



Karen Sorenson, Chairperson
Ron Molnar, Member
Don Nutall, Member
Willie Riley, Member
Tom Young, Member
Russ Weyers, Alternate Member

ZONING BOARD OF APPEALS AGENDA

April 19, 2023

6:00 PM

Village Hall, Ebe Auditorium

8811 Campus Drive, Mount Pleasant, WI 53406

A. CALL TO ORDER

B. ROLL CALL

C. MEETING MINUTES

1. February 22, 2022

D. OLD BUSINESS

E. NEW BUSINESS

1. 6812 Green Ridge Drive Zoning Variance ZVA-23-1
 - a. Public hearing regarding ZVA-23-1
 - b. Consideration of ZVA-23-1

F. ADJOURN

Requests for persons with disabilities who need assistance to participate in this meeting or hearing should be made to the Village Administrator or Village Clerk's Office at (262) 664-7800 with as much advance notice as possible.

Notice is hereby given that a quorum of the Village Board may be present at a meeting of the Zoning Board of Appeals. This constitutes a meeting of the Village Board pursuant to Sate ex rel. Badke v. Greendale Village BD., 173 Wis.2D 553, 494, N. W.2d 408 (1993). The Village Board will not take any formal action.

Posted: Thursday, April 13, 2023 at 1:30 PM



ZONING BOARD OF APPEALS MEETING MINUTES

February 22, 2023 at 6:00 PM

Village Hall, B114 Ebe Auditorium

8811 Campus Drive, Mount Pleasant, WI 53406

Staff Present: Planner II Robin Palm.

A. CALL TO ORDER

Chairperson Molnar called the meeting to order at 6:00 PM.

B. ROLL CALL

Planner Palm performed roll call. Chair Molnar and members Sorenson, Nutall were present. The meeting had a quorum of three members.

C. MEETING MINUTES

1. **December 21, 2022**
2. Nutall moved to approve meetings' minutes. Sorenson seconded the motion. The motion carried 3-0-0 with a voice vote.

D. OLD BUSINESS

1. **None**

E. NEW BUSINESS

1. 5625 Washington Avenue Zoning Variance ZVA-22-4

a. Public hearing regarding ZVA-22-4

R.Palm read the staff executive summary of the application. The applicant's representative Amy Miles attended the meeting via phone conference and spoke in favor of the application. No one spoke against. Molnar closed the public hearing.

b. Consideration of ZVA-22-4

Nutall moved to approve ZVA-22-4. Sorenson seconded. R. Palm took the roll call vote. The motion approved unanimously.

F. ADJOURN

Sorenson moved to adjourn the meeting at 6:34 PM. Molnar seconded the motion. The motion carried 3-0-0 with a voice vote.



EXECUTIVE SUMMARY

Zoning Board of Appeals Meeting of April 19, 2023

TITLE

6812 Green Ridge Drive Zoning Variance ZVA-23-1

PARCEL ID(S)

151-03-22-26-094-000

OWNER

James Coots Jr.

APPLICANT

James Coots Jr.

COMPREHENSIVE PLAN

Residential

LOCAL PLANNING AREA

16

ZONING DISTRICT

RL-1 (Low-Density Residential)

BACKGROUND

James Coots applied to seek relief from [§ 90-435.40\(B\)](#), which states, "Fences or walls erected along the interior side lot line, in the interior side yard (between abutting properties), along the rear lot line, or in the rear yard may not exceed six feet in height." The applicant installed a fence which exceeds the height limit due to a grade increase at the applicant's side lot line.

CONSISTENCY WITH COMPREHENSIVE PLAN AND LOCAL PLANNING AREA

The village does not have an adopted plan for Local Planning Area 16. The application follows the land use designation under the Comprehensive Plan.

REVIEW CRITERIA AND STANDARDS

Per [§ 62.23\(7\)\(E\)7, Wis. STATS.](#), a zoning variance may not be approved unless the Zoning Board of Appeals finds, based on evidence presented by the subject property owner, that:

1. There are conditions unique to the subject property that do not apply generally to other properties in the district;
2. The variance is not contrary to the spirit, purpose, and intent of the regulations of this zoning chapter and is not contrary to the public interest;

3. Strict compliance with applicable zoning regulations would unreasonably prevent use of the property for a permitted purpose or would render compliance with the chapter unnecessarily burdensome;
4. The alleged hardship is created by the terms of the chapter rather than by a person who has a present interest in the property;
5. The proposed variance will not create substantial detriment to adjacent property; and
6. The proposed variance will not result in building or development that is incompatible with the character of the immediate neighborhood.

Based on the Racine County contours layer on the village GIS, the eastern neighbor's house lies 730 feet above sea level, while the applicant's house is 10 feet lower. The grade change happens at the convergence of the lot lines, with the 722-foot contour line almost directly at the lot line. Therefore, the village staff believe there are conditions unique to the subject property that do not apply generally to other properties in the district. The application is not contrary to the purpose of the regulations, because the increased fencing height would not create a fence taller than typically allowed if the properties were at the same elevation. Strict compliance with the applicable zoning regulations would make the usual six-foot height fencing height limit unnecessarily burdensome, because the limited height of the fence would supply less property than usually afforded to residential properties. This hardship is created by the limit of the fencing height and by the contours of the land itself, and not the applicant. The proposed variance would not create a substantial detriment or result in a fence incompatible with the character of the immediate neighborhood, because it would place the height limit equal to that of typical lots graded at equal elevations.

