

CITY OF FRANKLIN
BOARD OF ZONING AND BUILDING APPEALS
MINUTES
July 16, 2014

Approved
September 17, 2014

I. ROLL CALL

Chairman Anthony Megna called the July 16, 2014 regular meeting of the Board of Zoning and Building Appeals to order at 6:30 p.m. in the Lower Level Conference Room of Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Chairman Megna and Members Robert Campbell, Juan Rodriguez (arrived at 6:32 p.m.), Philip Nickerson and Donald Adams. Also present was Senior Planner Nick Fuchs.

II. APPROVAL OF MINUTES

A. Minutes of the Regular Meeting held May 21, 2014

Member Nickerson moved and Member Campbell seconded approval of the minutes of the Regular Meeting held May 21, 2014 as presented. All voted 'aye', motion carried.

III. HEARINGS

A. CASE NO. 2014-06
9394 South 43rd Street
Harold G. Fallak
9394 South 43rd Street
Franklin, WI 53132

The hearing was opened at 6:34 p.m. Property Owner, Harold G. Fallak, 9394 South 43rd Street, was sworn in and gave testimony. No one else came forward in favor or opposition to the appeal. The hearing closed at 6:41 p.m.

B. CASE NO. 2014-07
10623 Beacon Hill Court West
John Kaczowski and Diane Kaczowski
10623 Beacon Hill Court West
Franklin, WI 53132

The hearing was opened at 6:42 p.m. Applicant, Diane Kaczowski, 10623 Beacon Hill Court West, was sworn in and gave testimony. No one else came forward in favor or opposition to the appeal. The hearing closed at 6:50 p.m.

IV. ACTION OF APPEALS

A. CASE NO. 2014-06
9394 South 43rd Street
Harold G. Fallak

Member Adams moved to approve a variance request from Table 15-3.0802E.2.e. of the Unified Development Ordinance to allow for the installation of a fence in the rear yard abutting a street on a corner lot closer to the street than the distance from the street to the principal building to which it is accessory, pursuant to the Findings and Factors as presented by the applicant. Motion died due to lack of a second.

Member Campbell moved and Member Adams seconded a motion to approve a variance request from Table 15-3.0802E.2.e. of the Unified Development Ordinance to allow for the installation of a fence in the rear yard abutting a street on a corner lot closer to the street than the distance from the street to the principal building to which it is accessory with a minimum 3-foot setback from the side and rear property lines, pursuant to the Findings and Factors as presented by the applicant. On voice vote, Members Campbell,

Adams and Megna voted 'aye'. Members Nickerson and Rodriquez voted 'no'. Therefore, with a vote of '3-2', the motion failed.

Member Campbell moved to reopen the item for discussion. Seconded by Member Adams. On voice vote, all voted 'aye'. Motion carried.

Member Nickerson moved to deny a variance request from Table 15-3.0802E.2.e. of the Unified Development Ordinance to allow for the installation of a fence in the rear yard abutting a street on a corner lot closer to the street than the distance from the street to the principal building to which it is accessory. Member Rodriquez seconded the motion. On voice vote, Members Nickerson and Rodriquez voted 'aye'. Members Adams, Campbell and Megna voted 'no'. Therefore, with a vote of '2-3', the motion failed.

- B. CASE NO. 2014-07 John Kaczowski and Diane Kaczowski
 10623 Beacon Hill Court West

Member Nickerson moved and Member Campbell seconded a motion to approve a variance request from Table 15-3.0203 of the Unified Development Ordinance to allow for construction of a front porch addition to the existing home with an approximately thirty-eight foot front yard setback, opposed to the minimum front yard setback of forty-five feet of the R-3 Suburban/Estate Single-Family Residence District and the Mission Hills Subdivision minimum front yard setback of forty feet, pursuant to the Findings and Factors as presented by the applicant.

Upon voice vote, those voting to approve the variance request were Members Campbell, Nickerson, Rodriquez and Adams. Therefore, with a vote of '4 to 0', the variance request was granted.

V. ANNOUNCEMENT:

The next scheduled meeting of the Board of Zoning and Building Appeals is August 20, 2014 at 6:30 p.m. No action needed, none taken.

VI. ADJOURNMENT

Member Adams moved and Member Nickerson seconded to adjourn the regular meeting of the Board of Zoning and Building Appeals at 7:04 p.m. All voted 'aye', motion carried.