



CITY OF RACINE DEPARTMENT OF CITY DEVELOPMENT STAFF REPORT

Meeting Date: 4/22/2024

To: Board of Appeals Members

From: City Development Department, Division of Planning and Redevelopment

Division Manager: Jeff Hintz – (262) 636-9151 jeff.hintz@cityofracine.org

Case Manager: Steven Madsen

Location: 1012 Center Street

Applicant: Racine Unified School District

Property Owner: Unified School Dist No 1

Request: The application contemplates the construction of a new school building with a 20' front setback instead of a 30' front setback as required by section 114-310.

BACKGROUND AND SUMMARY: The application contemplates constructing the new school building with a reduced front setback. The request is to give relief from the topography of the western part of the site. To fit the entire development including the building the playground area and parking they are requesting to have a 20' front setback rather than a 30' front setback as required by section 114-310 of the municipal code.



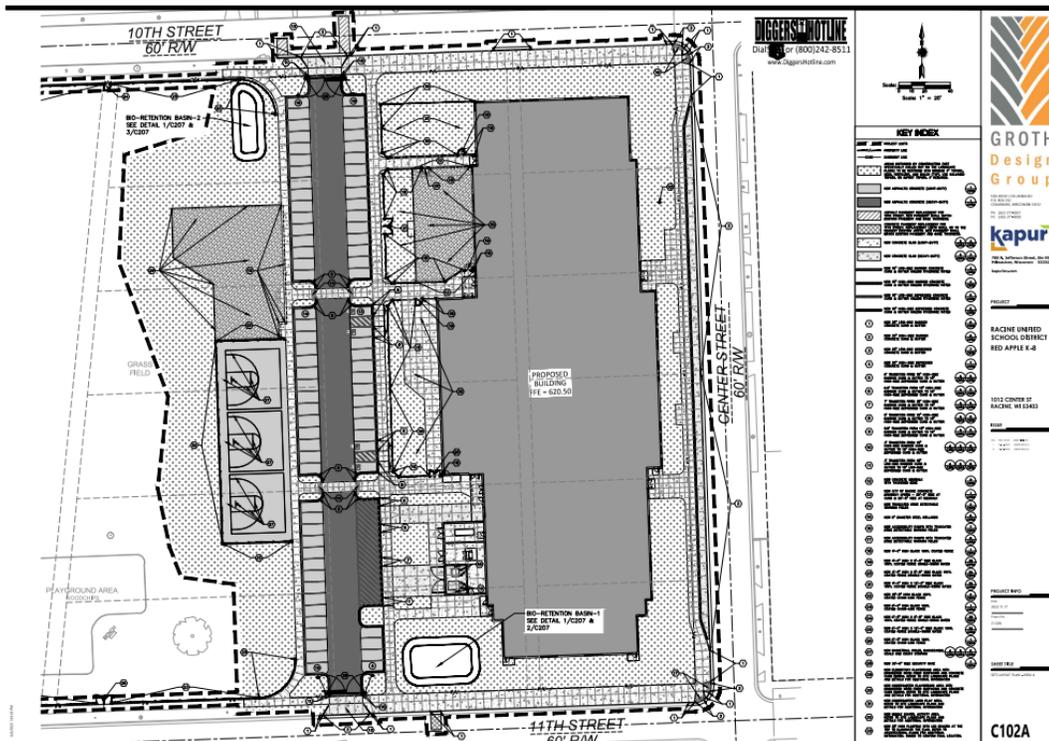
Birdseye view of the property, looking north, indicated in blue (image from City Pictometry).



Front of site where school building will be located



Back of the site showing topography



Site Plan

GENERAL INFORMATION

Parcel Number: 03872000

Property Size: 2.668 Acres

Comprehensive Plan Map Designation: Governmental and Institutional

Corridor or Special Design District?: N/A

Historic?: N/A

Current Zoning District: R-3 Limited General Residence

Purpose of Zone District: The R3 limited general residence district is intended to provide areas which are to be occupied substantially by single-family and two-family dwellings and attached dwellings. It is designed to accommodate limited apartment dwellings while maintaining a low density owner-occupancy character.

