

City of Evansville **Board of Zoning Appeals**
Thursday, September 28, 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	Norm Paulson, Resident
Sarah Krause	A	Dan Nipple, Resident
Jeff Vrstal	A	Jeremy May, Resident
Ry Thompson	P	Jeanette Jones, Applicant
Dennis Hughes	P	Matt Poock, Resident
Gene Miller	P	Josh Kimball, Resident

3. **Motion to approve the agenda by Thompson, seconded by Hughes. Approved unanimously.**

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

5. **Civility Reminder.** Turner 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-2023-0283 for parcel number 6-27-249 at 206 S Madison Street to allow building setbacks less than is allowed by Section 130-768(3) 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 6:44pm. Applicants advised the building was constructed in 1965. Applicants expressed allowing for drive-up pickup services would allow more privacy for the clients of the food pantry from the customers at the retail store. Public hearing was closed at 6:49pm.
- iii. **Board of Zoning Appeals Questions and Comments.**
Turner expressed concern for the water flow on the slope, Jeremy May expressed downspouts could be used to direct it into the grass.
Commissioners pointed out that the rendering and the drawings presented do not match. Applicants clarified the renderings are being updated as they go along.
Hughes expressed the need for signage showing that the driveway is one-way.
- iv. **Motion. The Board of Appeals approves issuance of the variance to reduce the street side setback less than allowed by Section 130-768(3) of the Evansville Municipal Code. Setback is allowed to 1 foot of property line to accommodate an open-air canopy covering a half-circle driveway on this property, parcel 6-27-249, addressed at 206**

South Madison Street. 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 long-standing non-conforming status in the B-1 zoning district.*
- *The granting of the variance does not suggest that a required street side yard setback be changed for all properties in the B-1 zoning district.*
- *The variance to the street side yard setback shall only apply to this canopy area along Liberty Street and not to any future expansion of the existing building.*
- *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 Thompson, seconded by Hughes. Approved Unanimously.

8. *Motion to Adjourn* by Updike, seconded by Miller, passed unanimously.