It is expected that a Quorum of the Personnel Committee, Board of Public Works, and Common Council will be attending this meeting: (although it is not expected that any official action of any of those bodies will be taken)

# CITY OF MENASHA BOARD OF APPEALS Third Floor Council Chambers 140 Main Street, Menasha January 25, 2017 2:30 PM

## **AGENDA**

- 2:30 PM Public Hearing Temporary Use Permit, Bethel Evangelical Lutheran Church, 829 Appleton Road, Menasha
- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
  - 1. Board of Appeals, 5/16/16.
- D. ACTION ITEMS
  - 1. Request for a Temporary Use Permit of Bethel Evangelical Lutheran Church, 829 Appleton Road, Menasha.
- E. ADJOURNMENT

<sup>&</sup>quot;Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha City Clerk at 967-3603 24-hours in advance of the meeting for the City to arrange special accommodations."

# City of Menasha Board of Zoning Appeals Public Hearing

A Public Hearing will be held by the Board of Zoning Appeals on January 25, 2017 at 2:30 p.m. in the City Hall Council Chambers, 140 Main Street, Menasha, WI to hear a request for a temporary use permit of Bethel Evangelical Lutheran Church, 829 Appleton Road, Menasha. The request is to allow on-site camping at 829 Appleton Road, Menasha from June 1, 2017 to August 31, 2017 during the construction of an addition to their facility.

All interested persons objecting to or supporting this appeal are requested to be present. Written comments may be considered by the Board.

Deborah A. Galeazzi City Clerk

Publish: Jan 18, 2017

## CITY OF MENASHA BOARD OF APPEALS

Third Floor Council Chambers 140 Main Street, Menasha May 16, 2016 MINUTES

Public Hearing – Request for Variance, Charles Sonnenburg, 420 Nicolet Blvd, Menasha Chairman Evenson opened Public Hearing.

No one spoke

Chairman Evenson called Public Hearing to a close.

#### A. CALL TO ORDER

Meeting called to order by Chairman Evenson at 2:00 p.m.

#### B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Commissioners Evenson, Homan, Koslowski, Kubiak, Rashid. ALSO PRESENT: AP Englebert, CDC Heim, Clerk Galeazzi, Charles Sonnenburg, Brad Roosevelt (Contractor).

## C. MINUTES TO APPROVE

#### 1. Board of Appeals, 9/29/14

Moved by Commissioner-Kubiak seconded by Commissioner Koslowski to approve minutes. Motion carried on voice vote.

#### D. ACTION ITEMS

# 1. Request for Variance, Charles Sonnenburg, 420 Nicolet Blvd., Menasha

CDC Heim gave a brief review of the property and request.

AP Englebert amended the department's recommendation by adding one foot to the original structure dimensions and recommends a variance approval due to the nonconformities present at the lot.

General discussion ensued.

Commissioner Homan asked Charles Sonnenburg, homeowner, if it is possible to keep the new sunroom the same size as the current home structure or if it could be moved to another portion of the house.

Mr. Sonnenburg discussed the difficulty in keeping the dimensions with height and slant of roof and the financial implications of moving the construction to another part of the property. Mr. Sonnenburg discussed reason for sunroom is to accommodate aqua therapy for pain management of spouse. He provided a document from Nicole Sonnenburg's physician regarding Nicole's medical condition.

Moved by Commissioner Kubiak seconded by Commissioner Rashid to approve variance request to replace a storage room with a sunroom for the purpose of providing for medical treatment for one of the homeowners.

General discussion ensued on adding an additional one foot to the original request. Brad Roosevelt, contractor for homeowner, provided input on the size of the sunroom.

Moved by Commissioner Kubiak seconded by Commissioner Rashid to amend motion to include, the front yard setback will accommodate a porch depth not to exceed 8ft 8in.

Motion to amend carried on voice vote.

Original motion as amended carried on roll call 5-0.

#### E. ADJOURNMENT

Moved by Commissioner Homan seconded by Commissioner Koslowski to adjourn at 2:31 p.m. Motion carried on voice vote.



#### **MEMORANDUM**

Date: January 16, 2017

To: Board of Appeals

From: Department of Community Development

RE: Temporary Use Permit Application – 829 Appleton Road (Parcel # 6-00132-00)

Bethel Lutheran Church, located at 829 Appleton Road, requests review and positive recommendation of a Temporary Use Permit to allow limited on-site camping during the summer of 2017.

