



**City of Algoma  
Zoning Board of Appeals Minutes  
Wednesday, July 30, 2014**

The Zoning Board of Appeals for the City of Algoma was called to order in City Hall at 5:00 PM by Chairman Hutter.

Present at roll call: Bob Bennett, Bill Bush, Don Guth, Chuck Hutter, Terry Jorgenson, and Secretary Jeff Wiswell.

The Secretary noted that the agenda was posted on bulletin boards in the City Hall, Library, and Utility office, and a notice was also published in the Green Bay Press Gazette. The Chairman declared that the meeting was in compliance with the open meetings law.

A motion was made by Bush, and seconded by Guth, to approve the agenda for the meeting. Motion passed.

A motion was made to approve the minutes of the June 4<sup>th</sup>, 2014 regular meeting of the Zoning Board of Appeals by Bush, and seconded by Guth. Motion passed.

The Secretary reminded each member of the body that under the Ethics Code they should make any required disclosures or recusals as might be needed.

The Secretary briefed members of the Board on the matter presently before it relating to a request by Scott D. Ryan and Michelle A. Ryan who reside at 710 Cleveland Street, Algoma, Wisconsin. When the Ryan's purchased the property in 1999 the existing garage, positioned with a six inch (6") interior side yard setback, was in disrepair. As a result of its poor condition the garage was recently raised.

Now the Ryan's are seeking to replace the garage in the same location as the previous structure. However, the application for a building permit was denied by the Building Inspector pursuant to the City of Algoma, Municipal Code, Chapter 18, which requires: [1] A six (6) foot interior side yard setback.

The appeal requests a variance from this requirement so that a building permit can be issued to Scott D. Ryan and Michelle A. Ryan to construct a garage, with a six inch (6") interior side yard setback.

Mr. Ryan appeared before the Board to explain his request a variance, was administered the oath by the Secretary, and he proceeded to review his plans with the Board.

Mr. Ryan also presented the Board with a written statement supporting his request for a variance from the code requiring a six (6) setback from the side yard for the construction of an addition to their garage. The statement is attached to the record and addressed: (1) the variance requested, (2) special conditions and hardships, (3) the public interest, safety, and the general welfare, (4) the spirit of the zoning ordinance, and (5) substantial justice.

Mr. Eugene Townsend, who owns the adjacent property at 704 Cleveland Street, Algoma, Wisconsin, appeared before the Board and was administered the oath by the Secretary He spoke in support of the appeal by the Ryan's.

Mr. Carl Bouche who resides at 707 Cleveland Street, Algoma, Wisconsin, appeared before the Board and was administered the oath by the Secretary He also spoke in support of the appeal by the Ryan's.

At the conclusion of these presentations, a motion was made by Bush, and seconded by Bennett, to close the public hearing. Motion passed.

A motion was made by Bush, and seconded by Bennett, to: [1] grant the Ryan's a variance to allow a six inch (6") interior side yard setback to permit the construction of the garage, and [2] to order the Building Inspector grant a permit for the construction of the garage. Motion passed, with all members present voting in the affirmative, except Mr. Guth who voted no.

A motion was made to adjourn at 6:16 PM by Bennett, and seconded by Jorgenson. The motion carried, and the Board stood adjourned until further notice.