

VILLAGE OF GERMANTOWN
BOARD OF ZONING APPEALS
MEETING MINUTES
NOVEMBER 8, 2017

CALL TO ORDER

The meeting was called to order at 5:30 p.m.

ROLL CALL

Present were: Chairman White, members Schleif and Fritsche. Absent were members Filla and Hansen. Also in attendance was Community Development Director/Planning and Zoning Administrator Jeff Retzlaff, Acting Village Clerk Elizabeth Knaack, appellants Mr. and Mrs. Robert Asmondy and Paul Mraz Jr.

APPROVAL OF MINUTES: August 16, 2017

Motion by Schleif, second by Fritsche to approve the minutes of August 16, 2017. All present voted aye; Member White abstained. Motion carried.

PUBLIC HEARING

5:30 P.M. THE PURPOSE of said hearing will be to hear any and all parties, their attorneys or agents, for or against the **APPEAL** filed by **Robert C. Asmondy**, owner of the following property, who is seeking the following variance from the Village Zoning Code: a variance from Section 17.50 (2)(b) to allow an accessory building in a front yard (vs. a requirement that accessory buildings are only allowed in the rear yard.

**N132 W15024 Rockfield Road
Germantown, WI GTNV 112-403**

Planning and Zoning Administrator Jeff Retzlaff was sworn in by the Chair.

Planning and Zoning Administrator Retzlaff stated the following:

- The property is zoned Rs-1 Single family zoning
- The building permit was rejected by the Office of Inspection Services
- The proposed placement of the garage is in the front yard of the property
- Section 17.50(2)(b) states that detached accessory structures are permitted in the rear yard only

Mr. Robert Asmondy was sworn in by the chair.

Mr. Asmondy stated the following:

- This structure will be used for additional storage
- He feels this is the most logical spot for placement

- It would cost \$35,000 to remove the berms that were placed on the property in 2011
- There are propane lines and trees on the property in back of the house
- Mr. Asmondy will be adding several hundred trees to the property
- The structure will not be an eyesore
- No fill will be needed
- The colors of the structure will match the colors of the house

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Mr. Paul Mraz Jr. was sworn in by the chair.

Mr. Mraz stated:

- He is opposed to the granting of this variance.
- He is not in favor of seeing a large storage structure from his living room windows
- There are over five acres on this property and the structure can be placed without impeding on anyone's frontal view

Hearing no other comments, the Public Hearing was closed at 6:20 p.m.

DELIBERATION AND ACTION BY THE BOARD

The deliberation by the Board was as follows:

- The variance will be contrary to public interest and will not be in accord with the spirit of the Zoning code.
- There are not exceptional, extraordinary or unusual conditions or circumstances that apply specifically to this lot or parcel, use, structure or intended use that do not apply generally to other property or uses in the same district because there are other places on the property to put the structure.
- The variance is not necessary for preservation and enjoyment of substantial property rights.
- The variance will create substantial detriment to adjacent property and will be contrary to public safety or interest.
- A literal enforcement of terms of the Zoning code would not result in practical difficulty or unnecessary hardship to the applicant.

Motion by Fritsche second by Schleif to deny the variance as shown on the above findings of fact. All present voted aye, motion carried.

ADJOURNMENT

Motion by Fritsche second by Schleif to adjourn at 6:35 p.m.

Respectfully submitted,

Elizabeth Knaack
Acting Village Clerk