Minutes of the Zoning Board of Appeals Public Hearings & Regular Meeting
Town of Lisbon, Town Hall
Monday, April 9, 2018
5:00 P.M.

A Public Hearing was held by the Town of Lisbon Zoning Board of Appeals at the Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089 and was called to order by the Board of Appeals Chairman John Gehrke at 5:00 P.M. BOA Chairman Gehrke read the notice of public hearing as published in the Lake Country Now and Northwest Now papers, on the Town's website and on the Town Hall posting boards.

Public Hearing to solicit public comments on the request from Jason Wegner, for Special Exceptions from the following sections of the Town of Lisbon Zoning Code, related to construction of an accessory building, for the property located at W235N7585 Woodside Road, Lisbon, WI 53089, LSBT 0199.999.001.

- **Section 3(g)(2)(a), offset of the Zoning Ordinance requires a minimum of 20 feet from the lot line to the roof line of the house or accessory building; applicant is requesting 15 feet.**
- **Section 3(i)(5)(b)(vi), Accessory Building Size allows a maximum square footage of 1,300 square feet; applicant is requesting 1,440 square feet.**
- **Section 16(f)(2), Height Restriction allows a maximum building height of 15 feet; applicant is requesting 30 feet.**

<u>Public Hearing Comments</u>.

BOA Chairman Gehrke opened the hearing to comments from the public. There was an objection submitted by mail from Kathy Gerald, N75W23484 N. Ridge View Circle. The letter states the zoning ordinance should stay as is. If one homeowner is allowed to bypass the zoning ordinance they everyone else will do it too. Also, the height restriction is too high and the building is too large. What else will Mr. Wegner use the building for except the 5th wheel trailer? She isn't in favor of this.

Mr. & Mrs. Plese, W235N7617 Woodside Road, a 30 foot high garage would be an eyesore if there wasn't a tree line between them. He doesn't have a problem with the lot line variance, just the building height. He drove around today and didn't see any 30 foot high garages in Lisbon. If the Town has a limitation set the property owner should abide by that. Neighbors Joyce and Tom Baumgaurd emailed them saying they are both against this but can't make the meeting. They think it would be a major eyesore and takes away from the few trees they have left. Mrs. Plese agrees with the Baumguard's email and that the trees won't hide the height. Other neighbors couldn't make it tonight and believes if they were here, they also would be opposed to the request. Mr. Plese stated he understands the want for a higher building but it's just too high; it would be 12 feet higher than his own house.

<u>Adjourn Public Hearing.</u>

There were no further public comments and the public hearing adjourned at 5:16 P.M.

Public Hearing to solicit public comments on the request from Kelly Hanaway, for a Special Exception from the following section of the Town of Lisbon Zoning Code, related to construction of a detached, two-car garage, for the property located at N73W27020 Kettle Cove Lane, Lisbon, WI 53089, LSBT 0216.012.

- **Section 3(g)(2)(a) in R-1 Zoning, Section 16(e)(2), offset of the Zoning Ordinance requires a minimum of 20 feet from the lot line to the roof line of the house or accessory building; applicant is requesting 10 feet.**

Public Hearing Comments.

BOA Chairman Gehrke opened the hearing to comments from the public, which there were none.

Adjourn Public Hearing.

The public hearing adjourned at 5:17 P.M.

Call Zoning Board of Appeals to Order.

BOA Chairman Gehrke called the Zoning Board of Appeals meeting to order at 5:17 P.M.

Roll Call: Present: BOA Chairman John Gehrke and BOA Member Charlie Koch. Also present: Building Inspector Bryan Oelhafen and Town Clerk Gina Gresch. Absent: Prosper Pfannerstill.

Discussion and necessary action to approve the October 18, 2017 Zoning Board of Appeals Public Hearing and Regular Meeting minutes.

Motion by Koch to approve the October 18, 2017 Zoning Board of Appeals minutes. Seconded by Gehrke. Motion carried, 2-0.

New Business.

Discussion and necessary action on the request from Jason Wegner, for Special Exceptions from the following sections of the Town of Lisbon Zoning Code, related to construction of an accessory building, for the property located at W235N7585 Woodside Road, Lisbon, WI 53089, LSBT 0199.999.001; Section 3(g)(2)(a), offset of the Zoning Ordinance requires a minimum of 20 feet from the lot line to the roof line of the house or accessory building; applicant is requesting 15 feet; and Section 3(i)(5)(b)(vi), Accessory Building Size allows a maximum square footage of 1,300 square feet; applicant is requesting 1,440 square feet; and Section 16(f)(2), Height Restriction allows a maximum building height of 15 feet; applicant is requesting 30 feet.

