

**VILLAGE OF MILLTOWN
ZONING BOARD OF APPEALS
May 12, 2025**

Meeting Minutes

- **5:00 p.m. ZONING BOARD OF APPEALS**

CALL MEETING TO ORDER: Zoning Board of Appeals was called to order at 5:05 p.m. by Josh Miller, Senior Planner of Cedar Corporation

ROLL CALL: Present: Jeff Erickson, Carl Hetfeld, Ryan Hyden, Sylvia Kuske, and Brian Zbleski Absent: None Also Present: Josh Miller, Cedar Corporation; Amy Albrecht, Milltown Village Clerk/Treasurer; Carla & Allen Peltier, Tammy Lindquist, and Mike Nutter.

APPROVAL OF AGENDA: A unanimous Kuske/Hyden motion approved the agenda for tonight's meeting.

COMMENTS/SUGGESTIONS: None

ELECTION/APPOINTMENT OF CHAIRPERSON: A unanimous Erickson/Kuske motion approved appointing Carl Hetfeld as Zoning Board of Appeals Chairperson.

DISCUSSION OF ZONING BOARD OF APPEALS PROCEDURE: Chairperson, Carl Hetfeld, turned the meeting over to Josh Miller for Zoning Board of Appeals Procedure discussion.

PUBLIC HEARING: Chairperson, Carl Hetfeld, opened the public hearing at 5:15 p.m.

Clerk/Treasurer, Amy Albrecht, read the variance request or appeal item as follows: Zoning variance request be Carla Peltier to allow the placement of a moveable storage shed between the home and front lot line for property located at 121 Elizabeth Street, Milltown, WI 54858, Zoned R-2 Single Family.

Josh Miller presented the report of facts related to the variance request. According to zoning code, an accessory building cannot be placed between the front property line and street frontage. Property does not meet minimum R-2 Single Family lot size causing an issue for placement of accessory structure. According to zoning code, the front of the property is determined by the shortest street side (2nd Avenue), and the street side of the property line determined by the longer street side (Elizabeth Street). Josh Miller turned the meeting over to Chairperson, Carl Hetfeld.

Board members were given the opportunity to ask questions.

Member, Brian Zbleski, asked for clarification from Josh Miller how 2nd Avenue is deemed as the front of the property, when the entrance to the property is located on Elizabeth Street. Josh explained that according to zoning code for corner lots, the narrow street side is deemed the front of the property.

Questions regarding the front set-back were asked by Chairperson, Carl Hetfeld. The parcel measurements, provided by the applicant, sketched a 33' set-back from the curb (not the property line). It was discussed the

measurement would be required to be taken from 2nd Street center-line to the property line (not the curb as illustrated in the sketch provided by Carla Peltier); and the 25' setback would be required from the property line. It was stated that a second variance would have to be applied for if the applicant wanted to place the accessory structure within the 25' setback.

No individuals from the public were in attendance to request statements.

Chairperson, Carl Hetfeld, opened the floor for any questions or responses from the applicant. Allen Peltier inquired about finding the center line of 2nd Avenue. Carl Hetfeld stated that they should technically go by the property markers, if able to find. No public in attendance for further questions or statements. No additional questions were asked from board members.

Chairperson, Carl Hetfeld, closed the public hearing at 5:42 p.m.

Chairperson, Carl Hetfeld, reviewed "Findings of Fact" based on the evidence with the board and discussed the project in relation to the five criteria listed below and how the criteria are met.

- 1) Denial of variance may result in hardship to the property owner due to physiographical consideration. There must be exceptional, extraordinary or unusual circumstances or conditions applying to the lot or parcel, structure, use or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Code should be changed.
 - The proposed shed is moveable-non permanent structure
 - Due to the location of the home, most of the available yard space is in the front yard. There is minimal space in the rear yard to fit a shed due to the driveway, setbacks, and lot lines.
- 2) The conditions upon which a petition for a variance is based are unique to the property for which variation is being sought and that such variance is necessary for the preservation and enjoyment of a substantial property rights possessed by other properties in the same district and same vicinity.
 - When the property was purchased-property included a storage shed. The shed collapsed from a large snow load. The replacement shed would be smaller and set back even further than the original.
 - The property is zoned R-2 Single Family. The minimum lot dimension requirements for the R-2 Zoning District for a single-family home are 70 feet for the minimum lot width and 7,350 sq. ft. for the minimum lot area. The subject property is narrow and undersized (35' x 112' = 3,920 sq. ft.) compared to the zoning district minimums.
- 3) The purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the property.
 - The applicant has a desire to replace a storage shed on the subject property with a smaller storage shed. The property does not have a garage and a shed would allow some storage onsite.
- 4) The granting of the variance will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.
 - When the property was purchased-property included a storage shed. The shed collapsed from large snow load. Applicant would like to replace with new smaller shed set back even further from the original.

- The proposed storage shed is smaller and would be further off the street than the previous storage shed. If the previous shed was no an issue, the new one should not be an issue.
- 5) The proposed variance will not undermine the spirit and general and specific purposes of this chapter.
- It's moveable and the location makes logical sense when looking at the property.
 - Given the layout of the lot, it does not seem feasible to place the shed in another location that would not require a variance.

A unanimous Hyden/Zbleski motion approved zoning variance request by Carla Peltier to allow the placement of a moveable storage shed between the home and front lot line of property located at 121 Elizabeth Street, Milltown, WI 54858, based on the finding that that all five criteria of the zoning board are met as outlined above, with the condition the property adheres to the 25' setback from the front lot line (not the curb); or 58' from 2nd Avenue center line.

ADJOURN: A unanimous Hyden/Zbleski motion adjourned the meeting.

Respectfully submitted this 27th day of May, 2025

Amy Albrecht
Village Clerk/ Treasurer
Milltown, WI