

**Town of May
Washington County
Planning Commission
April 26, 2018**

The Planning Commission of the Town of May met for their regular meeting on Thursday, April 26, 2018, at the May Town Hall. Members in attendance were: John Arnason, Chairman; Steve Magner, Chad Nelson, Jyneen Thatcher, Jason Husveth. Absent: Lester Rydeen, Mitch Otterson, Jeff Chase, and Don Rolf. Also present were Bill Voedisch, Town Board Chair and Town Planner Nate Sparks. Chairman Arnason called the meeting to order at 7:20 pm.

**Public Hearing
Kaufenberg Variance – 14747 Morgan Avenue**

Sparks stated that Justin Kaufenberg has made a variance application to place a detached accessory building within the front yard setback at 14747 Morgan Avenue. The structure is proposed to be 73 feet from the Morgan Avenue right-of-way while the house is 257 feet. In order to justify the variance request, the applicant states that the area behind the house has the septic system and steep slopes. The property does slope down to the lake. The house is at an elevation of about 974 feet and the lake is at about 920 feet. This 54 foot drop is over about 455 feet, which is an approximately 11.8% slope. Steep slopes are defined in the Town Code as being 18%.

The property has a flat area where the applicant proposes the structure. Site inspections showed that this area has a berm around it with trees. Aerial photos seem to suggest that previous property owners used this area for storing vehicles. The site inspections showed there may be suitable alternate locations closer to the house available. There is a treeless flat area south of the driveway that may accommodate a structure. There may even be locations available that meet the Certificate of Compliance requirements. Due to this Staff recommended denial of the request.

Arnason opened the public hearing at 7:35 pm.

William Hayes of 14677 Morgan Avenue, the property owner to the south, stated that he was opposed to the variance. Others in the area have complied with the rules. The rules are established to maintain the integrity of the neighborhoods. In Wisconsin you see a lot of pole barns up by the road and it isn't a good look.

Arnason said this was a common variance request in the Town.

Thatcher said a lot of people like to set the house back for privacy.

Justin Kaufenberg, the applicant, said that this location is the best for the neighborhood. The size of the building fits the space. All other alternatives are less screened. It gets tight to the setbacks in conforming locations. Putting it in front of the house exposes the building to the view from his house. An addition to the garage would be too expensive.

Magner said the setback from the house to the property line is 75 feet, a structure could fit. The drainfield is not all on the survey but it doesn't look to be impacted. Alternatives could be explored.

Kaufenberg said he considered alternatives but those would be in wide view of his windows and possibly the neighbors. This is the most conscientious location and others have gotten this variance. It is paramount to apply criteria consistently.

Voedisch said there is a berm around the proposed site. It is hard to imagine how you would get drainage away from the building. Kaufenberg said his excavator said the site was good.

Voedisch said the certificate of compliance allows 80% of the setback to be used for a building site. This was not even considered. Kaufenberg said no other site is viable.

Arnason said that the property owner across the street, Foss, had no objections.

Magner said that pole barns in front of the house are out of character with the neighborhood. Kaufenberg said his location keeps the building away from his and his neighbor's view.

Nelson said there are other options available and that the neighbor that would be most impacted has spoken against this location.

Arnason said he tends to agree with Nelson and that there is a less strong case for this location than other possible options.

Voedisch said it is hard to make findings. There used to be a lot of turquoise pole barns built up by the roads which resulted in the ordinances we have today.

Motion by Arnason, second by Thatcher to close the public hearing. Motion carried 5-0. Public hearing closed at 8:07 pm.

Kaufenberg asked if the request could be tabled if he wanted to explore other options and possibly a certificate of compliance. Magner said that was possible.

Motion by Arnason, second by Thatcher to table the matter at the request of the applicant. Motion carried 5-0.

Voedisch said that the 60 day review period would need to be extended.

Motion by Arnason, second by Thatcher to adjourn the meeting. Motion carried 5-0. Meeting adjourned at 8:20 pm.

Respectfully submitted,

Nate Sparks

Town Planner