

# CITY OF PORTAGE

115 West Pleasant Street  
Portage, Wisconsin 53901  
Telephone: (608) 742-2176 • Fax: (608) 742-8623



*"Where the North Begins"*

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the attached application for accessory building variances will be heard by the Board of Zoning Appeals in the Second Floor Conference Room 2 in the City of Portage Municipal Building, located at 115 West Pleasant Street, Portage, Wisconsin at 5:25 p.m. on Monday, January 4, 2016.

1. The application for Richard Shaben, parcel # 2267.01, 122 Charles Street Portage, Columbia County, Wisconsin for variances to Chapter 90; Article II, Section 90-27 (5) to allow street side setback on Herman Street of less than 30 feet and Article II, Section 90-51 (3) (e) (1.) An accessory building shall not be nearer than ten feet to the principal structure (the drawing shows only 6 feet between structures) and in no event shall the accessory structure be forward of the front line of the principal structure. The drawing shows the accessory building 36 feet in front of the principal structure. The property is zoned R-1 Single Family Residential District.

Said variances would permit the accessory structure to be located 10'- 3 " from Herman Street, a variance of 19'-9", 6 feet from the principal structure, a variance of 4' and thirty six feet forward of the principal structure, a variance of 36'.

Dave Carlson  
Dave Carlson, Chairperson

**Please Publish:  
December 21, 2015**

# CITY OF PORTAGE

115 West Pleasant Street  
Portage, Wisconsin 53901  
Telephone: (608) 742-2176 • Fax: (608) 742-8623



*"Where the North Begins"*

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the attached application for a sign variance will be heard by the Board of Zoning Appeals in the Second Floor Conference Room 2 in the City of Portage Municipal Building, located at 115 West Pleasant Street, Portage, Wisconsin at 5:20 p.m. on Monday, January 4<sup>th</sup>, 2016.

1. The application for the American Legion of Wisconsin, 2930 American Legion Drive, Portage, Wisconsin for a variance to Chapter 90, Article II, Section 90-35 (5) for exceeding the minimum street side setbacks on American Legion Drive of 20 feet. The property is zoned B-3 Interchange Business.

Said variance will allow a ground sign within 6 feet of the right of way on American Legion Drive, a variance of 14 feet.

Dave Carlson  
Dave Carlson, Chairperson

**Please Publish:  
December 21, 2015**

**City of Portage  
Board of Zoning Appeals  
Public Hearing 5:20 & 5:25 p.m.  
Regular Meeting, 5:30 p.m.  
Monday, January 4, 2016  
City Municipal Building, 115 West Pleasant Street  
Conference Room Two  
Agenda**

Members: Dave Carlson, Chairperson; Traci Bartels, Adam Field; Michael Mulhern, Michael Paul; Ryan Jahn, Alternate 1; Jeff Wetzel, Alternate 2

1. Public hearings
2. Call to order
3. Roll call
4. Approval of minutes from previous meeting.
5. The application for the American Legion of Wisconsin, 2930 American Legion Drive, Portage, Wisconsin for a variance to Chapter 90, Article II, Section 90-35 (5) for exceeding the minimum street side setbacks on American Legion Drive of 20 feet. The property is zoned B-3 Interchange Business.

Said variance will allow a ground sign within 6 feet of the right of way on American Legion Drive, a variance of 14 feet.

6. The application for Richard Shaben, 122 Charles Street, Wisconsin for a variances to Chapter 90; Article II, Section 90-27 (5) to allow street side setback on Herman Street of less than 30 feet and Article II, Section 90-51 (3) (e) (1.) An accessory building shall not be nearer than ten feet to the principal structure (the drawing shows only 6 feet between structures) and in no event shall the accessory structure be forward of the front line of the principal structure. The drawing shows the accessory building 36 feet in front of the principal structure. The property is zoned R-1 Single Family Residential District.

Said variances would permit the accessory structure to be located 10'- 3 " from Herman Street, a variance of 19'-9", 6 feet from the principal structure, a variance of 4' and thirty six feet forward of the principal structure, a variance of 36'.variance to Chapter 90, Article II, Section 90-37 (5) for exceeding the minimum side setbacks of 20 feet. The property is zoned M-1 Industrial.

6. Adjournment

Dave Carlson, Chairperson

If you require special accommodations for the meeting, please contact the City Clerk's Office at 608-742-2176, no later than 48 hours prior to the meeting.

