

CITY OF DELAFIELD BOARD OF ZONING APPEALS MINUTES

1. CALL MEETING TO ORDER
Chair B. Maslowski called the meeting to order at 7:30 P.M., noting the meeting had been properly noticed and fees paid.

2. ROLL CALL

Present

Bill Maslowski
Thomas Hoffmann
Gerry Holton
Gerry MacDougall
Marty Sawall

Absent

Rick Lieblang
Al Johnson

Also present

Scott Hussinger, City Building Inspector

3. APPROVE MINUTES OF APRIL 25, 2013 MEETING

T. HOFFMANN MOVED TO APPROVE THE BOARD OF ZONING APPEALS MEETING MINUTES OF APRIL 25, 2013 AS PRESENTED. G. MACDOUGALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. TWO WERE IN FAVOR WITH M. SAWALL AND G. HOLTON ABSTAINING. MOTION CARRIED.

4. OLD BUSINESS

None.

5. NEW BUSINESS

CASE 780 APPEAL OF TOM & CATHY LIDWIN, (OWNERS), TO CONSTRUCT A NEW SINGLE FAMILY RESIDENCE AT 1511 THIRD ST, DELC 0797.069. THE PROPOSED RESIDENCE MUST COMPLY WITH ALL R4 ZONING REQUIREMENTS. THE EXISTING LOT AREA OF 5,096 SQ FT DOES NOT MEET THE R4 MINIMUM OF 7,900 SQ FT. THE EXISTING LOT WIDTH OF 55 FT DOES NOT MEET THE R4 MINIMUM OF 66 FT. THE PROPOSED 8.0' AND 9.11' SIDE YARDS DO NOT MEET THE R4 MINIMUM OF 10 FT. THE PROPOSED 8.16' FRONT SETBACK DOES NOT MEET THE R4 MINIMUM OF 35 FEET. THE EXISTING LOT IS NONCONFORMING AND CAN ONLY BE DEVELOPED PER SECTION 17.58 OF THE CITY OF DELAFIELD ZONING CODE AFTER SITE AND BUILDING PLANS HAVE BEEN APPROVED BY THE BOARD OF ZONING APPEALS. APPLICANT IS NOT SEEKING A VARIANCE.

B. Maslowski briefly reviewed the case, noting the responsibilities of the Board of Zoning Appeals and the process utilized in this case.

The applicants, Tom & Cathy Lidwin, 1511 Third Street, were present. Mike Kaerek, of Kaerek Homes, was present as well. C. Lidwin explained they were planning to tear down the existing house, garage and shed on the property with the intention of constructing the house and attached garage shown in the plans presented. The front of the house was currently located at 7.9 feet from the property line and would be 8.16 feet after construction. The side yard setback on the right side of the property, where it was

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at its narrowest point, was currently 5.6 feet and after construction would be 8.0 feet from the property line. The current rear yard setback was 2.3 feet and after construction would be 27.96 feet from the rear property line. These setbacks were consistent with other setbacks on the street and she thought the proposed plans would be consistent with the lot and neighborhood. In addition, she submitted three letters of approval for the proposed plans from Harold & Sharon Roberts, 1502 Third Street; Michelle & Ely Faretta, 1505 Third Street; and Dora & Jessie Souza, 1515 Third Street, to be added to the record of this case.

S. Hussinger stated the lot was zoned R4 and was in existence prior to the City zoning codes. As a result of the process, the lot was substandard and because of this was handled differently than other lots in the City as implementation of the Zoning Code had created a hardship. There was no way to meet lot width and it was unreasonable to expect the applicants to meet other substandard lot areas in this case. Section 17.58 of the City's Municipal Zoning Code was designed to ensure structures constructed on lots such as this one were reasonable and consistent with others in the area.

M. Sawall questioned the outcome of plans approved in 2007 for the applicants. C. Lidwin explained they had decided not to proceed with those house plans at that time. This proposal was similar; however, the current plans included an attached garage. T. Hoffmann questioned the location of the well on the property. S. Hussinger stated the well was located 8.0 feet behind the proposed house. T. Hoffmann stated he thought the proposed plans were great and included a beautiful house. G. Holton stated he agreed with all previous comments from the Board members. He thought it beneficial to see all setbacks improved despite not being able to meet the lot requirements. He confirmed there was no rear yard issue and there would be no driveway constructed behind the house. He stated he visited the lot prior to the meeting and he thought the house would be in line with other neighboring properties. B. Maslowski stated there was no need to discuss prior approvals for the applicants as it was not relevant at this time. He thought the structure proposed would be an improvement. Also, he encouraged Board members to consider whether additional structures, such as a shed or pole barn, could be placed on the property in the future.

G. HOLTON MOVED TO APPROVE CASE 780 APPEAL OF TOM & CATHY LIDWIN, (OWNERS), TO CONSTRUCT A NEW SINGLE FAMILY RESIDENCE AT 1511 THIRD ST, DELC 0797.069 PER THE DRAWINGS PRESENTED AND PROVIDED NO ADDITIONAL STRUCTURES WOULD BE CONSTRUCTED ON THE PROPERTY. G. MACDOUGALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. ADJOURN

M. SAWALL MOVED TO ADJOURN THE JULY 11, 2013 BOARD OF ZONING MEETING AT 7:45 P.M. T. HOFFMANN SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes prepared by:

Accurate Business Communications, Inc.