NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN the following Public Hearings will be held by the Waukesha County Board of Adjustment on Wednesday, November 11, 2026, at 5:00 p.m., in Room AC 255/259 of the Waukesha County Administration Center, 515 W. Moreland Blvd., Waukesha, Wisconsin, 53188, to consider the following requests:

BA253: WILLIAM AND KAREN REDDIN (OWNERS), GREG PERKINS, GMH CONSTRUCTION (APPLICANT) requests a variance from the shore setback provisions of the Waukesha County Shoreland Protection Ordinance to allow the expansion of an existing deck. The subject property is described as Lot 5, Florencetta Heights, part of the SE ¼ of Section 11, T8N, R18E, Town of Merton. More specifically the property is located at W290 N8268 Florencetta Heights (Tax Key No. MRTT 0332.005).

BA254: MERILEE B. TURNER REVOCABLE TRUST (OWNER), CHARLES TURNER (APPLICANT) requests a variance from the shore setback (DSO) provisions of the Waukesha County Shoreland Protection Ordinance to allow an inground swimming pool and patio. The subject property is described as Lot 1, Certified Survey Map No. 9214, part of the NE ¼ of Section 14, T7N, R18E, Town of Delafield (Tax Key No. DELT 0773.978.002).

For additional information concerning these public hearings, please contact Emily Goodman of the Waukesha County Department of Parks and Land Use at 262-896-8300 or egoodman@waukeshacounty.gov.

All interested parties will be heard.

WAUKESHA COUNTY BOARD OF ADJUSTMENT
Richard Bayer, Chairman

Legal notice to be published in
the West Now on
Wednesday, October 28, 2026 and
Wednesday, November 4, 2026

Staff reports and meeting materials will be located on the Waukesha County Planning and Zoning Division webpage at Meeting Information | Waukesha County under Board of Adjustment Meeting Documents, no later than November 9, 2026.

AGENDA – FINAL
WAUKESHA COUNTY BOARD OF ADJUSTMENT
November 11, 2026, 5:00 p.m.
Waukesha County Administration Center, Room AC 255/259
515 W. Moreland Blvd., Waukesha, WI 53188

CALL TO ORDER

ROLL CALL

NOTE: THE AGENDA ITEMS MAY **NOT** NECESSARILY BE TAKEN UP IN THE ORDER LISTED BELOW.

REQUESTS: **BA253: WILLIAM AND KAREN REDDIN (OWNERS), GREG PERKINS, GMH CONSTRUCTION (APPLICANT)**
(Shore setback)
Town of Merton

BA254: MERILEE B. TURNER REVOCABLE TRUST (OWNER), CHARLES TURNER (APPLICANT)
(Shore setback - DSO)
Town of Delafield

SUMMARY OF MEETING: Approval of the Summary of Meeting of October 14, 2026

OTHER ITEMS REQUIRING BOARD ACTION: None

Following each public hearing portion of the meeting, the WAUKESHA COUNTY BOARD OF ADJUSTMENT will deliberate and make recommendations or decisions on the variances/special exceptions presented. Following the public hearing portion request of BA253, the Town of Merton Board of Adjustment will also deliberate and make recommendations on the variances/special exceptions presented, which may continue in a separate room open to the public. The chairman shall announce to those present the recommendations or decisions made.

The Staff Reports and meeting materials will be located on the Waukesha County Planning and Zoning Division webpage at https://www.waukeshacounty.gov/landandparks/planning-and-zoning/meeting-information/ no later than November 9, 2026. See Board of Adjustment Meeting Documents heading for November 11, 2026. For questions regarding this agenda, please call (262) 896-8300 or email Emily Goodman at egoodman@waukeshacounty.gov.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
APPEAL FOR VARIANCE
STAFF REPORT

DATE: November 11, 2026

FILE NO.: BA253

OWNERS: William and Karen Reddin
16740 Martha Drive
Brookfield, WI 53005

APPLICANT: Greg Perkins
GMH Construction, Inc.
W228 N727 Westmound Drive, Ste B
Waukesha, WI 53186

TAX KEY NO.: MRTT 0332.005

LOCATION:
The subject property is described as Lot 5, Florencetta Heights, part of the SE ¼ of Section 11, T8N, R18E, Town of Merton. More specifically the property is located at W290 N8268 Florencetta Heights with frontage on Lake Keesus.

REQUEST:
Variance from **Section 3(h)2 Shore Setback** provisions of the Waukesha County Shoreland Protection Ordinance to allow the expansion of an existing deck.

ZONING CLASSIFICATION: R-3 Residential District

LOT CONFIGURATION: The existing and required average lot width, average lot depth and lot size, riparian frontage and road frontage are shown in the following table.

	Average Lot Width	Average Lot Depth	Lot Size* (sq. ft.)	Road Frontage (Florencetta Heights)	Riparian Frontage (Lake Keesus)
Existing	59 ft. +/-	228 +/-	13,574	59 ft.	59 ft.
Required	120 ft. min.	n/a	20,000 (unsewered)	30 ft. min	100 ft. min.

*Excluding the established 33 ft. wide road right-of-way of Florencetta Heights.

PREVIOUS BOARD OF ADJUSTMENT ACTION ON THE SUBJECT PROPERTY:
BA237: On May 13, 2026 the Waukesha County Board of Adjustment approved a variance request for a Special Exception from the offset provisions for a vertical expansion of the principal building.

BA98:032: On April 22, 1998 the Waukesha County Board of Adjustment approved a variance request from road setback, offset, floor area ratio and a special exception from accessory building size to raze the existing detached garage and construct a new detached garage in the same location.

PENDING ACTIONS:
None.

PROPOSAL AND STAFF ANALYSIS:
The subject property, which is served by septic, is located on the east side of Florencetta Heights, with frontage on Lake Keesus. The property is relatively flat, but slopes steeply down to the lake, dropping approximately 30 ft. between the residence and the lake. The property contains a two-story residence with a detached garage near the road, which follows the pattern of development in this area. In May 2026, the Board of Adjustment approved a Special Exception for a vertical expansion at this property. The project is currently under construction.

There are two nonconforming decks attached to the home:

- Deck #1 is 156 sq. ft. (approximately 30' long, 5' wide) off of the first floor and is 68' from the closest point to the OHWM.
- Deck #2 is 509 sq ft and is a walkout deck from the basement. The closest point is 54' from the OHWM, with a portion of the deck extending to the property line. There is a 6 ft. grade change underneath deck #2. The deck has fencing underneath, helping stabilize a retaining wall at the top of the slope.

A lakeside staircase provides access to the lake. There is a nonconforming deck at the shore that was installed without permits and has existed for over ten years. The 158 sq. ft. deck is partially within the floodplain and nonconforming to the side yard offset. There is a retaining wall located at the bottom of the stairs within the 75' shore setback.

The parcel is nonconforming to impervious surface and contains approximately 5,309 SF (39.11%) impervious surface. The Ordinance states that impervious surfaces that existed prior to October 1, 2016 but that do not comply with the impervious surface standards of the Ordinance may remain, but may not be increased. The proposal will decrease the amount of impervious surface on the parcel by 56 sq. ft.

The applicant is proposing to expand deck #1 by 90 sq. ft. to provide a point of egress from the house to the deck below. The table below summarizes the existing and proposed improvements. A site plan showing existing and proposed improvements is attached as Exhibit A. Building plans showing the proposed improvements are attached as Exhibit B.

	1st Floor (sq. ft.)	2nd Floor (sq. ft.)	Att. Garage (sq. ft.)	Decks (sq. ft.)	Beds	Baths
Existing	1,046	1,006	na	823	2	2
Proposed	No change	No change	na	+90	No change	No change

The proposed deck expansion requires variances from the Shore Setback provisions of the Waukesha County Shoreland Protection Ordinance as summarized in the following table.

PROVISION	SPO	EXISTING	NON-CONFORMING? 3(o)	PROPOSED	REQUIRED	VARIANCE/ SPECIAL EXCEPTION?
ROAD SETBACK	3 (h) (1) (C)	107.3' (home)	N	NC	50'	N
OFFSET (N)	3 (h) (3) (A)	7' (home) 9' (deck #1) .4' (deck #2) 46.7' (deck at shore)	**Y – home, deck #1, deck #2**	NC (home) NC (deck #1) NC (deck #2) 44.1 (deck at shore)	10' (home) 5' (deck)	N
OFFSET (S)	3 (h) (3) (A)	19.3' (home) 19.3' (deck #1) 13.5' (deck #2) 0.9' (deck at shore)	Y -deck at shore	NC (home) NC (deck #1) NC (deck #2) 6.1' (deck at shore)	10' (home) 5' (deck)	N
TOTAL BUILDING FOOTPRINT	3 (j) (5) (B)	1,046 SF (first floor) 1,006 SF (second floor)	N	NC	2,375 maximum (17.5%)	N
ACCESSORY FOOTPRINT	3 (j) 4	874 SF	Y	NC	600 SF	N
MINIMUM FLOOR AREA	3 (j) (1)	1,046 SF (first floor) 1,006 SF (second floor)	N	NC	Minimum 850 (1st floor) 1,100 (total)	N
BLDG HEIGHT	3 (i)	34'7" (home)	N	NC	35'	N
SHORE SETBACK	3 (h) (2)	75.6' (home) **68' (deck #1)** 54' (deck #2) 0' - deck at shore	Y -decks	NC (home) **59' (deck #1)** NC (deck #2)	67'3" (averaging)	**Y - Variance**
FLOODPLAIN SETBACK	3 (h) (2)	0' from 1% flood area (Zone AE)	N	NC	35' from .2% floodplain	N
IMPERVIOUS SURFACE	3 (t)	5,309 (39.1%)	Y	5,253 (38.77%)	Grandfathered in at 39.1%	N

PETITIONERS' COMMENTS:

The petitioners' comments are attached as Exhibit C.

