

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

The following is a Summary of the Board of Adjustment Meeting held on Wednesday, September 8, 2021, 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
Stephen Schmidt

BOARD MEMBERS ABSENT: None

SECRETARY TO THE BOARD: Richard Nawrocki

TOWN OF MERTON BOARD OF

ADJUSTMENT MEMBERS PRESENT: Kathy Haberman
Lloyd Crom
Jim Schneider

PLANNING STAFF MEMBER: Rebekah Leto, Senior Planner

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 August 11, 2021.*

The motion was seconded by Mr. Bayer and carried 4-0, with Mr. Nawrocki abstaining.

NEW BUSINESS:

BA95 JON AND LISA SCHWABENLANDER (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 variance from the road setback requirements and **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 new single family residence with attached garage, storage shed.

Discussion between Dave Sanborn (builder), Jon and Lisa Schwabenlander (owners), Board and Staff followed.

The petitioner withdrew the request for an offset variance, indicating that the fireplace bump-out would be redesigned to be flush with the outside wall of the house. The petitioner also indicated that the size of the proposed shed would be reduced to comply with the maximum building footprint requirements of the Ordinance.

Public Reaction:

- No public comment was received.

Decision and Action:

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

Ms. Bonniwell: *I make a motion to approve the request for a road setback variance in accordance with the staff report with the conditions and reasons stated in the staff report. The petitioners have withdrawn their request for a variance from the offset requirements.*

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

BA96 JOHN AND MARIA TRIGGS (OWNERS), MIKE SCHIERL (APPLICANT)

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 wetland setback requirements of the Waukesha County Shoreland and Floodland Protection Ordinance to permit the after-the-fact construction of an in ground swimming pool, stone paver patio around the pool, hot tub and a proposed retaining wall.

Discussion between the Mike Schierl (petitioner), Dr. John Triggs (owner) and Troy Giles (attorney), Board and Staff followed.

Dr. Triggs relayed the timeline of events, including obtaining a wetland delineation, survey, working with different landscaping companies and the pool installer, and obtaining Town of Delafield permits for the work that was done. Attorney Giles questioned what waterway was the County's Shoreland and Floodland Protection Ordinance jurisdictional boundary coming from. The Board stated that there is no hardship to support the request and that the pool placement is now a compliance issue to be handled by the County.

Public Reaction:

- No public comment was received.

Decision and Action:

Mr. Schmidt: *I make a motion to deny 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 unanimously.

• **OTHER ITEMS REQUIRING BOARD ACTION:**

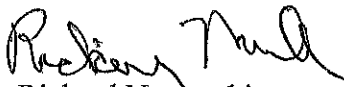
- **Webinar – “Role of the Zoning Board of Adjustment/Appeals”** by The Center for Land Use Education, Online event.
 - The Board discussed the event and commented on how it would benefit all members.
 - Ms. Bonniwell, Mr. Day and Mr. Nawrocki will attend the event. Mr. Schmidt is not able to attend the event but would like to watch a recording, if available. Mr. Bayer will let staff know if he can attend the event.

ADJOURNMENT:

Mr. Nawrocki: *I make a motion to adjourn this meeting at 7:55 p.m.*

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

Respectfully submitted,



Richard Nawrocki
Secretary, Board of Adjustment