

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

December 3, 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, B. Jean Schaal, Dave Hendrix

Board members excused: none

Staff present Brian Jensen, Kim Parsons

Chairman Bieneman called the December 3, 2019, Racine County Zoning Board of Adjustment public hearing to order at 9:01 a.m. Board members were introduced by roll call and Chairman Bieneman explained meeting procedures.

Preceding the public hearing, **SCHAAL MOVED, seconded by Hendrix**, to approve the November 5, 2019, Racine County Board of Adjustment public hearing and board meeting summary minutes as presented. **Motion carried unanimously. VOTE: 3/0**

Brian Jensen announced that Board members may have visited the site 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.

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

PUBLIC HEARING

1. Barbara & Joseph Brooks, -Waterford- The uncovered deck and stairway
9:01 owners (constructed without permit or approval)
have 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, **SCHAAL MOVED, seconded by Hendrix**, to approve this variance request to allow a new residence to be constructed in the same location as existing residence at 7907 Golden Bay Trail, Sec. 12, T4N, R19E, Town of Waterford. **Motion carried. VOTE: 3/0**

The Board approved this variance request as: The Racine Public Works & Development Services Director does not object to this variance request pursuant to the memorandum dated November 21, 2019. Submitted documentation and public hearing testimony established a need for a deck and stairway which provides a second access to the main elevation or floor of the residence and the need to preserve 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 existing desk and stairway are consistent with the existing development in this area, should not compromise aesthetics and provides safe and helpful ingress and egress in case of emergency. The irregular lot configuration as well as steep slope create hardship

and the property abuts a common use area that should not affect the neighboring uses. 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.

This variance is being granted subject to the following conditions: The deck and stairway shall be located and sized as shown on the submitted plans dated November 7, 2019. Any changes to the deck will require Board of Adjustment's approval. Standard conditions also apply. The zoning permit fee \$180.00 and the variance will expire on September 3, 2020.

(9:15) **HENDRIX MOVED, seconded by Schaal, to close the public hearing. Motion carried. VOTE: 3/0**

BOARD MEETING

1. Decision on preceding petition

2. Other business as authorized law
(9:23) **None**

4. Adjourn
(9:23)

There being no further business, **SCHAAL MOVED, seconded by Hendrix, to adjourn at 9:23 a.m. Motion carried unanimously. VOTE: 3/0**