

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

The following is a Summary of the Board of Adjustment Meeting held on Wednesday, March 13, 2019, 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
Stephen Schmidt

BOARD MEMBERS ABSENT: Nancy Bonniwell

SECRETARY TO THE BOARD: Richard Bayer (Acting Secretary on behalf of Nancy Bonniwell)

OTHERS PRESENT: Ben Greenberg, Sr. Land Use Specialist
Town of Merton Board of Adjustment
Charles Kay, petitioner (BA25)
Kurt Romsos, agent (BA26)
Dave Ripplinger, neighbor (BA25)
Craig Caliendo, agent (BA23)
Garth Cramer, owner (BA23)
Jason Patti, builder (BA25)
Joe Grascch, owner (BA24)

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. Schmidt: *I make a motion to approve the Summary of the Meeting of December 12, 2018, with the noted corrections found on Pages 4, 9 and 13.*

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

NEW BUSINESS:

BA25 ANGELA SADOWSKI (OWNER) AND CHARLES AND MARCIA KAY (APPLICANTS)

Public Hearing: Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **approval** for variances from the offset (common lines), offset (separation between buildings), and road setback requirements of the Ordinance, to permit the construction of a detached garage on the subject property. A brief discussion between the Board and the petitioner ensued.

Public Reaction: Dave Ripplinger, W330N6109 Hasslinger Drive (adjacent lot to the

south) expressed concern about adverse changes to the drainage pattern affecting his property, which sits lower than the subject property. He noted that the drainage should be conveyed to the road, which is consistent with the current drainage pattern which currently conveys runoff south down Hasslinger Drive and then via a drainage swale to Moose Lake.

Decision and Action:

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

Mr. Bayer:

I make a motion to approve the request for variances from the offset (common lines), offset (separation between buildings), and road setback requirements of the Ordinance, to permit the construction of a detached garage on the subject property, in accordance with the staff report and for the reasons stated in the staff report.

Therefore, approval of this request, with the recommended conditions, will provide the owners of the residence some enclosed parking, will not be detrimental to the surrounding area as conditioned.

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

BA23: GARTH AND KIM CRAMER (OWNERS) AND CRAIG CALIENDO (APPLICANT)

Public Hearing: Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **approval** of the request for a variance from the wetland setback requirements of the Waukesha County Shoreland and Floodland Protection Ordinance to permit the construction of a new single-family residence with attached garage. The owner noted that he believed the wetland formed from hydric soils that were imported spoils from nearby pond excavation. Additional discussion between the Board and petitioners ensued.

Public Reaction: No public reaction.

Decision and Action:

Mr. Bayer:

I make a motion to approve the request for variance from the wetland setback requirements of the Ordinance to permit the construction of a new single-family residence with attached garage, in accordance with the staff report and for the reasons stated in the staff report in addition to those stated below.

A hardship exists due to the 1,000 foot freeway setback and wetland setback. If the owner were required to build within the available building envelope, it would lead to an awkwardly shaped and oriented residence. Therefore, the approval of this request, with the recommended conditions, is in conformance with the purpose and intent of the Ordinance.

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

BA24: JOE AND KATIE GRASCH (OWNERS)

Public Hearing: Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **approval** of the request for variances from accessory structure height requirements and accessory building footprint requirements of the Ordinance to permit the owners to replace an existing detached garage, boathouse, and deck with a new detached garage, boathouse, and deck. A brief discussion between the Board and petitioner ensued.

Public Reaction: No Public reaction.

Decision and Action:

Mr. Bayer: *I make a motion to **approve the request for variances from accessory structure height requirements and accessory building footprint requirements** of the Ordinance to permit the owners to replace an existing detached garage, boathouse, and deck with a new detached garage, boathouse, and deck on the subject property, in accordance with the staff report.*

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

BA26: GINA DILLIG REVOCABLE TRUST (OWNER) AND ROMSOS CUSTOM HOMES (APPLICANT)

Public Hearing: Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **denial** of the request for variance from the Section 3(d)1 Site Regulations of the Waukesha County Shoreland and Floodland protection Ordinance, to allow the owner to retain a boathouse on a lot without a principal building. The owner's agent Kurt Romsos indicated that the current residence was in poor condition. He stated that the owners intend on rebuilding on the lot, but not for at least four years. Additional discussion between the Board and petitioner ensued.

Public Reaction: Jim Wenninger, N26 W30165 Maple Ave. (lot adjacent to the west) sent a letter to the Board via email, in opposition of the request. He indicated concern about the boathouse being used as a recreational facility on the weekend, which would be detrimental to the surrounding neighborhood.

Decision and Action:

Mr. Bayer: *I make a motion to **deny** the request for variance from the Section 3(d)1 Site Regulations of the Ordinance, to retain an existing boathouse on a lot without a principal building, in accordance with the staff report and for the reasons stated in the staff report.*

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

ADJOURNMENT:

Mr. Schmidt: *I make a motion to adjourn this meeting at 7:40 p.m.*

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

Respectfully submitted,

A handwritten signature in black ink that reads "Richard Bayer". The signature is written in a cursive, flowing style.

Richard Bayer
Acting Secretary, Board of Adjustment