Mr. Wegner stated he is mainly looking for a setback variation in relation to height and size. He would like to bring his 5th wheel to his property and store it in the building as there is an unwritten rule in the Town to not having things like this stored outside. His intention is to keep the building secluded by the trees. The 30 foot height was intended to make the building look like a barn. He re-worked the drawings last night and was able to get the building height down to 25 feet to

the peak. The building will look nice; no steel siding or steel roof. Normally this type of building would be very skinny. He is trying to spread it out so it looks better with a proportioned height.

Mr. Wegner stated the proposed building location is because of the distance it needs to be from the septic field and how he would have to get the RV in and out of the building. He would prefer to pull in and back out straight out of the building. He is planning on keeping the building tucked into the corner of the property. BOA Member Charlie Koch asked Mr. Wegner what his hardship is for asking for this variance. Mr. Wegner stated he can't drive over the septic system in the back yard and there is no other accessibility to the rear property line. In order to get past the septic system to the building, he would have to make an almost impossible maneuver without damaging the building. The RV will be coming back to the property one way or another. He wants to keep his backyard looking nice and wants to put as much in the building as he can. BOA Chairman Gehrke stated the building height seems to be the biggest issue with the neighbors.

hen still has issue with height to get the vehicle inside. Bryan at 4:12 pitch height would be 22' total. John height seems to be the issue based on comments by neighbors. 15' to 30' is quite a difference in his opinion. Can understand the size because of a 5th wheeler won't fit in a normal garage.

Motion by Koch to deny the request from Jason Wegner, for Special Exceptions from the following sections of the Town of Lisbon Zoning Code, related to construction of an accessory building, for the property located at W235N7585 Woodside Road, Lisbon, WI 53089, LSBT 0199.999.001; Section 3(g)(2)(a), offset of the Zoning Ordinance requires a minimum of 20 feet from the lot line to the roof line of the house or accessory building; applicant is requesting 15 feet; and Section 3(i)(5)(b)(vi), Accessory Building Size allows a maximum square footage of 1,300 square feet; applicant is requesting 1,440 square feet; and Section 16(f)(2), Height Restriction allows a maximum building height of 15 feet; applicant is requesting 30 feet, for the following reasons: not having a reasonable hardship, the extreme nature of the request and the neighbor's public comments. Seconded by Gehrke, motion carried 2-0.

Discussion and necessary action the request from Kelly Hanaway, for a Special Exception from the following section of the Town of Lisbon Zoning Code, related to construction of a detached, two-car garage, for the property located at N73W27020 Kettle Cove Lane, Lisbon, WI 53089, LSBT 0216.012; Section 3(g)(2)(a) in R-1 Zoning, Section 16(e)(2), offset of the Zoning Ordinance requires a minimum of 20 feet from the lot line to the roof line of the house or accessory building; applicant is requesting 10 feet.

Mr. Hanaway's request is for a 10 foot side yard setback. Putting the building in the back of the property would be doable as there is space to do it but then the garage would be obstructing his view and he doesn't want to devalue the property by putting it back there. He spoke to the majority of the neighbors and they are fine with his request. It's the logical place to put the building because it will obstruct the view from the patio and house. Half of the lot is wooded so there's only about a half-acre to play with. His hardship is that there are too many cars on his driveway and it makes it hard to plow. Also, the rest of the neighborhood has three-car garages and his is a two-car garage. BOA Chairman Gehrke stated he would have like to have heard from some of the neighbors to know if in fact they agree with the request. BOA Member Koch asked

what Mr. Hanaway's hardship is. Mr. Hanaway stated that location it could go in isn't a reasonable choice. The building will not be aesthetically appealing in the location it could go in because of the landlockedness of the pie shaped lot. BOA Chairman Gehrke agrees there are other option for building placement which he should review with the Building Inspector. There are too many variables to approve this on a limited basis.

Motion by Koch to deny the request from Kelly Hanaway, for a Special Exception from the following section of the Town of Lisbon Zoning Code, related to construction of a detached, two-car garage, for the property located at N73W27020 Kettle Cove Lane, Lisbon, WI 53089, LSBT 0216.012; Section 3(g)(2)(a) in R-1 Zoning, Section 16(e)(2), offset of the Zoning Ordinance requires a minimum of 20 feet from the lot line to the roof line of the house or accessory building; applicant is requesting 10 feet for the following reasons: the building would be too close to the lot line and there is another location the building could be built where it meets the code. Seconded by Gehrke, motion carried 2-0.

Adjournment.

Motion by Gehrke to adjourn the Monday, April 9, 2018 Zoning Board of Appeals meeting at 5:54 PM. Seconded by Koch. Motion carried, 2-0.

Respectfully submitted,

Gina Gresch, MMC/WCPC
Town of Lisbon Clerk