

VILLAGE OF ELM GROVE
BOARD OF APPEALS
Tuesday, July 12, 2016 * 5:00 p.m.

1. Roll Call

Present: Chairman Barry Book, John Allen, and Frank Lorenz. Gordon Giampietro by telephone. Finerty, Jacobson, and Puchner excused. Village Clerk Mary Stredni, Zoning/Planning Administrator Tom Harrigan, Village Manager David De Angelis, and Village Attorney de la mora.

2. Minutes

Allen and Lorenz moved and seconded to approve the June 28, 2016 minutes. Motion carried.

3. Consideration, hearing, and action on appeal for variance requests – 14055 Wisconsin Avenue

Ms. Stredni swore in Harrigan, De Angelis, Metzger homeowner, Walter Neumann, and Daniel Radler, 670 Florence Drive.

Neumann testified that he and Metzger came up with the concept for the home. With the current garage location, you must back out of the driveway onto Wisconsin Avenue which is not safe. Plan to keep part of the existing driveway for guest parking and locate the new driveway and larger garage on the northeast portion of the house. Enough room will be allowed to turn around in the driveway so will not have to back out onto the road. As parking on the street is dangerous, keeping part of the existing driveway will allow space for guests to park. Requesting sideyard setback of 16 feet; a 20 foot street right-of-way setback, and variance from the maximum building footprint area required of 20% to 22%.

Neumann testified that also plan to build a berm to eliminate water runoff. Lorenz asked Radler if his is the house to the south. Radler stated that it is. Allen asked if Radler was worried that there would be more water runoff. Neumann stated that it will actually improve.

Attorney de la mora asked what the hardship is. Neumann stated – none. Lorenz asked that when Metzger bought the property in 1975 was he aware that it was not in compliance. Metzger stated that he was not. Book asked what the hardship was. Neumann stated that backing out of the driveway is dangerous and by changing the driveway so that a person would not have to back out of the garage onto Wisconsin Avenue it would be safer.

Attorney de la mora asked why the driveway could not just be relocated. Neumann stated that would not work. There would not be enough room to turn around. De Angelis stated that would most likely then be over the impervious surface maximum.

Giampietro stated that he was not sure that the owner wanted to continue to state there is no hardship. Neumann stated that the hardship is the lack of safety in backing out of the current driveway. Attorney de la mora stating that if part of the current driveway is kept for guests, they will be backing out onto Wisconsin Avenue which is dangerous. Metzger stated that the problem is that cars are going too fast down the street and he does not like to back out of his current driveway so he believes the proposed change would be safer.

Allen asked about the impervious surface. Harrigan stated that the property is under the 30% maximum.

Radler stated that he is now satisfied with what he has heard in regard to water runoff.

Book confirmed that the proposed plan does not encroach any further than the 7.6 feet on the southern property line.

As there were no other questions, Chairman Book closed the hearing.

4. Convene into closed session

By roll call vote at 5:25 p.m. the Board convened into closed session pursuant to Wis. Stats. §19.85(1)(a) to deliberate the above referenced quasi-judicial hearings.

5. Reconvene into open session

The Board reconvened into open session at 5:59 p.m. Chairman Book stated that the Board has voted to approve the variances due to the unusual nature of the structure on the lot and the unusual traffic pattern given the intersection that the property sits on. However, if the owner feels that it is unsafe to back out of the current driveway onto Wisconsin Avenue then that driveway must be removed.

Otherwise the argument that it is not safe is gone. Therefore, the approval is conditioned upon the removal of the existing driveway and the sidewalk to the front cannot be put in as it would encourage people to park there.

6. Adjourn

Allen and Lorenz moved and seconded to adjourn at 6:04 p.m. Motion carried.

Respectfully submitted,

Mary S. Stredni, Village Clerk