

**AGENDA
CITY OF STURGEON BAY
ZONING BOARD OF APPEALS**

Tuesday, April 30, 2019
12:00 Noon
Council Chambers, City Hall
421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from April 9, 2019.
4. Consideration of: Request for rehearing for Wisconsin Public Service Corporation for a rear yard variance from s.20.27(2) of the Municipal Code (Zoning Code), for property located at 1843 Michigan Street.
5. Adjourn.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

ZBA Board Members
William Murrock, Chair
James Goodwin
Wayne Spritka
Bill Chaudoir
Dave Augustson

4/25/19
2:00 p.m.
CN

ZONING BOARD OF APPEALS
Tuesday, April 9, 2019

The City of Sturgeon Bay Zoning Board of Appeals meeting was called to order at 12:00 pm by Chairperson William Murrock in the Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members Bill Chaudoir, James Goodwin, Wayne Spritka, William Murrock, and Dave Augustson were present. Excused: Member Andrew Starr. Also present were Planner/Zoning Administrator Chris Sullivan-Robinson and Community Development Secretary Cheryl Nault.

Adoption of agenda: Moved by Mr. Spritka, seconded by Mr. Chaudoir to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from March 26, 2019.
4. Public hearing: Petition to install a pylon sign no closer than 3 feet to the street right-of-way and 3.1 feet to the building wall (1.1 foot from the building overhang) for Nicolet National Bank, 236 N 4th Avenue.
5. Consideration of: Petition to install a pylon sign no closer than 3 feet to the street right-of-way and 3.1 feet to the building wall (1.1 foot from the building overhang) for Nicolet National Bank, 236 N 4th Avenue
6. Adjourn.

Carried.

Approval of minutes from Tuesday, March 26, 2019: Moved by Mr. Goodwin, seconded by Mr. Spritka to approve the minutes from March 26, 2019. All ayes. Carried.

Public Hearing: Petition to install a pylon sign no closer than 3 feet to the street right-of-way and 3.1 feet to the building wall (1.1 foot from the building overhang) for Nicolet National Bank, 236 N 4th Avenue: Chairperson Murrock opened the public hearing at 12:03 p.m.

Mr. Sullivan-Robinson stated that this is the new location for Nicolet Bank. They will be using their current sign and relocating it to the new site. The sign would be installed between Jefferson Street right-of-way and the new building. The sign code requires a minimum 5-foot setback from the right-of-way and other buildings on the lot. The proposed sign location would be located 3 feet from the right-of-way, 3 feet from the building wall, and 1-foot from the overhang. Mr. Sullivan-Robinson checked with the building inspector to see if there were any issues and there were none since this sign is a structure and not a building. There were no issues with the fire chief.

Mr. Chaudoir wondered if the sign could be installed east of the drive-thru in the

landscaped bed along the alley. Mr. Sullivan-Robinson responded the issue is meeting a 15-foot side-yard setback. There is also a utility pole located there.

Jones Sign Company representative Aaron Sidman, 208 S. Maple Ave., Green Bay, WI, explained their proposal by reusing the sign at Nicolet Bank's current location and installing it approximately 3 feet from right-of-way on the north side of the new building. There really is no other placement for this sign, due to additional setback issues, utilities, and drive-thru. There are two other signs that will be placed on the building.

Mr. Olejniczak stated that the setback from the property line that abuts the alley is 15 feet.

Mr. Augustson stated that this is a new building using an existing sign. Someone didn't plan well and the building could have been made two feet narrower or pushed back on the lot two feet to accommodate the 5-foot setback.

Mr. Chaudoir was concerned that the traffic turning right from 4th Avenue to Jefferson Street might impede the vision of traffic on Jefferson Street. Keeping the sign as far off of Jefferson Street as possible is preferable.

Mr. Sullivan-Robinson said to keep in mind what you will see at street level is the stem of the sign. There is 10 feet of clearance under the sign for visibility purposes.

No one spoke in favor or in opposition of the variance request. There was no written correspondence.

Mr. Sullivan-Robinson added that the City worked with Nicolet in the beginning of construction to help figure out the general building layout and location of the lot.

The public hearing was declared closed at 12:23 p.m.

Consideration of: Petition to install a pylon sign no closer than 3 feet to the street right-of-way and 3.1 feet to the building wall (1.1 foot from the building overhang) for Nicolet National Bank, 236 N 4th Avenue: Board members discussed the variance request.

Mr. Goodwin mentioned that the sign is already located at the old bank and is at about the same location as far as roadway.

Mr. Chaudoir noted that a rendering of the building is shown on the building near where the sign is proposed to be located. The sign is shown in the landscaped area by the alley. His biggest concern is the visibility at the intersection.

After further discussion, it was moved by Mr. Chaudoir, seconded by Mr. Spritka to approve the variance request since there really isn't any other place to put the sign. It will be positioned such that it will not impact it will not impact visibility at that intersection. The sign

is at the right size and falls within the zoning code. The utility lines will not be affected and there will be no impact with safety.

Roll call vote was taken on the motion. All ayes. Carried.

Adjourn: Moved by Mr. Spritka, seconded by Mr. Augustson to adjourn. All ayes. Carried. Meeting adjourned at 12:27 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cheryl Nault".

Cheryl Nault
Community Development Secretary



Wisconsin Public Service Corporation
700 North Adams Street
Green Bay, WI 54301
www.wisconsinpublicservice.com

City of Sturgeon Bay
Zoning Board of Appeals
421 Michigan St
Sturgeon Bay, WI 54235

Dear Zoning Board of Appeals:

Wisconsin Public Service is asking for reconsideration of a variance at 1843 Michigan St. We were able to increase the setback to 10 feet for our building. This setback is now the same setback that is required in this area for the property directly to the south and west.

The site footprint will be fenced and screened 2 feet from the property line both per the request of the hospital and as part of our Conditional Use Permit. Both adjoining properties are owned by the same corporation and have entered into temporary easement agreements with WPS to construct our pipeline and regulator station, and the property owner doesn't have any issues with the building being 10 feet from the property line. We have included an email from the property owner.

While trying to locate the regulator station building 25 feet from the rear property line to meet the zoning requirements appears feasible strictly from a layout perspective, it is much less favorable for the following reasons:

- Abruptly angled piping is not the preferred design from an operational perspective and future locating of the pipeline.
- Construction will be more difficult and take longer.
- There will be significantly more interruption and disruption to the hospital operations during construction – whereas our original layout was our best attempt to limit impacts to the hospital. Please reference the attached email from the hospital.
- Additional property/easements will need to be obtained from the hospital for this pipe route and would limit future use of hospital property.

