

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

MARCH 6, 2018, 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, Dave Hendrix

Board member excused: Don Charlier, Jean Schaal

Staff present: Brian Jensen, Nancy Iglinski

Chairman Bieneman called the March 6, 2018, 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, **CHASE MOVED, seconded by Hendrix**, to approve the February 6, 2018, Racine County Board of Adjustment public hearing and board meeting summary minutes as presented. Motion carried unanimously. VOTE: 3/0

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

PUBLIC HEARING

- | | | |
|----------------------------------|-------------|---|
| 1. Craig & Emily Planton, Owners | -Waterford- | Permit was denied and a variance is requested as the proposed addition will have insufficient shore yard setback and exceed 200 sq.-ft. lateral expansion within shore yard setback area. |
| 9:04 | | |
| 9:49 | | |

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 Hendrix**, to approve this variance request to construct first- and second-floor additions to an existing residence, with a covered and uncovered deck and covered concrete porch, located at 4201 Riverside Road, Section 26, Town 4 North, Range 19 East, in the Town of Waterford. **HENDRIX amended the motion on the floor** to note that the location of a more code-compliant location for a residential addition would result in a greater negative impact on the

SCOTT accepted the amended motion and the amended motion was approved unanimously.
VOTE: 3/0

The Board approved this variance request as: Submitted documentation and public hearing testimony established a need for additional living space in this structure and the need to preserve the substantial property rights of the owners. The variance does not appear to be contrary to the purpose and spirit of the ordinance as the proposed addition is consistent with the existing development in the area, it should not compromise aesthetics and it will not encroach further in the shore yard and 100-year floodplain. Mature tree location creates a hardship and placement of a residential addition on this property in a more code-compliant location would have a greater negative impact on the waterway and watershed

than what is being proposed. An area property owner submitted oral support for this proposal and the public interest doesn't appear to be negatively impacted by this request. 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 residential addition must be located and sized as shown on the submitted survey dated January 2, 2018, and revised on February 5, 2018. The exterior of the addition must be the same, or in harmony with, with exterior of the structure to which it is being attached. Racine County Shoreland Conditional Use approval must be obtained and a mitigation plan must be submitted to the Development Services Office before a zoning permit may be issued. There must be no unapproved excavation, filling, construction or other land disturbances within the designated 100-year floodplain. Increased flood insurance premiums and risk to life and property may result from the granting of this variance because of the closeness of the addition to the floodplain. Standard conditions apply. Nine-month expiration date (December 6, 2018). Permit fee of \$360.00 (\$130.00 zoning permit and \$225.00 shoreland contract).

2. Thomas & Debra Westenberger, -Burlington- Permit was denied and a variance is
9:25 Owners requested as the proposed residence will
9:57 have an insufficient shore yard setback.

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 Chase**, to approve this variance request to construct a single-family residence with full basement, two attached uncovered decks and an uncovered concrete patio, located at 4313 Lake St.; Section. 33, Town 3 North, Range 19 East, in the Town of Burlington. Motion approved unanimously. VOTE: 3/0

The Board approved this variance request as: The Racine County Public Works and Development Services Director had no objection, pursuant to her correspondence dated ____, 2018. Submitted documentation and public hearing testimony established a need for 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.

Standard conditions apply. Nine-month expiration date (December 6, 2018). Permit fee of \$570.00 (\$345.00 zoning permit and \$225.00 shoreland contract)

9:49 **CHASE MOVED, seconded by Hendrix**, to close the public hearing.
Motion carried unanimously. VOTE: 3/0

BOARD MEETING

1. Decision on preceding petitions

2. Other business as authorized law

No other business was presented or discussed.

3. Adjourn

10:02:

There being no further business, **CHASE MOVED, seconded by Hendrix**, to adjourn at 10:02 a.m.
Motion carried unanimously. VOTE: 3/0