

# Minutes

## BOARD OF APPEALS

OCTOBER 5<sup>TH</sup>, 2000

The meeting was called to order at 7:00 PM.

On roll call, Chairman Dorlack, Messrs. Goetter, McGrath, Gaulke, and Wallner. Also present was Chief Inspector Howard Gyax.

Chairman Dorlack 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. Dorlack also noted that it takes 4 affirmative votes to approve any variance request.

The first petition called was that of 4 Seasons Sunroom, Case No. 2392. Mr. McGrath read the petition. It was noted that eighteen people were notified by mail and that publication had been made on two occasions. Chris Segner of 4 Seasons Sunroom, came forward to speak in favor of the petition. Mr. Segner stated that the house was built as far back on the lot as possible which leaves 50 feet of setback remaining from the back of the house to the rear lot line. He said that the floor plan of the house is such that there is no alternative place to build the addition. Timothy Kramer, owner of the property, stated that the house was built in 1972 and that he has lived there for 3 years. He said that the house is 2,400 square feet in size.

Mr. Kramer said that he has 3 children and needs the additional living space that the proposed addition would provide. Mr. Kramer said that the garage is located below a large portion of the living area of the house and therefore the portion of the basement that could be utilized for a rec-room is much smaller than in other homes. Mr. Segner stated that the whole property is comprised of a hill that has a 22 foot slope from the southeast corner to the northeast corner, and that there is no natural level spot on the property. He said that the front of the house is two stories high and the back of the house is one story. It was noted that the property has a large building envelope.

Mr. Dorlack read a letter of approval into the record from Herbert Eggie of 21430 W Bagpipe Court, New Berlin, WI.

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. 2392 was declared closed, and the Board proceeded to the next petition.

The next petition called was that of Stephen Helm, Case No. 2393. Mr. McGrath read the petition. It was noted that sixteen people were notified by mail and that publication had been made on two occasions. Stephen Helm, of 3370 S Heide Lane, came forward to speak in favor of the petition. Mr. Helm stated that the size of the proposed accessory building is 24 feet by 20 feet, and would be located in the front yard. He said that it would be used for storage of a cargo trailer, a boat, and a hobby car. It was noted that at present the cargo trailer is parked on a cement slab to the west of the existing garage. Mr. Helm stated that the mound septic system is located in the back yard. He said the back yard is very small in size compared to the front yard, and that there would be no room for a garage and driveway in the back yard. It was noted that the well is located on the north side of the house so that a driveway could not be located in this area. Mr. Helm stated that there is a brick retaining wall on the south side of the house that limits placement of the proposed garage in this area. He said that it would probably be too expensive to add onto the existing garage because of the slope of the house and attached garage roof line.

Darryl Kusz, of 3400 S Heide Lane, stated that he had no objection to the proposed garage.

Mr. Dorlack read a letter into the record from the property owner at 3365 S Heide Lane. Patrick and Kathleen McLaughlin stated that they object to the variance for the proposed accessory building located in the front yard because it would be visually unpleasant and detrimental to the value of their property.

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. 2393 was declared closed.

Mr. Dorlack then declared the open portion of the meeting to be closed, and the Board then moved into the closed session to make the following decisions.

The first petition considered by the Board was that of 4 Seasons Sunroom, Case No. 2392.

Mr. Galke made a motion to grant the petition, and, Mr. Dorlack seconded the motion. Mr. Dorlack, Mr. Wallner and Mr. Gaulke voted to approve the variance. Mr. Goetter and Mr. McGrath voted to deny the petition. The motion to approve the variance failed by a three to two vote, and the variance was denied.

The next petition considered by the Board was that of Stephen Helm, Case No. 2393. Mr. Goetter made a motion to deny the petition, and, Mr. McGrath seconded the motion. All members voted to deny the petition. The variance was denied 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 8:15 PM.

BOARD OF APPEALS

CITY OF NEW BERLIN

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Joseph J. Dorlack, Chairman