

CITY OF MARINETTE ZONING ORDINANCE BOARD OF APPEALS MEETING MINUTES FROM October 23rd, 2023

1. **Jon Marx**, City of Marinette Zoning Board of Appeals Chairperson, **called** the meeting **to order** at 04:00 PM in City of Marinette City Hall Conference Room # 214, 1905 Hall Avenue, Marinette Wis.
2. Upon a **call of the roll** it was determined a quorum of Board members were present and attendance was recorded as follows:

MEMBERS PRESENT: Jon Heraly, Joanne Vieth, John Marx, Keith West & Wally Hitt & Bob Juul.

MEMBERS ABSENT: None

OTHERS PRESENT: Mayor Genisot, City Attorney Gagan (via go to meeting), Building Inspector Curt Demlow & Stephen Wesoloski.

3. **APPROVAL OF PRIOR MARINETTE ZONING BOARD OF APPEALS MEETING MINUTES.**

Jon Heraly moved/ Joanne Vieth seconded and all concurred, to approve the City of Marinette Zoning Board of Appeals meeting minutes from 9/11/23 as submitted.

4. **DISCUSSION AND POSSIBLE ACTION REGARDING A VARIANCE APPLICATION MIDWEST EXPANSION, LLP, FOR A VARIANCE TO ALLOW A BUILDING SETBACK OF 20' FROM THE PROPERTY LINE ALONG THE WEST FRONTAGE ROAD, PARCEL #251-00164.10 IN THE CITY MARINETTE, MARINETTE, WI IN A B-4 HIGHWAY BUSINESS ZONING DISTRICT.**

Stephen Wesoloski, Midwest Expansions LLP, was present to answer any questions the committee may have.

Building Inspector Demlow stated the property is unique in shape.

Pursuant to Marinette Municipal Code § 13.4102(J) Board members established the following three (3) findings regarding the City of Marinette zoning code variance application:

i. Jon Heraly moved/Wally Hitt seconded and all concurred to find that an unnecessary hardship exists for Midwest Expansion LLP, and the owner can make no feasible use of the property on West Frontage Rd (parcel #251-00164.10).

ii. Bob Juul moved/Joanne Vieth seconded and all concurred to find that the property has unique property limitations.

iii. Keith West moved/Wally Hitt seconded and all concurred to find that the granting of the variance must neither harm the public interest nor undermine the purposes of the ordinance. The public interest includes interests of the public at large, not just that of nearby property owners.

Joanne Vieth moved/Bob Juul seconded and upon a call of the roll **motion passed** by a vote of 6 ayes to 0 nays to **grant** a variance to Midwest Expansions LLP, to allow a building setback of 20', from the property line along the west frontage road, parcel #251-00164.10 in the City Marinette, Marinette, WI which is located in a B-4 Highway Business Zoning District, and authorize City Building, and Zoning Code Inspector Demlow to eventually issue a building permit.

5. **MEETING ADJOURNMENT.**

Jon Heraly moved/ Joanne Vieth seconded and all concurred, to adjourn at 04:16 PM.

Lana Bero, City Clerk