

CITY OF DELAFIELD BOARD OF ZONING APPEALS MINUTES

Call Board of Zoning Appeals Meeting to Order
Chair Rick Lieblang called the meeting to order at 6:20 P.M.

Pledge of Allegiance
The Pledge of Allegiance was recited.

Roll Call for the Thursday, September 11, 2014 Board of Zoning Appeals Meeting:

Present

Rick Lieblang, Chair
Thomas Hoffman
Gerry Holton
Gerry MacDougall

Absent

Chuck Hajinian
Al Johnson

1. Approve minutes of July 24, 2014 Board of Zoning Appeals meeting.

T. HOFFMANN MOVED TO APPROVE THE JULY 24, 2014 BOARD OF ZONING APPEALS MEETING MINUTES AS PRESENTED. G. MACDOUGALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. Unfinished Business

None.

3. New Business

- a. Discussion and action on Case 790: Appeal of Peter Haenle, owner, to construct a new single family residence located at 2921 Sylvester Drive, DELC 0749.048. The parcel is zoned RL2. This lot is substandard and proposed site plan does not meet all RL2 zoning requirements. Existing lot area of 7,132 sq ft does not meet the RL2 minimum of 10,000 sq ft. Proposed open space of 5,531 sq ft does not meet the RL2 minimum of 7,000 sq ft. Proposed site plan **does** meet FAR, street, side and rear setback requirements. The existing lot is nonconforming and does not meet all of the RL2 zoning requirements. This parcel can only be developed per Section 17.58 of the City of Delafield Zoning Appeals after site and building plans have been approved by the Board of Zoning Appeals, after site and building plans have been approved by the Board of Zoning Appeals.. Applicant is not seeking a variance.

Peter Haenle, 2921 Sylvester Drive, was present. He explained that for cost reasons, a decision had been made to reduce the size of the recently approved single family residence at 2921 Sylvester Drive. For this reason, he was present to request approval of the residence. The newly proposed plans included a single family residence with 1,300 sf and two and one-half baths. As a result of the necessary pile driving and a change to the roof line including a steeper pitch, additional approval was required. He also noted the interior construction of the

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house also included a loft with a knee wall rather than a full wall. The footprint of the residence would remain the same as previously approved.

There were no further questions from the Board members.

G. HOLTON MOVED TO APPROVE THE APPEAL OF PETER HAENLE, OWNER, TO CONSTRUCT A NEW SINGLE FAMILY RESIDENCE LOCATED AT 2921 SYLVESTER DRIVE, DELC 0749.048., AS PRESENTED AT THIS MEETING. T. HOFFMANN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. Discussion and action on Case 791: Appeal of Architectural Homes by Anders, Inc., agent, and Bonnie Leukert, owner, to construct a new single family residence located at 34268 Valley Rd, DELC 0624.003. The parcel is zoned RL1-A. This lot is substandard and does not have sufficient depth to satisfy minimum RL1-A shore and street setback requirements. Proposed shore setback of 31.62 feet doesn't meet the 55 feet minimum. Proposed street setback of 32 feet doesn't meet the 50 feet minimum. Proposed site plan **does** meet FAR, street, side and rear setback requirements. The existing lot is nonconforming and does not meet all of the RL1-A zoning requirements. This parcel can only be developed per Section 17.58 of the City of Delafield Zoning code, after site and building plans have been approved by the Board of Zoning Appeals. Applicant is not seeking a variance.

Bonnie Leukert, 3830 North Hickory Lane, Oconomowoc, and Allen Quick representative from Architectural Homes by Anders, Inc. were present. A. Quick stated the current house and garage on the property would be razed and a new house to be constructed on the site with an attached garage. Due to the narrow lot, the house had been designed to be modest in size. It was not possible to make the best use of the lot with the legal setbacks due to the narrow lot configuration. The proposed house did meet the FAR and side setback requirements as noted in the agenda. He also noted the Upper Nashotah Lake Association had approved the plans presented as well with no issues. B. Leukert stated the proposed site plans were a vast improvement over what was currently present and she was hopeful that her plans could be approved.

G. Holton noted there were discrepancies between the legal notice and the letter sent to B. Leukert from Scott Hussinger, City Building Inspector. It was determined that the legal notice was incorrect. A. Quick explained the site plan did meet the FAR and side setbacks but did not meet the front or rear setback requirements.

G. MacDougall questioned whether the proposed site plan would block any neighboring views of the lake. A. Quick confirmed it would not.

R. Lieblang noted the setback from the street was less non-conforming than the current setbacks.

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B. Leukert confirmed the gravel easement on the westerly side of the property belonged provided lake access to the property owners who belonged to the homeowner's association for her area. It was used primarily by homeowners to put boats in the lake in the spring and remove them from the lake in the fall. G. Holton questioned whether there was an opportunity to shift the proposed home to the west to be able to hold the street setback to current standards. Discussion ensued. A. Quick explained that the proposed garage would side load and this would impact the driveway's backing radius if a boathouse were placed on the site as planned for the future.

Richard Schwab, Board Representative from the Upper Nashotah Lake Homeowners Association, stated students from St. John's Northwestern Military Academy were permitted to use the access to the lake for annual canoe trips as well.

G. MacDougall stated shifting the house closer to the lot line would pose privacy issues if people were using the access.

T. HOFFMANN MOVED TO APPROVE THE APPEAL OF ARCHITECTURAL HOMES BY ANDERS, INC., AGENT, AND BONNIE LEUKERT, OWNER, TO CONSTRUCT A NEW SINGLE FAMILY RESIDENCE LOCATED AT 34268 VALLEY RD, DELC 0624.003. AS PRESENTED. G. MACDOUGALL SECONDED THE MOTION. T. HOFFMANN CLARIFIED THE MOTION DID NOT INCLUDE APPROVAL OF PLANS FOR A BOATHOUSE, BUT DID GRANT APPROVAL TO A NEW SETBACK FROM THE LAKE TO 24.62 FEET AND A NEW ROADWAY SETBACK OF 32 FEET AS SHOWN IN THE PLANS. IN ADDITION, THE CURRENT GARAGE WOULD BE REMOVED AS DISCUSSED. THERE WAS NO FURTHER DISCUSSION. TWO WERE IN FAVOR. G. HOLTON VOTED NAY. MOTION CARRIED.

4. ADJOURN

SEEING NO OTHER BUSINESS BEFORE THE BOARD OF ZONING APPEALS AT THIS TIME, R. LIEBLANG ADJOURNED THE SEPTEMBER 11, 2014 BOARD OF ZONING APPEALS MEETING AT 6:46 P.M.

Minutes prepared by:

Accurate Business Communications, Inc.