

BOARD OF ADJUSTMENT PUBLIC HEARING

Monday, September 19, 2011
Administrative Center – County Board Room
6:00 p.m. – 7:07 p.m.

MEMBERS PRESENT: Howard Raymer, Jr., 1st Alternate Terry Houlihan, 2nd Alternate Barb Frank
MEMBERS EXCUSED: None
MEMBERS ABSENT: None
OTHERS PRESENT: Nathan Sampson, Chad VandenLangenberg(minutes)

CALL TO ORDER

Howard Raymer, Jr., Committee Chair, called the meeting to order at 6:00 p.m. Let the record show that this meeting is called in full compliance with the requirements of Wisconsin Open Meetings Law.

APPEAL NO. 2011-35 Ricky & Barbara Mikshowskey, N361 Goplin Rd, Coon Valley, WI 54623. Permit denied to construct a 22-ft X 20-ft living space addition to an existing residence that will lie within the required 60-ft setback from the centerline of Goplin Rd. Property described as the SE-NW, Section 33, T15N, R5W, except part for Goplin Rd. Property location N361 Goplin Rd. Tax Parcel 12-699-0. Town of Washington.

Appearing in favor: Ricky J Mikshowskey, N361 Goplin Rd, Coon Valley, WI 54623.

QUESTION Raymer: You want to put an addition on and the house is already within the setback?

ANSWER Mikshowskey: Correct.

QUESTION Raymer: The addition won't be any closer than the existing house?

ANSWER Mikshowskey: Correct.

QUESTION Raymer: Have to talk to the township about this?

ANSWER Mikshowskey: I did speak to Dan Korn and he told me to notify zoning as I was within the 60 foot setback.

QUESTION Raymer: Any questions or anything else?

ANSWER Mikshowskey: No, I am just looking to put an addition on.

Appearing in opposition: None.

Correspondence: None.

Discussion:

REMARKS Houlihan: I really don't see any real issues here.

REMARKS Frank: Nor do I.

Motion Houlihan/Frank to approve Appeal No. 2011-35.

3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2011-36 John C Opitz, 2610 Shelby Rd, La Crosse, WI 54601. Permit denied to construct a 12-ft X 24-ft addition to an existing 24-ft X 24-ft detached garage and to replace an existing 7-ft X 10-ft detached building with a 10-ft X 10-ft detached accessory building that will result in exceeding the 750 sq. ft. area limit for such buildings on this 0.37 acre lot. Property described as the North 200-ft of Lot 4, Block 2, Joseph Boschert Suburban Addn. Property location 2610 Shelby Rd. Tax Parcel 11-1638-0. Town of Shelby.

Appearing in favor: John C Opitz, 2610 Shelby Rd, La Crosse, WI 54601.

QUESTION Raymer: You want to put an addition on and also replace a shed?

ANSWER Opitz: Yes.

QUESTION Houlihan: What is the addition for?

ANSWER Opitz: I am going to have a workshop. I do have a letter with signatures from the neighbors.

QUESTION Raymer: Please give that to Nathan. Did you contact the town board?

ANSWER Opitz: Yes, I did. I have the paperwork and I believe that you guys got it as well. It sounds like the Town of Shelby did not have any problems with this.

QUESTION Raymer: Anything else?

ANSWER Opitz: Not really. I want to put a little workshop on the back of the building and there are some problems in that area with things being stolen lately.

Appearing in opposition: None.

Correspondence, Sampson: We have a neighborhood letter which was submitted tonight stating the undersigned have no objections to this variance. It is signed by 8 of the neighbors. We also have correspondence from the Town of Shelby in the form of meeting minutes received on 9/14/11, regarding a town board meeting which occurred on 9/12/11. The town board has recommended approval of this variance.

QUESTION Raymer: Mr. Opitz, did you have something to add?

ANSWER Opitz: Two of the neighbors that signed the letter on the west side are people who live in the City of LaCrosse.

Motion Frank/Houlihan to approve Appeal No. 2011-36.
3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2011-37 Jason & Amy Sikorski, N9640 Hutch Ct, Melrose, WI 54642. Permit denied to construct a 48-ft X 32-ft detached accessory building with two (2) 9-ft X 32-ft lean-to additions for a total area of 2,112 sq. ft., exceeding the 1,500 sq. ft. area limits for such buildings on this 3.298 acre lot. The property is described as Lots 2 & 3 of Certified Survey Map No. 173, Volume 2. Property location N9640 Hutch Ct. Tax Parcel 5-448-11. Town of Farmington.

