

ROCK COUNTY BOARD OF ADJUSTMENT MINUTES
JANUARY 28TH, 2015
COURTHOUSE CONFERENCE CENTER
SECOND FLOOR, ROCK COUNTY COURTHOUSE
JANESVILLE, WISCONSIN

In the absence of Chair Jones, JC Lengjak offered to preside over the meeting and was approved by acclamation. Chair Lengjak called the January 28th meeting of the Rock County Board of Adjustment to order at 6:08 p.m. in the Courthouse Conference Center (CCC), 2ND Floor, Rock County Courthouse. Board of Adjustment members in attendance at roll call: Henry Stockwell, J.P. Lengjak, and Francette Hamilton. Harry O'Leary, Jo Miller, and Don Jones were absent.

Development staff in attendance: Colin Byrnes (Acting Planning Director/Zoning Administrator), and Kurt J. Wheeler (Acting Secretary).

Citizens in attendance: Joan Nielson and Mother, and Richard Moen (Agent and Surveyor) for Thomas Lorenzin.

Adoption of Agenda: Motion by Francette Hamilton to adopt the agenda as presented. Seconded by Henry Stockwell. Motion approved 3-0

Reading and Approval of the Minutes – November 19th, 2014: Motion by Francette Hamilton to approve the minutes as presented. Henry Stockwell seconded the motion to approve the minutes. Minutes approved 3-0.

Reading and Approval of the Findings of Fact – November 19th, 2014: Motion by Henry Stockwell to approve the minutes as presented. Francette Hamilton seconded the motion. Approved 3-0.

Announcements of Decisions – November 19th, 2014:
Read by JP Lengjak. Approved 3-0.

Communications: Joan Neilson and Mother asked about the procedure of building a garage on a similar lot situation in the Mallwood area. They said they were residents of Mallwood and were neighbors of Mr. Lorenzin. They added that many residents had the same situation of sub-standard lots without garages.

Reports of Committees: There were no reports of committees at this time.

Thomas Lorenzin Variance Request:

Mr. Richard Moen (Agent and Surveyor) for Thomas Lorenzin described lot sizes and rationale for variance request. Mr. Byrnes elaborated on the lot configurations and ordinances affecting the lots and proposed building location. Board members considered the variance in terms of the three tests the applicant must

Motion to approve with conditions by Henry Stockwell, seconded by Francette Hamilton. Approved 3-0.

Unfinished Business:

Mr. Byrnes informed the Board that next month's meeting will have a similar request in the same general area. Henry Stockwell asked about the status of previous cases in respect to the individuals following through with timelines and permitting.

New Business: None at this time.

Adjournment: Henry Stockwell made a motion to adjourn the January 28th, 2015 meeting of the BOA. JP Lengjak seconded the motion. Meeting adjourned at 6.37 p.m.

Respectively Submitted,

Kurt J. Wheeler
Acting Secretary

**THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE ROCK
COUNTY BOARD OF ADJUSTMENT**

FINDINGS OF FACT

Applicant: Thomas Lorenzin

Nature of Case: Variance request from Minimum Lot Size (15,000 sq ft – publicsewer) in Shoreland District

Henry Stockwell made a motion to approve the variance with conditions as indicated within the Staff Report. Francette Hamilton seconded the motion. Motion was approved 3-0

- Findings of Fact:**
1. Unnecessary hardship does exist because without granting the variances the applicant cannot complete the project. The lots in this area were platted (1920 –1930) well before Shoreland Zoning. Each 6,250 sf lot requires a variance to do any additions, as do most lot combinations of a lot and a half or two lots like this case.the lot can still be utilized without the convenience of the garage.
 2. This is a unique property limitation. The 15,000 sf minimum lot size for a new publicly sewerred lot limits the reasonable use of the property (constructing a garage). The ownership of the adjoining lots (East & West) shows it is highly improbable additional land could be purchased in the future. As is the case throughout the Mallwood development. This precludes the 15,000 sf requirement. Therefore, the owner is limited to the two lot combination as the only possible scenario.
 3. The Variance is not contrary to the public interest: The intent of the Shoreland Ordinance is to regulate development adjacent to lakes, flowages, rivers and streams. The Site Plan indicates the built environment will be Shoreland code compliant concerning setbacks and impervious surface ratios.