



THESE ARE THE MINUTES OF THE **BOARD OF APPEALS** MEETING ON THURSDAY, **MAY 9, 2019**, AT 7:00 P.M. HELD IN THE COUNCIL CHAMBERS AT CITY HALL, 2000 N. CALHOUN ROAD, BROOKFIELD.

**MEMBERS PRESENT:** Kevin Bublitz, Rod Carter, Gordon Rozmus, Alderman Bill Carnell, Alderman Ron Balzer (alt.)

**MEMBERS ABSENT & EXCUSED:** Robert Buikema, Frank DeGuire

**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. **March 7, 2018, Minutes**

- Gordon Rozmus moved approval of the March 7, 2019, Board of Appeals meeting minutes. Seconded by Alderman Ron Balzer and carried unanimously.

\* \* \* \* \*

***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 May 9, 2019, 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. **Brandon Peterleus, 3560 Fiebrantz Dr.: Garage**

The next item was the request of Brandon Peterleus, Lot 26 Blk 1 Capitol Drive Garden Acres W ½ NW ¼ Section 12 T7N R20E to appeal Sections 17.32.020, to permit a building at 3560 Fiebrantz Drive which is located 10.2' from the north lot line and 17.28.010 F.1 to allow a 630 sq. ft. attached garage. The maximum garage size for this home is 574 sq. ft. (56 sq. ft. variance) and the required minimum offset is 16.5' (6.3 variance).

Mr. Larry Goudy, Zoning and Building Administrator, stated this is a request for two variances at 3560 Fiebrantz Drive. The applicant wishes to remove the existing garage and breezeway and construct a new two-car garage in that location. Section 17.32.020 sets the offset at 20 feet; however, Fiebrantz Avenue has substandard lot widths so there is also a

reduction in the required offset. Rather than a 20' requirement, those lots on Fiebrantz have a 16-1/2' requirement.

The existing building varies between 10.2' and 10.4' away from the lot line. This is a very old building that predated the City of Brookfield. There was no variance required because it predates the City zoning law. The offset reduction reduces it down to 16-1/2'. The requested garage is proposed at 10.2' from the north lot line which is a 6.3' variance request. Also, the Code for attached garages allow the garage square footage to be up to, but no more than, 50% of the square footage of the principal dwelling. With removing the breezeway, the applicant reduces the square foot of the principal dwelling and that would allow a maximum square foot of garage space of 574 square feet. The proposed garage is 630 sq. feet which would require a 56 sq. ft. variance request. The kitchen has a window that juts out and that is part of the reason why the applicant is requesting this so that the window isn't impacted. Notices were sent out to all the neighbors. One response was received from the neighbor next door who was in support of this proposal.

Brandon Peterleus stated the breezeway depth is the same as the garage. He needs a two-car garage to fit both cars into the garage which don't fit at all. The only vehicle that fits in his garage is his Hyundai Elantra. There is just a small amount of room to get out comfortably. He would like to increase the value of the property and would like to be like many other houses on the street. It will make the resale better. It will be the exact same footprint as before. There won't be any change. Actually it is .1 foot less than currently because the breezeway would be eliminated.

Alderman Carnell stated currently the garage is 10' off the lot line. Mr. Peterleus replied correct, it is currently 10.2' at the closest point. The neighbor wrote a letter in support of this.

Mr. Gordon Rozmus felt the pictures are a bit misleading. It is a very pleasant looking home and site. There is very nice landscaping on the lot and the property has been very well maintained and renovated being that the property was built in 1942. It is set in an area where there is a tremendous mixture of homes. Many of these homes were built during that era and some are new and have met the new standards.

Mr. Rod Carter asked again if the footprint would not change with the new garage. Mr. Peterleus replied the survey shows 30.5' deep. The proposal would be to go 30' deep. The garage would be 21'x30'.

Ald. Carnell recalls the Board granting another variance on the other end of Fiebrantz recently for a detached garage. It is nice to see the area being redeveloped.

Mr. Peterleus replied he doesn't know of any other way to do a 2-car garage without making it look awkward. There are bedrooms and bathrooms on the back side of the house. He wanted to go bigger, but didn't want to push it. He could access the garage from the inside of the house. The gable end would go the same way as the breezeway but it will be slightly lower.

Mr. Bublitz stated there are some unique features of this lot based on the substandard size and the reduced offset and the way the house is positioned. It offers very few alternatives. It would be a nice addition as well as an increase to the value of the house. A two-car garage

at this point in time is necessary and expected. Mr. Carter agreed. Another significant factor is there is no increase in the footprint. It doesn't appear to violate public policy and the neighbor has consented to this addition. There were no other objections.

- Mr. Rod Carter moved to grant both the variances as requested for the offset and the maximum square footage based on the reasons stated in the paragraph above. The motion was seconded by Alderman Bill Carnell and carried unanimously.
- Kevin Bublitz moved to adjourn. Seconded by Ald. Bill Carnell and carried unanimously. Meeting ended at 7:20 p.m.

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