STAFF RECOMMENDATION:

The Planning and Zoning Division staff recommends **approval** of the request for a variance from the shore setback requirements of the Waukesha County Shoreland Protection Ordinance to allow the expansion of an existing deck. This recommendation is based upon the analysis of the below tests for a variance, as described below. We recommend that this approval be subject to the following conditions:

CONDITIONS:

1. Prior to the issuance of a zoning permit, the 158 square foot deck at the shore shall be removed; a walkway surface that is no more than 5' in width may remain for pier access.

2. The new amount of impervious surface permitted on the site is 5,253 (38.77%). Any proposed changes to impervious surface require additional permits from Waukesha County Planning and Zoning Division.

AREA VARIANCE TEST CRITERIA ANALYSIS

State law, case law, and County ordinances require that the petitioner demonstrate that their request meet the following tests for a variance. The below Staff analysis assesses the merits of the subject application relative to the tests:

1. **Compliance with the ordinance would cause the owner to experience an unnecessary hardship. Unnecessary hardship is proven by demonstrating that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome. A property owner bears the burden of proving that the unnecessary hardship is based on special conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner. Hardships should not be financial or economic in nature. Variances are intended to provide only the minimum amount of relief necessary, and the purposes of the Ordinance shall be observed.**

   The requested relief is limited in scope and would allow access from the main floor of the residence and upper deck to the yard grade. The proposed encroachment is relatively minor, adding 90 sq. ft. of deck. Although the proposed deck would add a small amount of bulk within the shore setback area, it will be in line with the pattern of development, as there are many homes along this stretch with a deck on the upper floor and a deck at grade. The expansion would not extend closer to the shoreline than the existing deck below nor will it extend closer to the northern property line than the existing deck #1.

   When there is a pattern of development within the shore setback, the ordinance allows for shore setback averaging with structures on adjacent properties. Averaging may only be applied to like structures (a house with a house, a deck with a deck). Utilizing the shore setback provisions, the shore setback would be 67'3" on the subject property. The existing decks do not meet this setback and are, therefore, nonconforming.

   Staff feels that the property is unique in having an existing unpermitted deck located immediately at the shoreline. The deck encroaches into the southern offset and slightly crosses the property line. The deck at the shore has existed for more than 10 years and it cannot be pursued as a violation. As conditioned, the deck at the shore will be removed and a 5' walkway may remain to provide pier access.

2. **The granting of the variance will not adversely affect the general public interest/welfare or be detrimental to nearby properties/improvements or the natural resources in the area. Lack of local opposition does not mean a variance will not harm the public interest.**

With implementation of the recommended conditions, the proposed mitigation measures are expected to address the impacts associated with the proposed improvements. The proposed expansion of deck #1 is not expected to hinder any adjacent owner's views. The removal of the deck at the shore will decrease the amount of impervious surface near the shoreline, as well as lessen the encroachment in the most sensitive portion of the shore setback area. Shore setback standards provide a protective buffer between development and environmentally sensitive shoreland resources. Additionally, the removal of the deck will remove a structure located within the property's offset. Offset provisions are established to protect property owner's privacy, while maintaining a consistent pattern of development and preventing overcrowding. Shoreland areas provide critical environmental functions, including water-quality protection, erosion control, and habitat for diverse wildlife. The removal of the deck will decrease the total amount of impervious surface on the site and bring the property further into compliance.

Respectfully submitted,

Emily Goodman

Emily Goodman
Senior Land Use Specialist
Phone: 262-896-8300

Reviewed and approved by:

Jason Fruth

Jason Fruth
Planning and Zoning Manager

Exhibits: Exhibits A- Site Plan
Exhibit B – Building Plans
Exhibit C – Petitioners Comments

N:\PRKANDLU\Planning And Zoning\Board Of Adjustment\PROJECT FILES\Towns\Merton\BA253 Reddin\Staff Report & Exhibits_Decision Sheet\BA253 Reddin Staff Report.Doc

Exhibit A

Plat of Survey

Property Description: Document No. 4822670

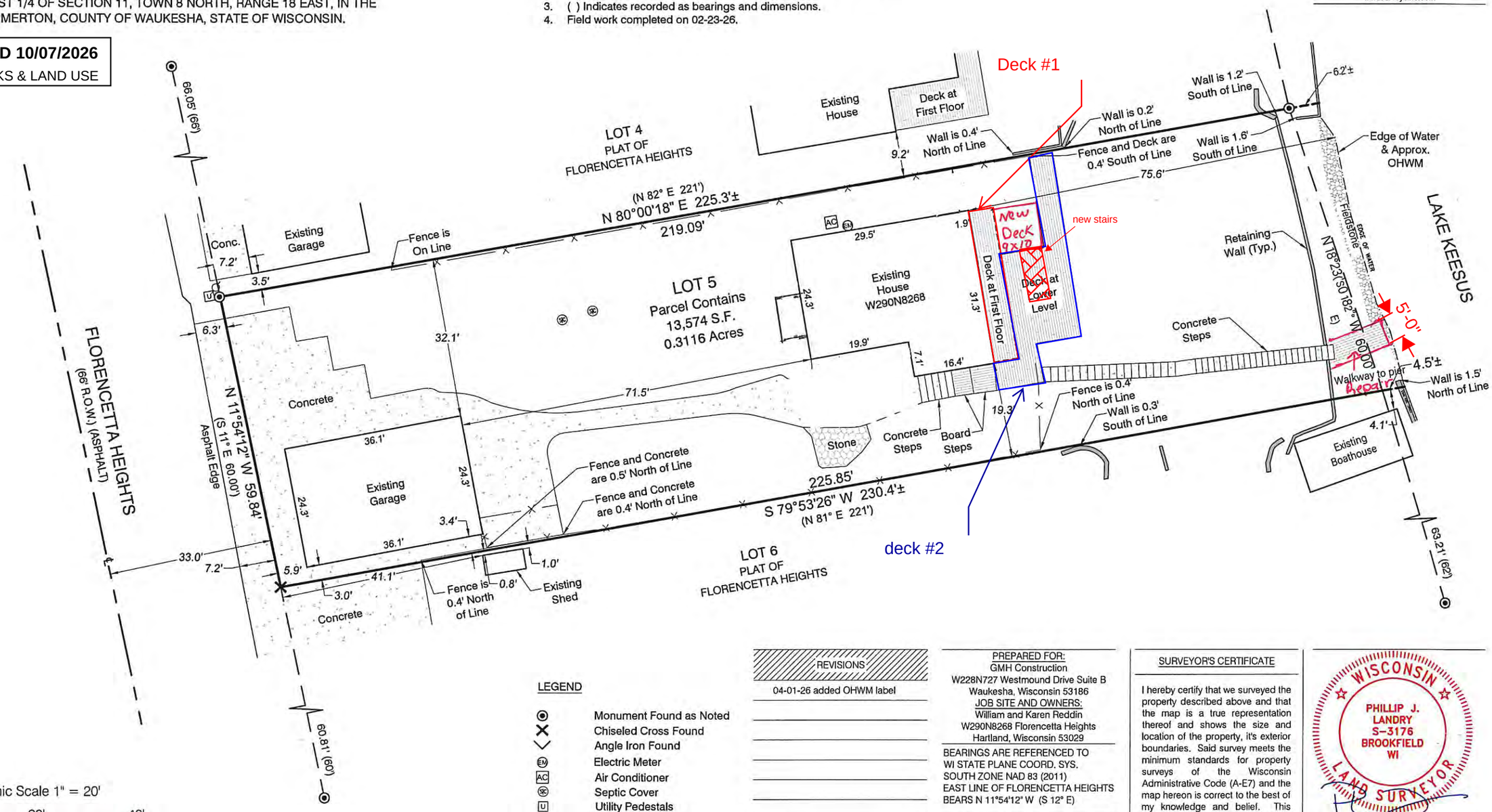
LOT 5, FLORENCETTA HEIGHTS, A SUBDIVISION OF PART OF LOT 2 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWN 8 NORTH, RANGE 18 EAST, IN THE TOWN OF MERTON, COUNTY OF WAUKESHA, STATE OF WISCONSIN.

RECEIVED 10/07/2026
DEPT PARKS & LAND USE

NOTES:

1. A title commitment has not been provided and this parcel may be subject to, or benefit from, easements or agreements, written or otherwise, not shown hereon.
2. Outside diameter measured on all monuments. Set monuments are 1.50Lbs/Lineal Foot.
3. ( ) Indicates recorded as bearings and dimensions.
4. Field work completed on 02-23-26.

