AGENDA
City of Milton
Zoning Board of Appeals
Monday, August 31, 2020
5:30 p.m.
College Street Apartments
619 College Street

In the event of inclement weather, the meeting will be held at: Veterans Park Pavilion 430 Hilltop Drive.

1. Call To Order
2. Approval Of Agenda
3. Approval Of Minutes - July 30, 2020

   Documents:

   ZONING BOARD OF APPEALS MINUTES 07-30-2020.PDF

4. Discussion And Possible Action To Consider A Request Received From Scott Murray For A Variance To Allow For Construction Of A Parking Lot That Does Not Meet All Ordinance Requirements Per Sections 78-1204, 78-1210, And 78-1234 Of The City Of Milton Code Of Ordinances

   Documents:

   MEMO - PARKING LOT VARIANCE.PDF
   MURRAY PARKING LOT AERIAL VIEW.PDF
   MURRAY PARKING LOT SKETCH.PDF

5. General Items
6. Motion To Adjourn

**Please note that upon reasonable notice, at least 48 hours in advance, efforts will be made to accommodate the needs to disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's office at 868-6900, 710 S. Janesville Street, Milton, WI 53563.

Notice is hereby given that a majority of the Common Council may be present at this meeting at the above mentioned date and time to gather information about a subject over which they have decision-making responsibility. This constitutes a meeting of the City
Council pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis. 2d 553, 494 N.W. 2d 408 (1993) and must be noticed as such, although the City Council will not take any formal action at this meeting.

Posted by: Leanne Schroeder

August 28, 2020

City of Milton
Zoning Board of Appeals
July 30, 2020

Call To Order
Chairperson James Polarski called the July 30, 2020 meeting of the Zoning Board of Appeals to order at 5:31 p.m.

Present: Chairperson James Polarski, Theron Dosch, Tom Kevern, Maxine Striegl, and Carl Schultz.

Also Present: Public Works Director Howard Robinson and Administrative Services Director Inga Cushman.

Approval Of Agenda
M. Striegl motioned to approve the agenda. T. Dosch seconded, and the motion carried.

Approval Of Minutes - May 28, 2020
T. Kevern motioned to approve the minutes. T. Dosch seconded, and the motion carried.

Public Hearing And Discussion And Possible Action To Consider A Request Received From First Community Bank For A Variance To Allow For Installation Of A Wall Sign That Exceeds The Maximum Sign Area For The B-3 Zoning District Per Section 78-1934 Of The City Of Milton Code Of Ordinances
Chairperson Polarski opened the public hearing at 5:33 p.m.

There were no public comments.

Chairperson Polarski closed the public hearing at 5:34 p.m.

Director Robinson provided an overview of the agenda item. No correspondence has been received about this agenda item.

Chairperson Polarski read the standards that must be taken into consideration when granting or denying a variance, and the board discussed the request.

- Unnecessary Hardship - A situation where, in the absence of a variance, an owner can make no feasible use of a property, or strict conformity is unnecessarily burdensome.

- Unique Property Limitation – A unique physical characteristic of the property, not the desires of or condition personal to the applicant, must prevent the applicant from developing in compliance with the zoning ordinance.

- Protection of the Public Interest –Granting of a variance must neither harm the public interest nor undermine the purposes of the ordinance. The board's actions should be consistent with the objectives stated in their local ordinance, which (in the case of a

floodplains or shoreline ordinance) has been adopted to meet minimum state statutory requirements.

- Additional Court – Established Principles – Violations by or variances granted to neighboring owners do not justify a variance. Variances attach to the property as a permanent right. Once a variance is granted, it is permanently attached to the property. A new owner of the property may make use of a variance that was granted to the previous owner if all of the conditions that are attached to the variance are met.

T. Dosch motioned to approve the variance as requested. M. Striegl seconded, and the motion carried.

Public Hearing And Discussion And Possible Action To Consider A Request Received From Scott Murray For A Variance To Allow For Construction Of A Parking Lot That Does Not Meet All Ordinance Requirements Per Sections 78-1204, 78-1210, And 78-1234 Of The City Of Milton Code Of Ordinances

Chairperson Polarski opened the public hearing at 5:41 p.m.

Chairperson Polarski provided an overview of the agenda item.

Carol Riley, 605 College Street – Discussed her concerns with the project and its impact on the neighboring properties.

