



Village of River Hills
7650 N Pheasant Ln
River Hills, WI 53217

Village Hall: 352-8213
Public Works: 352-0080
Police: 247-2302

BOARD OF APPEALS MINUTES

Monday, July 1, 2024 @ 4:00 pm

This meeting was an in person and virtual meeting through Zoom – 840 9825 1175

1. **Roll Call:** was answered at 4:01p.m. by Chairman Steven Spector, Billie Smith, Chris Beidel, Don Daugherty and Alex Hawley (via zoom). Kieran Donohue was absent and excused. Staff Present: Deputy Clerk Nathan Schafer, Building Inspector Tod Doebler and Village Manager Tammy LaBorde.
2. **Discussion/ Action approving of minutes from the November 2, 2023 meeting.**
Motion by Daugherty, seconded by Beidel to approve minutes and findings; motion carried unanimously.
3. **Action on Appeal of Paul Smith & Caroline Krider, 7095 N. River Road, regarding the Building Inspector’s denial of a building permit application for rehabbing an existing garage. This is a violation for required setbacks and nonconforming structures of the Village of River Hills Zoning Ordinance Section 7.0703.**

Mr. Tony Enea with Ruvn Bros. Artisans & Trades Inc. appeared on behalf of the homeowner. This item was already taken to the Building Board knowing that they would need a variance. The barn is deteriorated. He stated that there is an existing barn and the roof was redone recently and will remain. They plan to put new siding on it, relocate both garage doors, relocate windows on the east and south of the building. They also plan to insulate and drywall the interior. The new home that is proposed will have an attached garage. This detached garage will hold a boat and a workshop area. Mr. Enea spoke to the neighbors to the north and south of the property and they are in favor of the garage. Mr. Beidel met with one of the neighbors and Kevin Michalowski was in favor of fixing the garage.

Mr. Enea stated that the existing building was subject to a twenty-foot setback, while a new building would be subject to seventy-five foot setback. Mr. Enea stated that this is the only place that it fits on the lot; to the west is floodplain and then 100-foot setback from the front yard. He showed the Board a photo of what the house and barn are proposed to look like. This structure can't be a habitable structure. Mr. Enea stated that there is no second story on the building, there is a vaulted ceiling. The plan is to add gas heat for the workshop area, there is no plumbing.

Mr. Enea stated that the concrete of the foundation is crumbling in areas around the edge of the structure which are being replaced. They plan to put up a floating structure with no foundation. The landscape drops off significantly to the west. Mr. Enea stated that if it were moved it needs to be moved to the south. Daugherty believes that it is unreasonable to require them to move the

building in its current state. Beidel agrees with Daugherty. Mr. Enea stated they are not shoring up the structure.

Chairman Spector reviewed the process of the Board of Appeals. The appellant should present and prove an unnecessary hardship in its existing state, non-financial, for the variance appeal.

Mr. Enea stated that the hardship the existing state of the barn is what is leading to its continued deterioration because it is exposed to weather and rodents and they are trying to stabilize the building. There is very limited area where you can build. The old home burned down and there is a floodplain.

Peter Thornquist, 7125 N. River Road stated that he had submitted a letter in support of the project. He would like to see the barn rehabbed. It is a beautiful old barn and would like to see it exist. Mr. Thornquist and Mr. Michalowski are located to the north and approve of the project.

Daugherty stated that the hardship is that the property has an old barn that will continue to rot.

Daugherty stated that the building was there and will be there unless torn down built prior to variances – leave it there continues to fall apart contrary to what neighbors want. No one has built on this property for decades. Now there is an opportunity to approve it with buy in from the neighbors. They bought a piece of property with this old building existing on it. Daugherty stated that if they have a rotting old building on their property, that is the hardship. Smith is following the ordinances. Hawley stated that his father is in the business of moving buildings and there is no way that he would move this building in its current state. Hawley stated that they need insurance to move the barn and no one will take that job.

Motion by Daugherty, seconded by Beidel, to grant a variance for the rehabbing of an existing garage for the fact that the owners bought a property with an unusual feature, mainly a rotting old historic structure, and they are looking to remediate the structure, the neighbors are in favor of the project, and this is a way of addressing the hardship requirement; motion carried 4-aye (Beidel, Hawley, Daugherty, Spector) to 1-nay (Smith).

4. Adjourn

Motion by Beidel, seconded by Daugherty to adjourn the meeting at 4:43pm