The proposal includes locating a maximum of 12 RV/campers to be parked on-site from June 1 through August 31, 2017 (92 days) to accommodate 15-20 individuals who will be working under the direction of a general contractor during the construction of an addition on the church. The individuals consist of retired tradespeople who volunteer for an organization named Builders for Christ. Builders for Christ is a volunteer organization that provides construction assistance to help reduce costs of construction projects for its affiliates. Builders for Christ have been in operation since 1994 and have provided similar construction assistance in other Wisconsin communities including Appleton, Galesville, Hubertus, Rice Lake and Franklin.

Included in the application submittal is a site plan and operations plan. The RV/campers are proposed to be located in the central area of the property so that they are not close to the adjoining residential properties. Hours of operation of the camp are proposed to be from 7:00AM until 8:00PM on a daily basis. Trash will be collected in covered bins and there will be no recreational fires during the length of stay. Parking will be contained on-site in the Church's existing parking lot.

Bethel contacted all property owners residing within 100 feet of the church and held a neighborhood meeting about their proposal on November 7, 2016. They received no negative feedback or concerns from those attending or contacted. The city has also sent notice to all property owners within 100 feet of the church property as well as notice of the request for publication in the Appleton Post-Crescent. Notice was sent prior to the Board of Appeals meeting to allow interested parties the opportunity to comment on the proposal.

Per the City of Menasha Municipal Code, Temporary Use Permit requests must be reviewed and approved, approved with conditions or denied by the Zoning Board of Appeals after first receiving recommendation from the Plan Commission. Code requires that all temporary uses "do not involve the erection of a substantial structure and are compatible with the neighboring uses." In this case, there will not be any structures erected and city staff believes that the temporary use of camping, as outlined in Bethel's proposal, is compatible with and not injurious to neighboring land uses.

The application submittal and proposal was reviewed by the Public Works, Health, Fire, and Police departments. No concerns are noted with the exception of the Health Department requiring additional information about the final plans for the septic system.

The Plan Commission forwarded a positive recommendation for the Temporary Use Permit request, as proposed, to the Board of Appeals with the following conditions:

- 1. Septic system plans are approved by the City of Menasha Health Department.
- 2. Operation of the temporary camping use does not exceed permitted light or noise levels at property lines.

Staff recommends approval of the Temporary Use Permit for Bethel Lutheran Church – 829 Appleton Road with the two conditions recommended by the Plan Commission.

## ARTICLE L Appeals

#### SEC. 13-1-150APPEALS TO THE ZONING BOARD OF APPEALS.

- (a) SCOPE OF APPEALS. Appeals to the Board of Appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the City affected by any decision of the administrative officer. Such appeal shall be taken within thirty (30) days of the alleged grievance or judgment in question by filing with the officer(s) from whom the appeal is taken and with the Board of Appeals a notice of appeal specifying the grounds thereof, together with payment of a filing fee as may be established by the Common Council. The officer(s) from whom the appeal is taken shall forthwith transmit to the Board of Appeals all papers constituting the record from which action the appeal was taken.
- (b) **STAY OF PROCEEDINGS.** An appeal shall stay all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certified to the Board that, by reason of facts stated in the certificate, a stay would, in his opinion, cause immediate peril to life or property. In such cases, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Appeals or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown.
- (c) POWERS OF ZONING BOARD OF APPEALS. In addition to these powers enumerated elsewhere in this Code of Ordinances, the Board of Appeals shall have the following powers:
  - (1) <u>Errors</u>. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Administrator or Building Inspector.
  - (2) <u>Variances</u>. To hear and grant appeals for variances as will not be contrary to the public interest where, owing to practical difficulty or unnecessary hardship, so that the spirit and purposes of this Chapter shall be observed and the public safety, welfare and justice secured. Use variances shall not be granted.
  - (3) <u>Interpretations</u>. To hear and decide application for interpretations of the zoning regulations and the boundaries of the zoning districts after the City Plan Commission has made a review and recommendation.
  - (4) <u>Substitutions</u>. To hear and grant applications for substitution of more restrictive nonconforming uses for existing nonconforming uses provided no structural alterations are to be made and the City Plan Commission has made a review and recommendation. Whenever the Board permits such a substitution, the use may not thereafter be changed without application.
  - (5) <u>Unclassified Uses</u>. To hear and grant applications for unclassified and unspecified uses provided that such uses are similar in character to the principal uses permitted in the district and the City Plan Commission has made a review and recommendation.
  - (6) Temporary Uses. To hear and grant applications for temporary uses, in any district provided that such uses are of a temporary nature, do not involve the erection of a substantial structure and are compatible with the neighboring uses and the City Plan Commission has made a review and recommendation. The permit shall be temporary, revocable, subject to any condition required by the Board of Zoning Appeals and shall be issued for a period not to exceed twelve (12) months. Compliance with all other provisions of this Chapter shall be required.
  - (7) <u>Permits</u>. The Board may reverse, affirm wholly or partly, modify the requirements appealed from and may issue or direct the issue of a permit.