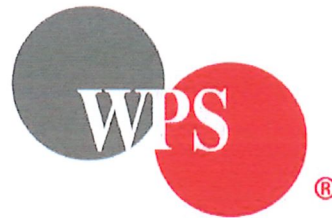
Also included is a presentation with additional project background, an overview of the process WPS went through to work with the city and the neighbors, and the Public Service Commission of Wisconsin's Certificate of Authority to Construct order findings.

Sincerely,

Lucas F. Oshefsky
Real Estate Agent

Attachments

- New layout
- Emails of support from the neighbors
- Presentation



Wisconsin Public Service

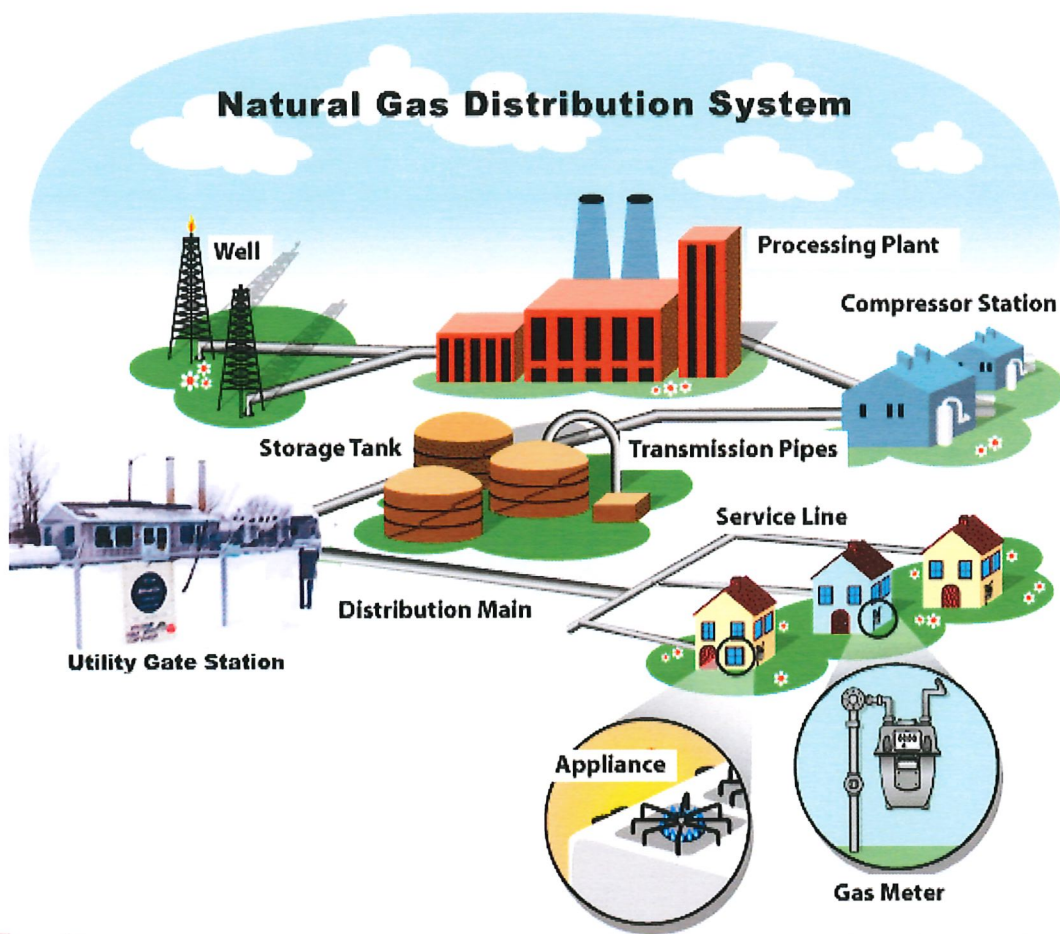
Sturgeon Bay Natural Gas Project

Project Overview

- Improves the reliability of natural gas service in Sturgeon Bay
- Current natural gas system serves approximately 3,360 customers with a single river crossing
 - Existing crossing installed in 1964
 - Anchored to the bottom of the channel with sheet piles installed around it
 - Largest single source system in WPS territory
- Existing bay crossing is reaching max capacity
 - New bay crossing will increase capacity for future growth
 - Adds a back up feed to the existing system.



Natural Gas Distribution Overview



What is a District Regulator Station

- A secondary regulating facility located downstream of the Neenah Ave gate station on our natural gas distribution system that reduces pressure to 60 psig to serve your home or business.

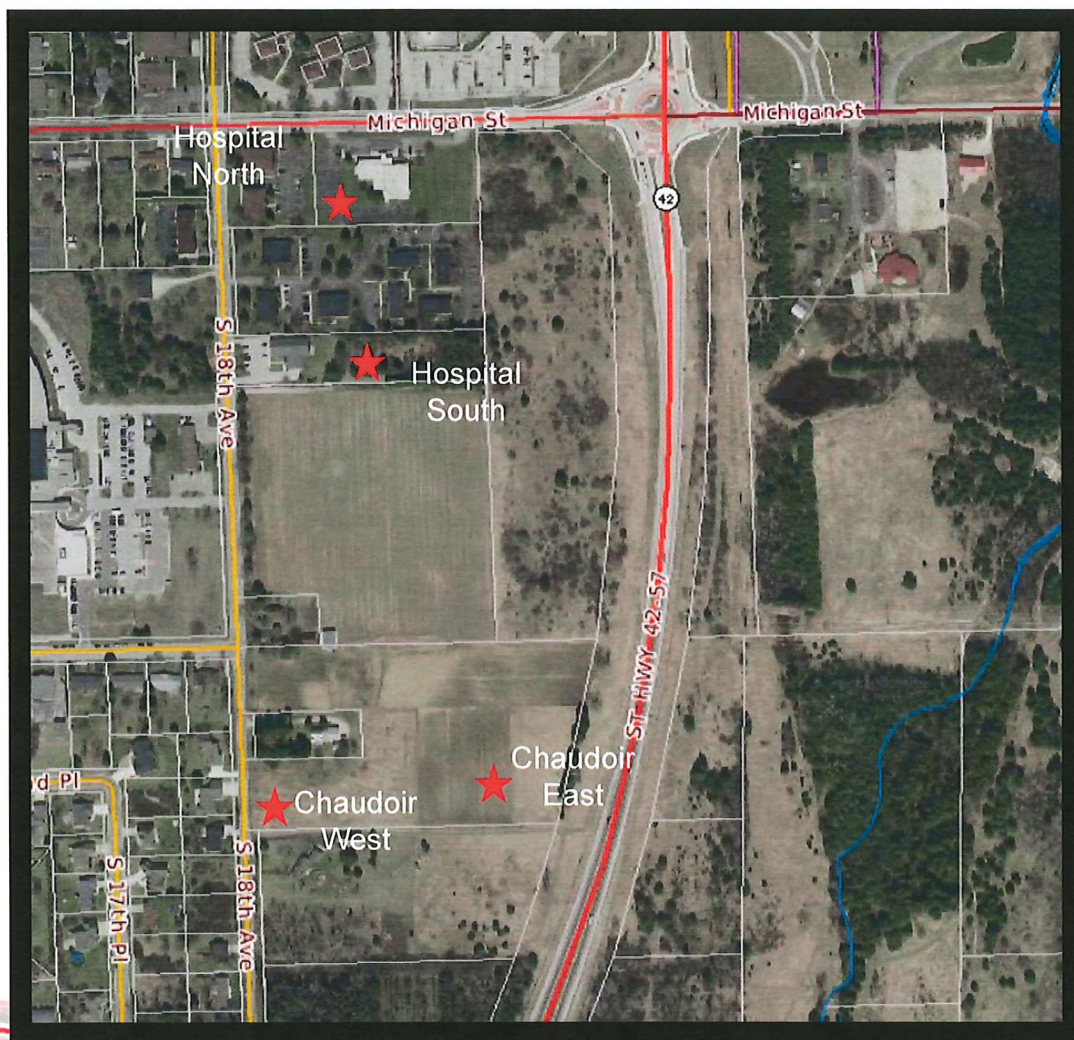
- Equipment includes:
 - Regulators
 - Filters
 - Valves

