

MINUTES OF THE REGULAR BOARD OF BUILDING AND ZONING APPEALS MEETING

Thursday, March 26, 2015

Call to Order

Deputy Clerk-Treasurer Judith Taubert called the meeting to order at 6:30 p.m.

Roll Call

Members Present: Sarah Szejn
Dave Mades
Jack Dexter
Chris Tarr
Don Fischer (1st Alternate)

Member excused: Ken Werner

Also Present: Joe Hankovich, Supervisor of Inspections/Zoning Administrator
Judith Taubert, Deputy Clerk/Treasurer

Fischer took the open seat on the Board. The floor was opened at 6:31 p.m. for nominations to select an acting chairperson due to the resignations of members Ken Johnson. Nominations closed at 6:32 p.m. Motion by Szejn/Dexter to nominate Dave Mades to be the acting chairperson carried. Dave Mades took the Chair.

Minutes

Motion made by Szejn/Tarr to approve the September 25, 2014 meeting minutes. Motion to approve the minutes carried.

Corner of West Side/Lake St. Garage Variance Request

Request for a variance to Sections 100-102(4)b.1., 100-453(5), and 100-551(b)(6) of the Village of Mukwonago Municipal Code requested by Michael & Christine Slauson to allow for the renovation of an existing detached garage on the northwest corner of West Side Ave. and Lake St. known as MUKV1974928 opened at 6:36 p.m.

Michael & Christine Slauson – W305S4095 #2 Brookhill Drive, Waukesha, owners of the property MUKV1974928 explained the reason for asking for a variance for the detached garage to make renovations to an 80 yr old building.

Hankovich, Supervisor of Inspections/Zoning Administrator, explained the Sections 100-102(4)b.1., 100-453(5), and 100-551(b)(6) of the Village of Mukwonago Municipal Code. He presented an overview of the overall lot development including a new dwelling, attached garage, deck and other improvements to the lot. Because the plans for the new site development didn't arrive until noon today, he didn't have time to review all developmental requirements. His preliminary lot calculations indicate potential over development of the lot (20% is what is allowed in the R-2 Zoning).

Public Hearing closed at 7:10 p.m.

Szejn is concerned that they might have to comeback for other variances to the property.

Cathy Humcke-Peterson-201 West Side Avenue said that the presentation answered her questions.

Motion by Szejn/Tarr to postpone a decision until the next regular meeting after more information has been provided on the lot development carried unanimously upon roll call vote.

Adjournment

Meeting adjourned at 7:11 p.m.

Respectfully submitted,

Judith Taubert
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR BOARD OF BUILDING AND ZONING APPEALS MEETING

Thursday, April 30, 2015

Call to Order

Acting Chairperson Tarr called the meeting to order at 6:31 p.m.

Roll Call

Members Present: Sarah Szejn
Dave Mades
Jack Dexter
Chris Tarr
Don Fischer (1st Alternate)
Ken Werner

Also Present: Joe Hankovich, Supervisor of Inspections/Zoning Administrator
Judith Taubert, Deputy Clerk/Treasurer

Minutes

Motion made by Szejn/Mades to approve the March 26, 2015 meeting minutes. Motion to approve the minutes carried.

Public Hearing

A public hearing to request for a variance to Section 100-21(2) of the Village of Mukwonago Municipal Code requested by Village of Mukwonago Sewer Utility to allow for the construction of a structure to permanently house a generator for backup power to the existing sewer lift station located at 1226 Riverton Dr. known as MUKV1965100 opened at 6:32 p.m.

Dean Falkner, Utilities Director explained why he wanted to construct a permanent house for a backup generator that will be powered with natural gas at 1226 Riverton Drive. He also explained why he didn't construct the accessory building when it was approved at a previous meeting held October 17, 2013.

Public Hearing closed at 6.35 p.m.

