

**ROCK COUNTY BOARD OF ADJUSTMENT MINUTES
WEDNESDAY – MARCH 27, 2013
COURTHOUSE CONFERENCE CENTER
SECOND FLOOR, ROCK COUNTY COURTHOUSE
JANESVILLE, WISCONSIN**

Chair Jones called the March 27, 2013 meeting of the Rock County Board of Adjustment to order at 6:00 p.m. in the Courthouse Conference Center (CCC), 2ND Floor, Rock County Courthouse. Board of Adjustment members in attendance at roll call: Chair Don Jones, Henry Stockwell, Jo Miller and Francette Hamilton. Harry O’Leary was not in attendance.

Planning and Development staff in attendance: Colin Byrnes; Zoning Administrator, Paul Benjamin (Planning Director) and Steve Schraufnagel, Acting Secretary.

Citizens in attendance: Judy Mau, and Greg Neubauer.

Adoption of Agenda: Motion by Francette Hamilton to adopt the agenda as presented. Seconded by Henry Stockwell. Motion approved 4-0

Reading and Approval of the Minutes – October 31, 2012: Motion by Henry Stockwell to approve the minutes as presented. Jo Miller seconded the motion. Minutes approved 4-0.

Reading and Approval of the Findings of Fact – October 31, 2012: Henry Stockwell made a motion to recommend approval of the findings of fact for the Friedo Hillmann variance. Francette Hamilton seconded the motion. Motion approved 4-0.

Announcements of Decisions – October 31, 2012: Chair Jones announced that the Hillmann variance request was denied at the last meeting on a 4-0 vote.

Communications: Colin Byrnes stated that we might have a case to hear in April.

Reports of Committees: There were no reports of committees at this time.

Greg Neubauer Variance Request:

Chair Jones read into the minutes the application and the public hearing notice. The applicant would like to combine two lots to create a new lot for a single-family residence. Section 16.34(5)(A) of the Rock County Shoreland Ordinance requires all new lots be 40,000sq.ft. minimum lot size.

Mr. Neubauer gave testimony concerning this request. He stated that the lot has passed the perk test and he would like to build a single-family home on the site.

Judy Mau, a neighbor to the south of the applicant's lots stated that she and her husband were the original owners. She is interested in obtaining a 10' strip along her side of the lot from Mr. Neubauer for the purpose of separation from her house and the proposed new house.

Mr. Byrnes reviewed with the Board his staff report. These lots were created prior to the creation of the Shoreland Zoning Ordinance in 1982.

Mr. Byrnes stated that staff supports granting a variance. The character of the neighborhood will not be changed with the approval of this variance. Conditions to be applied to this variance approval are:

1. The lots shall be combined via a Certified Survey Map (2-lot CSM) reflecting the 10' sale to the adjoining property owner (Lot 12 Morse's Rivers Meet).
2. The Variance shall expire if the Applicant fails to apply for all necessary permits (Land Division) within (90) days, and to substantially complete any work authorized by the Board within six months (Recording CSM), of the date of the decision.

At this time Francette Hamilton made a motion to approve the variance from Section 16.34(5)(A) of the Rock County Shoreland Zoning Ordinance to combine two lots into 1 lot. Jo Miller seconded the motion.

Motion approved 4-0.

Finding of fact to support the decision:

1. This is an unnecessary hardship, by not granting the variance the applicant will not be able to build on this lot. The lots in this subdivision were platted before the Ordinance was adopted and have been built upon.
2. The adjoining neighbor will receive an extra 10' thereby giving her more side-yard between her house and the future residence.
3. The general appearance of the neighborhood will remain the same as average parcel size indicates the proposed lot is not out of scale.

Unfinished Business:

Mr. Byrnes stated that it appears there will be a case for the April meeting.

New Business: It was announced that Hank Stockwell and Francette Hamilton terms expire as of June 30, 2013. Staff will inquire if they are interested in serving another.

Adjournment: Henry Stockwell made a motion to adjourn the meeting. Jo Miller seconded the motion. Motion to adjourn the meeting approved 4-0. Meeting adjourned at 6:35 p.m.

Respectfully Submitted,

Steve Schraufnagel
Acting Secretary

**THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE ROCK
COUNTY BOARD OF ADJUSTMENT**