



City of Racine

City Hall
730 Washington Ave.
Racine, WI 53403
www.cityofracine.org

Meeting Minutes - Final

Board of Zoning Appeals

Brian O'Connell
Linda Yackley
George Matson
Christina Hefel
Sam Peete

Wednesday, January 9, 2019

6:00 PM

City Hall, Room 205

Call To Order

Chairman Brian O'Connell called the meeting to order at 6:02 p.m.

PRESENT: 4 - Brian O'Connell, George Matson, Christina Hefel and Sam Peete

EXCUSED: 1 - Linda Yackley

Misc. Notes/Arrivals

Rod Lipor was also present (Board member not listed in the attendance).

Approval of Minutes for the July 9, 2018 Meeting

A motion was made by Peete, seconded by Matson, to approve the minutes of the July 9, 2018 meeting. The motion **PASSED** by a Voice Vote.

6:00 p.m. Public Hearings

[0031-19](#)

Subject: (Direct referral) Consideration of a request by James and Sarah Anspaugh of Meyers Racine Monument Works, seeking to expand a nonconforming use to construct an accessory garage at 3120 Kinzie Avenue. (ZBA-19) (CPC 0024-19)

Attachments: [Public Hearing Notice](#)
[Review and Recommendation](#)
[Applicant Submittals](#)
[Draft ZBA Findings Resolution](#)

Associate Planner Jeff Hintz described the request for an expansion of a nonconforming use and reviewed the zoning of the subject property, surrounding land uses, the comprehensive land use designation for the property, the photos of the site, and the map that went out with the public hearing notice. He stated the business dates back to 1933 and the lot is split zoned with between B1 Neighborhood Convenience and R2 Single Family Residence, the comprehensive plan calls for the same split.

Hintz stated the applicants wish to build an accessory garage on the property to house

some of the materials for their business. He stated this type of business is classified generally as an industrial use and bringing the request before the Board was the least intrusive method as changing the zoning of the property to industrial would not be recommended for the area.

Hintz showed the site plan for the property and the proposed location of the garage. He stated the garage will be built to the west of the property off of the existing driveway. Hintz showed the elevations and materials to be used for the proposed to garage; the applicant proposes to use a brick for the lower portion of the garage. He stated the construction materials comply with the zoning code.

Hintz explained the possible actions of the Board and reviewed the action of the City Plan Commission who met on the item prior. The City Plan Commission recommended approval based on their required findings of fact. Hintz reviewed the required findings of fact for the Board of Zoning Appeals and the conditions of approval. He stated, based on the findings of fact in the report, staff is recommending approval.

Chairman O'Connell opened the public hearing at 6:16 p.m. and swore in the following speakers:

James Anspaugh, 6320 Pheasant Creek Trail, explained his request. He stated he and his wife are looking to make the property look nicer. He stated, currently, they have a couple of trucks that they would like to store in the garage and that he found out that they cannot build a garage there because there is not a house on the property. Anspaugh expressed concerns on the requirement of the fence to screen some of the display stones that are outside. He stated the stones have been there since the early 1900's, but he is concerned mostly about the appearance. Anspaugh showed a view of their parking lot and stated the placement of a fence may block the view of the street from the parking lot.

Christina Schmitt, 3130 Osborne Blvd, spoke regarding the request. She stated she initially had some concerns regarding traffic, however, if it is more of a storage facility she is okay with the request. She explained the difficulty of the traffic flow from the property. She agrees that the fence may be an issue with the traffic and would not be opposed to not having a fence on the property.

Chairman O'Connell asked Schmitt if she would not be opposed to the request if the impacts were minimal.

Schmitt agreed.

Chairman O'Connell asked if the applicants were a good neighbor.

Schmitt stated yes, there have been no issues at all.

Chairman O'Connell stated the garage will be set off of Kinzie Avenue. He confirmed with Anspaugh that the condition regarding the screening of the monuments would affect more the Osborne Blvd. frontage.

Hintz stated per the code there are two options: to not have outdoor storage – since it is an expansion of an industrial use – or to have a screening for the outdoor storage. He stated what is being stored is not that tall, so the fence would only have to be a couple of feet in height. He stated staff recommends keeping the condition regarding the fence, however, the Board could strike the requirement if they saw fit.

Chairman O'Connell asked if the condition could be met and still provide vision for people exiting the site.

Hintz stated yes, it would have to be a privacy fence or the ordinance would allow for a compact hedge for screening purposes. He stated a 2-3 foot fence or decorative wall would be acceptable.

Assistant Director Matt Sadowski stated being in a vision triangle, the ordinance allows fences up to 36 inches in height so that traffic view is not obstructed.

Chairman O'Connell asked Anspaugh if the explanation clarified the required condition.

Anspaugh stated the only thing he could think of that might look good would be a brick type wall. He asked if staff would be able to come out to the property to ensure the fence was at the proper height. He stated right now, it is difficult for people to back out of the parking area, but will agree to the condition. He stated the garage will be on Kinzie Avenue, so there will not be additional traffic. The median is located on the opposite side of the site on Osborne Blvd.

A motion was made by Matson, seconded by Lipor, to approve the appeal of James and Sarah Anspaugh of Meyers Racine Monument Works seeking to expand a nonconforming use to constrict an accessory garage at 3120 Kinzie Avenue. The motion PASSED by a Voice Vote.

Adjournment

There being no further business the meeting adjourned at 6:32 p.m. on a motion by Peete, seconded by Matson.