



MINUTES OF THE ZONING & PLANNING BOARD OF APPEALS

MONDAY, APRIL 20, 2020, 5:30 PM

Telephonic Meeting

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A. GOTO MEETING INFORMATION

I. Please find information to join this meeting via "GoTo Meeting" along with instructions.

B. 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? Was anyone out to an of the the properties? Did you speak to anyone regarding this variance request?

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

Chair Don Carlson asked if anyone need to abstain from voting, went out to any of the properties or spoke to anyone regarding the variance requests? All stated no.

Others present: Ald. Barb Dorf

C. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the April 20, 2020, meeting of the Zoning & Planning Board of Appeals.
Chair Don Carlson asked if there were any objections or changes to the agenda presented tonight.
All stated no.

D. APPROVAL OF MINUTES.

I. Approval of the minutes from the February 17, 2020, 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, Noel Halvorsen, Jim Hutchison, No- None,
Abstain- None

E. REGULAR BUSINESS.

Moved by Tommy Everman, seconded by Jim Hutchison to open the floor for discussion for the duration of the meeting. Motion carried.

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

1. (Appeal 20-008) Jean Challe, Jones Sign, on behalf of the Green Bay School District, property owner, proposes to install an Electronic Message Center (EMC) to an existing monument sign in a Public Institutional (PI) District at 2130 Basten Street. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-2015(j)(2) size of electronic signage (Ald. C. Stevens, District 5).

Moved by Gregory Babcock, seconded by Noel Halvorsen to grant the variance as requested. Motion carried.

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

2. (Appeal 20-009) Perry Lasee, property owner, proposes to retain an existing driveway in a Low Density Residential (RI) District at 1825 Burns Avenue. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-1716(b)(3)(c), Parking for single and two family uses (Ald. J. VanderLeest, District 11).

Moved by Gregory Babcock, seconded by Jim Hutchison to deny the variance as requested. Motion carried.

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

3. (Appeal 20-010) Brian D. Smith, SmitCo Eateries, Inc., on behalf of GFC Realty II LLC., property owner, proposes to construct a new restaurant building and parking lot in a Highway Commercial (C2) District at 1860 West Mason Street. The applicant requests to deviate from the following requirement in Chapter 13, Green Bay Zoning Code, Section 13-810, Table 8-2, Floor Area Ratio (FAR) (Ald. J. VanderLeest, District 11).

Moved by Tommy Everman, seconded by Noel Halvorsen to grant the variance as requested. Motion carried.

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

F. INFORMATIONAL.

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

This item will be discussed at a future meeting.

2. Date of next meeting: May 18, 2020.

G. ADJOURNMENT.

Moved by Jim Hutchison, seconded by Noel Halvorsen to close the floor for discussion. Motion carried.

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

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

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

Verbatim Minutes

- I note that we have all five members of the board, Don Carlson, Greg Babcock, Jim Hutchison, Tommy Everman and Noel Halvorsen. Anything we need to discuss Paul before we get into the rest of the agenda?

- No I think you run the meeting as, as normal. I just have a question for Shelby if she's still on the line about letting me enable the share screen option.

- [Shelby] Yes, you should be able to click the button at the bottom of your browser. Do you see the button that says screen?

