

Walworth County Board of Adjustment

MINUTES

June 14, 2023 - Hearing – 9:00 AM

June 15, 2023 – Meeting – 9:00 AM

County Board Room 114

Government Center – Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on June 14, 2023, and June 15, 2023, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on June 14, 2023, were Chair Ann Seaver, Vice-Chair Elizabeth Sukala and Secretary Rose Smith-Miller. Nick Sigmund, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. Those present on June 15, 2023, were Chair Ann Seaver, Vice-Chair Elizabeth Sukala and Secretary Rose Smith-Miller. Nick Sigmund, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. “Sign-in” sheets listing attendees on June 14, 2023, and June 15, 2023, are kept on file as a matter of record.

The June 14, 2023, hearing was called to order by Chair Ann Seaver at 9:00 A.M. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Elizabeth Sukala motioned to approve the agenda as presented. Seconded by Rose Smith-Miller. Motion carried. 3-favor, 0-oppose. Rose Smith-Miller motioned to approve the May 10 & 11, 2023, Minutes and dispense with the reading. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose. After testimony of all cases, Rose Smith-Miller motioned to recess until 9:00 A.M. on Thursday, June 15, 2023. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose.** The June 14, 2023, hearing went into recess at approximately 9:30 A.M.

On June 15, 2023, at 9:00 A.M., Chair Ann Seaver called the decision meeting to order. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Elizabeth Sukala motioned to approve the agenda as presented. Seconded by Rose Smith-Miller. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Elizabeth Sukala motioned to adjourn until the July 12, 2023, hearing at 9:00 A.M. Seconded by Rose Smith-Miller. Motion carried. 3-favor, 0-oppose.** The June 15, 2023, decision meeting adjourned at approximately 9:13 A.M.

One special exception hearing was scheduled and details of the June 14, 2023, hearing and the June 15, 2023, decision is digitally recorded and available to the public upon request / video to view on our website: / Agendas & Minutes / Board of Adjustment / Media.

Old Business - none

New Business – Special Exception Petition

Hearing – Count #9:08:00 – 9:29:23 / Decision – Count #9:22:41 – 9:25:01

The First Hearing was Vollmer Family Holdings LLC, owner / Dena M. Thiele, applicant – Section(s) 21 – Delavan Township

Applicants are requesting a special exception in accordance with Section(s) 74-38(7)b. and 74-111(7)b. of the Walworth County Code of Ordinances (Zoning) to convert an existing building into a single-family residence.

REQUIRED BY ORDINANCE: The B-1 District requires a 25 foot street yard and a 30 foot rear yard. The R-2 District requires a 25 foot street yard and a 25 foot rear yard.

VARIANCE REQUEST: The applicants are requesting a special exception in accordance with Section(s) 74-38(7)b. / 74-111(7)b. of the Walworth County Code of Ordinances – Zoning to convert an existing building into a single-family residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on June 14 & 15, 2023, for the petition of Vollmer Family Holdings LLC, owner / Dena M. Thiele, applicant, voted to **APPROVE** the special exception request to convert an existing building into a single-family residence.

A motion was made by Elizabeth Sukala to approve the special exception request. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found the applicant’s request to change from the B-1 district to the R-2 district is changing to a district that allows generally less intense uses. The Board found the property, existing structure and proposed use is a good fit for the R-2 zoning district. The Board found the request is changing to a zoning district (R-2) that requires lesser or equal setback requirements than the existing zoning district (B-1). The Board found the existing structure and the approval of the special exception request does meet the purpose and intent of the zoning ordinance. The special exception is subject to rezone approval of the Town and the County. There was a letter of support from the Town of Delavan. A neighboring property owner spoke in support. There was no opposition.

Other

- A. Discussion / possible action on Township correspondence – none

Staff Reports

- A. Court cases update – none
- B. Distribution of reports, handouts and correspondence - none

Proposed discussion for next agenda

The following items were requested to be put on the July 2023 agenda, if applicable:

- A. Discussion / possible action on Township correspondence
- B. Court cases update
- C. Distribution of reports, handouts and correspondence

ROSE SMITH-MILLER, SECRETARY
WALWORTH COUNTY BOARD OF ADJUSTMENT

These minutes are not final until approved by the Board of Adjustment at the next scheduled hearing date.