Debbie Riley, 605 College Street – Discussed damage to their property due to the project.

Jim Lyke, 414 Columbus Street – Discussed his concerns about the project, including damage to his fence when the project started without proper approvals.

Chairperson Polarski closed the public hearing at 5:52 p.m.

The Zoning Board of Appeals reviewed the standards that must be taken into consideration when granting or denying a variance, and the board discussed the request.

- Unnecessary Hardship - A situation where, in the absence of a variance, an owner can make no feasible use of a property, or strict conformity is unnecessarily burdensome.

- Unique Property Limitation – A unique physical characteristic of the property, not the desires of or condition personal to the applicant, must prevent the applicant from developing in compliance with the zoning ordinance.

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- Additional Court – Established Principles – Violations by or variances granted to neighboring owners do not justify a variance. Variances attach to the property as a permanent right. Once a variance is granted, it is permanently attached to the property. A new owner of the property may make use of a variance that was granted to the previous owner if all of the conditions that are attached to the variance are met.

T. Dosch motioned to deny the request due to safety issues and concerns. C. Schultz seconded. Discussion followed. C. Schultz rescinded his second, and T. Dosch rescinded his motion.

M. Striegl motioned to table the request to a future meeting and request the owner come back to the ZBA with a revised layout with less parking spaces to address the concerns from the ZBA and neighbors including safety, parking lot encroachment on neighboring properties, and a plan for snow removal. Neighbors will be notified of the future meeting. T. Dosch seconded, and the motion carried.

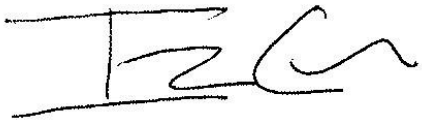
General Items

Chairperson Polarski asked about having future meetings in person at City Hall. Director Cushman stated concerns with this approach.

Motion To Adjourn

T. Kevern motioned to adjourn the July 30, 2020 meeting of the Zoning Board of Appeals at 6:22 p.m. T. Dosch seconded, and the motion carried.

Respectfully Submitted,



Inga Cushman
Administrative Services Director

CITY OF MILTON

a community since 1838

Department of Public Works

To: Zoning Board of Appeals
From: Howard Robinson, Director of Public Works
Date: August 31, 2020
Subject: Discussion and Possible Action to consider a request from Scott Murray for a Variance to parking requirements for a parking lot expansion at 619 College Street.

Summary
Scott Murray has requested a variance to install a larger parking lot at his property located at 619 College Street. The entrance to the parking lot is on Columbus Street. A drawing of the proposed parking lot is included. A picture of the existing parking lot is also included.

They currently do not have one stall per bedroom and would like to increase the number of stalls to 21 stalls. The previous request had 24 stalls.

Items that do not meet current ordinances and would be a reduction in the aisle width for the first angle parking stall entering the parking lot and the last two angled stalls on the west end of the parking lot from 24 feet to approximately 20 feet.

They need approval to reduce the throat entrance of the driveway from 25 feet to 21 feet for the entrance from Columbus Street. This requirement may be waived for a preexisting parking lot if you consider the driveway entrance adequate.

All off street parking that has head in parking within 6-feet of a lot line required to have a tire bump or curb.

The Board of Zoning Appeals conducted a public hearing on July 30, 2020. The request was tabled to allow Scott Murray time to adjust the number of stalls and address the neighborhood concerns and snow removal. Scott Murray has provided a new layout of the parking lot to answer the requests.

The meeting will be held on site at the parking lot. Social distancing will be conducted and mask are asked to be worn. If there is rain, the meeting will be moved to the Veterans Park pavilion.

People on the original mailing list will be notifies. If the variance is approved, Plan Commission will review this plan as a site plan and will review lighting and landscaping on September 1, 2020 at 4:00 pm. Plan Commission meetings are conducted virtually via Zoom.

