

VILLAGE OF WRIGHTSTOWN BOARD OF APPEALS

The Village of Wrightstown Board of Appeals meeting was held at Village Hall, 352 High St., in Conference Room C, on Wednesday, May 29, 2019 at 4:02 p.m. following the posted Public Hearing.

Those in attendance included Board of Appeals members: Bradley Bosma, Paul Halverson, Tim Dole and Bernie Vickman. Others in attendance included: Administrator Travis Coenen, Clerk/Treasurer Michelle Seidl and resident Berke Junion. Absent: Member Glenn Buntin

Motion was made by Bernie Vickman with a second made by Brad Bosma to appoint Tim Dole as chairman for these proceedings: **Motion carried.**

A review of the current municipal code is as follows:

Chapter 206-18(C) (1) Accessory Buildings, Setback, area and height regulations, of the Village's municipal code, has been in place since June 20, 2017, and states that accessory buildings which are not a part of the main building must maintain a minimum distance of 10 feet from the principal structure and **shall occupy no more** than 30% of the area of the required rear yard or exceed **700 square feet** in size; location to include rear and side yard setbacks only, with the minimum rear yard setback of 10 feet and side yard setback of five feet. No accessory building may extend beyond the street front of the principal structure. On corner lots, the dimension of the shorter of the two property lines having street frontage shall be used to calculate the allowable square footage. Maximum height for attached accessory buildings may be equal to the height of the principal structure or not more than 15 feet, whichever is more restrictive.

The applicant, Berke Junion, requested a variance to build a 28' x 36' (1008 sq. ft.) accessory garage on parcel VW-390-E-25 (1037 Debra St.) to replace his current garage with an 8' overhang.

Resident Berke Junion noted that there are several accessory garages exceeding 700 sq. ft. in the Village. In many of these cases, the main home structure has an attached garage as well as an additional detached one. In his case, this will be his only standing garage and he is lengthening to accommodate his vehicles, a trailer and tools. The two small temporary out buildings, currently on the property, will be removed.

The garage plans were reviewed by Benjamin J. Lacount from Evergreen Consultants, LLC. His recommendation was that the Board of Appeals deny the variance request and that alternatives be considered since the request does not meet section 1 of the variance code, so an administrative variance cannot be issued.

(1) "Because of the particular surroundings, shape or topographical condition of the specific property involved a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.

The condition by which an administrative variance can be issued does not exist therefore the applicant must appeal to the Zoning Board for a variance.

The variance request is to increase the size of the accessory structure to 1008 sq. ft. whereas the zoning code permitted use is 700 sq. ft. There is no height dimension noted on the submitted plan so it cannot be determined if the height restrictions are being met.

The applicant could redesign the structure to meet the 700 square foot size through creative design work or redesign the structure at 1008 square feet, adding in frost walls and attaching to the main structure.

The Village could add a conditional use section to the zoning code to allow for accessory buildings larger than 700 square feet on larger properties. This section would include the review of any accessory building over 700 square feet to ensure the structure fits the lot size, allows for adequate green space and is aesthetically appealing. The Village would have the opportunity to place restrictions on the structure.

The square footage of the garage at 1,008 sq. ft. is under the 30% greenspace requirement.

Comment by Paul Halverson that one large garage, that compliments the home, will be more aesthetically appealing than a smaller garage plus two temporary outbuildings.

A 700 sq. ft. building does not accommodate a standard truss size.

The Village Board is considering amending the square footage minimum at the June 4, 2019 board meeting. Until then, each variance decision will be up to the discretion of the Board of Review.

Motion was made by Paul Halverson with a second made by Brad Bosma to approve the variance request. Call of roll: 4 yes votes. **Motion carried.**

Motion made by Paul Halverson with a second made by Bernie Vickman to adjourn. **Motion carried.** (Adjourned at 4:16 p.m.)

Michelle Seidl, Clerk/Treasurer