

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

**March 3, 2020, 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.)**

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

Board members excused: none

Staff present Jarmen Czuta, Kim Parsons

Chairman Bieneman called the March 3, 2020, 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 explained meeting procedures.

Preceding the public hearing, **SCHAAL MOVED, seconded by Hendrix**, to approve the February 4, 2020, Racine County Board of Adjustment public hearing and board meeting summary minutes as presented. **Motion carried unanimously. VOTE: 3/0**

Jarmen Czuta 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. Alexander Lapotko IV, owner -Waterford- The proposed addition to the existing  
9:03 uncovered deck will increase the dimensional nonconformity of the principal structure, will have insufficient shore yard setback and will exceed 200-sq.ft. lateral expansion.

Czuta 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 a portion of an existing uncovered deck attached to the residence and construct an addition to the uncovered desk that will connect the residence and detached garage located at 4525 Riverside Rd., Sec. 26, T4N, R19E, Town of Waterford. **Motion carried. VOTE: 3/0**

The Board amended and approved this variance request as: the Racine County Public Works and Development Services Director had no objection pursuant to her correspondence dated March 2, 2020, submitted documentation and public hearing testimony established a need for an addition to the uncovered deck that will connect the residence and detached garage and

the need to preserve the substantial property rights of the owner 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 addition to the uncovered deck that will connect the residence and detached garage is consistent with existing development in this area, it should not block view to the water, it should not compromise aesthetics and it will not encroach further into the required shore yard setback and be more in harmony with zoning requirements than what presently exists. The steep slopes, unusual lot configuration, as well as other obstructions, create a hardship and limit the location for proper placement of an addition to the uncovered deck that will connect the residence and detached garage on this property. 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.

This variance is being granted subject to the following conditions: Before beginning this project, the applicant must obtain a zoning permit card from this office after paying the required fee of \$75.00. This card must be displayed in a prominent location at the project site. Also, a copy of these conditions must be kept at the project site at all times until the project has been completed. This variance approval will expire on December 3, 2020, unless substantial work has commenced pursuant to such grant. No construction may begin after such time unless the Racine County Board of Adjustment grants an extension in writing. The proposed addition to the uncovered deck that will connect the residence and detached garage shall be located and sized as shown on the submitted revised survey that will be reviewed and approved by the Racine County Development Services office prior to the issuance of the zoning permit. The revised deck layout must be illustrated on a revised survey and a copy of this revised survey must be submitted to the Racine County Development Services office for review and approval. The exterior of the deck addition must be the same as or in harmony with the exterior of the buildings to which it is being attached. A detailed drawing of the proposed vegetative buffer and rock garden diffuser must be submitted for review and approval by the Racine County Development Services office prior to the issuance of the zoning permit. This plan must be maintained in perpetuity or in compliance with applicable codes. There must be no unapproved excavation, filling, construction or other land disturbances within the designated 100-year floodplain. The applicants must allow full and unlimited access to the project site at a reasonable time to any Public Works and Development Services Department employee who is investigating the project's construction, operation, or maintenance. The applicants are responsible for obtaining all necessary federal, state, and local permits, approvals, and licenses and for abiding by all applicable codes and regulations. No additions, deletions, or changes may be made to these conditions without the prior approval of the Zoning Board of Adjustment.

(9:30) **HENDRIX MOVED, seconded by Schaal, to close the public hearing. Motion carried. VOTE: 3/0**

**BOARD MEETING**

A. Decision on preceding petition

B. Other business as authorized law

None

C. Adjourn  
9:39

There being no further business, **SCHAAL MOVED, seconded by Hendrix**, to adjourn at 9:39 a.m. **Motion carried unanimously. VOTE: 3/0**