

**RACINE COUNTY BOARD OF ADJUSTMENT**  
**PUBLIC HEARING AND BOARD MEETING SUMMARY MINUTES**

**SEPTEMBER 5, 2017, 9:00 A.M.**

Ives Grove Office Complex Auditorium  
14200 Washington Avenue  
Sturtevant, WI 53177

Board members present by roll call: George Bieneman, Scott Chase, B. Jean Schaal, Don Charlier, Dave Hendrix

Staff present: Brian Jensen, Nancy Iglinski

Chairman Bieneman called the September 5, 2017, Racine County Zoning Board of Adjustment public hearing to order at 9:00 a.m. Board members were introduced by roll call and Chairman Bieneman stated a quorum was present. He then introduced staff and explained meeting procedures. Brian Jensen announced that Board members may have visited each of the sites prior to this meeting, and pertinent information obtained during the visit may be discussed at this meeting and used to assist them in their decision-making.

Preceding the public hearing, **HENDRIX MOVED, seconded by Schaal**, to approve the August 1, 2017, Racine County Board of Adjustment public hearing and board meeting summary minutes as presented. Motion carried unanimously – VOTE: 4/0 (*NOTE: Scott Chase abstained due to his absence at the August 1, 2017, meeting.*)

Following are the items presented and the Board's actions.

**PUBLIC HEARING**

1. Randall & Betty Schaefer 9:03 9:25	-Norway-	Permit was denied and a variance is requested as the proposed detached accessory structure will have an insufficient street yard setback and insufficient setback to the principal structure.
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Jensen presented the petition. The Board heard public testimony and communications were read into the record. At the Board portion of the hearing, **SCHAAL MOVED, seconded by Charlier**, to deny this variance request to construct a detached accessory structure located at 25102 W. Loomis Road, Section 4, Town 4 North, Range 20 East, in the Town of Norway. Motion carried unanimously. VOTE: 5/0

The Board denied this variance request as: The Racine County Public Works and Development Services Director does not support this variance request, pursuant to her correspondence dated September 1, 2017. The Board may not grant a variance that is inconsistent with the purpose and intent of the regulations for the district in which the project is located, and the proposed accessory structure is inconsistent with such as it would have an insufficient street yard setback and setback to the principal structure, which is contrary to zoning objectives. There were no exceptional, extraordinary or unusual circumstances or conditions that apply to this parcel to allow for the granting of a variance. No unnecessary hardship was demonstrated that would unreasonably prevent the owners from using the property for the permitted purpose allowed by code. The requested variance approval is not necessary to provide reasonable use of the property. The applicants may have other options available that will comply with the zoning ordinance, including locating the boat and the accessory structure in a code-compliant

manner on this parcel. The Board did approve the boat to be parked with an insufficient street yard location but no closer than the existing detached garage distance from the road right-of-way.

- |      |                           |         |  |
|------|---------------------------|---------|--|
| 2.   | Laura C. Carr Trust Dated | -Dover- | Permit was denied and a variance is requested as the proposed addition to an existing detached garage will have an insufficient street yard setback. |
| 9:15 | 12/2/1990                 |         |  |
| 9:32 |                           |         |  |

Jensen presented the petition. The Board heard public testimony and communications were read into the record. At the Board portion of the hearing, **HENDRIX MOVED, seconded by Schaal**, to deny this variance request to construct a 16' x 12' addition to an existing detached garage located at 24301 Fairway Drive, Section 22, Town 3 North, Range 20 East, Town of Dover. Motion carried unanimously. VOTE: 5/0

The Board denied this variance request as: The Racine County Public Works and Development Services Director does not support this variance request, pursuant to her correspondence dated September 1, 2017. The Board may not grant a variance that is inconsistent with the purpose and intent of the regulations for the district in which the project is located, and the proposed detached garage addition is inconsistent with such as it would have an insufficient and non-average street yard setback, which is contrary to zoning objectives. There were no exceptional, extraordinary or unusual circumstances or conditions that apply to this parcel to allow for the granting of this variance, as it appears that an addition to the detached garage or a separate structure may be constructed in a code-compliant location without a need for a variance. No unnecessary hardship was demonstrated that would unreasonably prevent the owners from using the property for the permitted purpose allowed by code. The requested variance approval is not necessary to provide reasonable use of the property. The applicants have other options available that will comply with the zoning ordinance, including building a code-complying structure on the property.

9:25 **CHASE MOVED, seconded by Schaal**, to close the public hearing.

**BOARD MEETING**

1. Decisions on preceding petitions

- |      |                              |              |  |
|------|------------------------------|--------------|--|
| 2.   | David & Stephanie Burchfield | -Burlington- | Request to extend the 11/01/2016 variance. |
| 9:39 | <i>Variance approved on</i>  |              |  |
|      | <i>11/01/2016</i>            |              |  |

Jensen presented the extension request and background information. At their November 1, 2016, meeting, the Board approved the applicants' variance request to construct a ±2208 square-foot single-family residence, with crawl space and uncovered street yard decks, located at 30133 Beach Drive, Section 27, Town 3 North, Range 19 East, in the Town of Burlington. The applicants are requesting an extension of the variance approval due to a delay in the planning stage of the design.

**HENDRIX MOVED, seconded by Charlier**, to approve an extension for up to nine (9) months. Motion carried unanimously. VOTE: 5/0

3. Other business as authorized law

No other business was presented or discussed.

4. Adjourn  
9:42

There being no further business, **CHASE MOVED, seconded by Schaal**, to adjourn at 9:42 a.m. Motion carried unanimously. VOTE: 5/0