

**ROCK COUNTY BOARD OF ADJUSTMENT**  
**October 28th, 2015**  
**COURTHOUSE CONFERENCE CENTER**  
**SECOND FLOOR, ROCK COUNTY COURTHOUSE**  
**JANESVILLE, WISCONSIN**

**MINUTES**

Chair Jones called the October 28<sup>th</sup>, 2015 meeting of the Rock County Board of Adjustment to order at 6:00 p.m. at Courthouse Conference Center.

Board of Adjustment members in attendance at roll call: Francette Hamilton, Jo Miller, Henry Stockwell, Harry O'Leary and J.P. Lengjak.

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

Others in attendance: Corporate Council, Jeff Kuglitch; Jerry and Sabrina Elsen, Tim Stokes, Pete Jones, and Jerry R. Elsen.

**Adoption of Agenda:** Motion by Henry Stockwell to adopt the agenda, **Seconded** by Francette Hamilton. Motion approved 6-0

**Reading and Approval of the Minutes – September 16th, 2015:** Motion by Francette Hamilton to approve the minutes, **Seconded** by Henry Stockwell. Minutes approved 4-0.

**Reading and Approval of the Findings of Fact – September 16th, 2015:** Motion by Francette Hamilton to approve the Findings of Fact. **Seconded** by Henry Stockwell. Approved 4-0.

**Announcements of Decisions – September 16th, 2015:**

Decision of Mathew Fleming et.al. appeal at the September Board of Adjustment read by Chair Jones that the appeal was upheld with a vote of (3-1).

**Communications:** None

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

**Jerry and Sabrina Elsen Application Case**

The public hearing was opened at 6:07 pm.

Exhibit #1 (PowerPoint presentation) provided by applicants was viewed by the board. Mr. Elsen provided commentary, discussion followed.

Mr. Stokes spoke in favor of the applicants.

Exhibit #2 (Mr. Mark Roberts) letter supporting the applicants was read out loud to the Board by Mr. Wheeler.

Exhibit #3 (Gregory and Lisa Seymour) letter in opposition to the applicants was read out loud to the Board by Mr. Wheeler.

Pete Jones spoke in favor of the applicants.

Exhibit #4 (map, pg. 15, Building Design Site Plan Rear View) was presented by Director Byrnes, Discussion followed.

The three Board of Adjustment criteria were discussed as it applied to this application.

The Planning and Development Staff Report was read by Director Byrnes.

Public Hearing ended at 6:53 p.m.

Discussion followed, Harry O'Leary made a motion to approve the variance with the following conditions,

- 1). Impervious surface on the lot be reduced to 30%.
- 2). Roof height on a structures limited to 35 ft. Maximum.
- 3). Lots to be combined via a CSM.
- 4). Shoreland (Park Area) vegetation to be restored via a plan submitted by applicant and approved by the Rock County Planning and Development Agency.

Seconded by JP Lengjak. Roll call vote: Tied.

Discussion followed.

Harry O'Leary made a new motion to approve the variance with the following conditions:

- 1). Impervious surface on the lot be reduced to 30%.
- 2). Roof height on a structures limited to 35 ft. Maximum.
- 3). Lots to be combined via a CSM.
- 4). Shoreland (Park Area) vegetation to be restored via a plan submitted by applicant and approved by the Rock County Planning and Development Agency.
- 5). Reduction in total square footage of structure from 2400 sq. ft. to 2200 sq. ft.

Seconded by JP Lengjak. Roll call vote: Approval was Unanimous.

**Unfinished Business:** None.

**New Business:** None.

**Motion** to Adjourn made by Harry O’Leary, **Seconded** by JP Lengjak. All in Favor.

**Time:** 7:37 p.m.

After the meeting was adjourned, it was discovered that the Alternate Member J.P. Lengjak was not authorized to vote under the rules of the Rock County Board of Adjustment, as Mr. Lengjak was an *alternate* member of the Board. An additional meeting is scheduled for Wednesday, November 4, 2015 to review and correct this procedural issue.

**Respectfully Submitted, by Kurt Wheeler, Acting Secretary**

**These Minutes are not official until approved by The Rock County Board of Adjustment**