

**TOWN OF RHINE  
BOARD OF APPEALS MINUTES  
Wednesday, February 22, 2017**

- 1. Call to Order:** The Town of Rhine Board of Appeals Public Hearing was called to order by Chairman Jon Rost at 7:02 PM on Wednesday, February 22, 2017, in the Rhine Town Hall, W5250 CTH FF, Elkhart Lake, WI. Members present are listed below.

Chairman: Jon Rost  
Members: Ron Book, Brad Roberts, Christa Johanson, and Paul Boocher

Legal Counsel: Paul Dirkse

Clerk/Treasurer: Lexann Hoogstra

- 2. Compliance with Open Meeting Law:** Published February 7 and February 14, 2017. Notice was also posted.
- 3. Minutes of January 25, 2017:** Motion to approve by Paul Boocher. Second by Christa Johansson All in favor. Approved as distributed with no nay votes.
- 4. To hear public comment and consider the request of** Joe and Kristi Jankowski of Elkhart Lake, WI 53020, for a variance to build a new single family residence to be located at 7322 Hickory Tree Road in Plymouth, WI 53073. (parcels 59018263990 and 59018264000)

**Town building code section 4.06 (1) (d) 3 states, that "** Height Restrictions are - Thirty five (35) feet from the first floor grade elevation, or in the case of an exposed lower - level basement on a parcel five (5) acres, forty-two feet (42') overall from the lowest grade. (Rev. 09/04; 9/1/09)

**The proposed building height is 35' 6".**

Town building code section 4.10 (5) (a) 1 regarding setbacks on Class C Highways states the setbacks should be, " Sixty feet (60') from centerline except in platted subdivisions where the setback distance shall be thirty-six feet (36') from the right-of-way lines, as shown on the recorded plat but not less than thirty-six feet (36') from outside of and nearest point on the boundary line of the highway."

**The proposed building setback distance is 25 ' from the road.**

**5. Public Comments on Jankowski Request:**

Paul Booher had a question about the applicant's exact address and the parcel numbers. Jankowski explained that the county clerk is working on assigning an address to the lots. Applicant's current physical address is 113 A West Rhine Street in Elkhart Lake, WI.

Joe Jankowski: He expressed his gratitude for the opportunity to address the Board. He explained the steepness of the grade and the slope on his land. The lot is very steep and difficult to build on. The front grade would be improved if this proposal is approved. He gave a brief explanation of the proposed driveway and setbacks. Given the narrow nature of the lot and the fact that it is rather shallow, it becomes difficult to design a home. He explained how the plans are conservative in the use of space, etc.

Mr. Jankowski offered an explanation of some of the hardships involved in making the property more livable by trying to remodel it. There is a bad foundation which needs to be rebuilt. The narrowness of the current structure also offers difficulty in remodeling. The existing crawlspace is also problematic for remodeling and repairing. Overall, the property is not feasible to remodel or repair.

He has been working on plans for rebuilding for over 18 months. His architect has done other homes on the lake and is familiar with the landscape of the area. The engineer also feels the proposed plan works well for the lot's blueprint.

Mr. Jankowski also explained some items on the blueprints. He offered additional detail on the need for a variance on the height.

There were no other public comments.

**6. Deliberation and Action on Jankowski Request:**

Chairman Rost read two emails into the record regarding the application. One is, from Charles and Kathleen Gehring, and one is from Dave Steffan.

Jankowski has spoken with Dave Steffan at great length regarding the trees. He agrees that they are beautiful. However, one of the trees is already dead and two others are in poor condition and dying. He plans on adding new landscaping that will maintain the "lake cottage" feel of the area.

Chairman Rost said he appreciates the explanation of the need for the 6 inch variance on the height. The town has recently had other requests regarding road setbacks. He would look kindly on the request for granting the road setback variance.

Paul Booher also expressed his appreciation for the explanations that were offered by the applicant. He had a question regarding the slope and the run and rise of one of the stone walls. Jankowski explained this to the Board. Paul asked if Joe had any plans to

plant any hickory trees. Joe explained that they *will* be using the trees which are being removed in the home's beams. He also plans on replanting them.

Christa said she appreciates the thought which has gone into this application.

Ron Book has no questions or concerns.

Brad Roberts said it looks good.

Rost is in favor of this and motions to approve the application for both variances. The board members like that the trees will be re-purposed.

7. **Roll call vote:** Booher – yes, Johanson – yes, Book – yes, Roberts – yes, Rost – yes. All in favor.
8. **Old Business:** None
9. **New Business:** None
10. **Correspondence:** None
11. **Next meeting:** TBD
12. **Adjournment:** A motion to adjourn was made by Ron Book at 8:46 p.m. 2<sup>nd</sup> by Brad Roberts. Roll call vote: Booher – yes, Johanson – yes, Book – yes, Roberts – yes. Rost – yes.

Respectfully submitted,  
Lexann Hoogstra, Clerk/Treasurer  
Board of Appeals, February 22, 2017

