

Eau Claire County
Board of Land Use Appeals

721 Oxford Avenue, Room 1277 • Eau Claire, Wisconsin
Monday, May 16, 2016 • 5:30 PM

MINUTES

Members Present: Randy Stutzman, Karen Meier-Tomesh, Judy Bechard, Pat Schaffer

Members Absent: Gary Eslinger

Staff Present: Rod Eslinger, Jeanna Allen

1. Call to order

Chairman Stutzman called the meeting to order at 5:31 p.m., and verified that the meeting was properly noticed. Mr. Stutzman reviewed the order of the proceedings for the applicant and members of the audience.

2. A request for a 30-foot variance for the required 50-foot minimum front yard setback for a structure from a Class C highway in the RH District (Town of Washington) VAR-0003-16 / Discussion – Action

Rod Eslinger, Land Use Manager for Eau Claire County, was sworn in by the chair. Mr. Eslinger briefly reviewed the request for the variance; discussing the staff report and displaying an aerial view of the property. He also displayed a contour map to illustrate the topographical features of the property.

The home was constructed prior to the adoption of County Zoning by the township, and it is considered a legal nonconforming structure. The applicant wishes to construct a 24 foot by 24 foot garage expansion onto the existing nonconforming principle structure.

Gunner Hagen, home owner, was sworn in by the chair and spoke in favor of the request. Mr. Hagen reported that the home had been vacant when it was purchased, and that they were attempting to revitalize an old building to make it similar to other homes in the area. He did note that a detached accessory structure could be built on the property, but they preferred to have it attached to improve curb appeal of the property. The additional garage space would be used for vehicle and personal storage.

Bradley Mehrman, agent, was sworn in by the chair and spoke in favor of the request. Mr. Mehrman noted that a multiple car garage is common for the area, and for the homes in that price range of homes in the area.

No one else spoke in favor of the variance request.

No one spoke in opposition of the variance request.

Abd Khatib, neighbor, was sworn in by the chair and asked for a point of clarification as to what would happen with the existing garage.

Mr. Mehrman responded that it was their intent to make it look as though the additional garage space belongs to the house.

Mr. Eslinger presented the staff summary and reviewed the standards the Board must adhere to during deliberations.

The Board entered deliberations at 6:17 p.m.
The Board ended deliberations at 6:36 p.m.

ACTION: Motion by Karen Meier-Tomesh, 2nd by Judy Bechard, to deny the variance request based on the following findings:

- The literal enforcement would not create an unnecessary hardship that would prevent the applicant from using the property for the allowable uses in the RH District. A reasonable use of the property has already been established.
- A smaller garage could be constructed.
- A detached garage could be constructed that would conform to all required setbacks.
- No unique physical limitation exists on this property, such as a steep slope, wetland, drainage area that would prevent the compliance with the ordinance.
- The request does not meet the county variance standards.

Motion carried, 4-0-0.

3. Review / Approval of Minutes from April 25, 2016 / Discussion – Action

ACTION: Motion by Pat Schaffer, 2nd by Judy Bechard, to approve the minutes as corrected.
Motion carried, 4-0-0.

4. Adjournment

ACTION: Motion by Karen Meier-Tomesh, 2nd by Pat Schaffer, to adjourn at 6:39 p.m.
Motion carried, 4-0-0.

Respectfully submitted,

Jeanna Allen, Clerk
Board of Land Use Appeals