

City of Stevens Point Meeting Minutes

City Plan Commission

Monday, August 3, 2009

PRESENT: Chm. Mayor Halverson; Ald. Jerry Moore; Tony Patton; Jami Gebert; Anna Haines; Daryl DeDeker

ALSO PRESENT: Comm. Dev. Dir. John Gardner; City Assessor Jim Siebers; Ald. Mallison, O'Meara, Trzebiatowski, Molski, Stroik, & Brooks; Michael Mangin; David Glodowski; Leah Berlin; Brian Randall; Cindy and Terry Davis; Jim Metko; Po. Co. Gazette, Gene Kemmeter; St. Pt. Journal, Nick Paulson

Index of these minutes:

1. Approval of the Minutes of the July 6, 2009 Plan Commission Meeting
 2. Consideration and Possible Action on Annexation of 3106 Stanley St. and "R-2" Single Family Zoning
 3. Consideration and Possible Action on Amending the Traditional Neighborhood Overlay District to Include the SE Quarter of Section 5 (Whiting Ave. and Riverview Ave.)
 4. Consideration and Possible Action on Construction of an Open Porch at 3316 Whiting Ave. using Traditional Neighborhood Overlay District Setback Requirements
 5. Consideration and Possible Action on Construction of an Open Porch at 1916-18 Water St. using Traditional Neighborhood Overlay District Setback Requirements
 6. Consideration and Possible Action on Re-Construction of a Garage at 2001 College Ave. using Traditional Neighborhood Overlay District Setback Requirements
 7. Consideration and Possible Action on Construction of a Garage at 2849 Water St. using Traditional Neighborhood Overlay District Setback Requirements
 8. Adjourn
1. Approval of the July 6, 2009 Plan Commission Minutes

Tony Patton moved, seconded by Jerry Moore, to recommend approval of the July 6, 2009 Plan Commission minutes. Ayes all; Nays none; Motion carried.

2. Consideration and Possible Action on Annexation of 3106 Stanley St. and "R-2" Single Family Zoning Read Memo | See Map

John Gardner stated the house is in need of basic services which the town cannot provide. The utilities are already located in the street. Adjacent uses are residential and staff recommends approval of the annexation with Single Family zoning.

Chm. Halverson moved, seconded by Jerry Moore, to recommend approval of the annexation and "R-2" Single Family Zoning for 3106 Stanley Street. Ayes all; Nays none; Motion carried.

3. Consideration and Possible Action on Amending the Traditional Neighborhood Overlay District to Include the SE Quarter of Section 5 (Whiting Ave. and Riverview Ave.) Map

John Gardner described the existing district which includes smaller lots, older homes, and smaller garages. This new area probably should have been included because there are a number of houses that fit the description and he recommends including this area. He noted the area east of Michigan is not included in this district at this time. That area is characterized by smaller lots but the homes are newer than west of Michigan Ave. If anyone feels there are areas that should be included, let him know.

Jami Gebert questioned when we approved this district and what the overlay means to the district.

John Gardner stated the overlay is effective in the outlined areas. The district was approved approximately 3 years ago and was done to accommodate older houses on smaller lots. It allows people to stay in their houses longer because they can make changes such as porches, garages, and additions, and also encourages reinvestment in properties. It is good for the home owner and reinvestment is good for the neighborhood. Prior to this district, requests would have been denied or would have had to go to the Board of Appeals for a variance.

Bob Woehr, 727 Second St., noted the district was established in 2005 primarily to allow Habitat for Humanity to construct new houses on a smaller lot on the corner of Third/Franklin Streets. He recommends the commission determine what is reasonable and look at these on a case-by-case basis. The district should be expanded throughout the city.

Jami Gebert moved, seconded by Tony Patton, to recommend approval of amending the Traditional Neighborhood Overlay District to include the SE Quarter of Section 6 (Whiting Ave. and Riverview Ave.) Ayes all; Nays none; Motion carried.

4. Consideration and Possible Action on Construction of an Open Porch at 3316 Whiting Ave. using Traditional Neighborhood Overlay District Setback Requirements Memo

John Gardner stated the request is to construct an 8' x 21' porch. The front setback is currently 25' and with the new porch, the setback would be 19'. The minimum setback in this district is 12'. Staff recommends approval.

Paul Nellessen, 3316 Whiting Ave., said he has done a lot of remodeling and adding a front porch will add cosmetic value and will provide a fire escape for his children whose bedroom is right above the porch area. He plans to have it completed by mid-fall.

Bob Woehr noted due to some previous experiences, he suggested a sunset clause.

Mildred Neville stated she had been out there and talked with the adjacent neighbor and he was not aware of this request. The immediate neighbors of a property that is requesting a conditional use should be notified so they could come to the meeting.

Paul Nellessen noted he talked with the neighbors wife and she indicated that she had received the letter about this. Mayor Halverson also noted the City notified neighbors by mail.

