

City of Evansville **Board of Zoning Appeals**
Monday, March 16, 2023, 6:00 p.m.
3rd Floor City Hall, 31 S Madison St, Evansville, WI 53536

MINUTES

1. **Call to Order** at 6:00 pm.

2. **Roll Call:**

Members	Present/Absent	Others Present
Janice Turner	P	Colette Spranger, Community Development Director
Ken Updike	P	Mary Leeder, Applicant
Sarah Krause	P	Patricia Hager, Resident
Jeff Vrstal	A	
Ry Thompson	A	
Vacant	A	
Vacant	A	

3. **Motion to approve the agenda** by Updike, seconded by Turner. *Approved unanimously.*

4. **Motion to waive the reading of the minutes from the July 7, 2020 regular meeting and approve them as printed** by Updike, seconded by Turner. *Approved unanimously.*

5. **Civility Reminder.** Stacy noted the City's commitment to civil discourse.

6. **Citizen appearances other than agenda items listed.** None.

7. **Action Items.**

A. **Public Hearing and review of variance application VAR-2022-0217 for parcel number 6-27-595.1 at 511 E Main Street to allow building setbacks less than is allowed by Section 130-1004(11) of the Evansville Municipal Code.**

i. **Initial Staff and Applicant Comments.** Spranger shared her staff report.

ii. **Public Hearing.** Spranger opened the public hearing at 6:23pm closing it with no comments from the public.**Board of Zoning Appeals Questions and Comments.** Turner asked if there was a sidewalk in front of this property, which there is. Krause asked for clarification as to how to determine what is extraordinary, exceptional, or unusual circumstances.

iii. **Motion. The Board of Appeals approves issuance of the variance on parcel 6-27-595.1 to reduce the front setback to 20 for a residential building on the property. The variance is approved noting the following findings of fact and conditions:**

- **The variance will not cause a detriment to neighboring properties and is necessary due to an applicant presented hardship as a result of the buildings presence prior to the existence of the present zoning code.**
- **The granting of the variance does not suggest that setback standards should be changed in any zoning district.**
- **The granting of the variance is not contrary to the purposes set forth in the zoning code**

- *The granting of the variance is not contrary to the public interest.*
Motion by Turner, seconded by Updike. Approved Unanimously.

B. Public Hearing and review of variance application VAR-201-0032 for parcel number 6-27-589 at 469/471 E Main Street to a drive-thru stacking length less than allowed by Section 130-407(3) of the Evansville Municipal Code.

- i. **Initial Staff and Applicant Comments.** Leeder described the use of the window for pickups only and everyone would have to call ahead. Spranger shared her staff report.
- ii. **Public Hearing.** Spranger opened the public hearing at 7:01pm. Hager expressed it was a terrible idea and felt it would effect traffic flow on the street.
- iii. **Board of Zoning Appeals Questions and Comments.**
- iv. **Motion.** *The Board of Appeals approves issuance of a variance to reduce the stacking length for a pick-up window as described in Section 130-407 to 40 feet on this property.*
The variance is approved noting the following findings of fact and conditions:
 - *The variance will not cause a detriment to neighboring properties and is necessary due to an applicant presented hardship as a result of the building's orientation and proximity to the street and the needed location of the pick-up window.*
 - *The granting of the variance does not suggest that the required stacking length for drive-thrus should be changed.*
 - *The granting of the variance is not contrary to the purposes set forth in the zoning code.*
 - *The granting of the variance is not contrary to the public interest.*
Motion by Krause, seconded by Updike. Approved Unanimously.

8. Next Meeting Scheduled for Monday, May 25, 2023 at 6pm

9. *Motion to Adjourn* by Updike, seconded by Turner, passed unanimously.