

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

The following is a Summary of the Board of Adjustment Meeting held on Wednesday, April 11, 2018, at 6:30 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

BOARD MEMBERS ABSENT: None

SECRETARY TO THE BOARD: Nancy Bonniwell

OTHERS PRESENT: Ben Greenberg, Sr. Land Use Specialist
Atty. Kim Haines, Principal Assistant, Waukesha County Corp. Counsel
Atty. Kevin Clark, Cramer, Multhauf & Hammes LLP
Warren Kruse
John Widulo

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 February 14, 2018.*

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

NEW BUSINESS:

**BA1 JOHN C. AND SALLY A. BERGMAN REVOCABLE TRUST (OWNER)
ATTY. JAMES W. HAMMES (APPLICANT)**

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for denial of the request to appeal an administrative decision issued by the Waukesha County Planning and Zoning Division Staff due to the untimeliness of the appeal and the resultant lack of standing. The petitioners, represented at the meeting by Atty. Kevin Clark, submitted two, color photographs into the record and a letter addressed to Attorney Kim Haines from Attorney James Hammes dated April 5, 2018. Discussion between the petitioner, Board and Staff followed.

Public Reaction: None

Decision and Action:

Ms. Bonniwell:

I make a motion to deny the petitioner's appeal of the October 24, 2017 administrative decision of the Waukesha County Planning and Zoning Division Staff.

Wisconsin Statute 59.694 authorizes the Board of Adjustment to take up appeals "within a reasonable time, as provided by the rules of the board of adjustment". Section 38(d) of the Waukesha County Shoreland and Floodland Protection Ordinance as well as the adopted Rules of Procedure of the Waukesha County Board of Adjustment states that appeals shall be taken within twenty (20) days of the date of the administrative decision in question.

The petitioner filed the appeal on November 30, 2017, thirty-seven (37) days past the October 24, 2017 administrative decision dated October 24, 2017 and seventeen (17) days beyond the deadline for filing an appeal with the Waukesha County Board of Adjustment.

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

ADJOURNMENT:

Mr. Bayer *I make a motion to adjourn this meeting at 6:56 p.m.*

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

Respectfully submitted,



Richard Bayer
Acting Secretary, Board of Adjustment