Appearing in favor: Jason Sikorski, N9640 Hutch Ct, Melrose, WI 54642.

QUESTION Raymer: This is a big building that is proposed. There are two lean-to's on the ends and it is bigger than what is allowed. What are your reasons for having this big of a building?

ANSWER Sikorski: That is correct. I do burn wood for heat and plan to use one of the lean-to's for wood storage. The other lean-to is for a car trailer that I own. I would rather do that than cover it with a tarp.

QUESTION Raymer: Don't we allow wood sheds if they are open?

ANSWER Sampson: Wood sheds or lean-to's would count towards the total area limit.

QUESTION Raymer: Any questions?

ANSWER Houlihan: No.

QUESTION Raymer: Did you talk to the neighbors and/or the town board on this?

ANSWER Sikorski: The town board, yes, we have a meeting with them tomorrow. Mr. Hesse recommended that we come here and then go meet with them tomorrow as we missed their August meeting.

QUESTION Raymer: How about the neighbors?

ANSWER Sikorski: I did talk to the one, the "V" on the top. They are currently building an addition and they did not have a problem. The guy on the corner has a mini junkyard and I'm pretty sure that he won't mind. The lady, Schaefer, Deb maybe, we talked to her and she doesn't mind.

Appearing in opposition: None.

Correspondence, Sampson: We received an email from the Town Clerk via email on 9/14/11. The email included the Town Planning Commission agenda for September 20, 2011 and this appeal is item #3 on the agenda.

QUESTION Raymer: Just for clarification, it shows lot #2 of CSM and Lot #1 of CSM...are those combined to get the 3.298 acre?

ANSWER Nate: Correct, they are one tax parcel.

Discussion: REMARK Houlihan: This is a pretty secluded area and the neighbors don't object.

Motion Houlihan/Frank to approve Appeal No. 2011-37.

3 Aye, 0 No. Motion carried unanimously.

QUESTION Frank: Do we need to address the second shed that is to be razed?

ANSWER Raymer: I don't think so as it is stated "to be razed" on the appeal.

REMARKS Sampson: The letter that will go out after this meeting will indicate that part of the approval process requires the removal of that shed.

APPEAL NO. 2011-38 Ronald E & Angela M Schlicht, 4227 Frank Ct, La Crosse, WI 54601. Permit denied to construct a 20-ft X 12-ft attached deck that will lie within the required 25-ft rear yard. Property described as Lot 7, Except the South 4-ft, Leisgangs Addn. Property location 4227 Frank Ct. Tax Parcel 11-2401-0. Town of Shelby.

Appearing in favor: Ronald Schlicht, 4227 Frank Ct, La Crosse, WI 54601.

QUESTION Raymer: You are kind of squeezed in there with the cul-de-sac aren't you?

ANSWER Schlicht: Yes, with the bulb of the turnaround there.

QUESTION Raymer: This will be an open deck?

ANSWER Schlicht: Yes. A previous landowner had a deck on the house that I recently tore off that was actually larger than this.

QUESTION Raymer: So, this will be an improvement to that?

ANSWER Schlicht: Yes, I feel that the neighbors would agree with that.

QUESTION Raymer: Did you talk to the town board?

ANSWER Schlicht: Yes, last week, and they have recommended approval. Hopefully it is in their minutes.

QUESTION Raymer: Any other questions?

ANSWER Houlihan: No.

REMARKS Raymer: We do have the option of placing a condition on the approval that this is to remain an open deck.

REMARKS Schlicht: I understand that.

Appearing in opposition: None.

Correspondence, Sampson: We do have correspondence in the form of meeting minutes from the Town of Shelby, received on 9/14/11 regarding a meeting which occurred on 9/12/11. The town board voted unanimously to recommend approval of this variance.

Discussion: REMARKS Raymer: I think that we should make the condition that this deck remains an open deck.

Motion Raymer/Frank to approve Appeal No. 2011-38 with the condition that the deck is to remain an open deck.

3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2011-39 James A Kwiatkowski, N221 W Werner Rd, Stoddard, WI 54658. Permit denied to construct a 16-ft X 14-ft attached deck that will lie within the required 25-ft rear yard. Property described as Part of the NE-SW, Section 36, T15N, R7W. Property location N221 W Werner Rd. Tax Parcel 11-2370-0. Town of Shelby.

