



---

**ZONING BOARD OF APPEALS**  
**Tuesday, January 30, 2024 at 9:00 a.m.**  
**Caledonia Village Hall – 5043 Chester Lane**

**1. Meeting called to order**

**2. Roll Call**

**3. Approval of Minutes**

A. November 28, 2023, Meeting Minutes

**4. Public Hearing**

A. Case No. 24-001, 5306 Douglas Avenue. Rob Konecko, Applicant. Requesting a variance from Section 16-6-12(b), which requires a commercial building have a street yard setback of 40 feet from the front property line in the B-3, Highway Business District. The applicant is requesting a variance to allow for a street yard setback of 20 feet from the front property line for an addition attached to the existing building for office space and an interior drive-thru lane to provide auto repair estimates indoors located at 5306 Douglas Avenue. (Parcel ID No. 104-04-23-20-101-010) More information at Caledonia ZoningHub: <https://s.zoninghub.com/Y2IKOYG5T2>

**5. Board Meeting**

A. Deliberate the request of Case No. 24-001, Rob Konecko

B. Decision on Case No. 24-001, Rob Konecko

C. Other business as authorized by law.

**6. Adjournment**

Dated January 3, 2024

This location is handicap accessible. If you have other special needs, please contact the Village of Caledonia, 5043 Chester Lane, Racine, Wisconsin 53402, (262)835-4451.



**VILLAGE OF CALEDONIA ZONING BOARD OF APPEALS**  
**Village Hall, 5043 Chester Lane, Racine, WI 53402**  
**Tuesday, November 28, 2023, at 9:07**  
**a.m.**

**1. Meeting called to order**

Acting Chairperson Jacob Lovdahl called the meeting to order at 9:07 a.m.

**2. Roll Call:** Board Members in attendance: Joan Rennert, Jacob Lovdahl, John Barnes. Excused: Richard Mielke, Rosanne Kuemmel

Staff Present: Development Director Peter Wagner, Todd Roehl Planner/Zoning Administrator

**3A. Approval of Minutes**

Motion by Rennert to accept the minutes of the October 24, 2023. Seconded by Barnes. All voted Aye. Motion carried.

Lovdahl read the variance request and the meeting process.

**4A. Public Hearing**

Dave Milaeger  
3900 Valley Road  
Racine, WI 53405

Request a variance from Section 16-6-10(b): Basic Regulations states that the minimum street yard setback for a residential dwelling is thirty (30) feet in the R-3, Single-Family Residential District. The applicant is requesting a variance to allow for a street yard setback of five (5) feet from the west elevation of the dwelling and ten (10) feet from the north elevation of the dwelling.

Lovdahl opened the Public Hearing portion of the meeting at 9:09 a.m.

Peter Wagner swore in appellant Dave & Elsa Milaeger, 3900 Valley Road.

Dave explained that he wanted to build an addition onto his existing home and that he had received a variance two years ago for the same request. Elsa stated that due to project complications, the variance expired, and they were back asking for the same variance as in 2021 for the same reasons.

*Lovdahl asked three times if anyone wanted to speak in favor of the variance.*

**In Favor:**

Peter Wagner swore in Anne Swanson, 3908 Valley Road.

Swanson stated that she was in favor of the variance. There are only six houses on the road and granting the variance does not impede those neighbors. Because of the river, the houses have to deal with floodplain issues. There are few houses on the road and the variance will allow them to



add onto their home.

Peter Wagner swore in Fran Martin, 5630 5 Mile Road.

Martin stated that she was in favor of the variance. She also stated that the applicant met with Village staff to discuss the ability to build the addition if granted the variance. The builder for the applicant stated that the proposed addition could be built if a variance was granted.

*Lovdahl asked three times if anyone wanted to speak in opposition of the variance.*

**Against:** None

Lovdahl asked the Board if there were any questions for the applicant. None were asked.

Lovdahl asked the applicant if they had any additional testimony. They responded by saying none.

Lovdahl closed the Public Hearing at 9:19 a.m.

## **5. Board Meeting**

### **5A. Deliberate the request of Case No. 23-003, Dave Milaeger**

Lovdahl read the request for a variance from Section 16-6-10(b) which states that the minimum street yard setback for a residential dwelling is thirty (30) feet in the R-3, Single-Family Residential District. The applicant is requesting a variance to allow for a street yard setback of five (5) feet from the west elevation of the dwelling and ten (10) feet from the north elevation of the dwelling.

Rennert stated that the circumstances have not changed since the last variance request in 2021 and that the same findings of fact are applicable in this request.

The Board went through the findings of fact process.

**Preservation of Intent:** The requested variance is consistent with the purpose and intent of the regulations for the district in which the development is located.