WPS Process

- Filed an application with Public Service Commission of Wisconsin on 4/9/2018
- Applied with 1 site for a regulator station – Chaudior West
- Held public meeting with neighbors June 6
- Took feed back from neighbors to add alternative locations
- Got feedback from City on alternate site
- Worked with Hospital to find a mutually agreeable location
- Included 4 possible regulator station locations to our proposal



Proposed sites in application to PSCW



Martin Olejniczak, AICP
Community Development Director
421 Michigan Street
Sturgeon Bay, WI 54235



PSC REF#: 352695

Phone: 920-746-2510
Fax: 920-746-2905
E-mail: molejniczak@sturgeonbaywi.org
Website: www.sturgeonbaywi.org

Public Service Commission of Wisconsin
RECEIVED: 11/05/2019 11:41:43 AM

October 31, 2018

Adam Ingwell
Public Service Commission of Wisconsin
P.O. Box 7854
Madison, WI 53707-7854

RE: Application of Wisconsin Public Service Corporation for Natural Gas Distribution Main and Associated Facilities in Sturgeon Bay, WI

Dear Mr. Ingwell,

Your letter dated October 16, 2018 regarding the above referenced utility project in Sturgeon Bay has been reviewed by the Sturgeon Bay City Administrator, City Engineer and me. The following are our comments.

The overall project to extend a new main, new bay crossing and new regulator facility is supported. The project will improve service in the City of Sturgeon Bay and provide needed redundancy in the event of failure of the existing aged bay crossing. The route submitted by WPSC is supported.

Regarding the proposed regulator station there are four options presented. Please note that all four locations will require Plan Commission approval of a conditional use under the Sturgeon Bay Zoning Code. The conditional use approval process involves a public hearing and approval by a majority of the Commission members. The input from nearby property owners and the recommendation made by city staff are major factors that influence this decision.

The Chaudoir West site has been reviewed by staff. We have previously expressed our concerns with this option to WPSC. The site is within a residential neighborhood, is very visible, and has received numerous negative comments from nearby property owners. We believe it would be very difficult for WPSC to gain approval of the conditional use at this site.

The other three options are more suitable sites for the regulator station in our opinion. The Hospital North and Hospital South options are located on property planned for nonresidential use. The Chaudoir East option is within a future mixed residential area, but is well located away from existing residences. All three alternative options are situated to the rear of the subject parcels and, hence, do not tie up valuable arterial/collector street frontage. Therefore, all three have a much greater chance of gaining conditional use approval compared to the Chaudoir West option.

Staff has a slight preference for the Hospital North option due its small footprint. However, due to its location close to apartment units, there will very likely be a city-imposed requirement for screening by way of solid fence, decorative wall, or vegetation. Hence, our support for this option is subject there being sufficient room within/along the boundaries of the site for such screening.

