

CITY OF DELAFIELD BOARD OF ZONING APPEALS MINUTES

IN THE ABSENCE OF CHAIR BILL MASLOWSKI, GERRY MACDOUGALL NOMINATED RICK LIEBLANG AS ACTING CHAIRPERSON FOR THE MEETING. GERRY HOLTON SECONDED THE MOTION. R. LIEBLANG ACCEPTED THE NOMINATION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

1. CALL MEETING TO ORDER

Acting Chair R. Lieblang called the meeting to order at 7:30 P.M.

2. ROLL CALL

Present

Thomas Hoffmann
Gerry Holton
Rick Lieblang
Gerry MacDougall

Absent

Al Johnson
Bill Maslowski

3. APPROVE MINUTES OF MAY 27, 2010 MEETING

T. HOFFMANN MOVED TO APPROVE THE MAY 27, 2010 BOARD OF ZONING APPEALS MEETING MINUTES AS PRESENTED. G. HOLTON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. OLD BUSINESS

None.

5. NEW BUSINESS

CASE 768 – APPEAL OF KEN & LAURIE ELLINGS (OWNERS) TO BUILD A HOME ADDITION AT 2822 RIDLEY RD, DELC 0755.005, RELATING TO SECTION 17.39(9)(F) PERTAINING TO MINIMUM FRONT STREET SETBACK REQUIREMENTS

R. Lieblang briefly reviewed the case, noting the request to build a home addition at 2822 Ridley Rd, DELC 0755.005, relating to section 17.39(9)(F) pertaining to minimum front street setback requirements had been denied. He then reviewed the process to be used in this case.

Ken and Laurie Ellings, owners, were present regarding this matter, noting all neighbors had provided written documentation of support for this case. K. Ellings noted that while it seemed there was a great deal of trees and open space on the property, there were several hardship matters in place as submitted in the paperwork for this case. First, he noted there were several large oak trees scattered throughout the open space portion of the property. Also, there was a well located approximately eight feet from the house near the current driveway. The house did not orient to the road. At best, it was

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considered to be approximately a 45 degree angle to the roadway making the back of the house the main entry point. He also noted the odd shape of the lot overall making it difficult to appropriately orient the house and garage. Placement of a new garage was considered and noted that the well would hinder most logical placement areas for the structure. In addition, the current driveway entrance would only allow one car length off the street and anyone needing to exit the site would be required to back out onto Ridley Road which was a safety concern.

R. Lieblang expressed concern for the lack of footage on the proposed plans from the right of way area. He was concerned about how an emergency vehicle would access the backyard area if needed.

G. Holton stated he was also concerned and to that end, had met with City Staff on this matter. He learned that this was an unusual situation in the City and there was no historical reason known for why this had occurred. There were no vacant lots in the area, and City Staff did not foresee ever having to use the right of way area or that the street would be widened to 60 feet.

Discussion ensued regarding the possibility of moving the garage closer to the house and well area to allow additional footage near the right of way area and reduce the amount of variance requested. K. Ellings expressed concern about certain movements suggested as it would come too close to the well and would also cover a kitchen window in that area. T. Hoffmann noted it was important to maintain appropriate footage for well service vehicles as well.

G. Holton complimented the applicants on a good job designing the proposed structure, noting it was human nature to enter the house nearest to where vehicles were parked. While it was not a hardship, it was always nice to draw people to the front door of a property. He thought the location of the well and mature oak trees provided a hardship in this matter. There were several properties in the immediate neighborhood that had structures closer than 25 feet to the roadway. Noting the discussion by the Board on the possibility of moving the structure closer to the house, it was noted that the effective variance would be approximately five to six feet or less when actually constructed.

G. HOLTON MOVED TO APPROVE CASE 768 – APPEAL OF KEN & LAURIE ELLINGS (OWNERS) TO BUILD A HOME ADDITION AT 2822 RIDLEY RD, DELC 0755.005, RELATING TO SECTION 17.39(9)(F) PERTAINING TO MINIMUM FRONT STREET SETBACK REQUIREMENTS TO BE 6 FEET OFF THE 60 FT ROW WITH PROVISION TO GET AS CLOSE TO THE WELL AS LEGALLY PERMITTED BY CITY CODE. G. MACDOUGALL EXPRESSED CONCERN THAT THE MOTION DID NOT DEFINE THE SITUATION ACCURATELY. G. HOLTON CLARIFIED THAT HE WOULD LIKE TO SEE THE GARAGE MOVED AS FAR AS POSSIBLE TO INCREASE THE SETBACK. G. MACDOUGALL STATED THIS SETBACK REQUEST WAS RELATED TO THE TREE AND WELL PLACEMENT ON THE PROPERTY. R. LIEBLANG SUGGESTED THE MOTION BE AMENDED REGARDING THE PLACEMENT OF THE GARAGE. G. HOLTON AMENDED THE MOTION TO MOVE APPROVAL OF CASE 768 – APPEAL OF KEN & LAURIE ELLINGS (OWNERS) TO BUILD A HOME ADDITION AT 2822 RIDLEY RD, DELC 0755.005, RELATING TO SECTION

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17.39(9)(F) PERTAINING TO MINIMUM FRONT STREET SETBACK REQUIREMENTS TO BE 6 FEET OFF THE 60 FT ROW WITH PROVISION TO GET AS CLOSE TO THE WELL AS LEGALLY PERMITTED BY CITY CODE DUE TO THE POSITION OF THE OAK TREE AND WELL ON SITE. T. HOFFMAN SECONDED THE MOTION. T. HOFFMANN SECONDED THE MOTION. CONCERN WAS EXPRESSED FOR HAVING A LACK OF AN EXACT MEASUREMENT SPECIFIED IN THE MOTION FOR EXACT PLACEMENT OF THE GARAGE. G. HOLTON STATED THE DISTANCE WAS UNKNOWN BUT HIS INTENTIONS WERE UNDERSTOOD TO HAVE THE GARAGE BE MOVED SOUTH AND EAST MAKING THE GARAGE CLOSER TO THE WELL AND KITCHEN WINDOW IF POSSIBLY ALLOWED BY CITY CODE. WITH APPROVAL FROM THE SECONDER, G. HOLTON AMENDED THE MOTION TO MOVE APPROVAL OF CASE 768 – APPEAL OF KEN & LAURIE ELLINGS (OWNERS) TO BUILD A HOME ADDITION AT 2822 RIDLEY RD, DELC 0755.005, RELATING TO SECTION 17.39(9)(F) PERTAINING TO MINIMUM FRONT STREET SETBACK REQUIREMENTS TO BE 6 FEET OFF THE 60 FOOT RIGHT OF WAY DUE TO THE POSITION OF THE OAK TREE AND WELL ON SITE WITH A PROVISION TO CONSTRUCT THE GARAGE AS FAR EAST AS ALLOWED BY CITY CODE TO BRING IT CLOSER TO THE WELL AND AS FAR SOUTH AS POSSIBLE TO BE CLOSER TO THE KITCHEN WINDOW IF PERMISSABLE BY CITY CODE. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. ADJOURN

G. MACDOUGALL MOVED TO ADJOURN THE JUNE 24, 2010 BOARD OF ZONING MEETING AT 7:56 P.M. G. HOLTON SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes prepared by:

Accurate Business Communications, Inc.