

**MINUTES
VARIANCE BOARD MEETING
JANUARY 16, 2019**

The meeting was called to order at 8:00 a.m.

Present: Members: Christopherson, Denn, Johnson; Planner: Riedesel; Tom Fleming & Bill Short.

APPROVE AGENDA: The agenda was approved as submitted.

APPROVE MINUTES: Johnson moved approval of the Minutes of October 16, 2018.

MIKE & KATHERINE FLEMING, 5518 & 5520 SHADYSIDE LANE – Request for 25’ Right-of-Way Setback Variance & a 1’ Side Yard Setback Variance to Allow a Minor Subdivision/Lot Line Rearrangement: Riedesel summarized the Fleming request to construct a new home using the existing foundation and add a new garage at 5518 Shady Side Lane. A lot lien rearrangement is also proposed in order to accommodate a new garage for 5518 Shady Side. The additional property would come from 5520 Shady Side Lane.

The majority of the foundation planned to be reused meet setback requirements. An area of approximately 12 square feet encroaches one foot into the side yard setback area. The new garage is proposed 10’ from the public right-of-way. An existing garage and shed, both of which encroach into the right-of-way setback area are proposed to be removed. Both of these structures are located closer to the right-of-way than the proposed garage.

Tom Fleming provided a summary of the proposal.

Johnson noted several existing garages along Shady Side Lane are very close to the right-of-way. This garage location will set a setback precedent for future garages along Shady Side Lane.

Short noted other similar requests for variances for lakeshore properties on Shady Side Lane and Hugo Road.

The Variance Board discussed the proposal. All were in agreement that a non-conformity is being decreased as two structures close to the right-of-way are being replaced by a new garage further from the right-of-way.

In addition, the limited lot size and configuration of the lot and right-of-way create a practical difficulty and green area requirements are being met.

Denn noted that the right-of-way where the garage is proposed functions like a side yard due to the configuration, and also that the right-of-way serves only one home north of this property.

Denn moved to recommend to the Planning Commission to recommend to the Town Board to approve a 25' right-of-way setback variance to allow construction of a new garage and a 1' side yard setback variance to allow reuse of an existing foundation since the plan as proposed, will eliminate two non-conforming structures on the property and creates a greater setback on the property, and the plans as proposed, meet the standards set forth by the Zoning Ordinance to approve a variance. Johnson seconded. Ayes all.

The meeting adjourned at 8:25 a.m.

Respectively Submitted,

Tom Riedesel
Planner