LAND SURVEYS INC.
21005 Watertown Rd. Suite A2
Waukesha, WI 53186 (262) 312-1034
landsurveysinc.com



LEGEND

- Monument Found as Noted
- Chiseled Cross Found
- Angle Iron Found
- EM Electric Meter
- AC Air Conditioner
- Septic Cover
- U Utility Pedestals
- Power Pole
- —— X —— Chain Link Fence

REVISIONS

04-01-26 added OHWM label

PREPARED FOR:
GMH Construction
W228N727 Westmound Drive Suite B
Waukesha, Wisconsin 53186
JOB SITE AND OWNERS:
William and Karen Reddin
W290N8268 Florencetta Heights
Hartland, Wisconsin 53029

BEARINGS ARE REFERENCED TO WI STATE PLANE COORD. SYS. SOUTH ZONE NAD 83 (2011) EAST LINE OF FLORENCETTA HEIGHTS BEARS N 11°54'12" W (S 12° E)

Drawn By: BD/JC Job# 26062
Sheet 01 of 01

SURVEYOR'S CERTIFICATE

I hereby certify that we surveyed the property described above and that the map is a true representation thereof and shows the size and location of the property, it's exterior boundaries. Said survey meets the minimum standards for property surveys of the Wisconsin Administrative Code (A-E7) and the map hereon is correct to the best of my knowledge and belief. This Survey is solely for the use of the present owners of the property at the date below.

WISCONSIN
PHILLIP J. LANDRY S-3176 BROOKFIELD WI
LAND SURVEYOR

Dated this 25th Day of March, 2026:
Phillip J. Landry S-3176

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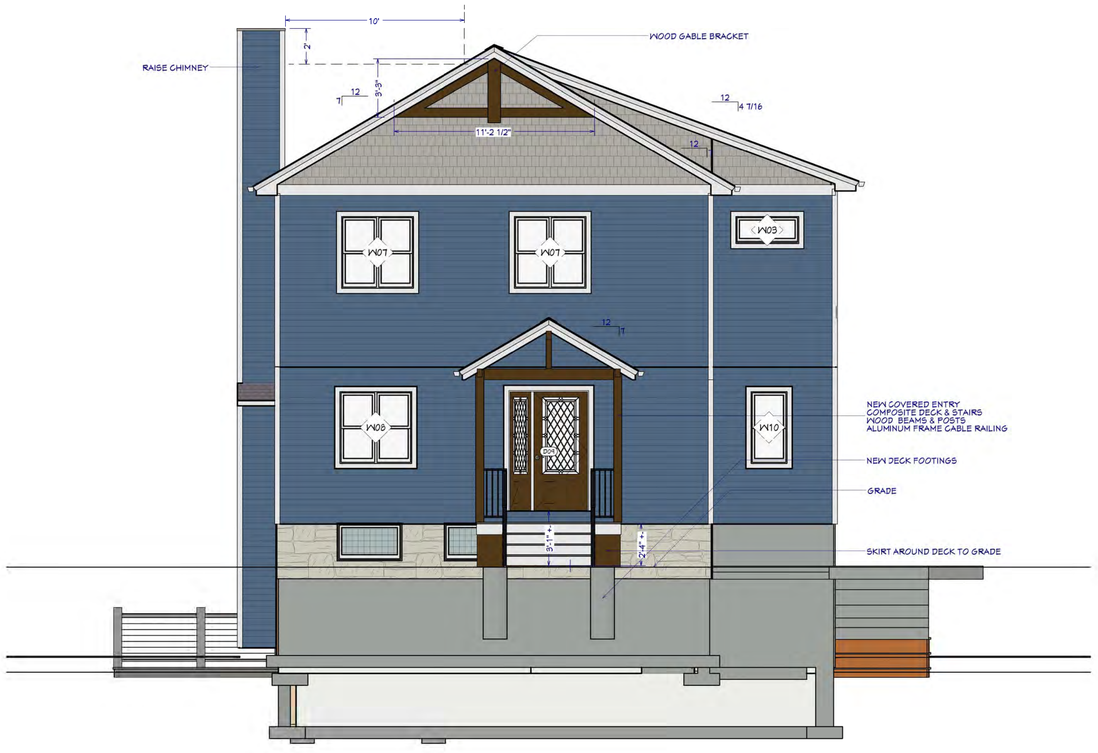
Exhibit B



EXISTING WEST ELEVATION #1
1/4" = 1'-0"



EXISTING EAST ELEVATION #2
1/4" = 1'-0"



PROPOSED WEST ELEVATION #1
1/4" = 1'-0"



PROPOSED EAST ELEVATION #2
1/4" = 1'-0"

DESIGN & DRAWING BY:
CHRIS EGNER
CHRIS EGNER MCR, CMBI, UDCP, CRPM, CDT

PROJECT DESCRIPTION:
2ND STORY ADDITION
WHOLE HOUSE REMODEL
NEW DECK EXTENSION

OWNER(S)
BILL & KAREN REDDIN
W240 N8266 FLORENCETTA HEIGHTS
HARTLAND, WI. 53029

Certified Professional NARI

NARI National Association of the Remodeling Industry Remodeling Done Right. MEMBER

GMH CONSTRUCTION DESIGN • BUILD • REMODEL

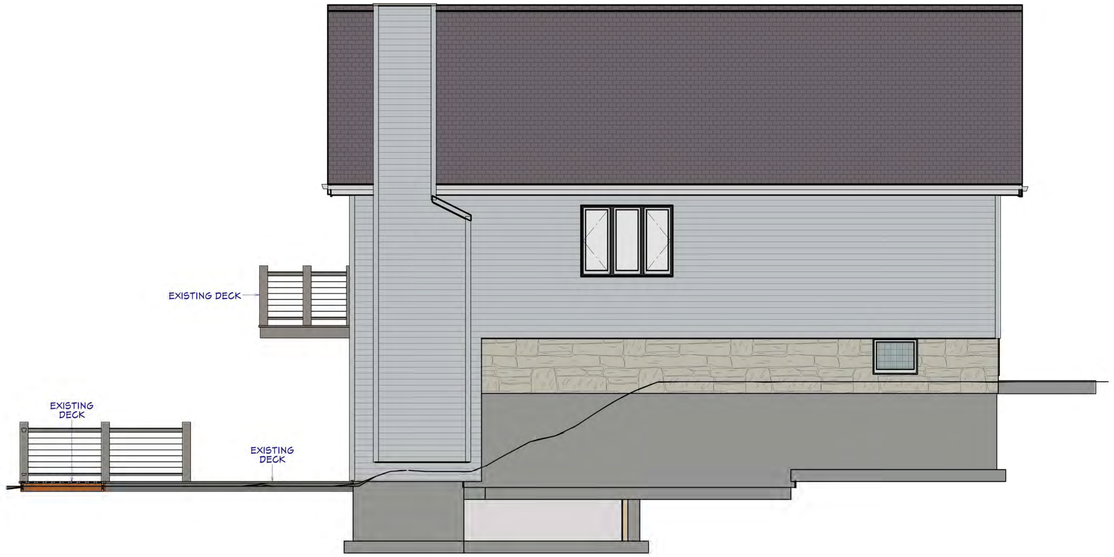
GMH CONSTRUCTION INC.
W245 N4744 SWAN RD., PEWAUKEE, WI. 53072
262-646-8131

DATE:
2/16/2026

SCALE:
1/4" = 1'-0"

SHEET:
A-5

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EXISTING NORTH SIDE ELEVATION #3
1/4" = 1'-0"



EXISTING SOUTH SIDE ELEVATION #4
1/4" = 1'-0"



PROPOSED NORTH SIDE ELEVATION #3
1/4" = 1'-0"



PROPOSED SOUTH SIDE ELEVATION #4
1/4" = 1'-0"

