

RACINE COUNTY BOARD OF ADJUSTMENT
BOARD MEETING SUMMARY MINUTES

August 2, 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, Dave Hendrix, Fred Chart

Board members excused: none

Staff present Jarmen Czuta, Kim Parsons

Chairman Bieneman called the August 2, 2022, Racine County Zoning Board of Adjustment committee meeting to order at 9:03 a.m. Board members were introduced by roll call and Chairman Bieneman explained meeting procedures.

SCHAAL MOVED, seconded by Chart, to approve the June 7, 2022, 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. Joe and Shari Severson -Waterford- The proposed attached garage addition
 9:04 (laid over on June 7, 2022) will have insufficient street yard setback.

Czuta explained that this petition was laid over from the previous public hearing and answered questions of the board. The board members reviewed and discussed the updated plans.

HENDRIX MOVED, seconded by Chart, to approve the petition as presented. **Motion carried. VOTE: 4/0**

The Board approved this variance request as submitted documentation and public hearing testimony established a need for an attached garage addition of this size to protect the owner's belongings from the effects of the outdoor environment and the need 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 attached garage addition is consistent with the existing development in this area, the location should not impair visibility for traffic, and it should not compromise aesthetics. The location of the existing residence in relation to the road right-of-way as well as other

obstructions, create a hardship and limit the location for proper placement of an attached garage addition to the existing residence 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 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 (attached garage addition to the existing residence). This card must be displayed in a prominent location at the project site. Also, a copy of these conditions must be always kept at the project site until the project has been completed.
2. This variance approval will expire on May 2, 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. Prior to zoning permit issuance, the applicant must submit a revised Plat of Survey to the Racine County Development Services office for review and approval that illustrates, and inventories existing and proposed impervious surfaces. Please note that based upon the findings of the revised Plat of Survey additional mitigation measures may have to be implemented by the owners to comply with impervious surface regulations.
4. 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.
5. Racine County Shoreland Conditional Use approval must be obtained before a zoning permit can be issued.
6. 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.
7. 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.
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.

- B. Judith T. Boyle Living Trust -Burlington- Request to extend the shoreland
9:16 Thomas Boyle, Applicant conditional use and variance approval
granted on November 2, 2021.

Czuta presented the petition request to extend the previously approved variance.

HENDRIX MOVED, seconded by Schaal, to grant the extension request for nine months to expire on May 2, 2023. Motion carried. VOTE: 4/0

- C. Other business as authorized law
9:17

- D. Adjourn
9:19

There being no further business, **SCHAAL MOVED, seconded by Chart, to adjourn at 9:19 a.m. Motion carried unanimously. VOTE: 4/0**

Owner: Grant and Valer. Horn
Address: 6632 Canal Ln
Waterford, WI 53185
Phone (Hm) 262-599-4766 (Wk)

Applicant/Agent: Grant Horn
Date petition filed 08.08.2022 Hearing Date: 09.06.2022
Municipality: Town of Waterford
Zoning district(s): _____

TO THE ZONING BOARD OF ADJUSTMENT/APPEALS: Please take notice that the undersigned was denied a permit or seeks an appeal of the Zoning Administrator To allow an attached uncovered deck to remain in a non-conforming location

at site address 6632 Canal Ln, Waterford, WI 53195, Section 14, T 04 N, R 19 E
Lot(s) 5 Blk - Subd/CSM Homestead Subdivision Parcel Id.# 016041914247000
in Racine County, Wisconsin, for the reason that the application failed to comply with Chapter 20 (Zoning) of the Racine County Code of Ordinances with respect to: the attached uncovered deck has an insufficient shore yard setback.

Applicant is subject to: Article VI Division 6 R-3A, Suburban Residential District (Sewered); Section 20-10 Compliance; Section 20-11 Violations; Section 20-61 Required Permits; Section 20-1017 Reduction or Joint Use; and Section 20-1045 Shoreland Setbacks and Exempt Structures
Sec. 20-191 Substandard nonconforming lots of the Racine County Zoning Ordinance.

