

TOWN OF GRAND CHUTE  
**ZONING BOARD OF APPEALS MINUTES**  
February 25, 2016

Members Present: Karen Petersen, Aaron Janssen, Cheryl Ulrich, Kiersten Gustafson, Dan Schultz

Members Absent: none

Also Present: Robert Buckingham, Community Development Director

1. **CALL MEETING TO ORDER AND ROLL CALL**

Meeting was opened at 5:30 p.m., roll call was taken and new member, Dan Schultz was welcomed.

2. **APPROVAL OF MINUTES** – REGULAR MEETING OF JANUARY 14, 2016.

**Motion (Ulrich/Gustafson) to approve the minutes.** Motion carried, all voting aye.

3. **PUBLIC HEARING #1:** VARIANCE (V-02-16) REQUESTED BY CITY OF APPLETON, 1850 W. NORTHLAND AVENUE, FOR A VARIANCE FROM CH. 535-43 OF THE TOWN OF GRAND CHUTE MUNICIPAL CODE, TO ALLOW CONSTRUCTION OF A PUMPING STATION STRUCTURE WITHIN THE REQUIRED 55 FOOT SETBACK FROM A COUNTY HIGHWAY.

Chair Peterson opened the public hearing at 5:32 p.m.

Pete Neuberger, representing the City of Appleton, provided background on the neighborhood flooding issues that have prompted the need for a stormwater pond at this site. To provide the needed basin capacity, it is necessary to construct the adjoining pumping station within the required 55' front setback at Northland Avenue. Outagamie County has provided a letter stating that it has no enforceable setback for this property. The City has agreed to incur any costs associated with retaining walls or other accommodations along this road frontage if Northland Avenue is widened in the future.

**Motion (Janssen/Ulrich) to close Public Hearing #1 at 5:38 p.m.** Motion carried, all voting aye.

4. **VARIANCE (V-02-16)** - REQUEST BY CITY OF APPLETON, 1850 W. NORTHLAND AVENUE, FOR A VARIANCE FROM CH. 535-43 OF THE TOWN OF GRAND CHUTE MUNICIPAL CODE, TO ALLOW CONSTRUCTION OF A PUMPING STATION STRUCTURE WITHIN THE REQUIRED 55 FOOT SETBACK FROM A COUNTY HIGHWAY.

Director Buckingham noted that the hardship is proven in this instance and the acknowledgment that Outagamie County does not have an enforceable setback negates the need for the 55' setback.

**Motion (Ulrich/Gustafson) to approve the Variance (V-02-16) requested by the City of Appleton, 1850 W. Northland Avenue, to allow construction of a pumping station structure within the required 55' front yard setback from a County highway. In granting this variance, the Town of Grand Chute Zoning Board of Appeals has relied upon confirmation of the fact that Outagamie County does not have an enforceable setback line on the property at 1850 W. Northland Avenue.** Motion carried, all voting aye.

5. **ADJOURNMENT**

**Motion (Janssen/Ulrich) to adjourn the meeting at 5:40 p.m.** Motion carried, all voting aye.

Respectively submitted,

Tracy Olejniczak  
Community Development Secretary