Consideration

Motion by Szejn/Dexter to grant a variance to Section 100-21 (2) of the Village of Mukwonago Municipal Code to the Mukwonago Wastewater Treatment Facility to allow the construction of an accessory structure without a principal structure on the property located at 1226 Riverton Dr. Reasons for granting the variance are:

1. Three new letters were received on 04/04/2015 from Phil Krajnek, 1224 Riverton Drive who strongly supports the accessory structure, Lisa Acuff, 1227 Riverton Drive who supports the project and John Somers, 1228 Riverton Drive who also supports the project. Another reason was that
2. There were no objections.
3. It is not contrary to public interest it is safer for the employees.
4. Special circumstances apply.
5. Strict enforcement of the code would inflict a hardship.
6. Contaminants have been removed by going with natural gas.

The condition is:

1. The structure shall be built according to the plans submitted within six months of this approval date of April 30, 2015.
2. Subject to the Building Inspectors final review.

Motion carried unanimously upon roll call vote.

Adjournment

Meeting adjourned at 6:51 p.m.

Respectfully submitted,

Judith Taubert
Deputy Clerk-Treasurer

MINUTES OF THE SPECIAL BOARD OF BUILDING AND ZONING APPEALS MEETING Thursday, May 7, 2015

Call to Order

Chris Tarr called the meeting to order at 6:30 p.m.

Roll Call

Members Present: Sarah Szejn
Dave Mades
Chris Tarr
Ken Werner
Don Fischer (1st Alternate)

Member excused: Jack Dexter

Also Present: Joe Hankovich, Supervisor of Inspections/Zoning Administrator
Judith Taubert, Deputy Clerk/Treasurer

Motion by Szejn/Werner to nominate Chris Tarr as the permanent chairperson carried by unanimous vote.

Unfinished Business

Corner of West Side/Lake St. Garage Variance Request

Request for a variance to Sections 100-102(4)b.1., 100-453(5), and 100-551(b)(6) of the Village of Mukwonago Municipal Code requested by Michael & Christine Slauson to allow for the renovation of an existing detached garage on the northwest corner of West Side Ave. and Lake St. known as MUKV1974928.

Michael & Christine Slauson – W305S4095 #2 Brookhill Drive, Waukesha, owners of the property MUKV1974928 explained the reason for asking for a variance for the detached garage to make renovations to an 80 yr old building and explain the changes that have been submitted at the recommendation of the Supervisor of Inspections/Zoning Administrator Hankovich. Christine Slauson researched the property and brought in a plaque that will be hung that states that this property and garage was part of the Ripley estate.

Hankovich, Supervisor of Inspections/Zoning Administrator, explained the Sections 100-102(4)b.1., 100-453(5), and 100-551(b)(6) of the Village of Mukwonago Municipal Code. He presented an overview of the overall lot development and changes that are being made.

Sec. 100-551 (b)(6)

Motion by Szejn/Werner to grant the variance to Sec. 100-551 (b)(6) to the property located on the northwest corner of West Side Ave. and Lake St., known as MUKV1974928, to allow structural repair maintenance that will exceed 50 percent of the village's equalized value of the structure.

Reasons for granting the variance are:

- 1) Building is unique and special historical neighborhood circumstances apply.
- 2) It does not cause harm to public interest.
- 3) There were no objections.
- 4) The Village received four letters from neighbors supporting the repairs.

- 5) There is no conflict with uses adjacent to the property.
- 6) It will not alter the character of the neighborhood.

Conditions are:

- 1) Structure repair maintenance shall permanently be as in accordance to revised plans as submitted with the green highlighter and notes.
- 2) Point #6 on the notes regarding windows - to repair and use windows that are there now.
- 3) Use as much of the doors that are there now and historic hardware shall be used permanently.
- 4) Regarding the blank wall – a non functional barn door shall be salvaged and hung permanently.

Motion carried unanimously upon roll call vote.

Sec 100-102(4)b.1.

Motion by Szejn/Mades to grant a variance to Sec 100-102(4)b.1. to the property located on the northwest corner of West Side Ave. and Lake St., known as MUKV1974928, to allow for a setback of 34' 3.5".

Reasons for granting the variance are:

- 1) Building is unique and special historical neighborhood circumstances apply. Supplemental reasons:
 - a. The building pad is the same so the historical value will not be destroyed.
 - b. Green space will be restored so historical value will remain.
 - c. The building is unique because it is historical not only to the neighborhood and to the Village but as a whole because it was built in 1930, 30 yrs before the code.
 - d. #4 listed on the notes - Driveway curb will be removed and square curb installed to match existing curb.
- 2) It does not cause harm to public interest.
- 3) There were no objections.
- 4) The Village received four letters from neighbors supporting the repairs.
- 5) There is no conflict with uses adjacent to the property.
- 6) It will not alter the character of the neighborhood.