**City of Portage  
Board of Zoning Appeals  
Monday, December 7, 2015  
Municipal Building, Conference Room Two  
Minutes**

Members Present: Dave Carlson; Adam Field; Mike Mulhern; Mike Paul; Jeff Wetzel

Members Absent: Traci Bartels; Ryan Jahn, alternate

Also Present: Peter Smith, property owner and applicant; Steve Sobiek and Shawn Murphy, City of Portage

1. **Public hearing** – convened at 5:25pm.
2. **Call to order** – following the public hearing, the determination meeting was called to order at 5:42pm by Chairman Carlson.
3. **Roll call** – roll was taken with the above members present.
4. **Approval of minutes from previous meetings** – motion by Mulhern to approve, 2nd by Wetzel. Motion carried.
5. **Reconsider the application for Peter Smith, 315 Oneida Street, Wisconsin for a variance to Chapter 90, Article II, Section 90-37 (5) for exceeding the minimum side setbacks of 20 feet. The property is zoned M-1Industrial.**

**Said variance will allow shed addition on side, a variance of 12 feet.**

The scope of the variance request and building plan changed since the original hearing in September 2015. A CSM joining lots 13 and 14 has not been completed. New building plan would add a smaller addition to existing building and remain solely on lot 14. Project would require a side setback variance on both east and west side of the property. Chair Carlson suggested that ultimately joining the two lots in question via a CSM would still seem to be the best long-term solution if future expansion on the site is undertaken.

Motion by Mulhern to approve side setback variances of up to 12 feet on both east and west side of lot 14, 2nd by Wetzel. Motion passed carried.

6. **Adjournment** – meeting adjourned at 6:07pm, motion by Field, 2nd by Wetzel. Motion carried.

Respectfully submitted,

Adam R. Field  
Secretary



'Where the North Begins'  
115 W. Pleasant St.  
Portage, WI 53901  
608-742-2176

### City of Portage Land Use Application

- All Land Use Applications should be filed at City Hall, 115 W. Pleasant St.
- The following information is required for all applications to be reviewed.
- This form may also be completed online at: [www.portagewi.gov](http://www.portagewi.gov), click on "Public Works: Forms & Applications" in the Quick Links Box.

**FOR OFFICE USE ONLY:**

RECEIPT NO: \_\_\_\_\_ AMT PAID: 150.00 DATE REC'D: 12/15/15  
 PARCEL NO: 3097.03 PROPERTY ADDRESS: 2930 American Legion ZONING: \_\_\_\_\_  
 REVIEW REQUIRED BY:  PLAN COMMISSION  COMMON COUNCIL  
 BOARD OF ZONING APPEALS  ZONING ADMINISTRATOR  
 STATEMENT OF JUSTIFICATION  YES PRECONFERENCE MEETING \_\_\_\_\_ PUBLIC HEARING(S) 1/4/2016  
 NO

Application Type (complete detailed section on reverse side)

<input type="checkbox"/> Conditional Use Permit \$150 + \$30 Rec. Fee	<input type="checkbox"/> Zoning Amendment \$150
<input type="checkbox"/> Temporary Use Permit \$150	<input checked="" type="checkbox"/> Zoning Variance \$150

**APPLICANT/CONTACT INFORMATION**

APPLICANT INFORMATION		CONTACT INFORMATION ( <input type="checkbox"/> SAME AS APPLICANT)	
Applicant Name:	Am. Legion State Headquarters & Museum	Contact Name:	Ken Jahn
Address:	Attn: Adjutant David Kurtz.	Address:	1316 Wauona Trail
City, State, Zip	2930 Am. Legion Dr. Portage, WI 53901	City, State, Zip	Portage, WI 53901
Telephone:	608-745-0124	Telephone:	608-745-4242
Fax:		Fax:	608-745-4042
Email:	<a href="mailto:adjutant@wilegion.org">adjutant@wilegion.org</a>	Email:	<a href="mailto:khjahn@tworiverssigns.com">khjahn@tworiverssigns.com</a>
		Relationship to Applicant:	Sign Contractor

