

# Minutes

## BOARD OF APPEALS

MAY 3, 2001

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

On roll call, Chairman McGrath, Messrs. Gaulke, Goettner, Wallner and Ms. Boya. Also present was Chief Inspector Howard Gyax.

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 William Bentley, Case No. 2401. Mr. McGrath read the petition. It was noted that seventeen people were notified by mail and that publication had been made on two occasions. William Bentley of 3180 S Wehr Rd, came forward to speak in favor of the petition. Mr. Bentley presented the Board with pictures of the existing barn and silos. He said that the property is 24 acres in size and is L-shaped. Mr. Bentley stated that he bought the land in 1992 and has lived there since 1994. The Petitioner said that there is an existing old barn on a stone and mortar foundation along with two silos on the property. He said that he would like to demolish the dilapidated barn and build a pole barn inside of the remaining stone foundation. Mr. Bentley stated that if he removed the foundation and moved the proposed building to a new location that would meet the setback requirements, the remaining silos would look out of place and odd standing by themselves. He also noted that if the new building were located elsewhere, the existing foundation would have to be removed. It was noted that the foundation is 2 ½ feet thick and would be very difficult to demolish. Mr. Bentley said he would use the proposed building for farm machinery storage. The Petitioner said that allowing the foundation to remain would look more aesthetically pleasing and would preserve some of the rural flavor of the area.

It was noted that the two silos are considered legal non-conforming and are allowed to remain and to be repaired, as long as the silos are structurally sound and the repairs are less than 50% of the cost of the buildings. Mr. Bentley stated that he may roof the silos in the future. He said that flashing and a cap would be added onto the foundation if the variance were granted.

It was noted that last month two neighbors spoke in favor of this petition. The neighbor closest to the Petitioner has three acres of land and voiced his approval of this variance. At this meeting Mike Timmers of 3070 S Wehr Rd was present and spoke in favor of the petition. Also, Mr. and Mrs. Vernon Bentley of 3450 S Johnson spoke in favor of the petition.

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. 2401 was declared closed.

At this point, Mr. McGrath declared the open portion of the meeting to be closed, and the Board then discussed the case to reach the following decisions.

The petition considered by the Board was that of William Bentley, Case No. 2401. Mr. Wallner made a motion to grant the petition, and, Ms. Boya seconded the motion. Mr. Wallner, Mr. McGrath, Ms. Boya, Mr. Gaulke, and Mr. Goetter all voted to grant the variance. The petition was approved by a unanimous vote.

There being no further matters to be discussed in front of the Board of Appeals, the said meeting was adjourned at 7:15 PM.

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CITY OF NEW BERLIN

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Brian W. McGrath, Chairman