

CITY OF FRANKLIN
BOARD OF ZONING AND BUILDING APPEALS
MINUTES
November 17, 2010

I. ROLL CALL

Chairman Hintz called the November 17, 2010 regular meeting of the Board of Zoning and Building Appeals to order at 6:40 p.m. in the Lower Level Conference Room of Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Chairman Hintz and Members Nickerson, Megna and Lasky. Excused was Member Knackert. Also present was Senior Planner Fuchs.

II. APPROVAL OF MINUTES

A. Minutes of Regular Meeting held October 20, 2010

Member Nickerson moved and Member Megna seconded approval of the minutes of the regular meeting held October 20, 2010. All voted 'aye', motion carried.

III. HEARINGS

- A. CASE NO. 2010-09
9180 South 46th Street
- Raymond J. and Debra L. Frelk
9180 South 46th Street
Franklin, WI 53132

The hearing was opened at 6:43 p.m. Property owners Raymond J. Frelk and Debra L. Frelk were sworn in and presented the project. Contractor Ron Klassen of Wallner Builders was sworn in and presented the project. Ralph Wilke, 9150 South 46th Street, was sworn in and gave testimony. No one else came forward in favor or opposition to the appeal. The hearing closed at 6:55 p.m.

- B. CASE NO. 2010-10
6835, 6847, and 6865 South 27th Street
- George G. Gialamas,
DAL 27th Street Clinic, LLC
11711 West Burleigh Street
Wauwatosa, WI 53222

The hearing was opened at 6:56 p.m. Jeff Eaton, Iconica, Inc, representing the applicant, was sworn in and presented the project. No one else came forward in favor or opposition to the appeal. The hearing closed at 7:05 p.m.

IV. The Board may enter in CLOSED SESSION pursuant to Section 19.85(1)(a), WI Statutes for deliberations.

Member Megna moved and Member Nickerson seconded to move the board into Closed Session at 7:06 p.m., pursuant to Section 19.85(1)(a), WI Statutes for deliberations and then to reconvene into Open Session at the same place thereafter. Upon roll call vote, motion carried. Upon roll call in Closed Session, all members present at the beginning of the meeting were present.

V. RECONVENE INTO OPEN SESSION

Member Megna moved and Member Nickerson seconded to reconvene the Board into Open Session. Upon voice vote, all voted 'aye', motion carried. Upon roll call in Open Session, all members present at the beginning of the meeting were present. The meeting entered Open Session at 7:10 p.m.

VI. ACTION OF APPEALS

- A. CASE NO. 2010-09 Raymond J. and Debra L. Frelk
9180 South 46th Street

Member Megna moved and Member Nickerson seconded a motion to grant approval of a variance from Section 15-3.0802E.2.a. of the Unified Development Ordinance to allow installation of a fence approximately 11.51 feet above grade, opposed to the permitted fence height of six feet or less in residential districts, accepting the Findings and Factors as presented by the applicant.

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

- B. CASE NO. 2010-10 George G. Gialamas,
6835, 6847 and 6865 South 27th Street DAL 27th Street Clinic, LLC

Member Nickerson moved and Member Megna seconded a motion to grant approval of a variance from Table 15-3.0302 and Section 15-5.0108 of the Unified Development Ordinance to allow a front yard setback of 12'-9" for a dental clinic development adjacent to South 27th Street, opposed to the required 25-foot front yard setback requirement of the B-2 General Business District and the 40-foot setback requirement from an arterial street, accepting the Findings and Factors as presented by the applicant.

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

- VII. ANNOUNCEMENT: Next meeting December 15, 2010.
No action needed. None taken.

VIII. ADJOURNMENT

Member Nickerson moved and Member Lasky seconded to adjourn the regular meeting of the Board of Zoning and Building Appeals at 7:13 p.m. All voted 'aye', motion carried.