

RACINE COUNTY BOARD OF ADJUSTMENT
PUBLIC HEARING AND BOARD MEETING SUMMARY MINUTES
May 3, 2022, 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, Fred Chart

Board members excused: David Hendrix

Staff present Jarmen Czuta, Kim Parsons

Chairman Bieneman called the May 3, 2022, Racine County Zoning Board of Adjustment public hearing to order at 9:10 a.m. Board members were introduced by roll call and Chairman Bieneman explained meeting procedures.

SCHAAL MOVED, seconded by Chart, to approve the March 1, 2022, Racine County Board of Adjustment public hearing and board meeting summary minutes as amended. **Motion carried unanimously. VOTE: 3/0**

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.

PUBLIC HEARING

A.	Lorie R. Raupp Trust	-Burlington-	The proposed addition to an existing deck and paver patio will have insufficient shore yard setbacks.
9:12	D.M. Ketterhagen Builders, Agent		
9:39			

Czuta presented the petition. The Board heard public testimony and communications were read into the record.

Steve Raupp presented a brief history of the property and what they have done to it since the time they purchased it. He also answered questions of the committee members.

Agenda Troy Ketterhagen was also available to answer questions.

At the Board portion of the hearing, **SCHAAL MOVED, seconded by Chart**, to approve the petition as presented. **Motion carried. VOTE: 3/0**

The Board approved this variance request as the Racine County Public Works and Development Services Director did not object pursuant to her correspondence dated May 2, 2022. Submitted documentation and public hearing testimony established a need for an addition to an existing deck and paver patio 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 an existing deck and paver patio are consistent with the existing development in this area, they should not block views to the water, the location of the proposed addition to an existing deck and paver patio is further back from the shore than the shore yard patio that previously existed,

and the addition to an existing deck and paver patio should not compromise aesthetics. The existing structure was built prior to the adoption of the revised Racine County Zoning Ordinance and the proposed addition to an existing deck and paver patio will not encroach further into the required shore yard setback than what presently exists. The location of the existing residence and associated deck and patio as well as other obstructions, create a hardship and limit the location for proper placement of an addition to the existing deck and paver patio on this property. 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.

The Board granted approval subject to the following conditions:

1. Before beginning this project, the applicant must obtain a zoning permit card from this office after paying the required fee of \$150.00 (addition to an existing deck and paver patio). 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.
2. This variance approval will expire on February 3, 2023, 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.
3. The proposed addition to an existing deck and paver patio shall be located and sized as shown on the submitted survey received by the Racine County Development Services office on April 6, 2022.
4. Prior to zoning permit issuance, the applicant must submit a landscaping plan to the Racine County Development Services office for review and approval. This plan must outline additional shore yard plantings to offset the visual and environmental impacts of the addition to an existing deck and paver patio.
5. The applicant has submitted a mitigation plan to the Racine County Development Services office for review and approval that indicates that pervious/permeable pavers will be utilized for the proposed paver patio. Prior to zoning permit issuance, this plan must be recorded with the Racine County Register of Deeds office.
6. 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.
7. 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.
8. 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.
9. 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.

SCHAAL MOVED, seconded by Chart, to close the public hearing. Motion carried unanimously. VOTE: 4/0

BOARD MEETING

A. Decisions on preceding petitions
9:39

B. Suzanne Schmidt -Waterford- Request to extend the variance
9:44 approval granted on July 6, 2021.

Czuta the petition request to extend the previously approved variance.

At the Board portion of the hearing, **SCHAAL MOVED, seconded by Chart, to approve variance extension the petition as presented for up to nine months. Motion carried. VOTE: 3/0**

C. Other business as authorized law
9:45

None

D. Adjourn
9:45

There being no further business, **SCHAAL MOVED, seconded by Chart, to adjourn at 9:45 a.m. Motion carried unanimously. VOTE: 3/0**