**OWNERSHIP INFORMATION**

PROPERTY OWNER – 1 ( <input type="checkbox"/> SAME AS APPLICANT)		PROPERTY OWNER – 2 (IF NEEDED)	
Owner's Name:	Am. Legion Dept. of Wisconsin	Owner's Name:	
Address:	P.O. Box 388 2930 American Legion Dr.	Address:	
City, State, Zip	Portage, WI 53901	City, State, Zip	
Telephone:	608-745*0124	Telephone:	
Fax:		Fax:	
Email:	<a href="mailto:adjutant@wilegion.org">adjutant@wilegion.org</a>	Email:	

Signature of Applicant: By: David A. Kurtz, Adjutant Date: 12/14/15  
 By: David A. Kurtz, Adjutant

<b>CONDITIONAL USE PERMIT</b> (Reviewed by Plan Commission)		<input type="checkbox"/> SITE PLAN ATTACHED
Current Use of Property and Type of Business (if applicable): _____		
Proposed Use of Property and Type of Business (if applicable): _____		
Proposed Hours of Operation: _____	No. of Employees: _____	No. of Parking Stalls: _____
Daily No. Customers/Visitors _____	Weekly Truck Traffic: _____	Outside Storage? <input type="checkbox"/> Yes <input type="checkbox"/> No
		Outside Machinery/Mechanicals? <input type="checkbox"/> Yes <input type="checkbox"/> No
Exceeds 40,000 sq. ft.? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, constitutes a large or group development. See Questionnaire.		
FOR OFFICE USE:	PUBLIC HEARING NOTICE TO ALL WITHIN 300 FT PUBLISH PUBLIC HEARING NOTICE TWICE, ONE WEEK APART, AT LEAST 10 DAYS PRIOR TO PUBLIC HEARING RECORD AT COUNTY	MAILING DATE: _____

<b>TEMPORARY USE PERMIT</b> (Reviewed by Zoning Administrator)		<input type="checkbox"/> SITE PLAN ATTACHED
Current Use of Property and Type of Business (if applicable): _____		
Proposed Use of Property and Type of Business (if applicable): _____		
Dates of Temporary Use: Start Date: _____ End Date: _____		
Proposed Hours of Operation: _____	No. of Employees: _____	No. of Parking Stalls: _____
Daily No. Customers/Visitors _____	Weekly Truck Traffic: _____	Outside Storage? <input type="checkbox"/> Yes <input type="checkbox"/> No
		Outside Machinery/Mechanicals? <input type="checkbox"/> Yes <input type="checkbox"/> No
FOR OFFICE USE:	NO PUBLIC HEARING REQUIRED IF OVER 6 MONTHS, RECORD AT COUNTY	

<b>ZONING AMENDMENT</b> (Reviewed by Plan Commission & Common Council)		<input type="checkbox"/> SITE PLAN/MAP ATTACHED	<input type="checkbox"/> STATEMENT OF JUSTIFICATION ATTACHED
Proposed Use of Property: _____			
Proposed Hours of Operation: _____	No. of Employees: _____	No. of Parking Stalls: _____	
Property contains wetlands and/or floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, explain: _____		
Overlay District? <input type="checkbox"/> Yes <input type="checkbox"/> No	If zoning is changed, do you need a Conditional Use Permit for the proposed use?		<input type="checkbox"/> Yes <input type="checkbox"/> No
FOR OFFICE USE:	PUBLIC HEARING NOTICE TO ALL WITHIN 300 FT PUBLISH PUBLIC HEARING NOTICE TWICE, ONE WEEK APART, AT LEAST 10 DAYS PRIOR TO PUBLIC HEARING RECORD AT COUNTY	MAILING DATE: _____	

<b>VARIANCE</b> (Reviewed by Board of Zoning Appeals)		<input checked="" type="checkbox"/> SITE PLAN ATTACHED	<input checked="" type="checkbox"/> STATEMENT OF JUSTIFICATION ATTACHED
FOR OFFICE USE:	PUBLIC HEARING NOTICE TO ALL WITHIN 100 FT PUBLISH PUBLIC HEARING NOTICE 10 DAYS BEFORE BOARD OF ZONING APPEALS MEETING	MAILING DATE: _____	



1316 Wauona Trail, Portage, WI 53901  
608-745-4242 or fax 608-745-4042  
[khjahn@tworiverssigns.com](mailto:khjahn@tworiverssigns.com)

December 14, 2015

Board of Zoning Appeals  
City of Portage

Re: New Front sign variance

Sign owner/Property owner  
David Kurtz  
American Legion State Headquarters and Museum  
Portage, Wi 53901

