

RACINE COUNTY BOARD OF ADJUSTMENT
PUBLIC HEARING AND BOARD MEETING SUMMARY MINUTES
December 1, 2020, 9:00 A.M.

(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, Fred Chart

Board members excused: none

Staff present Jarmen Czuta, Kim Parsons

Others present: none

Chairman Bieneman called the December 1, 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.

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

Jarmen Czuta announced that Board members may have visited the sites prior to this meeting, and pertinent information obtained during the visits may be discussed at this meeting and used to assist them in their decision-making.

BOARD MEETING

A. RBKB Real Estate LLC -Waterford- Request to amend the November 3, 9:04 2020 amended approval to request the size of the uncovered deck/stairs to be increased.

Czuta presented the petition. The Board heard public testimony and communications were read into the record. **HENDRIX MOVED, seconded by Schaal**, to deny the request to amend the November 3, 2020 amended variance approval to construct a reduced in size and reconfigured shore yard uncovered deck and stairs, located at 7423 N. Tichigan Road, Section 11, Town 4 North, Range 19 East, in the Town of Waterford. The Board denied this amendment request as they felt that much consideration has been taken into account with the previous variance approvals granted by the Board for this property and that reasonable use of the property can be achieved by the previous approvals. The Board indicated that all conditions of approval outlined in the November 4, 2020 amended approval letter remain in effect.

- B. Richard Ida -Burlington- The proposed two-story addition to the
9:23 existing residence will have insufficient
street and side yard setbacks.

Czuta presented the petition. The Board heard public testimony and communications were read into the record. **HENDRIX MOVED, seconded by Chart**, to amend and approve the request to raze an existing shed and construct a 36' x 43.79' two-story addition to the existing residence, located at 8051 W. Lakeshore Drive, Section 18, Town 2 North, Range 19 East, in the Town of Burlington. Amendment to the variance request requires that the proposed two-story addition to the existing residence be reduced in size to 36' x 41.38'. This amended variance approval must be in compliance with the plans and documents received by the Racine County Development Services office on November 19, 2020. Approval is also subject to the applicant submitting a mitigation plan for review and approval to the Racine County Development Services office that illustrates how the 709 square feet of excess impervious surfaces will be mitigated. This plan must ultimately be recorded with the Racine County Register of Deeds office. Approval is also subject to the applicant obtaining a shoreland conditional use contract and a zoning permit from the Racine County Development Services office.

The Board approved this variance request as the submitted documentation and public hearing testimony established a need for a 36' x 41.38' two-story addition to the existing residence 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 36' x 41.38' two-story addition to the existing residence is consistent with the existing development in this area. Due to the fact that the traveled roadway is approximately 15' from the street right-of-way the Board feels that this request is not a safety issue. The request does not appear to create substantial detriment to adjacent property as there was no opposition shown at the public hearing. The waters of the state will be protected by implementing required erosion control measures and shoreline conditions through the shoreland conditional use contract process. To comply with the ordinance would render conformity with such restrictions as unnecessarily burdensome.

The Board granted approval subject to the following conditions:

Before beginning this project, the applicant must obtain a shoreland conditional use contract after paying the required fee of \$250.00. In addition, the applicant must obtain a zoning permit card from this office after paying the required fee of \$200.00. 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 September 1, 2021, unless substantial work has commenced pursuant to such grant, or, an application for extension is submitted to this office before the expiration date and said extension request shall be placed upon the next available agenda. No construction may begin after such time unless the Racine County Board of Adjustment grants an extension in writing.

The proposed 36' x 41.38' two-story addition to the existing residence shall be located and sized as shown on the submitted revised survey that was received by the Racine County Development Services office on November 19, 2020. 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. Racine County Shoreland Conditional Use approval must be obtained before a zoning permit can be issued. Prior to zoning permit issuance, the applicant must submit a mitigation plan to the Racine County Development Services office for review and approval that illustrates how the 709 square feet of excess impervious surfaces will be mitigated. This plan must ultimately be recorded with the Racine County Register of Deeds office. There must be no unapproved excavation, filling, construction, or other land disturbances within the designated 100-year floodplain. The applicant 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 applicant is responsible for obtaining all necessary federal, state, and local permits, approvals, and licenses and for abiding by all applicable codes and regulations. Minor changes may be approved by Development Services staff through a revised zoning permit if said changes are the same as or more in conformance with this approval. No other additions, deletions, or changes may be made to these conditions without the prior approval of the Zoning Board of Adjustment. Failure to comply with the terms and conditions stated herein may result in the issuance of citation(s) and/or revocation of this approval/permit.

C. Other business as authorized law
9:37

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NONE

D. Adjourn
9:38

There being no further business, **SCHAAL MOVED**, seconded by **Chart**, to adjourn at 9:38 a.m. **Motion carried unanimously. VOTE: 4/0**