- I do.
- Okay.
- Just by clicking that?
- Yep.
- I assume you'll be able to show us stuff then Paul is that the, that the way that works?
- That's the hope I'm just having a little trouble getting that coordinated right now. Shelby can you offer any advice on getting that?
- Well why don't we proceed forward with some our of housekeeping.
- Sure sounds good.
- For the members of the board does anyone need to abstain from voting tonight? Apparently the answer is no. I see Tommy and I see Noel, I don't see or hear Jim. Greg you're still on right?
- [Greg] I'm on and no I don't need to abstain.
- All right. All right we'll go on to the next question. Was anyone out to see any of the properties whose variance requests we're considering tonight?
- [Greg] Greg Babcock, and no.
- I will assume then it's a no for everyone. Did any of you--
- Don do you want us to vocalize in or just not say anything for a no? Would it be easier for us to mic in and just say no, or mic off and just?
- Well I think as Paul pointed out we will want to have a roll call vote of each motion so it probably wouldn't hurt for everyone to chime in just to refresh the memory of everybody on that you're still there.
- Copy that.
- Did anyone speak to anyone regarding any of the variance requests tonight?
- No, this is Tommy, no.
- Tommy's a no. Noel, Noel's shaking his head. Greg?
- [Greg] No.
- Jim are you on? I haven't heard Jim yet. Jim was on a little bit and then he vanished so we will note when he comes back on. At the present time we only have four members. All right regarding the agenda for the meeting does anybody have any comments, questions, otherwise I will assume that we can proceed with the agenda as it's been presented to us? Very well. Regarding the minutes from the last meeting which seems eons ago, February 17, 2020, does anyone have any concerns otherwise I think a motion would be in order.

- I motion to approve the minutes.

- [Jim] I'll second, this is Jim.

- Okay Jim's on, I heard Tommy motion to make a motion, very well. We have a motion before us to approve the minutes from the last meeting. Jim your vote?

- [Jim] Aye.

- Greg?

- [Greg] Aye.

- Tommy?

- Aye.

- Noel?

- Aye.

- Very good everybody has spoken and affirmative. We have approved the minutes, we've approved the agenda. We've got through our motions as far as the roll call and that type of thing so I think we can proceed with the regular business. Paul have you been able to arrange to show us anything?

- I have not, this is the first we've used this platform and probably the last time so I, I do have a PowerPoint, but I can't share it 'cause I don't, I'm clicking the screen it's just not giving me an option to, to be the presenter I guess so I apologize for that.

- Alright.

- I can.

- Why don't you--

- Through if that would be helpful and maybe you could follow along with the information that's provided in the packet and I can give you maybe a brief introduction to each item.

- Right.

- If you have questions I can try address it the best I could.

- Yeah let's do that. Let's proceed with the Joan signage item. Why don't you go ahead Paul and explain what we have.

- Sure, this is a property that's in the southwest corner of Basten and North Danz Avenue. This is Danz Elementary. They've gone through some recent remodeling in the past recent future here, recent past I should say. They have an existing sign that is on North Danz Avenue. I believe it's approximately a hundred, hundred twenty feet south of Basten Street on the west side of North Danz Avenue. It's an existing sign and I believe it's compliant. The top portion says Danz Elementary. We have about four or five lines of reader board most likely it was permitted back in the day. They're plan now is to change that to a digital platform meaning an AMC type of

digital sign and because of that they need to apply for the variance. So the current code talks about manual reader boards being up to 80% of the overall sign area. Unfortunately when you go down to a digital, when you go to a digital type sign that limit is limited to 50% of the sign area. So basically they wanna replace it one-for-one, replace the manual with the electronic sign however the code says you can't do, you can't go up to 80% you can only go up to 50% of the overall sign so that's why they, they made the variance request.

- Okay for the benefit of us Paul could you maybe clarify when the ordinance that we're considering a variance on was written? I suspect that has a bearing on, on our decision.

- Yeah I think it was done in the mid 2000s, maybe around 2007 or so. This is in a special section of the sign covenant it deals just with elementary and middle schools so signage is unique to them I guess to a certain degree in this area. It specified very clearly about the standards that are applicable so I would say it's about 2007 it was amended.

- All right. Alderman Dorff this is not in your district is that correct? Do you have anything to speak about regarding this sign ordinance and the considerations that the council may have regarding it?

- Well I'm yeah, this is the reason that I wanted to watch the meeting tonight, it is not in my district but I would be in favor of allowing this. In looking at it 'cause I'm looking at my other computer screen I have it up and it occupies the same area. So, you know, if there's any way that that that could be allowed it would make it easier for people to read when they're driving past and yet it wouldn't change what's really there already because it fits right in that same area. So I, no, I would be in favor of it that's why I'm here.

- All right.

- Thank you.