Re: New Front sign variance

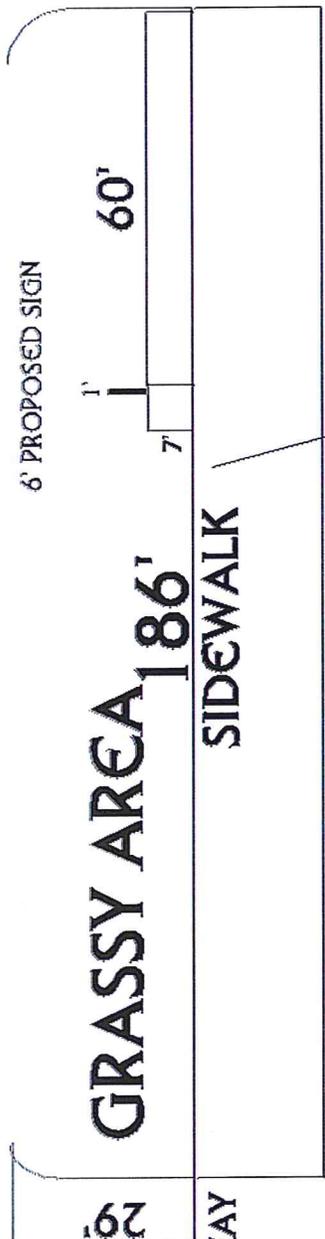
We feel that our request for variance is needed to allow the proper visibility of the sign for our guests as they come to visit the Portage area. If we were to go back the 20' required by setback, the sign would be blocked by the flag poles and monument. We respectfully request the granting of the variance of 14 feet, which would allow the leading edge of the sign that will be double sided to be 6 feet in back of the back edge closest to the building of the sidewalk.

Hardship: It is our generally accepted belief that no obstruction should block the visibility of our Nation's flag. The access to the parking lot has two entrance/exits, both allow traffic to enter and exit. As we do not want to show a preference to which entrance our guests can use, we feel the best location is located near the front entrance or center of the property. In front of our front entrance we have our flag area, if we place the sign at the ordinance required distance of 20 feet, 2 things will happen, from either directions along the street, depending on where we place the sign in front of the front entrance to the right or to the left of the flag poles, the poles will block the visibility of the sign. If we go up in height to get better visibility, the sign will now block the visibility of the flags, especially when the flags are flown at half mast. The other issue with being 20 feet back is the foundation of the sign would be placed in the blacktop area, adding additional costs to a non-profit organization.

Economic Hardship: We also feel this is the best location economically, the flags as flown are illuminated at night and require lighting, this location would allow us to have the sign be powered by tapping into the power that is physically close to where the sign is proposed to be located. This would allow a lower economic impact for supply electrical to the sign. The other hardship was addressed above with being placed in a blacktop area.

Respectfully submitted by:

Kenneth H. Jahn  
President- Two Rivers Signs & Design of Portage





AMERICAN LEGION  
State  
Headquarters  
& Museum  
VETERAN SERVICE MEMBERS SINCE 1919

54,050 MEMBERS  
FAMILY



2010.1.20



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### City of Portage Land Use Application

- All Land Use Applications should be filed at City Hall, 115 W. Pleasant St.
- The following information is required for all applications to be reviewed.
- This form may also be completed online at: [www.portagewi.gov](http://www.portagewi.gov), click on "Public Works: Forms & Applications" in the Quick Links Box.

**FOR OFFICE USE ONLY:**

RECEIPT NO: PD AMT PAID: 150.00 DATE REC'D: 12/8/15  
 PARCEL NO: 2247.01 PROPERTY ADDRESS: 122 Charles St. ZONING: R1  
 REVIEW REQUIRED BY:  PLAN COMMISSION  COMMON COUNCIL  
 BOARD OF ZONING APPEALS  ZONING ADMINISTRATOR  
 STATEMENT OF JUSTIFICATION  YES PRECONFERENCE MEETING \_\_\_\_\_ PUBLIC HEARING(S) 1/4/2016  
 NO

Application Type (complete detailed section on reverse side)

<input type="checkbox"/> Conditional Use Permit \$150 + \$30 Rec. Fee	<input type="checkbox"/> Zoning Amendment \$150
<input type="checkbox"/> Temporary Use Permit \$150	<input checked="" type="checkbox"/> Zoning Variance \$150