Appearing in favor: James A Kwiatkowski, N221 W Werner Rd, Stoddard, WI 54658.

QUESTION Raymer: Your house is back and you really do not have room for a deck?

ANSWER Kwiatkowski: That is correct. Anything over six feet deep would not meet the required setback. When I moved in over 30 years ago, it did have a deck on it, so I do appreciate its usefulness. It is now time to replace that deck. I did talk to the neighbors about purchasing some additional land, which is not an option, but they indicated that they did not have a problem with the deck. The backyard does border on pasture land.

QUESTION Raymer: Anything else?

ANSWER Kwiatkowski: The Shelby Town Board did vote for a positive recommendation last week.

QUESTION Raymer: Any questions?

ANSWER Frank: No.

Appearing in opposition: None.

Correspondence, Sampson: We did receive the Town of Shelby Board minutes on 9/14/11 from their meeting which occurred on 9/12/11. The town board voted unanimously to approve this appeal.

Discussion: None.

Motion Houlihan/Frank to approve Appeal No. 2011-39.

3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2011-40 Charles E Henry, 117 Sperbeck St, La Crosse, WI 54603. Permit denied to construct a 30-ft X 34-ft detached garage that will exceed the 750 sq. ft. area limit for such buildings on this 0.22 acre lot. Property is described as Lot 6, the West 10-ft of Lot 5, and the East ½ of Lot 7, Block 1, Plat of West La Crosse. Property location 117 Sperbeck St. Tax Parcel 4-1293-0. Town of Campbell.

Appearing in favor: Charles E & Janice L Henry, 117 Sperbeck St, La Crosse, WI 54603.

QUESTION Raymer: You are proposing to replace an existing detached garage with a new, larger one, correct?

ANSWER Henry: Yes, there is a dilapidated garage that we've had for 18 years. We would like to tear that one down and replace it with a nicer garage.

QUESTION Houlihan: Have you discussed your plans with the neighbors?

ANSWER Henry: In your packet, there should be some information on that. We did provide a list of the neighbors that signed off on this. We also went to the Town of Campbell and they signed off on it as well.

Appearing in opposition: None.

Correspondence, Sampson: We have a letter, dated and received on 9/14/11 from the Town of Campbell. At the regular board meeting on 9/13/11 this variance was heard and the town board has no objections. We also have a form letter signed by some of the surrounding property owners. There are 13 signatures representing 8 properties.

Discussion: None.

Motion Frank/Houlihan to approve Appeal No. 2011-40.

3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2011-41 Keith R & Judy M Humble, N5225 Hidden River Rd, West Salem, WI 54669. Permit denied to construct a 12-ft X 24-ft detached accessory building that together with an existing 24-ft X 28-ft detached accessory building will exceed the 750 sq. ft. area limit for such buildings on this 0.79 acre lot. Property described as Lot 1 of Certified Survey Map No. 98, Volume 5, together with a 66-ft easement. Property location is N5225 Hidden River Rd. Tax Parcel 7-1148-13. Town of Hamilton.

Appearing in favor: Keith R Humble, N5225 Hidden River Rd, West Salem, WI 54669.

QUESTION Raymer: You would like to build a new building on the other side of the lot?

ANSWER Humble: Correct.

QUESTION Houlihan: Have you talked to your neighbors?

ANSWER Humble: I have talked to my neighbor, Larry Byrd on the side closest to him. I also talked to Mike on the other side and then Bill, across the street from me. I did speak to Schomberg and he said that as long as Larry doesn't have a problem with it. There is a big row of pine trees along the property line.

QUESTION Raymer: The trees won't be affected, they will stay?

ANSWER Humble: Correct, they are going to stay.

QUESTION Houlihan: And the purpose of the building is?

ANSWER Humble: Right now I have all of my lawn mowing stuff stored across the street at Bill Robeck's house because I don't have room at my house. I want it for my lawnmower and other tools so that I can make room in my garage.

QUESTION Raymer: Any other questions?

ANSWER Frank: No.

QUESTION Raymer: Anything else to add?

ANSWER Humble: No.

Appearing in opposition: None.

Correspondence: None.

QUESTION Houlihan: Did you contact the township?

