

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

The following is a Summary of the Board of Adjustment Meeting held on Wednesday, May 10, 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 Bayer
Nancy M. Bonniwell
Stephen Schmidt

BOARD MEMBERS ABSENT: Richard Nawrocki

SECRETARY TO THE BOARD: Stephen Schmidt

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:

Ms. Bonniwell *I make a motion to approve the Summary of the Meeting of April 12, 2023.*

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

NEW BUSINESS:

BA158 JOHN AND BARB MELVIN (OWNERS), NICK YOUNG (APPLICANT)

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **approval** of variances from the offset and shore setback provisions of the Waukesha County Shoreland and Floodland Protection Ordinance to permit the after the fact reconstruction and modification of a deck and stairs and a modification to an existing retaining wall

Discussion between the petitioner (Nick Young), Board and Staff followed.

Public Reaction: None

Decision and Action:

Ms. Bonniwell *I make a motion to approve the request in accordance with the staff report and for the reasons stated in the staff report.*

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

BA162: KELLY AND KYLE CLEMENTS (OWNERS)

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **approval** of the request for a special exception from the non-conforming to offset provisions of the Waukesha County Shoreland and Floodland Protection Ordinance to permit the construction of an addition to the existing single-family residence.

Discussion between the owners (Kelly and Kyle Clements), Board and Staff followed.

Public Reaction: None

Decision and Action:

Mr. Schmidt *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 Ms. Bonniwell and carried unanimously.

BA163 STEVE AND CHRISTINA NOVAK (OWNERS) ATTY. CHRISTOPHER T. KOEHNKE (APPLICANT)

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **denial** of the request for variances from the offset, maximum building footprint and boathouse standards of the Waukesha County Shoreland and Floodland Protection Ordinance to permit the construction of a boathouse.

Discussion between the petitioner (Atty. Christopher T. Koehnke), owners (Steve and Christina Novak), Board and Staff followed.

Public Reaction: None

Decision and Action:

Mr. Bayer *I make a motion to approve the request with the following conditions and for the following reasons:*

Conditions:

- 1. Prior to the issuance of a Zoning Permit, a shore restoration plan shall be submitted to the Planning and Zoning Division staff for review and approval. The plan shall include removal of the patio and fire pit near the shore and shall propose to restore and stabilize that area. The restoration*

plan shall be fully implemented prior to occupancy of the new boathouse.

2. *Boathouse wall height shall not exceed eleven (11) feet.*
3. *Extending plumbing to the boathouse is strictly prohibited.*

Reasons

This hardship was not self-created by the owners, but rather caused by prior owners of the property. Given that the boathouse foundation has already been installed, it would be unnecessarily burdensome to deny this request and require strict compliance. The boathouse will not adversely impact the drainage or lake views of nearby property owners.

The motion was seconded by Mr. Schmidt and carried 3-0 (Ms. Bonniwell recused herself from the hearing).

OTHER ITEMS REQUIRING BOARD ACTION:

- **BA139 JOHN AND MARY PIERSON (OWNERS)**

Public Hearing:

Staff provided a brief summary of the Staff Memorandum. Staff's recommendation was for **denial** of the request for variances from offset, shore setback, maximum building footprint and non-conforming to offset provisions of the Waukesha County Shoreland and Floodland Protection Ordinance to vertically and laterally expand the existing residence as well as add a new deck and patio.

Discussion between the owner (John Pierson) and his builder (James Mella), Board and Staff followed.

Public Reaction: None

Decision and Action:

Mr. Schmidt *I make a motion to adjourn the hearing to the July 12, 2023, meeting.*


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

ADJOURNMENT:

Mr. Bayer *I make a motion to adjourn this meeting at 7:23 p.m.*

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

Respectfully submitted,



Stephen Schmidt
Secretary, Board of Adjustment