

CITY OF FRANKLIN
BOARD OF ZONING AND BUILDING APPEALS
MINUTES
December 19, 2018

Approved
January 16, 2019

A. Call to Order and Roll Call

Chair Megna called the December 19, 2018 regular meeting of the Board of Zoning and Building Appeals to order at 6:34 p.m. in the Lower Level Conference Room of Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Members Phil Nickerson, Robert Montgomery and Robert Knackert. Excused was Robert Campbell, Jr. Also present was Mayor Olson, Principal Planner Orrin Sumwalt and Principal Planner Kohout.

B. Approval of Minutes

1. Approval of regular meeting of November 21, 2018.

Member Nickerson moved and Member Knackert seconded approval of the minutes of the regular meeting held November 21, 2018 as presented. All voted 'aye', motion carried.

2. Approval of regular meeting of October 17, 2018.

Member Nickerson moved and Member Knackert seconded approval of the minutes of the regular meeting held October 17, 2018 as presented. All voted 'aye', motion carried.

**C. Public Hearing
NONE**

D. Business Matters (a Public Hearing was held at the December 6, 2018 Plan Commission meeting, action may be taken on all matters).

1. **HEARING NO. 2018-08 Area Exception Application**
Brion Thomas Winters

6828 W. Fox Haven Court

Member Nickerson moved and Member Knackert seconded a motion to approve an Area Exception from Table 15-3.0203 of the Unified Development Ordinance to allow for a maximum lot coverage of 15.6%, exceeding the R-3 Suburban/Estate Single-Family Residence District maximum lot coverage standard of 0.15 or 15%, for property located at 6828 West Fox Haven Court, for construction of a 385 square foot deck addition on the east side of the existing home (which will increase lot coverage by approximately 1.2%), property zoned R-3 Suburban/Estate Single-Family Residence District, subject to the applicant holding the City harmless should any work in the easement be necessary and that the City and/or its contractors will not be held responsible for any damage or repairs that may occur to the portion of the deck that encroaches into the easement as noted in the Plan Commission's motion from their meeting on December 6, 2018. Upon voice vote, those voting to approve the Area Exception request were Chair Megna and Members Nickerson, and Knackert. Member Montgomery voted to oppose the Area Exception request. Therefore, with a vote of '3 -1-1', the area exception was not approved, as the concurring vote of 4 members of the board is required to decide in favor of the applicant on any matter upon which it is required

to pass, pursuant to Section 15-10.0202(l) of the City of Franklin Unified Development Ordinance; therefore the motion fails.

Member Montgomery moved and Member Nickerson seconded a motion to approve an Area Exception from Table 15-3.0203 of the Unified Development Ordinance to allow for a maximum lot coverage of 15.6%, exceeding the R-3 Suburban/Estate Single-Family Residence District maximum lot coverage standard of 0.15 or 15%, for property located at 6828 West Fox Haven Court, for construction of a 385 square foot deck addition on the east side of the existing home (which will increase lot coverage by approximately 1.2%), property zoned R-3 Suburban/Estate Single-Family Residence District, pursuant to the Standards as presented by the applicant. Upon voice vote, those voting to approve the Area Exception request were Chair Megna and Members Nickerson, Knackert and Montgomery. Therefore, with a vote of '4-0-1', the Area Exception was approved.

D. Announcement

The next scheduled meeting of the Board of Zoning and Building Appeals is scheduled for January 16, 2019 at 6:30 p.m. No action needed, none taken.

E. Adjournment

Chair Megna moved and Member Nickerson seconded to adjourn the regular meeting of the Board of Zoning and Building Appeals of December 19, 2018 at 6:53 p.m. All voted 'aye', motion carried.