

## **NOTICE**

The City of **Merrill Zoning Board of Appeals** will meet on **Tuesday, May 4, 2021 at 6:00P.M.** in the City Hall Council Chambers on the following:

Voting members: Chairman Steve Hass, Alderman Mike Rick, James Koebe, Dean Haas, Ron Burrow and Jeremy Thompson

### **AGENDA**

- 1.) Call to order
- 2.) Roll call
- 3.) Public Comment
- 4.) Approval of the minutes December 2, 2020
- 5.) **Public Hearing**: Michael Van Der Geest, requesting a variance to M.M.C. Sec. 113-40, Front yard setback in a Thoroughfare Commercial District at 2806-2808 E. Main Street. Legally described in pin# 251-3106-182-0114, City of Merrill, Lincoln County, Wisconsin.
- 6.) Other Business
- 7.) Next meeting date
- 8.) Adjournment

Darin Pagel  
Zoning Administrator

The Merrill City Hall is accessible to the physically disadvantaged. If specific accommodations are needed, please contact the Merrill City Hall at 536-4880.

**CITY OF MERRILL**  
1004 EAST FIRST STREET  
MERRILL, WI 54452

**NOTICE OF PUBLIC HEARING**

All persons interested will be given an opportunity to be heard at a public hearing to be held by and before the Zoning Board of Appeals of the City of Merrill, Wisconsin, commencing at 6:00 p.m. on Tuesday, May 4, 2021, in the City Hall Council Chambers, 1004 East First Street, Merrill, Wisconsin, on the following proposed matter, to wit;

1. Michael Van Der Geest, requesting a variance to M.M.C. Sec. 113-40, Front yard setback in a Thoroughfare Commercial District at 2806-2808 E Main Street. Legally described in pin# 251-3106-182-0114, City of Merrill, Lincoln County, Wisconsin.
2. Tim Stevenson, 1809 E 3<sup>rd</sup> Street, requesting a variance to M.M.C. Sec. 113-320, front yard fence height and visibility restrictions in a residential zone. Legally described in pin# 251-3106-124-0095, City of Merrill, Lincoln County, Wisconsin.

Anyone having any questions regarding the hearing should contact Zoning Administrator, Darin Pagel at 536-4880.

Dated: April 16, 2021

CITY OF MERRILL, WISCONSIN

By: 

William N. Heideman  
City Clerk

**ZONING BOARD OF APPEALS MINUTES**  
December 2, 2020, 6:00 p.m.

**PRESENT:** Chairman Steve Hass, Alderman Mike Rick, Ron Burrows, Dean Haas, James Koebe, and Zoning Administrator Darin Pagel

**Absent:** Jeremy Thompson

**Guests:** Tammy Gruling, Alderman Weix

No public comment.

**Motion to approve November 2, 2020 minutes Mr. Rick, second Mr. Haas, carried.**

Chairman Hass read the meeting notice and explained procedure.

**Motion to open hearing Mr. Rick, second Mr. Haas, carried.**

Only item on agenda is a variance request from Tim Gruling, 1203 Cottage St. for a corncrib to be used as a gazebo. Tammy Gruling spoke in favor that it was a nice structure and that they were getting some of the parts powder coated and they wanted to use it for a gazebo. She did not know they needed a permit, and her neighbors had no issue with it. She was asked how tall it was, she said roughly 13'. ZA Pagel brought up concerns of allowing a corncrib in a residential setting and the precedent it may set for other items to be used as buildings, also, they already have two accessory buildings on the property which is the limit. Some of the other Board members shared those same concerns. ZA Pagel also stated he had no problem if they wanted to construct a conventional wood frame gazebo. No one else to speak for or against.

**Motion to close hearing Mr. Koebe, second Mr. Rick, carried.**

**Motion to deny the variance by Mr. Rick, second Mr. Burrow, with the condition that they could build a conventional framed wood gazebo, motion carried with Mr. Haas voting no.**

**With no other business, Motion to adjourn Mr. Haas, second Mr. Rick, carried.**

Meeting adjourned 6:15pm

Darin Pagel, Recording Secretary.