Check applicable below: (Underline or circle the word "all" or "partially" below, as needed)
 Property is all/partially located in the shoreland area of Tichigan Lake
 Project is all/partially located in the shoreland area of Tichigan Lake
 Property is all/partially located in the floodplain area of Tichigan Lake
N/A Project is all/partially located in the floodplain area of N/A
N/A Property is all/partially located in a wetland area. N/A Project is all/partially located in a wetland area.

Indicate below or attach separate pages showing how your application meets the legal criteria for a variance.

1) Explain how the Ordinance creates an unnecessary hardship and in the absence of approval no feasible use can be made of the property. Existing deck does not provide ADA accessibility to the owner for use and enjoyment of a deck in the back yard. In the existing condition there are six stairs from the back door to the deck which could allow for seating or wheelchair access.

2) Describe the exceptional, extraordinary or unusual circumstances that are unique to this lot or structure. The property has shoreline on a canal leading to Tichigan Lake and the existing deck is less than 75' from the shoreline. The existing deck is less than 6' feet wide, but over 32' long. The proposed deck would reduce the total area and impervious surface area.

3) Describe how the approval would not create substantial detriment to adjacent property or materially impair or be contrary to the purpose and spirit of zoning or the public interest. The proposed deck does not block the view of any neighbor on any side, and will be an aesthetic improvement over the neglected and rotten deck that is currently in place

4) Explain how the request is not based on economic gain or loss and is not self-imposed. The deck is for use and enjoyment of the yard and waterway.

Owner/Applicant's Signature [Signature] Date 08.08.2022

Fee pd: \$ 450.00 Ck # 1941 (Payable to Racine County Development Services) Attach required documentation

Racine County

Zoning Board of Adjustment Meeting

Tuesday, September 6, 2022 - 9:00 a.m.

Ives Grove Office Complex Auditorium



Grant & Valerie Horn, Owners
Site Address: 6632 Canal Lane
Request R-3A to allow an attached uncovered deck to remain in a nonconforming location

Location Map



SEC 14 – T4N – R19E
Town of Waterford



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Zoning Map



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**2020 Aerial Photo
Floodplain**



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Site Plan

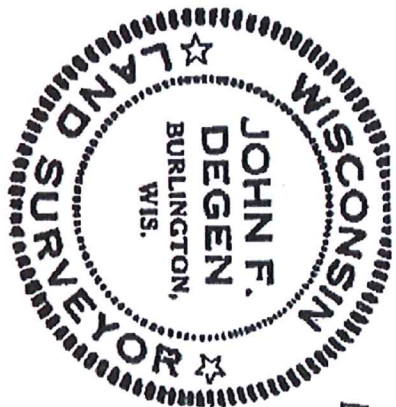
**E - ELEVATION ON MEAN SEA LEVEL DATUM.
 E 775.4 IS 100 YEAR FLOOD LINE AS PER RACINE COUNTY RECORDS.**

