

**WAUKESHA COUNTY BOARD OF ADJUSTMENT
SUMMARY OF MEETING**

The following is a Summary of the Board of Adjustment Meeting held on Wednesday, June 8, 2022, at 6:00 p.m. in Room 255/259 of the Waukesha County Administration Center, 515 W. Moreland Blvd., Waukesha County Wisconsin, 53188.

BOARD MEMBERS PRESENT: Tom Day, Chairman
Richard Nawrocki (arrived at 6:10 pm)
Richard Bayer
Nancy M. Bonniwell
Stephen Schmidt

BOARD MEMBERS ABSENT: None

SECRETARY TO THE BOARD: Richard Nawrocki

**TOWN OF MERTON BOARD OF
ADJUSTMENT MEMBERS PRESENT:** Kathy Haberman
Jim Schneider

PLANNING STAFF MEMBER: Ben Greenberg

The following is a record of the motions and decisions made by the Board of Adjustment. Detailed minutes of these proceedings are not produced, however, an audio recording of the meeting is kept on file in the office of the Waukesha County Department of Parks and Land Use, and an audio recording is available, at cost, upon request.

SUMMARY OF PREVIOUS MEETING:

Mr. Nawrocki: *I make a motion to approve the Summary of the Meeting of May 11, 2022, as corrected.*

The motion was seconded by Mr. Schmidt and carried unanimously.

NEW BUSINESS:

BA124: JULIA SLOTA AND ERIN FAY (OWNERS)

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **approval** of a variance from the road setback requirements, subject to conditions, but **denial** of the request for variance from the maximum accessory building height provisions of the Waukesha County Shoreland and Floodland Protection Ordinance to construct a two-story detached garage with second story deck.

Discussion between the owners (Julia Slota and Erin Fay), Board and Staff followed.

Ms. Slota noted the need for the additional 2nd floor ceiling height is to store her deceased father's professional files. The house doesn't have an attic and the crawl space is not easily accessible. She added that there are several similarly tall buildings on Park Drive.

Public Reaction: Letters of support were submitted by the following neighbors:

- Mark Neitzel – W289 N7967 Park Drive
- Joseph Horning – W288 N8001 Park Drive
- Carol Leonard – W288 N7978 Park Drive
- Connie and Daniel Reddy – W288 N7966 Park Drive
- John and Patti Voelz – W288 N7988 Park Drive

Decision and Action:

The Town of Merton Board of Adjustment recommended approval of the staff recommendation.

Mr. Bayer:

I make a motion to approve the request for variance from the road setback requirements and deny the request for variance from the maximum accessory building height provisions in accordance with the staff report with the conditions and reasons stated in the staff report.

The motion was seconded by Mr. Schmidt and carried 4-1 (Mr. Nawrocki voted no).

BA125: MARK LEMKE (OWNER) TED INDERMUEHLE (APPLICANT)

This hearing was taken off the agenda at the request of the property owner.

BA122: HANS WEISSGERBER (OWNER) LISA MARKS WEISSGERBER (APPLICANT)

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **approval** of variances from the shore setback and wetland setback provisions of the Waukesha County Shoreland and Floodland Protection Ordinance, subject to conditions and to rescind the conditions of Board approval BA13:002 to allow a seasonal concession stand and signage.

Discussion between the petitioner (Lisa Marks), owner (Hans Weissgerber), Board and Staff followed.

Ms. Marks noted that they are not trying to create a bar environment, but more of a family friendly amenity for the community. There would be a tiki type bar for takeout drinks, and a concession stand with grill. She noted that the structures would be there on a seasonal basis. Mr. Weissgerber said he would like to keep a storage shed on the island permanently to store tables and chairs.

Public Reaction:

- Carol Wilson, N60 W34643 Forest Bay Rd. noted that she was a member of the Okauchee Lake Management District. She was not opposed to tonight's request but had concerns about any permanent mooring that might be added on the island.

Decision and Action:

Mr. Schmidt: *I make a motion to approve the request for variances from the shore setback and wetland setback requirements and rescind the conditions of approval for BA13:002 in accordance with the staff report with the conditions and reasons stated in the staff report.*

The motion was seconded by Mr. Nawrocki and carried unanimously.

OTHER ITEMS REQUIRING BOARD ACTION:

Staff informed the Board of the following training opportunity available to them.

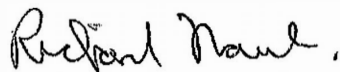
- **Webinar – “Role of the Zoning Board of Adjustment/Appeals”** by The Center for Land Use Education, Online event.
 - July 18, 2022, (6:00 pm to 7:30 pm)

ADJOURNMENT:

Mr. Bayer: *I make a motion to adjourn this meeting at 7:12 p.m.*

The motion was seconded by Mr. Nawrocki and carried unanimously.

Respectfully submitted,



Richard Nawrocki
Secretary, Board of Adjustment