BOARD OF ADJUSTMENT PUBLIC HEARING

Monday, June 16, 2014
Administrative Center – Basement – County Board Room
6:00 p.m. – 7:16 p.m.

MEMBERS PRESENT: Howard Raymer, Larry Warzynski, Dave Eilertson
MEMBERS EXCUSED: None
MEMBERS ABSENT: None
OTHERS PRESENT: Scott Custer(reader/recorder/minutes)

CALL TO ORDER
Howard Raymer, Jr., Chair, called the meeting to order at 6:00 p.m. Let the record show that this meeting is called in full compliance with the requirements of Wisconsin Open Meetings Law.

APPEAL NO. 2014-14 John M and Mary J Kelly, N9133 County Rd C, Mindoro, WI, 54644. Permit denied to construct a 30-ft x 40-ft detached accessory building 21-ft in height that will exceed the 768 sq. ft. area and 17-ft height limits for such buildings on this 0.58 acre lot. Property is described as Lot 2 of Certified Survey Map No. 185 in Volume 7. Document No. 1185132. Property address N9133 County Rd C. Tax Parcel 5-702-2. Town of Farmington.

Appearing in favor: John Kelly, N9133 County Rd C, Mindoro, WI, 54644. Stated the building being proposed is 1,200 square feet and the maps depiction of the proposal looks correct. John had copy of the building plans if the board members would like to see them.

Question Raymer: One thing we should state for the record, the allowable area for a detached building is 768 square feet, why do you need more?
Answer Kelly: I have 3 vehicles, 4 motorcycles, workshop, lawn mower, snowmobile and these are all things I’d like to store inside. There is currently a barn there in rough condition I will be removing.

Question Eilertson: John, where are you keeping those items you mentioned before?
Answer Kelly: One of the motorcycles is in the chicken coop, one of the cars is in the barn, that’s in rough shape, and the other vehicles are outside. All the other equipment is stored at my father in laws farm.

Question Eilertson: This other equipment is more than will fit in a 768 square foot building?
Answer Kelly: Yes, by the time you get a vehicle in there and set up the workshop, all the space is already used up and there is no space to work. I’d have to pull one of the vehicles out if I wanted to work.

Question Eilertson: This board has to approve things based on a hardship. It’s tough when someone comes in and has so many cars, so many trucks, or so many vehicles. Do you see what I am saying?
Answer Kelly: Yes.

Comment Raymer: The other option you would have is to add on an attached garage and you could go as big as you want. But, when you go detached, the size you are allowed is dependent on acreage. You would need three acres to go as big as you would like to. You are not even one acre.

Question Eilertson: Also, why would you need a 21’ high building?
Answer Kelly: It’s a loft design I chose for additional storage. The current barn is over 20’ in height. And, the reason I am not able to attach a garage of any size, my septic and gas line would lie next to and behind where you would attach it.

Appearing in opposition: None.

Correspondence: No correspondence.

Discussion:
Raymer: The height limit and size is a pretty big request for a parcel this size.
**Eilertson:** I don’t think the property will not function as a rural residence if it only has a 768 square foot building.

**Raymer:** Right, because what is there, is not usable.

**Warzinski:** Let me make sure I understood this; the lot could still function as a rural residential lot with a 768 square foot building?

**Eilertson:** Yep.

**Raymer:** If you read the unnecessary hardship part of what counts as a hardship, it says if compliance with the strict letter of the dimensional requirements, unreasonably prevents the owner to use the property for a permitted purpose. But, he has an old barn that can hardly be used. But, I don’t know if we can give that much overage.

**Eilertson:** In order for this board to approve a variance, there has to be a hardship, there are standards in which we need met in order to approve. I don’t think it was demonstrated that there was a hardship.

**Motion Eilertson/Warzynski to deny**

**3 Aye, 0 No. Motion carried unanimously.**

**Motion Eilertson/Warzynski to adjourn at 7:16 pm.**

**3 Aye, 0 No. Motion carried unanimously.**