

RACINE COUNTY BOARD OF ADJUSTMENT
PUBLIC HEARING AND BOARD MEETING SUMMARY MINUTES
OCTOBER 4, 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, David Hendrix, B. Jean Schaal, Fred Chart

Staff present Jarmen Czuta, Kim Parsons

Chairman Bieneman called the October 4, 2022, 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 September 6, 2022, Racine County Board of Adjustment public hearing and board meeting summary minutes as submitted. 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.

PUBLIC HEARING

<p>A. Michael Weygand 9:03 Attorney Richard Scholze, 9:16 Agent</p>	<p>-Burlington-</p>	<p>The existing principal structure is less than thirty-five (35) feet from the ordinary high-water mark, the proposed addition will have insufficient shore yard setback and will exceed 200 square feet.</p>
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Czuta presented the petition. The Board heard public testimony and communications were read into the record. Michael Weygand and Attorney Richard Scholze were present to answer any questions of the board members.

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

The Racine County Director of Public Works and Development Services had no objection pursuant to her correspondence dated October 3, 2022. Submitted documentation and public hearing testimony established a need for an attached garage addition to the existing residence 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 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 attached garage addition to the existing residence is consistent with the existing development in this area. Unusual lot configuration, lack of lot depth 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, area property owners submitted written support for this proposal and the public interest does not appear to be negatively impacted by this request. 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.

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 \$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.
2. This variance approval will expire on July 4, 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 attached garage addition to the existing residence shall be located and sized as shown on the submitted survey that was received by the Racine County Development Services office on August 19, 2022.
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. 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 and outlines how the excess impervious surfaces will be mitigated to a point that total impervious surfaces are equal to or less than 40 percent of the lot area or to the preconstruction percentage of existing impervious surfaces. This plan must ultimately be recorded with the Racine County Register of Deeds office.
6. To prevent sediment from entering the lake or into areas of concentrated flow, silt fencing must be installed as drawn on the submitted plat of survey. Silt fence shall remain in-place and be maintained until the area is no longer susceptible to erosion. Check and maintain silt fence daily during construction. Remove silt fence when vegetation is established.
7. Do not allow stockpiles or soil disturbances beyond the property lines or within the floodplain. Stockpiles must be located within the confines of the silt fence, with side slopes of 2:1 or flatter. The topsoil stockpile must be temporarily seeded within seven (7) days after formation. All other disturbed soil must be temporarily seeded within seven days after the foundation is backfilled or the rough grading is completed. Seed all disturbed soils with five (5) lbs. of perennial ryegrass per 1,000 sq. ft. and mulch.
8. One tree will be removed to allow the garage to be constructed. Additional tree cutting and shrubbery clearing are prohibited, along with other exceptions mentioned in Section 20-1037. Please see attached Section 20-1037 for the requirements.
9. Storm water drainage plan review, approval, and regulation are the Town's responsibility. The property owner must contact the Town for approval of the proposed finished yard grades and any proposed changes to the storm water drainage patterns on-site. The Town

- has the authority to not issue a building permit until they have approved a storm water drainage plan for the site.
10. Use existing driveways for vehicles and equipment. Any sediment reaching a public or private road must be removed by street cleaning (not flushing) before the end of each workday or as determined by the jurisdictional highway authority.
 11. All structures must have rain gutters and downspouts installed on all roofs within 14 days after the completion of the roof and associated fascia treatment. Downspouts must outlet away from the buildings in a manner to prevent soil erosion.
 12. A minimum of three inches of topsoil must be on the surface prior to seeding and/or sodding.
 13. Permanent seeding and mulching or sodding of all disturbed soil areas must be completed within 7 days after final grading. Seeding may be completed through snow cover at which time seeding is not allowed again until April 1st at which time permanent seeding may resume. Permanent seeding must be completed prior to June 1, 2023. The site may need to be stabilized with straw, mulch or erosion control fabric prior to winter. See the attached seeding recommendations.
 14. 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.
 15. 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.
 16. 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.
 17. 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
9:16

B. Other business as authorized law
9:21

None

C. Adjourn
9:21

There being no further business, **SCHAAL MOVED, seconded by Chart**, to adjourn at 9:21 a.m. **Motion carried unanimously. VOTE: 4/0**