

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

The following is a Summary of the Board of Adjustment Meeting held on Wednesday, April 10, 2024, 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: Richard Bayer, Chairman
Nancy M. Bonniwell
Stephen Schmidt
Joseph Kershek
Curtis Podd

BOARD MEMBERS ABSENT: None

SECRETARY TO THE BOARD: Stephen Schmidt

TOWN OF MERTON BOARD OF ADJUSTMENT MEMBERS PRESENT:
Kathy Haberman
Lloyd Crom
Walter Lautner

PLANNING STAFF MEMBER: Jacob Heermans

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 March 13, 2024.*

The motion was seconded by Mr. Kershek and carried unanimously, with Mr. Schmidt abstaining from the motion due to absence.

NEW BUSINESS:

BA185: JEFF AND DONNA LAITSCH (OWNERS), STEVE BERES (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 maximum building footprint provisions of the Waukesha County Shoreland Protection Ordinance to permit the construction of an enclosed porch and **approval** of the request for a special exception from the non-conformance to offset provisions of the Ordinance to permit the construction of a second-floor addition to the principal residence.

Discussion between the petitioner (Steve Beres), owners (Jeff and Donna Laitsch), Board and Staff followed.

Steve Beres stated that the proposed porch will not extend further from the home than the overhang of the existing porch, which would comply with Ordinance requirements, and would not be subject to Board approval. Mr. Beres stated that updated plans will be submitted to staff. The owners also provided a photo which shows the extent of the overhang.

Public Reaction:

- None

Decision and Action:

The Town of Merton Board of Adjustment recommended approval of the petitioner’s request subject to the porch extending no further than the extent of the current porch overhang.

Mr. Schmidt

*I make a motion to **approve** the request for a special exception from the non-conformance to offset provisions and **deny** the request for a variance from the maximum building footprint provisions in accordance with the staff report and reasons stated in the staff report and with the following condition:*

1. *Subject to revised plans being submitted for the proposed porch which show that it will extend no further from the home than the overhang of the existing porch.*

The motion was seconded by Mr. Podd and carried 4-1 with Ms. Bonniwell voting against the motion.

BA186: TOM AND MONICA DUNN (OWNERS), SWEET DESIGNS (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 shore setback and maximum building height provisions of the Waukesha County Shoreland Protection Ordinance to permit the construction of a new single-family residence.

Discussion between the petitioner (Joan Sweet), owner (Tom and Monica Dunn) and owner’s attorney (Tim Kay), Board and Staff followed.

Attorney Kay stated that the proposed home will not block lake views and that there are no objections from the neighbors. The lot is served by sewer and will be located further from the side lot lines than the existing residence. The current residence may have previously been a duplex and there is no internal stair system.

Public Reaction:

- A letter of support was submitted by Dennis and Dawn Brady at N53W34388 Road Q.

- Richard Stahle at N53W34394 Road Q raised concerns about the placement of the attached garage but did not have a formal stance on the proposal due to the limited amount of time they were provided to review the plans.

Decision and Action:

Mr. Podd *I make a motion to **deny** the request in accordance with the staff report and for the reasons stated in the staff report.*

The motion was seconded by Ms. Bonniwell and carried unanimously.

OTHER ITEMS REQUIRING BOARD ACTION:

BA172 RYAN LEWIS (OWNER)

Public Hearing:

Staff provided a brief summary of the Staff Memorandum. Staff's recommendation was for **denial** of the reconsideration request to amend Condition No. 1 of the March 13, 2024 approval, to allow for a garage larger than 1,000 sq. ft.

Decision and Action:

Mr. Podd *I make a motion to **deny** the request in accordance with the staff report and reasons stated in the staff report.*

The motion was seconded by Mr. Kershek and carried unanimously with Mr. Schmidt abstaining from the motion due to absence.

ADJOURNMENT:

Mr. Kershek *I make a motion to adjourn this meeting at 7:12 p.m.*

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

Respectfully submitted,



Stephen Schmidt
Secretary, Board of Adjustment