

CITY OF HORICON  
ZONING BOARD OF APPEALS

CASE NO. 183 DECISION

Requested by John Deere Horicon Works to erect a smaller building and a turnstile gate for entry and exiting creating a .04 foot front yard setback in an I-2 Heavy Industrial District at 300 N. Vine Street.

DECISION: In view of the testimony given and the circumstances presented, the following variance was to approve the request for a variance to erect a smaller building and a turnstile gate for entry and exiting creating a .04 foot front yard setback in an I-2 Heavy Industrial District at 300 N. Vine Street, John Deere Horicon Works.

Per Section 13-1-194 of the Municipal Code of the City of Horicon, any person or persons aggrieved by any decision of the Board of Appeals may present to a court of records a petition, duly specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the offices of the Board of Appeals.

Dated this 28<sup>th</sup> day of August 2023.

  
Daryl Levenhagen, Chairman  
City of Horicon  
Zoning Board of Appeals

ATTEST:

  
Chris Spilker, Secretary  
City of Horicon  
Zoning Board of Appeals

Filed: August 28, 2023

c: John Deere Horicon Works  
Rob Froh, Building Inspector

The Horicon Zoning Board of Appeals met in Regular Session with Chairman Daryl Levenhagen presiding. The meeting was called to order at 4:30 p.m.

Members Present: Daryl Levenhagen, Dave Berggren, Craig Halsema, Dave Magnussen and Jeff Raue.

Members Absent: None.

Motion by Halsema, second by Magnussen, to approve the Zoning Board of Appeals minutes from June 7 and June 19, 2023.

Motion carried on a voice vote with no objections.

Chairman Levenhagen announced this was a Public Hearing for 300 N. Vine Street requesting to erect a smaller building and a turnstile gate for entry and exiting creating a .04 foot front yard setback in an I-2 Heavy Industrial District; John Deere Horicon Works.

Levenhagen declared the Public Hearing open for 300 N. Vine Street requesting to erect a smaller building and a turnstile gate for entry and exit creating a .04 foot front yard setback in an I-2 Heavy Industrial District; John Deere Horicon Works.

Levenhagen announced for clarification the work was being completed on Lake Street.

Kevin Duax, representative of John Deere, stated they have taken down the building. He also stated there is a tunnel that runs underneath the road that is below grade and will connect with the adjacent building. Duax explained the new building will be squared off with a brick façade wall to avoid looking at the roof; inside will have a driveway and wash bay; there will be signage in a small display area explaining parking, an open air employee entrance with turnstile gate, landscape with retaining walls and a brick cover to match the façade wall utilizing the brick from demolition to keep the style all the same.

Levenhagen questioned if there will be a driveway for Kreilkamp trucks as there is now.

Duax replied that the area will remain the same with the gate and driveway however the employee entrance with the turnstile gate will be moved to the west inside the footprint of the old building.

Magnussen questioned if there is a second wall running east and west by the turnstile gate.

Duax showed Magnussen on the plans the concrete area with a small stainless rail and open space stating the dimensions of the building being almost 40 feet therefore creating a setback of .04 feet. Duax added the plan is to be at the same front plain

as what has been there and aligns with what is also already in place for the other buildings.

Magnussen questioned if they would use the current crosswalk or have foot traffic go to the other crosswalk where the turnstile will be located.

Duax replied the employee foot traffic will be the same utilizing the same crosswalks they currently use however it may be something in the future to look at and encourage employees to cross on the other side but it is not something in the plans for today.

Berggren questioned the length of the same wall Magnussen questioned.

Duax stated he believed it was 8 or 9 feet above grade but it goes down on Lake Street getting taller as you go down into the tunnel.

Berggren questioned if it was more about privacy and keeping others out of tunnel.

Duax confirmed that was correct but it was also the aesthetics of seeing a rubber roof on the building as you walk down the grade.

Magnussen questioned which other buildings are also aligned to front yard setback of this proposed plan.

Duax stated the John Deere building to the west has the same front plain.

Berggren questioned if the new building would be aligning with this building to the west.

Duax clarified he misunderstood and stated the new building will be placed in the same front yard set back as where the old building was located.

Raue stated the sidewalk would be in the same location.

Duax confirmed the sidewalk would be in the same location and the same proximity as it was with the old building.

Levenhagen stated he remembered when there were steps in front of the building.

Duax confirmed there were steps and when the road was redone a few years ago all the window wells were filled in to allow for a wider sidewalk because Kunkel Engineering was concerned about the stability of the sidewalk; therefore filling in the window wells avoided having to rebuild the walls and created wider sidewalks with more stability.

