



MINUTES OF THE ZONING & PLANNING BOARD OF APPEALS

**MONDAY, AUGUST 19, 2019, 5:30 PM
CITY HALL, ROOM 604 - THE HARRY MAIER ROOM**

A. ROLL CALL.

I. Members: Don Carlson - Chair, Gregory Babcock - Vice Chair, Tommy Everman, Noel Halvorsen and Jim Hutchison

Does anyone need to abstain from voting? Who was out to the property? Did you speak to anyone regarding this variance request?

Members present: Don Carlson, Jim Hutchison, Gregory Babcock, Tommy Everman, Excused: Noel Halvorsen

Does anyone need to abstain from voting? All stated no.

Was anyone out to see the properties? All stated no.

Did anyone speak to anyone regarding these variance requests? All stated no.

B. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the August 19, 2019, meeting of the Zoning & Planning Board of Appeals.

Moved by Gregory Babcock, seconded by Jim Hutchison to approve the agenda. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

C. APPROVAL OF MINUTES.

I. Approval of the minutes from the July 15, 2019, meeting of the Zoning & Planning Board of Appeals.

Moved by Tommy Everman, seconded by Jim Hutchison to approve the minutes. Motion carried.
Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

D. REGULAR BUSINESS.

1. Jason and Michaela Geurts, property owners, propose to retain an existing fence installed in a Low Density Residential (RI) District at 2535 Parkwood Drive. The applicants request to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-521(a)(1) fence height and setback (Ald. J. Brunette, District 12).

Moved by Tommy Everman, seconded by Gregory Babcock to grant the variance as requested. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

2. Josh Harnowski, property owner, proposes to add on to an existing detached garage in a Low Density Residential (RI) District at 1418 14th. The applicant requests to deviate from the following requirements in Chapter 13, Green Bay Zoning Code, Section 13-615, Table 6-4, rear yard setbacks, Section 13-609 maximum impervious surface and Section 13-615(b)(2) total floor area of the accessory use (Ald. C. Wery, District 8).

Moved by Tommy Everman, seconded by Jim Hutchison to table the variance request until the next available meeting for the applicant to present additional alternatives. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

3. Tesa Bauer, property owner, proposes to retain an existing a fence installed in a Low Density Residential (RI) District at 1981 Packerland Drive. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-521(a)(1) fence height and setback (Ald. J. VanderLeest, District 11).

Moved by Gregory Babcock, seconded by Tommy Everman to deny the variance as requested. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, No- Jim Hutchison, Abstain- None

4. Rick Fisher, Fisher & Associates, on behalf of RMI Tailgate, LLC, property owner, proposes to expand an existing detached accessory structure in a Low Density Residential (RI) District located at 1245 Shadow Lane. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-615, Table 6-4 size of the first accessory structure (Ald. C. Wery, District 8) (Request for renewal of a previous variance).

Moved by Gregory Babcock, seconded by Jim Hutchison to approve the variance as

requested. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

5. Shelly Handrick, Stratford Sign, on behalf of the University of Wisconsin-Green Bay (UWGB), property owner, proposes to retain an existing digital message center on a monument sign located in a Public/Institutional (PI) District at 2420 Nicolet Drive. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-2019, changeable copy, maximum size (Ald. B. Dorff, District 1).

Moved by Tommy Everman, seconded by Jim Hutchison to approve the variance as requested. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

6. Creative Deck & Landscaping, on behalf of Casey Carpenter, property owner, proposes to replace an existing oversized front porch within a front yard setback in the Low Density Residential (R1) District located at 1107 Wirtz Avenue. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-604, Table 6-2, front yard setback (Ald. B. Johnson, District 9).

Moved by Tommy Everman, seconded by Jim Hutchison to approve the variance as requested. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

7. Rule Investments 3, LLC, on behalf of Ken Wallace, property owner, proposes to construct a two-family home with a reduced front yard setback located in the Varied Density Residential District at 531 Clement Street. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-604, Table 6-2, front yard setback (Ald. C. Stevens, District 5).

Moved by Gregory Babcock, seconded by Tommy Everman to approve the variance as requested. Motion carried.

Yes- Don Carlson, Gregory Babcock, Jim Hutchison, No- None, Abstain- None

8. Thomas Robles Robles, property owner, proposes to construct a new detached accessory structure in a Low Density Residential (R1) District at 3720 Humboldt Road. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-615 (c) Table 6-4, maximum size of accessory structures (Ald. B. Dorff, District 1).

Moved by Gregory Babcock, seconded by Tommy Everman to table the variance request until the next meeting as the applicant did not appear. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

E. INFORMATIONAL.

1. Discussion on revisions to the process and application to the Board of Appeals.

A discussion ensued regarding the application process. No action needed.

2. Date of next meeting: Monday, September 16, 2019.

F. ADJOURNMENT.

Moved by Tommy Everman, seconded by Jim Hutchison to adjourn. Motion carried.

Yes- Don Carlson, Gregory Babcock, Tommy Everman, Jim Hutchison, No- None, Abstain- None

VERTABIM MINUTES

- Okay, folks, I'll call this meeting of our Board of Appeal to order. Just gentlemen, does anyone have to consider abstaining from voting on any issues tonight?

- [Together] No.

- Did any of you travel out to see any of the properties before us tonight?

- [Together] No.

- And did you speak with anyone regarding the variance requested before us tonight?

- [Together] No.

- All right. We'll move on to the approval of the agenda. I assume that everyone is satisfied with it?

- I guess.

- A motion to approve the agenda?

- Seconded.

- Motion being seconded to part of the agenda from this evening. All in favor?

- [Together] Aye.

- Okay.

- I've got the minutes from the last meeting.

- All right, so we'll come to a motion to approve.
- All right.
- I'll second.
- We have a motion made and seconded to approve the minutes from the last meeting, all in favor?
- [Together] Aye.
- Great, we're ready to go. I'm gonna make a suggestion. You know, I'm leaving after we just approved the agenda. We've got a couple here with two small children, perhaps we could take them first. I'm sure that they will be otherwise pleased to not have to sit through--
- Yeah.
- The whole meeting.
- Thanks. I think they are for some of the agenda.
- Well that satisfies, then that's why you look so surprised. All right, we did that.
- Well played.
- Come on up.
- [Woman] Right here?
- Yes.
- Have a seat.
- Okay.
- Okay, what's your case for what you wanna do?
- [Man] We are applying for variance for a setback.
- Yeah.
- 18 feet off the curb. And it's existing, I guess the fence is on the far lane side of the property right now. We built that with the understanding that we'd pull the permit and thought we were doing it within the guidelines of what we could do and apparently it's 42 inches at that location. And it's six foot, so we would need a height variance and at that location to let it remain in place. We've collected signatures from our neighbors that are not opposed, that have, leaving it as is, and then on the back, like I said, there's some up there but there are some pictures on the back, those two, that are of the same plant breed.
- Because you weren't aware that you needed a permit?
- No, we didn't pull a permit.
- Okay, so how did you get across lines with the city?

- So when we first went in there and I drew up the site plan with them in the office, basically reprinted it all and went through it, I guess I was under the understanding that there was different variables in the setbacks that you could maintain a six-foot height or a 42-inch fence at different locations. And rather than being ranges, really I just put it in where I thought I could in per our discussion. It didn't match the site plan which--

- [Woman] Well, because we went back in and we asked if we could move it close to the road because it was gonna be six-foot solid, and we went back in and said can we make it see-through or partially see-through and a little bit closer so that we don't have to cut down trees and they said yes. So we moved it but we assumed that it was the same height, we didn't assume, we didn't figure the same, we didn't ask.

- So it can be there but it can only be 42 inches tall.

- Ask for shorter, yeah.

- And the way that I built it, it's not really conducive to, you know, cutting down would be 50% see-through and--

- [Woman] It wouldn't be 50% see-through if you cut it down.

- Right, 'cause there's a half solid panel on the bottom. So if I cut it down to the 42-inch height, I couldn't even need the, I guess the 42-inch to allow bowl.

- [Woman] Yeah, we would have booked it at that if we would've known 'cause why would we put effort in to building it and then have to tear it down?

- Right.

- [Woman] We would have just made it shorter.

- Okay, it's partially see-through.

- Yeah, right.

- It's 50% see-through.

- Yeah.

- So what is the height at which it stops being any see-through?

- [Man] It's gotta be 42-inch and all see-through.

- What do you have?

- And right now it's six-foot, the bottom, that bottom part right there, that's solid.

- Yeah.

- That's about 42 inches right there.

- Okay.

- But it's not see-through so it doesn't, you know, even if I cut it down it wouldn't be, I mean, it still wouldn't need to corner technically 'cause it's not see-through. At that rate I'd have to rip out all the panels.
- There's little panels that are see-through, let me see, there's like a panel that's see-through on top and there's little panels that are see-through here but then there are solid panels here. So if we cut off all these, it wouldn't be enough, see?
- Well, do you wanna explain the situation as the City sees it?
- Sure, let me just back up a little bit. The applicants were before the board 2015, so this may seem a little familiar in the sense that they wanted to construct a garage and put up a fence.
- Really?
- And that variance came before the board and it was denied. So in that same year, they approached the city to get a permit for the fence, then they had an idea for a garage. and this is the permit that was issued. However one was constructed as they mentioned it was constructed basically on the right-of-way line. So in the setback area, fences can be no more than five feet tall 80%, 4'50" and three-foot solid. So this is a case with a fence is probably too tall and also exceeds the transparency requirement. Event front setback area.
- Okay, so what would they have to do if they left the fence at the same height as it is now? If they left it in the same position that as it is now. What height would they have to bring it down to?
- Well we didn't really analyze the fence and the transparency to it so I guess that'd be just another point of discussion but the idea is if there, if it was that 50, if they have five feet, it shouldn't be at 80% transparent. It's basically a chain-link fence at that point, with that height.
- Okay. And how far back would they have to move that fence to keep what they have? Keep the same fence.
- I think what the permits showed was probably 7 1/2 half feet which is 1/2 the allowable setback in that district.
- Okay.
- Okay so they get they don't really get any credit for having it partially open on the top because it's already, even the bottom part is too...
- It's already on the property line. And I kind of clarify this was an enforcement issue so the permit was issued the fence was constructed, we didn't get out there until I think maybe this past year, even last year to inspect. We're trying to catch up on permits that were released. One of our inspectors went out there I think he noticed, well this doesn't look like it's in the right spot and that's why the applicants are here tonight.
- Okay.
- It's a complaint and .
- Was there a complaint?
- Right an enforcement from our inspector.
- Okay.
- We treat it as a complaint I guess.

