

BOARD OF APPEALS

May 6, 2004

The meeting was called to order at New Berlin City Hall, at 7:00 PM.

On roll call, Chairman McGrath, Messrs. Galke, Klappa, Loohaus, and Goetter. Also present was Inspection Services Manager Robert Sigris.

Excused from meeting: Leo Wallner

Chairman McGrath reviewed the procedures for taking testimony for the pending petitions with the persons assembled for the meeting, noting, that if your case was approved, a building permit is required and it can be picked up at the Building Inspection Department. Mr. McGrath also noted that it takes 4 affirmative votes to approve any variance request.

The first petition called was that of Thomas Antlfinger, Case No. 2470. Mr. McGrath read the petition. It was noted that 30 addresses were notified by mail and that publication had been made on two occasions. Mr. Antlfinger, homeowner of 1500 S. 165th Drive came forward to speak in favor of the petition. Mr. Antlfinger stated that his current garage entrance is off of Fullerton and that he would like to turn the entrance East so as to not impose on any future construction on 165th Street. He also explained that he currently has a 1 ½ car garage and it is very small and does not accommodate his two vehicles. Mr. Antlfinger stated that there is an existing patio with a full basement behind the house currently and he would like to have access from the house to the garage, also to place it anywhere in the rear of the home would block existing windows from bedroom and bath. It was noted that the proposed replacement garage would actually be 2 feet further off the road than the current garage. The current garage was built in 1954 and would be torn down.

Mr. Albert Knaak of 1516 S. 165th St came forward in favor of the petition. Mr. Knaak stated that the proposed garage would be an improvement to the area.

There was no one further to speak in favor of the petition, and there was no one to speak in opposition to the petition. Case No. 2470 was declared closed.

The next petition called was that of Mary Kling and Diane Truswell, Case #2471. Mr. McGrath read the petition. It was noted that 38 addresses were notified by mail and that publication had been made on two occasions. Diane Truswell, homeowner of 3615 S Brentwood Rd came forward to speak in favor of the petition. Ms. Truswell explained that the existing 4-foot chain link fence is rusted, unsightly, and unsafe. The existing 4-foot fence was built as a safety measure for the in-ground swimming pool. Ms. Truswell stated that they would like to replace the 4' chain link fence with a 6' cedar, board on board fence. If the new fence were to be 2 feet off the lot line, multiple mature trees and a retaining wall would have to be removed. Ms. Truswell feels that a 6-foot fence would give more privacy and more security than a 4-foot fence. Ms. Truswell provided many pictures to the Board.

Mr. McGrath noted that a 6-foot maintenance free fence could be installed in the exact location without a variance. Ms. Truswell then noted the expense of the vinyl clad fence and that a cedar fence would be more attractive.

Mr. McGrath noted that a written communication from Natalie and Arthur Rozga of 3605 S. Brentwood that is located next door to Petitioner and has no objection to the 6-ft fence.

Mr. McGrath noted that a written communication from Clifford and Gertrude Lardinois of 3265 S. Brentwood is located on the other side to the Petitioner and has no objection to the 6-ft fence.

Mr. Jim Krahn of 13030 W. Wilbur Ct came forward opposed of the petition and are back door neighbors to Mary Kling and Diane Truswell. He explained it would create a corridor effect and affect property value. Mr. Krahn feels more plantings would be more appropriate.

Mrs. Helen Krahn of 13030 W. Wilbur Ct came forward opposed of the petition. Stated the view of land and trees would be gone.

Ms. Chris Gollasch of 13020 W. Wilbur Ct came forward opposed of the petition. She stated a 4-ft wooden fence would be appropriate.

Ms. Mary Kling of 3615 S. Brentwood came forward as a rebuttal. States that you can still see thru the 6-ft fence.

Mr. Bob Sigrist stated that Plan Commission came up with the lot line requirements as for maintenance wise that a 4-ft fence could be reached over to paint and a 6-ft fence that could not be done.

There was no one further to speak in favor of the petition, and there was no one to speak in opposition to the petition. Case No. 2471 was declared closed.

Mr. McGrath declared the evidentiary portion of the meeting completed, and the Board made the following decisions.

The first petition considered by the Board was that of Thomas Antlfinger, Case No. 2470. Mr. Goetter made a motion to approve the petition and, Mr. Klappa seconded the motion.

A friendly amendment is for the homeowner to put 2 windows on the garage facing Fullerton with entrance on East and 1 window to the west, which is 165th Street. The petition for a variance was approved by five to zero vote.

The second petition considered by the Board was that of Diane Truswell and Mary Kling, Case No. 2471. Mr. Goetter made a motion to deny the request and Mr. McGrath seconded the request. The petition for a variance was denied by five to zero vote.

There being no further matters to be discussed in front of the Board of Appeals, the said meeting was adjourned at 8:00 PM.

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Brian McGrath, Chairman