- Very good thank you. Yeah as we've spoken about regarding sign ordinances before these are, we could deny every one on a basis of the ordinance, but I think in this case we, we have reason to make some consideration regarding the variance. So I'll listen to comments or questions from the other board members regarding this.

- Just a technical thing because we're doing this digitally are we following the same rules in terms of opening or closing the floor for motions and such?

- Paul?

- That should not change it's still the same procedure, yes.

- Then I'm glad you brought that up Tommy. Why don't you make such a motion in case--

- Now?

- We have further discussion.

- I'll make a motion to open the floor for the duration for comments from people here to talk about it for the duration of the meeting. If we need to close it we'll make a motion to close it, so a motion to open it for the duration of the meeting.

- I'll second.

- All right, we have a motion made to open the floor for comments from people that are here. You've seconded it so I assume you'll, your vote is yes?

- Yes.

- Tommy you've arrange it so I assume your vote is yes?

- Aye, yep.

- Greg?

- [Greg] Aye.

- And Noel?

- Aye.

- Very good, we now have an open floor. Tommy, Noel, Greg, or Jim do you have any comments on this? If not perhaps a motion would be in order.

- Just a quick question for Paul, is there a consideration or a reason as to why digital signage is considered a smaller footprint than a physical signage? Is there something we should be considering in that regard?

- That might be related to the age of the code amendment. I think when the code was amended back in 2007 I think digital signs were probably a newer technology. They're more common today and I think there was probably a thought to keep the size of electronic signs smaller maybe being less of a distraction possibly.

- Okay and then my other question, is there anybody, is the alderperson though the one here to speak about this or is there someone else on the call that is wanting to speak about this or for or against?

- Hi, I'm Mike Stangel I'm with the school district and we're the people that are asking for the variance. One of the major is the cost, this is an existing sign and, you know, our thought was not to have to rebuild the cabinet just to take out the old reader board which is difficult because it just has letters in there and we have a lot of times excuse me, we need to change the sign throughout even the day because of things that happen. Also because of the location of it we'd like to have the sign in both English and Spanish and it's very difficult for us to get all that wording onto the sign that's presently there. So our thought was just to replace it, replace the reader board with an existing new electronic reader board so that we'd not have to rebuild and have the cost of rebuilding that entire sign.

- Thank you.

- Thank you. I have no more questions.

- Okay, then I think a motion would be in order.

- [Greg] This is Greg Babcock I'll make a motion to approve the requested variance.

- Noel says he'll second it I think. So I understand that Noel is using sign language tonight which is working out pretty good.
- Can I do a point of order, sir, you have to close the floor first and then they can make a motion.
- What?
- You've got a, you've got a chairman who's not familiar with all the rules.
- I know, that's why I'm just helping, I'm just trying to help. Point of order just move to close the floor and then you can make the motion, thank you.
- I think that is they were gonna make one motion to leave the floor open possibly.
- Oh forever, oh okay.
- Not forever but I think for the for the members.
- Yes, you guys can run it however you want that's fine, okay.
- You're probably right Mrs. Doriff we probably should be following that, but especially tonight when we're having so much trouble dragging comments out from people I think we'll continue with Tommy's proposal that the floor remain open until closed.
- I apologize, thank you.
- We will close it sometime.
- Okay.
- Pardon me folks where do we stand on the Green Bay School District sign? Did we have a motion?
- Yes.
- Did we have a second?
- Yes.
- Therefore we can proceed with the voting. Jim?
- Aye.
- Greg?
- [Greg] Aye.
- Tommy?
- Aye.
- Noel?

- Aye.

- And I am as well, aye. So five-zero, you have your variance. Anything else we wanna talk about here before we proceed to the next one? Is everybody comfortable with the process, or uncomfortable with the process? All right we'll proceed to the next item which is the Lesay property on Burns Avenue. Paul could you fill us in on what this variance entails?

- Sure, this is a property on 1825 Burns Avenue. It's a single-family home in a low-density residential area. The issue is a driveway widening that occurred without a permit. The driveway was widened to the right side, if you're looking from the street towards the home, it was widened on the right side of the garage approximately seven feet I believe. The applicant did submit a rough site plan showing that expansion. That is an issue because that expansion, well for one, did not receive a permit, secondly it's not even clear if it's in proximity to a lot line which has to be maintained 2 1/2 feet and it does not lead to a parking spot behind the setback, so in essence it's a parking, an expanded parking spot that is within the setback and is not permitted.