Conditions are:

- 1) Structure repair maintenance shall permanently be as in accordance to revised plans as submitted with the green highlighter and notes.
- 2) Point #6 on the notes regarding windows - to repair and use windows that are there now.
- 3) Use as much of the doors that are there now and historic hardware shall be used permanently.
- 4) Regarding the blank wall – a nonfunctional barn door shall be salvaged and hung permanently.

Motion carried unanimously upon roll call vote.

Sec 100-453 (5)

Motion by Szejn/Werner to approve the variance of Sec 100-453(5) to grant a variance to the property located on the northwest corner of West Side Ave. and Lake St., known as MUKV1974928, of 4.5' so the roof can be replaced and a variance of 8.5".

Reasons for granting the variance are:

- 1) Special circumstances are unique to the building which was built before the zoning code.
- 2) The roof is being restored to original historical design and hardware.
- 3) The roof is being built to match the pitch of the primary residence which will cause no primary visual impact.
- 4) No one is here to speak against it.
- 5) It won't alter the character of the neighborhood.

The condition is the work shall be in accordance with the plans as submitted.

Motion carried unanimously upon roll call vote.

Adjournment

Meeting adjourned at 7:20 p.m.

Respectfully submitted,

Judith Taubert
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR BOARD OF BUILDING AND ZONING APPEALS MEETING Thursday, June 25, 2015

Call to Order

Acting Chairperson Tarr called the meeting to order at 6:32 p.m.

Roll Call

Members Present: Sarah Szejn
Dave Mades
Jack Dexter
Chris Tarr
Don Fischer (1st Alternate)
Ken Werner

Also Present: Joe Hankovich, Supervisor of Inspections/Zoning Administrator
Judith Taubert, Deputy Clerk/Treasurer

Minutes

Motion made by Szejn/Werner to approve the April 30, 2015 regular meeting and May 7, 2015 special meeting minutes. Motion to approve the minutes carried.

Public Hearing

A public hearing to regarding a request for a variance to Section 100-453 (3)b. of the Village of Mukwonago Municipal Code requested by Brett & Jessica Andreshak to allow for the construction of a fence on the property located at 641 Small Farm Rd. known as MUKV1971081 opened at 6:34 p.m.

Steve Lederhaus, S78W25880 National Ave. Vernon, WI, representing the Andreshak family was there to answer any questions the Board members had.

Darlene Johnson, 621 Small Farm Road, read and submitted a letter in favor of the Andreshak's putting up a fence.

Rita Wittig, 1619 Dover Dr., #15, Waukesha, WI, spoke in favor of the fence because of the safety of the children and large dog.

Public hearing closed at 6.39 p.m.

Hankovich explained a variance was needed because of an encroachment into the street yard. He described the fence and stated that the code needs to be changed because it is outdated.

Consideration

Motion by Szejn/Werner to grant a 21 ft variance of the Street Yard to Section 100-453 (3)b. of the Village of Mukwonago Municipal Code requested by Brett & Jessica Andreshak to allow for the construction of a fence on the property located at 641 Small Farm Rd. known as MUKV1971081.

Reasons for granting the variance are:

1. Special circumstances apply.

2. Strict interpretation of the code will result in a hardship and Section 100-453 (3)b. may be obsolete.
3. It does not create economic advantage
4. It is not contrary to public interest
5. The fence submitted does not encroach on the easements.
6. Seven neighbors wrote letters of support for the fence
7. No one appeared against it.
8. The fence will be safer for the family.

The conditions are:

1. The fence will be built in accordance with the plans submitted.
2. The peak of the Coventry Scalloped fence shall not exceed four feet in height.

Motion carried unanimously upon roll call vote.

Adjournment

Meeting adjourned at 6:52 p.m.

Respectfully submitted,

Judith Taubert
Deputy Clerk-Treasurer