Sincerely,

Martin Olejniczak, AICP
Community Development Director

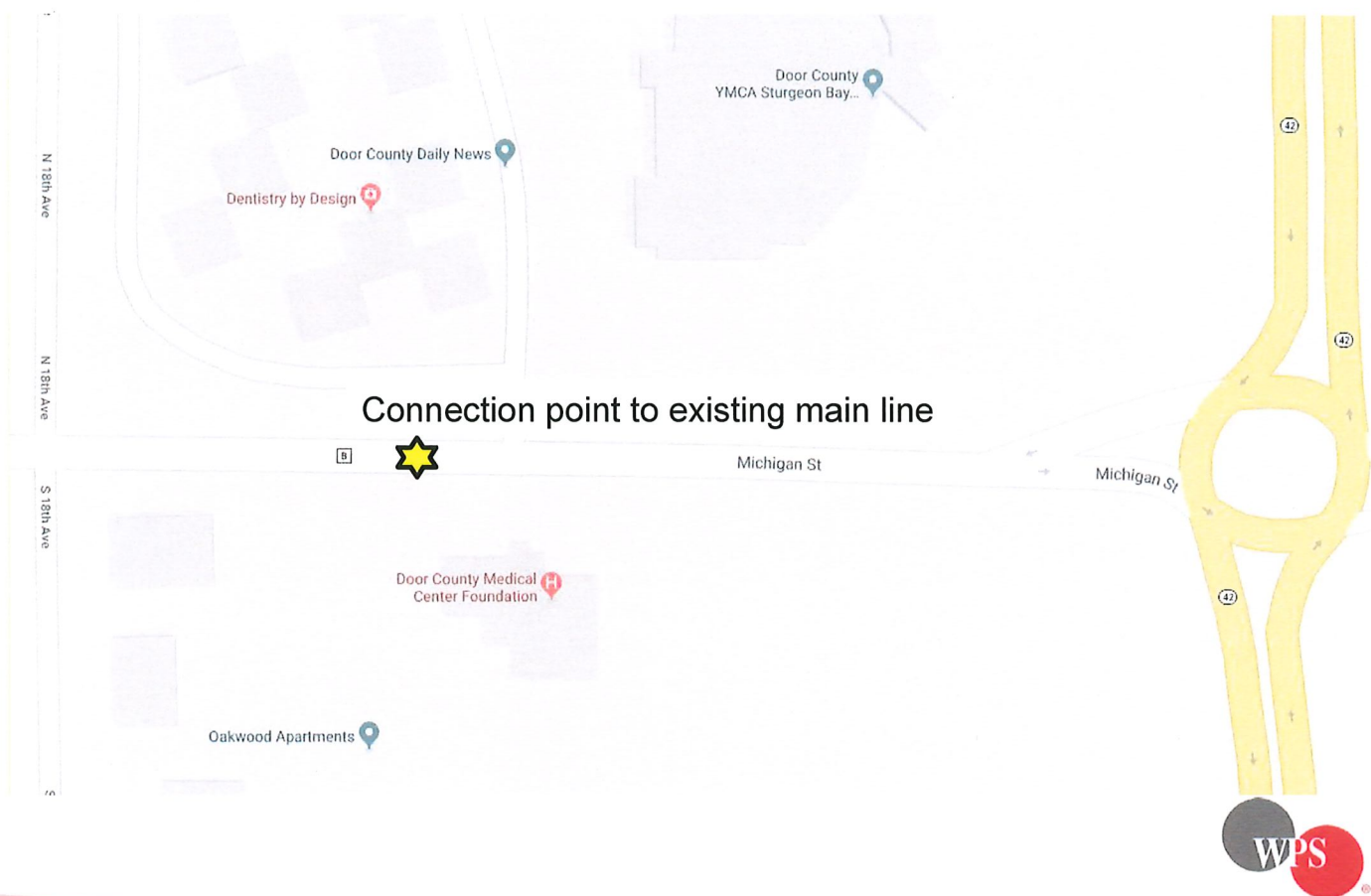
MO/en



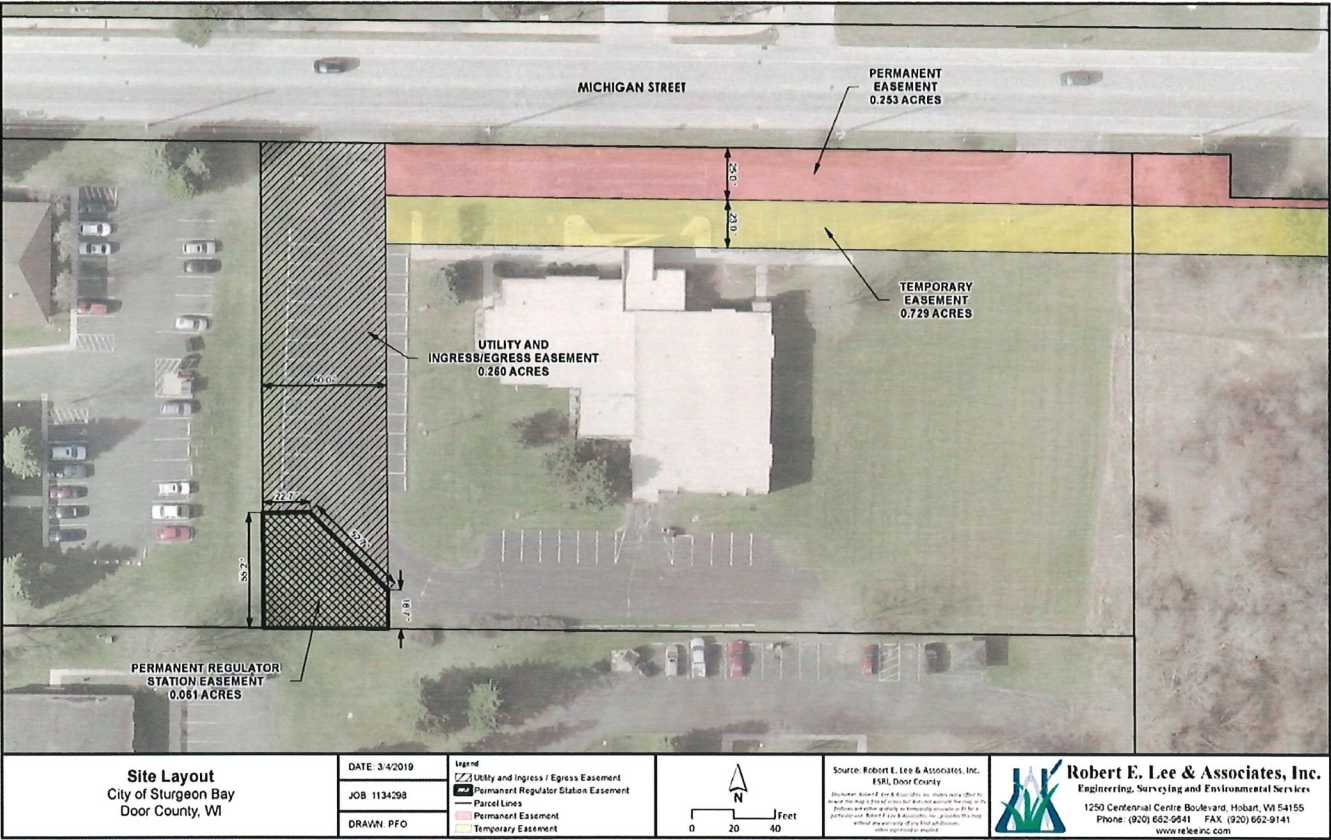
Public Service Commission of Wisconsin

- Certificate of Authority to Construct
 - PSC Ref#354332
 - After careful deliberation of the project (including the current site of the regulator station), the Commission approved the project in December 2018 and made the following finding:
 - “The Commission finds that the proposed route with the Hospital North regulator station alternative is in the public interest. This route avoids the Chaudoir West location, and imposes minimal impacts to the human and natural environment.”

Site chosen due to location of connection point



Site Selected by Public Service Commission of Wisconsin



W:\1100\1134298\Map\Site Layout - One ad.mxd

Worked with hospital to match the existing buildings



Proposed design and fence



The PSCW order made the following findings:

- “The general *public interest and public convenience and necessity require completion* of the proposed project.”
- “The Commission finds that the proposed route with the Hospital North regulator station alternative *is in the public interest.*”
- “It has been determined that no significant environmental impacts on the human environment are likely to occur as a result of this project”

Additional Info:

- The location chosen doesn't prohibit the hospital from expanding to the east of their property.
- The location chosen is in the corner of their property and parking lot. This site doesn't prohibit neighbors from developing or enhancing their property.
- WPS will not impact the existing drainage to the site or surroundings. The current drainage will remain.
- WPS will use the existing driveway to enter the area.
- WPS typically visits district regulator stations once per month. WPS doesn't anticipate traffic congestion.