ANSWER Humble: I did talk to Mr. Schomberg and he said that he would recommend that it is approved and that I needed to talk to Larry next door.

QUESTION Raymer: I think that they met last Tuesday. Did you talk to him before then?

ANSWER Humble: Yes. I talked to him the day after I applied for the variance.

REMARKS Raymer: This appeal was on the posted notice at the town hall.

REMARKS Sampson: The town's recommendation is advisory only. They should have acted on it.

Discussion: None.

Motion Frank/Houlihan to approve Appeal No. 2011-41.

3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2011-42 Michael Bernard, 2637 Ward Ave, La Crosse, WI 54601, on behalf of Dale P Strittmater, 2606 Williams Pl, La Crosse, WI 54601. Permit denied to construct a 3-ft X 4-ft covered entry that will lie within the required 60-ft setback from the centerline of a town road. Property described as Lot 3, Block 2, Maryvale Addn. Property location 2606 Williams Pl. Tax Parcel 11-1443-0. Town of Shelby.

Appearing in favor: Michael Bernard, 2637 Ward Ave, La Crosse, WI 54601.

QUESTION Raymer: You are acting on behalf of Dale Strittmater?

ANSWER Bernard: Yes.

QUESTION Raymer: This is just a covered entry? Is it enclosed, too?

ANSWER Bernard: No, it is just two posts holding up the roof with handrails coming down. We were approved to do these on the side steps already. It will just be the top landing that is covered.

QUESTION Raymer: And the steps will come down from there?

ANSWER Bernard: Correct. It is only 30 inches. The steps come down to the sides.

Appearing in favor: Dale P Strittmater, 2606 Williams Pl, La Crosse, WI 54601.

QUESTION Raymer: What would you like to add?

ANSWER Strittmater: I did bring along some photos, if you would like to look at them.

REMARKS Houlihan: We did do a site visit and took a look at the property.

Appearing in opposition: None.

Correspondence, Sampson: We did receive correspondence on 9/14/11, they are in the form of the meeting minutes from the town meeting on 9/12/11. The Town of Shelby voted to unanimously approve this variance.

Discussion: None.

Motion Houlihan/Frank to approve Appeal No. 2011-42 with the condition that it stay an open porch and not be enclosed.

3 Aye, 0 No. Motion carried unanimously.

APPEAL NO. 2011-43 Dustin C Findarle, 4012 Markle Rd, La Crosse, WI 54601. Permit denied to construct a 10.5-ft X 22-ft enclosure of an existing attached carport that lies within the required 8-ft sideyard, 25-ft rear yard and 60-ft setback from the centerline of Markle Rd, to construct an approximate 26-ft X 11-ft attached deck that will lie within the required 25-ft rear yard and the 25-ft setback from the right-of-way of a Class 1 Highway, and to construct a privacy fence that will lie within the required 60-ft setback from the centerline of Markle Rd. and 25-ft setback from the right-of-way of a Class 1 Highway. Property is described as the South 80-ft of Lot 1, the south 80ft of the east 5-ft of Lot 2, Block 1, Joseph Boschert Suburban Addn. Property location 4012 Markle Rd. Tax Parcel 11-1618-0. Town of Shelby.

Appearing in favor: Dustin C Findarle, 4012 Markle Rd, La Crosse, WI 54601.

QUESTION Raymer: There is a lot going on in this variance request, isn't there?

ANSWER Findarle: Yes.

QUESTION Raymer: Nate, can you clarify the privacy fence? What does that have to do with us.

ANSWER Sampson: The privacy fence is considered a structure as it is not an open fence. That needs to meet the required setbacks.

QUESTION Raymer: So, a permit is issued for that type of fence.

ANSWER Sampson: A permit is not issued, but it does need to meet the required setbacks.

QUESTION Raymer: There was an appeal, number 67-03 authorized the construction of a 10' x 20' carport back in 1967?

ANSWER Sampson: Yes, there was a variance that was approved back in 1967 for the same property.

QUESTION Raymer: So, this house was built within the setbacks. You want the carport on the north side, the deck on the south side and then the fence?

ANSWER Findarle: Yes, the deck is on the southwest.

QUESTION Frank: A question about the fence. Where is that going to go, is it just on the one side?

ANSWER Findarle: It actually starts in the front of the house, the east side, and wraps around all the way back to the carport or future garage.

QUESTION Frank: And, what will that do to the corner?

