

Village of Mukwonago
REGULAR BOARD OF BUILDING AND ZONING APPEALS MEETING
Notice of Meeting and Agenda
Thursday, March 2, 2017

Time: **6:30 p.m.**
Place: **Mukwonago Municipal Building/Board Room, 440 River Crest Court**

1. Call to Order
2. Roll Call
3. Approval of minutes for January 26, 2017 regular meeting

4. Public Hearing

All persons interested in making comments about any of the public hearing items will be heard. Formal petitions and written comments regarding any of the public hearing items may be submitted tonight. During the public hearing(s), if you wish to be heard, the Board of Building and Zoning Appeals asks that you begin by stating your name and address, speak for no more than three minutes and attempt to avoid duplication. Each person speaking at the public hearing must sign the Public Hearing Appearance sign-in sheet before speaking. The sign-in sheet is available on the table located at the back of the room.

- A. Request by Raymond and Sandra L. Schmidt for a variance of 180 square feet to allow construction of an accessory building (garage) of 900 square feet instead of the maximum of 720 square feet pursuant to Section 100-453 (5) of the Village of Mukwonago Municipal Code for the property located at 450 Eagle Lake Avenue, known as MUKV1974983
- B. Request by Raymond and Sandra L. Schmidt for a variance of three (3) feet to allow construction of an accessory building (garage) with a height of 18 feet instead of the maximum of 15 feet pursuant to Section 100-453 (5) of the Village of Mukwonago Municipal Code for the property located at 450 Eagle Lake Avenue, known as MUKV1974983

5. New Business

Discussion and Possible Action on the Following Items

- A. Consideration of a request by Raymond and Sandra L. Schmidt for a variance of 180 square feet to allow construction of an accessory building (garage) of 900 square feet instead of the maximum of 720 square feet pursuant to Section 100-453 (5) of the Village of Mukwonago Municipal Code for the property located at 450 Eagle Lake Avenue, known as MUKV1974983
- B. Consideration of a request by Raymond and Sandra L. Schmidt for a variance of three (3) feet to allow construction of an accessory building (garage) with a height of 18 feet instead of the maximum of 15 feet pursuant to Section 100-453 (5) of the Village of Mukwonago Municipal Code for the property located at 450 Eagle Lake Avenue, known as MUKV1974983

6. Adjournment

It is possible that members of, and possibly a quorum of, members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through appropriate aids and services. For additional information or to request this service, contact the Clerk's Office, 440 River Crest Court, (262) 363-6420, Option 4.

MINUTES OF THE REGULAR BOARD OF BUILDING AND ZONING APPEALS MEETING Thursday January 26, 2017

Call to Order

Chairperson Chris Tarr called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Members Present: Dave Mades
Jack Dexter
Chris Tarr
Don Fischer
John Beauchamp, 1st Alternate Member

Members Excused: Sarah Szejn

Also present: Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Village Planner
Judith Taubert, Deputy Clerk/Treasurer

1st Alternate John Beauchamp filled the vacant seat on the Board due to the excused absence of Board member Szejn.

Minutes

Motion by Beauchamp/Dexter to approve the minutes from the Regular Board of Building and Zoning Appeals Meeting on Thursday, December 15, 2016 carried.

Public Hearing

The public hearing for the request by Dennis & Nancy Ward for a variance of 16 feet, 2 inches, to allow a building addition to be located 3 feet, 10 inches from the mapped floodplain, instead of the required 20-foot setback from a mapped floodplain, pursuant to Section 100-283 (f)(1)a. of the Village of Mukwonago Municipal Code for the property located at 209 Shore Drive, known as MUKV1976075 opened at 6:31 p.m.

Joe Herriges, 121 Wolf Run, Ste 1, Contractor for Dennis & Nancy Ward described the project and the reasons for needing a variance. He explained the precautions that they would be doing because the structure will be just outside the floodplain.

Public hearing closed at 6.32 p.m.

The Village Planner Kaniewski explained that the code Section 100-283 (f)(1)a regarding the 20-foot setback is a local regulation not a DNR regulation.

The Supervisor of Inspections Harley explained his concerns and what he will require for this project.

Motion made by Dexter/Fischer to approve the variance to a variance of 16 feet, 2 inches, to allow a building addition to be located 3 feet, 10 inches from the mapped floodplain, instead of the required 20-foot setback from a mapped floodplain, pursuant to Section 100-283 (f)(1)a. of the Village of Mukwonago Municipal Code for the property located at 209 Shore Drive, known as MUKV1976075.

Reasons for granting the variance are:

1. It is a hardship because of a disability.
2. Dennis and Nancy Ward have lived in the house 26 years.
3. There are no other alternatives
4. No one appeared against the variance.

Conditions for the variance are:

1. The construction of the addition will be based on the plans submitted.

Motion carried unanimously upon a roll call vote.

Adjournment

Meeting adjourned at 6:54 p.m.