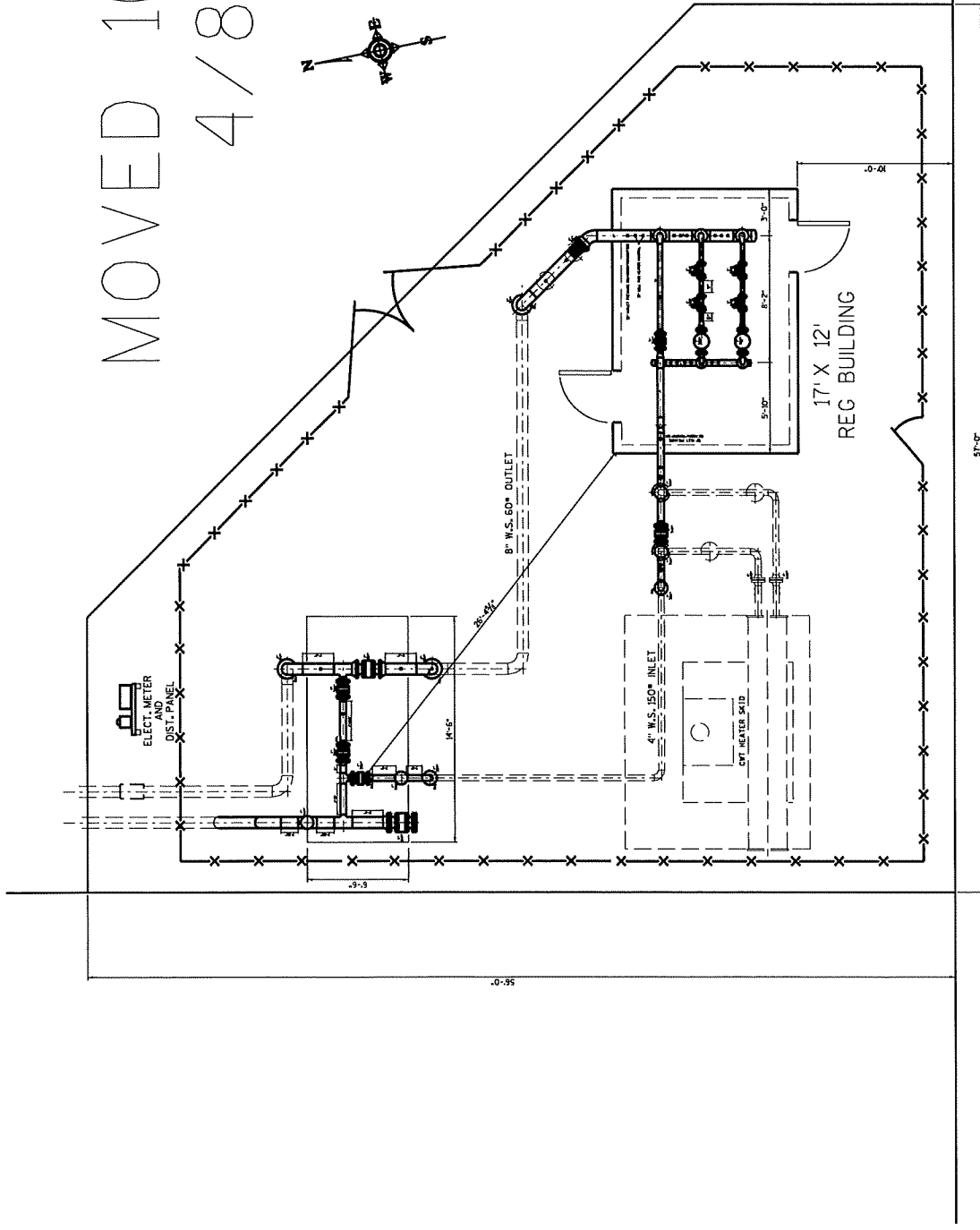
Timeline

- April 2018 - Application was submitted to PSCW
- April 2018 – January 2019 PSCW review
- December 3, 2018 – PSCW issued order
- Early 2019 – City of Sturgeon Bay review
 - Conditional use permitting process
- Spring/Summer 2019 anticipated project construction
 - Pipeline and District Regulator Station

Q & A



MOVED 10' NORTH
4/8/19



0-2121-105150-C90

10: 221001350C

KEYD NUMBERS ASSIGNED 33-0-145 THRU 33-0-147

WISCONSIN PUBLIC SERVICE CORP.

