

CITY OF EDGERTON
CITY HALL
12 ALBION STREET

ZONING BOARD OF APPEALS

Monday, June 12, 2023 AT 6:30 P.M.

NOTICE: The meeting noticed above will also be live streamed on a Zoom platform: To view the meeting, please select the link to the meeting listed on the **calendar events** on the City website's home page at www.cityofedgerton.com. Due to occasional technical difficulties, citizen participation via Zoom may not be possible.

1. Call to Order; Roll Call.
2. Confirmation of Appropriate Meeting Notice Posted Friday, June 9, 2023.
3. Public Hearing:
 - a. Hear comments regarding a request by Jason Cowley for a variance to Chapter 22.710(3)(b)4. for the property located at 455 Fairway Circle to reduce the front yard setback from 25 feet to 16 feet to allow the construction of an attached garage.
 - b. Close the public hearing.
4. Consider request by Jason Cowley for a variance to Chapter 22.710(3)(b)4. for the property located at 455 Fairway Circle to reduce the front yard setback from 25 feet to 16 feet to allow the construction of an attached garage.
5. Consider approval of September 26, 2022 Zoning Board of Appeals meeting minutes.
6. Adjourn

cc: All Board Members
All Council Members
City Attorney
Newspapers
City Administrator
Department Heads

NOTICE: If a person with a disability requires that the meeting be accessible or that materials at the meeting be in an accessible format, call the City Administrator's office at least 6 hours prior to the meeting to request adequate accommodations. Telephone: 884-3341

TO: Edgerton Board of Appeals

FROM: Staff

MEETING DATE: June 12, 2023

GENERAL DESCRIPTION

Description of Request: for a variance to Chapter 22.710(3)(b)4. to reduce the front yard setback from 25 feet to 16 feet to allow the construction of an attached garage.

Address: 455 Fairway Circle (6-26-164.148)

Applicant: Jason Cowley

Current Zoning/Land Use: R-1 / residential

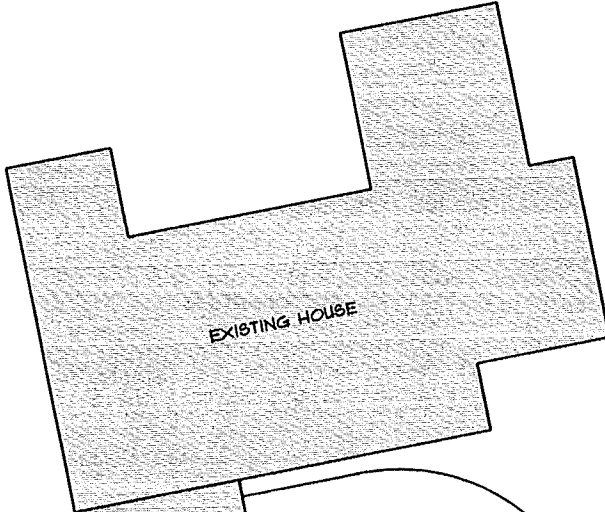
STAFF REVIEW COMMENTS

The planning staff has reviewed the petition in accordance with the Edgerton Zoning Ordinance and has the following comments:

1. The petitioner seeks a variance to allow the construction of a 16' x 24'-6" addition to a principal structure for an attached garage that is closer to the front lot line than is allowed by the ordinance. The proposed addition would be 16' from the front property line and the ordinance requires principal structures have a 25' setback.
2. The lot is unusually shaped in that it has street frontage of three sides which limits the buildable area of the lot when compared to a conventional lot that has only one side with street frontage.
3. The addition could be constructed "behind" the existing garage without a variance.

