

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

MAY 1, 9:00 A.M.

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

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

Board members excused: Don Charlier

Staff present: Brian Jensen, Nancy Iglinski

Chairman Bieneman called the May 1, 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, **SCHAAL MOVED, seconded by Hendrix**, to approve the April 3, 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. | Steven B. Tomaschek, Owner | -Waterford- | Permit was denied and a variance is |
| 09:03 | Steven R. Sharpe, Agent | | requested as the proposed garage will have |
| 09:10 | | | an insufficient street 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 Schaal**, to approve this variance request to convert an existing attached 20' x 28' carport to an attached 20' x 28' garage; located at 5634 W. Peninsula Drive, Section 23, Town 4 North, Range 19 East, in the Town of Waterford. Motion carried unanimously. VOTE: 3/0

The Board approved this variance request as: The Racine County Public Works and Development Services Director recommended approval, pursuant to her correspondence dated April 27, 2018. Submitted documentation and public hearing testimony established a need for a garage of this size to protect the owners' 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 conversion of the existing carport to an enclosed attached garage 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. The unusual lot configuration and the fact that this is a substandard parcel and waterfront property create a hardship and limit the location for proper placement of an attached garage 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. 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 conversion of a carport to an attached garage shall be located and sized as shown on the submitted plan received by the Development Services Office on April 3, 2018. The exterior of the garage must be the same as, or in harmony with, the exterior of the building to which it is being attached. Standard conditions apply, Nine-month expiration date (February 1, 2019). Permit fee of \$135.00.

09:10 **SCHAAL MOVED, seconded by Hendrix**, to close the public hearing.
Motion carried unanimously. VOTE: 3/0

BOARD MEETING

1. Decision on preceding petition

2. Other business as authorized law
9:15

- The Board agreed to cancel the Board of Adjustment public hearing/meeting scheduled for July 3, 2018, due to lack of a quorum on that date.
- Jensen noted that Board Member Don Charlier is recovering from a hip injury due to a recent fall.

4. Adjourn
9:16

There being no further business, **SCHAAL MOVED, seconded by Hendrix**, to adjourn at 9:16 a.m.
Motion carried unanimously. VOTE: 3/0