

CITY OF FRANKLIN
BOARD OF ZONING AND BUILDING APPEALS
MINUTES
April 20, 2022

Approved
May 18, 2022

A. Call to Order and Roll Call

Chairman Léon called the April 20, 2022, regular meeting of the Board of Zoning and Building Appeals to order at 6:30 p.m. in the Council Chambers of Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Chairman Patrick Léon; and members Bob Knackert, Steve Rekowski, Ryan Ross and Donald Adams. Also present was Principal Planner Régulo Martínez-Montilva.

B. Approval of Minutes

1. Approval of regular meeting minutes of January 19, 2022.

Member Adams moved and Member Knackert seconded approval of the minutes of the regular meeting held on January 19, 2022, as presented. All voted 'aye', motion carried (5-0-0).

C. Public Hearing Matters

1. **HEARING NO. 2022-02 Two-part Variance Application
Urban Heating and Cooling**

8437 S. 27th Street

The Official Notice of Public Hearing was read into the record by Principal Planner Martínez and the Public Hearing was opened at 6:38 and closed at 6:38 p.m., applicant Ryan Sopa presented this variance request.

Member Knackert moved and Member Rekowski seconded a motion to approve a two-part variance request from the following Unified Development Ordinance (UDO) requirements: (1) Parking setback, Section 15-5.0202.C.4. Non-residential parking stalls and driveways must be located at least 10 feet from any property line. The parking lot expansion as proposed would have no setback from the south property line and a 5-foot setback from the north property line. (2) Adequate access, Section 15-5.0202.A. Required off-street parking must open directly onto an aisle or driveway that is wide enough (24 feet) to provide safe and efficient means of vehicular access. The proposed aisle connecting to the parking lot expansion is 17-ft wide. For property located at 8437 S. 27th Street, zoned B-4 South 27th Street Mixed Use Commercial District; Tax Key No. 832 9941 000, pursuant to the Findings and Factors as presented by the applicant. Upon voice vote, all voted 'aye'. Motion carried (5-0-0).

2. **HEARING NO. 2021-06 Minor Variance Application
Harlfinger, Stephen and Sabrina**

- HEARING NO. 2022-03 After-the-fact Variance Application
Harlfinger, Stephen and Sabrina**

11600 W. Woods Road

The Official Notice of Public Hearing was read into the record by Principal Planner Martínez and the Public Hearing was opened at 6:50 and closed at 6:54 p.m., applicant Sabrina Harlfinger presented both requests.

Member Adams moved and Member Ross seconded a motion to approve a minor variance request from Municipal Code Chapter 92.6B and Section 15-3.0802E.2.e. of the Unified Development Ordinance to allow for the installation of a fence in the corner side yard abutting a street and closer to the street than the distance from the street to the principal building, which is 34.1 feet. The proposed fence would be set back 25 feet from the South 116th Street right-of-way line, while the minimum setback is 35 feet. For property located at 11600 W. Woods Road, zoned R-3 Suburban/Estate Single-Family Residence District, Tax Key No. 703 0220 000, pursuant to the Findings and Factors as presented by the applicant. Upon voice vote, all voted 'aye'. Motion carried (5-0-0).

Member Knackert moved and Member Ross seconded a motion to approve an after-the-fact variance request to allow for an above-ground swimming pool encroaching into the required corner side yard. Pursuant to the Unified Development Ordinance Section 15-3.0801.B.1 General Standards for Accessory Uses and Structures: "No part of an accessory structure shall be located in a front yard, corner side yard, or any rear yard abutting a street on a corner lot". The subject swimming pool has been installed with a setback of 32 feet from the corner lot line, abutting S. 116th Street, while the minimum corner side yard setback is 35 feet. For property located at 11600 W. Woods Road, zoned R-3 Suburban/Estate Single-Family Residence District, Tax Key No. 703 0220 000, pursuant to the Findings and Factors as presented by the applicant. Upon voice vote, all voted 'aye'. Motion carried (5-0-0).

D. Business Matters.

1. HEARING NO. 2022-04 Area Exception Application Kwiecinski, Christopher and Julie

Member Adams and Member Rekowski seconded a motion to approve an application for an area exception to allow for an 840 square foot accessory structure [application requests an area exception from section 15-3.0801c. of the unified development ordinance to exceed the 720 square feet maximum size by approximately 17%], for property located at 4511 West Rawson avenue [replacement of a garage which had burned down; new larger structure will be in the same footprint, with the addition in the rear of the garage], pursuant to the Findings and Factors as presented by the applicant. Upon voice vote, all voted 'aye'. Motion carried (5-0-0).

E. Announcement

The next meeting of the Board of Zoning and Building Appeals is tentatively scheduled for May 18, 2022. No action needed, none taken.

F. Adjournment

Member Adams moved and member Rekowski seconded to adjourn the regular meeting of the Board of Zoning and Building Appeals of April 20, 2022 at 7:13 p.m. All voted 'aye', motion carried (5-0-0).