CONDITIONS

The village staff recommend that the Zoning Board of Appeals limits the maximum height of the fence to no taller than 736 feet above sea level (14 feet tall) along the east property line, and that the fencing height limit for the southernmost 15 feet of the east property line shall remain at 3.5 feet tall.

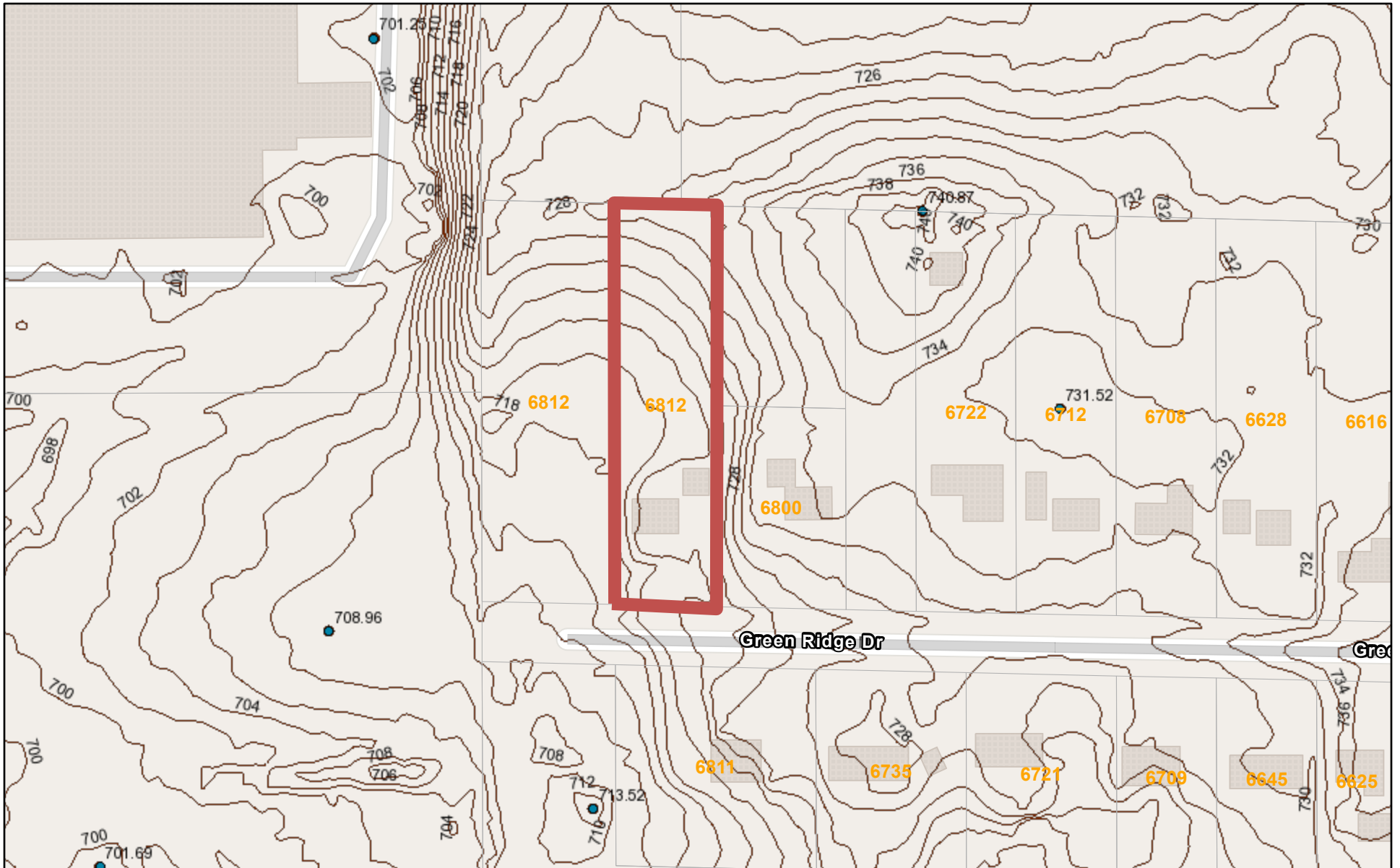
RECOMMENDATION

The Village staff recommends that the Zoning Board of Appeals **moves to approve the 6812 Green Ridge Drive Zoning Variance ZVA-23-1.**

PREPARED BY

Robin Palm, Planner II

ArcGIS Web Map



4/14/2023, 12:56:32 PM

Racine County, Municipal Boundaries

Address Labels

2010 LiDAR Two Foot Contours

VILLAGE OF MT PLEASANT

Tax Parcel

2010 LiDAR Spot Elevations

1:2,257

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.09 km

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Staff GIS Viewer
Village of Mount Pleasant, WI