

CITY OF HORICON
ZONING BOARD OF APPEALS

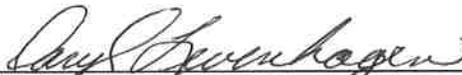
CASE NO. 172 DECISION

Requested by Duane Rowan, 410 South Cedar, to erect a 36'-6" x 30' garage addition that will encroach into the front yard due to existing residence and garage placed 12'-6" from alley. This will also result in a side lot line, matching the existing garage which will be 1'-0" off property line.

DECISION: In view of the testimony given and the circumstances presented, the following variance was approved: to erect a 36'-6" x 30' garage addition that will encroach into the front yard due to existing residence and garage placed 12'-6" from alley. This will also result in a side lot line, matching the existing garage which will be 1'-0" off property line at 410 South Cedar Street.

Per Section 13-1-194 of the Municipal Code of the City of Horicon, any person or persons aggrieved by any decision of the Board of Appeals may present to a court of records a petition, duly specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the offices of the Board of Appeals.

Dated this 13th day of June, 2016.


Daryl Levenhagen, Chairman
City of Horicon
Zoning Board of Appeals

ATTEST:


Christine A. Spilker, Secretary
City of Horicon
Zoning Board of Appeals

Filed: June 13, 2016

c: Duane Rowan, Property Owner
Sue Leahy, Plumbing & Building Inspector

The Horicon Zoning Board of Appeals met in Regular Session with Chairman Daryl Levenhagen presiding. The meeting was called to order at 4:15 p.m.

Members Present: Daryl Levenhagen, Jim Grigg, Mike Krueger, Craig Halsema, and David Berggren.

Members Absent: None

Motion by Halsema, second by Krueger, to approve the Zoning Board of Appeals minutes from May 4, 2016.

Motion carried on a voice vote with no objections.

Chairman Levenhagen requested all those wishing to speak state their name and speak loudly. Chairman Levenhagen also clarified that the meeting was being recorded for the convenience of the transcription for the secretary, not for publication.

Chairman Levenhagen announced this was a Public Hearing requesting a variance to erect a 36'-6" x 30' garage addition that will encroach into the front yard due to existing residence and garage placed 12'-6" from alley. This will also result in a side lot line, matching the existing garage which will be 1'-0" off property line at 410 South Cedar Street, owned by Duane Rowan.

Chairman Levenhagen opened the Public Hearing for a variance to erect a 36'-6" x 30' garage addition that will encroach into the front yard due to existing residence and garage placed 12'-6" from alley. This will also result in a side lot line, matching the existing garage which will be 1'-0" off property line at 410 South Cedar Street, owned by Duane Rowan.

In attendance for the Public Hearing: Property Owners Duane and Diane Rowan, Building Inspector Sue Leahy, and adjacent property owner Marty Brill.

Grigg stated he has concerns about this addition extending a side lot line, matching the existing garage which will be 1'-0" off property line.

Levenhagen asked Duane Rowan to explain what he is proposing to do.

Rowan explained the existing garage is 1 foot off the property line and the addition would continue along the 1 foot property line. He stated that in reading the zoning requirements a garage is not allowed in the front yard. He further stated that all he has is front yard and that the residence and garage were originally built side by side in the back of the property along the alley way. He explained that he would like to be able to use the front yard for the addition.

Krueger stated he drove past the parcel with a street address of 410 South Cedar Street and the residence is set substantially far back on the property. He also spoke

with a neighbor and she was in favor of the addition explaining to Krueger that the addition would calm her dogs on her own property.

Grigg stated that except for the mailbox no one would know of a residence at 410 South Cedar.

Berggren questioned the type of materials that will be used for the addition.

Rowan stated that the current garage is brick and steel and he recently re-sided the house, therefore, he will be working with the existing structure to match the addition and is looking into plans of re-siding vertically the entire garage with addition to match the house.

Berggren stated he thought this would look nice when complete.

Rowan stated in his plan he is addressing the water flow and drainage. He added if he would keep the addition at the same level as the current garage there would be issues. Therefore, with the addition he will be raising the yard creating an 8"-10" drop between the existing garage and the addition. He stated this will take care of any drainage issues.

Kreuger stated with even gutters on the north side the proposed plan avoids flooding any neighbor's yard.

Berggren questioned the number of garage doors on the East side.

Rowan asked if there were regulations regarding the number or size of garage doors allowed.

Leahy stated there were not any restrictions with regards to the garage doors.

Rowan stated depending on funding there will be 2 twelve foot doors or 3 nine foot doors.

Rowan further stated that the current garage has a Hipped Roof and plans on extending the existing roof straight out to have it look nicer with the addition.

Rowan also stated that he is unsure if he will use steel or asphalt roof.

Rowan explained this proposed plan is the footprint and will not change but there could be some minor changes along the way.

Leverhagen stated he wants the addition to look residential.

Rowan agreed the addition is not for business use.

Berggren questioned the 91 foot set back from the garage to the road.

Leahy confirmed there is a 91 foot setback from the garage to the road.

Berggren stated at one time this residence housed a plumbing business.

Rowan stated he has the original papers of the residence dating back to the 1800's and confirmed his residence was a plumbing shop.

Rowan stated that his neighbor is also 1 foot from the lot line and added that the entire block has lot line encroachment issues.

All interested parties and/or their representatives were given an opportunity to be heard.

Motion by Grigg, second by Krueger, to close the public hearing for a variance to erect a 36'-6" x 30' garage addition that will encroach into the front yard due to existing residence and garage placed 12'-6" from alley. This will also result in a side lot line, matching the existing garage which will be 1'-0" off property line at 410 South Cedar Street, owned by Duane Rowan.

Motion by Berggren, second by Halsema, to approve to erect a 36'-6" x 30' garage addition that will encroach into the front yard due to existing residence and garage placed 12'-6" from alley. This will also result in a side lot line, matching the existing garage which will be 1'-0" off property line at 410 South Cedar Street, owned by Duane Rowan.

All voting Aye, Berggren, Halsema, Krueger, Leverhagen

All voting Nay, Grigg

Motion carried.

Non-Action Discussion: Krueger asked for a respectful explanation from Grigg on his vote.

Grigg stated that the existing buildings do not meet setback regulations and that two wrongs don't make a right. Grigg wished the original buildings would have never received approval as the requirement for a residence is 3 feet from a lot line. Grigg is also interested in establishing consistency.

Leahy stated that she will be requiring a fire wall for the proposed addition due to it being so close to the lot line.

Krueger thanked Grigg for his explanation.

Motion by Halsema, second by Grigg, to adjourn.

Motion carried on a voice vote with no objections.

Meeting adjourned at 4:29 p.m.



Christine A. Spilker, Secretary