- All right I wasn't able to find this. Apparently my code, my section 13 is old or something, 'cause I wasn't able to find anything on this, but the issue to me is that is seven feet enough to call it a parking space?

- It's not the width as it is to the proximity of the lot line and it does not lead to a parking spot behind the setback or behind the garage in this case.

- All right. So it's looks, it looks, absent to any other discussion, it's looks like a driveway that's too wide, number one, and it may encroach on the setback?

- Correct.

- All right. Is anyone on here to speak in favor or against this variance request? Hearing no, go ahead, comments gentlemen on what this is. I have a few but I'll save them till you guys have had a chance to chime in. Jim you wanna talk?

- Sure I remember seeing this in the packet when we got it 'cause I go through it to make sure there's no, you know I can't, I don't have to recuse myself and I was fine with this meeting and I just remember the photographs and the pictures and the planned view and it seems that they're just, they're bumping up against the rules on the offsets like was said. I guess Paul is there any safety aspect to this with the dimensions as it was constructed at the street?

- There aren't any safety concerns necessarily. This has nothing to do with the front door or any egress or any access to the home it's simply an expansion of the driveway, again, one without a permit to maybe not being compliant with it's encroachment on the front yard setback.

- Okay. Is the front yard setback at the street or it is further back?

- Well in this type of neighborhood, in the age, vintage setbacks always are all 25 feet or so.

- Okay.

- So I, but I think the front of the homes represents the front setbacks so that driveway is permissible when it leads to a garage, or it leads back behind the setback.

- The site plan seems to imply that they're within 2'3" from the property line so that would be at the very least a three inch encroachment if we can go by what they have here is that the way you guys read it?

- It's .

- Paul when does, when does too wide of a driveway become simply the extension of a sidewalk? It seems like something we may have talked about before, but I.

- Yeah.

- Seven feet is the issue to me, it's almost too big to be a sidewalk, too small to be a drive, it's just too much and too little and.

- Yeah, apologize for not having the images as I think that would a little. It's not so much the definition, or the difference between a driveway and the sidewalk, I think it is once you start parking on it it becomes a driveway. So I think if you saw the images it's rather clear that it's an expansion of the driveway that's not to say it couldn't be used for but the problem is that they're parking on it and that makes it a driveway.

- Okay, and that is the intent of the applicant as they have said that they want to find a place to put, I believe they wanted to find a place to put their RV vehicle, rent vehicles or something like that.

- Yeah, again this is a complaint issue that was taken in by our inspection staff. They had several vehicles that I believe had to be removed where they were unlicensed, or what the condition was, but I believe it's to be used for parking most definitely.

- Yeah, all right. My, I guess my reaction to this was that it seemed to me that there wasn't much of a need explained, other than convenience, and I guess on that basis alone I would be inclined to say no. I'll open it up to the rest of you to explain if you guys think that there's a reason to, to do this or not? Tommy?

- Yeah, I'll, a couple questions, so if I'm tracking correctly right now on the sheet as I'm looking at it, the design, it says you know the seven feet part on the side of the driveway was used for additional parking and then there's that side area that's used for garbage cans, is that correct Paul is the way you're reading it?

- Yes, correct.

- And for me, 'cause again, it's really hard for me to read the application. So is the variance the side-yard setback or is it just, again, I wasn't tracking with what you and Don were, so if you can get me maybe up to speed a little bit. Is there a way to make this compliant I guess is a better way to ask the question?

- Well I think that's a challenge. One is it'd have to be at least 2 1/2 feet off the side-yard setback. I don't know if they have enough separation between the home and the lot line to create a parking spot even if that was six or seven feet which may be bare minimum, I don't think there's enough distance there to actually create the spot.

