

**MINUTES
CITY OF BELOIT BOARD OF APPEALS
Special Meeting of December 18, 2018**

A Special Meeting of the City of Beloit Board of Appeals was held on Tuesday, December 18, 2018, in The Forum of Beloit City Hall, 100 State Street. Chairperson Dustin Gronau called the meeting to order at 5:00 PM.

1. Roll Call

Director of Planning & Building Services Drew Pennington called the roll. Present were: John Schroer, Merlin Bussan, Carolyn Hansen, Dustin Gronau, and John Petersen.

2. Approval of the Minutes of the July 10, 2018 Meeting

Mr. Schroer made a motion to approve the July 10, 2018 Minutes as submitted. Mr. Petersen seconded the motion. The motion passed (5-0), voice vote.

3. Liusong Su - 437 Harrison Avenue

BOA-2018-02 Use Variance to Section 6.3.2(e)(4) of the City of Beloit Zoning Ordinance to allow a restaurant operation within a single-family home located at 437 Harrison Avenue.

Mr. Pennington reviewed the staff report and recommendation.

Ms. Hansen asked Mr. Pennington if the zoning variance is the only obstacle to the applicant opening her restaurant. Mr. Pennington stated that the applicant would still need to comply with all of the other health & safety requirements, many of which require significant alterations and cost.

Mr. Bussan asked Mr. Pennington what the applicant's recent alterations were intended to achieve, and Mr. Pennington stated that the applicant appeared to be trying to comply with the building inspector's orders.

Daniel Youd approached the lectern with Ms. Su, identified himself as a Beloit College professor and the applicant's translator for the proceedings. Ms. Su provided an opening statement (translated into English by Mr. Youd) in which she thanked the board for consideration, stated her desire to continue her business, and reiterated her hardship argument relating to her husband's medical condition. Ms. Su stated that if the variance is granted, she would abide by all health and safety rules.

Tim Huffman, 2442 Murphy Woods Road, approached the lectern and identified himself as a builder and a friend of the applicant. Mr. Huffman stated that he is attempting to help the applicant obtain permits and to manage

subcontractors. The Board asked Mr. Huffman why all of the work was completed without any permits, and an answer was not provided.

Mr. Gronau closed the public hearing.

Ms. Hansen stated that it was unclear how to interpret the lack of neighborhood opposition, and stated her general support for the business.

Mr. Gronau stated that the project was done without permits, and that the applicant should invest in a more appropriate location.

Mr. Bussan stated that none of the five standards for a variance are met, and that hardship cannot be self-created.

Ms. Hansen asked the audience if any neighbors are opposed. A member of the audience stated that he is a neighbor, but attended only to gather information. Mr. Pennington reminded all parties that the public hearing had been closed.

Mr. Petersen stated that a home-based restaurant could be problematic for utility providers.

Mr. Gronau stated that the use may negatively impact surrounding home values.

Mr. Schroer made a motion to deny the requested variance. Mr. Bussan seconded the motion. The motion passed (4-1), voice vote.

4. **Adjournment**

The meeting adjourned at 5:30 PM.

Respectfully submitted,
Drew Pennington, AICP