

**RACINE COUNTY BOARD OF ADJUSTMENT**  
**PUBLIC HEARING AND BOARD MEETING SUMMARY MINUTES**  
**August 1, 2023, 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.)

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

Staff present Jarmen Czuta, Kim Parsons

Chairman Bieneman called the August 1, 2023, 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 July 5, 2023, Racine County Board of Adjustment public hearing and board meeting summary minutes as submitted. **Motion carried unanimously. VOTE: 4/0**

**Public Hearing**

A. 9:03 9:29	David Mack Revocable Trust	-Norway-	The fence has insufficient shore yard setback.
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Czuta presented the petition. The Board heard public testimony and communications were read into the record. David Mack was present to answer questions of the board members. Lauri Gatto presented support of the variance. Ralph Schopp was present and expressed opposition.

At the Board portion of the hearing, **HENDRIX MOVED, seconded by Schaal**, to deny the variance as presented. **Motion carried unanimously. VOTE: 4/0**

The Board denied this variance request The Town of Norway did not support this request pursuant to the correspondence dated August 1, 2023. The Racine County Public Works and Development Services Director did not support this request pursuant to the memorandum dated July 31, 2023. The Board may not grant a variance that is inconsistent with the purpose and intent of the regulations for the district in which the project is located and the fence is inconsistent with such as it has insufficient shore yard setback, which is contrary to zoning objectives. There were no exceptional, extraordinary, or unusual circumstances or conditions that apply to this parcel to allow for the granting of a variance. No variance shall be granted for a self-imposed hardship and in this case the Board finds that the hardship was self-imposed because the applicant started construction of the structure without first securing needed approvals. No unnecessary hardship was demonstrated that would unreasonably prevent the owner from using the property for the permitted purpose allowed by code. The requested variance approval is not necessary to provide reasonable use of the property. The applicant has other options available that will comply with the zoning ordinance including building a

code-complying fence that is within the footprint of the previously existing fence as illustrated on the submitted plat of survey dated May 28, 2020. No variance shall be granted that would create substantial detriment to the adjacent property, and neighbors through communication with the Town of Norway indicated an objection to, this variance request.

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

**BOARD MEETING**

A. Decisions on preceding petitions  
9:29

B. Other business as authorized law  
9:32

None

D. Adjourn  
9:32

There being no further business, **SCHAAL MOVED, seconded by Chart, to adjourn at 9:32 a.m. Motion carried unanimously. VOTE: 4/0**