- 1) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.**

Staff Comments: The rear of the site has a greater than typical grade change. For the school to meet the requirements of the code and meet its needs of having outdoor/playground space it needs more space. Allowing the building to be 10' closer to the road than required by the code will allow them to meet the parking requirements of the code and fit in outdoor/playground space on top of the hill. This will create a safer space for the students without significant grading which could be detrimental to the surrounding houses.

- 2) The conditions upon which an application for a variance is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification.**

Staff Comments: There are very few parcels in the city that have hills like the one on this site. Most of them are parks, in the flood plain or on the bank of the river or lake where development is generally not permitted. The situation is unique to this parcel/site.

- 3) The purpose of the variance is not based exclusively upon a desire to increase financial gain.**

Staff Comments: Though moving the school closer to the road will prevent the owner from the financial hardship of potentially constructing a retaining wall or other expensive grading work it is not the exclusive or even main desire of seeking this variance. A retaining wall or other grading work would potentially cause hardship to neighboring properties or would create dangerous elevation changes that could lead to personal injuries.

- 4) **The alleged difficulty or hardship is caused by the provisions of this chapter and has not been created by any persons presently having an interest in the property.**

Staff Comments: The existing grade was not created by the applicant. The area that is not fit for the site was graded fix. The area used to have dwellings and a tin shop on the site with railroad right-of-way behind them. The changing of this lot from this past development into a park in conjunction with the railroad right-of-way is was likely cause the grading issue.

- 5) **The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.**

Staff Comments: The granting of this variance will not cause the new school to be closer than the previous school was. Since the previous school cause no detriment to the public and was not injurious to property the granting of this variance will not either.

- 6) **The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.**

Staff Comments: The school will be the only building on the block and the proposed variance will not impair the supply of light or air, will not increase congestion and will not increase the danger of fire and will not cause drainage problems. It would be more likely that the development would cause drainage problems if the 30' setback was required.

POSSIBLE ACTIONS FOR THE ZONING AND BUILDING BOARD OF APPEALS

1. Approve the request as submitted; or
2. Approve the request with conditions deemed necessary to mitigate any adverse impacts that could arise from the project; or
3. Deny the request; or
4. Defer the request to obtain more specific information about the request.

STAFF RECOMMENDATION: BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM RACINE UNIFIED SCHOOL DISTRIC, SEEKING A VARIANCE FROM SECTION 114-310 TO ALLOW FOR A 20' FRONT SETBACK INSTEAD

OF THE 30' FRONT SETBACK REQUIRED BY SEC. 114-310, BE APPROVED, SUBJECT TO CONDITIONS OUTLINED BELOW:

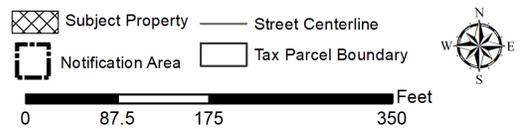
- a) That the plans presented to the Zoning and Building Board of Appeals on March 18, 2024 be approved subject to the conditions contained herein.
- b) That all codes and ordinances are complied with and required permits acquired.
- c) That a building permit be obtained.
- d) That the development follow any conditions set by the PHDC during the design review scheduled for April 22, 2024.
- e) That no minor changes be made from these conditions without approval of the Zoning and Building Board of Appeals.

ATTACHMENTS:

- 1) Property owner notification map indicating the subject property;
- 2) Aerial Photo indicating the subject property;
- 3) Zoning Map indicating the subject property;
- 4) Land Use Map from Comprehensive Plan, indicating the subject property;
- 5) Site photos of the property and general area; and
- 6) Submittal documents (view in legistar).



