

**Village of Pewaukee
Zoning Board of Appeals
July 17, 2014**

1. Call to Order and Roll Call

Chairperson Flowers called the July 17, 2014 Zoning Board of Appeals meeting to order at approximately 7:10 p.m.

Roll call was taken with the following present: Chairperson Dean Flowers, Theresa Opie, Thomas Gund and Matt Haydack.

Absent: Casey Smith

Also present: Village Attorney Mark Blum and Clerk/Treasurer Nancy J. Zastrow

Citizen Comments

There were no citizen comments

2. Public Hearings

- a. *On an appeal for a variance from **section 40.203(1)(a)** of the Village Code stating that no more than one attached garage structure shall be allowed for new residential home construction. Detached garages shall be allowed for replacements of existing detached garages or for construction of detached garages for homes constructed prior to the effective date of the ordinance from which this chapter is derived. The applicant would like to construct a 720 sq. ft. detached garage in addition to the current attached garage.*
Location – 419 High Street

Lee Haessig – 419 High Street

Mr. Haessig addressed the board stating he has a narrow lot and it would be difficult to add onto the existing garage without a variance. What he is proposing will meet the setback requirements per the code.

Chairperson Flowers asked how the property owner intends to get to the new garage. Mr. Haessig stated he would like to pave to the garage.

Attorney Blum asked if the existing shed would be removed. Mr. Haessig responded he would not need the existing shed if he is granted the variance for a new garage. He also noted he would clean up the corner of the lot and fence which currently is located on the neighbor property. He noted the previous owner did not maintain the entire lot and when he gets this additional area cleaned up he will have room for a backyard. Mr. Haessig stated the garage would be used for storage of four antique cars. The current garage is 22' x 20'. He noted the proposed garage is nothing unique to the neighborhood, there are others in close proximity to his property.

Chairperson Flowers asked if the neighbors are aware of his proposal. Clerk Zastrow indicated all properties within 300' of 419 High Street were sent notice of this meeting.

Attorney Blum noted the following items were distributed to the Zoning Board of Appeals:

- Letter to Village Administrator dated June 20, 2014
- Copy of Certified Survey Map
- Copy of Zoning Administrator John Gibbs Memo
- Copy of Waukesha County GIS aerial photo

- Google map of property – four views
- Pictures of current property – Rear lot/Side view to rear yard (2)/Rear yard with approximate garage location
- Surrounding property photos –
 - 614 W. Wisconsin Avenue
 - 359 Evergreen Lane
 - 305 Evergreen Lane
 - 306 High Street
- Copy of garage specs from Menards – 4 pages of information

Attorney Blum asked if these documents are what the property owner wants the board to use in their consideration of the variance. Mr. Haessig stated yes and noted he would hire a contractor to build the garage to the same specs as presented.

Chairperson Flowers closed the public hearing at approximately 7:24 p.m.

3. Approval of the Minutes of the Meeting of April 16, 2014.

T. Gund moved, second by T. Opie to approve the minutes as presented. Motion carried 4-0.

4. Old Business

There was no Old Business.

5. New Business

- a. Review and Action on Appeal for a variance from section 40.203(1)(a) of the Village Code as fully described above in Item 2a.
Applicant – Lee Haessig, 419 High Street

T. Gund questioned a section of the Code of Ordinance where it is noted a separate garage could be constructed if pre-dated the ordinance. This garage does not pre-date the ordinance and does not apply to this property.

Chairperson Flowers is concerned with the report from Zoning Administrator John Gibbs only concerns the structure the setback for access would not meet the standards. Attorney Blum stated the memo relates to the R-5 zoning standards building structure and having setback. Tonight the board is looking at the code for construction of the garage. He may need to come back for access to the garage.

M. Haydock asked if the fence would also be removed? Mr. Haessig stated the intent is to run the fence from the corner of garage to lot line and would be shorter than the existing fence.

T. Gund noted the three standards for approval of a variance and he stated he did not see a hardship being caused by the property.

There were no further comments.

T. Opie moved, second by M. Haydock to approve the variance request from section 40.203(1)(a) of the Village Code stating that no more than one attached garage structure shall be allowed for new residential home construction. Detached garages shall be allowed for replacements of existing detached garages or for construction of detached garages for homes constructed prior to the effective date of the ordinance from which this chapter is derived. The applicant would like to construct a 720 sq. ft. detached

garage in addition to the current attached garage at 419 High Street, because the plan presented is reasonable and the size of the yard creates a hardship and meets the statutory requirement for hardship. The following conditions are attached:

- Remove the current shed
- Current fence would be repaired to be located on lot line
- Proposal based on the plan submitted

Roll call vote was taken.

T. Opie	yes	M. Haydack	yes
T. Gund	yes	Chairperson Flowers	yes

Motion carried 4-0.

6. Adjournment

T. Opie moved, second by T. Gund to adjourn the July 17, 2014 Zoning Board of Appeals meeting at approximately 7:45 p.m.

Respectfully submitted,

Nancy J. Zastrow
Clerk/Treasurer