S 78°09'30" E 102.000'

N 01°32'00" E 205.710'



LOT 48

EXISTING GARAGE

EXISTING CONCRETE DRIVE

NEW GARAGE

NEW CONCRETE DRIVEWAY

S 64°02'00" W 134.900'

FAIRWAY CIRCLE

24'-6"

6'-0"

36'-0"

16'-0"

11 221

455 Fairway Circle



Picture taken facing North



Picture taken facing West

455 Fairway Circle



Picture taken facing South



Picture taken facing south showing the other 2 homes within the circle
Both homes have only 2 sides facing a street vs ours with 3 sides

455 Fairway Circle



Picture (facing west) showing pink flagged stake indicating where 3rd car attached garage addition would end. (Flag in picture is located forward of tree)



Picture showing reverse direction (east) (Flag is blocked by tree... sorry)

Both pictures show in our opinion and yours that there is still plenty property left from addition to the curbing

**CITY OF EDGERTON
ZONING BOARD OF APPEALS MINUTES**

September 26, 2022

A regular meeting of the Zoning Board of Appeals (“ZBA”) was called to order at 6:01 p.m. at the Edgerton City Hall, 12 Albion Street, Edgerton, Rock County, Wisconsin on September 26.

Present and responding to the roll call in person were Chairperson Dave Maynard, James Kapellen, Jim Long, Veronica Ellingworth, Russel Jorstad, Mark Wellnitz (alternate) and Dave Esau (alternate). Alternates participated in discussions but did not participate in votes.

Also present in person was City Administrator Ramona Flanigan.

Chairperson Dave Maynard opened the meeting. The first order of business was confirmation of appropriate meeting notice. City Administrator Ramona Flanigan confirmed that the meeting notice was posted in the appropriate places as required under the Wisconsin Statutes.

A motion to open the Public Hearing was made by ZBA Member Jorstad, seconded by ZBA Member Long, and passed by unanimous roll call vote at 6:05.

The ZBA went into public hearing on the variance application of Lisa Weinstein, regarding the property located at 512 Blaine St. (6-26-505) for a variance from Chap. 22.711(3)(b)8. to reduce the paved surface setback from 3’ to 0’ to permit a driveway closer to the lot line than allowed by ordinance.

Applicant Lisa Weinstein spoke in favor of the application and presented additional materials not included with the packet. The applicant noted that the house is a two-flat and that the City code requires 2 off street parking places for each residential unit. She also indicated that Blaine St. only has parking on one side. She presently has parking only for two vehicles on the south side. The applicant also noted that several properties on the street already have zero setback for the drives between the houses. The applicant believes that her proposal will increase the visual aesthetics of the house and the neighborhood. It was noted by members of the ZBA that a variance would not be needed if she were to install concrete in the area where there is presently gravel. The applicant acknowledged that was true.

After extensive further discussion, Rick Peterson (514 Blaine St.) spoke at 6:56 on the application. Mr. Peterson has been a resident at that location for 24 years. The proposal as originally proposed provided that concrete be installed up to his existing driveway, which he opposes. There is presently a small buffer of grass on his property and he wants to keep that. He indicated that he would not be opposed to an expansion of the drive within the setback, but does not want a zero setback.

On motion of ZBA Member Kapellen with a second by ZBA Member Ellingsworth, the Public Hearing was closed at 7:06. The motion passed on a unanimous roll call vote.

Administrator Flanigan presented the staff report with the recommendation that the variance be denied due to the fact that a lesser drive could be installed which did not necessitate a variance. The Staff Recommendation Report further indicated that if the variance were to be approved, that it not be a zero setback rather that the drive only be allowed up to 1.5' of the lot line.

ZBA Member Kapellen moved for approval of the variance subject to the conditions contained on the Staff Recommendation Report. ZBA Member Ellingsworth seconded the motion. After further brief discussion, the motion was passed unanimously upon a roll call vote.

The next order of business was the consideration of the approval of the minutes of the August 1, 2022 Zoning Board meeting. Upon a motion from ZBA Member Long, seconded by ZBA Member Jorstad, the minutes were approved by unanimous roll call vote.

There being no further business of the Board, a motion was made by ZBA Member Kapellen, seconded by ZBA Member Long to adjourn. Motion was approved unanimously. The meeting was adjourned at 7:11.

Dated this 29th day of September, 2022.

Respectfully submitted,

CITY OF EDGERTON

/s/ William E. Morgan

By: William E. Morgan, City Attorney