ANSWER Houlihan: It would make it a blind corner.

REMARKS Findarle: I do see that it would make it a blind corner. I would appreciate it if you would consider a variable or stipulation to move the fence. I have two young daughters and found out by searching that there are four registered sex offenders in the area. I would like to have an enclosed area to allow us to feel more comfortable if my kids were outside.

REMARKS Raymer: We just don't want to create a traffic concern or problem. There is plenty of area for you to fence without creating a problem in the vision triangle.

REMARKS Houlihan: The deck is going to be in the same area, within the 25 foot rearyard setback and vision triangle.

REMARKS Raymer: At least it is behind it somewhat, towards the back. In reality, the whole house is within the vision triangle.

REMARKS Houlihan: If the deck was inside of here, this would be perfect to put the fence along there. If we even allow it out to the deck, it still creates a blind spot.

QUESTION Frank: Is there any reason why the deck can't be moved over?

ANSWER Findarle: We could move it in the back, but we have an A/C unit there that would have to be moved.

REMARKS Frank: It seems to me that we had our unit moved for a deck and it wasn't too big of a deal.

REMARKS Findarle: That could be costly and I am worried about the neighbors to the rear as the deck may be a little close.

REMARKS Houlihan: You are talking about putting up a privacy fence, the neighbors are going to see the fence, not the deck.

REMARKS Findarle: That is true.

QUESTION Houlihan: Have you spoken to your neighbors about this at all?

ANSWER Findarle: I have and I invited them all to this meeting. None of them had any issues with any of the three variances that are proposed.

QUESTION Raymer: Did you get anything in writing from any of them?

ANSWER Findarle: I did not.

QUESTION Raymer: Did you meet with the town board?

ANSWER Findarle: I did call them, but was unable to attend their meeting. They did discuss it.

QUESTION Raymer: Do you have anything else to add?

ANSWER Findarle: The garage is in the exact same spot as the carport. The carport was not structurally sound when we purchased.

QUESTION Houlihan: Was the carport being used as a carport, or is it being used for something else?

ANSWER Findarle: Right now it is just storage because we have construction going on.

QUESTION Houlihan: But, it is intended to be a garage?

ANSWER Findarle: Yes.

QUESTION Raymer: Any other questions?

ANSWER Houlihan: I don't think so.

QUESTION Raymer: Anything else to add?

ANSWER Findarle: No.

Appearing in opposition: None.

Correspondence, Sampson We received the Town of Shelby Board meeting minutes on 9/14/11 from their meeting on 9/12/11. This variance was item #9 on the agenda and the town board has requested a delay on the action for this variance as the board would like to view the site before making a decision. The administrator has advised the board to recommending denial of the variance for the privacy fence as it will lie within the vision triangle and to recommend the application for the deck be approved only if the deck is limited to 2 feet in height with no rail.

Discussion:

QUESTION Raymer: We really can't postpone this without the applicant paying another fee, correct.

ANSWER Sampson: Correct.

REMARKS Raymer: The town board is advisory only, anyway. If they wanted to go look at it, they should have called a special meeting. They knew when we were going to meet and I am not in favor of postponing this at all.

QUESTION Frank: What about the fence?

ANSWER Raymer: I agree with them about the fence.

REMARKS Houlihan: The backyard we can approve.

REMARKS Frank: Yes, but the sideyard is a problem.

REMARKS Raymer: We can only approve from here to here, the rest is within the vision triangle. The town board approved a deck not more than 2 feet off the ground, we can go along with that.

QUESTION Raymer: How did they word that regarding the carport? After the fact?

ANSWER Sampson: Yes. The original construction commenced prior to the application and then the construction ceased.

QUESTION Raymer: Than, why is it not after-the-fact on ours?

ANSWER Sampson: It is. It may not have been stated that way, but it is.

QUESTION Frank: For the carport?

ANSWER Sampson: Yes.

REMARKS Houlihan: He did say that he could move the deck more behind the house. My thought would be to allow the deck even with the house and then the privacy fence would be allowed from the house to the property line in back.

QUESTION Raymer: How wide can the deck be? It is shown at 6.5 feet and that is not much of a deck.

QUESTION Houlihan: Well, how much of a deck can we allow, Nate if we put it between the house and the fence?