Variance Request - Red Apple Site

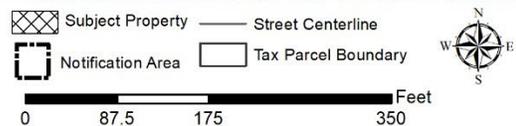




Variance Request - Red Apple Site

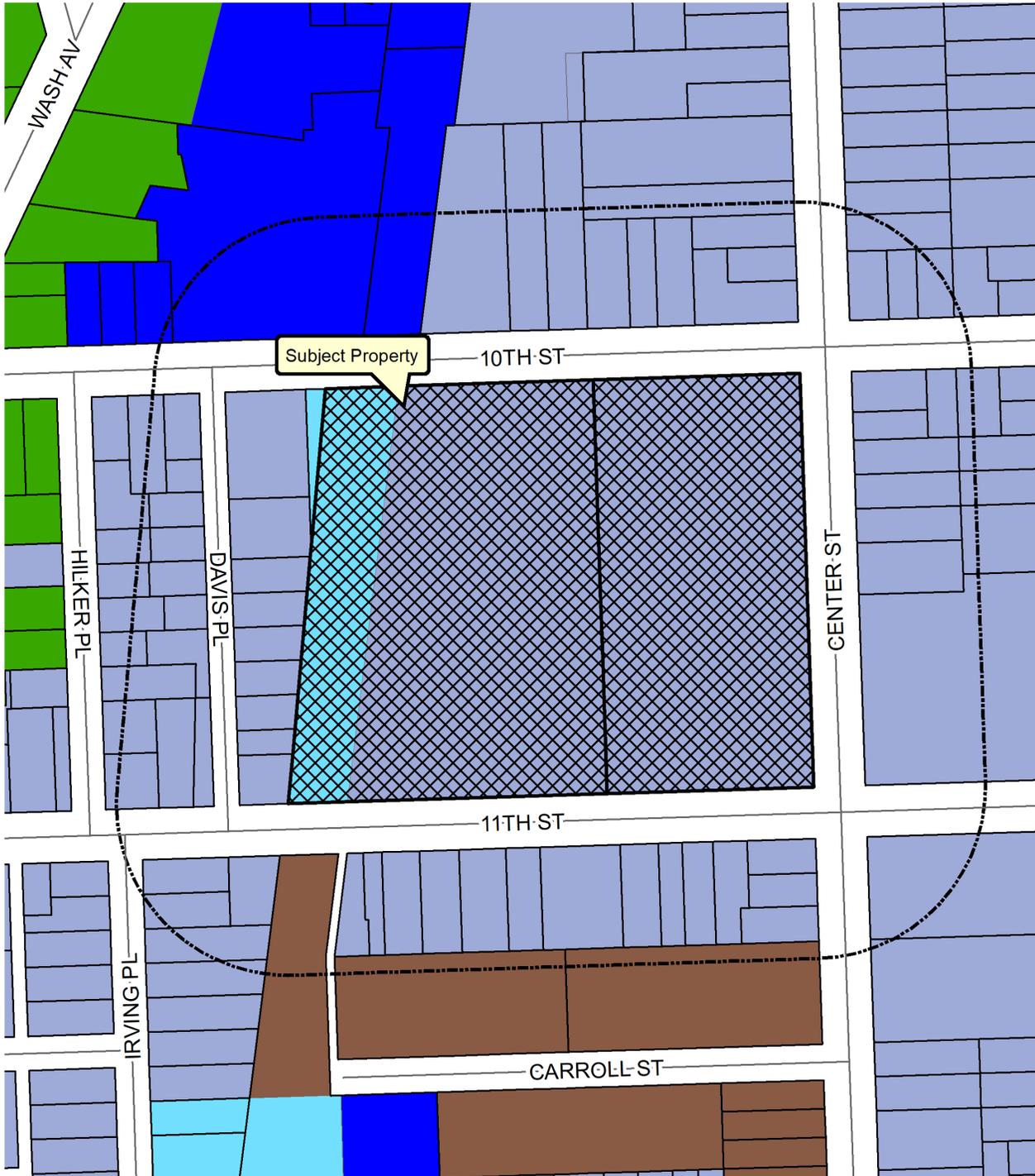


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Variance Request - Red Apple Site



Zoning Designation

- R-3 (Light Blue)
- I-1 (Light Cyan)
- B-3 (Green)
- R-5 (Brown)
- I-2 (Dark Blue)

