

**BOARD OF APPEALS MEETING
Minutes**

August 17, 2017

Brillion City Hall

4:30 PM

CALL TO ORDER:

Sue Cohen called the meeting to order at 4:30 PM.

ROLL CALL:

Present were Ralph Haberland, Sue Cohen, Roger Schwahn, Bill Knowal, and Larry Van Frachen. Also present were City Administrator/Clerk-Treasurer Lori Gosz, Building Inspector Mike Angoli, and Public Works Director Andy Geiger.

Guests:

Dean Wallace from 219 Mack Court, Lisa Geiger from 215 Mack Court, and Dr. Jeffrey Wierichs.

APPROVAL OF THE AGENDA:

Motion – Van Frachen moved to approve the agenda. Seconded by Haberland. Motion carried unanimously.

APPROVAL OF THE OCTOBER 5, 2015 MINUTES:

Motion – Haberland moved to approve the minutes of the October 5, 2015 Board of Appeals Meeting. Seconded by Van Frachen. Motion carried.

HEARING – REQUEST FOR VARIANCE:

Jeffrey S. Wierichs, 209 E. Ryan Street,

Requesting a variance of the Zoning Requirements of R-1 (Single Family Residential) Zoning District Sec. 106-91.3:

Cohen asked Gosz to read the Notice on the request for the variance. Gosz read the Notice published for the record.

Cohen opened the Public Hearing at 4:33 pm and asked for testimony in favor of the variance request.

Wierichs spoke in favor. He stated he purchased the distressed property to fix it up. He explained he would like to build a detached garage. He spoke to both adjoining property owners and has letters of support from them.

Angoli explained per City Code the garage needs to be 10' from the house. The lot is small not giving enough room to meet the side yard code.

Cohen asked if there is any testimony against the variance. No other testimony was given.

The hearing closed at 4:35 p.m.

Discussion of Testimony and Review of Facts:

Cohen opened the meeting for discussion from the Board.

Geiger questioned the size of the garage for clarification. Wierichs explained it will be a 22' X 24' with the 22' side going north to south. The rear side set back will be met.

Cohen reminded the Board the criteria for granting a variance to make sure there is a hardship and to not set precedence by approving without a hardship and to make sure all options for use of the property were considered.

Angoli stated he has no issues with the request. The lot is too small for the garage. In this particular lot there is no other way to build a garage. An attached garage would not work because of the requirements for an attached garage.

Motion – Van Frachen moved to grant the variance to allow a 3' side yard setback. Seconded by Schwahn. Motion carried.

Matt & Lisa Geiger, 215 Mack Court, requesting a variance of the Zoning Requirements of R-1 (Single Family Residential) Zoning District 106.91:

Cohen opened the Hearing at 4:43 PM and asked for testimony for or against the variance request.

Lisa Geiger was present to speak in favor. She explained they are requesting the variance to be able to drive to the shed along the lot line from the driveway. Geiger explained the property was resurveyed. Angoli stated he did review the lot lines and they are accurate.

Dean Wallace, neighbor, spoke in favor. He stated that Matt & Lisa Geiger are good neighbors. The new garage will help improve the property. He would be in favor of the variance request.

Geiger asked if a concrete driveway would be installed to the shed. Geiger stated it may not be done right of way, but is being considered. The driveway would angle back to the shed following the lot line. Van Frachen asked if there is a Code for driveways. Angoli stated no, but recommends a 1' – 2' setback for snow removal.

Cohen asked for any other testimony for or against the variance. No other testimony was given.

Cohen closed the Public Hearing at 4:52 PM.

Discussion of Testimony and Review of Facts:

Cohen reminded the Board that the property owner needs to prove a hardship and there are no other options.

Haberland asked if Angoli reviewed the property and if the shed is moved can they get a driveway to it. Angoli stated no, not without hitting the house. Angoli stated the hardship may be without the variance it would not be uniform on the lot.

Van Frachen questioned if the building will be used as a garage and if they considered building it at the same angle as the house. Geiger stated yes, the plan is to drive straight to it from the driveway. Geiger stated she did talk to the neighbor on the east and he had no problems with the garage but questioned the driveway back to the garage.

Andy Geiger commented the neighbor today may not be the neighbor tomorrow.

Cohen voiced concern that the variance is granted when there is room on the property.

Motion – Haberland moved to grant the variance request as submitted. Seconded by Van Frachen. Motion carried.

DECISION AND RELATED ACTION:

None.

OLD BUSINESS:

None.

ADJOURNMENT:

Motion – Van Frachen moved to adjourn the meeting. Seconded by Haberland. Motion carried unanimously. The meeting adjourned at 5:03 pm.

Lori M. Gosz
City Administrator/Clerk-Treasurer