DESIGN & DRAWING BY:
CHRIS EGNER
CHRIS EGNER RCR, CKBD, UDCP, CRNA, CCP

PROJECT DESCRIPTION:
2ND STORY ADDITION
WHOLE HOUSE REMODEL
NEW DECK EXTENSION

OWNER(S):
BILL & KAREN REDDIN
W240 N8266 FLORENCETTA HEIGHTS
HARTLAND, WI. 53029

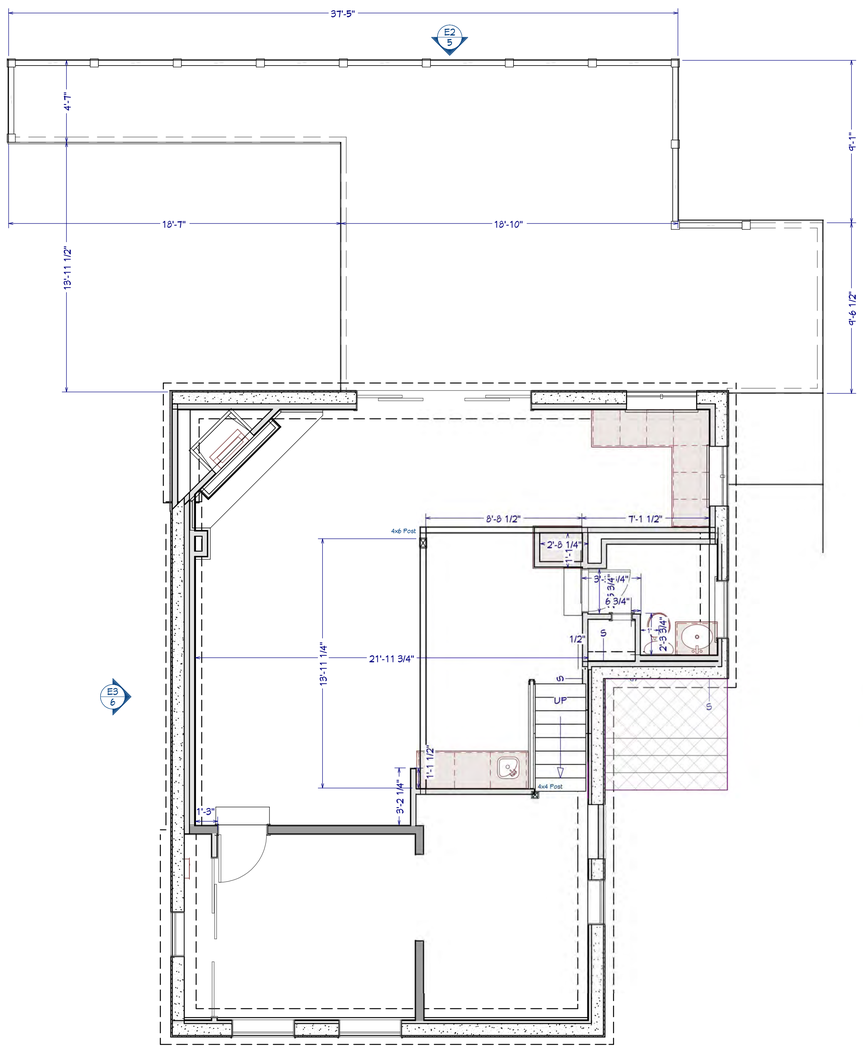
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NARI Remodeling Done Right MEMBER

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W245 N4744 SWAN RD., PEWAUKEE, WI. 53072
262-646-8131

DATE: 2/16/2026
SCALE: 1/4" = 1'-0"
SHEET: A-6

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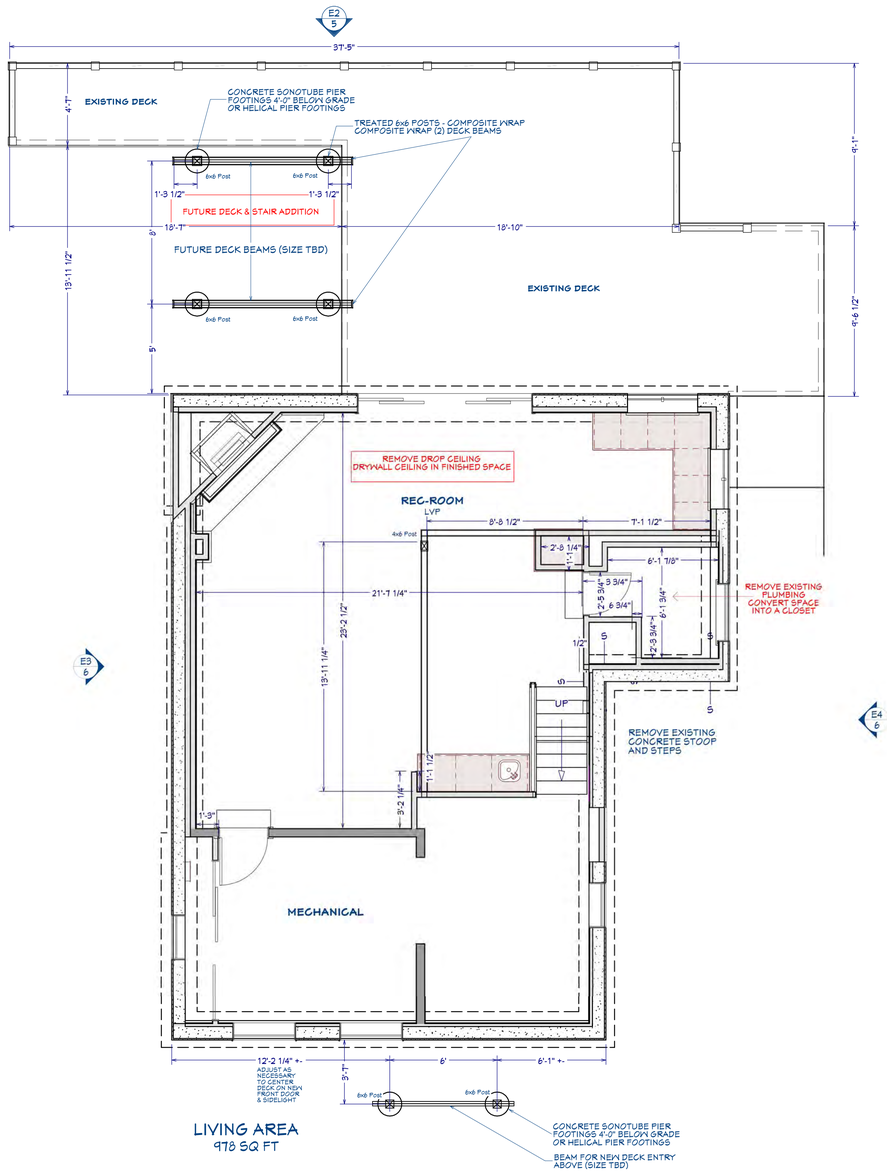


LIVING AREA
978 SQ FT

EXISTING FOUNDATION PLAN VIEW
1/4" = 1'-0"

DEMO & WALL LEGEND

- DEMO ROOF PLANES
- DEMO CONCRETE STOOP
- DEMO DOORS & WINDOWS
- DEMO WALLS
- EXISTING FOUNDATION WALLS
- EXISTING 2x4 WALLS
- EXISTING DOUBLE 2x4 WALL
- EXISTING 2x6 WALL
- NEW 2x4 WALLS
- NEW 2x6 WALLS
- NEW 2x4 CHIMNEY WALLS



LIVING AREA
978 SQ FT

PROPOSED FOUNDATION PLAN VIEW
1/4" = 1'-0"

DESIGN & DRAWING BY:
CHRIS EGNER
CHRIS EGNER
RESIDENTIAL DESIGNER
CHRIS EGNER NCR, CKBD, UDCP, CRPM, CGP

PROJECT DESCRIPTION:
2ND STORY ADDITION
WHOLE HOUSE REMODEL
NEW DECK EXTENSION

OWNER(S):
BILL & KAREN REDDIN
W240 N8266 FLORENCETTA HEIGHTS
HARTLAND, WI. 53029

Certified Professional
NARI
NARI
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262-696-9191

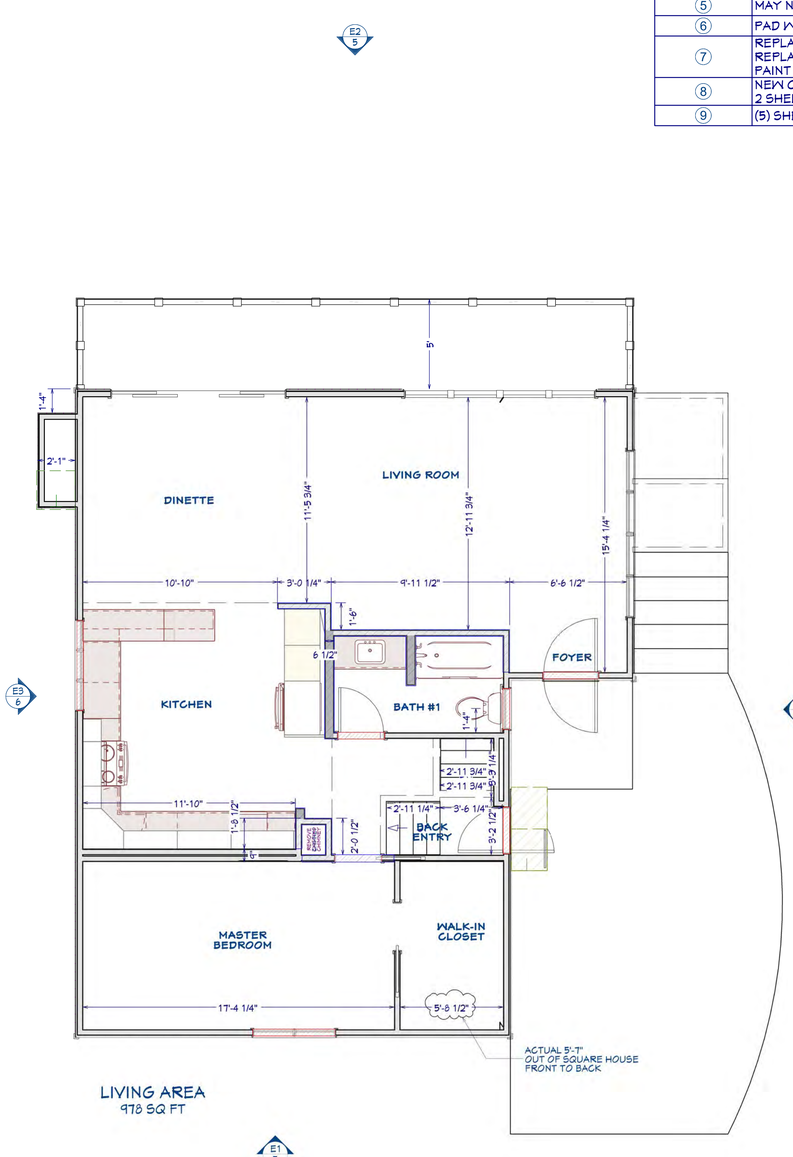
DATE:
2/16/2026

SCALE:
1/4" = 1'-0"