Berggren questioned the landscape plan.

Duax stated there will be curb like retaining walls with landscaping and the backside on the north end will be grass.

Magnussen stated in viewing the plans he sees an existing building behind the new building and questioned any future plans for this area.

Duax replied there is a vestibule currently and will remain in place with the plan to have glass doors where employees will enter the building. Duax also showed Magnussen on the plans where there will be a patio and landscaping shrubs in this same area.

Levenhagen questioned if welding and paint are still in the same locations as he remembered.

Duax showed Levenhagen on the plans where welding and paint are located today.

Berggren questioned the open space with the new building.

Duax stated the area Berggren is referring to will be a wash bay.

Berggren questioned what he remembered on how the buildings used to connect.

Duax stated it will be like what Berggren remembers but squaring off the angles and the main aisles will also be square framed.

Magnussen stated he has not heard any exceptional, extraordinary, unusual circumstances or unusual conditions as to why this plan is needed.

Duax stated the tunnel is a main thoroughfare for operations and would cause a major hardship if the tunnel is shut down for the southside of Lake Street buildings.

Berggren confirmed if the tunnel shuts down the entire south part won't be able to operate.

Duax stated about 4 years ago when the road was redone the tunnel was maintained at head height and the city avoided cutting into the tunnel at that time with the intentions to preserve the tunnel and allow John Deere to continue utilizing the tunnel as access to their buildings on both sides of the street.

Magnussen stated as he understands this is necessary for an entrance to the buildings on both sides of the street.

Levenhagen stated the tunnel goes to the southside and lawn parts get delivered into the south building and then get transported through the tunnel to get distributed throughout the rest of the company.

Duax confirmed Levenhagen was correct and added the tunnel also allows access to the welding area and paint area. Duax explained without the tunnel it adds a ton of inefficiencies and costs to the due process.

Berggren questioned what is in the southside building.

Duax stated the equipment from the building that was torn down is in this building on the southside of Lake Street along with the maintenance department, truck shop and other items creating quite a mess until the new building is built.

Halsema questioned if John Deere has considered design options that would conform with the setback requirements.

Duax stated they considered doing just the tunnel which would have been partially above grade but the tunnel would not be able to be completely buried because of the grade difference and therefore putting a new building over the tunnel looks better because people are not looking at the roof. Duax further stated having the false wall and turnstile in the new location allows for compliance with the grade level.

Raue stated this plan is the better looking project from an aesthetics standpoint.

Raue questioned an estimate date for completion.

Steven Brey, Ryan Companies Project Manager, stated the completion date is set for December 14, 2023 with the area being enclosed by Halloween of this year.

Raue questioned if the construction would have any impact on the road or traffic.

Duax confirmed there will not be any impact to the road or traffic.

Raue let them know this was a well thought out plan.

Duax said in the future this area has no changes other than possibly moving the security shack but he explained that it will be further in the future.

Berggren stated with the building gone and the new one being smaller the truck traffic should have better visibility from the west.

Duax said the truck traffic will also have a wider lane without interference from the foot traffic because of the turnstile being relocated.

Rob Froh, Building Inspector, stated John Deere is on the main drag, already has zero lot lines and already has the tunnel in place that the City worked with them when the street was repaired to keep the tunnel and at this point he does not have an issue with granting the variance for the setback on the new building.

Levenhagen asked if there were any other questions.

There were none.

All interested individuals and/or their representatives were given an opportunity to be heard.

Levenhagen declared the public hearing closed.

Motion by Berggren, second by Raue, to approve the request for a variance to erect a smaller building and a turnstile gate for entry and exiting creating a .04 foot front yard set back in an I-2 Heavy Industrial District at 300 N. Vine Street.

Berggren commented working there 15 years he realizes how critical the south side of Lake Street is to the business and without this type of flow it will cost a lot of money to make it work.

Duax stated it is currently costing money due to inefficiencies in trucking and other things until the project is complete.

Levenhagen stated the tunnel was congested back when he worked there.

The above motion carried on voice vote with no objections.

Non-action discussion: Discussion on riverbank restoration, Zoning Board of Appeals templates being added to the application process, what is a hardship, common sense approach, Plan Commission responsibilities and Cityview development setbacks.

Motion by Halsema, second by Magnussen, to adjourn.  
Motion carried on voice vote with no objections.

Meeting adjourned at 5:05 p.m.



Christine A. Spilker, Secretary