**APPLICANT/CONTACT INFORMATION**

APPLICANT INFORMATION		CONTACT INFORMATION ( <input type="checkbox"/> SAME AS APPLICANT)	
Applicant Name:	<u>Richard Shaber</u>	Contact Name:	<u>Same</u>
Address:	<u>122 Charles St</u>	Address:	
City, State, Zip	<u>Portage, WI 53901</u>	City, State, Zip	
Telephone:		Telephone:	
Fax:		Fax:	
Email:		Email:	
		Relationship to Applicant:	

**OWNERSHIP INFORMATION**

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

PROPERTY OWNER - 1 ( <input checked="" type="checkbox"/> SAME AS APPLICANT)		PROPERTY OWNER - 2 (IF NEEDED)	
Owner's Name:	<u>Same</u>	Owner's Name:	
Address:		Address:	
City, State, Zip		City, State, Zip	
Telephone:		Telephone:	
Fax:		Fax:	
Email:		Email:	

Signature of Applicant: \* Richard S Shaber

Date: \* 12-8-2015

<b>CONDITIONAL USE PERMIT</b> (Reviewed by Plan Commission)		<input type="checkbox"/> SITE PLAN ATTACHED
Current Use of Property and Type of Business (if applicable): _____		
Proposed Use of Property and Type of Business (if applicable): _____		
Proposed Hours of Operation: _____	No. of Employees: _____	No. of Parking Stalls: _____
Daily No. Customers/Visitors _____	Weekly Truck Traffic: _____	Outside Storage? <input type="checkbox"/> Yes <input type="checkbox"/> No
		Outside Machinery/Mechanicals? <input type="checkbox"/> Yes <input type="checkbox"/> No
Exceeds 40,000 sq. ft.? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, constitutes a large or group development. See Questionnaire.		
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		Outside Machinery/Mechanicals? <input type="checkbox"/> Yes <input type="checkbox"/> No
FOR OFFICE USE:	NO PUBLIC HEARING REQUIRED IF OVER 6 MONTHS, RECORD AT COUNTY	

<b>ZONING AMENDMENT</b> (Reviewed by Plan Commission & Common Council)		<input type="checkbox"/> SITE PLAN/MAP ATTACHED	<input type="checkbox"/> STATEMENT OF JUSTIFICATION ATTACHED
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Proposed Hours of Operation: _____	No. of Employees: _____	No. of Parking Stalls: _____	
Property contains wetlands and/or floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, explain: _____		
Overlay District? <input type="checkbox"/> Yes <input type="checkbox"/> No	If zoning is changed, do you need a Conditional Use Permit for the proposed use?		<input type="checkbox"/> Yes <input type="checkbox"/> No
FOR OFFICE USE:	PUBLIC HEARING NOTICE TO ALL WITHIN 300 FT PUBLISH PUBLIC HEARING NOTICE TWICE, ONE WEEK APART, AT LEAST 10 DAYS PRIOR TO PUBLIC HEARING RECORD AT COUNTY	MAILING DATE: _____	

<b>VARIANCE</b> (Reviewed by Board of Zoning Appeals)		<input checked="" type="checkbox"/> SITE PLAN ATTACHED	<input checked="" type="checkbox"/> STATEMENT OF JUSTIFICATION ATTACHED
FOR OFFICE USE:	PUBLIC HEARING NOTICE TO ALL WITHIN 100 FT PUBLISH PUBLIC HEARING NOTICE 10 DAYS BEFORE BOARD OF ZONING APPEALS MEETING	MAILING DATE: _____	

November 21,, 2015

Richard and Christine Shaben  
122 Charles Street  
Portage, Wisconsin 53901  
(608) 742-5804

City of Portage  
115 W. Pleasant Street  
Portage, Wisconsin 53901  
(608) 742-2176

To whom it may concern,

We are contacting you in regards to our residence and property on 122 Charles Street in Portage and our intended plans to build a detached garage. Building in the back of the home is not feasible due to the shape of the lot and the grade of the property.

After drafting the plans and surveying the property; the construction of the intended structure may not meet all required setbacks.

Since we wish to have a detached garage, we will have to apply for a variance in order to abide by current zoning specifications.

The current plans will not infringe upon the property of the city or our neighbors, and will not obstruct the view of traffic at the corner of Charles and Herman Streets.