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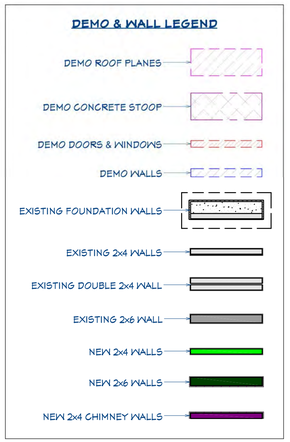
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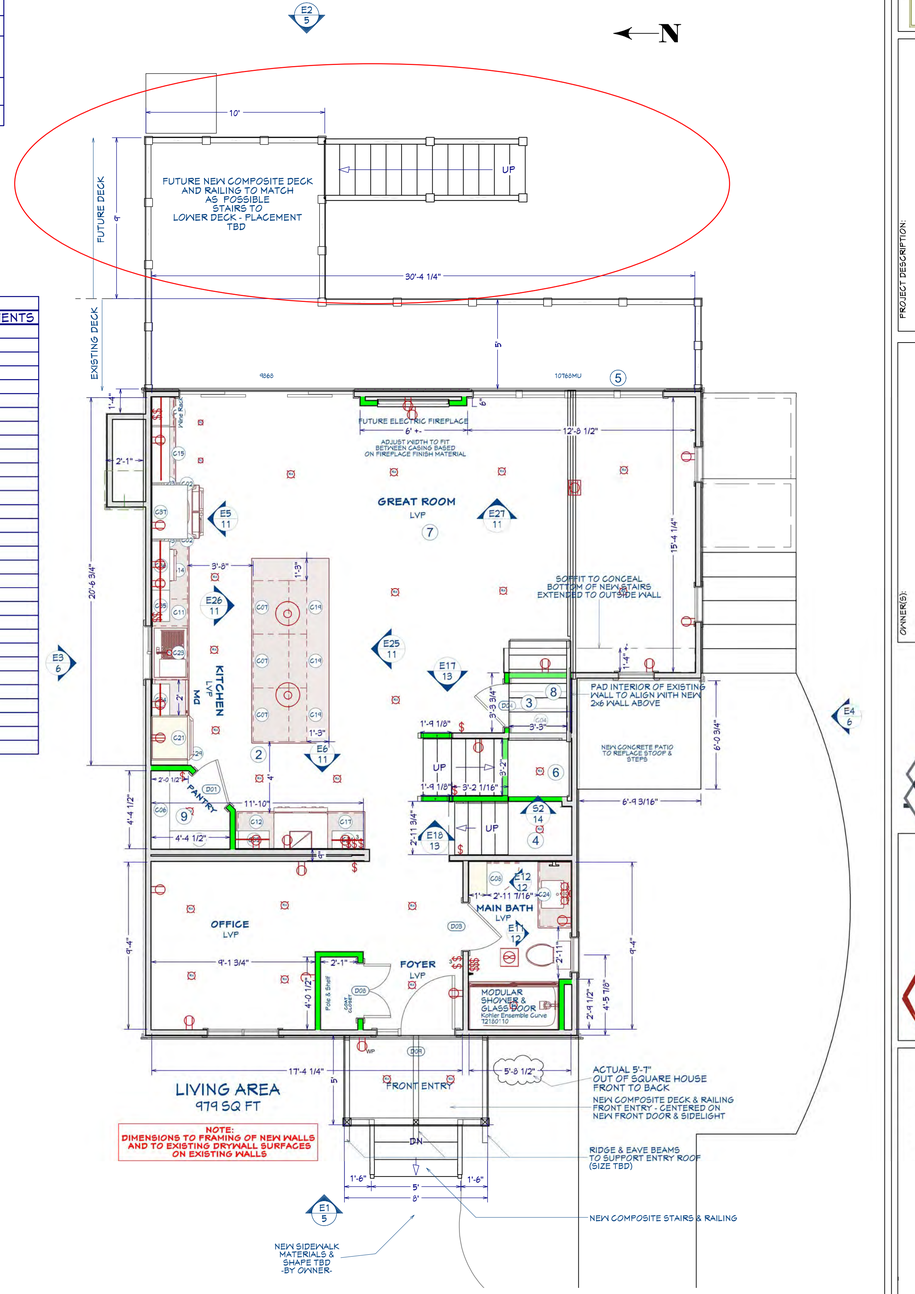
NOTE SCHEDULE	
1	NOTE: (2) SHOWER HEADS
2	DEMO ALL KITCHEN CABINETS
3	DEMO BATH - CORRECT UNEVEN FLOOR AS POSSIBLE
4	REMOVE POST - REPLACE CARPET ON STAIRS - CARPET LANDING
5	MAY NEED TO CHANGE HEADER TO SUPPORT FLOOR BEAM ABOVE
6	PAD WALL AS NECESSARY TO ALIGN WITH NEW 2X6 WALL ABOVE
7	REPLACE ALL INTERIOR DOOR & WINDOW CASING WITH 3 1/4" FLAT STOCK CASING - PAINTED WHITE REPLACE ALL EXISTING BASE MOLDING WITH 4 1/4" FLAT STOCK BASE - PAINTED WHITE PAINT INTERIOR OF EXISTING WINDOWS AND EXTERIOR DOORS WHITE
8	NEW CLOSET - SLOPED CEILING FROM STAIRS 2 SHELVES BELOW SLOPED AREA
9	(5) SHELVES ON 2 BACK WALLS



EXISTING 1ST FLOOR PLAN VIEW
1/4" = 1'-0"

CABINET SCHEDULE (CLOSET ORGANIZERS NOT INCLUDED)								
NUMBER	LABEL	QTY	FLOOR	WIDTH	DEPTH	HEIGHT	DESCRIPTION	COMMENTS
C01	B24R	1	2	24"	24"	36"	BASE CABINET	
C02		2	1	3/4"	1 1/2"	93"	PARTITION	
C03		2	1	3/4"	23 1/4"	93"	PARTITION	
C04		3	1	40 3/4"	16"	3/4"	SHELF	
C05		5	1	40"	12"	3/4"	SHELF	
C06		5	1	52"	12"	3/4"	SHELF	
C07	3DB36	3	1	36"	24"	36"	BASE CABINET	
C08	U221290R	1	1	22"	12"	90"	UTILITY CABINET	
C09	B2015	1	1	14 5/8"	15"	36"	BASE CABINET	
C10	B24L	1	2	24"	24"	36"	BASE CABINET	
C11	2DB18	1	1	18"	24"	36"	BASE CABINET	
C12	3DB24	1	1	24"	24"	36"	BASE CABINET	
C14	3DB39	1	1	39"	24"	36"	BASE CABINET	
C15	B3615XL	1	1	36"	15"	36"	BASE CABINET	
C16	U241293L	1	2	24"	12"	93"	UTILITY CABINET	
C17	B24L	1	1	24"	24"	36"	BASE CABINET	
C19	B3612	3	1	36"	12"	36"	BASE CABINET	
C21	OTC302493	1	1	30"	24"	93"	UTILITY CABINET	
C22	RB36	1	1	36"	24"	36"	BASE CABINET	
C23	SB36	1	1	36"	24"	36"	BASE CABINET	
C24	SB4321L	1	1	43"	21"	36"	BASE CABINET	
C25	SB5121	1	2	51"	21"	36"	BASE CABINET	
C26	SB572140	1	2	57"	21"	34 1/2"	BASE CABINET	
C27	U382193	1	2	37 1/2"	21"	93"	UTILITY CABINET	
C28	U182494R	1	2	18"	24"	94"	UTILITY CABINET	
C29	UF32493	1	1	3"	24"	93"	FILLER	
C30		1	2	12"	4"	3/8"	SHELF	
C34	W2139L	2	1	21"	12"	39"	WALL CABINET	
C35	W2139R	2	1	21"	12"	39"	WALL CABINET	
C36	W3339	1	1	33"	12"	39"	WALL CABINET	
C37	W362124	1	1	36"	24"	21"	WALL CABINET	





PROPOSED 1ST FLOOR PLAN VIEW
1/4" = 1'-0"

DOOR SCHEDULE								
NUMBER	LABEL	QTY	FLOOR	SIZE	WIDTH	HEIGHT	DESCRIPTION	COMMENTS
D01	2668	1	1	2668 R IN	30"	80"	HINGED- 160 INTERIOR	
D02	2868	1	2	2868 L	32"	80"	SHOWER-GLASS SLAB	
D03	2868	1	1	2868 L IN	31 1/2"	80"	HINGED-6801 CRAFTSMAN ONE LITE II	
D04	2468	1	1	2468 L IN	28 1/4"	80"	HINGED-6801 CRAFTSMAN ONE LITE II	
D05	2868	2	2	2868 L	32"	80"	POCKET-6801 CRAFTSMAN ONE LITE II	
D06	2868	2	2	2868 L IN	32"	80"	HINGED-6801 CRAFTSMAN ONE LITE II	
D07	2868	3	2	2868 R IN	32"	80"	HINGED-6801 CRAFTSMAN ONE LITE II	
D08	3068	1	1	3068 L/R IN	36"	80"	DOUBLE HINGED-6175 CRAFTSMAN ONE LITE	
D09	D09-4468	1	1	4468	52"	80"	MULLED UNIT-HL	
D10	51168	1	2	51168 R IN	71"	80"	SLIDER-6801 CRAFTSMAN ONE LITE II	

