

**RACINE COUNTY BOARD OF ADJUSTMENT**  
**PUBLIC HEARING AND BOARD MEETING SUMMARY MINUTES**  
**April 2, 2024, 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, B. Jean Schaal, Fred Chart, and David Hendrix

Staff present Jarmen Czuta, Kim Parsons

Chairman Bieneman called the April 2, 2024, 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 January 3, 2024, 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**

A. Timothy and Kathleen Fischer 9:03 Joshua Meyer, Agent 9:28	-Waterford-	The proposed single-family residence with attached garage, full basement, screen porch, uncovered deck and patio will have insufficient street and shore yard setbacks.
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Czuta presented the petition. The Board heard public testimony and communications were read into the record. Timothy and Kathleen Fischer, and Joshua Meyer were present to answer any questions of the committee.

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

The Board approved this variance request as The Racine County Public Works and Development Services Director had no objection pursuant to his correspondence dated April 1, 2024. Submitted documentation and public hearing testimony established a need for a single-family residence with attached garage, full basement, screen porch, uncovered deck and patio 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, full basement, screen porch, uncovered deck and patio is consistent with the existing development in this area, it should not block views to the water, the location should not impair visibility for traffic, and it should not compromise aesthetics. Severe topography, insufficient lot width and the presence of the platted but unconstructed portion of Grand Drive as well as other obstructions, create a hardship and limit the location for code compliant placement of a single-family 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 zoning permit card from this office after paying the required fee of \$500.00 (Single-family residence with attached garage, full basement, screen porch, uncovered deck and 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. **Racine County Shoreland Conditional Use approval (\$250.00 fee) must be obtained before a zoning permit can be issued.**
3. This variance approval will expire on January 2, 2025, 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.
4. The proposed single-family residence with attached garage, full basement, screen porch, uncovered deck and patio shall be located and sized as shown on the submitted survey received by the Racine County Development Services office on February 29, 2024.
5. 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 shore yard screen porch, patio and uncovered deck.
6. 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. This plan must ultimately be recorded with the Racine County Register of Deeds office.
7. There must be no unapproved excavation, filling, construction or other land disturbances within the designated 100-year floodplain.
8. 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.
9. 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.

10. 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.
11. 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  
9:28

B. Other business as authorized law  
9:32

None

C. 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**