



MINUTES OF AN OFFICIAL MEETING:

Regular / Special Meeting: **Board of Zoning Appeals**
Date and Time: June 10, 2021, at 7:00 PM
Location: City Hall, 2000 N. Calhoun Road, Brookfield, Wisconsin

Members Present: Rod Carter, Gordon Rozmus, Frank DeGuire, Dean Marquardt

Members Excused: Mark Krause, Ald. Jenna Meza, Ald. Bill Carnell

Others Present: Zoning & Building Administrator Larry Goudy

1. ROLL CALL

Gordon Rozmus called the Board of Appeals to order at 7:01 pm. He stated that the notice of hearing has been duly published pursuant to the State open meetings law and explained the procedure to present the appeals to the Board this evening. Mr. Rozmus indicated that a quorum was present and that the request for variances must receive the affirmative vote of three members of the Board in order for a request to be granted.

2. MINUTES OF THE MAY 13, 2021, BOARD OF APPEALS

Dean Marquardt moved approval of the May 13, 2021 Board of Appeals minutes. The motion was seconded by Frank DeGuire and carried unanimously.

Public Hearing & Consideration of Appeal: Certain requests for building and sign permits have been submitted to the City of Brookfield and have been denied by the Zoning & Building Administrator because they did not comply with the Zoning, Building or Sign Code of the City of Brookfield. There will be a Public Hearing held on June 10, 2021, at 7:00 pm at the Common Council Chambers for the express purpose of considering the following request(s) for variance. Please note that following the public hearing(s), the Board intends to take action by considering the request indicated.

New Business

3A. JANET & CHARLES LUKASIK, 15160 HIGH KNOLL LN.: GARAGE ADDITION

The request of Janet & Charles Lukasik, Lot 25 Blk 7 Hidden Hills Pt SW ¼ Sec 11 T7N R20E, to appeal section 17.32.020.A to permit a 25'x22' garage addition at 15160 High Knoll Lane. The proposed garage is 34.7' from the front property line.

Zoning and Building Administrator Larry Goudy gave a brief summary of the request. Mr. Charles Lukasik stated that he has eight neighbors that would be in view of the addition. They all signed their approval and received no negative votes from a survey he submitted to them. He stated he moved there in 1981. The garage is an inadequate size. Their plan is to age in place at this residence. It has significant access and safety issues. The only access to the basement is from the garage. It barely accommodates two vehicles, with one of them pulling up to 17" from the basement door. The door to

the home is in the garage also. He's been dealing with it, but now he is 74 years old and has spine issues. At times, he needs a walker. A walker makes the garage totally inadequate. If there are two cars in the garage, he can't traverse inside the garage with a walker. If you needed to turn off the gas, electric, water or if there was a tornado warning with a walker, you can't get in basement. He cannot fully open the doors. He owns a midsize SUV and a sedan. He has to do something to fix the access and safety issues by adding a new garage. The driveway is the most logical space to add it. It covers up the existing overhead door. The new addition would be 25' wide. He would park his vehicles in the new garage and his tractor and other items would be in the old garage. His neighbors already see his door, and this would just be 22' closer. It solves their problems and doesn't create new hardships. He will use brick on the side to tie in to the house.

Mr. Rozmus stated that photos 1, 2, and 3 show a brick wall to right of existing garage and service door. Mr. Lukasik replied that the door is for a different room. Mr. Rozmus asked can the width of the garage be extended by taking a wall out next to the other room. Mr. Marquardt reviewed the standards for granting a variance and felt he hasn't heard conditions that warrant the approval of a variance. It should be unique and specific. A variance is forever as owners come and go. He looked at the subdivision and every home in the subdivision complies with setback rules. He doesn't see a uniqueness of this parcel.

Mr. Carter stated he is struggling with this. The house is built to Code now. He could put one car in garage and make it work. Mr. Lukasik agreed, but normally he parks both vehicles in garage. It would create another problem. The address at 15560 W. Burleigh at the northeast corner of Burleigh and Pilgrim has two garages. The garage door was 59' to middle of street. Mr. Marquardt replied but it wasn't in the applicant's subdivision. Mr. Lukasik agreed but it is an example of a similar situation.

Mr. Rozmus asked about moving the wall to widen the garage. Mr. Lukasik replied the main issue is the house is not square with the lot. Mr. Rozmus replied, but it would be square with the house. Mr. Lukasik replied that's an exercise room which is used a lot. Mr. Rozmus stated it may still require a variance. Mr. Marquardt stated the wall can be moved out about 5' on one side and about 10' on the other side before it reaches the setback line. The width would not improve unless you go into the exercise room.

Mr. Rozmus stated it is difficult to approve the variance based on setback requirement. That is why the board is suggesting to possibly take out the wall and use the exercise room as part of the garage. Mr. Goudy replied in that instance, it wouldn't require a variance.

Motion by Dean Marquardt, seconded by Rod Carter, to deny the variance as it doesn't meet the standards of a variance.

Mr. Marquardt explained that the direction from the Board to grant a variance to the setback must have uniqueness to the lot and they don't see it. Any variance would be an issue. If you grant a lot of variances, the Zoning Code might as well be re-written.

The motion carried unanimously.

4. ADJOURNMENT

Motion by Frank DeGuire, seconded by Dean Marquardt, to adjourn the meeting at 7:45 pm.

Motion carried unanimously 4-0.

RESPECTFULLY SUBMITTED:
RENEE J. TADYCH, DEPUTY CITY CLERK
CITY CLERK'S OFFICE