- Yeah you didn't have a complaint from the neighborhood?
- No, no our inspectors said the procedure was file a complaint.
- Okay, got it. But you have a case for why you believe there's an exception we made here.
- I guess. From that picture, I mean you know it is a corner lot but there's no future use for that rolling to go through. The city right now kind of treats it as the same. I mean, there's no potential for that park to be turned into a street, for a through street. So I do feel like it's kind of a unique situation. As far as the '60s standpoint--
- Driving through, 'cause we don't need drivers on that street.
- The vision triangles, they're maintained for the front holes which is partially the reason for enforcement through it inside your fences, I realize that, so from that standpoint we just feel like this is unique enough a lot, where something like this could be allowed.
- For next time we wanna talk, we'll make sure everything's documented for sure. I feel like that's where this kind of...
- Is there a neighbor across the street?
- There is. They were also Singaporean and that's all...
- He's here.
- Where is he?
- What's up?
- [Woman] Yeah there's one of our neighbors here.
- Yeah.
- Okay.
- And then there the park, what is it? So is it a trail that come--
- It's Sherwood Forest walking trail.
- So people who're coming in and out of there.
- They walk in and out of their lot, we're just meaning, to be honest, that you know that's partially the reason we wanted to at least some kind of screening, visual screening. We got kids. They play in the backyard. Often time people will actually cut through our yard, I mean through the city way on our side of the street to go through the into the woods there, there's like a cold trail through there, you know, it's like there's people that walk through there and once, I mean it's a safety thing. We want to keep our kids in the yard too and wanna keep other people as much--
- Do they park down the road? Or no they park somewhere else?
- They do.

- Somewhere else.
- Well.
- There are signs--
- There are signs where they're not supposed to park, so that keeps most people, people do still park down there and walk. Walk in.
- Paul, so 'cause this is a corner lot. If this was a non street facing would those height requirements be different?
- Yeah. Gotta be the same.
- But still be the same. And walk me through that one more time. It would be five feet, a 100%?
- Right so you can kind of see the edge of the building here. This would be a setback here, a corner side, this would be the front yard setback, so at this point the fence should not exceed six feet height. So this would be the core side yard setback, so when you get into this area, it should be five feet 80%, 4'50" or three foot solid here, but no more than six feet at this point here.
- When you say 80, 'cause the bottom half of the thing is around four feet you say but they have a top half, which is that window and kind of panel look is what makes it six feet?
- That's the overall height.
- Right.
- It's somewhat a non-traditional fence and you don't typically see them blended like that, as far as transparency but I think the point is that the fence is taller than all of the requirements.
- Why then, was permitted in set back and its transparency most likely is greater than ones lower.
- Right, 'cause even if you took the top half off and it was the top with a panel, it's still four feet which is above the three feet. 100%.
- So in theory if that's four feet, it should be 50% open. I wanna lay a three foot solid fence would be allowed in the front yard setback with the white picket fence you might typically see, traditionally.
- Right but because this is, that's what I was asking earlier. So because it's a corner lot, it's considered a front setback.
- It is.
- Versus a side, if this street didn't exist this would be the side of their house.
- If it was an interior side then it could be six feet, there'd be no question.
- Got it, so which--
- The side or rear yard wouldn't be an issue. The problem is when you get into the front or corner side your setbacks that five, four, three plays a role.

- Copy that.
- Okay.
- I've got a question. This is the best picture to ask you for. I think you alluded to this but I want to make sure I understand it. It appears that, for example, here and here, you don't have any panels that's perfectly see-through.
- Yeah.
- Is that right?
- Those no those are, they're panels, but they're like the top panel.
- Yeah, yeah.
- Yeah right look they're okay yeah.
- And they're still there.
- That's, that's--
- That's how it adds up to be 50%.
- Yeah but they haven't been built in since then, this wasn't a preliminary picture or something?
- No.
- Questions, Jim? Greg?
- Are there questions?
- Does the fence extend in the back? Or does it just--
- Well that was part of the permit when we originally filed it which is the reason that we didn't call him, he never finished it and at some point we would like to continue that. It just got put on hold, other things, priorities, we didn't get to finishing the back or the other side which is...
- [Woman] And we have all the panels made just not up.
- Yeah.
- So the intent is to fence in the home--
- It is.
- Okay.
- Our neighbor that's next to us would like us to fence it 'cause then she only has to fence in 'cause she wants to fence in her yard too. We'd have to cut down three trees if we have to move it back.
- Yeah.

- More questions? You can have a seat.

- Is there anyone else that wishes to speak for or against this property. Yes sir.

- I'd be happy to speak for. I'm the neighbor across the street. It is not visible of this on Parkwood. So I have a view of the fence, find it very pleasing as far as fences go and certainly second the position as far as this is a unique situation given that it's a dead-end street essentially that has no traffic on it so there is really no sight line of traffic that this fence is blocking, whether they would be backing out of their driveway or tires going down Parkwood Street. Cars coming out of there so, it would seem to me that the purpose of the fence limitation is to provide a sight line to be able to see over a 42-inch high fence at the property line and in this case, there's no real need for that. So I guess I would just like to speak for our neighbors that have all approved the look of it and actually enjoy the appearance of it and would be happy if it stayed as is and not have to be pushed back to make their backyard smaller.

- Okay, thank you. Sir?

- Yes, thank you chairman and committee members, I'm Jesse Burnett. One of the district 12 aldermen. They are constituents of mine. I want to let you know that up until about a week ago another alderman was involved, Alderman John Vanderleys. This house right here is on the very end of my district, literally the very end and Alderman Vanderleys thought perhaps that he was the alderman for the district so he is in support of allowing the fence to remain as is. I spoke with John over the weekend. I'm also in support of maintaining the fence as is. I was there yesterday visibly, you know, inspected the fence and the property. I think the fence fits very nicely in with the neighborhood. That street, Fawn Lane, if I remember correct, there are two, there's no no parking on both sides of that little street that the possibility of traffic ever going through there I would say is very limited. That little blue sign that you see in the far distance on Fawn Lane, the park is actually owned by the village of Ashwaubenon. So it's another municipality on that side of the wooded area. So with that, I'm okay with this fence remaining as is. I never received any complaints from anyone. What they now, I don't want to overstep but the property owners did mention to me that they have 60 signatures of neighbors who are in favor of allowing sight on old faith. Sure, so I'm okay with it and as is Alderman Vanderleys.

- Thank you. So, gentlemen.

- That is unique. I mean my thought is if it's a unique property in terms of, I think, Paul correct me if I'm wrong, but corner idea is for some of the stuff he was alluding to, is that correct in terms of visible sight lines things like that?

- Correct.

- For traffic purposes. You know, looking at unique properties or unique lines, it really is almost like a backyard. There is no traffic driving down the street so I do think that the property itself is unique so I'm inclined to say yes it's okay but with the caveat to say moving forward, Parker, so we don't run into situations like that, obviously, that should be part of the discussion so we're not in situations like this. You know, especially if you're gonna continue it on, make sure those things are aligned as well.

- Yeah to me the hardships, the location, and still be where they have the foot traffic, the unique property that they have, you know, is it where it sits? The fact that they have people that are in support of it, the neighbors are here to show up the signatures they have and I think it looks good, well in terms of the appearance of it. Just the way where it's located I think they'd meet the elements I was looking for and I'd be in support of it.

- I agree and I think the fact that they went through the permitting process and it just got tripped up. They went through it initially before and got denied, this body was continually going forward and they're trying to do

the right thing and just seems to be an honest mistake and I think it was laid out well in terms of the way it sits, with the neighbors and whatnot so I'm inclined to go for this.

- Good, I think we're in violent agreement. I do agree with this, I also vote in favor. I think the the applicants didn't mention it but I'll point out that with those people walking past and with the attractive nuisance of the park in the back, I can see the point of the fence. I can especially see the point of the fence if you go over on the backlot line too. They're not here to discuss that but I think what what they presented deserves the variance we can grant.

- You made me do it.

- Right.

- Seconded.

- The two gentleman on my right someone for it and someone seconded it so we have a motion before us, all in favor?

- [Everyone] Aye.

- Thank you.

- Somewhere I've got both Jessie but I don't see. Anyway.

- I'll mark it out.

- All right. Next up Mr. Harnowski.

- How are you guys doing?

- Good.

- Good. So, the variances that my wife I are applying for; we have four children so we're trying to maximize our living space. Obviously with the neighborhood and smaller homes, some overlap. We do not want to move. It's something we're thinking about because we're just so tight in there, so we want to optimize our storage space, maximize our storage space to optimize our living space. Our existing garage's detached and set back into our backyard, so the size that we're, I'm trying to maximize my space back there which I come, I believe, too close to the back property line. I think I just go over the green space and total square footage when attached to the existing, I think, is just over the square footage of our home. We have, so I'm self-employed, so I have work space in my existing garage now. My kids, they're explores, we have all kinds of sports stuff and toys. So some of that I keep behind our existing garage now. The neighbor behind me is a elderly gentleman. His big pine trees, for the most part, block his view of it but I would like to kind of hopefully clean that up a little bit with more storage space. We just really like the neighborhood and the kids go to school there, we don't choice our kids, so the dimensions are because of where the existing garage is, I only have so much space that go back and that's why I am hoping to go wider which I don't believe comes close to the side property lines, but it's only so wide to kind of make up for the lack of depth. Trying to maximize storage space again.

- So we've got three variances involved here. There's the rear lot line, there's this fact that you're now newest L-shaped garage is bigger than the house and there's a third one with the permeable surface.

- Permeable service.

- It's just override 155.

- The rear lot line is?

- Four.

- Four.

- Four, so persuade me on why you need to go to two.