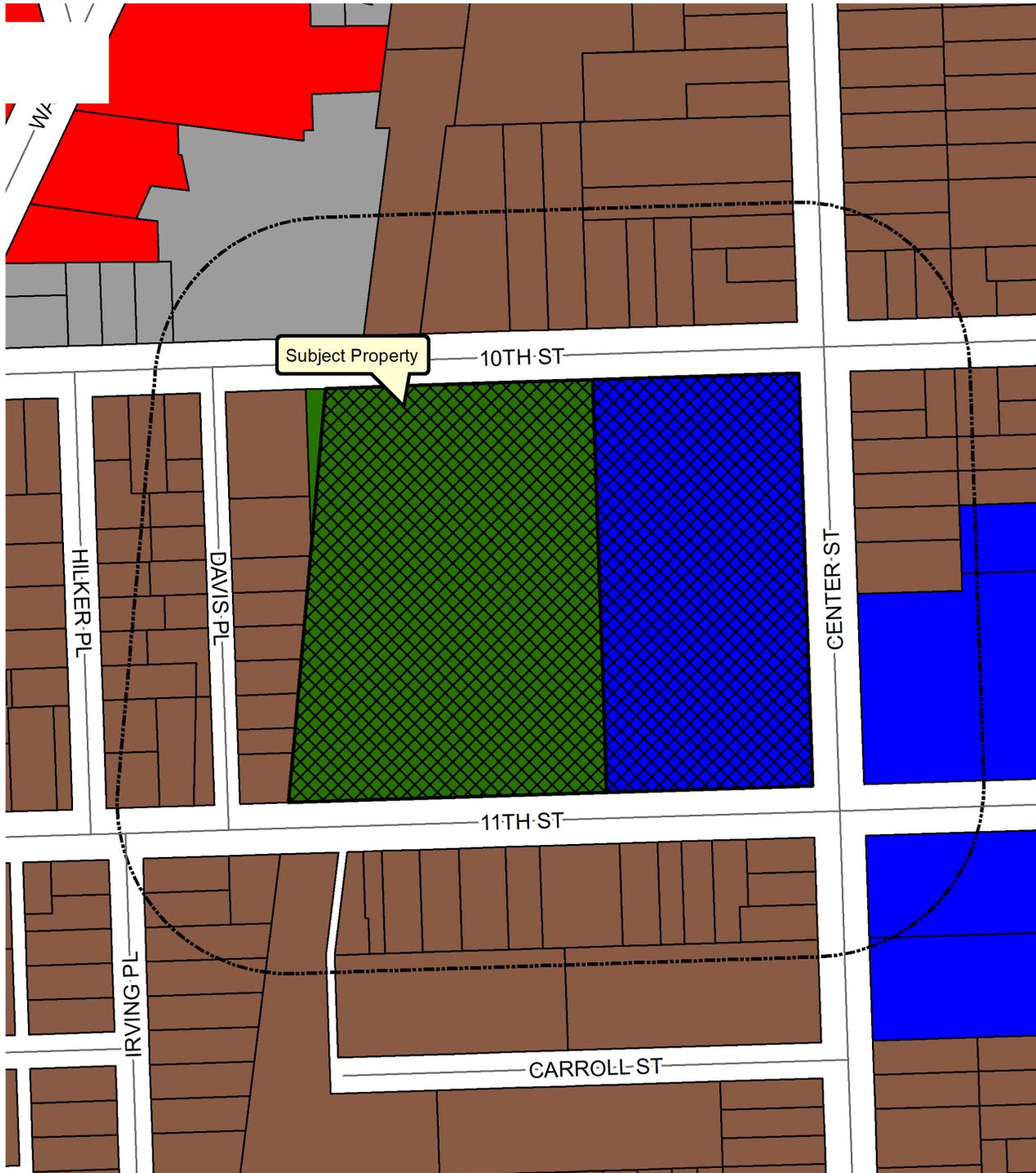
Legend for map symbols:

- Subject Property (Cross-hatch pattern)
- Notification Area (Dashed line)
- Street Centerline (Thin black line)
- Tax Parcel Boundary (Thin grey line)

Scale: 0 87.5 175 350 Feet



Variance Request - Red Apple Site



Land Use Designation

- Governmental and Institutional
- High Density Residential
- Industrial
- Commercial
- Recreational

Subject Property Street Centerline
Notification Area Tax Parcel Boundary