

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

DECEMBER 4, 2018 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

Staff present: Brian Jensen, Nancy Iglinski

Chairman Bieneman called the December 4, 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 November 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.
09:02
10:04 | Gary & Joanna Ketterhagen, Owners
Jude Tindall Construction/SE WI
Sunrooms, LLC, Agent | -Norway- | Proposed sunroom addition will have an insufficient rear 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 remove an existing 16' x 20' uncovered deck and replace with a 16' x 16' enclosed sunroom addition on helical piles attached to the existing residence located at 6821 Regina Lane, Section 16, Town 4 North, Range 20 East, Town of Norway. **Motion carried unanimously. VOTE: 3/0**

The Board approved this variance request as: The Town of Norway provided written communication stating that their staff feels the proposed sunroom and retaining walls will not impact the existing drainage easement. The Racine County Public Works and Development Services Director had no objection, pursuant to her correspondence dated November 30, 2018. Submitted documentation and public hearing testimony established a need for additional living space in this structure and a 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 residence location should not impair visibility for traffic, it should not compromise aesthetics, it will be smaller in size and more in conformance than the uncovered deck that was previously approved by the Board of Adjustment in 1999, and it will not cause issues with drainage. Steep slopes and the drainage easement create a hardship and limit the location for proper placement of an addition to the single-family residence. The request does not appear to create substantial detriment to adjacent property, as several area property owners have submitted written support of the project, 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 sunroom addition to the residence must be located and sized as shown on the submitted plan received by the Development Services Office on November 7, 2018. The exterior of the addition must be the same as, or in harmony with, the exterior of the building to which it is being attached. Standard conditions apply. Permit fee of \$110.00. Nine-month expiration date (September 4, 2019).

- | | | | |
|-------|----------------------------------|---------|--|
| 2. | William J. Liggett, Owner | -Dover- | Proposed remodel & addition will exceed fifty (50) percent of its equalized value at the time it's becoming a nonconforming use. |
| 09:09 | Brian C. Randall, Attorney/Agent | | |
| 10:07 | | | |

Jensen presented the petition. The Board heard public testimony and communications were read into the record. This variance request is to remodel and reconstruct a 2nd-story addition to an existing residence located at 28812 Washington Avenue, Section 2, Town 3 North, Range 20 East, Town of Dover. At the Board portion of the hearing, **HENDRIX MOVED, seconded by Schaal**, to lay over this variance request for up to three (3) meetings. **Motion carried unanimously. VOTE: 3/0**

The Board took this action in order to allow the applicants time to provide additional documentation that would demonstrate that a nonconforming use of a second residence existed on this property before the adoption of County Zoning by the Town of Dover on February 11, 1974, and was in continuous use from 1974 to the present, without there ever being a lapse of 12 consecutive months.

- 10:03 **SCHAAL 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

Jensen commented that there a prospective board member may have been found to fill the vacancy that currently exists on the Board of Adjustment

3. Adjourn
10:10

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