- So, again, it's just I could obviously come back in two then I would only be at 14 feet which doesn't seem like a big difference but acting kind of looking at where my existing garage is, I'm trying to, I'm gonna go forward then build this I wanna have max, have as much space as I can so that's why I went a little bit wider to try and make up to the lack of depth. When you really get out there even 16 feet is not that deep for, that's obviously with my existing graduates up with a tongue towards storage space but, in addition to putting that much work into it and money into it I just want to try and maximize our space as we can.

- Why not build on the house? I guess I'm tryna...

- So we--

- Build off that side.

- It's mostly like a space issue in our home. We have three bedrooms, four kids, my daughter's the oldest so she has her own room and then the three boys share a room now. Our basement currently is part of my wife's office space and then the kids have a playroom down there. So ideally we would have had storage space down there and we do a little bit, but we're just, we're growing family and we've talked about a second, maybe of doing a second story some day but it just, money, we're trying to weigh all the options. We feel if we had more storage space that we could put things over in our garage, that it would maximize it, make our living space seem larger on the inside.

- Part of your impervious surface overrides the patio in the back, have you proposed any options by which you could reduce the size of your patio.

- I had honestly I never thought about it but I could. If that's what, the garage is obviously more important for us for living than the patio. I could easily adjust that if need be. That's kind of where the kit, we you know, the 14th isn't the busier street but people, 12th and then 14th, like a lot of people kind of cut through on those streets, so we try and get the kids to hang out in the backyard more. The patio you know they play with different toys and other stuff but it wouldn't matter if it was grass or if I had take some of that patio down.

- Is your lot fenced in at all?

- It's all chain-link around.

- Okay. And have you, did you put together any alternatives that didn't require you to have any variances?

- I talked about with my wife if we had to bring the back in two feet. We'd talked about them just even shortening the whole thing but then we that's what we're weighing is that little extra space that would be worth us doing it or do we kind of start thinking about moving on from the home which we don't really want to. We love the neighborhood. Obviously, adjustments, I could make some adjustments. I mean, we thought it was just a shed back there then if we're only gonna, if we have to bring it in so far, square footage of like maybe put it up there would be more cost-efficient. It would just be a matter of is a small shed enough storage for what we need. Like right now we don't even park our vehicles in our garage between our yard tools and

the kids stuff, I have an office space out there. We just keep our vehicles in the driveway. Would be nice especially when winter time to pull the cars in into that front part of the garage, if we can have all that storage in the back. Just all things have been crossed our minds as we've been there for 12 years and how long do we wanna stay, do we need to move 'cause we're outgrowing the space. We both agree we'd like to stay but just kind of depends on where this goes I guess.

- Okay. Tommy. Greg. Jim. Have any questions?

- Have you thought of moving it two feet but adding two more feet--

- To the front side of that?

- Yes next to the garage.

- I have and I, in order to get that total square footage, I would be willing to do so. We do have two dogs. So we're trying to at the same time, obviously, they're not as priority of what we're trying to do with our family, our kids, but we were trying to optimize still up in the area for them. I mean they're fine on the concrete too but just an area for them to use the yard and everything. It is, that it is something that I had talked about that we could good bump it forward towards the house, the two feet. The gentleman behind me, I haven't been able to see him. I knocked on his door once. He's a Korean, really nice guy, but his pine trees cover most of it. To if you're in my backyard looking at his lot so to the right, he can see through there, he's got a nice little garden back there and everything, and that's where I keep a lot of stuff behind our garage so it's not all over the yard so. I mean that's, I think it'd be nicer for the neighbors, probably, if they're, kids toys and my tools and stuff weren't all over in the back there but I did not get to talk to him. I didn't have a phone number. I knocked on his door haven't seen them all week.

- I think the notion is we're tripping over three different things and it's hard enough to trip over one but it's harder to trip over it see what it's really hard to trip over three. So that's why we're pushing, can we get rid of one, you know, can we get rid of two or whatever.

- So if I was able to keep it two feet from the property line and shortened up the width, going to the left, would I be able to make up the green space difference?

- Okay.

- So instead of it being 50, I could pull it in towards the existing garage.

- Okay so that 16 foot dimension means a lot to you.

- Yeah just 'cause it's kind of a odd, with over the existing garage it is kind of an odd distance, like if you're gonna build it to try and maximize the space, there's not a whole lot of leeway in the depth so I was trying to make up for that on the width, with the width, but obviously there would be room to if we need to get that green space. I could also adjust the patio. Yeah, small lot problems.

- Yeah, that's your principal argument is that you have a very small lot and a small house that in this day and age the home size is kind of independent of the garage, especially with the uses that you're proposing to do. Further questions of the applicant?

- No.

- Okay, sir, if you could have a seat.

- Thank you guys.

- Is there anyone else here that wishes to speak for or against this project? All right. I think Jim you've hit it on the head. It's kind of hard to go with all three and it's a question of which ones, if any, are we comfortable with renting.

- If I had to vote on it, I would vote no. Because--

- For all three?

- Yeah, I think there's alternatives that we talked with a lot of the questions were for these alternatives. You know just the size, which I get with his argument is a small lot but the reality is is that, you know that, that in and of itself is the only argument. One thing if you can't get this car into the garage but it's really a storage issue. I sympathize with those, you know it's kind of a big family. I don't think it meets that hardship test that we're looking at here for a variance given that there's other alternatives too that could be explored. That's just my take on it.

- Yeah I think I lean a little bit with Greg. I feel we can spend time on this which is not what we're supposed to do and come up with I think at least three or four other alternatives that would give him what he needs and we would almost be able to eliminate all if not get at least down to one and so I would rather see an alternative get presented if it was down to like an impervious thing and all the other ones were taken care of or is there an actual solution where there's no need for variance, you know bringing two feet off, coming on to the side of the garage. You only need to make up what? 100 feet somewhere, you know what I mean, for a--

- 121

- 120 you know.

- In square feet.

- Yeah so there's some needs and some stuff to be moved and then we need for storage right? To your point, we see a lot of people on smaller lots, on smaller house. Their families are growing. Unfortunately our job is to look at the property and not who's living in it and make decisions based on kind of what this property needs to make it usable. Like the last candidate you know it's a unique property. So I'm needing to know, I think there's an alternative options here so definitely whittle down, eliminate one or two if not all of them, to get the needs done.

- It's kind of where I am.

- Yeah I am too. I'm wishing we could eliminate at least one. I'm willing to entertain a one or two but not three. So I guess I'm willing to entertain options down the road if he wants to come back or we just deny it.

- Those would be one of my questions, Paul. I mean can't, for the sake of a fee and all that stuff, if we're saying no but we think there's some alternatives and then come back in a month?

- Sure.

- Is that something we can say not deny but will punt?

- You can table for 30, 60, 90 days.

- And we can give that option, you know? I mean I'm inclined to do that.

- All right that we could step in and talk to our staff. We could work on our other options I guess

- Or they could just opt out.

- I think that's reasonable 'cause I, I may be amenable to one as well but not three and I do agree that, I think that there are plenty of options and I think that, if the applicant would like us to see those I think that's, you know, that's something we'll allow you to do, so I'm in favor also of tabeling it for a month. You've heard our arguments, I said if we took it to a vote, vote no for all three variances tonight.

- Okay.

- So what we would do if we proceed as we were all talking here is to say you don't get your variance tonight. You can convince us in 30 days, we'll think about it again, otherwise you don't get it. 'Cause there may be some, you've heard there's some people on here that may be a little bit closer to one but you know if you could come back and say that I've paired it down to this 'cause I really tried to react to what you guys have said, I think it'd be in your interest for us to table it tonight.

- Okay.

- All right.

- To motion that?

- Yep.

- Motion to the table for 30 days? Is that enough time for you to rework it?

- Absolutely.

- Okay.

- For next week, whatever.

- The next week, yeah.

- Whatever the next meeting.

- Yeah, whatever the next meeting, 29 or whatever. For the next meeting--

- Might be 35 I guess theoretically.

- Yeah they're never--

- Next on the table for the motion to table it for the next available meeting?

- I say aye.

- Aye.

- Okay we've discussed this, all in favor?

- [Everyone] Aye.

- Four zero, that's the situation. If you're still interested, see you next month.

- Thank you very much.

- Sure.

- Next! This would be Miss Bower.

- Yes.

- Very good. What's your case?

- This is actually very similar to the first one except my stepfather passed away a couple years ago and I inherited the house and the fence was like practically falling down. It was like over 30 years old. So when I hired someone, that's the old fence to replace it, they told me I did not need a building permit so no I did not obtain one to know I was going against regulations. They told me 'cause it was a replacement I did not need one and it's amazing once you have a variance, they said well that was your responsibility to check on that. I trusted who I hired. So this is the old fence. This is on Packer Land. That address is, but the driveway and the mailbox is on Zach. So I submitted multiple pictures that show that it's not blocking any of you, the residents on the right-hand side. So I'm then also they said to get some measurements so the way that the walkway is and there is no residence on the right-hand side and the people that, as you can see, there's hardly any, legally backyard so we've always considered that our backyard so I had lived there since I was 15 so you're talking quite a long time ago. When I went to Google Maps and tried to find, so that's the new fence, it was replaced, and then the inspector showed up and indicated it was out of compliance. So if I would have to remove that because of now knowing the regulations, I had to remove like 18 feet when this is already still 10 feet from the sidewalk and 24 feet from Cacker Land. You can see that there's also a gazebo in the backyard, so there is gazebo that has an entrance and a separate entity so as long as I lived there for years, we always considered that our backyard because of the way that it is on the location but the pictures I submitted show there is no blocking of view from the Hazelwood and Packer Land entrance. You can see the driveway where, that's where people park, there's no parking on Packer Land and then the closest neighbors then on the right hand side, like behind this, they actually help with, we're getting them installed, otherwise it's across the street on Packer Land and Zach. So it would have to be cutting three feet off to keep it where it was replaced already or moving it back 18 feet which then there is no backyard and it's almost right on top of the gazebo that's in the backyard.

- Paul, could we work from, could you tell, tell me where she has to move this straight back to comply as the fence stands? Is it right to the face of the front of the house?

- Right, for six feet. So the fence at six feet should be back at this point here roughly, otherwise it'd be removing three feet. If this is a six foot fence, we'd be moving three feet to be compliant within the front yard set back.

- Okay. And this, there's a fence here too right?

