

**CITY OF DELAFIELD BOARD OF ZONING MINUTES**

1. CALL MEETING TO ORDER

H. Bills called the meeting to order at 7:30 p.m.

2. ROLL CALL

Present

Henry Bills  
Thomas Hoffmann  
Gerry Maier  
Gerald MacDougall  
Marty Sawall

3. APPROVE MINUTES OF APRIL 26, 2007 MEETING.

**G. MAIER MOTIONED TO APPROVE THE MINUTES OF THE APRIL 26, 2007 MEETING. T. HOFFMANN SECONDED THE MOTION. G. MAC DOUGALL ASKED THAT CLARIFICATION TAKE PLACE AS TO WHETHER CINDY MATZKE WAS IN FAVOR OF THE PROPOSAL OR NOT. ALL WERE IN FAVOR. MOTION CARRIED.**

4. NEW BUSINESS

CASE 736 – APPEAL OF MICHAEL KOEPER (OWNER) AND PETER DAVIS (AGENT) FOR A PROPOSED NEW HOME AT 2022 BAY POINT LANE, DELC 0782.028.001, IN VIOLATION OF MINIMUM OPEN SPACE REQUIREMENTS, MINIMUM FRONT STREET SETBACK REQUIREMENTS, AND ALLOWABLE FLOOR AREA RATIO.

It was noted that the owner's name is "Michael" Koeper, not "David" as listed on the agenda.

The letter from the building inspector dated May 3, 2007 denying the building permit was read. A variance for 3,823 sf of open space, 33.50 feet for the minimum front street setback, and 367 sf maximum floor area ratio are needed.

The letter from Johnson Design was read and described the hardships on the property including: the lot size being 31,322 sf, and that the setbacks of the road and lake only allowing a buildable area of approximately 30'.

It was noted that the fees was paid and proper neighbors were notified.

Mr. Koeper stated that the RL-1 requirements for a lot in this area are a minimum of 40,000 sf. He felt that the 30,000 stated in the letter should be 40,000 sf. G. Mac Dougall confirmed that according to Section 17.39(7)(n) the square footage was 30,000 sf. It needs to be confirmed if Section 17.39(7)(n) was the correct Section or if indeed it should have been Section 17.39.7(d) which reflects 40,000 sf.

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Concerning the second item in Mr. Maney's letter, the front street setback, Mr. Koeper discussed surrounding parcels. His parcel is a smaller parcel of land and it does not have the room to comply with all of the setbacks but they have complied with three of the four setbacks. If they set the home closer to the lake, they would need to infringe on some trees and the elevation would change resulting in a bad run-off situation. The setback to the private road is not in compliance. Moving the road would be very difficult and would require many easements in addition to a great financial expense. The flow of the water on the land was discussed. He did not want to bear the expense of moving the road. The house is on the high point of the parcel and there is not any other place on the lot to locate a home. The former home was larger than the home proposed now.

Steve Bergum, 2016 Bay Point Lane – This would be a smaller home than before and it is on the same footprint. He didn't see anything wrong with it and had no objection

Bill Maslowski, 2007 Bay Point Lane – Concurred with the Bergums.

Judy Perry, 2030 Bay Point Lane – She was delighted and thought that the style of the home would go nicely in the neighborhood.

G. Maier stated that since the other one for this parcel was approved one year and this fits better, it appears that this is a win-win situation. As far as the question about point #1, Mr. Maney can address it at a later time.

**G. MAIER MOTIONED TO APPROVE THE VARIANCE REQUESTS AS MADE. G. MAC DOUGALL SECONDED THE MOTION. T. HOFFMANN STATED THAT EACH INDIVIDUAL PARCEL IS LOOKED AT AND THE COMMITTEE MEMBERS TAKE THE TIME TO LOOK AT EACH AND EVERY ONE OF THEM. G. MAIER CLARIFIED THAT THIS APPROVED THE REQUEST, BUT T. MANEY SHOULD CLARIFY POINT #1 IN HIS LETTER DATED MAY 3, 2007. ALL WERE IN FAVOR OF THE MOTION. MOTION CARRIED.**

5. CORRESPONDENCE

None.

6. ADJOURN

**M. SAWALL MOTIONED TO ADJOURN FROM THE MEETING. G. MAC DOUGALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 7:57 P.M.**

Minutes Prepared By:

Accurate Business Communications, Inc.