Thank you for your consideration,

Richard and Christine Shaben

① variance to allow  
Acc bldg in street yard  
setback 90-51 (3) (e)

② variance to allow  
street yard setback of  
less than 30' 90-27 (5)

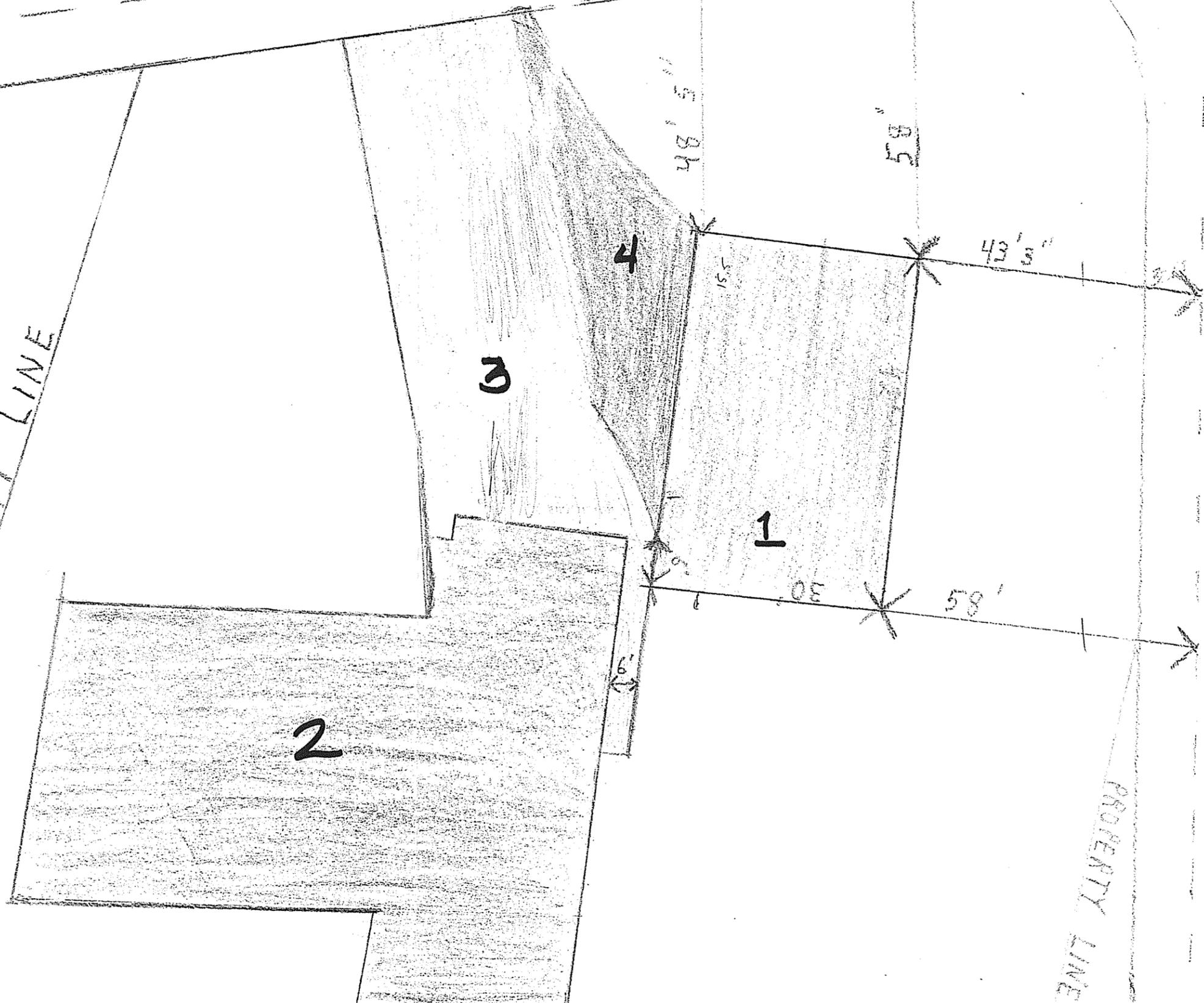
CHARLES STREET

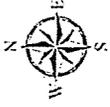
HERMAN STREET

PROPERTY LINE

