

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

The following is a Summary of the Board of Adjustment Meeting held on Wednesday, December 14, 2016, 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
Walter Schmidt
Richard Nawrocki
Richard Bayer
Nancy M. Bonniwell

BOARD MEMBERS ABSENT: Nick Jordan
Rob Schuett

SECRETARY TO THE BOARD: Nancy Bonniwell

OTHERS PRESENT: Town of Merton Board of Adjustment
Rebekah Baum, Senior Land Use Specialist
Jason Fruth, Planning and Zoning Manager
Mr. and Mrs. Hehn, owners (BA16:033)
Phil Kazik, agent (BA16:033)

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. Bayer *I make a motion to approve the Summary of the Meeting of October 12, 2016.*

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

NEW BUSINESS:

BA16:033 KEVIN HEHN (OWNER) PHIL KAZIK (AGENT)

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **conditional approval** of the request for a special exception from the non-conforming structure-offset provisions of the Waukesha County Shoreland and Floodland Protection Ordinance, to permit remodeling and a two-story addition to the existing residence with an attached deck/patio, subject to a number of conditions. Discussion between the petitioner, Board and Staff followed.

Public Reaction: None.

- There was some discussion regarding the petitioner’s proposal regarding the removal of a nonconforming lakeside deck, which was added as a condition of approval. The owners expressed desire to retain the deck and Planning staff noted the intent behind the condition to remove the deck was only to memorialize it as a part of the proposal.

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 request for a special exception in accordance with the staff report and for the reasons stated in the staff report, with the following modifications to the conditions:

Remove Condition No 2., which states “As proposed, the existing deck located on the lakeside of the residence must be removed from the property. A timetable for removal shall be established by the Zoning Administrator prior to issuance of a Zoning Permit for any of the proposed improvements.”

Condition No 5 shall be modified to read “Prior to the issuance of a Zoning Permit for the proposed improvements, a detailed Grading and Drainage Plan, showing existing and proposed grades must be prepared by a Professional Engineer or Surveyor licensed in the State of Wisconsin and submitted to the Planning and Zoning Division staff for review and approval. The Grading and Drainage Plan should also include a timetable for completion, the source and type of fill, an Erosion and Sediment Control Plan, and the impact of any grading on storm water and drainage.”

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

BA16:034 JAMES BAKER (OWNER) MARK MERTINS (AGENT)

Public Hearing:

After a discussion with the petitioner prior to the hearing, Staff has requested the hearing be tabled until the next scheduled meeting to provide the petitioner adequate time to revise submitted plans in order to comply with the building footprint requirements of the Ordinance.

Public Reaction:

- None.

Decision and Action:

Mr. Bayer

I make a motion to table BA16:034, at the request of Staff based on a discussion with the petitioner, until the next scheduled Board of Adjustment Hearing.

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

ELECTION OF OFFICERS:

Mr. Schmidt *I make a motion to retain the existing Waukesha County Board of Adjustment Officers.*

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

RETIREMENT OF WALTER SCHIMDT

Mr. Fruth thanked Walter Schmidt for all his years of service to the Board of Adjustment.

ADJOURNMENT:

Mr. Nawrocki *I make a motion to adjourn this meeting at 7:13 p.m.*

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

Respectfully submitted,

Nancy Bonniwell

Nancy Bonniwell
Secretary, Board of Adjustment