

**MINUTES OF THE ZONING BOARD OF APPEALS MEETING HELD AT THE
GREENFIELD CITY HALL ON THURSDAY, JUNE 22, 2023**

- 1. The meeting was called to order by Community Development Manager Kristi Porter at 5:50 p.m.**

ROLL CALL:	Mike Braswell (chair)	Excused
	Donald Reid	Excused
	Kevin Thomas	Present
	Stephanie Kosmeder	Present
	Amanda Henderson (alt)	Present
	Christopher Porterfield (alt)	Excused

ALSO PRESENT: Kristi Porter – Community Development Manager
Gina Vlach - Planner
Joseph Strauss – 3653 S. 52 St.

- 2. Approval of the minutes from the December 22, 2022 meeting.**

No quorum present to approve minutes, item tabled.

- 3. Election of chair pro-term.**

Motion by Mr. Thomas, seconded by Ms. Henderson, to elect Stephanie Kosmeder as chair pro-term for the June 22, 2023 meeting. Motion carried unanimously.

- 4. Zoning Special Exception petition for construction of an 8- ft. tall fence, to be located at 3653 S. 52 St., submitted by Joseph Strauss, owner. (Tax Key No. 556-0432-001)**

The property owner, Mr. Strauss, is requesting a variance to construct an 8-ft. tall solid fence along his south property line (side yard), which abuts the backyard of two (2) residences. The property is zoned R-3 Single-Family Residential Conservation District. Per Section 21.04.0802.D.2.a. of the Municipal Code, fences in residential districts are restricted to a height of six (6) feet or less. The proposed fence location would be 80 ft. long, of the 120-ft. long south property line. Fences are allowed to be located along a property line, with a sufficient survey being provided to the Inspection Services Division. The requested waiver is regarding the height of the fence, not the location.

Mr. Strauss has submitted the following narrative explanation for the variance request:

I am Joseph R. Strauss, residing at 3653 S. 52nd Street, Greenfield WI 53220. I am asking for a variance to install an 8'-0" tall, green treated pine fence. This fence will be adjacent to the properties located at 5210 and 5220 W, Wilbur Ave., Greenfield WI.

Under article D of zoning code section 21.09.0209 regarding the preservation of property rights. I find it necessary for the preservation and enjoyment of my personal property, that is adjacent to the above mentioned properties.

Based on the attached pictures of the backyard properties adjacent to my personal property, it should go without further explanation that the view is repulsive. The fact that my property is elevated by at least two feet above these adjacent properties, a typical 6'-0" high fence will not "block out" the view from my property.

Staff recommends denial of the variance request to construct an 8-ft. tall fence along the south property line of 3653 S. 52 St., on the basis that a precedence would be set for all fence permit requests in residential districts. A 6-ft. fence, which could be permitted today, as it meets the Code height restrictions, would sufficiently provide screening of the abutting properties.

The property owner, Mr. Strauss, was present and provided new pictures of the neighboring properties. Mr. Strauss reiterated his displeasure with the property maintenance of the properties to his south. Ms. Kosmeder asked if the property owner had considered locating the fence closer to his home to offset the difference in grade between the properties. Mr. Strauss responded that locating the fence closer to his home would diminish his ability to utilize his side yard and would decrease sunlight to his garden and rooms within his home. Mr. Thomas asked the property owner if he had considered alternatives to a fence, such as planting trees to act as screening between the properties. Mr. Strauss responded that such alternatives would not provide a timely remediation to the situation citing the slow growth rate of trees. Mr. Thomas expressed concern that approval of the petition would set a precedent for fences in residential districts. Ms. Kosmeder discussed Section 21.09.0209 of the City's code and that she believed that the petition did not meet all exceptional circumstances identified.

Motion by Ms. Kosmeder, seconded by Mr. Thomas, to deny the Zoning Special Exception petition for construction of an 8- ft. tall fence, to be located at 3653 S. 52 St., submitted by Joseph Strauss, owner (Tax Key No. 556-0432-001). Motion carried unanimously.

5. Adjournment

Motion by Ms. Henderson, seconded by Ms. Kosmeder, to adjourn the meeting at 6:11 p.m. Motion carried unanimously.

Respectfully Submitted,

Gina Vlach
Planner

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