PROPERTY LINE

- 1 Proposed Garage
- 2 Home
- 3 Existing Drive
- 4 Proposed Drive



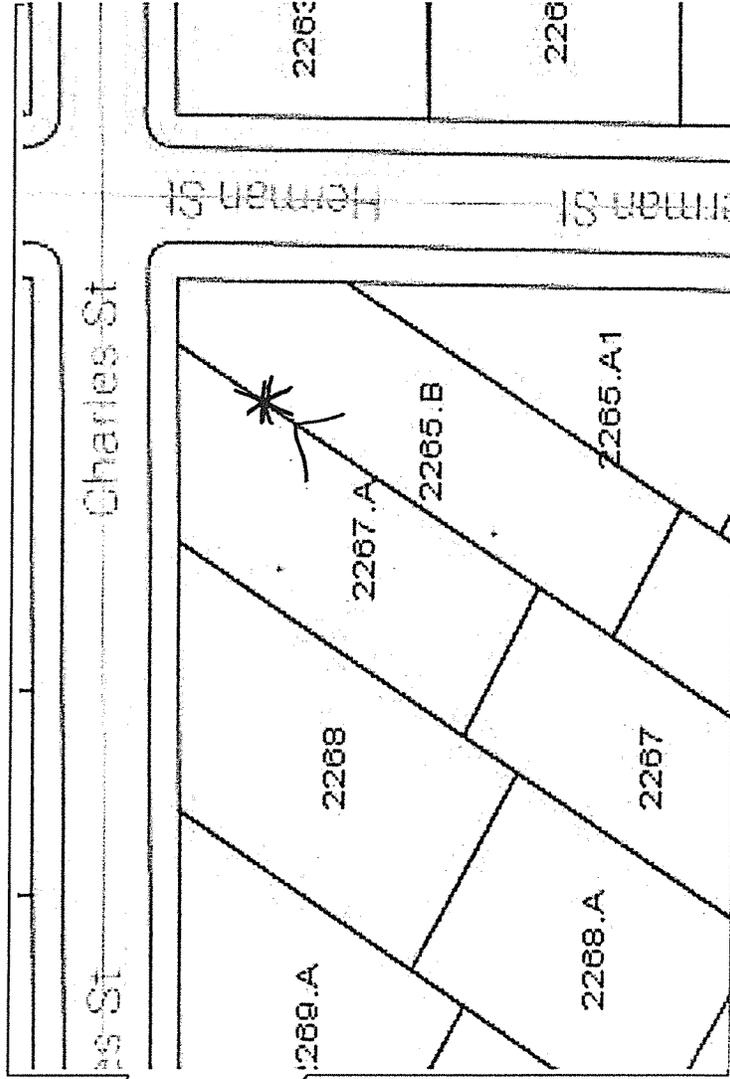
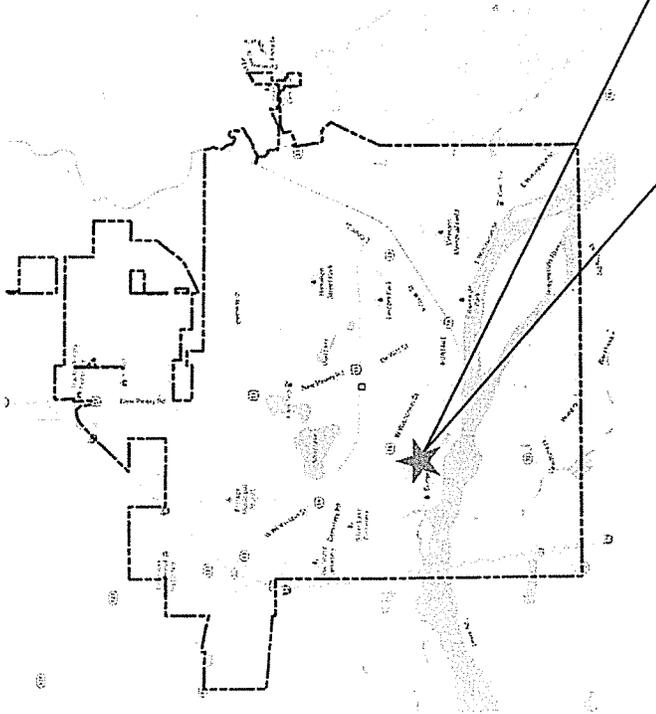


N173

# CITY OF PORTAGE, WI

Parcel #2267.01

*Richard Shaben*  
122 Charles Street



## CITY OF PORTAGE

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