

CITY OF FRANKLIN  
BOARD OF ZONING AND BUILDING APPEALS  
MINUTES  
August 17, 2016

Approved  
September 21, 2016

**A. Call to Order and Roll Call**

Chairman Anthony Megna called the August 17, 2016 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 Montgomery, Robert Campbell, Jr., Phil Nickerson and Juan Rodriguez. Excused were Members Bob Knackert and Don Adams. Also present was Principal Planner Nick Fuchs and Alderman Mike Barber.

**B. Approval of Minutes**

1. Approval of regular meeting of July 20, 2016.

Member Campbell, Jr. moved and Member Montgomery seconded approval of the minutes of the Regular Meeting held July 20, 2016 as presented. All voted 'aye', motion carried.

**C. Public Hearing Business Matters**

1. **CASE NO. 2016-05** **Dan Kanitz**  
**5600 W. Harvard Drive**

The hearing was opened at 6:33 p.m. Dan Kanitz was sworn in and presented the variance application. Two came forward in favor with no oppositions to the appeal. The hearing closed at 6:51 p.m.

Member Nickerson moved and Member Montgomery seconded a motion to approve a variance from Table 15-3.0206 of the Unified Development Ordinance to allow for construction of a single-family dwelling with a 30-foot front yard setback, opposed to the required front yard setback of 35-feet for property located at 5600 West Harvard Drive; Tax Key No. 711-1000-000, pursuant to the Findings and Factors as presented by the applicant. On voice vote, those voting to approve the request for Variance were Members Megna, Nickerson and Montgomery. Those voting no were Members Campbell, Jr. and Rodriguez. Therefore, with a vote of '3 to 2', the motion failed.

Member Campbell moved and Member Rodriguez seconded a motion to approve a variance from Table 15-3.0206 of the Unified Development Ordinance to allow for construction of a single-family dwelling with a 28-foot front yard setback, opposed to the required front yard setback of 35-feet for property located at 5600 West Harvard Drive; Tax Key No. 711-1000-000, pursuant to the Findings and Factors as presented by the applicant. Upon voice vote, those voting to approve the request for Variance were Members Megna, Nickerson, Rodriguez and Campbell, Jr.. Member Montgomery abstained. Therefore, with a vote of '4 to 0', the variance request was approved.

2. **CASE NO. 2016-06** **Phillip A. and Stephanie P. Maciejewski**  
**7835 South 66<sup>th</sup> Street**

The hearing was opened at 6:56 p.m. Bob Schultz of Knutson Bros. Remodeling was sworn in and presented the variance application. No one else came forward in favor or opposition to the appeal. The hearing closed at 6:58 p.m.

Member Nickerson moved and Member Campbell, Jr. seconded a motion to approve a variance from Table 15-3.0208 of the Unified Development Ordinance to allow for the 3-foot encroachment of the existing home into the side yard setback and construction of an addition to the existing home with a 10-foot side yard setback, opposed to the R-7 Two-Family Residence District required minimum side yard setback of 13-feet for property located at 7835 South 66<sup>th</sup> Street; Tax Key No. 790-0015-000, pursuant to the Findings and Factors as presented by the applicant. Upon voice vote, those voting to approve the variance request were Members Megna, Campbell, Jr., Nickerson, Rodriquez and Montgomery. Therefore, with a vote of '5 to 0', the variance request was approved.

3. **CASE NO. 2016-07** **IPVestments**  
**9465 South 92<sup>nd</sup> Street**

The hearing was opened at 7:00 p.m. Jeffrey Steier, 4985 Berkshire, Franklin, WI 53132 was sworn in and presented the variance application. No one else came forward in favor or opposition to the appeal. The hearing closed at 7:02 p.m.

Member Montgomery moved and Member Rodriquez seconded a motion to approve a Variance from Table 15-3.0203 of the Unified Development Ordinance to allow for the 24.6-foot corner side yard setback of the existing home and construction of an addition with a 24.9-foot corner side yard setback, opposed to the R-3 Residence District required minimum corner side yard setback of 35-feet for property located at 9465 South 92<sup>nd</sup> Street; Tax Key No. 887-0031-000, pursuant to the Findings and Factors as presented by the applicant. Upon voice vote, those voting to approve the variance request were Members Megna, Campbell, Jr., Nickerson, Rodriquez and Montgomery. Therefore, with a vote of '5 to 0', the variance request was approved.

D. **Announcement**

The next scheduled meeting of the Board of Zoning and Building Appeals is September 21, 2016 at 6:30 p.m. No action needed, none taken.

E. **Adjournment**

Member Campbell, Jr. moved and Member Nickerson seconded to adjourn the Regular meeting of the Board of Zoning and Building Appeals of August 17, 2016 at 7:08 p.m. All voted 'aye', motion carried.