# City of Menasha Application **Temporary Use Permit**

SUBMIT TO: City of Menasha Dept. of Com. Development 140 Main Street Menasha, WI 54952-3190 PHONE: (920) 967-3650

APPLICANT INFORMATION

entitioner: Pastor Samuel Degner Date: 12-5-16
etitioner's Address: 812 Landon St. City: Menasha State: WI Zip: S4952
elephone #: (920) 775 1572 Fax: ( ) Other Contact # or Email: paster Plothel provies bare
atus of Petitioner (Please Circle) Owner Representative Tenant Prospective Buyer  Etitioner's Signature (required):  WNER INFORMATION
wner(s): Bethel Everngelical Cutheran Church Date: 17-5-16
wner(s) Address: 829 Appietin Rd City: Menastin State: WE Zip: 51952
elephone #: (923) 721-1922 Fax: ( ) Other Contact # or Email: 14 for Collective to the contact # or Email: 15 for Collective to the contact # or Email: 15 f
wnership Status (Please Circle): Individual Trust Partnership Corporation (V) Over Dre 15 + 0.15
roperty Owner Consent: (required)  y signature hereon, I/We acknowledge that City employees may, in the performance of their functions, enter upon the property to spect or gather information necessary to process this application. I also understand that all meeting dates are tentative and may be ostponed by the Community Development Department for incomplete submissions or other administrative reasons.  Toperty Owner's Signature:  Date: 12/6/16  EMPORARY USE INFORMATION
ddress/Location of Proposed Activity: 824 Appleton Rd. Menasha, WI 54952
escription of Proposed Activity: Bethel Evangelical Lutheran Church is
applying for a temporary use application to allow ensite camping at its property. We have attached (1) a detailed description of the property proposed on-site camping activity and (2) a scaled site map of the property also of Proposed Activity: Type 1 - August 31, 2017 depicting where the camping want our re-
UBMITTAL REQUIREMENTS – Must accompany the application to be complete.  ☐ Map of the immediate area showing property involved. Area to be used for the temporary use identified.

- ☐ A site plan drawn to readable scale showing present status of property.
- □ Street address, adjacent streets, intersections and any other information or landmarks to help identify the property.
- ☐ Location of existing uses, structures, fences and signs and location of proposed temporary use, structures, fences and signs.
- ☐ A written narrative explaining the requested temporary use and detail discussion of the project.
- > Fee of \$225.00 is due at time of application, payable to the City of Menasha (fee is nonrefundable).

# **Bethel Evangelical Lutheran Church**

829 Appleton Road, Menasha, WI 54952 www.bethelmenasha.org | info@bethelmenasha.org 920-725-1822 (English) | 920-840-5490 (español)



December 5, 2016

Kevin Englebert Associate Planner, Community Development City of Menasha 140 Main Street Menasha, WI 54952-3151

Todd Drew Sanitarian, Health Department City of Menasha 316 Racine Street Menasha, WI 54952-3190

Dear Kevin and Todd:

On behalf of the Congregation of Bethel Evangelical Lutheran Church, which is located at 829 Appleton Road in Menasha, please accept this as a supplement to our application for a temporary use permit to allow up to twelve Recreational Vehicles to camp on our site from the time period of June 1 – August 31, 2017. The Recreational Vehicles will house roughly 15 – 20 individuals who will be assisting the congregation in constructing an addition to our facility.