SITE PLAN

EAST STURGEON BAY DRS

STURGEON BAY, WISCONSIN

DATE

BY

APP'D

REV

10/1/18

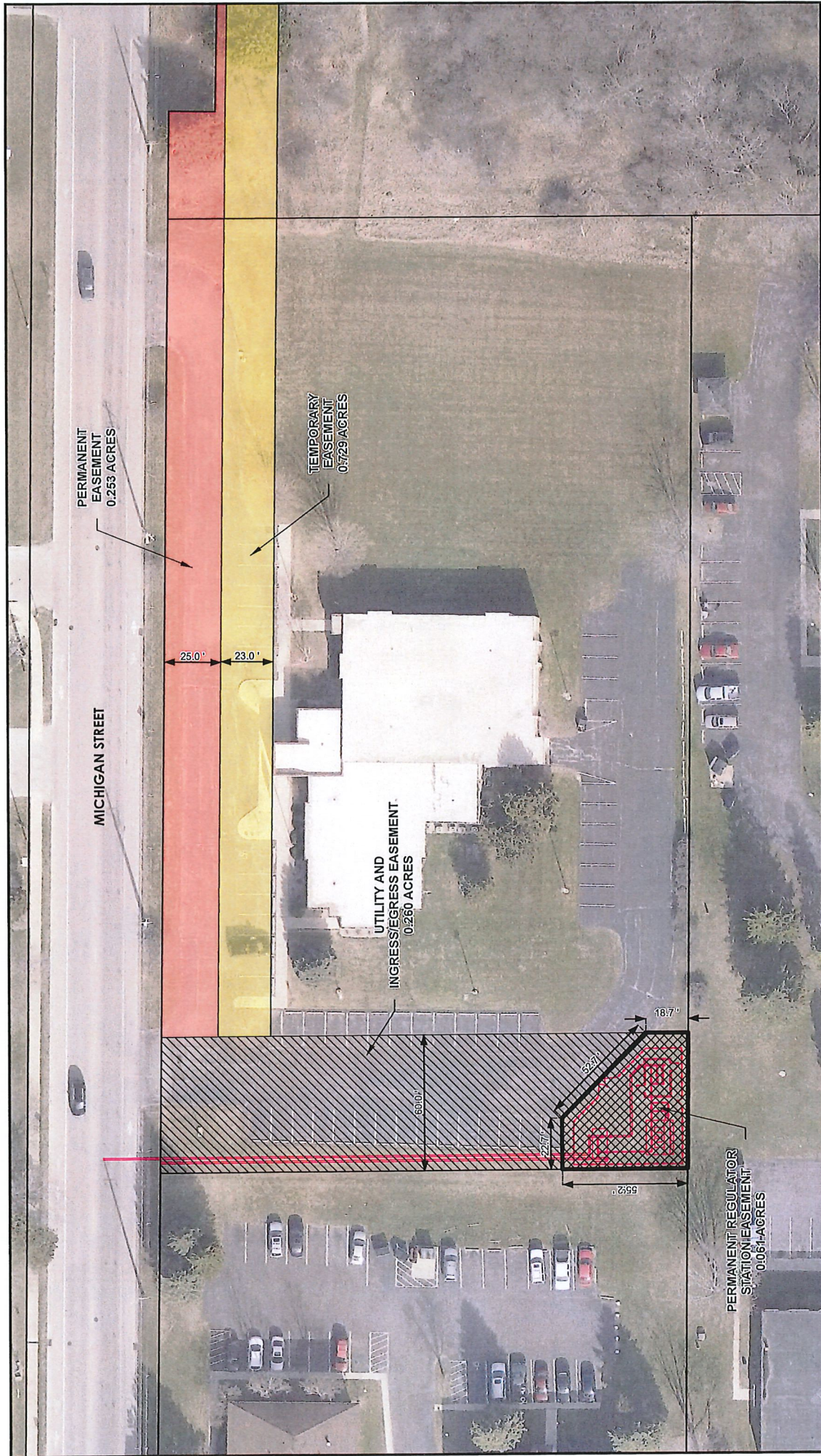
10/1/18

10/1/18

10/1/18

33-0-0084

10/1/18



Site Layout Option 1
City of Sturgeon Bay
Door County, WI

Robert E. Lee & Associates, Inc.
Engineering, Surveying and Environmental Services
1250 Centennial Centre Boulevard, Hobart, WI 54155
Phone: (920) 662-9641 FAX: (920) 662-9141
www.releeinc.com

Source: Robert E. Lee & Associates, Inc.
ESRI, Door County

Disclaimer: Robert E. Lee & Associates, Inc. makes every effort to ensure this map is free of errors but does not warrant the map or its contents. Robert E. Lee & Associates, Inc. provides this map without any warranty of any kind whatsoever, either expressed or implied.

Legend

- Utility and Ingress / Egress Easement
- Permanent Regulator Station Easement
- Parcel Lines
- Permanent Easement
- Temporary Easement

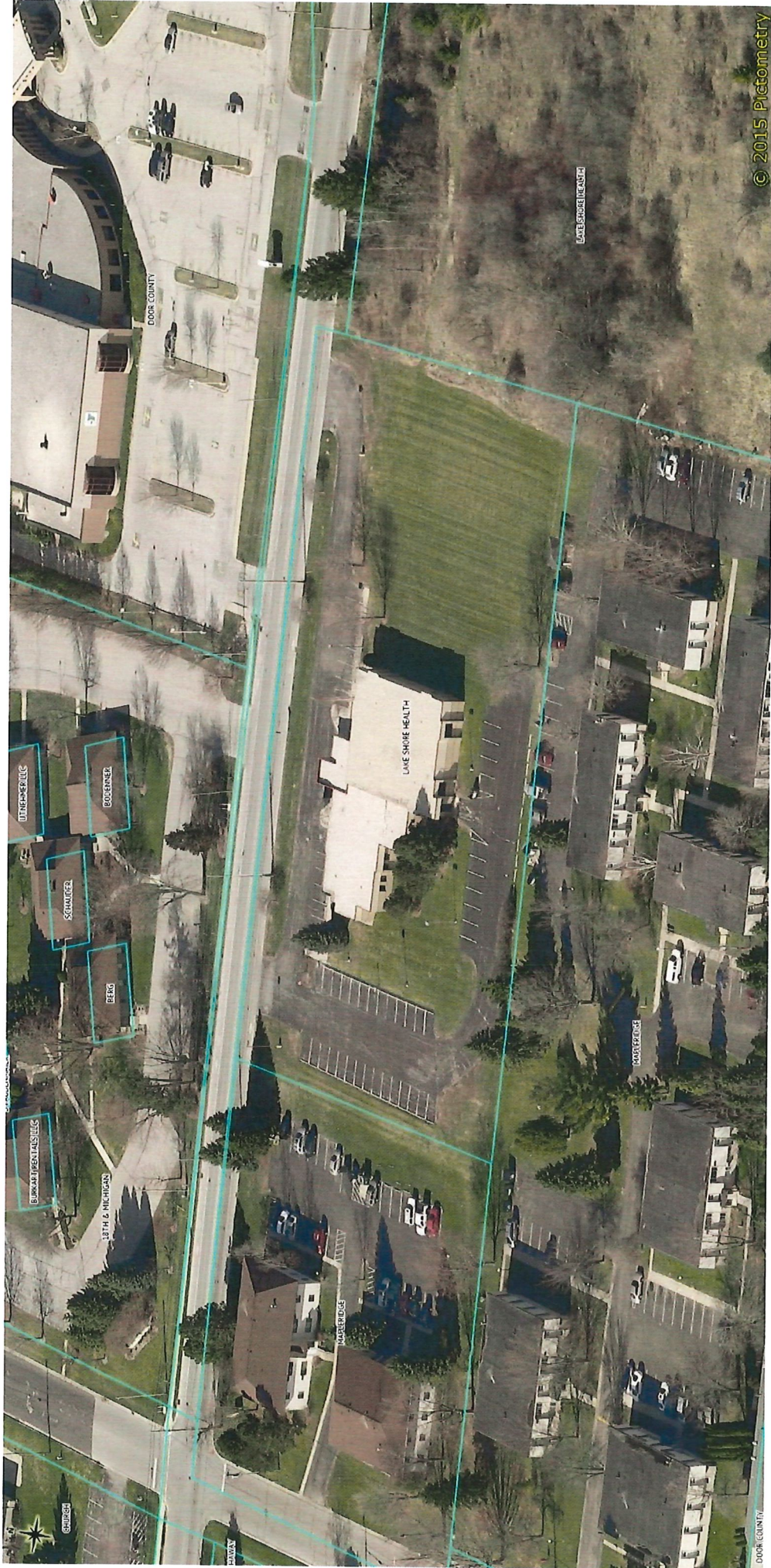
DATE: 4/12/2019

JOB: 1134298

DRAWN: PFO

North Arrow

Scale: 0 20 40 Feet



© 2015 Pictometry



04/25/2015

Nault, Cheryl

From: Stephens, Brian C <Brian.Stephens@dcmedical.org>
Sent: Monday, April 22, 2019 7:52 AM
To: Bittorf, Darrin E; Oshefsky, Lucas F
Subject: RE: WPSC - Sturgeon Bay Gas Project - Construction

Lucas,

Thanks for your patience. Darrin and I had a chance to go over these options and if the city approves this location for the station, we would prefer Site Layout Option 1. This is the option that would be least disruptive to our operations.

