

CITY OF FRANKLIN
BOARD OF ZONING AND BUILDING APPEALS
MINUTES
February 21, 2018

Approved
March 21, 2018

A. Call to Order and Roll Call

Chairman Anthony Megna called the February 21, 2018 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 Chair Megna and Members, Phil Nickerson, Robert Campbell, Jr., Juan Rodriquez and Robert Montgomery. Excused were Members Robert Knackert and Donald Adams. Also present was Principal Planner Orrin Sumwalt.

B. Approval of Minutes

1. Approval of regular meeting of November 15, 2017.

Member Nickerson moved and Member Campbell, Jr. seconded approval of the minutes of the regular meeting held November 15, 2017 as presented. All voted 'aye', motion carried.

C. Public Hearing Business Matters

1. **CASE NO. 2018-01** **Variance Application**
Robert and Paulette Pavlovich

11324 W. Bel Mar Drive

The hearing was opened at 6:34 p.m. Applicant Robert Pavlovich was sworn in and presented the Variance Application. Three other citizens came forward and gave sworn testimony. The hearing closed at 6:58 p.m.

Member Rodriquez moved and Member Campbell seconded a motion to move the Board into closed session at 7:00 p.m., pursuant to Wis. Stat. §19.85(1)(a) for deliberations and then to reconvene into open session at the same place thereafter. Upon voice vote, all voted 'aye'. Motion carried.

Member Nickerson moved and Member Campbell seconded a motion to reconvene the Board into Open Session at 7:09 p.m. Upon voice vote, all voted 'aye'. Motion carried. All members present at the beginning were present.

Chair Megna moved and Member Nickerson seconded a motion to approve a Variance from Section 15-3.0801B.3. and Table 15-3.0203 of the Unified Development Ordinance requesting permission to keep and maintain an existing approximately 395 square foot accessory structure with a 10-foot rear yard setback, opposed to the R-3 Residence District minimum rear yard setback of 30-feet upon property zoned R-3 Suburban/Estate Single-Family Residence District; Tax Key No. 704-0021-000, pursuant to the Findings and Factors as presented by the applicant [or Findings and Factors as stated/revised by the BZBA]. Upon voice vote, those voting to approve the Variance request were Members Nickerson, Rodriquez and Chair Megna. Those voting to oppose the Variance request were Members Campbell, Jr. and Montgomery. Therefore, with a vote of '3 to 2', the variance was not approved, as the concurring vote of four (4) members of the board is required to decide in