**Exceptional Circumstances:** The property has exceptional circumstances as the property is bisected by a private road that is located within a public right-of-way and bounded by a river which results in the applicant being unable to meet the 30-foot street setback regulation.

**Preservation of Property Rights:** The variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and same vicinity.

**Absence of Detriment:** The requested variance would not cause a substantial detriment to properties surrounding it nor materially impair or be contrary to the purpose of this ordinance.

### **5B. Decision on Case No. 23-003, Dave Milaeger**

**Rennert made a motion** to grant the variance allowing the applicant to construct a home addition with a street yard setback of five (5) feet on the west elevation of the home and a ten (10) street yard setback on the north elevation of the home based on the findings of fact stated by the Board.

**Seconded by Barnes.**



**Motion approved unanimously.**

**5C. Other Business as Authorized by Law**

None

**6A. Adjournment**

**Motion by Rennert to adjourn.**

**Seconded by Barnes.**

**Motion carried.**

The meeting adjourned at 9:22 a.m.

Respectfully submitted,  
Peter Wagner  
Development Director  
Village of Caledonia

DRAFT





Meeting Date: January 30, 2024

## ZONING BOARD OF APPEALS REPORT

Item No. 4a

Proposal: Variance Request

Description: Requesting a variance from Section 16-6-12(b), which requires a commercial building to have a street yard setback of 40 feet in the B-3, Highway Business District. The applicant is requesting a variance to allow for a street yard setback of 20 feet for a proposed building addition attached to the existing auto body repair shop located at 5306 Douglas Avenue.

Applicant(s): Rob Konecko

Address(es): 5306 Douglas Ave

**Suggested Motion:** Staff does not make a recommendation on variance requests.

---

Owner(s): Richard & Bozena Konecko

Tax Key(s): 104-04-23-20-101-010

Lot Size(s): ±1.348 acres

Current Zoning District(s): B-3, Highway Business District

Overlay District(s): N/A

Wetlands: ☐ Yes ☒ No Floodplain: ☐ Yes ☒ No

Comprehensive Plan: Office Park

---

**Background:** The applicant is requesting a variance from Section 16-6-12(b) which states the minimum street yard setback for a commercial building is 40 feet in the B-3, Highway Business District. The applicant is requesting a variance to allow for a street yard setback of 20 feet for a proposed addition that will be attached to the existing building. Nearest neighboring principal structures to the north and south of the subject property exceed the 40-foot street yard setback requirement.

The subject property has a commercial building built in 1995 that contains an auto body repair shop. The owner would like to add additional office space and an interior drive-thru lane to provide repair estimates on vehicles indoors. The gravel driveway entrance located on the property to the north of the subject property (5336 Douglas Ave.) will be paved and utilized as the main entrance for vehicles. The auto towing business with remain located on the backside of the subject lot, which is fenced.



The applicant has submitted a narrative explaining the need for the variance. Village staff does not provide recommendations regarding the request as staff has denied the proposed renovation to the exterior as it does not comply with zoning code setbacks.

The following criteria should be used by the Zoning Board of Appeals when making a decision. An explanation of how the variance request applies to each one should be incorporated as part of the Board's deliberation.

**Preservation of Intent:** No variance shall be granted that is not consistent with the purpose and intent of the regulations for the district in which the development is located. No variance shall have the effect of permitting a use in any district that is not a stated permitted use, accessory use, or conditional use in that particular district.

**Exceptional Circumstances:** There must be unique circumstances or conditions applying to the lot or parcel or structure that do not apply generally to other properties of uses in the same zoning classification, and the granting of the variance should not be of so general or recurrent nature as to suggest that the zoning ordinance should be changed.

**Economic Hardship and Self-Imposed Hardship Not Grounds for Variance:** No variance shall be granted solely on the basis of economic gain or loss. Self-imposed hardships shall not be considered as grounds for the granting of a variance.

**Preservation of Property Rights:** The variance must be necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and same vicinity.

**Absence of Detriment:** No variance shall be granted that will create substantial detriment to adjacent property or that will materially impair or be contrary to the purpose and spirit of this ordinance or the public interest.

If the Board agrees that the applicant met criteria for granting a variance, the Board can make a motion to grant a variance allowing the applicant a street yard setback of 20 feet for a proposed building addition attached to the existing auto body repair shop located at 5306 Douglas Avenue, Parcel ID No. 104-04-23-20-101-010. Please include the findings of fact found by the Board with the motion.