Thank you,
Brian

Brian Stephens
Chief Executive Officer

Door County Medical Center
323 South 18th Avenue
Sturgeon Bay, WI 54235
(920) 746-3737
<http://dcmedical.org>

Keeping Patients First In Everything We Do

From: Bittorf, Darrin E
Sent: Friday, April 12, 2019 1:19 PM
To: Stephens, Brian C
Subject: FW: WPSC - Sturgeon Bay Gas Project - Construction

Brian,
Any thoughts?

From: Oshefsky, Lucas F [<mailto:lucas.oshefsky@wecenergygroup.com>]
Sent: Friday, April 12, 2019 1:11 PM
To: Bittorf, Darrin E; Laluzerne, Andy
Cc: Peot, Gerald J
Subject: RE: WPSC - Sturgeon Bay Gas Project - Construction

Gentlemen,

We would like to propose two alternative routes for pipe entering and existing our proposed station due to the difficulties we've had obtaining a setback variance from the City. I've attached mapping with our original route and the two alternative options for your review. If at all possible, Jerry and I would like to setup an online or in-person meeting to discuss the alternative options and any questions you may have.

Please provide potential meeting dates/times that could work next week. Monday/Tuesday or Friday would work the best for me.

Thanks again for all your cooperation. Have a great weekend.

Lucas F. Oshefsky, PLS, LREA

Real Estate Agent

WEC Energy Group

WEC Business Services | 700 North Adams Street | Green Bay, WI 54307-9001

☎: (920) 433-6991 | 📠: (920) 431-4815 | ✉: lucas.oshefsky@wecenergygroup.com

Serving We Energies, Wisconsin Public Service, Michigan Gas Utilities, Minnesota Energy Resources, Peoples Gas and North Shore Gas

From: Bittorf, Darrin E [<mailto:Darrin.Bittorf@dcmedical.org>]
Sent: Friday, April 05, 2019 10:18 AM
To: Oshefsky, Lucas F; Laluzerne, Andy
Subject: RE: WPSC - Sturgeon Bay Gas Project - Construction

Thank you.
Darrin

From: Oshefsky, Lucas F [<mailto:lucas.oshefsky@wecenergygroup.com>]
Sent: Friday, April 05, 2019 10:15 AM
To: Bittorf, Darrin E; Laluzerne, Andy
Subject: RE: WPSC - Sturgeon Bay Gas Project - Construction

Hi Darrin/Andy,

We have received our conditional use permit (CUP) for the station but still have to get approval from the Aesthetic Design and Site Plan Review Board and request that the Zoning Board of Appeals reconsider our variance request for a reduced rear yard setback. I'll continue to keep you updated with this permit process. Also, our clearing/grubbing will likely not occur until late April. I'll let you know when we have a date pinned down.

Thanks and have a great weekend.

Lucas F. Oshefsky, PLS, LREA

Real Estate Agent

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☎: (920) 433-6991 | 📠: (920) 431-4815 | ✉: lucas.oshefsky@wecenergygroup.com

Serving We Energies, Wisconsin Public Service, Michigan Gas Utilities, Minnesota Energy Resources, Peoples Gas and North Shore Gas

From: Oshefsky, Lucas F
Sent: Monday, March 25, 2019 10:18 AM
To: Bittorf, Darrin E (Darrin.Bittorf@dcmedical.org)
Subject: WPSC - Sturgeon Bay Gas Project - Construction

Hi Darrin,

As mentioned in my recent voicemail, I've been working with Andy LaLuzerne to acquire the necessary easements to install our proposed gas pipeline and regulator station within Hospital property. We will be staking the easement areas this week with hopes to begin clearing/grubbing along our proposed project route the week of April 1st. I've circled the

Hospital property that would be impacted by this work on the attached map. Please let me know if you have any concerns or questions with this scheduled work?

Thanks,

Lucas F. Oshefsky, PLS, LREA

Real Estate Agent

WEC Energy Group

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☎: (920) 433-6991 | 📠: (920) 431-4815 | ✉: lucas.oshefsky@wecenergygroup.com

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WARNING: This email was sent from an external address. Exercise caution when opening links or attachments.

WARNING: This email was sent from an external address. Exercise caution when opening links or attachments.

Nault, Cheryl

From: mlcarnahan <mlcarnahan@aol.com>
Sent: Monday, April 22, 2019 3:13 PM
To: Jeff Rice
Cc: KeithM@carnahancorp.com; mollycarnahan@yahoo.com
Subject: Re: WPSC - Sturgeon Bay - Mapleridge Apartments

Jeff,

Mapleridge Apartments, a Wisconsin Limited Partnership d/b/a Oakwood Apartments is the owner of the apartment project located on the east side of S. 18th Avenue immediately south of Michigan Avenue in Sturgeon Bay, Wisconsin.

Our apartment project abuts a hospital property located on Michigan Avenue. More specifically our property shares lot lines with the west and south property lines of the hospital property.

WPSC proposes to erect a 17' X 12' service building on the hospital property near the southwest corner of that property.

We have reviewed plan pages for the proposed building including an aerial photograph upon which the proposed structure has been superimposed. Based upon our review we are aware the south wall of the proposed structure would be located 10' north of the south property line of the hospital property. That property line is also a north property line of a part of our apartment project property.

We understand the applicable zoning requirement would require the proposed WPSC service building to be set back 25' from the hospital property south property line. As a result we further understand WPSC wishes to obtain a variance to permit the building to be located as described above.

As the owner of the abutting property we have no objection to the construction of the WPSC building as described above or to the granting of the apparently required variance from the set-back requirement of the zoning code.

Michael L. Carnahan, General Partner
Mapleridge Apartments, a Wisconsin Limited Partnership

-----Original Message-----

From: Jeff Rice <jrice@mi-tech.us>
To: mlcarnahan@aol.com <mlcarnahan@aol.com>
Sent: Fri, Apr 19, 2019 2:33 pm
Subject: FW: WPSC - Sturgeon Bay - Mapleridge Apartments

Hi Mike here are a couple maps and read below for the details on what WPS is looking for. Call me on my cell phone if you have any questions! Thank you and have a nice Easter weekend!

Jeff Rice | Right of Way Agent

Mi-Tech Services Inc.

office: 715.359.9400 x5240 | cell: 715.218.2002

jrice@mi-tech.us | www.mi-tech.us

PO Box 107 | 5707 Schofield Ave.

Weston, WI 54476



From: Oshefsky, Lucas F
Sent: Monday, April 08, 2019 1:59 PM
To: jrice@mi-tech.us
Cc: DBOETTCH@mi-tech.us
Subject: WPSC - Sturgeon Bay - Mapleridge Apartments

Hi Jeff,

I've attached our proposed station design within Hospital property. Our proposed building is 10ft north of the Hospital's rear lot line. Current rear yard setback is 25ft which is why we are pursuing a setback variance from the Zoning Board. To help plead our case and if the Owner of Mapleridge Apartments was willing, we would like them to send a letter that they have no concerns with our proposed building location being 10ft off their side lot line. FYI...Side setback for both properties is only 10ft.

