

CITY OF DELAFIELD BOARD OF ZONING MINUTES

1. CALL MEETING TO ORDER

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

2. ROLL CALL

Present

Henry Bills
Al Johnson
Rick Lieblang
Gerry Maier
Gerald MacDougall

3. APPROVE MINUTES OF MARCH 22, 2007 MEETING.

A. JOHNSON MOTIONED TO APPROVE THE MINUTES FROM THE MARCH 22, 2007 MEETING. R. LIEBLANG SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. NEW BUSINESS

CASE 733 – APPEAL OF ROBERT AND KRISTIE MILLER (OWNERS) FOR A PROPOSED ATTACHED GARAGE EXPANSION AT 736-738 WEST SHORE DR., DELC 0787.144, IN VIOLATION OF MINIMUM INTERIOR SIDE YARD SETBACK REQUIREMENTS.

It was noted that the fees were paid and that the proper neighbors had been notified.

The letter dated March 15, 2007 from the Building Inspector denying the building permit was read. The garage addition was denied was because the current zoning requires a 20' setback from the property line and the proposed addition is only 5' from the property line.

The letter from Robert and Kristie Miller dated March 20, 2007 was read. They are trying to reduce the amount of vehicles parked in the driveway by giving the tenants a garage space to park at least one of their vehicles and a place to store their bikes, toys, etc.

A letter dated April 5, 2007 had been received from R. Calvin Ebersole suggesting configuration for the garage was read. It was suggested to have symmetrical garages.

There were no other letters in the packets.

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Robert Miller was present at the meeting and stressed the importance of having adequate lack of storage at this residence. There is a lack of space for vehicles. Many tenants are lost because there is not enough storage room. It would be a benefit on this street if this could be addressed. He stated that the suggestion made by Ebersole is not feasible because of the configuration of the lot. He owns several properties on this street and is trying to upgrade the property.

R. Lieblang agreed that the homes have been very well taken care of and additional space is needed, however there is a 20' setback rule. There must be a hardship and if a variance is granted, it must be justified.

R. Miller stated that his hardship is a lack of storage with a building that was approved in 1978 and that is no longer a feasible set up. He did not think that a garage addition would work on the back side of the home since there has been a great room addition already.

G. MAIER MOTIONED TO DENY THE REQUEST. G. MAC DOUGALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. APPROVAL DENIED.

The committee members suggested putting a structure within the required setbacks.

CASE 734 – APPEAL OF DANIEL AND JEANNIE COLLINS (OWNERS) FOR A PROPOSED HOME RELOCATION AT 726 MILWAUKEE ST, DELC 798.047, IN VIOLATION OF MINIMUM FRONT STREET SETBACK REQUIREMENTS.

It was noted that the fees have been paid and that the proper neighbors had been notified. The letter from the Building Inspector dated March 22, 2007 denying the building permit was read. The denial was based on the fact that the minimum front street setback is 35'. The proposed home relocation is only 15'.

A letter dated March 22, 2007 from Daniel & Jeannie Collins, owners, was read. The letter stated four reasons which they believe constituted a hardship.

A page from the Plan Commission minutes was included in the committee members' packets.

H. Bills stated that when he looked at the proposed moving of the house, it tells him that the house is being moved to sell off the other lot. If this was done, an additional sewer lateral and tax bill would be required. D. Collins stated that they wanted to give the house a stable foundation and moving it to a poured walled foundation would rectify this. Secondly, they would create a new buildable lot and eventually build a new single family home. Discussion took place as to whether the lot would need to be rezoned, however, this was not the issue at hand. R. Lieblang stated that the only thing that needed to be

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determined was the setback. G. Maier stated that the setback did not appear to be objectionable. It was stated that this was a self created hardship.

Robert & Mary Lynn Kilcoyne, 736 Milwaukee Street – They stated that they were not in favor of this project.

Dorothy Gilbertson, 23 Main Street – She was concerned about how this would affect the water level in regards to the need for an additional well when the new home was built. She also objected to a newer home taking away from the integrity of the older homes.

R. Lieblang explained the role of the Board of Zoning Appeals. This board is dealing only with the setbacks.

Robert Kilcoyne stated that if this setback is allowed, it would obstruct the view they presently have from their picture window. M. Kilcoyne stated that the project was for the Collins' own personal gains.

Stu Gilbert, 714 Milwaukee Street – He asked what would happen if this was allowed, another home was built, and how close the new home would get to his property line. He likes the way it is now. Would another variance be granted for the new house?

G. Maier stated that the proposed house location side yard setbacks were being observed, only the front setback needed a variance.

Lisa Gilbert, 714 Milwaukee – Their house was built in 1910. She stated that their basement was repoured without moving the home. She stated that D. Collins was creating his own hardship. She was opposed to the proposed relocation.

Jeanne Collins was present at the meeting and stated that one hardship of having the proposed home set back 35' would be that they would not be able to use their property like everyone else who has a smaller lot. They could move the house within the setbacks, but it would not look right with the other home setbacks.

G. MacDougall stated that this was a self imposed hardship. H. Bills stated that to size down a lot, someday build another home, and create more congestion is not what this board is about. G. Maier thought that if the home could be moved observing the required setbacks, it would not look as good as if they moved it as proposed. It is unfortunate that the neighbors do not like the plans. They could move the house with the required setbacks. It was asked what would look better.

L. Gilbert stated that she had a problem with moving the house forward. D. Collins stated that the benefit to granting the variance would be good for the entire neighborhood because it avoided crowding everything in the backyard,

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the variance would allow more use in the backyard. G. MacDougall discussed a self-created hardship. R. Lieblang asked the committee members if moving the house with the required setbacks would look better or if this plan would look better. R. Kilcoyne stated that a variance to this property would negatively affect his property. D. Collins stated that he could shift the home somewhat to the left or the right.

Lynn Blasik, 717 Main Street – lives behind the property. She stated that this is a big house on a beautiful lot and didn't understand why he would want to change this.

Julie Platz, 703 Milwaukee Street – Has lived here 23 years. Aesthetics should be considered as to how close the houses are.

B. Gilberts – 734 Main Street – Discussed the changes in the code. If a variance was always granted, he wondered what good zoning codes are.

A. JOHNSON MOTIONED TO STAY WITHIN THE 35' SETBACK TO THE STREET. G. MAC DOUGALL SECONDED THE MOTION. R. LIEBLANG CLARIFIED THAT THIS MEANT THAT THE HOUSE COULD BE MOVED AS LONG AS IT MET THE SETBACK REQUIREMENTS. A. JOHNSON AND G. MAC DOUGALL WERE IN FAVOR OF THE MOTION, R. LIEBLANG OPPOSED, G. MAIER ABSTAINED, H. BILLS WAS IN FAVOR. MOTION CARRIED.

5. CORRESPONDENCE

None.

6. ADJOURN

A. JOHNSON MOTIONED TO ADJOURN FROM THE MEETING. G. MAIER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 8:27 P.M.

Minutes Prepared By:

Accurate Business Communications, Inc.