RACINE COUNTY SURVEYOR

FILE NO 11144

RECEIVED JUL 25 1980

BY Valerie Albion
 DEPUTY FOR RECORDS

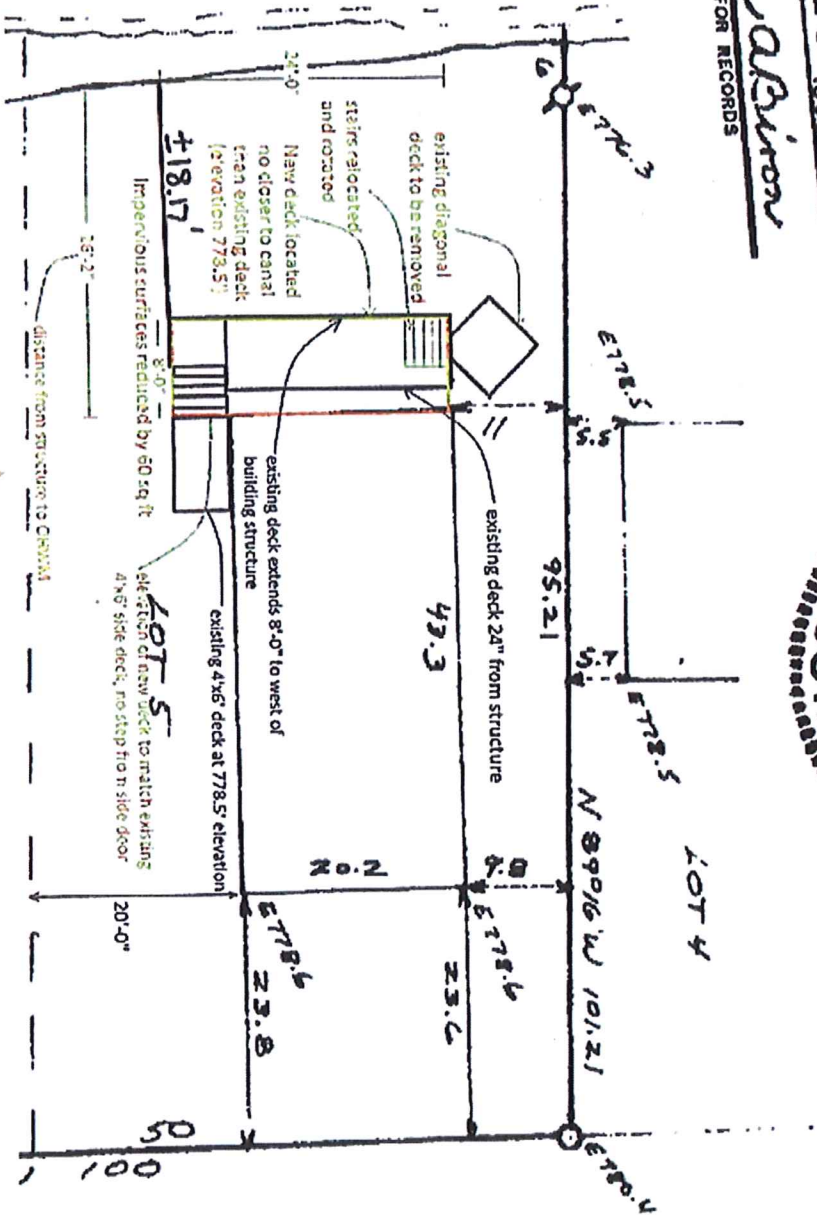


Lot 5
 016-04-19-14-2

Lot 6
 016-04-19-14-

RECEIVED
 AUG 11 2022
 RACINE COUNTY

1 AL. 5772.6 (7-7-80)

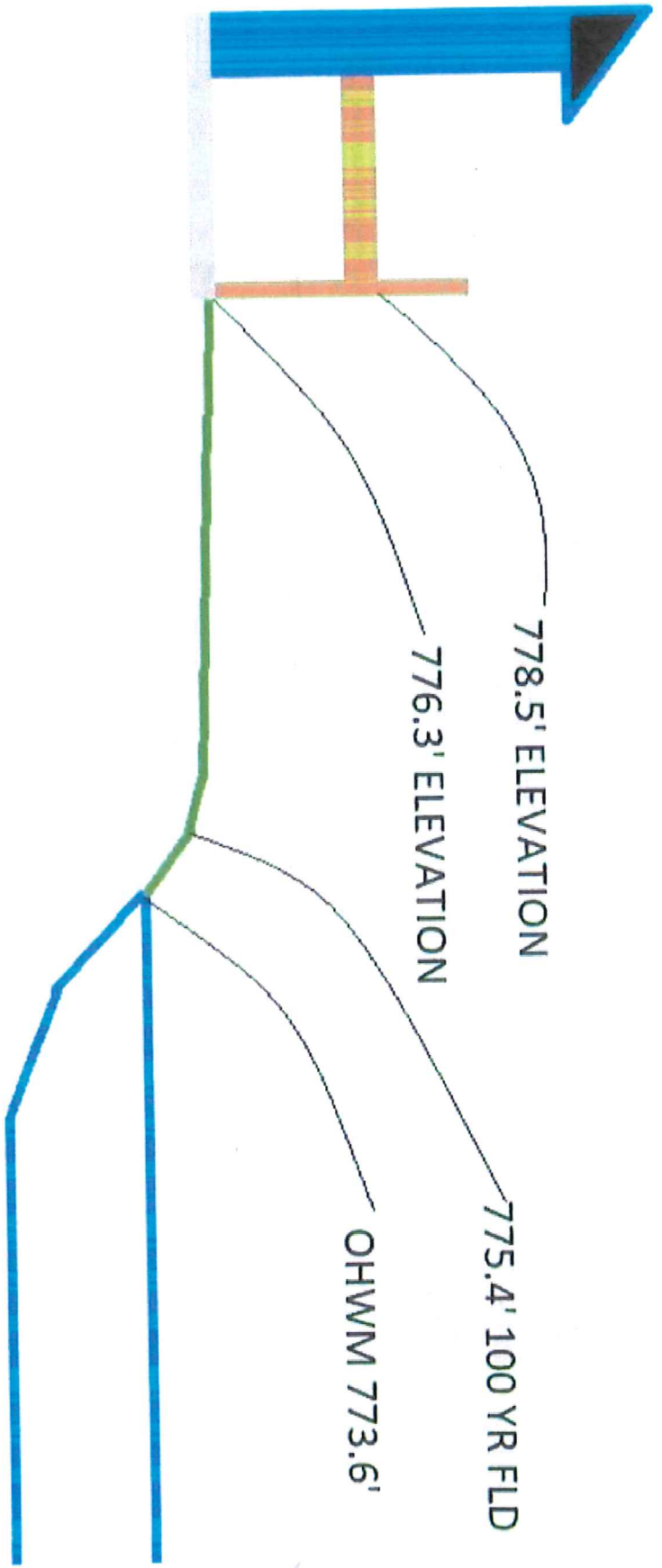