WINDOW SCHEDULE									
NUMBER	LABEL	QTY	FLOOR	SIZE	WIDTH	HEIGHT	EGRESS	DESCRIPTION	COMMENTS
W01	2036DH	1	1	2036DH	24"	42"		DOUBLE HUNG	FROSTED/TEMPERED
W02	2040SH	3	2	2040SH	24"	48"		SINGLE HUNG	
W03	3616FX	1	2	3616FX	42"	18"		FIXED GLASS	
W04	3030RS	1	1	3030RS	36"	36"		RIGHT SLIDING	
W07	W07-4040	2	2	4040	48"	48"		MULLED UNIT-HL	
W08	W08-4040	1	1	4040	48"	48"		MULLED UNIT-HL	
W10	2040SH	3	1	2040SH	24"	48"		SINGLE HUNG	
W11	W11-5046	3	2	5046	60"	54"		MULLED UNIT-HL	

DESIGN & DRAWING BY:
CHRIS EGNER
CHRIS EGNER - NCR, CKBR, UDCP, CRPM, CDT

PROJECT DESCRIPTION:
2ND STORY ADDITION
WHOLE HOUSE REMODEL
NEW DECK EXTENSION

OWNER(S):
BILL & KAREN REDDIN
W240 N8266 FLORENCETTA HEIGHTS
HARTLAND, WI. 53029

Certified Professional NARI
NARI Wisconsin Chapter Inc. Member Association of the National Association of the Remodeling Industry MEMBER

GMH CONSTRUCTION
DESIGN • BUILD • REMODEL

GMH CONSTRUCTION INC.
W245 N4744 SWAN RD., PEWAUKEE, WI. 53072
262-646-8151

DATE:
2/16/2026

SCALE:
1/4" = 1'-0"

SHEET:
A-8

Exhibit C

Complete this Section for **AREA VARIANCE** requests only.

An **Area Variance** is a modification to a dimensional, physical, or locational requirement such as the setback, frontage, height, bulk, or density restriction for a structure. The request must be justified by the applicant using **ALL** of the following criteria in accordance with *Section 59.694, Wis. Stats.*, and the Waukesha County Shoreland & Floodland Protection Ordinance/Zoning Code. The applicant is responsible for justifying each variance type requested (i.e. offset and shore setback). **Attach additional sheets if necessary**.

1. **Compliance with the ordinance would cause the owner to experience an unnecessary hardship.** Unnecessary hardship is proven by demonstrating that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome. A property owner bears the burden of proving that the unnecessary hardship is based on special conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner. Hardships should not be financial or economic in nature. Variances are intended to provide only the minimum amount of relief necessary, and the purposes of the Ordinance shall be observed.

Variance requested to add 90sf of deck at main floor of house. Remove 109sf of deck at lake. Repair 57sf of deck at lake to be a walk to the pier. This would result in 19sf less impervious area.

2. **The granting of the variance will not adversely affect the general public interest/welfare or be detrimental to nearby properties/improvements or the natural resources in the area.** Lack of local opposition does not mean a variance will not harm the public interest.

The deck does not infringe on neighbors property or their views. The deck does not go out any farther than the neighbors outdoor living areas. The shore deck currently infringing on the neighbors property will be reduced in size and no longer cross property lines.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
APPEAL FOR VARIANCE
STAFF REPORT

DATE: November 11, 2026

FILE NO.: BA254

OWNER: Merilee B. Turner Revocable Trust
c/o Charles W. Turner
N30 W29417 Hillcrest Drive
Pewaukee, WI 53072-3237

TAX KEY NO.: DELT 0773.978.002

LOCATION:
The subject property is described as Lot 1, Certified Survey Map No. 9214, part of the NE ¼ of Section 14, T7N, R18E, Town of Delafield. More specifically, the property is located at the Hillcrest Drive address cited above with frontage on Pewaukee Lake.

REQUEST:
Variance from **Section 37(c) Delafield Shoreland Overlay District Shore Setback** provisions of the Waukesha County Shoreland Protection Ordinance to allow an inground swimming pool and patio.

ZONING CLASSIFICATION: R-3 Residential and DSO Delafield Shoreland Overlay Districts.

LOT CONFIGURATION: The existing and required average lot width, average lot depth and lot size, riparian frontage and road frontage are shown in the following table.

	Average Lot Width	Average Lot Depth	Lot Size* (sq. ft.)	Road Frontage (Hillcrest Dr)	Riparian Frontage (Pewaukee Lake)
Existing	96.8 ft. +/-	512.1 ft. +/-	47,091	101.4 ft.	100.1 ft.
Required	84 ft. min.	n/a	14,000 (sewered)	30 ft. min	65 ft. min.

*Excluding the established 30 ft. wide road right-of-way of Hillcrest Drive.

PREVIOUS BOARD OF ADJUSTMENT ACTION ON THE SUBJECT PROPERTY:
BA161: On April 12, 2023 , the Board of Adjustment granted a variance from the Delafield Shoreland Overlay District Shore Setback to construct a covered deck. A front entry, patio and uncovered deck were permitted by right and constructed in conjunction with the request.

PENDING ACTIONS:
None.

PROPOSAL AND STAFF ANALYSIS:
The property is located near the end of Hillcrest Drive on the northern shore of Pewaukee Lake and is served by municipal sewer and a private well. The lot was created via a Certified Survey Map (CSM) in 2001, splitting the subject property from the lot to the east. The CSM created two unusually shaped parcels to the east. Because of the unusual lot configuration, the home to the east is located much further away from the lake than the pattern of development along this stretch of shoreline where homes are generally located in a consistent line.

When DSO averaging requirements are applied, a pool would need to be setback 118.5' from the shore on the subject property. It should be noted that the DSO requirements were partly developed to prevent obstruction of views to the water from adjacent residences. It is not expected that the subject pool would obstruct views.

A new home Zoning Permit was issued in 2006 to allow a previous owner to construct a new home. The lot contains a two-story residence with an exposed basement, attached garage, lakeside covered deck/patio and several retaining walls. The lot slopes from the road to the shore, with over 60'of grade change and areas of steep slopes.

The petitioner is proposing to construct a 40' x 16' in ground swimming pool and approximately 1,550 sq. ft. patio surrounding the pool. A 10' x 10' spa is proposed and may be permitted by right. The proposed pool and patio extend into the Delafield Shoreland Overlay (DSO) Shore setback which requires a variance from the Board of Adjustment.

The table below summarizes the existing and proposed improvements. A site plan showing existing and proposed improvements is attached as Exhibit A. A grading plan is attached as Exhibit B.

	1st Floor (sq. ft.)	2nd Floor (sq. ft.)	Basement (sq. ft.)	Att. Garage (sq. ft.)	Beds	Baths
Existing	2,954	2,037	1,917	934	6	4.5
Proposed	No change	No change	No change	No change	No change	No change

The proposed swimming pool requires variances from the Delafield Shoreland Overlay District Shore Setback provisions of the Waukesha County Shoreland Protection Ordinance as summarized in the following table.

PROVISION	SPO	EXISTING	NON-CONFORMING? 3(o)	PROPOSED	REQUIRED	VARIANCE/ SPECIAL EXCEPTION?
ROAD SETBACK	3 (h) (1) (C)	264.6' (home)	N	NC	35'	N
OFFSET (E)	3 (h) (3) (A)	14' (home)	N	NC (home) 28' (pool) 14' (patio)	14' (home/pool) 7' (patio)	N

OFFSET (W)	3 (h) (3) (A)	18.1' (home)	N	NC (home) 26' (pool) 14.5' (patio)	14' (home/pool) 7' (patio)	N
TOTAL BUILDING FOOTPRINT	3 (j) (5) (B)	3,888 sq. ft.	N	NC	8,240 sq. ft. (17.5%)	N
BLDG HEIGHT	3 (i)	40.5'	N	NC	42' max	N
DSO SHORE SETBACK	37 (c)	138' (home) 128.8' (covered deck) 119.5' (deck)	Y	**91.5' (Pool)** **86.7' (Patio)**	**For a pool/patio: 118.5' -required by DSO**	**Y - Pool and Patio**
IMPERVIOUS SURFACE	3 (t)	10,796 sq. ft. (22.93%)	N	+3,021 sq. ft. 13,817 (29.3%)	14,127 sq. ft. (30% max)	N

PETITIONERS' COMMENTS:

The petitioners' comments are attached as Exhibit C.

