

BOARD OF APPEALS

A Meeting of The Board of Appeals was called to order by Chair Kavanaugh at 4:00 P.M. on Wednesday, December 20, 2023.

Members present: Brandt, Fallona, Hennes, Kavanaugh, Nisler, Vandeberg and Werschem.

Also Present: Planning/Eng. Tech. Holmes, Building Inspector Jensen, and applicants.

Kenney read the official published ad relative to the appeal. Notice is hereby given that CHB Properties LLC, 2301 Riverside Drive, Kaukauna Wisconsin who has applied for a variance to the Zoning Board of Appeals for a decision of the City Building Inspector as follows:

ADDRESS OF AFFECTED PARCEL: 1401/1403 Arbor Way, Kaukauna WI 54130

The applicant is requesting a variance to construct an addition to a commercial building. Section 17.53 Façade Standards 3. a. (2). Facades shall have a minimum of 10 percent masonry on sides that face a public street.

Property owner Chris Berkers and Keller Structures representative Dave Stubbs were sworn in.

Berkers gave background on the reasoning for the appeal request.

Planning/Eng. Tech. Holmes stated this property does not have unusual or unique characteristic which creates a hardship. The lot is flat ground with no unusual features. The hardship is self-created. The applicant will not lose use of the lot as a commercial property this is a financial burden imposed on the owner by the municipal code. The variance that is being requested is the minimum needed to avoid installation of the masonry to the façade facing the public street. The granting of this variance will have a negative effect on the community as a whole. The façade ordinance was created and approved by the governing body of the City of Kaukauna. By selectively applying the ordinance to certain properties as per owners wishes, a negative trend will emerge in the community.

Due to this project starting before the facade ordinance changed and the new addition looking different from the existing building, Board of Appeals members felt an exception should be made and the appeal should be granted.

Motion by Werschem, seconded by Brandt to approve the variance to CHB Properties LLC at 1401/1403 Arbor Way, Kaukauna, WI 54130.

Upon roll call, Hennes – aye, Kavanaugh – aye, Fallona – aye, Brandt – aye, Werschem – aye, Nisler – nay, Vandeberg – aye.

Motion carried.

Motion by Hennes, seconded by Brandt to adjourn.

All members present voted aye.

Motion carried.

Meeting adjourned at 4:17 P.M.

Sally Kenney, Clerk