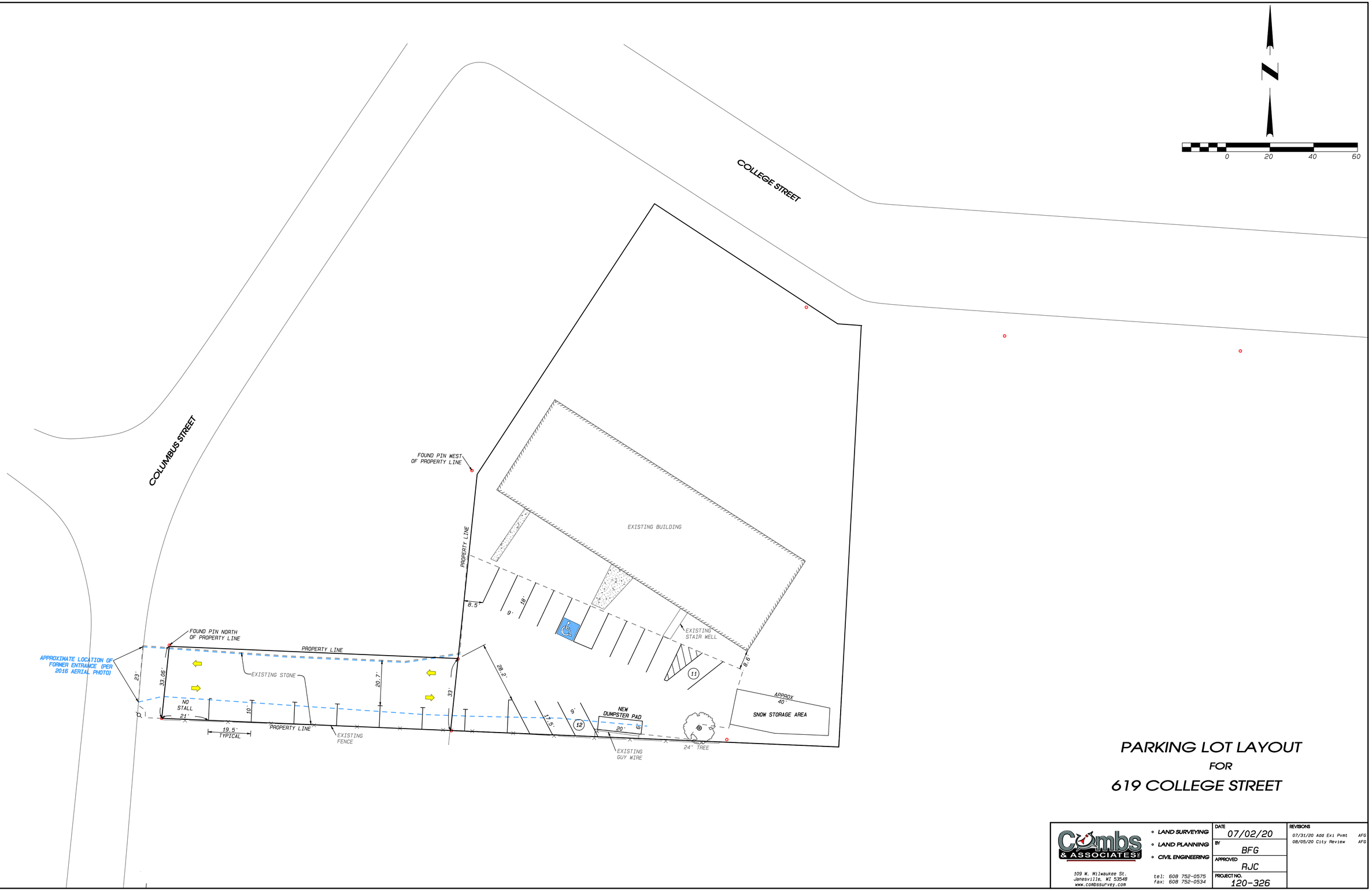
EXISTING SITE (2016 AERIAL PHOTO) FOR 619 COLLEGE STREET

Combs & ASSOCIATES
109 W. Milwaukee St.
Janesville, WI 53548
www.combssurvey.com
tel: 608 752-0575
fax: 608 752-0534

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

REVISIONS	DATE	BY	APPROVED
	08/05/20	AFG	

PROJECT NO. 120-326



PARKING LOT LAYOUT
FOR
619 COLLEGE STREET

Combs & ASSOCIATES LLC
109 W. Milwaukee St.
Janesville, WI 53548
www.combssurvey.com
tel: 608 752-0575
fax: 608 752-0534

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

DATE	07/02/20
BY	BFG
APPROVED	RJC
PROJECT NO.	120-326

REVISIONS

07/31/20 Add Exi Pvmt	AFG
08/05/20 City Review	AFG