

**BOARD OF APPEALS MEETING
Minutes**

April 16, 2015

Brillion City Hall

4:00 PM

CALL TO ORDER:

Chairperson Dennis Krizenesky called the meeting to order at 4:02 PM.

ROLL CALL:

Present were Chairperson Dennis Krizenesky, Sue Cohen, Ralph Haberland, Roger Schwahn, and Heather Gruett. Also present were Building Inspector/Zoning Administrator Mike Angoli and Deputy Clerk/Treasurer Joy Buboltz.

A quorum was present.

Guests:

John Behnke, Barb Behnke, and Morgan Zwart from the Chilton Times.

APPROVAL OF THE AGENDA:

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

APPROVAL OF THE JUNE 13, 2013 MINUTES:

Cohen noted corrections to the June 13, 2013 minutes which will be corrected.

Motion – Gruett moved to approve the minutes of the June 13, 2013 Board of Appeals Meeting. Seconded by Haberland. Motion carried.

HEARING – REQUEST FOR VARIANCE:

Dan Solberg, 225 S. Parkway Drive, Brillion, WI

Requesting a variance of the Zoning requirements of R1-L (Single Family Residential-Low Density) Zoning District Sec. 106-91.3:

Buboltz read the Notice of Public Hearing into the record.

Krizenesky opened the public hearing at 4:02 pm and asked three (3) times for testimony in favor of the proposed variance. No testimony given.

Krizenesky asked for testimony against the proposed variance. Barb Behnke stated she is the next door neighbor to this property. Her concern is where the water drainage from this proposed structure would go. There is already not much area between the two properties. She also noted that the Solberg property is higher than their property. John Behnke questioned how much of a side yard footage he would have if this proposed structure would be built. John Behnke also noted the proposed structure does not show a rear yard access.

Krizenesky asked three (3) times for any other testimony. None given. Krizenesky closed the Public Hearing at 4:06 PM.

DISCUSSION OF TESTIMONY AND REVIEW OF FACTS:

Gruett asked if a survey has been done by Solberg to determine where his lots lines are. Angoli stated that would be advisable to have done, since an eight (8) foot side yard would be required. Gruett stated a four (4) foot deep frost wall will also be needed. Angoli stated he denied the building permit at first due to the size of the proposed addition since it would exceed the allowed 960 sq. ft. With the addition the proposed structure would be 1,170 sq. ft.

Gruett stated there appears to be adequate room for the structure as long as it meets the side yard requirement and drainage issues are addressed.

Krizenesky stated we need to remember that this property owner needs to prove hardship to this Board in order for this Board to grant his request. In the past, this Board has denied requests based on the lack of hardship shown by the property owner. This Board is here to uphold City and State law.

Cohen stated she does not want to see setting precedence and does not see a hardship. Krizenesky stated he feels it is more of an inconvenience than a hardship.

Buboltz stated the City received a letter in the mail for this Public Hearing. However, the letter was not signed by the person sending it. Discussion followed by the Board on whether or not to read the letter since a signature by the sender was not included. The Board agreed to have the letter read, which Buboltz did then read.

Schwahn stated he is also concerned with the 1,170 sq. ft. building. Krizenesky stated this property owner could add onto his back garage.

DECISION AND RELATED ACTION:

Motion – Gruett moved to deny the variance request by Dan Solberg, 225 S. Parkway Drive, requesting a variance of the zoning requirements of R1-L (Single Family Residential-Low Density) zoning district Sec 106-91.3. Seconded by Cohen. Roll call vote taken. Motion carried unanimously.

It was noted the main issue for denial was no hardship was shown by the property owner.

OLD BUSINESS:

None.

ADJOURNMENT:

Motion – Haberland moved to adjourn the meeting. Seconded by Schwahn. Motion carried unanimously. The meeting adjourned at 4:22 pm.

Joy L. Buboltz
Deputy Clerk/Treasurer