

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

**NOVEMBER 7, 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 November 7, 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, **SCHAAL MOVED, seconded by Chase**, to approve the October 3, 2017, Racine County Board of Adjustment public hearing and board meeting summary minutes as presented. Motion carried unanimously – VOTE: 5/0

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

**PUBLIC HEARING**

- |      |                               |             |  |
|------|-------------------------------|-------------|--|
| 1.   | Timothy & Kelly Wojciechowski | -Waterford- | Permit was denied and a variance is requested as the cost to reconstruct the portion of the existing residence will exceed fifty (50) percent of its equalized assessed value at the time it’s becoming a nonconforming use. |
| 9:04 |                               |             |  |
| 9:51 |                               |             |  |

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 Charlier**, to approve this variance request to raze a portion of an existing residence and reconstruct the razed portion with a basement located at 6024 Town Line Road, Section 24, Town 4 North, Range 19 East in the Town of Waterford.

The Board approved this variance request as: The Racine County Public Works and Development Services Director recommended approval pursuant to her correspondence dated October 30, 2017. Submitted documentation and public hearing testimony established a need for structural repair to this structure and the need to preserve the substantial property rights of the owners that are also enjoyed by others in this area. The variance does not appear to be contrary to the purpose and spirit of the ordinance, as the residence is consistent with the existing development in this area; it should not disrupt the uniformity of development in this area; and it will enhance the safety and integrity of the structure. Requiring the separation of the properties would be deemed a poor zoning practice/principle. The existing structure was built prior to the adoption of the revised Racine County Zoning Ordinance and the proposed structural improvements will meet the required yard setbacks. The request does not appear to create substantial detriment to adjacent property,

as there was no opposition shown at the public hearing and the public interest does not appear to be negatively impacted by this request. To comply with the ordinance would render conformity with such restrictions as unnecessarily burdensome.

The Board granted approval of this variance request subject to: The proposed structural improvements must be located and sized as shown on the submitted plan dated October 5, 2017. Standard conditions apply. Nine-month expiration date (August 7, 2018). Zoning permit fee of \$135.00

2. 9:15 10:00	Andrew Scholbe, Owner Jay & Kristin Lorino, Applicants	-Norway-	Permit was denied and a variance is requested as the proposed single-family residence with attached garage, second-floor balcony, patio and retaining wall
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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, **CHASE MOVED, seconded by Schaal**, to approve this variance request to construct a single-family residence with attached garage, 2<sup>nd</sup>-floor balcony, patio, and retaining walls located at 26120 S. Wind Lake Road, Section 17, Town 4 North, Range 20 East in the Town of Norway.

The Board approved this variance request as: The Racine County Public Works and Development Services Director recommended approval, pursuant to her correspondence dated October 30, 2017. Submitted documentation and public hearing testimony established a need for a residence to be located on this site to preserve the substantial property rights of the owners that are also enjoyed by others in this area. The variance does not appear to be contrary to the purpose and spirit of the ordinance, as the proposed residence is consistent with the existing development in this area; it should not block views to the water; and it should not compromise aesthetics. Substandard lot configuration, as well as other obstructions, create a hardship and limit the location for proper placement of a residence on this property. The waters of the state will be protected by implementing required erosion-control measures and shoreland conditions. To comply with the ordinance would render conformity with such restrictions as unnecessarily burdensome.

The Board granted approval of this variance request subject to: The proposed single-family residence must be located and sized as shown on the submitted survey dated September 24, 2017, and revised October 23, 2017. Racine County shoreland conditional use approval must be obtained before a zoning permit can be issued. Storm water drainage is the responsibility of the Township. The landowners must contact the Town for approval. The Town may not issue a building permit until they have approved said plan. Blocking or creating surface water drainage problems on adjacent properties is prohibited. Standard conditions apply. Nine-month expiration date (August 7, 2018). Zoning permit fee of \$345.00

9:51 **CHASE MOVED, seconded by Schaal**, to close the public hearing.

**BOARD MEETING**

1. Decisions on preceding petitions

2. Other business as authorized law

No other business was presented or discussed.

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|-------------|---|----------|---|
| 3.<br>10:12 | Randall & Betty Schaefer<br>Variance unanimously denied<br>09/05/2017 | -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. |
|-------------|---|----------|---|

Jensen presented the petition. The Board heard public testimony and communications were read into the record. At the Board portion of the hearing, **CHASE MOVED, seconded by Charlier**, to approve this variance request to construct a 12' x 20' detached accessory structure located at 25102 W. Loomis Road, Section 4, Town 4 North, Range 20 East in the Town of Norway.

The Board approved this variance request as: The Racine County Public Works and Development Services Director recommended approval of the reconsideration, pursuant to her correspondence dated October 30, 2017, as the owner now proposes the structure a minimum of ten (10) feet from the residence and three (3) feet from the side property line. Submitted documentation and public hearing testimony established a need for an accessory structure of this size to protect the owner's belongings from the effects of the outdoor environment and the need to preserve the substantial property rights of the owners that are also enjoyed by others in this area. The variance does not appear to be contrary to the purpose and spirit of the ordinance, as the proposed accessory structure is consistent with the existing development in this area; it should not block views to the water; the location should not impair visibility for traffic; and it should not compromise aesthetics and will be set back farther from the road right-of-way than the existing residence. Mature tree and well-casing location, as well as other obstructions, create a hardship and limit the location for proper placement of an accessory building on this property. The request does not appear to create substantial detriment to adjacent property, as there was no opposition shown at the public hearing and the public interest does not appear to be negatively impacted by this request. To comply with the ordinance would render conformity with such restrictions as unnecessarily burdensome.

The Board granted approval of this variance request subject to: The proposed accessory structure must be located and sized as shown on the submitted plans received by this office dated July 31, 2017 and October 2, 2017. Blocking or creating surface water drainage problems on adjacent properties is prohibited. Standard conditions apply. Nine-month expiration date (August 7, 2018). Zoning permit fee of \$65.00

4. Adjourn  
10:16

There being no further business, **CHASE MOVED, seconded by Schaal**, to adjourn at 10:16 a.m. Motion carried unanimously. VOTE: 5/0