Thanks,

Lucas F. Oshefsky, PLS, LREA

Real Estate Agent

WEC Energy Group

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☎: (920) 433-6991 | 📠: (920) 431-4815 | ✉: lucas.oshefsky@wecenergygroup.com

Serving We Energies, Wisconsin Public Service, Michigan Gas Utilities, Minnesota Energy Resources, Peoples Gas and North Shore Gas

~~***~~ Minutes from previous WPS Variance Request

ZONING BOARD OF APPEALS Tuesday, March 26, 2019

The City of Sturgeon Bay Zoning Board of Appeals meeting was called to order at 12:02 pm by Chairperson William Murrock in the Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members James Goodwin, Wayne Spritka, William Murrock, and Andrew Starr were present. Excused: Member Bill Chaudoir. Also present were Wisconsin Public Service representatives Lucas Oshefsky, Jerry Peot, and Lynn Kroll, Planner/Zoning Administrator Chris Sullivan-Robinson and Community Development Secretary Cheryl Nault.

Adoption of agenda: Moved by Mr. Goodwin, seconded by Mr. Spritka to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from February 26, 2019.
4. Public hearing: Petition for a side yard and rear yard variance from s. 20.27(2) of the Municipal Code (Zoning Code) to allow a building to be no closer than 4' 8" from the rear property line and no closer than 2' 5" measured from the center of the pipe structure, located at 1843 Michigan Street.
5. Consideration of: Petition for a side yard and rear yard variance from s. 20.27(2) of the Municipal Code (Zoning Code) to allow a building to be no closer than 4' 8" from the rear property line and no closer than 2' 5" measured from the center of the pipe structure, located at 1843 Michigan Street.
6. Adjourn.

Carried.

Approval of minutes from Tuesday, February 26, 2019: Moved by Mr. Starr, seconded by Mr. Goodwin to approve the minutes from February 26, 2019. All ayes. Carried.

Public Hearing: Petition for a side yard and rear yard variance from s. 20.27(2) of the Municipal Code (Zoning Code) to allow a building to be no closer than 4' 8" from the rear property line and no closer than 2' 5" measured from the center of the pipe structure, located at 1843 Michigan Street: Chairperson Murrock opened the public hearing at 12:05 p.m.

Mr. Sullivan-Robinson stated that Wisconsin Public Service is extending a gas service that is currently located in the Industrial Park. It will extend up and around through Division Road, County U, and across the bay to 1843 Michigan Street. The property is owned by Lakeshore Health Services. The gas regulator station will be located on the southwest corner of the property. WPS is requesting to construct a 12-foot x 17-foot metal building to house regulators. The building would be less than 5 feet off the rear property line and the

pipe installation would be locate 2.5 feet from the east property line. In the C-4 District, the requirement is a 25-foot setback from the rear property line and a 10-foot setback from the side yard.

Mr. Oshefsky, real estate agent for Wisconsin Public Service, stated they have gotten verbal and written approval from the property owner for this project.

Mr. Peot, engineer for Wisconsin Public Service, clarified that the dimensions shown on the map were to a proposed chain link, green vinyl-coated fence that will be installed two feet from the property line to enclose the building. The piping will be both above and below ground. It needs to stay 25 feet from the building, which is a federal code.

Mr. Oshefsky explained the location of the piping installation. There will be an in and out on the west property line. The main will head east along the south right-of-way line of Michigan Street within a private easement acquired with the hospital.

Mr. Peot stated that there are reasons for bringing the pipeline over to the east side. The existing crossing has been anchored to the bottom of the shipping canal since 1964 when gas came to the area. He added that climbing ivy will also be planted to screen the fence. The fence will be padlocked.

Mr. Spritka still wasn't clear why the east corner wasn't being used by the green space. Mr. Peot responded that was the request of the hospital. Any future expansion would be in that area. Mr. Spritka was concerned of the long-term infrastructure. He thought it would make more sense to use the green space.

Mr. Peot mentioned the hospital did offer an alternative site behind the clinic to the south, but the Public Service Commission chose this site out of four that were proposed.

Lynn Kroll, WPS Field Services Supervisor, stated that there was a proposed site on 18th Avenue. They worked with all the property owners in that area and found that they were not fond of it, so they went back to the drawing board and found three more sites. There were two sites from the hospital, including the corner of 42/57 and Michigan St. The second site was located on the east end of the clinic property on 18th Avenue, and is heavily wooded. The Public Service Commission did not want WPS to select a site in that area. They went through the approval process and then the Public Service Commission chose the site.

Mr. Starr stated that the hospital is not allowing for a space anywhere else to the south as it will be used for future expansion. The apartment owners had a chance to provide feedback. The landowners to the east did not want the substation in that area toward the Chadoir property. This was the best spot not knowing a variance would be required.

Mr. Sullivan-Robinson affirmed what Mr. Starr stated. WPS met with the City. There were potential sites on the Chadoir property, one being closer to the highway and one closer to

18th Avenue. Both were not received well by City staff or the community. A public hearing notice was sent to abutting property owners. They still will need to get a conditional use approval from the Plan Commission and approval from the Aesthetic Design & Site Plan Review Board.

Mr. Peot stated that they will do whatever they can to make this aesthetically pleasing.

No one spoke during the hearing. There was no correspondence in favor or against the variance request.

The public hearing was declared closed at 12:29 p.m.

Consideration of: Petition for a side yard and rear yard variance from s. 20.27(2) of the Municipal Code (Zoning Code) to allow a building to be no closer than 4' 8" from the rear property line and no closer than 2' 5" measured from the center of the pipe structure, located at 1843 Michigan Street: Board members discussed the variance request. Mr. Murrock felt that this was not the ideal location and that they should look further for different locations.

Mr. Spritka stated that they should follow the codes. Maybe something could be worked out to move the building in. Having only two feet to create an aesthetic buffer does not seem realistic.

After further discussion, it was moved by Mr. Murrock, seconded by Mr. Goodwin to deny the variance request due to public safety, the setbacks are too tight, it is not an ideal location. It should be able to meet a 25-foot setback from the adjoining properties.

Roll call vote was taken on the motion. Motion carried, with Mr. Murrock, Mr. Spritka, and Mr. Goodwin voting aye and Mr. Starr voting no.

Adjourn: Moved by Mr. Starr, seconded by Mr. Spritka to adjourn. All ayes. Carried. Meeting adjourned at 12:34 p.m.

Respectfully submitted,



Cheryl Nault
Community Development Secretary