- Yes.

- Same fence?

- It goes all the way around.

- Oh.

- It was actually replacing, it got put back in the same location that the falling down the fence was in and that's why the contractor said it was a replacement, we didn't need a permit. Then when I find out we were replacing everything, it's really now, do not, a replacement and a builder permit would have been required.
- So Paul is this part okay?
- I would draw a line lay across here.
- So six feet here.
- Here it would be fine. It should be three foot from here, here, and all the way into that setback.
- I highlighted where I'm hoping the variance to occur for that a second--
- I see it here.
- I tried to be very specific.
- All right. One more question for Paul.
- Yes. Sorry.
- Right now she's at six feet. If she goes 50%, see through?
- Well she's still technically over the height requirement.
- Right.
- If she went five feet or four feet 50%. So I suppose in theory, you could start removing some panels.
- That's what I'm thinking.
- Right but still the overall height is at six. It should be at five or four or three.
- It's been fenced in since we bought the house back in 1985 and I'm sure the privacy fence has been there because it is Packer Land so that is a very busy street.
- Yeah I'm guessing that the previous ordinances weren't such that it passed at the time, this was 30 years ago plus.
- Yes. I actually still have the realtor thing that my stepfather had when he purchased it that showed the fence was in existence and he just randomly, as you can see, barely repaired it. We had had damage before the storms it just came up, so I'm sitting there going, wow, we probably lost a large portion of the fence. We didn't even have to really push it down when it was coming down so.
- I'm very bold and I can imagine that all of your neighbors are happy with--
- Yes and that's why when the inspector showed up, we were, I was redoing planting grass in the front yard because of so many trees. There's old pictures, there used to be multiple trees even in front there in Packer Land there was like three right in there between the sidewalk and the fence. So I'm like, I was confused and they said someone had called in to have this reviewed and I'm like well I'm actually trying to make this look better. So that's why it looks all, the literal picture itself. We just had seven hours put in there to plant grass.

- Okay, so let's see. The reason I was asking Paul what I asked is because that fence is not, it's not solid.
- No.
- And that is?
- Yes.
- So I'm trying to look at possibilities but as you've explained to Paul, as it stands the fence has to be moved back to the front face of the house and it has to be possibly reduced in size. At least then across that front.
- If it doesn't move but if it did move, then it could stay at six feet.
- If it moves back to the front of the house, yeah, six feet would be the max. So here the max height would be three foot solid. So they just cut it--
- So options are to keep it but to fit within the variance would be to take the full front half off and flatten it off.
- Yeah.
- And then lose that section.
- Right.
- And that becomes front yard. To keep it would be to redo that section at four feet, five feet--
- Five feet 80%.
- 80%?
- Four feet 50 or three foot solid which would just be like cutting the whole thing in half.
- So those are the only two options, to keep it as it is, to fit the no variance problem.
- To make it compliant, yes.
- Okay.
- What was that fence?
- Six feet.
- Six feet.
- Have you, so I know that you're here for the variance. Have you explored those alternative options to get it to comply? From a cost perspective or--
- We've already came for this fence. My gut is just like wrenching to have to cut through, I lose the gate. That's cutting three feet off of a very large section so, yes, that is an option if I had to. But I have to file a revise or something to kind of, the moving back 18 feet removes the whole backyard. That's where like that's where we actually you know, that is really the only yard in the back so the paper copy that I had indicated pretty much it's only deck. So you only have a very small section in the backyard. It's just pretty much a walkway to get to it. So that's always, that's really the only yard that's in existent is that side.

- Well that's what, was gonna be the next question, is that if you've moved it back on this picture is that to scale or this--

- This is me drawing it with a--

- Well 'cause in the picture, the gazebo looks like it's right up against the house on the front of the house.

- No it's actually, yeah. You can see it right, the bottom right hand, it's actually, you can see where the deck is.

- Yep.

- So that's just a strip of land in the gazebo. Gazebo is actually at the second half of the house so it's not, my drawing's off. It's actually closer to the side of the house and then there'd be like literally walk up a gazebo and you'd have like no lawn. If you actually made that fence equal with the house, it would only be like a couple tables wide of lawn.

- Yep.

- Contractor, whatever .

- To cut it down if I need to because he's not taking, well he's saying it was my responsibility but he would cut it down if I need to.

- He'll charge you for it? Or he would?

- Yes. Well he said he'd work with me but of course when you put and you've already paid for that.

- The lumber.

- Yeah but we know the two options, putting it back would be so I'd have to cut it down. Then I would plant like arborvitaes or something. The whole wall is, 'cause this Packer Land, to have privacy in the back, side yard but to us our back yard. That's where they actually like, we had like, you know a little portable fire pit and so like that's where the entertaining occurs in that, between what the gazebo in--

- So walk me through that. 'Cause that is interesting to me. Help me understand. Packer Land, like forgive me, I'm newer to--

- Oh.

- Yeah so I really talk to me about--

- It's a very busy street.

- Yep.

- So it's Zach, do you know where Lambeau Field is?

- Yep.

- You keep going up and that turns into Hazelwood?

- Yep.

- The other side of this vacant lot is Hazelwood. I'm actually within the block between Hazelwood and Zach. So I even went down took pictures even from the stoplights to show that there you can still view. It's not blocking anything because the fence is already 10 feet away from the sidewalk and 24 feet away from Packer Land, it is truly not blocking the side view. You can see Zach, you can see all the front yard, 'cause that was the one concern I'm assuming that with this variance that they want the height and the setback because they don't want it blocking the view or make it unsociable and it's a replacement and there is no house, actually, on the lot, next to us, that was torn down years ago. People across the street are fine with the fence and the people right next to us. So that only other people are literally across the median on the other side of Packer Land which is two lanes of traffic. 'Cause it is four wide.

- And you enter the house from Zach?

- We actually go in through the garage. We actually don't walk down, go from front yard because the garage is actually, so we go in through the garage door when we enter the house.

- But the front of the house is on Zach.

- Yes.

- This is, what you're saying, the side.

- Yes.

- But it's a corner lot so you really don't have a sight over the one side on the other line.

- Correct, which is very close to the lot line. Actually the neighbors even have like, their gardening stuff like that up against the fence. So there is no, that really is only the, the only yard that is in use.

- Okay.

- I don't have any more question.

- Gregg or Jim?

- No.

- Hey ma'am, if you could have a seat. Is there anyone else here that wishes to speak for or against this project? All right. Few thoughts. I have a question for Paul. The reason that it existed before the location and if you would have been approached before any work was done, you would have said you can't put it where it was. You have to move it back. Is that right?

- There would have been one of the options or ignore that five, four, three.

- Okay so, so if someone has something in location and it was a provable way back when and they wanna change it, the fact that they wanna change and get a permit gives the city the right to say no you can't put it there at the same height.

- So I don't know the full history of the fence. If a permit was issued or not or under what ordinance it was issued but it's considered non-conforming in this condition here.

- Okay.

- Including its non-conforming you can maintain it. So a board falls off or something else happens to the fence, you can replace those boards, the problem is there's a wholesale change here from not just one or two boards but multiple boards that may constitute a new fence basically so you should have gotten permit for that.
- Or changed it very slowly.
- Or very slowly. About a year or something.
- We did get estimates and nobody wanted to touch, fixing it because there was so much constant damage.
- This is the fix.
- That was my stepfather doing that for 30 years of fix and then I did a little different fix.
- Consider it a new construction.
- Yeah I think it's legitimately a new construction.
- I just, I have an issue with someone having something and then they try to keep it the same way, make it better and the city is telling them you can't. That just, you know, and they legally are. We legally are, so.
- But it's a different fence.
- Right.
- So yeah that one is you can see through it. It's kind of a wide spacing between the slats, let's say.
- Yeah I see that and now it's very sturdy and will not fall.
- To me this is different than the last one. You know, the last fence only had visible location.
- Right.
- I think so too.
- You know the lot, I don't see the hardship really.
- Yeah it's hard because I'm trying to remove the financial piece, you know what I mean? Because I'd be pissed.
- Let's give her the contract.
- Right.
- If I take that bias out, I have to look at it and just say, this is totally capable of conforming. It's a horrible situation, right? In terms of what happened and what transpired but at the end of the day it's like, it's a totally solvable situation with the correct permit and correct work and the contractor definitely should've been a lot more aware of what the rules are to get this right the first time.
- I agree.
- Make a motion to, unless Jim do you have anything else?
- No.

- Okay. Make a motion to deny the variance.
- I'll second.
- Here we have motion made and seconded to deny the variance for the property on Peppermint Drive, the fence variance. All in favor of denying say yes.
- Aye.
- Aye.
- Opposed?
- No.
- Three to one. You did not get your variance.
- How much time do I have now? What do I have to do now?
- I would work with the inspector on the timeframe and...
- Right because the first one was like two weeks.
- Yeah, no, I think there's some latitude to the inspector can give you about how this can be accomplished and when. I think it's coming up with some alternatives to share with that the inspector and you asking for 30, maybe 60 days and so on before winter may be a reasonable timeframe.
- Thank you, ma'am. Next up, Mr. Fisher and friends. Who do we have speaking this.
- Rick Fisher with Fisher case.
- Very good. And?
- I'm Ben Bukoweic with Robinson and Mill.
- Okay. As I understand this is a variance that we need to renew?
- Yes so this came before the group two years ago. It was approved. I don't know the reason it wasn't implemented at that time. Then we went to the permit and realized that it had lapsed.
- Okay.
- I think it was a two-year approval and a total of one year approval. So basically we have this, we have a existing home that's on over by the stadium. It's owned by RMI, it's the province of metal. Till get home, the garage is currently I think it's 917 square feet. The house is a 1,056 square feet plus it has an existing canopy on the back that's about 440 square feet. So the house is, you know, 1490 square feet or so. With the overhead. So there's a couple photos I brought along. This is the existing house. This is the existing garage. There's a 12-foot, 10 or 12 foot overhang on the back of the house. We'd like to add a six foot wide roof along this side and build it on top of the existing frost protected sidewalk. So there'd be no additional lane disturbance at all. The lawn is way too nice to dig it though. So we were just gonna put a roof extension of an additional six feet with a couple bolts. So because it has posts I think it constitutes an addition. It doesn't add any more volume to the building insert inside, it just puts a ripple ring on it.

