



THESE ARE THE MINUTES OF THE **BOARD OF APPEALS** MEETING ON THURSDAY, **FEBRUARY 8, 2018**, AT 7:00 P.M. HELD IN THE COUNCIL CHAMBERS AT CITY HALL, 2000 N. CALHOUN ROAD, BROOKFIELD.

MEMBERS PRESENT: Kevin Bublitz, Gordon Rozmus, Frank DeGuire, Alderman Ron Balzer

MEMBERS ABSENT & EXCUSED: Robert Buikema, Rod Carter, Alderman Lisa Mellone (alt.)

ALSO PRESENT: Zoning & Building Administrator Larry Goudy

Kevin Bublitz called the meeting to order at 7:00 p.m. He stated that the notice of hearing has been duly published pursuant to the State open meetings law and explained the procedure to present the appeals to the Board this evening.

1. **Roll Call**

Mr. Bublitz indicated that a quorum is present and that the request for variances must receive the affirmative vote of three members of the Board in order for a request to be granted.

New Business:

2a. **January 11, 2018, Minutes**

- Gordon Rozmus moved approval of the January 11, 2018, Board of Appeals meeting minutes. Seconded by Alderman Balzer and carried unanimously.

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Public Hearing & Consideration of Appeal: *Certain requests for building permits have been submitted to the City of Brookfield and have been denied by the Zoning & Building Administrator because they did not comply with the Zoning, Building or Sign Code of the City of Brookfield. There will be a Public Hearing held before the Board of Appeals on February 8, 2018, at 7:00 pm at the Common Council Chambers for the express purpose of considering the following request(s) for variance. Please note that following the public hearing(s) the Board intends to take action by considering the request indicated:*

3a. **James Wozniak, 12880 Cardinal Crest Dr.: Residential Addition**

The next item was the request of James Wozniak, E 40 ft of Lot 8 & W 70 ft of Lot 9 Blk 1 Cardinal Crest PT NE ¼ Sec 36 T7N R20E, to appeal Section 17.36.020 B to permit a residential addition at 12880 Cardinal Crest Drive which is located 17' from the lot line. The Code requires a minimum of 18'4" offset from the side property line at this location.

Zoning & Building Administrator Larry Goudy stated this is a request for a variance to the offset provision to build a garage and mudroom addition to their home. Code section 17.36.020 B. reads a 20 foot minimum; however, another Code section 17.112.020 allows for offset reductions in the case of substandard lots, which this lot is. A standard lot is considered to be a minimum of 120 feet of width. This lot is 110 feet. Rather than a 20 foot offset, this

particular lot has a legal offset of 18.33 feet. The applicant is proposing a garage and mudroom addition which is located 17 feet from the west property line. The request is for a 1'4" variance to the west side of the property. The new garage size is basically converting a two car garage into a three car garage. being a total of 720 square feet. One comment was received from a resident to the property to the west wanting to know what the project was. The neighbor chose not to object after knowing what the project was.

James Wozniak stated the current garage is 20 feet x 22 feet. He wants to add eight feet to the garage and that would give him 15'2" towards the house for a mudroom. The grade is terrible on that side of the house. On the west of the garage, the grade is about 5-6" up on side of house. Tree roots are a problem which need to come out. The grade is 3' higher than it needs to be.

Mr. Goudy stated the existing driveway is a side-entry which will be abandoned. It will now be a front entry garage. The City would insist on abandoning the driveway so there isn't two of them.

Mr. Wozniak stated there will be a lot of interior work too. The entire property needs to be re-graded. The west side of the house will not have windows. He is going to reuse the 9'x 16' garage door.

Alderman Balzer stated it is an old subdivision. There are a lot of similar situations where there isn't a lot of space between the houses.

Mr. Publitz stated some unique features of this is that the lot is substandard size which causes some unnecessary hardship when fitting in a 3-car garage.

Mr. Goudy stated staff has two concerns. Staff would want to know what they chose with the driveway configuration because the engineering department has a concept to try to have as few driveways as possible. Also, when the applicants have a plan to re-grade the property, to bring the plan in so the engineering department can review it to make sure there isn't any negative impacts on the neighbors.

Mr. Wozniak thought of using part of the old driveway for a patio, but if they have to abandon it, it wouldn't be a problem. Mr. DeGuire asked could they retain part of it for any other purpose. Mr. Goudy replied there is nothing that prevents them from putting together a landscape plan that shows a patio area. He felt there would still be a substantial portion of the driveway that would have to be removed and converted to grass.

- Alderman Balzer moved to approve the variance as requested, subject to approval of the abandoned portion of the driveway, approval of a landscape plan, and submission of a grading plan that would be approved by the City. The motion was seconded by Gordon Rozmus and carried unanimously.

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- Frank DeGuire moved to adjourn. Seconded by Kevin Publitz and carried unanimously. Meeting ended at 7:17 p.m.

Minutes submitted by Renee J. Tadych, Deputy City Clerk.