

CITY OF FRANKLIN
BOARD OF ZONING AND BUILDING APPEALS
MINUTES

Approved
October 19, 2011

September 21, 2011

I. ROLL CALL

Chairman Megna called the September 21, 2011 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 Knackert, Nickerson, and English. Also present was Senior Planner Fuchs.

II. APPROVAL OF MINUTES

A. Minutes of Regular Meeting held August 17, 2011

Member English moved and Member Knackert seconded approval of the minutes of the regular meeting held August 17, 2011. All voted 'aye', motion carried.

III. HEARINGS

A. CASE NO. 2011-07 Kevin A. and Karen F. Scherbert
9415 South 31st Street 9415 South 31st Street
Franklin, WI 53132

The hearing was opened at 6:35 p.m. Kevin A. Scherbert, 9415 South 31st Street, was sworn in and presented the proposed project. Steve Schuter, representative for J.D. Griffiths spoke regarding the project. Lucy Ann Yocum, 3132 West Central Avenue, was sworn in and gave testimony. Gabriel Piasecki, 3032 West Central Avenue, and James E. Walter, 3130 West Central Avenue, were sworn in and gave testimony. No one else came forward in favor or opposition to the appeal. The hearing closed at 6:41 p.m.

B. CASE NO. 2011-08 Steven K. and Kimberly M. Puschnig
8771 South 27th Street 8771 South 27th Street
Franklin, WI 53132

The hearing was opened at 6:41 p.m. Chris Kazmierski of Kazmierski Builders and Remodelers, 3140 West Puetz Road, was sworn in and presented the project. Ken Kazmierski, 3140 West Puetz Road, was sworn in and gave testimony. No one else came forward in favor or opposition to the appeal. The hearing closed at 6:52 p.m.

C. CASE NO. 2011-09 M&J 4K Family Limited Partnership
3030 and 3130 West Rawson Avenue 8575 West Forest Home Avenue #160
Greenfield, WI 53228

The hearing was opened at 6:52 p.m. Michael Dilworth, representative for M&J 4K Family Limited Partnership, was sworn in and described the project. Janis Heinze, 6955 South Riverwood Boulevard Unit N103, and Rena Wehling, 7045 South Riverwood Boulevard Unit 104, were sworn in and gave testimony. No one else came forward in favor or opposition to the appeal. The hearing closed at 7:03 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 Knackert seconded to move the Board into Closed Session at 7:04 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 English 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 7:12 p.m.

- VI. ACTION OF APPEALS

- A. CASE NO. 2011-07 Kevin A. and Karen F. Scherbert
9415 South 31st Street

Member Knackert moved and Member English seconded a motion to grant approval of a variance from Section 15-3.0801B.3 and Table 15-3.0207 of the Unified Development Ordinance to construct a detached accessory building with a 19-foot rear yard setback, opposed to the required 30-foot rear yard setback of the R-6 Residence District, accepting the Findings and Factors as presented by the applicant.

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

- B. CASE NO. 2011-08 Steven K. and Kimberly M. Puschnig
8771 South 27th Street

Member English moved and Member Knackert seconded a motion to grant approval of a variance from Section 15-3.0304A.3 and Table 15-3.0209A of the Unified Development Ordinance to construct an addition to an existing single-family home with a side yard setback ranging between 1.12-feet and 3.78-feet, opposed to the required 5-foot side yard setback of the R-8 Multiple-Family Residence District, accepting the Findings and Factors as presented by the applicant.

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

- C. CASE NO. 2011-09 M&J 4K Family Limited Partnership
3030 and 3130 West Rawson Avenue

Member Nickerson moved and Member English seconded a motion to grant approval of a variance from Table 15-3.0304 of the Unified Development Ordinance to construct two medical and professional office buildings with setbacks of approximately 22-feet, opposed to the required 30-foot front yard setback of the B-4 South 27th Street Mixed Use Commercial District, accepting the Findings and Factors as found in the staff report.

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

- VII. ANNOUNCEMENT: Next meeting October 19, 2011.
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 7:15 p.m. All voted 'aye', motion carried.