- So my thought is right now, again I'm looking at the map on the document, it says, if we're trusting the measurements that it's 9'3" from property line to the original driveway and then you take seven feet off of that which leaves you two feet and three inches, is that fair? So to get

it into compliance it would be three inches for the seven feet, correct? So we're really looking at three inches for the setback right?

- Give or take, right, I mean I, the drawing is not super accurate so I mean it's for what it's worth I guess.

- Yeah, and then as far as the parking, the concrete that goes along the side that won't work for a parking spot no matter what because you need six feet, or five feet or whatever it is, for concrete there to park a car and it needs to lead behind the house to a parking spot is that correct, or be covered?

- Yeah and I think the code might reference about eight feet, you need to be a parking spot, but then that's a challenge with door swings and stuff like that. It's not to say you couldn't park something smaller there, it wouldn't have to be a vehicle necessarily, but it's again maintaining the 2 1/2 feet off the lot line with any pavement.

- Okay and the four, let's call it 4 1/2 they've drawn for their garbage recycle bins that's fine if it was within 2 1/2 feet from the lot line?

- Yes.

- Okay so it's three inches across the okay. Those are my questions.

- Yeah I think Tommy the where I was coming up with this too I think the problem the applicant has is that his garage isn't wide enough. If it actually did extend further over he could put the seven foot extension on the side. So he isn't running into as much of an issue with the setback as the fact that he's gone past where he's allowed to for the widening of his driveway. Am I interpreting that right Paul?

- Yes, correct.

- Okay.

- Oh.

- So it's more than just the setback of three inches it's the fact that he created a spot for a place to park without either going past his garage or having his garage wide enough to allow him to do it in the first place, so.

- Got it, okay, that makes more sense. So it's two things combined?

- Yeah.

- Got it, I'm through the questions.

- Noel, or Jim or Greg, did you have any questions or comments?

- I think you explained them all for me.

- All right, I think a motion would probably be in order then.

- I'm always troubled when the petitioner's not present.

- Yeah he's not, but given the circumstances of the way our meeting is tonight I can understand why he may not be.

- [Greg] This is Greg Babcock and I'll make a motion to deny the variance.

- Anybody gonna second?

- I'll second it.

- Okay we have a motion made by Greg, seconded by Jim, to deny the variance request for the property on Burns Avenue. We'll vote. My vote is yes on the motion to deny.

- Noel?

- No, or yes, I'm sorry. Yes to the motion.

- Very good, Jim?

- Yes.

- Greg?

- [Greg] Yep.

- Tommy?

- Aye.

- Okay I believe that we have five votes yes in agreement with and in favor of to deny the variance request. So the applicant did not succeed in getting his variance. Everybody agree with that? Hear a yes. We'll proceed to the next, go ahead.

- I'm just, I'm wondering if the petitioner were to come back within a year on this issue, you know which is normally closed to them after a meeting, that we might give some consideration to the fact that this might not have been an easy meeting for them to attend in some fashion due to tech reasons or other and that we might be willing to entertain a re-appeal if they were to come forward at some point in the future?

- I think that's a good point in light of the present circumstances. I think to handle this then a motion to introduce that consideration into the minutes should the applicant wish to take advantage of it would be appropriate.

- Well I don't know if we wanna necessarily invite it by recording it as part of the motion I'm just thinking maybe we just, I'm asking us as to maybe just be open to that possibility if the petitioner approaches staff again or something.

- It's fine with me to leave it informal. What do you think about that Paul?

- I think that's fair and reasonable under the conditions.

- We would, wouldn't we have to do since we already voted, on this point of order stuff, wouldn't we have to do that as a new motion since the other one has been voted on for this specific one?

- Well I think it would help, but Noel was proposing a fairly informal consideration that we remember when, if this should come back.

- Oh, I'll leave that to Paul.

- Yeah if you think--

- Yes I wouldn't, I wouldn't wanna go on record saying, hey, you can ask us again and we'll reconsider our no.

- Yeah, I know, I know what you mean.

- But if somebody said hey I tried to get in and I couldn't get into the meeting and in a sense we denied them you know some sort of due process here, let's, let's just be mindful of that from somebody who wasn't actually participating in the meeting.

