

**BOARD OF ADJUSTMENT
Regular Meeting**

DATE: May 6, 2020

TIME: 5:00 p.m.

PLACE: Zoom Online Meeting

PRESENT: Breza, Buege, Conway, Kouba, Krofchalk, Murphy, Sanchez

ABSENT: None

Chairman Sanchez called the meeting to order at 5:00 p.m.

The minutes from the Board's March 4, 2020 meeting were approved unanimously upon motion by Murphy and second by Conway.

Petition No. 20-13-V, Mario Einsman

Chairman Sanchez opened the public hearing and read the petition:

Mario & Sheryl Einsman - City Code Section 43.01.27 standards which dictates that a primary structure on a Lot of Record must maintain a side yard setback of 10% of the width of the lot, which is five feet (5') in this case. Applicant is proposing an addition to their primary structure that extends an existing legal non-conformity – the westerly wall of the structure – in line with its present placement which is located within the five-foot (5') setback at approximately two feet (2') from the lot line. Property is located at 307 West Sanborn (8th) St.

Mario and Sheryl Einsman, 307 West Sanborn, addressed the Board. The Einsmans stated that they were requesting the variance to expand their residence. The expansion would accommodate improvements needed for them to remain in their house after retirement.

There being no others who desired to speak, Chairman Sanchez closed the public hearing and opened it up for discussion.

Next, the Board went through the variance finding questions.

Is the variance in harmony with the purpose and intent of the ordinance?

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Is the variance consistent with the Comprehensive Plan?

The Board determined that the variance is consistent with the Comprehensive Plan since this neighborhood is designated for traditional residential use.

Does the proposal put the property to use in a reasonable manner?

The Board determined that the variance is reasonable given it is in-line with the existing house.

Are there unique circumstances to the property not created by the landowner?

The Board determined that there are unique circumstances given the small size of the property.

Will the variance, if granted, retain the essential character of the locality?

The Board determined that the variance would have minimal impact on the character of the locality.

Are there other considerations for the variance request besides economics?

The Board found that there are other considerations for the variance given the findings listed above.

Next, Jon Krofchalk made a motion to approve the variance and it was seconded by Tom Conway. All were in favor of approving the variance.

Petitioner was informed that there was a 10-day appeal period during which time no action could be taken on the petition.

Petition No. 20-14-V, Creative Sign Company

Chairman Sanchez opened the public hearing and read the petition:

Creative Sign Company - City Code Section 43.05.14 E) d) which lists requirements for signage of permitted nonresidential uses in residential zoning districts. Applicant is proposing a signage package for the residential R-3 zoned YMCA building at 902 Parks Ave. The signage package requires the following variances:

	Requirement	Proposed
1) Number of Signs Per street frontage	1	3
2) Size of Wall Signs per frontage	260 Sq. Ft.	302 Sq. Ft.
3) Lighting of Wall Signs	Unlit	Lit
4) Max Size of an	100 Sq. ft.	127 Sq. ft.

Individual Sign		
5) Wall Sign Height	14' maximum	1) 51' 2) 38' 3) 34'6" 4) 41'6"
6) Ground Sign Height	5'	15'9"
7) Ground Sign Lighting	Indirect	Internal

Andrea Swanson, Creative Sign Company described the project and noted that the need for so many variances is primarily due to the residential zoning of the property. Although the residential zoning is a remnant of past multi-family use on the site, there are currently no dwellings adjacent to the property. The property is surrounded by the Winona Health Clinic, a dental office, and Lake Winona. The nearest residential properties are on the south side of Highway 61 approximately 500' away. None of the proposed signs will point toward these properties.

There being no others who desired to speak, Chairman Sanchez closed the public hearing and opened it up for discussion.

Next, the Board went through the variance finding questions.

Are the variances in harmony with the purpose and intent of the ordinance?

The Board determined that the variances are in harmony with the ordinance because although the property is zoned residential, there are no adjacent residential uses.

Are the variances consistent with the Comprehensive Plan?

The Board determined that the variances are consistent with the Comprehensive Plan since area is designated for commercial use.

Does the proposal put the property to use in a reasonable manner?

The Board determined that the variances are reasonable given the size and location of the building adjacent to non-residential uses.

Are there unique circumstances to the property not created by the landowner?

The Board determined that there are unique circumstances given the property's location in proximity to Highway 61.

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Will the variance, if granted, retain the essential character of the locality?

The Board determined that the variances would have minimal impact on the character of the locality.

Are there other considerations for the variance request besides economics?

The Board found that there are other considerations for the variances given the findings listed above.

Jon Krofchalk made a motion to approve the variances and it was seconded by Travis Buege. Upon vote, all were in favor.

Petitioner was informed that there was a 10-day appeal period during which time no action could be taken on the petition.

Petition No. 20-15-V, Main Square Development LLC

Chairman Sanchez opened the public hearing and read the petition:

Main Square Development, LLC – City Code Sections 43.02.23 which establishes minimum lot size and 43.03.23 A)2)b) which requires on-site parking for multifamily residential uses in an R-3 zoning district. Applicant is proposing a lot split for the existing parcel at 166 W. 6th St. which houses the East Washington Crossings Apartment Building and former Winona Middle School Auditorium. The lot split is triggering the need for a lot size variance (74,000 Sq. Ft. required; 48,522 proposed), and a variance to provide off-site parking.

Cindy Telstad, representing the petitioner, stated that the variance requests are due to a lot split. The lot split was being made to facilitate development of a structured parking facility for the Main Square development. In the facility, 40 parking spaces will be dedicated to the Washington Crossings apartment buildings for as long as they are used for residential. This is being done through a perpetual parking agreement.

There being no others who desired to speak, Chairman Sanchez closed the public hearing and opened it up for discussion.

Next, the Board went through the variance finding questions.

Are the variances in harmony with the purpose and intent of the ordinance?

The Board determined that the variances are in harmony with the ordinance because they facilitate the provision of additional parking which is needed in the area. In addition, the proposed development will help preserve property values.

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Are the variances consistent with the Comprehensive Plan?

The Board determined that the variance is consistent with the Comprehensive Plan since area is designated for mixed uses.

Does the proposal put the property to use in a reasonable manner?

The Board determined that the variances are reasonable given there will be no physical changes to the Washington Crossings buildings, and the 40 parking spaces currently dedicated to the buildings will continue to be dedicated into the future.

Are there unique circumstances to the property not created by the landowner?

The Board determined that there are unique circumstances given the property's split zoning.

Will the variance, if granted, retain the essential character of the locality?

The Board determined that the variances would have minimal impact on the character of the locality. In fact, the variances will enhance the locality.

Are there other considerations for the variance request besides economics?

The Board found that there are other considerations for the variances given the findings listed above.

Jim Murphy made a motion to approve the variances and it was seconded by Tom Conway. Upon vote, all were in favor.

Petitioner was informed that there was a 10-day appeal period during which time no action could be taken on the petition.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 5:45 p.m.



Carlos Espinosa
Acting Secretary