

## CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Special Meeting – August 20, 2012

The City of Portage Zoning Board of Appeals meeting was called to order by Chair Linenger at 7:00 p.m. in the Council Chambers. Four people were in the audience.

**MEMBERS PRESENT:** Timothy Bunch, Rob Linenger, Doug Rhodus, Lowell Seyburn, Michael Robbe, Mariana Singer, and Glenn Smith.

**IN ATTENDANCE:** Jeff Mais, Zoning & Codes Administrator and Randy Brown, City Attorney

### **NEW BUSINESS:**

**ZBA #12-03, 2728 East Shore Drive:** Staff summarized the request for a variance to construct a 12-foot by 26-foot garage addition 22 feet from the front (north) property line, where a minimum 27-foot front yard setback is required. Mr. Joseph Kuchenbuch stated they have two teens who will soon be driving and that the side-entry garage configuration creates difficulties with backing out into the driveway. The applicant stated the proposed garage addition would make it easier to back out onto the driveway without having other vehicles in the driveway to bump into. Linenger inquired if the applicant had considered a lesser variance and converting the existing single stall door to a double door design. The applicant stated they wanted to keep the proposed design consistent with the existing garage design. Linenger inquired if they considered pouring a driveway addition in the same location as the proposed garage to assist with backing out. The applicant stated they felt their proposal was preferable aesthetically. Singer inquired how the applicant's practical difficulty differed from neighboring properties. Mr. Kuchenbuch stated they had a side-entry garage, that most other properties along East Shore had vacant land across the street where they did not, and noted that other houses on the lake had three stall garages. Bunch inquired of staff if a variance would be necessary for a driveway extension in the same location as the proposed garage. Staff stated no.

A public hearing was opened. A letter stating no objection to the request signed by: Dave Beranek, 2719 East Shore Drive; Rick Hesse, 2802 East Shore Drive; Scott Gignac, 2722 East Shore Drive; and Tamara Ludwig, 2803 East Shore Drive, was read into the record. The public hearing was closed.

A motion was made by Smith, seconded by Robbe, to grant a variance to construct a 12-foot by 26-foot garage addition 22 feet from the front (north) property line, where a minimum 27-foot front yard setback is required. The practical difficulties being the ability to house three vehicles and reduction of parking along the street. Upon roll call vote: Bunch-No, Rhodus-No, Robbe-Yes, Seyburn-No, Singer-No, Smith-Yes, Linenger-No. Motion failed 5-2.

A motion was made by Singer, seconded by Seyburn, to deny a variance to construct a 12-foot by 26-foot garage addition 22 feet from the front (north) property line, where a minimum 27-foot front yard setback is required, as there are no exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the zoning district. In addition, the application and supporting materials, staff report, and all comments, discussion and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon Roll call vote: Bunch-Yes, Rhodus-Yes, Robbe-No, Seyburn-Yes, Singer-Yes, Smith-No, Linenger-Yes. Motion passed 5-2.

### **STATEMENT OF CITIZENS:**

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 7:41 p.m.

Respectfully submitted,

Jeff Mais  
Zoning & Codes Administrator