Tony Patton moved, seconded by Anna Haines, to recommend approval of the Conditional Use request, based on compliance with the conditional use standards, to construct an open porch at 3316 Whiting Ave. using Traditional Neighborhood Overlay District setback requirements with the condition that the structure is built in a similar manner as shown, the treated lumber used to construct the porch be stained or painted (not left as raw treated wood), the underside of the porch be screened with lattice or some other material that screens the underside of the deck, front

setback not less than 12', with work to be completed by June 1, 2010.
Ayes all; Nays none; Motion carried.

5. Consideration and Possible Action on Construction of an Open Porch at 1916-18 Water St. using Traditional Neighborhood Overlay District Setback Requirements Memo

John Gardner stated the construction had already begun when inspectors noticed it and they indicated to him that he had to apply for a conditional use permit. The porch will have a 19' front setback. Many of the homes along Water St. have the smaller setbacks. All the neighbors have been notified. Staff recommends approval.

Jami Gebert noted the city is re-doing Water St. and questioned if it would be wider.

John Gardner responded we are rebuilding Water St. between Wisconsin St. and Whiting Ave. but it will not be widened and it will not be a truck route.

Mike Haberman, 1917 Water St., stated the applicant has made substantial improvements to the property and he respectfully asks the approval of the commission.

Bob Woehr noted he believes the traditional Neighborhood Overlay District conditional use requests pertain to single family homes and this property seems to be a duplex. He would say that you can't issue a conditional use permit based on the current ordinance.

John Gardner noted Mr. Woehr is correct and thanked him for bringing it to his attention.

Doug Curwen, 1916 Water St., stated the property is being used by his family. He lives in one side and his daughter lives in the other unit. His intent is to improve the neighborhood and still keep it as a duplex.

John Gardner noted the commission can deny the request or expand the allowable uses to single and two family uses. However, because that is not on the agenda, you cannot do that tonight.

Chm. Halverson moved, seconded by Tony Patton, to postpone this item until September and/or until a resolution is found via a different manner.
Ayes all; Nays none; Motion carried.

6. Consideration and Possible Action on Re-Construction of a Garage at 2001 College Ave. using Traditional Neighborhood Overlay District Setback Requirements Memo

John Gardner reviewed the situation and stated the owner wants to remove the existing leaning garage and construct a new garage that will be a little deeper. The new garage is adjacent to two other garages and will not affect the neighbors. The concrete and approach to the garage is already there and if he has to move it over 3', he will have to rip out more concrete and lose a little more of the green space.

Steven Smith, 2001 College Ave., stated he has done a lot of work on his house and he is at the point where he has to make a decision to spend the money to construct a new garage or sell the house. He uses the back yard a lot and doesn't want to lose more and the yard would become unusable. His neighbor received notice of the meeting.

Tony Patton moved, seconded by Chm. Halverson, to recommend approval of the Conditional Use request, based on compliance with the conditional use standards, to construct a Garage at 2001 College Ave. using Traditional Neighborhood Overlay District setback requirements allowing a 1 foot setback from rear and side yards with the condition that the replacement structure is a single stall garage with provisions for drainage not damaging adjacent property, with work to be completed by June 1, 2010.
Ayes all; Nays none; Motion carried.

7. Consideration and Possible Action on Construction of a Garage at 2849 Water St. using Traditional Neighborhood Overlay District Setback Requirements Memo

John Gardner stated the owner wants to replace an existing carport that is approximately 1' from the property line, with a single stall garage but cannot because of the size of the lot. In order to have a detached garage at the back of the lot, we would treat it as an accessory building if it is more than 10' from the main building. There is not room for that. The request is to remove the carport and construct a new single family garage further back on the lot less than 3' from the rear and side lot lines, and less than 10' from the house. The new garage would not impact adjacent homes. The removal of the carport will be a benefit to the home to the south by providing more open space between the homes. Staff recommends approval.

Pat Hubbard, 2849 Water St., stated she wants to improve the property by taking down the existing carport which is in need of repair and construct a single stall garage. The carport currently sits right along the neighbors' property line. Removing the carport will create more open space for them. There would be no other structures near the proposed garage.

Tony Patton moved, seconded by Jami Gebert, to recommend approval of the Conditional Use request, based on compliance with the conditional use standards, to construct a new garage at 2849 Water St. using Traditional Neighborhood Overlay District setback requirements with the condition that the carport is removed and the new garage is a single stall garage not less than 1 foot from the rear and side yards with provisions for drainage not damaging the adjacent property, with work to be completed by June 1, 2010.
Ayes all; Nays none; Motion carried.

Chm. Halverson reluctantly called on Dir. Gardner.

John Gardner stated he is turning in his retirement notice and will be retiring on Dec. 2 of this year. It has been a pleasure working with all of you.

8. Adjourn. The meeting adjourned at 6:45 p.m.

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