ANSWER Raymer: He really doesn't have any room in the rearyard as it is, it would all be in the setback. Anything less than 10 feet you might as well not build it. He could do a poured patio at grade and it wouldn't even need a permit for it. A deck you need a permit for. Otherwise, we could do a deck, 10' x whatever and the fence is going to block it off anyway.

QUESTION Frank: And, at what point do these become hardships.

ANSWER Raymer: I don't think any of these are hardships.

REMARKS Houlihan: The fence I can see for privacy.

QUESTION Raymer: I don't think that he needs a variance for all of the fence, just this part here. Would we need to grant a variance for all of the fence or just that part that doesn't meet the setback?

ANSWER Samson: That portion within the vision triangle and within the setbacks from the roads.

REMARKS Raymer: From the corner of the house, along the back and up to the carport doesn't need a variance. We could just deny the fence variance.

REMARKS Sampson: If it is within the vision triangle, it will need a variance.

REMARKS Raymer: So, we could approve the variance for that portion from this point out to the end of the house, then.

QUESTION Houlihan: What about enclosing the carport?

ANSWER Raymer: I think that is ok as long as it is used as a carport and they cannot create living space out of it. We can stipulate that...cold storage and cannot be used for living space.

QUESTION Frank: Why do you think that the Town of Shelby didn't act on it? Is it controversial?

ANSWER Raymer: I am not sure...the footprint of it is there now. I can understand the privacy fence around here to keep people out of the back garage door and out of the house.

QUESTION Houlihan: Nate, do you know what we are talking about?

ANSWER Sampson: I am unsure about the confines of the privacy fence. I am assuming it is to be even with the south side of the house.

REMARKS Houlihan: Yes.

QUESTION Sampson: Then, it would come up north, in line with the house to the garage?

ANSWER Houlihan: Yes.

QUESTION Raymer: And what about the rear deck? Can we do 10 feet? What is the actual dimension here? Do we know that? I see that indicates 11 feet there.

ANSWER Sampson: So, it would be 17.5 feet from the rear lot line to the back of the home.

REMARKS Raymer: So, if we allow a 10 foot deck, there would be 7 feet to the lot line.

REMARKS Houlihan: So, a 10 x 10 we could allow.

REMARKS Raymer: Sure, whatever you want.

REMARKS Houlihan: Or, he can do a patio and it can go...

REMARKS Raymer: A patio wouldn't need a permit and could be as big as he wants.

REMARKS Frank: Except if he wanted the fence continued.

REMARKS Sampson: An open fence would be allowed within those setbacks. They can go right up to the property lines.

QUESTION Frank: Do we need to clarify that, whether it is an open or privacy fence?

ANSWER Raymer: The appeal is for a privacy fence. A privacy fence isn't open. If it was open, he wouldn't need a variance.

QUESTION Frank: An open fence wouldn't be a visual obstacle?

ANSWER Sampson: The ordinance doesn't consider it, it allows it.

QUESTION Raymer: So, if we turn that portion of it down, he can still put up some sort of fence, but it couldn't be a privacy fence?

ANSWER Sampson: Correct.

REMARKS Houlihan: What we can allow is there. We can also allow him to do a 10' x 10' deck within that area. Whatever else he wants to do, he can do on his own. That is the way I would make this motion.

QUESTION Sampson: So, to recap...the enclosure of the carport is allowed, the privacy fence could be extended along the south end of the home to the west, then north to the wall line of the garage/carport and the deck, as proposed?

ANSWER Houlihan: Yes, except the deck, which could be 10 x 10, but must be inside of that fenced area. He couldn't go forward with it unless it was at grade and he went with some sort of open fence.

QUESTION Vandenberg: He would need to maintain the south line of the house?

ANSWER Raymer: Correct.

Motion Houlihan/Frank to approve Appeal No. 2011-43 with these conditions:

- 1. The existing carport can be enclosed as depicted on the application but shall be used for storage – not habitable space.**
- 2. The proposed privacy fence cannot encroach further south toward Burr Oak Street East than the south wall line of the existing house and the north privacy fence line cannot encroach further north than the existing wall line of the enclosed car port.**
- 3. The proposed deck dimensions cannot exceed 10-ft x 10-ft and any attached deck shall lie within the confines of the authorized location of the privacy fence.**
 - 1.) 3 Aye, 0 No. Motion carried unanimously.**

Motion Houlihan/Frank to adjourn at 7:07.

3 Aye, 0 No. Motion carried unanimously.