STAFF RECOMMENDATION:

The Planning and Zoning Division staff recommends **conditional approval** of the request for a variance from the shore setback requirements of the Waukesha County Shoreland Protection Ordinance to construct an inground swimming pool. This recommendation is based upon the analysis of the below tests for a variance, as described below. We recommend that this approval be subject to the following conditions:

CONDITIONS:

1. A new site plan shall be submitted with the pool and patio complying a 95' shore setback.

2. An updated impervious surface worksheet shall be submitted to reflect any changes to the site plan. The amount of impervious surfaces may not exceed 14,127 sq. ft. (30%) without additional approvals from Waukesha County Planning and Zoning Division.

3. A deed restriction shall be prepared and reviewed and approved by the Waukesha County Planning and Zoning Division prior to being recorded in the Office of the Register of Deeds preventing the future development of a boathouse on this property and shall be binding until and unless the swimming pool and associated patio are removed from the DSO shore setback area.

4. To mitigate the impacts of the additional improvements constructed within the required shore setback, a 25' deep shore buffer comprising of a mix of native plant species shall be installed along the OHWM of Pewaukee Lake. The buffer shall contain both ground level vegetation such as grasses and perennials and trees. The applicant may establish an Access and Viewing corridor up to 35' wide. A landscape plan showing the required shore buffer shall be reviewed and approved by the Waukesha County Department of Parks and Land Use – Planning and Zoning Division and shall be recorded with the Waukesha County Register of Deeds office ensuring that the buffer is maintained in perpetuity.

5. It is recommended to replace the proposed "hicks yew" with a more deer resistant species in the landscape area around the swimming pool.

6. The above noted shore buffer shall be reviewed and approved prior to permit issuance

7. Any rock outcropping shall not exceed 24 inches in height from grade; any combination or series of multiple outcroppings shall not exceed 24 inches in height from grade. A retaining wall is not proposed or permitted.

8. The spa/pool must be a minimum of 4' from the principal structure per the Town of Delafield building code.

AREA VARIANCE TEST CRITERIA ANALYSIS

State law, case law, and County ordinances require that the petitioner demonstrate that their request meet the following tests for a variance. The below Staff analysis assesses the merits of the subject application relative to the tests:

1. Compliance with the ordinance would cause the owner to experience an unnecessary hardship. Unnecessary hardship is proven by demonstrating that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome. A property owner bears the burden of proving that the unnecessary hardship is based on special conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner. Hardships should not be financial or economic in nature. Variances are intended to provide only the minimum amount of relief necessary, and the purposes of the Ordinance shall be observed.

The Delafield Shoreland Ordinance (DSO) was established to maintain a consistent pattern of development along the Pewaukee Lake shoreline where many residences were constructed under prior zoning laws that enforced a more restrictive shore setback than the 75-foot state setback standard. As noted earlier, the home immediately to the east that is setback much further from the lake is an outlier in this stretch along the lake.

A swimming pool was permitted in 2005 on the parcel to the west. The pool was permitted at 87', however with the associated patio it appears to be 80' from the OHWM. The parcel to the east is beyond the 150' setback, so 150' applies for averaging purposes. Utilizing the averaging provisions, the required shore setback would be 118.5'.

The subject parcel was created via a certified survey map in 2001, splitting it from the lot to the east. This land division created an unusual shape to the east, where the parcel narrows towards the lake. Due to steep topography, the principal structure was built 300' from the OHWM. While a structure could be permitted closer to the OHWM, it is likely if the parcel was ever redeveloped a structure would be placed in the same area. This is due to the steep topography that would require extensive grading on the parcel. Most structures in this area fall within the permitted setback constraints of the DSO.

While a pool is not a necessity to use the property for a permitted purpose, staff feels that the recommended 95' setback from the lake would be consistent with the typical pattern of development in the area. Staff also feels that mitigation, in the form of a boathouse prohibition

restriction and shore buffer, would more than offset the minor encroachment into the DSO setback.

2. **The granting of the variance will not adversely affect the general public interest/welfare or be detrimental to nearby properties/improvements or the natural resources in the area. Lack of local opposition does not mean a variance will not harm the public interest.**

   As conditioned, the recommended mitigation will offset the proposed improvements. The DSO shore setback requirements and related setback averaging provisions are in-part intended to ensure consistency in setbacks from the lake where there is an established pattern of development. The proposal complies with the allowable impervious surface. The proposed improvements are not expected to negatively impact neighboring property owners' views of the lake.

Respectfully submitted,

Emily Goodman

Emily Goodman
Senior Land Use Specialist
Phone: 262-896-8300

Reviewed and approved by:

Jason Fruth

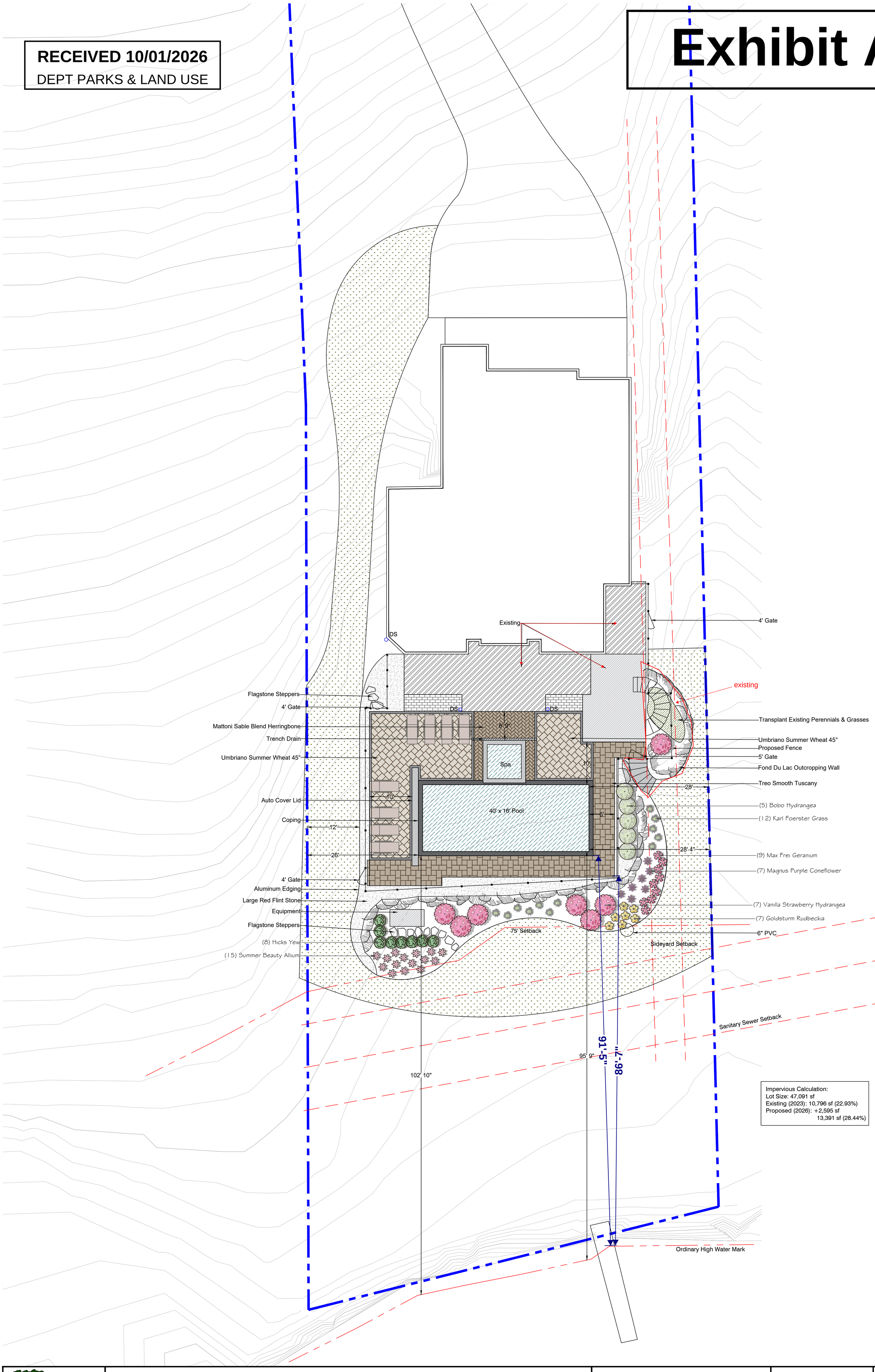
Jason Fruth
Planning and Zoning Manager

Exhibits: Exhibit A- Site Plan and Landscape Plan
Exhibit B – Grading Plan
Exhibit C – Petitioners Comments
Exhibit D – Neighbor Comments

This plan as an instrument of service is the property of Breezy Hill Nursery, Inc. and may not be used in whole or part without our written consent. Violators are subject to prosecution.

