



BOARD OF APPEALS
Tuesday, January 5, 2016; 6:00 PM
MINUTES

Present: Chairman Reitz; Members Ashmore, Larson, Levin, Massey, Stern; Deputy Clerk Fochs; City Attorney Sajdak; City Inspector Schoenknecht, Court Reporter Sarah Gilkay, Gramann Reporting; and interested public

Also Present: Appellants Steve Sass

All parties appearing before the Board of Appeals were sworn.
A complete transcript of the proceedings can be made available upon request.

The meeting was called to order at 6:00 PM.

1. Approve meeting minutes of September 9, 2015

Moved by Member Massey, seconded by Member Levin to approve the meeting minutes of September 9, 2015.

The motion passed by voice acclamation 5/0.

2. Hear evidence concerning; debate, deliberate and decide the request of:

Applicant(s): Steve & Erin Sass

Owner: Steve & Erin Sass

Appeal: Requesting a variance from Section 58-239(j) Mequon Code of Ordinances to extend beyond the 20 foot offset in order to construct a garage addition at 2333 W. Hickory Lane.

Inspector Schoenknecht summarized the applicant's case. He indicated that the appellant is requesting a variance from the 20' side yard offset in order to construct a garage addition. The current dwelling is approximately 32' from the property line. The current zoning is $\frac{3}{4}$ acres. The lot size requirement was reduced with a new ordinance in the 1970s. City staff was unsuccessful in determining if the neighboring two properties are within the 20' setback.

Appellant Sass began by telling the Board he and his wife purchased the home five years ago.

They want to replace an existing shed with a third car garage on the west side of their property. They propose a 15' garage that would be architecturally consistent with the current structure. Behind the garage there is family room that used to be an indoor pool.

Member Ashmore questioned what hardship was created by the zoning code and whether a third car garage could be built within the limits. Mr. Sass thought a garage could still be built within the code.

Inspector Schoenknecht stated that in 1977 the code required a 20' side setback and a 50' front setback. Mr. Sass claims that each of his next door neighbors has less than 16' setback. Staff stated that there were no records found where variances were granted to neighbors.

It was proposed that the builder could eliminate the brick 3' wall or reduce the size of the walls that separate each garage. The appellant stated that he would not opt for that since the facade would not be uniform.

Moved by Member Ashmore, seconded by Member Massey to close the public hearing. The motion passed by voice acclamation 5/0.

The Board deliberated:

- It is important to be consistent with the application of the ordinances.
- Has the appellant demonstrated a hardship unique to the property?
- Cannot have a self-created hardship.
- Are there unique physical limitations of this property which would support a granting of the variance request?

Motion by Member Ashmore, seconded by Member Levin to deny the variance. The motion resulted in a roll call vote 5/0:

Favor: Chairman Reitz; Members Ashmore, Larson, Levin, and Massey

Oppose: None

3. Adjourn

Moved by Member Ashmore, seconded by Member Levin to adjourn the meeting at 6:34 PM. The motion passed 5/0 by voice acclamation.

Respectfully submitted,
CITY OF MEQUON BOARD OF APPEALS
Kathy Andrykowski, Administrative Secretary
Approved 02-04-16