Respectfully submitted,

Judith A. Taubert
Deputy Clerk/Treasurer

**NOTICE OF PUBLIC HEARING BEFORE THE VILLAGE OF MUKWONAGO
BOARD OF BUILDING AND ZONING APPEALS TO CONSIDER AN APPLICATION FOR
VARIANCES REQUESTED BY RAYMOND SCHMIDT FOR THE PROPERTY LOCATED AT
450 EAGLE LAKE AVENUE**

Please take notice that there will be a public hearing before the Board of Building and Zoning Appeals of the Village of Mukwonago in the Board Room of the Village Hall, 440 River Crest Court, Mukwonago, Waukesha and Walworth Counties, on Thursday, March 2, 2017, commencing at 6:30 p.m., to consider the following matter(s):

<u>PUBLIC HEARING:</u>	<u>Variances to Section 100-453 (5) of the Municipal Code of the Village of Mukwonago</u>
TAX KEY/ADDRESS:	MUKV1974983, 450 Eagle Lake Avenue
LEGAL DESCRIPTION:	PT NW1/4 SEC 26 T5N R18E; COM IN CTR OF HWY 16 CHAINS & 24 LINKS (1071.84 FT) N OF W1/4 POST & 6 CHAINS (396 FT) N89°E FROM W LI SEC 26; N89°E 175 FT THE BGN; N 250 FT; S89°W 100 FT; N 410 FT; N89°E 155 FT; S 660 FT; S89°W 55 FT TO BGN :: DOC# 4230284
OWNER/APPLICANT:	Raymond and Sandra L. Schmidt
MATTER:	Applicant seeks a variance of 180 square feet to allow construction of an accessory building (garage) of 900 square feet instead of the maximum of 720 square feet pursuant to Section 100-453 (5) of the Village of Mukwonago Municipal Code. The proposed garage will include an additional 300 square feet of covered porch. Applicant seeks a variance of three (3) feet to allow construction of an accessory building (garage) with a height of 18 feet instead of the maximum of 15 feet pursuant to Section 100-453 (5) of the Village of Mukwonago Municipal Code.

At this time all interested persons will be afforded a hearing. Information regarding the above noticed hearing(s) may be obtained in the Clerk's Office.

Steven A. Braatz, Jr.
Village Clerk
Pub: 2/15, 2/22

Village of Mukwonago
440 River Crest Court, P.O. Box 206
Mukwonago, WI 53149
Phone: (262) 363-6420
Fax: (262) 363-6425
www.villageofmukwonago.com

VILLAGE OF MUKWONAGO
REQUEST FOR VARIANCE APPLICATION
Application Fee: \$450

Date Submitted: Feb 2 2016

CONTACTS

Zoning and Planning Department
Contact: Bruce Kaniewski
Phone: (414) 339-4105
Fax: (262) 363-6425
Email: planner@villageofmukwonago.com

GUIDELINES

The undersigned petition is to consider a request, as stated herein, for the specified parcel(s) of land and will be reviewed by the Board of Zoning and Building Appeals of the Village of Mukwonago.

Requests for a variance require a public hearing. To ensure the public hearing will be properly advertised, the application must be submitted **at least 30 days prior to the meeting** in which the Board of Zoning and Building Appeals will hold the public hearing. The Board of Zoning and Building Appeals meets on the Thursday after the fourth Tuesday of each month at 6:30 p.m.

Materials listed on page 4 must be provided to the Village of Mukwonago in accordance with Village Municipal Code Chapter 100, Article XII and other pertinent sections of Village ordinances, WI Stats. 62.23, and as necessary to permit review that is consistent with proper planning practice. The Village will strive to accommodate reasonable requests for informal preliminary staff review, however the Village shall not place any items on the agenda for Board of Zoning and Building Appeals consideration until such time as the application is complete in accordance with all requirements specified on this and other attached application forms.

Mail completed applications to: Village Zoning Administrator
ATTN: Request for Variance
PO Box 206
Mukwonago, WI 53149
Deliver to: Village Clerk's Office
440 River Crest Court
Email to: jhankovich@villageofmukwonago.com

Complete, accurate and specific information must be entered. Please Print.

APPLICANT INFORMATION (Full Legal Name)

Name: RAYMOND SCHMIOT
Company: N/A OWNER
Address: 1246 SCHOOL DR City: WAUWATOSA State: WI Zip: 53189
Daytime Phone: 262-366-1504 Fax: NA
E-Mail: SANDYLSCMIOT@GMAIL.COM

APPLICANT IS REPRESENTED BY (Full Legal Name)

Name: RAYMOND SCHMIDT
Company: OWNER
Address: 450 EAGLE LAKE AVE City: MULLWOMAGO State: WI Zip: 53149
Daytime Phone: 262-366-5704 Fax: N/A
E-Mail: SANDYL.SCHMIDT@GMAIL.COM

ARCHITECT

Name: NORTHLAND BUILDINGS INC
Company: SEE BELOW
Address: _____ City: _____ State: _____ Zip: _____
Daytime Phone: _____ Fax: _____
E-Mail: _____

PROFESSIONAL ENGINEER

Name: NORTHLAND BUILDINGS INC
Company: SEE BELOW
Address: _____ City: _____ State: _____ Zip: _____
Daytime Phone: _____ Fax: _____
E-Mail: _____