- There's been no changes in the property within the last year, since we're here in ?
- Nope.
- Okay.
- You needed this variance to begin with for what reason Paul?
- It was the size of the accessory structure.
- Is it okay the way it is now?
- I believe it is.
- Yeah it's 900, I think there's 1,000 square foot maximum. So it's 918 square feet currently.
- And this brings it over?
- And this brings it over. It's not internal to the building but because the overhang has a, if we had cantilever, it wouldn't be part of the square footage but because of the post.
- It's close, you think that's true, Paul?
- Well that's the interpretation. Our staff has the footprint of the building even outside if closed, it still has structural members that support the roof.
- Okay, okay.
- And that's the area of the building where it's--
- Okay. Okay, nice. Well that's very interesting.
- So what specifically is the variance? Is it that's it's larger than the principal structure?
- No.
- What's--
- I think it's the structure exceeds a thousand square feet.
- Right.
- And along with that, you probably could throw in the accessory uses are greater than the principal use, square footage wise of course.
- It's not.
- Okay.
- So I think the variance is actually for--
- The accessory structure exceeding a thousand sq--

- That's it.
- Yeah.
- That's what I was gonna ask next. Is it also that other one we just didn't list it?
- No, no it's already there. The other ones there.
- Okay.
- There's already a large overhang.
- The other idea, the big overhangs is existing--
- Is existing on the--
- Yeah I know I'm just saying that the house itself by adding this, you know what I mean? The other one then kicks in.
- Yeah then that one gets picked.
- Correct.
- And we beat the impervious surface requirements where we're not changing any impervious surface so.
- Maybe you told us all this the last time but I, I understand. This is a different board so I will encourage our board to consider this as if it's brand-new, just because we grant-- We granted a variance once before, interesting detail but--
- Yep, I understand.
- You know, obviously, these are the same smaller lots and I guess one of the reasons that we wanted this enclosure was to, you know, obviously these garage doors are open and there's inclement weather, you know I know there's been a lot of reconstruction in the street. So actually I joked about it 'cause I said, well, if you don't like the garage we're throwing one, why don't we just tear the whole thing down and build it. And of course that didn't go very far. The lot's too nice so. You know obviously they didn't build the building anyway. So they basically come in, they didn't do additions on it other than the other legally permitted canopy. That's the only and they replaced the concrete in the driveway also. So it's really you know in nice shape and they just want to add this amenity to make it consistent and better weather protection.
- Is this exactly the same as the previous application?
- It is.
- Exactly the same.
- The same.
- There's a new date on the letter and the new address of my business.
- Okay.

- Yeah so it's exactly--
- That's the only thing that's changed?
- Oh and I actually didn't hand write for mine.
- Okay.
- Wrote it in the correct form 'cause I--
- Gotcha. Questions? Thanks, you can have seat.
- Great, thank you.
- Is there anyone else who wishes to speak for or against this project? Okay, gentlemen. What are your thoughts?
- Clerical question. Are we able to see what we voted last time? Is that something that you can--
- I could've gotten it if you wanted to see.
- I feel like I remember I voted no on this.
- Were you here?
- But it went through. I was here, I remember.
- Because to me, this is why I started asking for the training, to be totally honest, was things like this because to me this goes back to that idea of the use.
- When chi--
- Right? Versus the unique characteristics of the lot don't allow you to do what you need to do and some of this was built and this idea of this overhang kind of protects what's being built and then the use is more of like who's living in it type of thing, so it's not the property dictating the hardship, it's what I want to do with it, which in my head, was like I'm confused. So that's why I remember this one because I feel like I voted no on this. That doesn't mean it won't go through 'cause it didn't, it went through last time but I remember, I feel like I specifically was Tom. Right was Tom who was on the board before?
- Yeah.
- And I thought me and Tom we're in disagreement. That being said, that's neither here or there. I'd like to ask--
- There are certain chairs that have to filled. Yours is the old guy with the beard--
- Well I'm the new guy.
- You don't wanna hear us but you made a motion to approve.
- I did?
- It went with every four zero.

- It did, okay.
- I second the motion.
- I don't know, I got swayed, but I do remember this one very specifically because I started asking that question in my head about what are we voting on. Is it the use of the property or is it how the property's designed.
- We'll blame Tom for twisting your arm.
- Always Tom.
- You did ask about the hardship so you did have some discussion.
- All right, good.
- Could we have a motion on this?
- Or do we want further discussion?
- I'd like a motion to approve it.
- I'll second it. I'll second it.
- All in favor of approving the variance before us say aye.
- [Everyone] Aye.
- Opposed? You got it. Four zero.
- It shows the panel being swayed.
- Yeah it's all Tom's fault.
- That's right.
- That's right, it's Tom's fault.
- We did a lot today.
- Yeah, that's one of the right ones 'cause I feel like I voted on two of em.
- So that's what happens when you have older chairmen. They can be easily confused. All right we'll talk about Stratford sign. Shelley Hendrick next.
- Need a buster, Shelley?
- Yes.
- I'm gonna say it.
- So.

- But you have a case to be made, nevertheless.

- Yeah. I'm Dan Drexler speaking on behalf of Stratford Signing and UW-Green Bay. Shelley is our permit coordinator at our business and so she has worked with the project here, so a little background. We installed three new signs at the University of Green Bay in May. Through the permitting process, we permitted two of the signs and the one along Highway 41 was permitted for 45.

- 50?

- 50? Yeah, 54 was permitted, however we prevented with the state failed to permit with the city, simply was an oversight. It was an honest mistake. It was form advice. So with that said, I think that they came back to us and said, well you need to permit it so we went to permit it and with that, the center is larger than what's allowed with your current coordinates. So the measured center size that, the reason why the, that's the suggested size of the measured center to be effective for that location.

- For highway speeds.

- For highway speeds and that was put together by the architect. That was not anything we suggested. You know we, I guess we--

- Yeah the University of something fall based at the University and yes so we had put that together and that sign is in existing parts of replacement from 1996. When it didn't have a video display and so I had contacted the Wisc DOT who originally back in the day, we had talked with them when we put the signs out and we talked about whether it's on-premise or off-premise and the details of it and everything looked like, yeah we just had to go through DOT and deal with, since it's highway state, highway so. So had no idea that it would actually be sitting in .

- Sorry who are you with?

- Paul Pinkston, Directory of Facilities at UW-Green Bay.

- Okay.

- Yeah.

- So is it possible Paul that there was no city ordinance regarding this back in 1996-ish?

- No they obtained a variance through this body at that time.

- Ah, okay, okay.

- So the signs were replaced in kind, so to speak, so they were kind of a one-for-one situation. Some of them were added with EMCs which we felt was somewhat beyond the variance but still isn't keeping with the ordinance. So we felt if they were at 32 square feet in size, it would have been acceptable. So they were issued in that fashion for nick of way and I think with the two other ones but this one was not permitted at all, not with the EMC.

- Well, I mean, previously?

- Okay.

- Was there one here before?

- No that's the existing, that's the former sign. So that's--
- Oh.
- That's the 96 times so to speak.
- Okay.
- So this is the new sign.
- Okay.
- So. I'm still on the uptake.
- Yeah.
- But there's two other signs. There's three altogether.
- There are, correct.
- They're all identical.
- No.
- So no.
- No. The city Nicholae Drive and Base Settlement Road are smaller.
- Yeah it's smaller message centers.
- Yep smaller message centers. Overall sign is smaller just for the scale and the traffic speed.
- So they weren't a problem that's why you--
- In permits we shoot for those.
- Yeah and and this sign is the same size as the previous sign. It's just we added a display to it and so when we talked with the DOT, when I had talked with him, everything was that something like we have to go through the DOT because of it being on the state highway.
- So tell me what the DOT has to say about message centers and the size.
- Everything was fine with that. The stuff, the issues, any issues would be with content so it has to, you can't have animation. The duration of a message had to be one to I think every 10 seconds. Whereas it's a little different with the city as an internal sign or a city sign, so those are the only really going differences on that and so, yeah so there really wasn't any, and we had talked, I had talked with Paul. Maybe a year or so ago on the signs when we were contemplating going with digital to try and match some other universities that had digital in the region.
- Well I have to say you can really see it. I've driven past there a couple times and just fortuitously in the evening enough that, you can see it. I know now where it is. You got something about basketball.
- Yeah it's good for commencement in those events and larger events and such. Yeah.

- And it's not really that big at 70 miles an hour. It just isn't--

- You know that it's an appropriate size for the location and that's why it was suggested to be that size. You know, the message center is not anything, it's not anything larger than most of the message centers that are along those type of highways. Matter of fact at some points a little bit smaller than some of the ones that you see at the tire dealerships and some of the other ones. It's quite a bit smaller than that. It's just that it doesn't meet the size.

- Unpack the through line real quick, 'cause I think I'm missing something. You wanted to replace all the signs that were currently there, the older signs, right? There was one that was this size that was already there.

- M-hm.

- You replaced it but you put digital signage into it, which it didn't previously have. That's the old one, correct?

- Correct.

- M-hm.

- You partnered with DOT because of the highway.

- M-hm.

- And you were going to them for suggestions on size and capacity or whatever?

- For permitting just like we came, just like we came to you to permit the signs for the city, we went to the DOT because it's on the state highway and you know that's what we would typically do to get the permit taken care of.

- And the permit, the DOT said thumbs up, you're ready to go to do it that way but then because it's on city, the digital signage is to the digital portion that they put in, is too big.

- Right.

- But the sign itself, the size is totally okay. Right, we were assuming that was a one-for-one. That was basically a large space change.

- Okay.

- Based on previous variance, it was granted.

- Hence us talking specifically about digital signage.

- Yes.

- Okay.

- With you--

- Sorry one more thing. That's where I wanted to get, the digital signs you put in, based on the size, was a recommendation based on people traveling on that highway and what they're gonna be able to see.

- That's exactly right because anything smaller than that would not be affected with the location and traffic speed and the, you know, view, and that's not I mean, you know, if we were going to work directly with Paul as our customer, we would suggest the same thing because we've been through that a number of times. So, but this came as a recommendation from the architect that put the specifications together.

- Okay, thank you.

