

CITY OF DELAFIELD BOARD OF ZONING MINUTES

1. CALL MEETING TO ORDER

Chairperson Henry Bills called the meeting to order at 7:32 p.m.

2. ROLL CALL

Present

Henry Bills
Thomas Hoffmann
Keith Strege
Gerald MacDougall

Absent

Al Johnson
Gerry Maier

3. APPROVE MINUTES OF JUNE 9TH, 2005

T. HOFFMANN MOTIONED TO APPROVE THE MINUTES FROM THE JUNE 9TH 2005 MEETING. K. STREGE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. NEW BUSINESS

CASE 712 – REQUEST OF TOM AND KIM SCHUBERT (MILLER HOMES, AGENT) FOR A PROPOSED REBUILDING OF A NEW HOME AT 2022 BAY POINT LANE.

It was noted that the fee has been paid, the proper neighbors were notified, and the notice was properly posted in the paper.

A letter from the building inspector dated June 21, 2005 denying the building permit was read. The building permit was denied because in RL-1 zoning 30,000 sf of open space must be maintained and the proposed home's footprint would leave only 18,997 sf of open space; the maximum floor area ratio allowed is 20% of the lot's area (in this case equating to an allowable 6,264 sf) and the proposed home's floor area ratio is 9,412 sf; and the minimum front street setback is 50 ft – the proposed home is shown at 10.5 feet.

A breakdown of the lot area, open space, floor area ratio, and front setback was reviewed. A letter dated June 21, 2005 from Miller Custom Homes was read. The letter discussed the hardships for which variances are being asked.

There were no letters in the file.

T. Schubert was present at the meeting along with representatives from Miller Custom Home. H. Bills asked if the Schuberts had attempted to purchase additional land immediately adjacent to their property. Mr. Schubert stated that no land was available at this time.

Mills Perry, 2030 Bay Point Lane – He owns the property adjacent to this property and was opposed against any variance being granted. He stated that the proposed house is very huge and felt that it would affect his property value in a negatively.

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There are no trees between the homes and the present home stands out like a “sore thumb”. All other homes are buried behind trees. He felt that the new home would look like an institution.

Judy Perry, 2030 Bay Point Lane – Is a long time resident of Bay Point Lane. She thought that the proposed house would not fit well on the lot.

Bill Maslowski, 2007 Bay Point Lane – Distributed a memo dated July 14, 2005 from him to the committee members. He read the memo which reviewed the Bay Point Lane area and the Oakwood Bay Association. He was speaking on behalf of the Oakwood Bay Association. This area has many old oak trees and the proposed building would destroy a number of healthy ones. He recapped what the City has done in the past on ruling on nonconforming structures on nonconforming lots in this area. The Association had drafted a Resolution Petition which is on file with the City. He shared the following issues: appearance – does not blend with the homes in the area; the lot is too small for what they would like to build; the drawings have not been shared with the neighbors and felt that the height was in violation; the building envelope was at the expense of adjacent property owners; removal of oak trees will expose the massiveness of the home on a treeless lot; and the topography changes needed will result in additional run-off to properties and the lake. He, on behalf of the Oakwood Bay Association recommended: denial of plans based on 1) size, design, building envelope, non-complimentary to neighboring properties, 2) there are issues but no hardships to prohibit redesign; 3) precedence set in this area for RL-1 zoning regulations; 4) allow 2 choices – reconstruction of nonconforming home on identical footprint, or build a new home that is fully within the code.

Tom Schubert asked the builder if a home could be built to fulfill the requirements – she stated that it would not. H. Bills stated that the offset from the road would make it impossible. There must be some variance granted there. There are other factors that need to be considered. T. Schubert stated that no matter what was built it would need a variance in one way or another. He addressed the neighbors present at the meeting and stated that he was in favor of having trees there and was in favor of preserving the trees. He stated that he had nothing to do with taking any trees down prior to owning the lot. He would be agreeable to putting in more plantings and would like to build a home that is pleasing to him, his family, and the neighbors. M. Schroeder, President of Miller Custom Homes explained the design of the home and displayed a redesigned drawing.

H. Bills stated that he agreed with the comments about the magnitude of the house and what it would do to the neighborhood. T. Schubert would need a variance because of where the road was located, but the size of the home is the major concern. T. Schubert should consult with the neighbors, the Association, etc. and redesign the home. T. Hoffmann stated that he was not comfortable granting the numerous variances and going back and redesigning the home would be his recommendation. The side setbacks were discussed. K. Strege stated that a variance would be needed for the road, the side setbacks were okay, but the building was too large. Discussion took place. T. Schubert will try to get something that is more acceptable to the neighbors.

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T. HOFFMANN MOTIONED TO DENY THE REQUEST FOR THE VARIANCES. T. SCHUBERT WILL REDESIGN AND WORK WITH THE OAKWOOD BAY ASSOCIATION. T. HOFFMAN RECOMMENDED THAT HE COME BACK WITH NEW PLANS. K. STREGE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. CORRESPONDENCE

None.

6. ADJOURN

T. HOFFMANN MOTIONED TO ADJOURN FROM THE MEETING. G. MAC DOUGALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 8:32 P.M.

Minutes Prepared By:

Accurate Business Communications, LLC