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 Town of Waterford



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Elevations

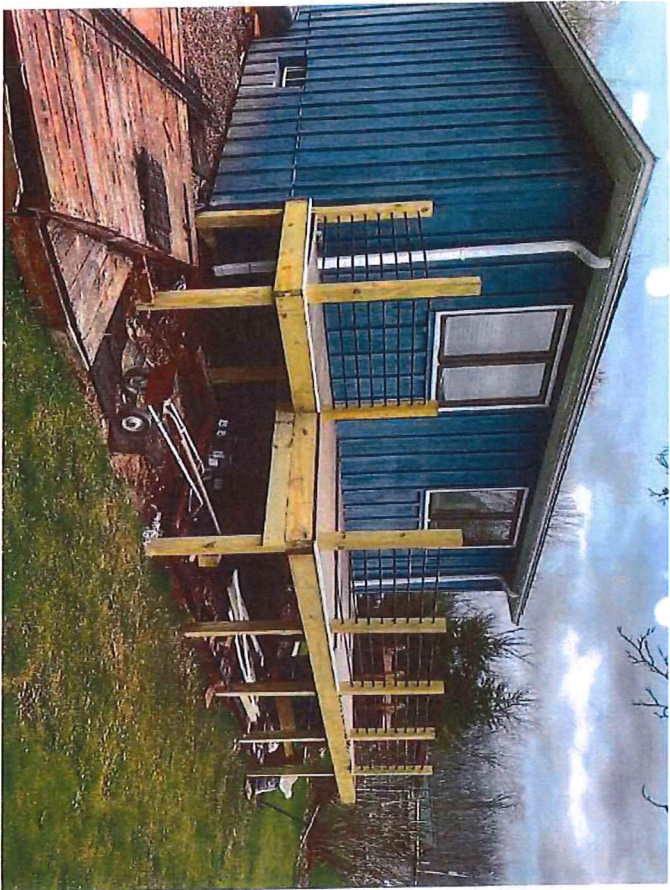


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Photos



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