- Paul, question for you. What's the policy behind, the sign is really certain? To me, it seems counter like if people are driving fast and they're trying to read something 'cause it's small, like isn't that a bigger safety thing? Is it safety or is it something else that we're talking about?

- I think it's just a visual message itself is a unique circumstance in the sense that it's on a highway we don't have a lot of highway signage that's digital, so to speak.

- Okay.

- I mean, there are some billboards that are out there. But, as far as typical signs, we don't see these too often. But I think the ordinance for years has been trying to minimize digital. The problem is that that technology is changing, advancing, and becoming more affordable for people to use. So it's slightly out of date, so to speak, but still that's the ordinance in place.

- Yeah and that's, you know, Paul, and I would agree, I mean, we have been through this certainly, we don't get in these situations where we're coming back to it within variance after the sign's up. But, you know, we've been through this a number of times with the sign ordinances at different municipalities, and it's the same thing, you know, some of the ordinances that are older and with the technology that we have today, you know, for many years, I think the municipalities have been trying to minimize these electronic message centers. But the fact of the matter is, is it's newer technology and they're here and so that's, you know, how most of it is going. In some cases, they're changing the ordinance to more accept these message centers simply because there's more technology .

- What is the zoning on this property?

- Public property. Public institution what it says here, PI--

- Okay.

- I may have missed it. Why didn't you just give them the permit? Why is this variance--

- They did not apply for a permit.

- Oh, so it was constructed without a permit--

- So you can't approve it if it's constructed.

- Without any knowledge of it so until we receive the complaint, then that's the reason for us to act on it.

- The other two along the other roads were--

- Were permitted--

- Were permitted.

- Yeah we permitted in the process that we thought we needed. We permitted the one on the highway with the state. And that was taken care of, we permitted the other two with the city of Green Bay and that was, and we felt that we had covered.

- Okay, I just want to make sure I'm clear on this. So you can't after the fact give them a permit, is that right?

- I could but the fact is that that message center exceeded the minimum standards-- The minimum standard we're talking about is 32 square feet, four by eight. Fairly small, they had about 60 square feet.

- I got it, right.

- And that's what, going back to what you had mentioned before, that's where Redcarpet Tech suggests this size to be effective because the size that would meet the regulation would be, you know, people .

- They're just seeing a flashing light.

- Yeah, that's true.

- The other situation would be it'd be more of a distraction actually then--

- That's what I was thinking.

- Then be clear.

- Yeah.

- And then the pixel size is small enough that it is very clear .

- Any questions, gentleman?

- No.

- No.

- Okay. Thank you.

- Does that bother you?

- I'm good with it.

- Motion is made.

- I'll second.

- Okay, we've a motion made and seconded to approve the variance requested for UW-GB. All in favor?

- [Altogether] Aye.

- Opposed? Four zero.

- Thank you.

- Thank you.

- Next up, is--
- Decken!
- Decken Landscaping, Casey Carpenter.
- I am also, I just came.
- Oh, are you Casey?
- I am.
- Oh, got it! All right, tell us what you need and why.
- So I am just trying to get a variance to build my same front porch that I have currently. I'm just trying to look for a safer one. So that one if you look where that green pot is on the bottom, by my like, where it goes up to my front porch, it is pretty much disintegrating. So that overhang is actually starting, it's becoming a safety issue at this point. And so all of that on that side is kind of starting to cave down because it's wood so I am putting a, Creative Deck & Landscaping is putting a component in which has a 30 year guarantee on it or a composite. So same exact size, same everything. Just new and safe.
- Hm. Who encourages within the setback, so the policy has been, nothing greater than 25 square feet size. This is at about 45 square feet so--
- Close to on house.
- The house is too close.
- Well, it is close, right, but it's encouraged within that setback of you know, the average setback again particularly at 400.
- We're starting to see a few of these. This is you.
- And my issue was because my overhang is the five by nine, so that's structurally where I need to give it up.
- Even better argument.
- I just want it to look good and be safe.
- Yeah. Questions?
- No.
- No.
- No.
- I don't have questions either. You could have a seat.
- Okay. Thank you!
- Thank you.

- Okay we gotta go through the whole motion, does anybody wish to speak for or against this? Very well, now we can have a motion.

- Motion to approve.

- I'll second it.

- We have a motion made and seconded to approve Casey Carpenter's variance request for the drop down.

- Thank you.

- All in favor?

- [Altogether] Aye.

- Four zero.

- Thank you!

- Okay, rule three and rule investments three.

- Gentleman.

- Yes, evening.

- My name is Ken Wallace, I represent Rural Investments, three, actually four. Well investments three owns a lot at 531 Planet Street here in Green Bay, Owned it for some time. It's been vacant. Come to an opportunity to construct a home on that lot. And what we're proposing is a side by side duplex. Zoning is... John, could help me a little bit with that.

- Very density residential. So it's a multi-family building based on the families only area.

- If you look at that lot originally, my understanding, the history of the lot is that it's the home for the right originally occupied, and it's a 4-plex lot and I believe it was caught on fire number of years ago. And then before I began, we're getting a little investments on the purchase the left vacant. And so we're proposing, as I said, a side by side duplex, somewhat similar to the one that's on the left, touch bigger, so you can see by that P-1500 square feet on site. And so, our challenge is the setback is the average of the properties that are in the area. You guys were made well aware when this plan was originally put together in the late '50s. It was a 25% back and then this lot was gonna be larger, you can see there's a couple of them that were made larger all the way along Clement Street there, be a certified survey map I think that was cited, what, 1980. Of course at that time was still 25% back. So, we got started on this process, we went to several builders in a lumberyard and got a whole plan developed which we can certainly show you. We really struggled with the average setback with adjacent properties and squeezing lot to fashion and very, very difficult time, signing a duplex property. So, my goal came to the permitting process and identify this issue and we're encouraged to apply for variance. That would be something that the city would be interested in us doing. Neighborhood as a whole is working out. It's really the whole area where they're gettin' really nice retail in that area. I feel it would be a positive initiation to the neighborhood.

- 'Kay you got a 69 KV line in front but I assume that the other multiple properties down the way must have felt they needed a parking lot in the front, and if their 4-plex is as you say, I know it's going to the right, that would explain why there's curve back so far.

- Public service is okay.
- Live for about a 25 foot setback
- Even at 25 feet they're okay, that's not an issue, and the single story structure, you're not proposing a two story structure the same sort of structure.
- Yeah, I thought that mine might have gone away but it's still there. We passed it tonight. It's a...
- You can't miss it.
- Can't miss it, yeah.
- Yeah, it's a big one.
- I don't know where it comes from though.
- I'm curious as to why 35 feet wouldn't be good enough? In other words, if you're the same as the property yourself, of your component's construction.
- Understanding is we have to have a 25 foot set back and back as well, and if a lot is 110 feet deep.
- Oh, I see.
- We do that, we end up compressing the structure. And I do have a blueprint here if you'd be interested in looking at it but that's what we really struggled against--
- You need one, one way or the other to put up a property that size, a facility that size on that property. That would be your argument.
- Right.
- So you either need a variance in the back or variance in front.
- Back or rear variance is going to be, it's fine. We're at 25 feet is-- For the average, gives me a footprint of 24 feet, which will be the depth of that. So I went to build a source you want to offer and had them drafting up some plans that will remain within three bedroom is what we're looking for, single story property and the lot or the width of that property that we have to obtain overlooking for 56 feet, which would still give us our 25 feet in the front. It just wouldn't be the average of what the rest of the buildings are. So that's where we're running into the problem is getting that squeezed down to the left of the vacant lot is a split level. So there's, it's got basement quarters, and with this one, it's a single story.
- Who are you?
- I'm Jeff Bar.
- I'm sorry. Right, okay.
- So. Paul.
- Yeah?

- We go along that street there. That parking lots are where they're proposing to start. I mean, according to your other scale, your paper, one it looks like if you're drawing is the scale, you're looking at starting a property where the parking lot starts, correct?
- That'd be correct. That's right around our 25 feet from step back.
- That's where the garages start.
- But if you go down the whole block?
- That about right?
- Yep, absolutely.
- Almost every house down the block has a parking lot.
- Yeah, it would be actually the front of the building.
- Is that what it is?
- The transmission line kept them, you can see where the transmission line is there, they, you know, brought the parking lot up as far as they could.
- Every single one of them on that whole block is that same way.
- Yeah, well, that's the question before us, is does that previous construction of that way for that reason on the rest of the block. How does that affect development?
- Well there's that one little part. There's a garage in the very bottom. That's more like 20 feet off, 25 feet off.
- Right.
- And that's what they're proposing is to put the garages where the driveways, the parking areas start. So they're in closing their parking.
- Yeah, the house on the left in this picture. Would it line up with the front of this house?
- It would not. If you could see the picture.
- 10 feet behind what they're proposing.
- Yeah.
- You want to go to 25, he's at 35.
- That would be correct.
- Right there. But you can see the driveway of the parking lot--
- You're always trying to sort of throw out--
- One of the, to the left of this.

- Yeah.
- Has something, here is the transmission line is vertical at that point. It's being phased out.
- Oh.
- Flat. At that corner I guess they figure they can do that.
- I believe that they, again, you can see in the original plan that they'd allowed for that transmission line series, it's interesting history but they do show the 25 foot setback there.
- Oh, okay.
- I thought that line would go but I see they put a nice super good structure it down by the festival building.
- M-hm.
- Yeah. And then even when the CSM was conducted you can see that they do allude to the extent of our service as well to that and then they show that same 25 foot setback there.
- It was a different neighborhood back then. That was the duplex. Multi-family neighborhood. Zedric's was originally planned out, the plan was a single family then the CSM converted some of those single family, lots of them.
- It was all the families.
- At that point all they had to cross was the construction company and the bowling alley pretty much.
- So the idea here, Paul, is that they go down the block, and where all those houses start, not the parking lot, but the houses start, that's 54 feet according to your application, right? It's where the property should start 'cause the average setback.
- Right. Little unusual in the sense that they're set back so far, those are more multifamily uses. This is a two family use. So this, the proposed development on this slide is more akin to the one that's just to the left in this photo, as it is to the other ones further to the north, they're different eras or different designs.
- But if you, again, I know it's not a property or physical thing I'm just trying to get at the parking lot itself starts at that 25 foot so as an overall footprint, not building but footprint, it would be an alignment, correct? It would line up with all the beginnings of those parking lots, correct? Yep, okay. And the other one to your left and this how it caves down, has an additional 10 feet, so that one, it wouldn't line up with that one by 10 feet.
- Right, but none of those structures are gonna line up necessarily.
- Correct, okay.
- 'Cause they're all kind of mismatched routing, which is to the spirit, if you will,
- Just so you guys know, to the very big development area to the right corner, if you're not an east sider you may not know this, that used to be a construction company Sandpit. I don't know what they have--
- I do remember that, yes.

