

area requirements of the Waukesha County Shoreland and Floodland Protection Ordinance, to permit the construction of a two story single-family residence with an attached garage, deck and balcony. Discussion between the petitioner, Board and Staff followed.

Public Reaction:

- There was no public comment.

Decision and Action:

Ms. Bonniwell

I make a motion to approve the request for a special exception from the minimum square footage on the first floor from 850 sq. ft. to 643 sq. ft. in accordance with the staff report and for the reasons stated in the staff report. It is appropriate to grant relief due to the small size of the lot and it does not appear that the construction will go against the spirit and intent of the Ordinance.

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

BA17:018 TODD REARDON (OWNER) SIDING UNLIMITED LLC (AGENT)

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for denial of variances from the nonconforming structure to the offset and nonconforming structure to the road setback provisions of the Waukesha County Shoreland and Floodland Protection Ordinance to permit the petitioner to convert an existing deck to a screen-in porch. Discussion between the petitioner, Board and Staff followed.

Public Reaction:

- There was no public comment.

Mr. Bayer

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 Mr. Nawrocki and carried 3-1, with Ms. Bonniwell voting against the motion.

BA17:016 JENNIFER JAHNKE (OWNER) ATTY. PATRICA SCHOBBER (AGENT)

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for denial of variances from the wetland setback provisions of the Waukesha County Shoreland and Floodland Protection Ordinance to allow the construction of a new in-ground pool and associated decking. Discussion between the petitioner, Board and Staff followed.

Public Reaction:

- All property owners within the subdivision spoke at the hearing.
- One neighbor, Steve Hale (W339 S3028 County Road C), expressed concern over additional disturbance of the Primary Environmental Corridor and over disturbing the wetland more than it already had been since he subdivided the property.
- Three other neighbors, Robert Stroshine (S29W33876 Olde Oak Pass), Michael and Cara Reese (S29W33920 Olde Oak Pass) and Donald Streng (S29W33784 Olde Oak Pass), all stated the most desirable and logical location for a pool was in the proposed location in regards to the safety of their children and enjoyment of the property. Mr. Stroshine stated that the long-term self-interest is to increase the property values of the neighborhood, and a pool will do nothing to diminish the neighborhood quality.

Decision and Action:

Mr. Bayer *I make a motion to deny the request for an in ground swimming pool in accordance with the staff report and for the reasons stated in the staff report.*

The motion was seconded by Mr. Nawrocki.

Following discussion of the motion, Ms. Bonniwell moved to amend the motion to allow the pool to be constructed 65.5 ft. from the wetland, for the reason that it was minimal amount wetland setback relief in order to construct the pool outside rather than build an addition for an indoor swimming pool. The amended motion did not receive a second and failed.

Therefore, the original motion stood, with a second, and carried unanimously.

ADJOURNMENT:

Mr. Bayer *I make a motion to adjourn this meeting at 8:55 p.m.*

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

Respectfully submitted,



Nancy Bonniwell
Secretary, Board of Adjustment

