

BOARD OF APPEALS
TOWN OF ST. GERMAIN
OFFICE OF THE CLERK
P.O. BOX 7
ST. GERMAIN, WISCONSIN 54558
townofstgermain.org

MINUTES BOARD OF APPEALS: ROBERT AND PATRICIA ROCKOW
VARIANCE REQUEST: DECEMBER 8, 2008

PLEASE TAKE NOTICE, that the Board of Appeals of the Town of St. Germain will meet on Monday, December 8, 2008 at 4:00 P.M. in meeting room #4 in the Community Center pursuant to Section 1.15(4) of the Town of St. Germain Zoning Ordinance, to consider a variance request for Robert Rockow, Jon Koput, agent, for his property located at 196 S. Christmas Tree Lane, T40N R8E. The variance request is for a garage to be constructed on the corner within 55 feet from Evergreen Drive East and 65 feet of Christmas Tree Lane South.

CERTIFICATION

The undersigned, Thomas E. Martens, certifies as follows: (1) that he is the Clerk of the Town of St. Germain, (2) that this notice was published in the Vilas County News Review on the 25th day of November 2008 and on the 2nd day of December 2008, and (3) was posted at the following locations: St. Germain Community Center, St. Germain Post Office, and Camp's Supervalu, and (4) the following were deposited postage paid by U.S. Mail to the following:

Call to Order by Board of Appeals Chairman, Boyd Best at 4:00 P.M. Mr. Best noted that this was a duly called meeting in accordance with the Wisconsin Open Meetings Law.

Present: Boyd Best, Ray Weber, Jim Swenson, Jim Penkalski, Tom Martens, town clerk. Jim Lenz was absent. Jon Koput was also present.

Mr. Best noted that the concrete slab for Mr. Rockow's garage had been installed but that Mr. Rockow had not applied for town zoning permit. Mr. Koput stated that he thought that Mr. Rockow, the owner, had applied for all of the necessary permits. Mr. Best also stated that Mr. Rockow had now applied for a permit and that the permit had been denied.

Mr. Best also explained that Mr. Rockow had reasonable use of his property and that it would be difficult to determine whether or not denying the permit for a garage would be a hardship.

Mr. Penkalski noted that since the lots in Holiday Estates are so small, there should be different setback requirements. He thought that Holiday Estates should be rezoned otherwise anyone who wants to do any type of building will have to appear before the Board of Appeals.

Mr. Best asked if Tim Ebert, town zoning administrator, was going to bring any materials to the hearing. Todd Weise, chairman of the Planning & Zoning Committee, stated that he was not aware of any variances being granted in Holiday Estates that were similar to this request. He did state, however, if a building was already encroaching a setback, the town's zoning ordinance allowed an addition to that building as long as it didn't encroach any farther.

Mr. Best noted that since Mr. Rockow's lot was a corner lot, the setback from the center of one of the town roads had to be 75', from the other town road had to be 60' and the setback from the back of the lot was 40'.

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That didn't leave much room. Mr. Weber stated that since the home was already not compliant it would not really matter if the garage didn't comply.

Motion Penkalski seconded Best that Mr. Rockow be granted a variance for his garage. By a roll call vote: Mr. Weber – yes; Mr. Swenson – no; Mr. Penkalski – no; Mr. Best – no. Motion failed. The variance was denied.

Mr. Koput asked about removing the concrete slab. He was told that would be up to the Planning & Zoning Committee. Mr. Penkalski said that if the Planning & Zoning Committee would change the zoning in Holiday Estates, it would be possible that the garage would still be allowed.

Motion Weber seconded Penkalski that the hearing be adjourned. Approved. Hearing adjourned 4:26 P.M.

Town Clerk

Chairman

Member

Member

Member

Member