

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

**MARCH 5, 2019, 9:00 A.M.**

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

**(NOTE: Audio recording from Racine County is available upon request. These minutes are intended as a summary of actions taken by the Committee and do not include verbatim or detailed accounts of all comments made by staff, the Committee and members of the general public present at the meeting.)**

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

Staff present: Brian Jensen, Nancy Iglinski

Chairman Bieneman called the March 5, 2019, 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 February 5, 2019, 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.    | James & Pamela Sluka | -Waterford- | The proposed residence will have insufficient street- and rear-yard setbacks and exceed 40% impervious surfaces. |
| 09:02 |                      |             |  |
| 09:15 |                      |             |  |

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 Jasperson**, to approve this variance request to construct a single-family residence with attached garage, located at 7168 N. Tichigan Road, Section 11, Town 4 North, Range 19 East, Town of Waterford. **Motion carried unanimously. VOTE: 4/0**

The Board approved this variance request as: The Racine County Public Works and Development Services Director had no objection, pursuant to her correspondence dated March 4, 2019. 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; the location should not impair visibility for traffic or be a traffic or safety hazard; and it should not compromise aesthetics. The substandard lot size, the location of the traveled roadway at a further distance from the proposed residence than the required ordinance street-yard setback, and the sanitary sewer easement located to the west of this parcel create a hardship and limit the location of proper placement of a residence on this property. The request does not appear to create substantial detriment to adjacent property, as there was no opposition at the public hearing. The waters of the state will be protected by implementing required erosion-control

measures, shoreland conditions and mitigation to help offset the impervious surface. 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 residence must be located and sized as shown on the submitted survey dated January 21, 2019. Racine County shoreland conditional use approval must be obtained before a zoning permit may be issued. Mitigation of impervious surfaces must be in accordance with the submitted and approved plan. Standard conditions apply. Permit fee of \$345.00 for the residence and \$225.00 for the shoreland contract. Nine-month expiration date (December 5, 2019).

09:15: **SCHAAL MOVED, seconded by Jasperson**, to close the public hearing.  
**Motion carried unanimously. VOTE: 4/0**

### **BOARD MEETING**

1. Decision on preceding petition

2. William J. Liggett, Owner  
09:21 Brian C. Randall, Attorney/Agent  
09:38  
(Laid over on 12/4/2018)

-Dover-

Proposed remodel and addition will exceed fifty (50) percent of its equalized value at the time it's becoming a nonconforming use.

Jensen noted that this variance request was laid over at the public hearing on December 4, 2018. The variance request is to remodel and reconstruct a 2<sup>nd</sup>-story addition to an existing residence located at 22812 Washington Avenue, Section 2, Town 3 North, Range 20 East, Town of Dover.

Although the public hearing was held and testimony was taken on December 4, 2018, the Board unanimously agreed to allow the applicant and agent to address the Board at tonight's meeting. Board Member Jasperson recused himself from this variance request, given the fact that he was not an appointed board member at the time the public hearing for this variance was held in 2018. **BIENEMAN MOVED, seconded by Schaal**, to approve this variance request. **Motion carried unanimously. VOTE: 3/0**

The Board approved this variance request as: Submitted documentation and public hearing testimony established a need for improvements to the second residence located on this site and a need to preserve the substantial rights of the owner that are also enjoyed by others in the area. The variance does not appear to be contrary to the purpose and spirit of the ordinance, as the proposed addition to the second residence is consistent with existing development in the area; it should not compromise aesthetics; and the existing structure was built prior to the adoption of the revised Racine County Zoning Ordinance, and the second residence will remain in use and in harmony with what previously existed before the adoption of the Racine County Zoning Ordinance. The request does not appear to create substantial detriment to adjacent property, as several area property owners submitted written support for this proposal, and the public interest does not appear to be negatively impacted by his 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 second residence must be located and sized as shown on the submitted plans. Any expansions or improvements to this structure will require further Board of Adjustment variance approval. Standard conditions apply. Applicable permit fee will be required. Nine-month expiration date (December 5, 2019).

5. Other business as authorized law

09:44

Jensen welcomed Alan Jasperson as the newest member of the Zoning Board of Adjustment.

6. Adjourn

09:45

There being no further business, **SCHAAL MOVED, seconded by Jasperson**, to adjourn at 9:45 a.m.  
**Motion carried unanimously. VOTE: 4/0**