

**CITY OF DELAFIELD BOARD OF ZONING MINUTES**

1. CALL MEETING TO ORDER

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

2. ROLL CALL

Present

Henry Bills  
Al Johnson  
Gerry Maier  
Keith Strege  
Thomas Hoffmann

3. APPROVE MINUTES OF JANUARY 13, 2005

**T. HOFFMANN MOTIONED TO APPROVE THE MINUTES OF THE JANUARY 13, 2005 MEETING. A. JOHNSON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

4. NEW BUSINESS

CASE 707 – REQUEST OF WILLIAM ZACHER FOR A PROPOSED ADDITION/REMODELING OF HOME AT 2808-2810 BURRIES RD.

The fee had been paid, the proper neighbors had been notified, and the notice was properly posted in the paper.

The letter from the building inspector dated March 18, 2005 denying the building permit was read. The building permit was denied because the proposed unit is a two-family dwelling in a single family zoning area, the minimum lot size and minimum open space would be lowered with the addition, there would be an increase in the maximum floor area ratio (present ratio exceeds allowed 30%), and the minimum front setback and side setback requirements would not meet the front, back, and side yard set-backs.

The letter dated March 23, 2005 from the William F. and Stacy M. Zacher to the City of Delafield Appeals Board was read. He stated that since the purchase of this property an addition of 141 square feet on the northeast corner was acquired from Richard and Monique Henry. This addition increased the lot size from 7,328 to 7,469 square feet. With this addition, the proposed addition lowers the open space to 5,030 square feet, only 227 square feet less than the original lot. The letter stated that the addition would allow them to safely store gasoline powered equipment and other items currently stored outside. It would also allow them to eliminate the structurally unsound, leak prone flat roof on the current structure and provide a more aesthetically pleasing roof line. The setback from the street will not change. In regards to the side yard lot line, the

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retaining wall installed further divides the two properties and reduces the effect of the 3.31 foot shortfall of the 8 foot side yard requirement. He stated that Richard and Monique Henry approve of the addition. In regards to the rear yard setback, the Henrys also approve of this and the existing woods separate their lots.

William Zacher was present and stated although there is a signature on the sheet showing neighbors who support the project, the Sausens no longer approve of the addition. A letter dated April 11, 2005 from John and Louise Sausen was read and given to the commissioners at the meeting. It stated that they did not approve the project and that they did not sign the sheet indicating support.

W. Zacher explained the drawings and photos that were included in the packet. He stated that in the winter months he must regularly shovel or snow blow the snow off of the flat portion of the roof. H. Bills discussed past variances granted on this property. W. Zacher stated that the rear deck is necessary for the second egress to the home.

T. Hoffmann stated that he could not accept the signatures of people on the support form, especially since Mr. Sausen did not sign his name on the form.

Janet Matt stated that she has sold a number of homes in this area. This home is in worse disrepair than five years ago. She felt that there should be some kind of zoning that would not permit this to happen so people do not have to live with a nuisance. If changes are made to a legal nonconforming property, it should be made less nonconforming, not more. She stated that there should be some sort of zoning that would force people to repair their property within a certain amount of time.

Monique Henry was in support of something being done. She had an issue with the garage being over the 8' setback, but the W. Zacher stated that he is willing to work with that. M. Henry stated that something needs to be done.

Larry Firm, 2805 Burries, was also present and supported Mr. Zacher's proposal. He would like to see something done.

G. Maier did not think the board should be endorsing a two-family home. A better plan should be developed with less variances and a new plan should be drawn up as a single family home.

When discussing the size of the proposed garage, K. Strege stated that he did not think that the garage should be made into a one car garage. With a 1-1/2 car garage, it would come into conformity on that side.

T. Hoffmann thought that it needed to come into conformity. He would like to see something without the variances needed, perhaps a new plan, a single

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family. As a single family, it would be easier to grant the variances. With all of the non-conformity, this is the time to bring it more into conformity.

H. Bills thought that restraints in reference to a time frame as to when the project must be completed would be in order. He had a conversation with the building inspector and he agreed with a timeframe on when the project must be complete.

Overall, the commissioners felt that there were too many variances involved with this project and that it should be converted into a single family home.

Mr. Zacher stated that he wanted to improve the property and that the hardship was the flat roof. He was willing to come within the 8' side setback.

H. Bills stated that in regards to the two-family, it is an existing non-conforming and they are entitled to keep it as a two-family. However, A. Johnson stated that if it were converted to a single family, it would make some of the other variances easier. As a board, they would like to see it as a single family.

**G. MAIER MOTIONED TO DENY THE REQUEST AT THIS POINT IN TIME. K. STREGE SECONDED THE MOTION. IT WAS STATED THAT WHEREVER THE VARIANCES CAN BE REDUCED, THE ZACHERS SHOULD TRY TO REVISE THE PLAN TO DO SO, I.E., THE SOUTH SIDE SETBACK. H. BILLS STATED THAT THEY SHOULD REVISE THE PLANS TO BRING THIS PROPERTY BACK INTO MORE CONFORMITY, REVIEW THE PLANS WITH THE BUILDING INSPECTOR, AND THEN BRING THEM BACK. G. MAIER AMENDED THE MOTION TO DENY THIS REQUEST, BUT TO DEFER THE FINAL DECISION UNTIL THE MEETING ON MAY 12, 2005 WHEN THE ZACHERS COULD SUBMIT ADDITIONAL INFORMATION TO MAKE THEIR PROPOSAL MORE CONFORMING. K. STREGE AGREED TO THE AMENDMENT. ALL WERE IN FAVOR. MOTION CARRIED.**

5. CORRESPONDENCE

None.

6. ADJOURN

**A. JOHNSON MOTIONED TO ADJOURN FROM THE MEETING. T. HOFFMANN 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, LLC