

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

The following is a Summary of the Board of Adjustment Meeting held on Wednesday, April 12, 2023, 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
Richard Bayer
Nancy M. Bonniwell
Stephen Schmidt

BOARD MEMBERS ABSENT: None

SECRETARY TO THE BOARD: Stephen Schmidt

TOWN OF MERTON BOARD OF ADJUSTMENT MEMBERS PRESENT:
Lloyd Crom
Curt Podd

PLANNING STAFF MEMBER: Jacob Heermans

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 March 8, 2023.*

The motion was seconded by Ms. Bonniwell and carried 4-0 with Mr. Schmidt abstaining.

NEW BUSINESS:

BA152 MICHAEL SPEICH (OWNER)

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **denial** of the request for a variance from the offset requirements of the Waukesha County Shoreland and Floodland Protection Ordinance to permit the construction of a detached garage and an addition to the principal residence.

Discussion between the owner (Michael Speich), builder (Zach Pavloski), Board and Staff followed.

Public Reaction: Daniel Belman at N79W29056 Park Lane and John and Ellen Hayes at N78W29070 Flynn Rd provided written comments to staff prior to the hearing and do not object to the proposal.

Decision and Action:

The Town of Merton Board of Adjustment recommended denial of the petitioner's request as proposed.

Mr. Schmidt *I make a motion to deny the request in accordance with the staff report and reasons stated in the staff report.*

The motion was seconded by Ms. Bonniwell and carried 4-1 with Mr. Nawrocki voting against the motion.

BA159 JARROD AND KATHRYN THOMAS (OWNER), DAN GROSKOPF (APPLICANT)

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **denial** of the variance from the shore setback and road setback requirements of the Waukesha County Shoreland and Floodland Protection Ordinance to permit a lateral expansion of the first floor and new lakeside deck and **conditional approval**, of the request for a special exception from the nonconforming to offset provisions of the Waukesha County Shoreland and Floodland Protection Ordinance to vertically expand the structure.

Discussion between the petitioner (Dan Groskopf), owner (Jarrod Thomas), Board and Staff followed.

Public Reaction: Steve Gilbertson at N50W35140 Wisconsin Ave and James Flannery at N50W35168 Wisconsin Ave both spoke in favor of the request.

Decision and Action:

Ms. Bonniwell *I make a motion to approve the request for variances from the shore setback and road setback provisions and approve the request for a special exception from the nonconforming to offset provisions for the following reasons and with the following conditions.*

Conditions:

- 1. A Certified Survey Map must be prepared and submitted to the Town of Oconomowoc and Waukesha County for review and approval to combine the two parcels. Documentation shall be provided that the document has been recorded with the Waukesha County Register of Deeds, prior to the issuance of a Zoning Permit.*
- 2. The shed near the shore shall be removed, prior to the issuance of an Occupancy Permit.*

Reasons

The lot is very small, and the Ordinance is more likely fashioned around a larger lot. The structure (deck) will be located further from the shore than the closest point of the existing structure and the additional footprint will make the home more conforming to the minimum square footage requirements.

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

BA160 ERIK MULLETT (OWNER)

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **approval** of the request variances from the shore setback and offset requirements of the Waukesha County Shoreland and Floodland Protection Ordinance to vertically and laterally expand the principal structure subject to conditions.

Discussion between the owner (Erik Mullett), Board and Staff followed.

Public Reaction: No public comment.

Decision and Action:

Mr. Bayer *I make a motion to approve the request 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 4-0 with Mr. Schmidt abstaining.

BA161 MERILEE B. TURNER REVOCABLE TRUST (OWNER), KCB BUILDINGS, LLC (APPLICANT)

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **denial** for a variance from the Delafield Shoreland Overlay (DSO) Shore Setback requirements of the Waukesha County Shoreland and Floodland Protection Ordinance to construct a covered deck

Discussion between the petitioners (Keith Barnes and Zachary Chybowski), owner (Charles Turner), Board and Staff followed.

Public Reaction: Scott and Colleen Berkowitz at N30W29435 Hillcrest Dr and Thomas and Bezmi Kranick at N30W29405 Hillcrest Dr provided written comments to staff prior to the hearing and not object to the proposal.

Decision and Action:

Mr. Bayer

I make a motion to approve the request for a variance from the Delafield Shoreland Overlay (DSO) in accordance with the plans dated February 24, 2023 and for the following reasons.

Reasons:

The property to the east creates an averaging point further from the lake than the existing pattern of development thereby causing the owner to experience a hardship.

The motion was seconded by Mr. Nawrocki and carried 3 to 2, with Ms. Bonniwell and Mr. Day voting against the motion.

OTHER ITEMS REQUIRING BOARD ACTION: None.

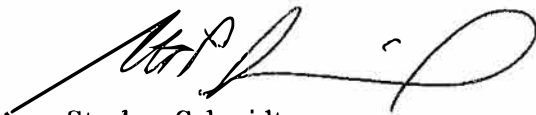
ADJOURNMENT:

Mr. Nawrocki

I make a motion to adjourn this meeting at 7:35 p.m.

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

Respectfully submitted,



Stephen Schmidt
Secretary, Board of Adjustment