

RACINE COUNTY BOARD OF ADJUSTMENT
PUBLIC HEARING AND BOARD MEETING SUMMARY MINUTES
January 3, 2024, 9:00 A.M.

Board members present by roll call: George Bieneman, Jean Schaal, and Fred Chart

Board members excused: Dave Hendrix

Staff present Jarmen Czuta, Kim Parsons

Chairman Bieneman called the January 3, 2024, Racine County Zoning Board of Adjustment public hearing to order at 9:25 a.m. Board members were introduced by roll call and Chairman Bieneman explained meeting procedures.

SCHAAL MOVED, seconded by Chart, to approve the September 5, 2023, Racine County Board of Adjustment public hearing and board meeting summary minutes as submitted. **Motion carried unanimously. VOTE: 3/0**

Public Hearing

A.	Tobias and Lorie Hall	-Burlington-	The proposed single-family residence with attached garage and full basement will have insufficient street yard setback.
9:27			
9:50			

Czuta presented the petition. The Board heard public testimony and communications were read into the record. Tobias and Lorie Hall were present to answer questions of the committee.

At the Board portion of the hearing, **FRED CHART moved, seconded by Schaal,** to approve the variance as presented. **Motion carried unanimously. VOTE: 3/0**

The Board approved this variance request as submitted documentation and public hearing testimony established a need for a single-family residence with attached garage and full basement to be located on this site 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 single-family residence with attached garage and full basement 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 agricultural buildings and the location of the existing driveway network as well as other obstructions, create a hardship and limit the location for proper placement of a single-family residence with attached garage and full basement on this property. The Board felt that the concession of the property owners to convert the secondary residence on the subject property to an accessory structure thus, eliminating the nonconforming use aspect of the property, would create a conforming use which was positive from a zoning perspective. 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 unnecessarily burdensome.

The Board granted approval subject to the following conditions:

1. The applicant must obtain zoning permit cards from this office after paying the required fees of \$500.00 single-family residence and \$150.00 conversion of the secondary existing residence to an accessory structure. These cards 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 October 3, 2024, unless substantial work has commenced pursuant to such grant. If the zoning permit is obtained prior to the nine-month expiration date, this approval shall run concurrent with the zoning permit, and shall subsequently expire upon the expiration of the zoning permit. An application for extension may be 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 applicant shall submit a plat of survey showing the staked location of the proposed single-family residence with attached garage and full basement prior to the issuance of the zoning permit for this structure. As discussed at the Board of Adjustment meeting the survey must illustrate that the proposed residence is no closer than sixty (60) feet from the street right-of-way.
4. The applicant must obtain a zoning permit from the Racine County Development Services office for the conversion of the secondary existing residence to an accessory structure prior to the issuance of the zoning permit for the proposed residence.
5. The applicant must obtain private sewage system review and approval from the Racine County Development Services office prior to the issuance of a zoning permit for the proposed residence.
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: 3/0

BOARD MEETING

A. Decisions on preceding petitions
9:50

B. Other business as authorized law
9:57

None

D. Adjourn
9:57

There being no further business, **SCHAAL MOVED**, seconded by **Chart**, to adjourn at 9:57 a.m. **Motion carried unanimously. VOTE: 3/0**