

BOARD OF APPEALS

April 13, 2021

Brillion City Center

4:00 pm

CALL TO ORDER:

Acting Chair Mayor Mel Edinger called the meeting to order at 4:03 pm.

ROLL CALL:

Present were Sue Cohen, Craig Orth, Larry Van Frachen, Bill Konwal, Dan Farrell, and Roger Schwahn (via Zoom). Also present were Clerk/Treasurer Patty Schreiber, Public Works Director Andy Geiger, and Building Inspector Paul Birschbach.

Guests:

Robert and Karen Behnke

APPROVAL OF AGENDA:

Motion – Van Frachen moved to approve the agenda. Seconded by Cohen. Motion carried unanimously.

APPROVAL OF MINUTES – August 20, 2020:

Motion – Van Frachen moved to approve the minutes for the August 20, 2020 Board of Appeals meeting. Farrell seconded. Motion carried unanimously.

HEARING – REQUEST FOR VARIANCE:

Robert Behnke 510 N Main Street

Requesting a variance from the City of Brillion Municipal Code. Sec. 106-168-4(a)(7) – R-2 Single and Two-Family District, setback and yards. Applicant is requesting the south side yard setback of new garage at 2.5 ft, City Code requires a minimum setback of 8 ft to side yard lot line.

Edinger asked Schreiber to read the notice of public hearing for the record.

Edinger opened the public hearing at 4:06 pm asking for testimony for or against the variance request.

Edinger asked Behnke to explained the request for variance and to explain the hardship.

Behnke explained the current garage is in its location for approximately 100 years. At this point either way the garage is unrepairable. The original lot line ran through the garage. This has been corrected. If the variance is not granted the garage would need to be directly behind the house with no access. The variance is for a garage 10 feet shorter and 1 ½ foot wider to the north. Geiger explained the Behnke's have gone through the CSM process to get the lot line corrected.

Geiger explained only one called was received regarding the variance from Dennis Weber of the BP station. Weber had no problem with it. No other replies were received.

Behnke did discuss this with the neighbor he worked with to correct the lot line. No issues were shared during that discussion. Behnke indicated it will be a single stall garage.

Cohen questioned Birschbach regarding this request. Does he see this in other communities. Birschbach explained this was no uncommon. City of Chilton sees this. They have areas where buildings are almost touching.

Behnke was questioned regarding rain runoff toward the neighbor's lot. Behnke explained the rain runoff would be on his property. Birschbach suggested gutters on the neighbor lot side.

Edinger closed the public hearing at 4:14 pm.

DISCUSSION OF TESTIMONY AND REVIEW OF FACTS:

Cohen shared her disappointment with regards to the neighbor not being present at the meeting for comment. Cohen does not want to set a precedent. Cohen does see a hardship.

Geiger did share the notice was in the paper twice and all the neighbors did receive a letter with both Birschbach's and Geiger's contact information.

Geiger feels these 8 ft setbacks are more designed for future development. Birschbach takes the no comment as there is no problem. They agree.

Motion – Orth moved to approve the variance request with the hardship of the ability to drive into the garage based on the position of the house and the existing building was non-conforming. Seconded by Van Frachen. Call vote. Motion carried unanimously.

DECISIONS AND RELATES ACTION:

The variance was approved.

OLD BUSINESS:

Need to have a chairperson appointed.

NEW BUSINESS:

Need to replace Ralph Haberland. Haberland's term ends in 2023.

Roger Schwahn's term ends in 2021. Schwahn indicated he would server another term.

Updated contact information was gathered for the current Board of Appeals members.

ADJOURNMENT:

Motion – Cohen moved to adjourn the meeting. Seconded by Van Frachen. Motion carried.

The meeting was adjourned at 4:24 pm.

Patricia Schreiber
Clerk-Treasurer