- Fair enough, all right.

- So they would be able to, I don't know, say reapply, but they'd be able to approach the board in that year time frame is that the idea?

- Yeah, I guess that's what I was trying to convey, but I don't think we should make that a policy or anything like that.

- Okay, a reconsideration basically.

- Yes, if the applicant comes to request such then I'll think we'll be open to that possibility. All right we can move on to item three. This concerns the property on West Mason Street. First of all is there anyone on the meeting at this point that will speak for or against this item?

- [Jason] Yeah, Jason Daye with Excel Engineering, a Civil Engineer for the project, the project.

- [Brian] We also have Mark Rodriguez and Brian Smith to represent the owners of the property.

- All right very good thank you.

- [Tom] And then Tom Schemerhorn from Excel Engineering is also on. And I just have a question Paul you're problems getting that on the screen. If you don't, do you have on your screen, do you have a little icon with a phone, a screen, and then like a camera?

- I do, I have the mic, the camera, the screen, and then it says leave meeting or leave. So on the screen.

- [Tom] So right below the screen does it say, does it say the word screen with a little dropdown arrow?

- It does not say that no. I don't know if I have permission I guess I'm not quite sure. This is the first time we've used GoToMeeting so it says share your screen, I click on it and I don't have an ability to bring up another screen I guess.

- [Tom] Did you originate the go out to meeting or did somebody else?

- No someone else did, our IT department did that.
- Yeah, that's why you don't have permission 'cause whoever originated the meeting has to give you permission to do that.
- Paul.
- That's why you're not, that's why you're not able to do that so.
- as the presenter.
- [Shelby] Paul I did have you be the presenter I can also make you the organizer if that would help.
- Let's try it.
- I'll try it sure.
- [Jason] Gotta love all this fun tech stuff we're forced to learn, right?
- Yeah.
- Yeah I apologize I just cannot get that to work at this point.
- Oh no problem, no I was just trying to help so.
- Yeah, no I appreciate that. I can run through real quickly again just what the request is entailing.
- Sure, yeah go ahead Paul.
- Yeah so this property is on the west side of Green Bay, it's 1860 West Mason Street. It's where Mason meets Taylor Street. It's the northeast corner. And our planning staff took the request I think late last year for rezoning of one-half the property, it's highway commercial, so the entire property is set up as a highway commercial zoning which would permit drive throughs by right, you know as kind of a cleanup measure that we took from the applicant. This request is in relationship to the four-area ratio of the property. It's kind of a strange triangular shape property. It is currently, or was a restaurant, it was called the Burger House I believe back not too long ago. A new owner has come in and they'd like to put a new fast-food restaurant in there. The issue is the relationship of the total building area to the area, total area of the lot and that's the floor-area ratio. So really what it is the total gross area of the building divided by the overall area of the lot gives you a percent, a ratio. And the zoning code requires that it be .1, or 10%. The existing restaurant is about eight or 9%, I think the proposed restaurant that's going there is about a 1/2, or 5% I believe, or .5, .05. So that's the reason for the request it's a little unusual. I think the board has seen these in the past, but rarely, but it's to go from the .1 down to a .05 I believe in relationship to the floor area ratio.
- Yeah as I, first of all I do remember when we gave the variance to the burger people. As I recall the variance needed for them at that time was paving too close to the right away perhaps or something. What we have is that triangular property that I can understand why the applicant would have an issue with it. The applicant is also explaining, as I understand it, that they, they need extra room for the entrance and egress and standing in line of the cars that are going to be coming through on the takeout is I believe. And so I can certainly understand why they would

essentially put a building that's too small on a property of this nature. I think that if we were to deny this we would severely hinder how this property is going to be developed if we would, if we would somehow insist that a full 10% building had to be put on this little triangle. Discussion by gentlemen of the board?

