

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

The following is a Summary of the Board of Adjustment Meeting held on Wednesday, February 14, 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
Town of Merton Board of Adjustment

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 November 8, 2017.*

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

NEW BUSINESS:

**BA17:020 MARK & JEANNE PAULEK (OWNERS) BOB HAMILTON CONSTRUCTION
MANAGEMENT (AGENT)**

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **approval** of a variance from the Waukesha County Shoreland and Floodland Protection Ordinance to permit the construction of a screen porch attached to the existing single-family residence. Discussion between the petitioner, Board and Staff followed.

Public Reaction: None

Decision and Action:

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

Ms. Bonniwell: *I make a motion to approve the construction of a screen porch attached to the existing single-family residence 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.

BA17:005 WILLIAM DOWNING/KYLE DOWNING ET AL (OWNER)

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **approval** of variances from the Waukesha County Zoning Code to legalize a previously existing In-Law Unit. Discussion between the petitioner, Board and Staff followed.

Public Reaction: None

Decision and Action:

Mr. Bayer: *I make a motion to **approve** to legalize a previously existing In-Law Unit in accordance with the staff report and for the reasons stated in the staff report.*

The motion was seconded by Mr. Nawrocki and carried 3-1.

Ms. Bonniwell voted to deny the request. She stated that she did not believe a compelling case was made relative to the first test for variance in which the petitioner must demonstrate a unique physical limitation of the property and its resulting hardship.

BA00001 JOHN C. AND SALLY A. BERGMAN REVOCABLE TRUST (OWNER) ATTY. JAMES W. HAMMES (APPLICANT)

Public Hearing:

Staff presented to the Board a written request from Attorney James Hammes (Applicant) asking to postpone the meeting until April due to scheduling conflicts. Staff indicated that the Ordinance requires that an appeal request be heard within 90 days of application and recommended that the Board open the hearing and immediately hold it open to a date certain of April 11, 2018.

Public Reaction: None

Decision and Action:

Mr. Bayer: *I make a motion to **hold open** the hearing until the April 11, 2018 Board of Adjustment meeting.*

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

ADJOURNMENT:

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

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

Respectfully submitted,



Nancy Bonniwell
Secretary, Board of Adjustment