**Pagel, Darin**

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**From:** Michael VanDerGeest <mikev@precisionlasercutting.com>  
**Sent:** Thursday, April 15, 2021 11:11 AM  
**To:** Pagel, Darin  
**Cc:** Akey, Rod  
**Subject:** RE: ZBA

To whom it may concern,

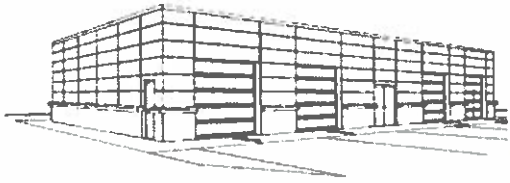
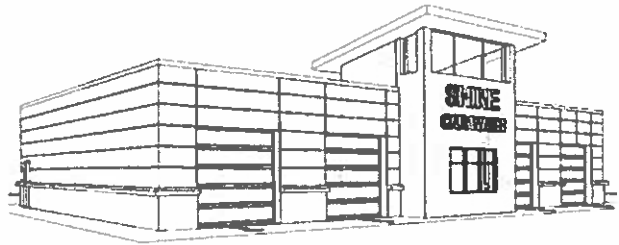
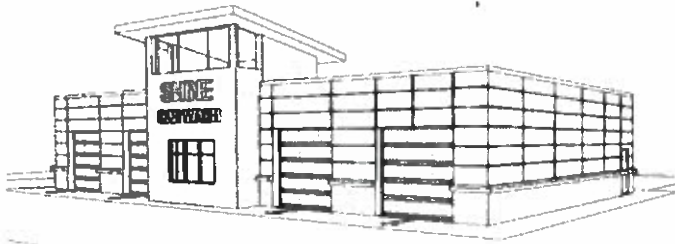
I would like to request a hearing meeting regarding a zoning setback variance on our new "Rain Auto Wash" being constructed this summer @2808 E Main St here in Merrill. Do to the amount of easement space on the south end owned by the City and the residential properties to the North, I believe this is would be a benefit to all parties involved.

Thanks,  
Mike VanDerGeest

**From:** Pagel, Darin [mailto:[Darin.Pagel@ci.merrill.wi.us](mailto:Darin.Pagel@ci.merrill.wi.us)]  
**Sent:** Thursday, April 15, 2021 10:53 AM  
**To:** 'mikev@precisionlasercutting.com' <mikev@precisionlasercutting.com>  
**Cc:** Akey, Rod <[Rod.Akey@ci.merrill.wi.us](mailto:Rod.Akey@ci.merrill.wi.us)>  
**Subject:** ZBA

Mike, for ZBA I will need a description of the reason you are requesting a front yard setback variance and the hearing fee of \$175.00. I'll need everything later today to get you on the May 4, 2021 agenda.

Take care, Darin



SITE PLAN  
1:200



A NEW CAR WASH FACILITY FOR  
**PRIMER COMPANIES - SHINE CAR WASH**  
 MERRILL, WISCONSIN

DATE: \_\_\_\_\_  
 BY: \_\_\_\_\_  
 FOR: \_\_\_\_\_

A-0.1

4-16-21

Zoning Committee Council

RE: Property at 1809 E 3<sup>rd</sup> St Merrill

We are requesting a review of our current fencing located at 1809 E 3<sup>rd</sup> St in Merrill. It came to our attention that the city ordinance states a 4 foot high open fence would be required facing 3<sup>rd</sup> street since we are a corner lot and that would be considered the shortest distance of our lot. We were not aware of this ordinance since we had been approved for a picket fence on the same area several years ago by Merrill Zoning department. We were also not aware another permit was required since we were extending and existing fence. I did speak with Darin Page who was kind enough to explain the ordinance issue and did advise that I could approach the zoning committee for a variance to keep the 6 foot fencing, see attached picture.

We have lived in this home for approximately 30 years and have never had any issues with our property before. The reason that we installed the higher fence was due to the neighbors across the street in two apartment complexes. These apartments are notorious for renting to people who are being monitored by police with multiple arrests and even swat teams that have been involved with drug busts. We had one of those residents come across the street and was found reaching over our smaller picket fence trying to grab out our small Chug puppy, that is the day the fence was built last fall 2020

Thank you for your review and I am hopeful that the fencing can stay up as is. If you have further questions or would like me to attend the meeting for discussion please let me know.