# A. Background on the Project.

As background, on November 13' 2016, Bethel congregation formally approved the construction of a 4,400 square foot addition to our facility. The project will include an expanded entry area, fellowship area, family area, improved restroom facilities and offices for our two pastors and the administrator of our Shepherd of the Valley Preschool program. Bethel has a special outreach program to the Spanish-speaking community in the Menasha area. As part of that outreach, we conduct English as a Second Language classes, and have two pastors who speak fluent Spanish who are conducting spiritual outreach to that community. Our successful outreach to our Spanish speaking brothers and sisters is a significant driver behind our need to expand our facility.



As part of our project, an organization within our national church body, called Builders for Christ, has offered its assistance in the construction of our facility. We estimate this assistance to reduce our costs of construction by about 15-20 percent. This significant cost reduction is a key aspect of our financial ability to do the project. A prerequisite for Builders for Christ to participate in our project is for Bethel to obtain City approval to allow on-site camping.

# B. Background on Builders for Christ.

As background, Builders for Christ is a volunteer organization within our national church body that provides in-kind construction assistance. The organization is made up of retired men and women who volunteer their time in assisting with church building projects. There are over 700 volunteers from 17 states and they have done over 150 projects since their inception in 1994. The average age of these men and women is 68. They are retired contractors, some of which owned their own construction business when they were in their trades. Often this group also works with local technical colleges and high school shop programs to give students the opportunity to get involved in a building project. Having this group enables us to do community outreach, enjoy fellowship with our church organization, and save us a significant amount of money on our project.

Builders for Christ has successfully obtained approval to camp in a number of communities, both urban and rural, throughout the country and in Wisconsin. Examples include:

2015 - Franklin, WI (south side of Milwaukee)

2015 - Duluth, MN

2006 - Rice Lake, WI

2005 – Hubertus, WI

2003 - Galesville, WI

2001 – Appleton, WI

Builders for Christ is headquartered in Wisconsin, and can be reached at the below address:

John Lautz, Director, Builders for Christ 2323 North Mayfair Rd, Suite 400 Wauwatosa, WI 53226 Cell: 608-792-2565

Office: 414-771-6848



# C. Outreach to Neighborhood.

Bethel is a neighborhood church, with the majority of our congregants coming from a five-mile radius of the church. Many live within blocks of the church. Bethel obtained a list from the City of thirty-three properties that are contiguous to Bethel's property (Attachment 1), and sent a letter (Attachment 2) to each of them making them aware of the project and request for onsite-camping. Owners and residents of contiguous properties were invited to a neighborhood meeting, where the project was described. Six individuals came to the meeting, and none provided any concern. At the conclusion of the meeting, individuals signed a document indicating their comfort with the onsite-camping (Attachment 3). Beyond the neighborhood meeting, we received no concern from residents who received the letter but did not attend the meeting.

# D. Scope of Camping.

Time Period: We are proposing that Builders for Christ camp from June 1 – August 31 of 2017.

Location of Campers: The RV/campers would be located in the central area of our property so that they are not close to any particular neighbor (see Attachment 4).

Description and Number of Camping Vehicles: There would be no more than a dozen Recreational Vehicles. These include Class A and C Motorhomes, and fifth wheel trailers. There will be a distance of a minimum of ten feet between camping units measured from the outside edge of one camping unit to the outside edge of another camping unit, excluding slideouts.

Electric and Septic: Since they will be on site the entirety of the project, it will be necessary to set up direct electric and septic system. This enables them to keep their campers onsite rather than dumping their septic each week at a location. It also keeps traffic in the neighborhood down, as well as noise from generators. We would prepare all necessary electrical and sewer accommodations via licensed electrician and plumber per city recommendations and request. Since the group has worked in several cities and municipalities, they have a system they typically set up and will work with the plumber, electrician, and city municipalities. We expect that this will include potable, grey and brown water. There is a grinder that will convert solids to liquids before entering the system. We do not plan on burying the piping to the septic, and will set it up in such a way as to minimize traffic. The building equipment related to the construction will launch from the



South-Western location of our property to mitigate any concern that construction equipment might damage the piping. For Septic, we will use 4-inch PVC pipe connected by 4-inch rubber boots and 4-inch tees with 4-inch covers. Approximate fall will be ¼ inch per 10 feet, above ground. Discharge will be into grinder pump that is enclosed and buried, and discharged into church sewer system with 1 1/2-inch pipe. Entire system will be enclosed to prevent odor.

