

**City of Portage
Board of Zoning Appeals
Monday, September 14, 2015
Municipal Building, Conference Room Two
Minutes**

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

Members Absent: Ryan Jahn, alternate

Also Present: David Kurtz, American Legion; Peter Smith, property owner; Ken Jahn, Two Rivers Signs.

1. **Public hearing** – convened at 5:20pm.
2. **Call to order** – following public hearings, the determination meeting was called to order at 5:44pm 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 passed unanimously.
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.

Applicant David Kurtz, from the American Legion, presented the variance request to the committee. Variance would allow the American Legion to place a sign outside their state headquarters and museum building to maximize visibility and not interfere with existing memorial and flags. Sign placement would not obstruct visibility or sightlines. Mulhern and Carlson believed there would be sufficient room on the property to place the sign in compliance with existing ordinance.

Motion made by Field to approve the variance request, 2nd by Wetzel. Failed, 2-4 (Carlson, Bartels, Mulhern, and Paul voting no). Variance not approved.

6. **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.

Property owner Peter Smith presented the variance request to the committee. Variance would allow him to expand existing storage structure, which is non-compliant with side setback ordinance. Will not infringe closer on setback than existing structure. Other neighboring properties have been granted variances to exceed setback requirements. A question was raised on whether the building plan encompassed two separate lots or if the

two lots had been officially combined into one lot. City was unsure whether it was one lot or two side-by-side lots.

Motion by Carlson to amend the variance to make it conditional on the properties in question being combined into one lot, 2nd by Mulhern. Passed, 6-0.

Motion by Paul to approve the variance request as amended, 2nd by Wetzel. Passed, 6-0.

7. Adjournment – meeting adjourned at 6:08pm, motion by Paul, 2nd by Wetzel.

Respectfully submitted,

Adam R. Field
Secretary