of facts hasn't been established yet. He distributed a letter from the Bureau of Aeronautics, Division of Transportation.

Planner/Zoning Administrator Miller explained the need for the crane. The roof on the 8th floor is in bad shape. They have been having some leak problems with the weather that we had over the spring. He also explained why the crane is already on site and why the Hospital took it upon themselves to go ahead with this project prior to variance approval. The project was planned for September, but because of the situation of the roof and the availability of the contractor, this project got fast tracked and was moved up. City staff has talked about how to address these types of situations in the future and will be doing some research to see what can be done to either expedite this process or grant a permanent variance for the temporary cranes for height limitations. The Hospital doesn't usually have a large window of time when it comes to doing repair projects at the Hospital.

Heath Heck from Ministry Saint Joseph's Hospital explained that the height of 1,399 feet which is the elevation that kicks this variance into gear is about at the 6th floor of the building. The roof that is being replaced is on the 8th floor and there is a 9th and 10th floor above that which is the penthouse, so the crane is going up to about the roof of the 10th floor and the antennas are above that area. The 8th floor roof of the oncology unit has been a concern all winter, because of the freeze and thaw cycle. We had ceiling tiles getting soiled and we had to move forward with this.

Bargender asked what recourse the City has if the Hospital would do this again.

Planner/Zoning Administrator Miller explained that the City can issue citations for violations.

ZB13-07 Motion by Markwardt, second by Kenyon to grant the variance request from Ministry Saint Joseph's Hospital for a 47 foot temporary variance for the temporary use of a crane at 611 North St. Joseph Avenue, so that the proposed crane can extend up to 131 feet above ground level (AGL), potentially reaching an elevation of 1,446 feet AMSL.

Motion carried

Motion by Markwardt, second by Kenyon to adjourn at 5:17 p.m.

Motion carried

Lori A. Panzer
Deputy City Clerk