- And then one more space over is where the old Packard Green Bay, I don't know, meatpacking, yes, up there. That's all gone now and somebody is building a whole pile of apartments in there.

- Yeah, there's a lot a family. You can't quite see 'em in the picture but they're coming this way. Yeah.

- Yeah.

- Again, which just spell to the spirit of the neighborhood, just a bit, at least on Planet Street in the multi family area and also that area as well--

- Recall the variance that we had requested by the people who were concerned about a Kwik Trip and the people at Dr. Peeses old property, rest in peace, he just died this recently. Okay, I understand your, it's a new neighborhood, it's a different design of the way that houses are put together, the drawings are put together. I'm more amenable to this that I was at the beginning. There any questions of the applicants? Nope? 'Kay if you could have a seat.

- Thank you, gentleman.

- M-hm. So goofy how it's set out with those lots, like how, 'cause it makes it very difficult to be able to be restricted so much in terms of what you would want to build it for back. So I think that's the hardship, is the burden that they were that it would really restrict really, I don't think feasible.

- Exactly, exactly.

- I can't even imagine how those other ones are .

- I don't either.

- We've half the--

- Pretty small.

- Yeah they're very, very small. They had two large, two operated staircase up the center, yeah.

- That's amazing.

- They're like 800 square feet apiece, you know.

- There which again, was typical of the era. That's a common design find built in the '50s, early '60s.

- I don't know if this is our place, but to me it kind of starts to set the tone for that area a little bit differently.

- Yeah.

- Take it over those parking lots and it still lines up with them in a way. So it's good for if we're looking, if it's an aesthetic thing, in a way it fits because it's matching that line that comes down the block.

- Right.

- In a lot of ways, right? So that's kind of where my head's at. So I'm for it.

- Yeah, I'm good with it too.

- All right.
- Motion to approve?
- I'll second.
- We have motion made and seconded to approve the variance that has been requested for the property and Clement Street. All in favor?
- [All] Aye.
- You got it, four zero.
- Thanks, guys.
- Gentlemen.
- Good evening.
- Thanks.
- Yeah, Mr. Robles, Robles.
- No Robles.
- I was looking forward to this one. I guess we can, do we punt for 30 days?
- Table?
- Next available meeting.
- Sure.
- Right.
- Do it, Greg.
- Make the motion to, based on a non-appearance, to send it over to the next meeting.
- Second.
- 'Kay we have motion made and seconded to move the Robles Robles request to the next meeting. All in favor?
- [All] Aye.
- Ayes, four zero.
- That was the quickest one right there. Right. Take it! Just end two records in one night.
- Apparently, it's really Robles Robles.
- Yeah.

- Is it really?
- I looked at the--
- Yeah.
- That's his middle name?
- I guess.
- Okay, that's cool.
- There's gonna be changing.
- Already has started.
- Go to Island Holly's, it's right next to that.
- Okay.
- I believe he's gonna turn it into, do an expansion. All right, we do have a few more things to talk about. Paul put together an application form.
- So I revised it anytime he some some additional comments, and others did, too, so I kind of revised hopefully to fit what you were hoping for. I did not increase the size of that cover letter. I thought that wasn't large enough, Ray. So I didn't make some of those changes. But I think I made all the other changes that you were looking for hopefully. So, you know, that's there. It's attached as part of the packet. You know, we can keep picking at it if you want or, I mean, I don't know if there's any sort of, you know, approval you have to give to it. I mean, necessarily you could just send it on its way and we can start implementing it. We still have to format it a little bit. We've got some glitches to work out. But for the most part, the content is there, and we feel comfortable with Howard showing it. I think it's new and improved and it's hopefully what the board was looking for to kind of vet some of these requests.
- I think it looks good. Gets right to the point. I like the alternative section. Giving up, hey, why don't you, why didn't you pursue that?
- Yeah, I think the other, big changes, we took out that hardship term. It's in there, it's implied, but we went to that three step and that's towards the end. So it kind of builds up to that.
- Right.
- On those three questions at the end. So and I think you were looking for that as kind of, well, they didn't fill it out then, well, what's the point of the request?
- Right.
- I guess what I kind of alluded to in my email is that we do have a procedures document that should probably incorporate certainly the thoughts that Tommy had and probably even this 'cause otherwise they're only rolling documents that we have would be the ordinance, and that somewhat now seven-year-old procedures document. And if you're amenable, I can take a shot at trying to incorporate these and maybe update the whole motion of that procedures document.

- Pretty sure it pre-dates everybody except me.
- Yeah, it's been tweaked through the years. It's been added to as new members come on and different things come up. You know, I think it's interesting to have maybe kind of a packet or portfolio of stuff that board deals with, but not all of them would be released to the public necessarily, I mean, it'd be available but I don't think it's part of that packet that, but it's on the agenda. I think that's just for the applicant to work through.
- Exactly. I would propose to change the fact that what you've offered us here is all we give to the public. At least as a handout.
- Yeah.
- It would seem that it should be somewhat incorporated, at least into that document.
- Yeah, there's like a portfolio of stuff in lower deals right now. Even for new members that come out, we could just give them this portfolio that they could look at and say, oh, this is all the stuff that. kind of the scope of the of the project, so to speak.
- Yeah.
- It was interesting to read through that document that you sent out, you know what I mean? 'Cause there was a ton in there and I was like, wow, I didn't know--
- There's a lot in there.
- Half of this stuff.
- I was surprised it was as old as it was.
- Well it was very, very, like court-driven too, I mean, talk about process, in there it was like, way more than we approach things.
- We are obliged by law to have that document.
- Yeah.
- So we should use it.
- Yeah.
- Hey, we can put that on the website too. We can put all the stuff out there and just think, for applicants, they get a certain packet.
- Right.
- If they want more information, they can go to the website.
- Yeah, it might be good, if it isn't already there, to have that.
- I don't think it is.
- I don't think it is either. Yeah. Then at least somebody that's really interested could go that far.

- But if you want to tweak it, you certainly can do that, I mean, that's your kinda guiding documents, so you can make those changes.
- I still got the original. I found it so I'll take a shot at it and give you guys an idea of what we could do and show you this.
- Are you trying, let me make sure I'm understanding, are you trying to propose any of that document to be put in here or that's a new thing we should be looking at to update?
- Oh, no, I'm, if anything, I'm proposing that this somehow will be incorporated into that.
- Into that? Ah, okay. I was like, that was a lot.
- Yeah.
- Okay, got it. I'm following you now.
- There was another thing that we have kicked around and that's the, and I know it's in what you have. But just to be clear, we want to have our meeting structured in a way that have you give some kind of lead in introduction.
- Sure.
- Almost as far back as what Les Braun used to do, but maybe not quite to that extent.
- I mean, give me just the facts. And you can ask anything you want. We can do as much, give you as much information as you need but I guess there's a certain amount of time and efficiencies you have to consider too, but I'm more than happy to give you the facts of zoning and where it is and what the variances are.
- Yeah.
- That's great.
- That last one is exactly the most important one because I sometimes get lost in which variances or need-- One, two, three variances.
- This is where the property is. This is what its zone. This is what applicant would like to do, and these are the variances for the board to consider and then we can...
- Yep.
- Yeah, that's good.
- That'll really be good.
- Because our people sitting in front of us, you know, they don't...
- What do you want me to do?
- They're not, yeah, they're not, at least in this way, they can come up knowing that their whole case has been summarized to the extent that the city is concerned and then they can fill us in on all the details.
- Or refute it.

- Yeah. Not quite actually-- But at least it focuses the conversation into specifically what we should be discussing and then the context can be pulled out through our questions, but at least they're now going, okay, make your case as to why what he explained should happen.
- I think your important, your special designation as a role in this process, the planning guy, so.
- Yeah.
- We'll cite that in there.
- Yeah. I mean, we're here as a resource.
- You or your successor, if there would have to be one would have that responsibility.
- We could ask at the end, you know, after they've made their case, does the city have any recommendations on this event? You know what I mean?
- Well, that's, yeah.
- But that's not, I don't think that should be the first thing 'cause it sounds like that's what the other guy was doing.
- That's where sideways.
- Correct. He would start the whole thing that way.
- Well, but he, yeah. You know, that's why when I ask you things that I want to coach in a way, you know, what would the city say? Not that it's Paul Neumeyer.
- Yeah.
- Expressing this opinion but if there were Mr. City of Green Bay here, what would he say to represent his ordinance.
- Right.
- M-hm.
- I think you could change their rules and procedures. I mean, obviously all the members would have to look at it. I think that's probably a motion. And I think last time you signed it and dated it, you know, there's more of a procedural thing with that. The application, I think, is just a thumbs up or thumbs down.
- Yeah, I think if somebody wants to make a motion that this is something we want to move forward with, and I can try to, as I was saying, incorporate it into the other document.
- Can I ask you just one question, what was your thought behind putting the, 'cause, again, you're trying to lead the witness down this kind of trail. So you have, as far as an order, you have pay the property, the variance, then you go alternatives in the three step hardship, what was the thought process of putting up the alternative first versus the three step test first, and then putting alternatives afterwards?

- Seemed like a chronological thing. That's how it would go. I mean, you know, it's the applicant's name, it's the location, it's well, what is the request? And then what are alternatives to that request? And then it leads down into the three steps so I thought that was a logical progression.

- Yeah. Just trying to make a case for, would it be better for them to do the three step test first and then say, yes, here's no and here's alternatives that I've explored that don't work either. Or is it, I've made alternatives, things, and none of those works so that's why, you know what I'm saying?

- I saw the three step as a conclusion, so to speak.

