

PORT EDWARDS ZONING BOARD OF APPEALS

Minutes of meeting held on June 3, 2019

Called to order 5:03 p.m.

Attendance: Leo Thomasgard (Chair), Gary Blum, Doug Berryman and Steve Vechinski (Members)

Absent: Member Steinhorst

Also Present: Lorelei Fuehrer – Building Inspector, Diane Tremmel - Clerk-Treasurer

Citizens: Justin Green, Ron Green, Dave Thiel, Sy Thao, Clara Green and J.O. Santoski

Purpose: To request a variance of Chapter 17.08(3)(b)(2). The applicant is requesting a variance from the detached garage requirements for size from 960 sq. ft. to 1728 sq. ft. with a lean to of an additional 576 sq. ft.

Chair Thomasgard read the purpose and duties of the Zoning Board of Appeals. He also read the applicant's request for a variance.

Lorelei Fuehrer stated that she did a drive-by inspection of the property. The two lots are currently separate and would be combined per certified survey map making one lot. The lots are adjoined by 30 feet.

Dave Thiel stated that he is opposed to the building because it will not look like a residential structure. He also objects to the "mess" that is currently on the lot. Mr. Thiel presented a picture of what the "mess" on said lot looks like from outside his window.

Justin Green stated that the garage will not be very high and would be a wood structure with vinyl siding and a shingled roof. He wants to clean up the area as well as have a woodworking area for himself and his sons.

Sy Thao stated that she bought two nearby lots with future plans to build a house. She would not have purchased the lots if she knew there was going to be a building such as the one being proposed. She believes such a building would lower the value of the neighboring properties.

Lorelei Fuehrer read a letter received from Mr. Bindel opposing the variance. She also stated that she is currently working on a draft to change the ordinance to accommodate larger garages. The draft would allow for a maximum size for a detached garage of 1200 feet or 30% lot coverage, whichever is most restrictive.

Justin Green pointed out a couple other properties in the Village where there is a building on a lot without a house.

Member Vechinski stated that the desire for a larger garage is not an acceptable hardship. The Board concluded there are no unique property limitations. In regard to protection of public interest, several neighbors expressed their opposition to the building and feel the building could have a detrimental effect on the value of their properties.

Motion by Member Vechinski to deny the variance; seconded by Member Berryman.

Motion carried. (Vechinski – aye; Berryman – aye; Thomasgard – aye; Blum – aye)

Meeting adjourned at 5:48 p.m.

Diane M. Tremmel (Secretary)  
Village Clerk-Treasurer

## NOTICE OF DECISION

TO PETITIONER AND TO PROPERTY OWNERS  
APPEARING IN SUPPORT OF, OR IN OBJECTION TO THE PETITION

BOARD OF APPEALS HEARING DATE: **June 3, 2019**

### BOARD'S DECISION:

#### A. Findings of Fact

1. Name of Petitioner: **Justin Green**

Owner of Property: **Clara Green**

2. Description of property and address: **Brentwood Dr/Vixen Ct (Parcel #27-00037J)**

3. Property's current use and zoning status – **Zoned R-1 Residential**

4. Proposed relief or change desired: **To request a variance of Chapter 17.08(3)(b)(2). The applicant is requesting a variance from the detached garage requirements for size from 960 sq. ft. to 1728 sq. ft. with a lean to of an additional 576 sq. ft.**

#### B. Conclusions of Law

(Cite the legal criteria used as the basis for the decision of the board, and the rationale behind the decision. Also state the board's judgment regarding whether the three statutory variance standards have been met.)

#### Three Statutory Variance Standards

- Unnecessary Hardship (in the absence of the variance the owner can make no feasible use of a property or strict conformity is unnecessarily burdensome)  
**None determined.**
- Unique Property Limitation  
**None determined.**
- Protection of the Public Interest  
**Several neighbors expressed their opposition to the variance and felt granting the variance would lower their property values.**

- C. Order and Determination of the case (includes the basic decision and the general and specific conditions attached to the decision)

**Motion by Member Vechinski to deny the variance; seconded by Member Berryman.**

**Motion carried.**

**VOTE** - Vechinski – aye; Berryman – aye; Thomasgard – aye; Blum – aye

- D. Notice of Appeal Rights

The decision of the Board of Appeals may be appealed by an action in certiorari in circuit court, within 30 days of the Board's decision.

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Diane M Tremmel  
Clerk-Treasurer

Dated: June 3, 2019