

Walworth County Board of Adjustment

MINUTES

August 14, 2019 - Hearing – 9:00 AM

August 15, 2019 – Meeting – 9:00 AM

County Board Room

Government Center – Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on August 14 & 15, 2019, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on August 14, 2019, were Chair John Roth, Vice-Chair Elizabeth Sukala and Alternate Franklin B. Jones. Nicholas Sigmund, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. Those present on August 15, 2019, were Chair John Roth, Vice-Chair Elizabeth Sukala and Alternate Franklin B. Jones. Nicholas Sigmund, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. “Sign-in” sheets listing attendees on August 14, 2019, and August 15, 2019, are kept on file as a matter of record.

The August 14, 2019, hearing was called to order by Chair John Roth at 9:00 A.M. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Elizabeth Sukala motioned to approve the agenda as presented. Seconded by Franklin B. Jones. Motion carried. 3-favor, 0-oppose. Elizabeth Sukala motioned to approve the July 10 & 11, 2019, Minutes and dispense with the reading. Seconded by John Roth. Motion carried. 2-favor, 1-abstain (Franklin B. Jones), 0-oppose. After testimony of all cases, Elizabeth Sukala motioned to recess until 9:00 A.M. on Thursday, August 15, 2019. Seconded by Franklin B. Jones. Motion carried. 3-favor, 0-oppose.** The August 14, 2019, hearing went into recess at approximately 9:24 A.M.

On August 15, 2019, at 9:00 A.M., Chair John Roth called the decision meeting to order. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Elizabeth Sukala motioned to approve the agenda as presented. Seconded by Franklin B. Jones. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Elizabeth Sukala motioned to adjourn until the September 11, 2019, hearing at 9:00 A.M. Seconded by Franklin B. Jones. Motion carried. 3-favor, 0-oppose.** The August 15, 2019, decision meeting adjourned at approximately 9:13 A.M.

One variance hearing was scheduled and details of the August 14, 2019, hearing and the August 15, 2019, decisions are digitally recorded and available to the public upon request / video to view on our website: www.co.walworth.wi.us.

Old Business – None

New Business – Variance Petitions

Hearing – Count #9:05:32 – 9:28:17/ Decision – Count #9:04:57 – 9:11:41

The First Hearing was Sean R. Waesco, owner / Sean Waesco, applicant – Section(s) 34 – La Grange Township

Applicant is requesting a variance from Section(s) 74-165 / 74-181 / 74-219 / 74-221 of Walworth County's Code of Ordinances – (Shoreland) Zoning to construct a garage.

REQUIRED BY ORDINANCE: The Ordinance requires a 10.4 foot side yard setback, a 24.8 foot street yard setback and a 17 foot maximum height.

VARIANCE REQUEST: The applicant is requesting a 3.5 foot side yard, a 24 foot street yard and a 25 foot 7 inch height. The request is a variance from Section(s) 74-165 / 76-181 / 74-219 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a garage.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 14 & 15, 2019, for the petition of Sean R. Waesco, owner / Sean Waesco, applicant, voted to **DENY** the request for a 3.5 foot side yard, and voted to **APPROVE** a 24 foot street yard and a 25 foot 7 inch height.

A motion was made by Elizabeth Sukala to deny the side yard and street yard and approve the height variance request. Seconded by Franklin B. Jones. Motion failed. 0-favor 3-oppose

A motion was made by Elizabeth Sukala to approve the building height and approve the street yard variance and deny the side yard variance. Seconded by John Roth. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS:

DENIAL of request for 3.5 foot side yard: The Board found the 3.5 foot side yard request to be a large increment of relief. The Board found no unnecessary hardship and found this request results from a want rather than a need.

APPROVAL of 24 foot street yard and 25 foot 7 inch height: The Board found the grade variant from the road to the proposed structure to be a unique property limitation. The Board found the setback request to be a small increment of relief. The Board found the street elevation is high and the garage will sit down low on the landscape. The Board found the street will be higher than most of the garage. The Board found approval of the requests will not obstruct anyone's view. The Board found the requests for the street yard setback and the height have support from the Town.

There were two letters in support from neighboring property owners. There was an e-mail from the Town of La Grange recommending denial of the width and depth variance requests and approval of the height variance request.

Other

- A. Discussion / possible action on Township correspondence – none

Staff Reports

- A. Court cases update - none

- B. Distribution of reports, handouts and correspondence

Proposed discussion for next agenda

The following items were requested to be put on the September 2019 agenda, if applicable:

- A. Discussion / possible action on Township correspondence
- B. Court cases update
- C. Distribution of reports, handouts and correspondence

FRANKLIN B. JONES
WALWORTH COUNTY BOARD OF ADJUSTMENT

These minutes are not final until approved by the Board of Adjustment at the next scheduled hearing date.