

CITY OF DELAFIELD BOARD OF ZONING MINUTES

1. CALL MEETING TO ORDER

H. Bills called the meeting to order at 7:30 p.m.

2. ROLL CALL

Present

Henry Bills
Thomas Hoffmann
Al Johnson
Rick Lieblang
Gerry Maier

Absent

3. APPROVE MINUTES OF AUGUST 14, 2008 MEETING

G. MAIER MOTIONED TO APPROVE THE AUGUST 14, 2008 BOARD OF ZONING MEETING MINUTES AS PRESENTED. T. HOFFMANN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. NEW BUSINESS

CASE 751 – APPEAL OF MR. MIKE KOMLO (OWNER) FOR PROPOSED 2ND STORY ON HOME AND REBUILDING OF DETACHED GARAGE AT 2004 MILWAUKEE ST., DELC 0802.009, PERTAINING TO SECTION 17.39(9)(M) REGARDING MAXIMUM FLOOR AREA, SECTION 17.39(9)(N) REGARDING OPEN SPACE REQUIREMENTS, SECTION 17.39(9)(I) REGARDING MINIMUM INTERIOR SIDE YARD SETBACK REQUIREMENTS FOR THE DETACHED GARAGE AND SECTION 17.39(9)(I) REGARDING MINIMUM INTERIOR SIDE YARD REQUIREMENTS FOR THE HOME.

H. Bills reviewed the case, noting that the request for a proposed second story on the home and rebuilding of a detached garage at 2004 Milwaukee Street, pertaining to maximum floor area, open space requirements, minimum interior side yard setback requirements for the detached garage and regarding minimum interior side yard requirements for the home had been denied. He noted fees had been paid and neighbors notified as part of the process for this case. He read into the record a letter from the City Building Inspector denying the request for building permit noting the non-conformities on the site with regard to maximum floor area of the garage. Also, the allowable open space was in excess as proposed and the detached garage proposed was too close to the easterly lot line. Further, the request was denied due to the fact that the proposed second story addition was an expansion of a non-conforming structure with a variance needed from the westerly interior lot line.

CITY OF DELAFIELD BOARD OF ZONING MINUTES

Next, H. Bills read into record a letter from the applicant, Mike Komlo, stating that because of the lot size and size of the house and garage any construction or improvement on the site would require a variance. Proposed plans for the house and garage would include increasing the size of the current single car garage to a two car garage, relocating the garage eastward to the easterly lot line as the garage door needed to be moved eastward to avoid hitting the house. In addition, the house would be increased to include a full second story and the footprint of the house would not change as a result of the request.

Mike Komlo was present this evening, stating he was available for any questions the Board might have of him.

H. Bills questioned why the garage could not be pushed straight back on the lot. Bill Komlo, 628 Acorn Glen, representative for the applicant, explained the southerly lot line was at an angle and if the garage were pushed back, the garage would be offset with the house. In response to a question by G. Maier, M. Komlo explained he had owned the house since March of this year, but had lived across the street for approximately the past four years. During that time, he had seen the resident back out of the garage and hit the house in winter time as a result of its location and the winter weather. M. Komlo also stated he was aware of the zoning violations at the time of purchase. G. Maier stated he was concerned for the lack of hardship in this case.

In response to suggestions by the Board to move the garage from the lot line, B. Komlo stated he had been in the construction business for many years and was concerned about the grade differential on the site if the garage was pushed back and leveled off at the back of the lot. In addition, he thought it would reduce the size of the backyard, however, he knew the garage was too small in its current state.

R. Lieblang stated he was not against enlarging the garage but would like to see it further away from the lot line than what was proposed.

M. Komlo noted if he were to keep the garage at its current location near the lot line and expand it to the west to a width of 17 feet, he would be able to enter and exit the garage and would reduce the non-conformities on the site.

H. Bills suggested dormers be added to the house to attempt to alleviate the non-conformity with regard to the open space requirement as well.

With regard to the house, B. Komlo explained the upstairs was unusable in approximately two-thirds of its space due to the configuration of the roof trusses. In order to make it useable space in the house, M. Komlo

CITY OF DELAFIELD BOARD OF ZONING MINUTES

was proposing going straight up with a full second story. B. Komlo also noted a cottage style look would continue to be maintained even with the addition.

It was noted the proposed second story was not increasing the non-conformity on the lot nor was it impeding any view for neighbors.

Fred McGaver, 1926 Milwaukee Street, stated he had owned the neighboring property to the west since March of 2004. Since that time, he noted, M. Komlo continually worked to upgrade the property and F. McGaver was impressed with the efforts made. He stated he thought anything done by M. Komlo would only bring value to the neighborhood and he was in support of the proposed project. He stated he understood the concerns with the lot line issue from the Board; however, he wanted to support M. Komlo in this project as he was impressed with his efforts thus far.

R. Lieblang stated he had no issues with the house, however, he remained concerned about the garage. G. Maier agreed, noting a hardship in the case was a result of a small lot size, however, the alternative to do nothing did not seem helpful in this case.

Discussion ensued regarding how best to locate the garage on the property as it related to the easterly and southerly lot lines. It was agreed that the garage would best be situated in its current location near the lot line with expansion to the west.

B. Komlo noted the garage layout would follow after the work on the house expansion was complete.

R. LIEBLANG MOTIONED TO APPROVE THE PROPOSED ADDITION FOR THE SECOND STORY ON THE HOUSE AS PRESENTED AND THE GARAGE WOULD REMAIN AT ITS CURRENT LOCATION OF 3.6 FEET FROM THE EASTERLY LOT LINE AT THE SOUTH END OF THE GARAGE AND 3.0 FEET FROM THE EASTERLY LOT LINE AT THE NORTH END OF THE GARAGE. AND WOULD ALSO BE LOCATED 3.6 FEET FROM THE SOUTHERLY LOT LINE. G. Maier questioned whether the garage could be located any closer to the southerly lot line since the property was bounded by the WeEnergies right of way. R. LIEBLANG AMENDED THE MOTION TO HAVE THE SOUTH SIDE OF THE GARAGE LOCATED WITHIN A FOOT OF THE SOUTHERLY LOT LINE IF THE APPLICANT DESIRED. A. JOHNSON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

G. Maier stated he thought this motion provided a good resolution for all in this case.

CITY OF DELAFIELD BOARD OF ZONING MINUTES

5. CORRESPONDENCE

None.

6. ADJOURN

T. HOFFMANN MOTIONED TO ADJOURN THE SEPTEMBER 11, 2008, BOARD OF ZONING MEETING AT 7:59 P.M. G. MAIER SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes prepared by:

Accurate Business Communications, Inc.