

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

Approved
August 18, 2010

I. ROLL CALL

Chairman Norm Hintz called the March 17, 2010 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 Hintz and Members Nickerson, Megna, Lasky and English. Excused was Member Knackert. Also present were Alderman Taylor and Senior Planner Fuchs.

II. APPROVAL OF MINUTES

A. Minutes of Regular Meeting held February 17, 2010

Member English moved and Member Nickerson seconded approval of the minutes of the regular meeting held February 17, 2010 as presented. All voted 'aye'; motion carried.

III. HEARINGS (6:30 p.m. OR SOON THEREAFTER)

A. CASE NO. 2010-01 On the Border
10741 South 27 Street and 2825 West Elm Road 10741 South 27th Street
Franklin, WI 53132

The hearing was opened at 6:32 p.m. Ryan Romboy, Romboy Construction, PO Box 305, Big Bend; Tony Zanon 1025 River Hill Drive, Waukesha; and property owner Gerald Hay, 7920 W. County Line Road, were sworn in and presented the project. Alderman Steve Taylor was sworn in and gave testimony. Donald Kuhn, 9348 South 35 Street, 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. The Board may enter in CLOSED SESSION pursuant to Section 19.85(1) (a), WI Statutes for deliberations.

Member English moved and Member Megna seconded to move the Board into closed session at 6:50 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 Nickerson moved and Member English 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 7:12 p.m.

VI. ACTION OF APPEALS

A. CASE NO. 2010-01 On the Border
10741 South 27 Street and 2825 West Elm Road

Member Nickerson moved and Member Megna seconded to recommend approval to the Common Council of an expansion of a non-conforming use per Section 15-3.1010(E) of the Unified Development Ordinance for On The Border, an adult-oriented establishment, to allow for construction of a new access drive extending from West Elm Road to the northwest corner of the existing parking lot, construction of an approximately 1,500 square foot building addition to include a smoking area and storage room, and installation of a fence between On The Border's property and Reliable Truck Maintenance, location to be determined at time of Site Plan approval, accepting the Findings and Factors as presented by the applicant and subject to the applicant obtaining Site Plan approval from the City of Franklin Plan Commission and approval of a Certified Survey Map by the City of Franklin Common Council to combine the properties located at 10741 South 27 Street and 2825 West Elm Road, prior to issuance of a building permit.

Upon voice vote, all voted 'aye'. Motion carried.

VII. ANNOUNCEMENT: Next meeting April 21, 2010.
No action needed. None taken.

VIII. ADJOURNMENT
Member English moved and Member Nickerson seconded to adjourn the regular meeting of the Board of Zoning and Building Appeals at 7:19 p.m. All voted 'aye'; motion carried.