

Appeals committee decides resident who built 2nd home on his property failed to apply for proper permit

The Town of Saukville Board of Appeals on Oct. 10 rejected a variance for a resident who built a second house on his property.

The owner, Reed Horton, received permission from the Town Plan Commission in 2015 to replace an old garage structure on his property at 3150 Highview Road.

The building permit application and design plan showed the second floor of the garage would have a large open room identified as a “bonus room,” which Horton described as a work studio for his wife.

When Town Building Inspector Walter Grotelueschen visited the garage, he noticed the second floor of the garage contained a kitchen, bathroom and bedrooms that constitute the garage as a dwelling unit. Horton was told that he had 30 days to remove the new amenities from his property, so he hired a lawyer to file an appeal.

“Curiously, the building inspector inspected the new build on three occasions and failed to communicate any of these violations at the time he was there until we were finally getting to the end of the construction,” Horton said in an email to the Town of Saukville in May.

“A town board and courts look at different situations and make decisions that are fair to the residents of the township and we are looking to you to help us find a solution we can all live with.”

During a Sept. 26 Board of Appeals meeting, Horton and his attorney explained Horton’s hardships of having a long driveway and a secluded residence and that it was impossible to use the property without the additional amenities.

At the same meeting, several neighbors were in attendance and commended Horton for improving his property, but they also expressed their concern that a second dwelling will set a precedent for the town.

“It is a slippery slope to change the town code and allow two dwellings on one parcel. If that is what you want, you should go elsewhere where it is allowed,” Kate Smallish, a former town supervisor who helped write the town code, said.

Horton’s attorney Luke Chiarelli asked for a one-time exception, explaining Horton’s family of 16 or more relatives who live near Madison enjoy gathering at the property but are unable to use it as they would like.

The property was previously owned by Horton’s family for 55 years and was purchased by Horton in 2014. He said he wants to use the property as a family retreat for the holidays and made the expansion to its living quarters so his family wouldn’t have to stay in a hotel.

“We have 16 in our family and the house and kitchen simply aren’t big enough to handle everybody,” Horton said.

Horton also said he spent thousands of dollars on the improvements on his property, which should provide additional tax revenue to the Town of Saukville.

The town’s attorney John DeStefanis told the board that no variance should be granted unless it’s proven that there is exceptional or extraordinary hardship, noting economic and self-imposed hardships may not be considered.

The Board of Appeals denied Horton’s request for a variance and finalized its findings on Oct. 10. Horton said he and his attorney were not present because they were never notified about

Board rejects variance request for house

Written by JOE POIRIER

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the meeting.

Horton told the board during the September meeting that he plans to appeal its decision to the Wisconsin Circuit Court.

“I never thought in my wildest dreams that I would have trouble with the board since I was making great improvements to the property,” Horton said.