

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

The following is a Summary of the Board of Adjustment Meeting held on Wednesday, August 12, 2020, at 6:30 p.m. Due to COVID-19, the meeting was conducted virtually via the Microsoft Teams application and phone access was also available. The meeting was open to the public and individuals were invited to participate via telephone or Microsoft Teams.

**BOARD MEMBERS PRESENT:** Tom Day, Chairman (via Microsoft Teams)  
Richard Nawrocki (via Microsoft Teams)  
Richard Bayer (via Microsoft Teams)  
Stephen Schmidt (via Microsoft Teams)

**BOARD MEMBERS ABSENT:** Nancy M. Bonniwell

**SECRETARY TO THE BOARD:** Richard Nawrocki

**PLANNING STAFF MEMBER:** Rebekah Leto, Senior Land Use Specialist (via Microsoft Teams)

**OTHERS PRESENT:** Tim Langer  
(all via Microsoft Teams) Tim O'Malley  
Amy Thomas  
Mike and Deb Krech

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 MEETINGS:**

Mr. Nawrocki: *I make a motion to approve the Summary of the Meeting of June 17, 2020, as presented.*

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

Mr. Nawrocki: *I make a motion to approve the Summary of the Meeting of July 8, 2020, as presented.*

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

**NEW BUSINESS:**

**BA57: TIM AND JULIE O'MALLEY (OWNERS) AND TIME LANGER (APPLICANT)**

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Minor changes were noted to the staff report, specifically regarding square footages of the residence and accessory building. Staff's recommendation was for **denial** of the request for a variance from the offset requirements of the Waukesha County Shoreland and Protection Ordinance to permit the construction of a garage addition to the existing residence.

Discussion between the owners (Tim and Julie O'Malley), Tim Langer (applicant), Board and Staff followed. Mr. O'Malley explained how the 10 ft. offset for the addition, as proposed at the hearing, was a plan that works for maintenance and drainage. Windows will be added to the rear to help with overall aesthetics from the neighboring property and drainage will be addressed and improved. The hardship is a safety concern where they are trying to avoid water and ice pooling at the front door of the residence.

*Public Reaction:*

- Deb Krech, the neighbor to the west, spoke in support of a 10 ft. offset for the addition. She stated that the current drainage matter from the current detached garage is somewhat mitigated due to the drainage area and plantings, but believes the drainage can be worked around with the new plan and it could be an improvement.

Decision and Action:

Mr. Bayer      *I make a motion to **approve** the request for variance for a 10 ft. offset to permit the construction of a garage addition to the existing residence with the following conditions and for the following reasons:*

*Conditions:*

1. *The addition shall be located a minimum of 10 ft. from the western lot line.*
2. *Prior to the issuance of a Zoning Permit, an updated Plat of Survey showing all existing structures and the staked-out location of the proposed addition, in conformance with the above condition, must be prepared by a professional land surveyor and submitted to the Planning and Zoning Division staff for review and approval.*
3. *A detailed Grading and Drainage Plan, showing existing and proposed grades and any proposed retaining walls, must be prepared by a registered architect, registered landscape architect, surveyor, or engineer and submitted to the Planning and Zoning Division staff for review and approval, prior to the issuance of a Zoning Permit. This is to ensure the construction of the proposed addition does not result in adverse drainage onto adjacent properties, especially given the detention area that currently exists in the close proximity to the addition may be altered and impacted. The intent is that the property be graded according to the approved plan, and also to provide that the drainage remain on the property or drain to the lake, and not to the neighboring properties or the road. The following information must also be submitted along with the Grading and Drainage Plan: a timetable for completion, the source and type of fill, a complete vegetative plan including seeding mixtures and amount of topsoil and mulch, an erosion and sediment control plan, and the impact of any grading on stormwater and drainage. The Grading and Drainage Plan may be combined with the Plat of Survey required in Condition No. 2.*

4. *The proposed addition shall be of the same size and configuration as presented at the August 12, 2020 public hearing.*

*Reasons*

*The existing detached garage currently causes drainage problems. By attaching the garage to the house with a 10 ft. offset, the drainage and overall site conditions of the property will be improved for both the property owner and their neighbor to the west. Safety is also a concern from the detached garage to the residence given our winter climate.*

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

**BA56: AMY THOMAS AND CHARLOTTE THOMAS (OWNERS)**

Staff provided a brief summary of the Staff Memo. Staff's recommendation was for **approval** of the request to extend the Board of Adjustment approval of July 11, 2018 (BA11) for two (2) additional years to July 19, 2022 for variances from the lot size requirements of the Waukesha County Shoreland and Floodland Protection Ordinance and the blocks and lots requirements of the Waukesha County Shoreland and Floodland Subdivision Control Ordinance to allow the adjustment of the common lot line and transfer a portion of lands from Lot 2 to Lot 1.

**Decision and Action:**

**Mr. Bayer:** *I make a motion to **approve** the request to extend the Board of Adjustment approval of July 11, 2018 (BA11) for two (2) additional years to July 19, 2022.*

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

**OTHER ITEMS REQUIRING BOARD ACTION:**

None.

**ADJOURNMENT:**

Mr. Schmidt: *I make a motion to adjourn this meeting at 7:14 p.m.*

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

Respectfully submitted,

*Richard Nawrocki*

Richard Nawrocki  
Secretary, Board of Adjustment