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AND ARE SUBJECT TO CHANGE UPON APPROVAL FROM THE BUILDING BOARD**

**VILLAGE OF ELM GROVE
BUILDING BOARD
MEETING MINUTES**

Tuesday, December 15, 2020

Meeting was called to order at 5:31 PM by Mr. Harrigan.

In absence of Chairman Olson, Mr. Harrigan stated he would entertain a motion to appoint a Chair Pro Tem. As this is Mr. Liechty's last Building Board meeting before stepping down from serving on the Board, Mr. Harrigan recommended a motion be made to appoint Mr. Liechty as Chair Pro Tem for the evening.

Mr. Koleski motioned to appoint Mr. Liechty as Chair Pro Tem, Mrs. Steindorf seconded. Motion carried 5-0.

1. Roll Call.

Present: Mr. Liechty (via video conference), Mr. Thedford (via Video conference), Mr. Koleski (via Video conference), Mrs. Steindorf (via Video Conference), Mr. Janusz (via video conference)

Absent: Chairman Olson, Mr. Matola, Trustee Domaszek

Also present: Mr. Harrigan, and applicant.

2. Review and act on meeting minutes dated 12/1/2020.

Mr. Koleski motioned and Mrs. Steindorf seconded to approve the December 1, 2020 minutes as amended. Motion carried 5-0.

3. Public Hearing, review and act on a request by Kathleen Mussatto, 14205 Wisconsin Ave, for a fence Variance.

Ms. Mussatto was present before the board.

Mr. Liechty opened the Public Hearing. Seeing no one in attendance to speak, Mr. Liechty closed the Public Hearing.

Mr. Liechty noted that the fence variance is being requested as the proposed new fence to replace the existing fence will also be six feet in height, and have less than 50% open space. Any fence located within the required yard setbacks that is greater than four feet in height, and has less than 50% open space requires a variance from the Building Board.

Mr. Liechty inquired if Mr. Harrigan has any additional information related to the existing six foot tall solid fence on the property.

Mr. Harrigan stated that he had reviewed the property file at Village Hall, and there is no record of the fence being approved. It is likely the fence was constructed prior to the adoption of the current fence ordinance.

Ms. Mussatto stated the existing fence is old and becoming dilapidated. The main purpose of the fence is to serve as a privacy fence, and the surrounding neighbors appreciate the privacy screening it provides. If the new fence is not approved, a fence which complies with the zoning code will not replace the existing.

Mr. Liechty stated that he does not recall any instance where the Building Board approved a fence variance which was intended to replace an existing non-complaint fence configuration. This fence variance proposal is adjacent to single-family residential homes. The intent of the fence ordinance is to minimize fence partitions which obscure the line of sight.

Mr. Koleski clarified the existing fence on the property is non-compliant with zoning code.

Mrs. Steindorf stated there does not appear to be a compelling reason to approve the fence variance as proposed.

Mr. Liechty commented that typically there is an explanation of hardship as to why the variance should be approved, and there does not seem to be an existing hardship at this time.

Mr. Koleski asked Ms. Mussatto if she would consider constructing a fence that would comply with the zoning code. Based on the Boards discussion, it does not seem as the proposed fence variance is being viewed favorably.

Mr. Mussatto stated a fence with 50% or greater open space would not make sense and the solid fence is intended to create privacy.

Mr. Liechty suggested Ms. Mussatto consider dense landscape screening, if the intention is to create a privacy screen in the rear yard.

Mrs. Steindorf motioned to deny the fence variance request as proposed, Mr. Koleski seconded. Motion carried 5-0.

4. Other Business

As this meeting was Mr. Liechty's last Building Board meeting before stepping down from serving on the Board, Mr. Koleski stated that he would like to recognize Mr. Liechty for his many years of exceptional participation and service to the Village of Elm Gorge. Mr. Liechty has acted as a mentor to many Building Board members throughout the years, and has always acted in the most professional manner. Best of luck to Mr. Liechty in his future endeavors.

Mr. Liechty thanked the Board for their kind words and stated he feels the Board is in a favorable position to move forward and carry on as a team.

5. Adjournment

Mr. Liechty motioned to adjourn and Mr. Koleski seconded. Motion carried 5-0. Meeting adjourned at 6:05 p.m.

Respectfully Submitted,

Thomas Harrigan
Zoning and Planning Administrator/
Assistant to the Village Manager

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