

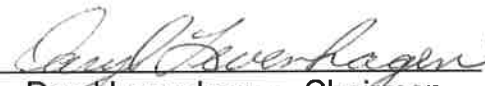
CITY OF HORICON
ZONING BOARD OF APPEALS
CASE NO. 176 DECISION

Requested by 3FI LLC, to erect an 81 by 144 by 21 warehouse building with a 35 setback to foundation and 34 setback to overhang in the rear yard located at 980 Van Brunt Drive.

DECISION: In view of the testimony given and the circumstances presented, the following variance was granted to erect an 81 by 144 by 21 warehouse building with a 35 setback to foundation and 34 setback to overhang in the rear yard located at 980 Van Brunt Drive.

Per Section 13-1-194 of the Municipal Code of the City of Horicon, any person or persons aggrieved by any decision of the Board of Appeals may present to a court of records a petition, duly specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the offices of the Board of Appeals.

Dated this 7th day of December, 2018.


Daryl Levenhagen, Chairman
City of Horicon
Zoning Board of Appeals

ATTEST:


Christine A. Spilker, Secretary
City of Horicon
Zoning Board of Appeals

Filed: October 6, 2017

c: 3FILLC, Property Owner
Rob Froh Plumbing & Building Inspector

The Horicon Zoning Board of Appeals met in Regular Session with Chairman Daryl Levenhagen presiding. The meeting was called to order at 4:30 p.m.

Members Present: Daryl Levenhagen, Craig Halsema. Dave Berggren, Mike Krueger.

Members Absent: Dave Boersma

Motion by Krueger, second by Berggren, to approve the Zoning Board of Appeals minutes from February 5, 2018.

Motion carried on a voice vote with no objections.

Chairman Levenhagen announced this was a Public Hearing requesting a variance to erect an 81 by 144 by 21 warehouse building with a 35 setback to foundation and 34 setback to overhang in the rear yard located at 980 Van Brunt Drive, owned by 3FI LLC.

Chairman Levenhagen clarified that the meeting was being recorded for the convenience of the transcription for the secretary, not for publication and anyone interested in speaking should state their name.

Chairman Levenhagen declared the Public Hearing open for a variance to erect an 81 by 144 by 21 warehouse building with a 35 setback to foundation and 34 setback to overhang in the rear yard located at 980 Van Brunt Drive, owned by 3FI LLC.

Dan Buchner, representative for 3FI LLC, stated he works for Con-Trol and Con-Trol currently rents the existing building next to the proposed project. Buchner further stated the intent of Con-Trol is to build a 144 x 81 cold storage building. Buchner added the plans show the proposed building is keeping in line with the North side of the existing building to accommodate future work.

Dick Novey, Horicon resident, questioned how the water will be drained from the site. Buchner explained the water will run off to the retention area. Novey further stated drain tiles were installed that flow to one pipe, that leads west to the pond.

Berggren questioned if the drainage is all lead by pipes to the retention pond. Buchner replied the pipes lead to a manhole and then to the retention pond. Buchner added it has been graded and a lot of engineering went into this area to make sure it was done correctly.

Krueger questioned if this is adjacent to a new building that was also built and is part of the same complex. Buchner confirmed 4 ½ years ago a building was built and is part of the same complex.

Rob Froh, Building Inspector, referenced a memo he sent to the Variance Board that states a 40 setback is required per City of Horicon's Zoning Ordinance Section 13-1-29 which is not typical of other municipalities. Froh added other municipalities typically have 30 setback regulations. Froh further stated he does not have an issue with granting the variance.

Levenhagen asked if there was any further discussion.

All interested parties, and/or their representatives were given an opportunity to be heard.

Levenhagen declared the Public Hearing for a variance to erect 81 by 144 by 21 warehouse building with 35 setback to foundation and 34 feet setback to overhang in the rear yard located at 980 Van Brunt Drive, owned by 3FI LLC closed.

Motion by Berggren, second by Halsema, to grant a variance to erect a 81 by 144 by 21 warehouse building with 35 setback to foundation and 34 setback to overhang in the rear yard located at 980 Van Brunt Drive, owned by 3FI LLC.

Levenhagen asked for discussion. There was no discussion.

All Voting AYE. Motion carried.

Non-Action Discussion: Berggren questioned if approval is required by the Building Inspector to put up a fence in the front yard. Froh stated he is aware of the property on West Lake Street Berggren is referencing. Froh further stated he has contacted the land owner and the land owner is now aware a building permit is required to erect a fence. Froh added the current footings have been flagged and the landowner is to remove them because they are currently positioned in the roads right of way.

Berggren stated he wanted to make sure people are aware that before a fence can be erected a building permit is required in the City of Horicon.

Motion by Halsema, second by Berggren, to adjourn.
All Voting AYE. Meeting adjourned at 4:38 pm.



Christine A. Spilker, Secretary