---

Prepared by:



Todd Roehl  
Planner/Zoning Administrator

Respectfully submitted:



Peter Wagner, AICP  
Development Director











**Project:**

Finishing Touch Auto Body, Inc  
Rob Konecko  
5306 Douglas Avenue  
Racine, WI 53402  
Tax. ID 104042320101010  
Tax District: Village of Caledonia

Board of Appeals variance application

We are requesting a variance to the current front building setback for this property. The request is from the current zoning code, which puts this district at a 40'-0" front building setback, to a 20' building setback. The request is due to a building addition that we would like to put on the front of the building.

This building is outdated. This building was first erected in 1995, so it is close to 30 years old. Times have changed and we would like to be able to provide repair estimates on vehicles that come to our shop, indoors and out of the elements. We currently do not have room in the existing building to provide a space for doing this kind of work. The existing parcel has our building boxed in on 3 sides. On our south property line, we have a storm easement, so we are unable to add square footage to our building on the south side. On the north side, our building is sitting around 17'-0" south of that property line, and we are not able to add additional square footage on that side. Plus, the north side of the parcel, the grading is 5'-0" to 6'-0" higher than the floor-line of our current facility. Not conducive of a building addition on that side either. We have some frontage on the east side of the building, so we can provide a drive-thru lane for clients that just need to come to the front door, and we will also have an interior drive-thru lane that potential customers can come thru and we can provide estimating on the vehicles. We also need additional office space, so the new addition will have area for that purpose. We will have a new, well-defined front entrance door for customers to go to.

A final reason is this will provide a new entrance to the facility, from Douglas Avenue. Right now, our main entrance is only accessed from the southbound lane of the road. This same entrance is also used by dog daycare facility on the south parcel. If you are going northbound on this highway, you need to keep going north until there is an opening in the boulevard, which you will then need to make a U-turn to go south, and be able to turn into the shared driveway entrance. We are planning to use the driveway entrance we have on the north parcel, as our main entrance to our shop. Our autosales lot will be strictly used on this north parcel, and the lot will be paved. It is currently gravel right now. Our auto towing business will still be located on the backside of this north lot, and is currently fenced in.























MORPH DESIGNS, LLC  
Commercial & Residential  
Building & Structural  
Design Services  
Phone: 920-940-7975  
email: morphdesign@abcglobal.net

PRELIMINARY
BOA SUBMITTAL 12-07-23

FINISHING TOUCH AUTO BODY INC.  
INTERIOR ALTERATION & BUILDING ADDITION  
5306 DOUGLAS AVENUE  
RACINE, WISCONSIN

SHEET TITLE
SCHEMATIC SITE PLAN

PROJECT DATA
DATE:
JOB NUMBER:
SHEET NUMBER:

C-101



SITE DATA

PROPERTY ADDRESS: 5306 DOUGLAS AVENUE  
PROPERTY ZONING: B-3 HIGHWAY BUSINESS  
PARCEL ID: 10-043220101010  
TAX DISTRICT: VILLAGE OF CALEDONIA  
COUNTY: RACINE

OWNERS: BOB KONECNO  
BOBENA KONECNO  
5306 DOUGLAS AV  
RACINE, WI 53402

CONTACT: BOB KONECNO  
262-601-1880

CURRENT USE: AUTO REPAIR SHOP

SETBACK INFORMATION PER VILLAGE OF CALEDONIA ZONING ORDINANCE

FRONT YARD: 40'-0" FROM ROW  
SIDE YARD: 15'-0"  
REAR YARD: 40'-0"

PRE-OR RELOADED LOT COVERAGE: 18,008 sqft  
EXISTING BUILDING AREA: 14,141 sqft  
EXISTING PAVEMENT AREA: 14,141 sqft  
TOTAL EXISTING LOT COVERAGE: 30,147 sqft = 55.1%

POST DEVELOPED LOT COVERAGE:

BUILDING ADDITION IS OVER EXISTING PAVEMENT AREA, NO ADDITIONAL NON-PERVIOUS AREA ADDED

BUILDING ADDITION SIZE: 2,533 sqft

EXISTING LOT AREA: 1.28 ACRES - 54,710 sqft

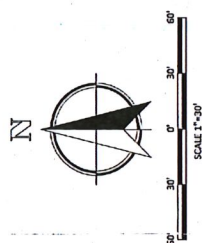
SCHEMATIC SITE PLAN  
SCALE: 1" = 20'-0"



COPYRIGHT NOTICE: ©  
THIS IS A COPYRIGHTED PLAN AND IS THE EXCLUSIVE  
PROPERTY OF MORPH DESIGNS, LLC. IT IS TO BE USED  
ONLY FOR THE PROJECT AND SITE SPECIFICALLY  
IDENTIFIED IN ANY FORM WITHOUT THE  
WRITTEN PERMISSION OF MORPH DESIGNS, LLC.