RECEIVED 10/01/2026
DEPT PARKS & LAND USE

Exhibit A



Impervious Calculation:
Lot Size: 47,091 sf
Existing (2023): 10,796 sf (22.93%)
Proposed (2026): +2,595 sf
13,391 sf (28.44%)

Breezy Hill Nursery Inc.
7530 288th AVENUE
SALEM, WISCONSIN 53168
N96 W21627 COUNTY LINE ROAD
MENOMONEE FALLS, WISCONSIN 53051
(262) 537-2111 (262) 537-4080 (262) 843-3886
FAX (262) 537-3434
www.breezyhillnursery.com
email: contact@breezyhillnursery.com

Turner Residence

N30 W29417 Hillcrest Drive, Pewaukee, WI 53072

10 0 10
Scale 1" = 10'

Designed By Dan Hitzeman
Drawn By Andrea Krol
Date August 19, 2026
Revised September 10, 2026-ak
Project #007333

N

Sheet
L1

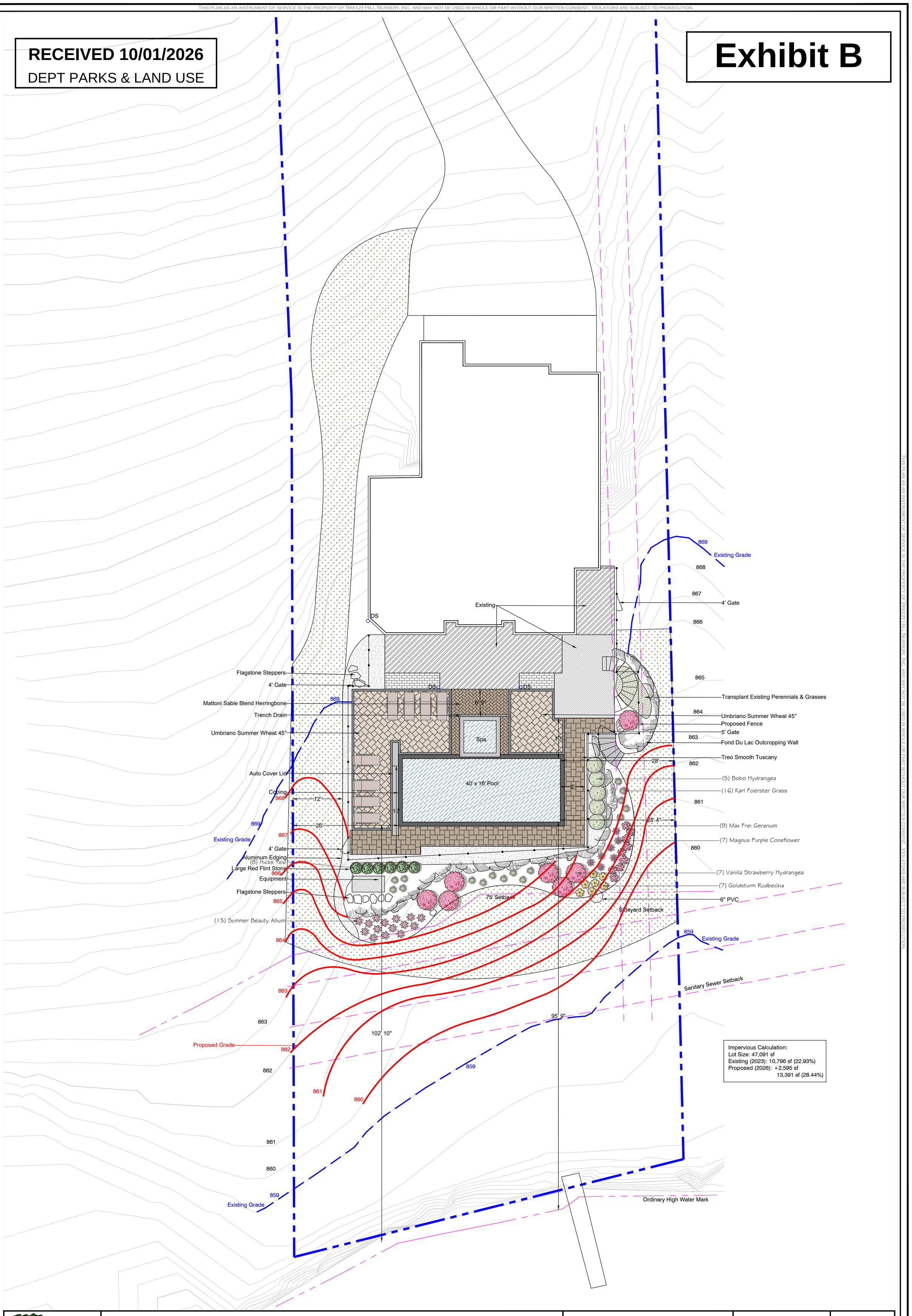
This plan as an instrument of service is the property of Breezy Hill Nursery, Inc. and may not be used in whole or part without our written consent. Violators are subject to prosecution.

GRADING PLAN

This plan as an instrument of service is the property of Breezy Hill Nursery, Inc. and may not be used in whole or part without our written consent. Violators are subject to prosecution.

RECEIVED 10/01/2026
DEPT PARKS & LAND USE

Exhibit B



Impervious Calculation:
Lot Size: 47,091 sf
Existing (2023): 10,796 sf (22.93%)
Proposed (2026): +2,595 sf
13,391 sf (28.44%)

Breezy Hill Nursery Inc.
7530 288th AVENUE
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www.breezyhillnursery.com
email: contact@breezyhillnursery.com

Turner Residence

N30 W29417 Hillcrest Drive, Pewaukee, WI 53072

10 0 10
Scale 1" = 10'

Designed By Dan Hitzeman
Drawn By Andrea Krol
Date August 19, 2026
Revised September 22, 2026-ak
Project #007333

N

Sheet
L1

This plan as an instrument of service is the property of Breezy Hill Nursery, Inc. and may not be used in whole or part without our written consent. Violators are subject to prosecution.

email re-submitted to staff on 10/20/26 as original documents/text was hard to read due to text colors

From: Chip Turner <ctcentraloil@gmail.com>
Subject: Compliance 1
Date: September 17, 2026 at 10:36:19 AM EDT
To: Chip Turner <ctcentraloil@gmail.com>

EXHIBIT C

Question #1 Narrative:

All of the houses around me are closer to the lake than me, except for the one house right next to me that's 300 feet from the lake. When I did a porch to my house two years ago, I was able to get the variance because the board agreed that that was an unnecessary hardship. That one House throws the numbers out of whack. So I'm requesting that that is the hardship that is preventing me from getting a permit. Again, You agreed two years ago that that was an unnecessary hardship so I'm requesting the same in this situation so I can have a pool.

This is a very unique situation because I am farther from the lake than everybody around me except for that one house next to me that's 300 feet from the lake. So this is a unique situation and that no one ever will have this request again. My pool will still be further from the lake than every house around here. This unique situation is the Unnecessary hardship.

email re-submitted to staff on 10/20/26 as original documents/text was hard to read due to text colors

Question #2 Narrative:

From: Chip Turner <ctcentraloil@gmail.com>
Subject: 2. Granting of variance
Date: September 20, 2026 at 11:16:53 AM EDT
To: Chip Turner <ctcentraloil@gmail.com>

By the board granting me this variance, it will definitely not adversely affect the general public interest, welfare or be detrimental to nearby properties or affect the natural resources in the area.By the board granting me this variance, it will definitely not adversely affect the general public interest, welfare or be detrimental to nearby properties or affect the natural resources in the area.

I have letters from both of my neighbors on both sides. The one next to me to the west, and the one next to me to the east. They are both in favor of me doing this pool. These letters are attached.
The one next to me to the west, and the one next to me to the east. They are both in favor of me doing this pool. These letters

are attached.The one next to me to the west, and the one next to me to the east. They are both in favor of me doing this pool. These letters are attached.

I am not blocking anyone’s view.
I am not hurting any trees. I am not putting in a pool house or a barn or a boathouse to affect any view. I am in range with all of the numbers for buildable space and for impervious surface. And I am behind every house around me except for the one right next to me and again they have written a letter saying that they are in favor of me doing this project.

EXHIBIT D

Received
9/25/2026

Waukesha County Board
515 W Moreland Blvd #170
Waukesha, WI 53188

9/18/2026

Dear Members of the County Board,

We are Scott and Colleen Berkowitz and we live one door west of Charles Turner at N30W29417 Hillcrest Dr., Pewaukee, WI 53072. Recently, Mr. Turner shared his plans regarding a proposed swimming pool on his property.

After careful consideration, we wish to express our support for this project. We believe that the addition of a pool would not only enhance the property but also contribute to the overall aesthetic value and appeal of our neighborhood and the lake. Based on the designs we have seen, it is our understanding that the pool will not obstruct any views and that no trees will be removed or negatively affected as a result.

As our home is located closer to the lake than the proposed site of the pool, we see this addition as a tasteful improvement that will bolster the charm of our community. We encourage the board to approve Mr. Turner's proposal and look forward to witnessing the positive changes it will bring.

Thank you for your time and consideration on this matter!

Sincerely,

Scott and Colleen Berkowitz
N30W29417 Hillcrest Dr.
Pewaukee, WI 53072

Received
9/25/2026

We are Tom and Bezmi Kranick. We live next door—1 house east-- to Charles Turner who lives at N30W29417 Hillcrest Dr Pewaukee WI 53072. He wants to put in a pool. We have seen his plans and we approve and support his plans. We live behind him but the pool does not change our view at all. The pool does not block the view and he is not putting in a pool house or a boat house or a barn so that is all positive. Also no trees are being torn down. Another positive.

He is behind every other house on the block so I think it will blend in well with the neighborhood and be a great addition. This will increase the values of our homes, make the neighborhood more beautiful and add to the beauty of the lake.

So we are all in support of his pool project.

Thanks.

Bezmi Kranick
Thomas Kranick
9/22/26