Thank You,

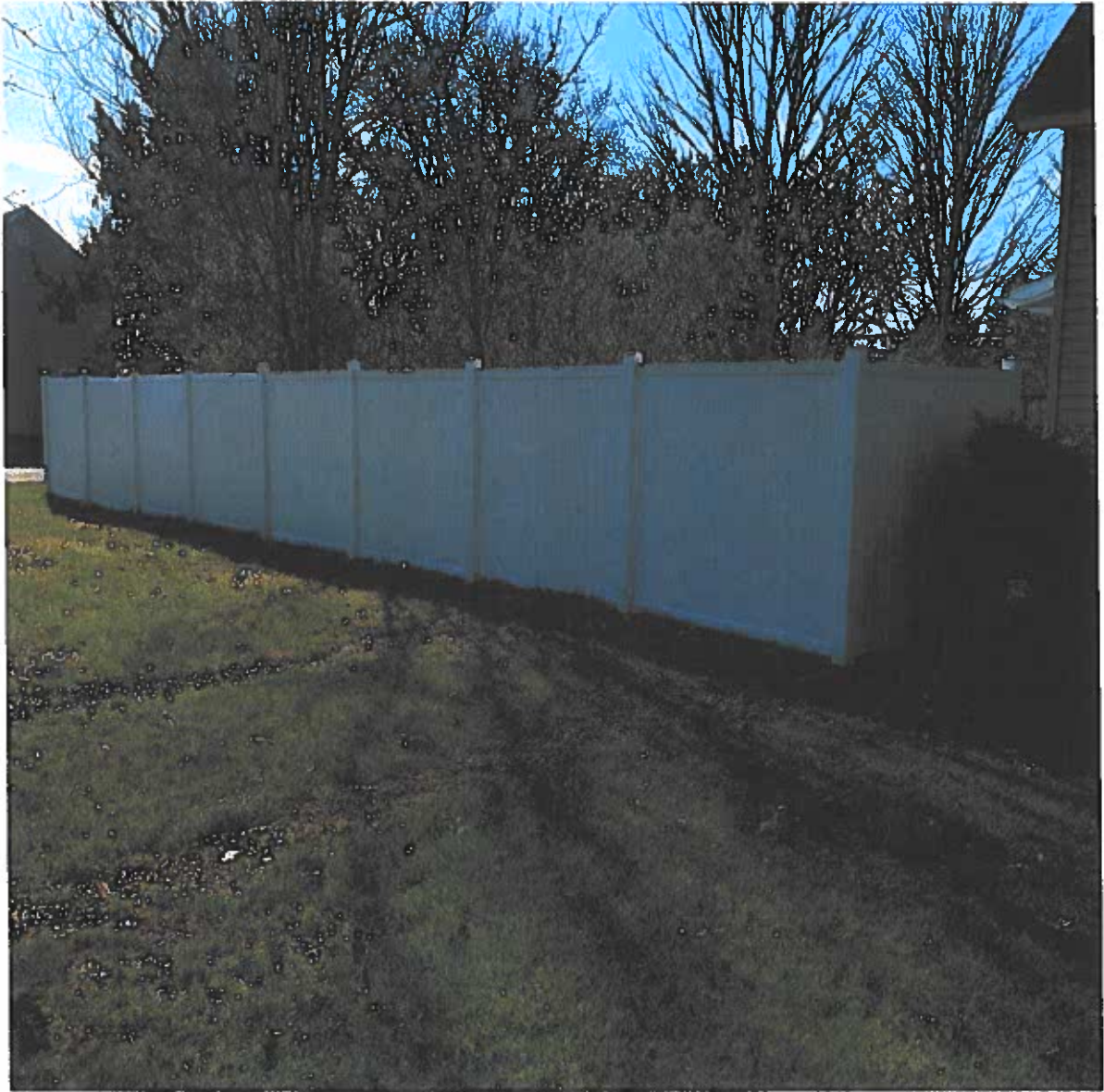
Mary Stevenson

1809 E 3<sup>rd</sup> St

Merrill

A handwritten signature in black ink, appearing to read "Mary Stevenson", written over a light blue horizontal line.

1809 E  
3rd St





Lincoln County, WI  
 Author: Public  
 Date Printed: 4/16/2021



**DISCLAIMER** The information depicted on this map is a compilation of public record information including aerial photography and other base maps. No warranty is made, express or implied, as to the accuracy of the information used. The data layers are a representation of current data to the best of our knowledge and may contain errors. It is not a legally recorded map and cannot be substituted for field-verified information. Errors should be reported to Land Services Department, 801 North Sales St, Merrill, WI, 54452 Phone (715) 539-1087