

Board of Zoning Appeals Hearing
August 17, 2017, 7:00 pm

1. **Call the meeting to order:** the Public hearing was called to order at 7:00 pm by Chairperson, Leon Anzia.
2. **Roll Call of Officers and confirmation of quorum:** Members present: Leon Anzia, Joan Gottsacker, Donald Tuhy, Michael Bohachek and Alfred Krick. A quorum was established. Also in attendance was Village Clerk Julie Lesar. Five community residents were in attendance Village President, Vickie Boehnlein and Plan Commission member, Don Gotcher was also present in an unofficial capacity.
3. **Confirmation of Open Meeting Law and public notice requirements:** This meeting is in compliance with the Open Meetings Law of the State of Wisconsin. The public notice was properly published and posted.
4. **Pledge of Allegiance to the American Flag, Moment of Silence:** All in attendance stood for the Pledge of Allegiance and moment of silence.
5. **Read Board of Zoning Appeals Notice of Hearing:** Anzia read the Notice of Zoning Board of Appeals Hearing.
6. **Open Hearing and read the application of Ansay Development Corporation:** Anzia read the application from Ansay Development requesting “Building setbacks variance: Request to develop new apartment project with setbacks as noted on site plan, in order to proceed with the next major steps in finalizing the plaza.”
7. **Statement by the Applicant:** Ian McCain representing Ansay Development provided a map of the project and explained the plans and goals of developing the Plaza. He stated that the purpose of the 14 unit housing is to support further development of the Plaza, to have car free events and provide options for the residents of the Village. McCain is requesting to work outside the limitation of the setbacks. He added that the space is not ready to support commercial property. This additional housing is needed to support the Plaza.
 - a. **Input from Board members:** Krick asked if the parcel was originally commercial. McCain responded that it was originally shown as mixed use, senior living, apartments, and possibly a coffee shop. Krick asked why they did not consider the setbacks when planning the parcel. McCain responded that he needs a way to fund the development to the North. In order to support the Plaza, they need rentals that will justify the planned construction costs of this project. The only way to do that is to get quantity in units. If he can't get quantity in units, he cannot get events that will support construction of the Plaza. There currently is not enough draw to the Plaza to support commercial buildings. Krick asked for clarification of the existing setbacks for the proposed building. The setbacks were reviewed. The current setbacks range from five feet to 28 feet.
8. **Request statement from Public:** Members of the public spoke to their concerns of having rentals in their neighborhood. Additional concerns regarding the increase in traffic from the rental property being adjacent to the splash pad.
 - a. **Input from Board members:** To clarify, Anzia pointed out that if Ansay Development amended their building plans and met the setback requirements they would be able to build the 14 unit housing. McCain confirmed this. Additional concerns of the aesthetics of the building were discussed. The long term goals of the property were also discussed. McCain responded that the units are built separately, so they could be sold as condominiums in the future.

9. Report on any correspondence received by Secretary and related to Hearing: Lesar reported that no written correspondence was received. She added that between 4-6 residents came to Village Hall to view the plans and application.

10. Response by Applicant: No response was needed.

11. Confirm those documents have been received into the Record: no correspondence was received.

12. Close the Record and the Hearing: The hearing was closed at 7:56 by chairman Anzia.

13. Deliberation and Decision: §270-20.4.F Variance from setback requirements of §270-20.4F: At this time Anzia read the five conditions as stated in §270-102. There was no further discussion by the board.

a. Findings of Fact: The proposed setbacks ranging from five feet at the front of the building, 15 feet at the side, and 22 feet at the rear do not meet the minimum setback requirements.

b. Conclusion of Law: The board agreed that all conditions do not exist.

c. Order and Decision

i. Vote on Application: Anzia called for a vote to grant the variance request:

Tuhy – Yeah

Krick - Noe

Bohachek – Noe

Gottsacker – Noe

Anzia - Noe

Anzia stated that the variance will not be granted. The Board denied the Variance based on the five conditions not being met.

Adjourn:

A motion was made by Anzia and seconded by Gottsacker to adjourn at 8:07 p.m. The Board of Zoning Appeals was polled: Ayes –Anzia, Krick, Tuhy, Gottsacker, and Bohachek; noes – none; abstain – none. Motion carried.

Respectfully submitted,

Julie Lesar
Village Clerk