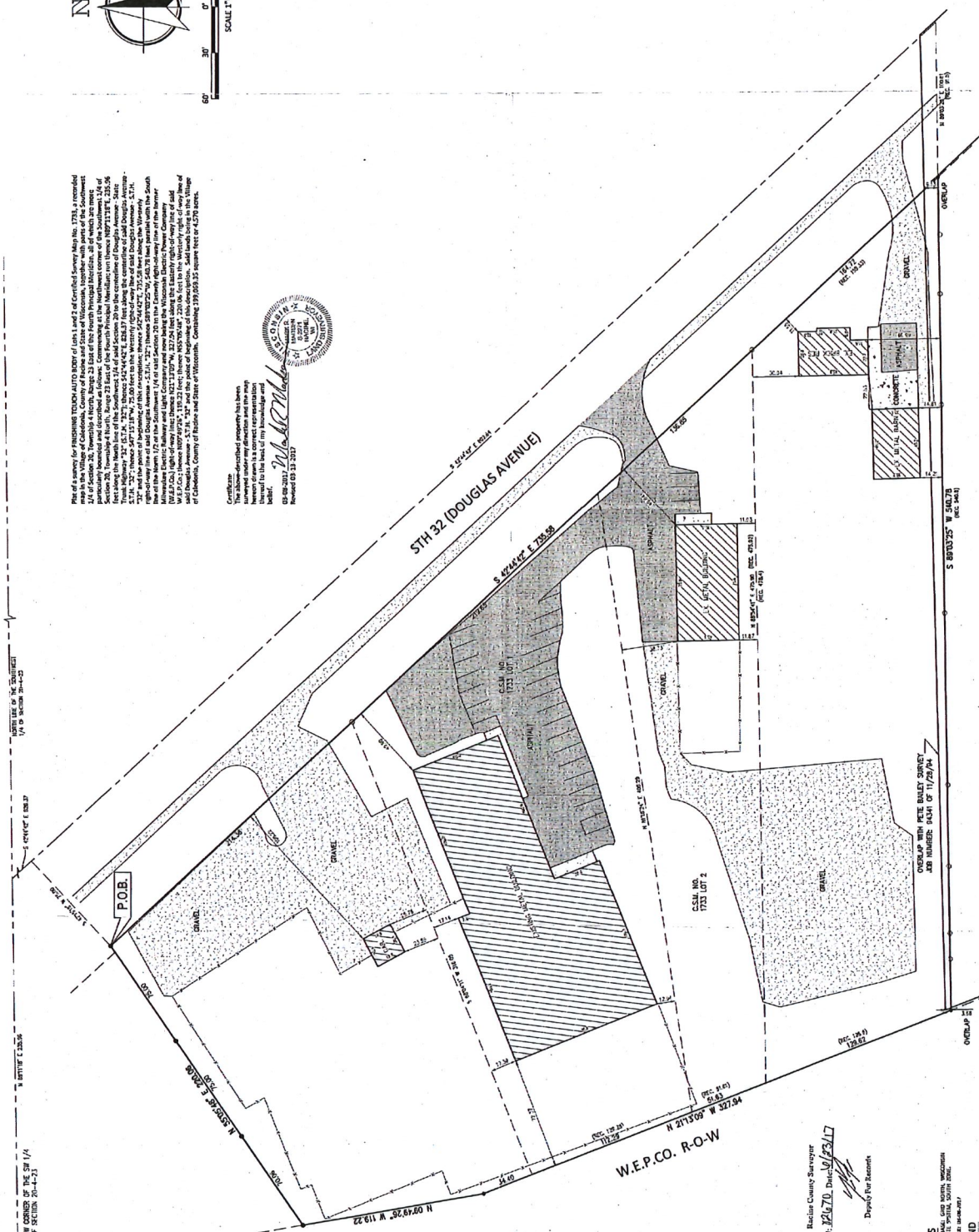
NOT FOR CONSTRUCTION



[illegible]

**Certificate**  
The above-described property has been surveyed under my direction and the map herein drawn is a correct representation thereof to the best of my knowledge and belief.

*Walter M. ...*  
Reviewed 03-13-2017



**NOTES**

GLASSING BAL: GHD NORTH, WISCONSIN  
COMMUNAL SYSTEM, SOUTH ZONE.

BUILT WINE: 08-JUN-2017

**LEGEND**

● = 541 1/2" REBAR  
○ = 6000 INCH PIPE

Racine County Surveyor  
File #: 82670 Date: 6/23/17  
*[Signature]*  
Deputy For Records

### Deputy For Records

NOT FOR PUBLICATION