- Yeah.

- Right. They've already went through alternatives. We're now do we meet the hard, you know, the physical characteristics. I think that's--

- Okay.

- What you're saying right there.

- That's what you're saying.

- I've tried these alternative things. It doesn't work. So here's my conclusion. It doesn't pass these three things. Okay.

- Yeah, I think we wanted it and that's where you're going, is to guide the applicant away from... Gentleman in the corner there who just goes for whatever you can.

- Right, right. Do I consider this first before I file something?

- Yes, yes.

- Right.

- Think, I don't have any alternatives.

- In my head, I was looking more...

- Hardship.

- It doesn't pass these, like, here's the no. And then the alternative for me and what I was thinking is like, yeah, if you list some alternatives, here after you've done this thing then you haven't done your homework in a way. The way I was looking at it, like this, in this example, it would have been, well, no to all these different things, and that's why I need it, well, here's three different alternatives. Well, okay, let's pick up one of those alternatives and say, this works, but the other way gets them there the same way. I just wanted to know your thought process.

- Yeah.

- I thought it was a logical progression.

- Do we have to motion to get this approved, or is it just a thumbs up?

- I don't think you have to. I mean, it's administrative. If you have concurrence, again, the rules and procedure, I think does it, a different issue.

- Yeah. I'm good with this thing, just on record. So thumbs up.

- Okay.

- Let's implement it next week. Well, we need a little time.

- I'm just kidding.

- Yeah, no, you don't have to wait to get it incorporated into the rules and procedures document. 'Cause we may kick that around for a while. But we'll certainly have a placeholder in there for what we finally think it should be. And if this isn't, if we iterate on this, if you can start with it as soon as possible, and then as we go through one, we think that something needs to change then we can do that.

- Yeah, we would probably shoot for the September or the October meeting to have that application for those people coming in.

- Okay.

- When you're talking about the motion for orders and operations, you're talking about more of the way the meeting is being conducted, or no? You're talking about his document?

- Just that document.

- Okay.

- Yeah and we'll go through and we'll have to proof it again.

- Okay.

- From a meeting perspective, in terms of like that suggestion I made, in terms of an agenda, is that something we can print out and like have, or is that going into that other document?

- I think rules and procedures is a good place for it.

- Yes and yes. Is the way I would like at it. If you want to have something like, like this for us to have to help us in the real time process, but then whatever we think we're going to do in that regard has to be in that rules and procedures.

- Got it.

- I kind of see the rules and procedures as like a standard operating procedure. If we all leave and someone else comes in and they have some sort of blueprint to work off of, and we're just trying to streamline the process and make it transparent. I think that that's why you have--

- Yeah.

- I'd love to see on the 16th that, just try that process, whether it needs to be a tryout or it's already done. Just to see that a meeting run that way where, you know, you talk first and then the applicant, I'd love to see that. See if it helps.

- Well, I can defer to the chair. If he calls on me I can prepare to--
- I would like, yeah, even before we have a formal use of this document, if you could, if you could set the stage for us, I think that would be very helpful. It'd be probably really helpful to the applicant.
- Sure.
- 'Cause they know what the terms are. Otherwise, you know, we kind of throw 'em for a loop when we say...
- Make a face.
- Yeah.
- So is that... 'Cause, again, I feel like we've talked about this a couple times. Is that something where because he's the chair, he has to call on you, or can you just say, hey, I'm gonna explain it and just jump right in, just in case you forget.
- No, I can call on him. Yeah, I can say--
- Well then it might be a case for the variance is apparent and you just talk right to the applicant or maybe you need more information, I guess, I have to for the chair and one... I'm not just gonna get up and start talking.
- You'll have to be prepared for all of them.
- But I think generally--
- That's fair.
- What generally what we would do is we'd mention that the applicant can come forward and then you will get up and set the stage and explain what it is so that the poor applicant has at least a chance to, you know, if they want to say, actually, that's all one, well, that's their chance. Otherwise they can elaborate on the things that you said.
- Right and I'm not gonna embellish it, it's just gonna be the facts.
- Yep, yep. That's all we want.
- Get us around these pictures so it's not sliding through--
- We can get the picture with that.
- Yeah.
- Just walk us through it. Perfect, make your case.
- A nice one would be is it already built? Because there are a couple, and I was going through the, you know, pre meaning, I was going through 'em all. I looked at the one sign, I said that looks like it's already there. And there's no way to tell if it's already been built.
- Well, both fences were constructed in the signage construction.
- Yeah.

- So three out of the eight.
- Either intentionally or unintentionally when they believe that a company.
- Yeah.
- A combination of both.
- Right.
- I always mention it in the title and it says something like retain.
- Yeah.
- Before I can tell, this is something already there.
- Yeah.
- Got it.
- One thing that we have to add is before the applicant comes up, this is from the attorney's office. We have to open and close the floor when they're up here.
- Explain that.
- So before you start, we open the floor, we take a motion, take a vote, open the floor, after they're finished, and after you ask does anybody else that wants to speak, nobody else, then you close the floor, and then it's just...
- Oh, deliberation.
- Yep. Then it's just for deliberation.
- So now I get the chance to speak outside.
- Yeah.
- Yep.
- It's your chance to control.
- You get one chance to speak, give 'em one chance only.
- Well he did today, virtually every time.
- But we have to actually vote?
- You actually have to vote on it to open and close. Yeah.
- Functions exactly the same way. Is that the city comes up, Wendy, proposes the loan, right? Here's, you know, this loan, blah, blah, blah. That would be Paul, in this case, this is a thing. Great. We discuss, ask any questions about the thing that we need with the city. Perfect. Okay, I make a mot, there's probably some

people here to speak. I make a motion to open the floor. People come up, they talk, blah, blah, blah, city council's the same way. Then once everybody's done talking, then we close the floor, everybody shut up.

- Okay, so.

- Nobody can talk anymore.

- So we vote to open and close for every item?

- For every item.

- Really?

- Unless you, like at the beginning of the meeting, you say you're gonna suspend the rules so that people can speak and you can do it, leave it open, then drop whole meeting and then close it at the end.

- Does that need to be--

- That's the way we've essentially been doing it for the whole?

- Exactly.

- But either way would be in compliance?

- We have to, yeah, we have to do a vote for it.

- Either way is in compliance so either option.

- But we do have to vote if he opens it up at the beginning, we have to vote on that?

- Yep.

- Yes.

- Okay.

- I would say option two.

- And we can do just the quick voice vote for those.

- But let me ask this. In that case, while we do want to respect applicants when there's times where we're like the one that is here, if you give us the context, we're good. Do we even need to open the floor? If it's a thumbs up? We're giving them what they want, do we care about hearing what they have to say?

- I think procedurally is totally up to you.

- You still have to, if they show up?

- Because even if there's somebody out here that wants--

- Oh, really?

- Against it. You still need to have an open floor.

- So it's just the procedure?
- It is.
- Oh, okay.
- If there's a big, just 30 people here, and they want to do that.
- Exactly.
- Step by step.
- That's what I was thinking. It's a normal-ish, all except one or two in my tenure.
- Yeah.
- Then we just lodge the open the whole time.
- Right.
- Right.
- But if it looks like we're gonna have a mob scene then we--
- Right. Back to the order.
- What we do.
- That's a good, good thought.
- And I think everyone with the procedures, you can limit the speaking time as well. I think it's five minutes, but the chair would have to specify that.
- Yep.
- If you have a big crowd.
- And you can cut people off and you can turn it off at 7:30, it said.
- Oh.
- Continuance.
- Oh.
- You can you can vote to, we're done. Move it on to the next day.
- We're all hungry.
- Yep. That's what I was saying, it was so much more, like really, really regimented compared to like what we do. It doesn't need to be like that.

- This is the way ours has always been.
- Yeah.
- Even from the very beginning.
- But I think there's been efforts since civic clerk and you have to try and standardize all the committees and all the committees seem to operate differently. Yes.
- To maybe the chair or whoever it might be, or committee members, or how it's been done in the past. I think the city attorney wants us to do, well, no, everyone should be operating the same way. That's why at city clerk, everything is, our agenda is just like everyone else's agendas, you know, format. Procedurally, I think they want the same thing to occur. Open the floor take a vote. Close the floor.
- Gotcha.
- So it's just spraying at the board right now.
- But it's a motion that's seconded.
- Yes.
- Or you're opening and closing.
- Yes.
- Yes.
- Motion second, vote. Motion second, vote.
- Yeah.
- To open and close and vote on the item.
- Wow.
- Yes.
- That's a lot of voting.
- And we have to take a yes every time?
- No, you can do voice votes for opening and closing the floors.
- But on the agenda item, okay.
- Then we need to do, yes.
- So, the way I could start the process is to say in the suggestion of the consideration of getting a motion that we leave the floor open. Whatever the term is. We suspend the normal rules and allow the floor to remain open.
- We can still close it at any time.

- Then if you guys pass the motion to that effect, if someone proposes the motions, someone seconds it, we vote, and we'll stay that way unless...
- Sure, something happens.
- Yeah.
- Then we close it at the end.
- But we can motion at any point. I could say, hey, I motion to close the floor for discussion. And someone seconds it on the board. Now it's closed, now no one can talk anymore, and we get our control back.
- Yeah.
- Then we do a case-by-case basis. So it could be opening and closed at anytime.
- Yeah.
- It's a tool to manage the meeting.
- Yep.
- Cool.
- When you're gonna be, do you want to just print so we can test it? Do you want to just, so he has a copy, or Jessica? Just print like a copy of that step-by-step process before we put it into the actual procedure rolling, so we can test it out ahead of time.
- Or we could, I don't know if Don is gonna work on the procedure, I mean, that's kind of spelled out the rules and procedures already.
- You know, to test it out before we put it into the procedures thing, just to test out that hey--
- Let me look at that 'cause I want to look at yours in that context of the way Paul might. Maybe it's just a cheat sheet that reflects exactly what we're gonna say.
- And if the chair doesn't do it, you can just interrupt him and ask him to do it.
- Do you want me to do that?
- Sure.
- Motion to adjourn.
- Second.
- All in favor?
- [All] Aye.
- We're adjourned.

- There's comments on these signatures.
- Oh!
- Hate that fence!