- You know this is, this is exactly the sort of property and project that I think we're designed for when you've got those oddball parcels that don't work with the rules and I see that clearly here. It looks like, you know, it's not a shed on a parcel that size, you know. How refreshing in some sense also to be dealing with a development that's looking to have a building footprint smaller than a minimum as opposed to exceeding the maximums as we typically are looking at when we're talking about you know changes to buildings or plans modified. And then I think then there's the significant public interest at getting a Popeyes Chicken in, we're all, I'm joking on that last one although I've heard it is good chicken, but the, I do think that this is, this is completely appropriate and in line with that site, that location, and the significant amount of traffic that they're gonna generate there I'm sure. Greg or Tommy?

- [Greg] Yeah Greg supports it. It's a really kind of a unique weird-looking lot in terms of the size of it and someone that wants to build a project like this, and during these times especially, I'd say all for it. And I don't think there's any harm, and certainly a hardship, so I'd approve it.

- Tommy or Jim unless you have some further discussion perhaps one of you could make a motion to do this.

- I'll motion to approve the variance requested.

- I second.

- Okay we have a motion made by Tommy, seconded by Noel to approve the variance request for the new Popeye, right, on--

- Popeye's Louisiana Kitchen, yes sir. All right.

- [Man] We sell that chicken sandwich that broke the internet last fall--

- Right.

- [Man] If you recall .

- It sounds even better with a slight southern accent so I appreciate the effect.

- Okay.

- All right we have a motion made and seconded so we shall proceed with the vote. The motion is to grant the variance as requested. We'll start with the vote, Greg?

- [Greg] Aye.

- Noel?

- Aye.

- Jim?

- Aye.
- Tommy?
- Aye.
- Five-zero, the variance has been approved.
- [Man] Thank you.
- Thanks for calling in on .
- [Man] Thank you everybody.
- You're welcome.
- Thank you, best of luck with the new store.
- [Man] Yes sir we're excited we are very excited.
- All right is there anything else we wanna talk about guys?
- There is one other item I think we have as an informational item.
- Yes.
- That's been kind of ruling thing which was the rules and procedures so that's, I don't know if this is the best or opportune time to be talking about it but again it's something maybe for members to educate themselves on, if there's changes you know we can best discuss it at a future time.
- I agree the format here is not real conducive to the kind of discussion that we may wanna have. It's a low bandwidth discussion and I think I'd like to be able to have a higher bandwidth discussion so.
- Yep.
- I gotta say I'm glad we only had three petitions to consider tonight and not eight or nine.
- Oh my god.
- The neighbors and such.
- That was a gift.
- You cherry-picked 'em Paul so that we had an easy set?
- No that's kinda the way it worked out I can't guarantee next month. That's great that was good to get the hang of that we gotta just work on getting the stuff up on the shared screen here.
- Yeah and I apologize for that maybe that's my error, but we're going back to Zoom so we'll hopefully have better luck with that next time.

- Yeah I was gonna ask if I have not had a voice meeting like this ever so this is a first for me. You did good Don.
- Oh yeah very good.
- Are there programs that are better like Zoom or even FaceTime.
- But they're all similar.
- Yeah, okay.
- No and city-wide we're using Zoom so we had a little change in platform but we're going back to Zoom so we're a little more familiar with that.
- Okay, do we have to close the floor?
- Yes let's not forget to do that.
- Is that a motion Jim?
- Yeah I'll move.
- Second.
- Second.
- Oh I beat you.
- All in favor.
- Aye.
- Aye.
- Aye.
- I guess I have one other thing.
- Go ahead Paul.
- Because of the virtual meetings we have a little bit of a scheduling issue that I'm gonna be working on with IT. Our next meeting is May 18th I believe but there's a conflict where someone else has that time frame for us so I'll probably shoot you some dates and times that might be different than May 18th.
- That'd be fine. I find my calendar's pretty open these days. Okay.
- I guess I would prefer if we're gonna move it to move it to the following Monday rather than the preceding one, but other than that.
- We'll have to look at that.

- Okay, thank you.
- That's all I had thank you.
- Then I guess we can consider adjournment?
- Motion to adjourn.
- Second.
- All in favor?
- Bye.
- Say bye.
- Bye.
- Bye everybody good to see you hope you're all...