

TOWN OF BELGIUM
ZONING BOARD OF APPEALS MINUTES
July 22, 2020

Call to Order: In the absence of Chairperson Al Weyker, Jim Hubing called the Board of Appeals Hearing to order at 7:00 pm.

Present: Also present were Board of Appeals members John Bowers, Gerald Gantner, and Janice Poss, Zoning Administrator Charlie Parks, Secretary Ginger Murphy, Christine Jenk, Bill Furse, Rosemary Wright, Herb Fischer and Ed Pfister, Ozaukee County Land & Water. John Riordan excused.

Jenk Interpretation and Appeal of the Town of Belgium Zoning Ordinance: Christine Jenk, 5632 Sandy Beach Lane, filed two hearing requests for an appeal to the zoning code and interpretation of zoning code due to a deck built on the shoreline and garage construction which occurred at a neighboring property owned by William Furse and Rosemary Wright, 5638 Cedar Beach Lane (tax key 02-057-0012.00). Ms. Jenk presented a drawing and photographs of the property.

In appeal #1, Ms. Jenk stated she:

- Is opposed to a deck built on the shoreline she believes is too close to her property line and wants it removed or screened from sight
- Is opposed to a bench built on the deck she believes is facing her house
- Wants the Town to require at least a 10 ft. side setback for accessory structures
- Believes the deck was built without a building permit

In appeal #2, Ms. Jenk stated she:

- Opposed to an addition to the neighbor's existing garage
- Believes the garage addition is both on her and another neighboring property lines
- Believes the garage was built without a building permit
- Wants the addition taken down or her property screened from view of the garage addition

Ms. Jenk said she understands the need for rip rap to protect the shoreline, and the need for access to the lake, but says her privacy has been compromised.

Zoning Administrator, Charlie Parks, explained:

- In the R-1 district, most properties are non-conforming
- The deck is considered a 'minor structure' – under 100 sq. ft.
- Minor structures do not require a building permit and can be placed on the lot line
- The Town has no governance of the shoreline. Shoreline regulations are controlled by Ozaukee County and the DNR
- The garage addition meets setback requirements
- Mr. Furse has secured all required permits

Ozaukee County Land & Water representative, Ed Pfister, stated:

- The first deck in the photos presented by Ms. Jenk was removed per County order, and their plans were reworked to fit within ordinance requirements
- Ms. Jenk should contact him with issues concerning shoreland regulations
- Hubing asked if the Town of Belgium has any jurisdiction concerning Lake Michigan shore line preservation, and Ed answered, No.

Property Owner, William Furse, stated:

- He shared his proposed plans with Christine and John Fox
- John Fox created the plans for the garage addition
- Bench construction does not face her home but actually a great view down the beach

Motion Gantner/Poss. In response to an appeal brought by Christine Jenk, 5632 Cedar Beach Lane, Town of Belgium, to the Zoning Board of Appeals, I move that the Town of Belgium Zoning Board of Appeals affirms the interpretation and application by the Town Zoning Administrator Charles Parks of the zoning ordinance as it relates to property at 5638 Cedar Beach Lane, Town of Belgium.
Roll Call vote; motion carried unanimously.

Adjourn: Motion Gantner/Bowers to adjourn at 8:00.

Respectfully Submitted,
Ginger Murphy, Town Clerk