Port-a-Potties: There will be no port-a-potties.

Hours of Operation: The campsite would operate from 7:00 a.m. - 8 p.m.

Trash: There will be durable containers to hold accumulated garbage in a central location that will contain covers. They will be emptied on a weekly basis.

Camp Fires: There will be no camp fires.

Campground Administrator: Paul Lebrun

Project Manager, Builders for Christ

17375 Coles Park Rd. Spring Lake, MI 49456

(616) 846-6042

Extra Vehicles: Extra vehicles will park on existing parking lot in the North-East corner of the current parking lot.

If any further information or clarification is needed, we will be happy to provide it. Thank you for your assistance and consideration.

On behalf of Bethel Evangelical Lutheran Church,

Pastor Sam Degner

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# Bethel Evangelical Lutheran Church

829 Appleton Road, Menasha, WI 54952 www.bethelmenasha.org | info@bethelmenasha.org 920-725-1822 (English) | 920-840-5490 (español)



## Dear Neighbor:

On behalf of Bethel Evangelical Lutheran Church, we are excited to tell you about some significant property improvement activities that Bethel is planning over the Summer of 2017. Specifically, we are planning a 4,400 square foot addition. On behalf of the congregation, we are inviting you to join us for a neighborhood conversation at Bethel on Monday, November 7, at 7:00 p.m.

The addition will add fellowship space at the front of our facility, and will also add office space for our two pastors and the administrator of our Shepherd of the Valley Lutheran Preschool. The expansion will also require an adjustment to the footprint of our parking lot.

As part of our construction plan, a church group called Builders for Christ (buildersforchrist.org) has offered to provide in-kind construction assistance. The help from this group of retired construction and trade professionals should decrease the cost of the construction by approximately 15%. As a condition of their participation in the project, this group has requested permission to park their RVs onsite during the construction of the facility. Builders for Christ has a long history of successfully assisting congregations similar to ours, and doing so in a way that is respectful to the community around them. We have talked with the City of Menasha and plan to go through the City approval process. We will be required to meet all sanitary and code requirements for such a facility, and are committed to doing this in a way that provides minimal disruption for you, our neighbors.

As part of our planning process, we highly value our neighbors' opinions, and we encourage you to join us on Monday, November 7, at 7:00 p.m. at Bethel Evangelical Lutheran Church, 829 Appleton Road, Menasha, WI. We'll serve refreshments, and we look forward to hearing your thoughts. If this time does not work for you, we'd be happy to stop by and talk at a time that is more convenient. Please feel free to contact us with any questions or concerns.

Sincerely,

Jason Williams Congregation President Sam Degner Pastor Phil Hunter Pastor

# Dear Neighbor(s),

Bethel Lutheran Church is planning to build an addition during the summer of 2017. Part of the construction will be done by Builders for Christ, a group of retirees who travel the country, volunteering their time to help build churches. This group will be here for two to three months, beginning around June 1. Bethel would like to provide them space for their campers so that they can stay on site, saving on lodging and transportation costs.

Bethel will procure appropriate City permits and comply with all accompanying conditions and regulations. We would also love to have the support of our neighbors. After hearing about these plans and having an opportunity to ask questions or voice concerns, if you are comfortable with our proposal, please consider signing below.

Thank you!

Your neighbors at Bethel Lutheran Church

Name (print): PEDAR BUOM Signature: JAM M	Address: 753 PLLASANT LANE  Date: 7-11 - 2016
Name (print): 1) OKIS Nordheim Signature: Natur Moreika	Address: 828 Apple fon 129  Date: 11-7-2016
Name (print): <u>ArbAT AbaShe im</u> Signature: <u>HAAT AbaMkein</u>	
Name (print): R <sub>10</sub> Ho How by prose Signature: Red The Concerns	• •
Name (print): JOHN COENEN Signature: JAMES COUNTE	Address: <u>817 APPLCTEN RO</u> Date:

Name (print): $\frac{\lambda_{CSC}p(k-1)(1)}{\lambda_{CSC}p(k-1)(1)}$ . Signature: $\frac{\lambda_{CSC}p(k-1)(1)}{\lambda_{CSC}p(k-1)}$ .	Address: $S(G, Jef(G), G)$
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