REGISTERED SURVEYOR

Name: KETTLE MOKAINE SURVEYING INC (TERRY)
Company: "
Address: PO BOX 357 City: EAGLE State: WI Zip: 53149
Daytime Phone: 262-594-3484 Fax: 262-594-5904
E-Mail: KMS@NETWURX.NET

CONTRACTOR

Name: NORTHLAND BUILDINGS INC (ARIE HERTZ)
Company: "
Address: 380 MAIN STREET City: BROWNSVILLE State: WI Zip: 53006
Daytime Phone: 920-583-2554 Fax: 920-583-2173
E-Mail: HERTZ@NORTHLANDBUILDINGS.COM

PROPERTY AND PROJECT INFORMATION

Present Zoning: RESIDENTIAL Tax Key No(s): MUKV 1974983

Address/Location: 450 EAGLE LAKE AVE

A. I/We request a variance for:

WE REQUEST A VARIANCE TO INCREASE THE SIDE/SQUARE FOOTAGE FROM 720 TO 900 WITH COVERED 300 SQUARE FEET. HEIGHT OF BUILDING FROM 15' TO 18' TALL. COVERED AREA TO BE ATTACHED LIEN TO ON BUILDING PER PLAN

B. The property is presently used as:

HOME / PERSONAL STORAGE

C. Name of Architect, Professional Engineer, or Contractor: NORTHLAND BUILDINGS INC

D. Project Timetable: Start Date: ASAP Completion Date: 4 WEEKS

E. All of the Proposed Use(s) of the property will be:

Principal Use INTERIOR STORAGE / PERSONAL USE

Secondary Use WOOD WORKING SHOP / PERSONAL USE

Accessory Use REPAIR / RESTORE EQUIPMENT OR VEHICLES
PERSONAL USE

F. I/We represent that I/we have a vested interest in this property in the following manner:

- Owner
- Leasehold. Length of Lease: _____
- Contractual. Nature of contract: _____
- Other. Please explain

PETITION FOR VARIANCE

TO THE ZONING BOARD OF APPEALS

The petition of POLE BUILDING SIZE respectfully shows:

1. This petition is made pursuant to the ordinance of the Village of Mukwonago and pertaining to the functions, duties, and powers of the Board of Building and Zoning Appeals.

2. The petitioner is appealing for:

LARGER POLE BUILDING

3. Petitioner requests a variation as follows:

CHANGE 720^{sq ft} TO 900^{sq ft} ENCLOSED
HEIGHT 15' TALL TO 18' TALL

4. Petitioner has attached hereto a survey of the premises. Yes No

5. The present zoning classification of the described real estate is RESIDENTIAL

6. The names of the owners of said property are as follows:

RAYMOND AND SANDRA SCHMIDT

7. Petitioner further respectfully represents that to permit the variance aforesaid would not be contrary to the public interest, or in any way be detrimental to the neighborhood or the neighbors; that to refuse to permit such a variance would cause to the petitioner practical difficulty or unnecessary hardship; and that the use of the premises for the purposes herein prayed would do substantial justice, would be in keeping with the spirit of the Village of Mukwonago and the immediate neighborhood.

ITEMS REQUIRED TO BE SUBMITTED (If not applicable, mark N/A)

- Survey of the property
- Map/picture of the property
- Plan of operation/proposal
- Overview of the adjoining lots (including list of parcel identification numbers for all properties within 300 feet of the subject property)
- Drainage plan
- Floor plan (1/4" Scale)
- Elevations (front and sides)

APPLICATION FOR VARIANCE (Please fill out ALL of the questions.)

A. Describe what you are building, the proposed dimensions, and what are the proposed setbacks:

WE REQUEST A VARIANCE TO INCREASE THE SIZE SQUARE FOOTAGE FROM 720^{SQ FT} TO 900^{SQ FT} WITH COVERED 10' X 30' 300^{SQ FT} LIEN TO ON BUILDING. PER SURVEY SETBACK WOULD BE 21.91' OFF EAST LOT LINE.

B. Describe the exceptional or extraordinary circumstances or conditions that apply to your property that do not apply to surrounding properties:

WE HAVE A LARGER LOT THAN MOST IN THE AREA AT 1.76 AC.

C. Describe the hardship (s) that would result if the Variance is not granted:

WE WOULD HAVE TO MOVE WOOD WORKING AREA INTO BASEMENT WHICH IS PLANNED FOR FINISHED AREA. OR MOVE OFF SITE. ALSO WE WOULD HAVE TO STORE EQUIPMENT AND VEHICLES OUTSIDE WHILE UNDER RESTORATION/REPAIR OTHER THAN INSIDE THE BUILDING.

D. Describe how the variance would not have adverse affects on surrounding lands:

WITH HAVING A LARGER LOT 1.76 AC 76,655^{SQ FT} WE ARE PROPOSING TO ONLY COVER 10,696 W/ DRIVEWAY/HOME/POLE BUILDING. ALSO THE AREA IS FLAT SO GRADE AND LANDSCAPE WILL NOT BE GREATLY DISTURBED.

CERTIFICATION

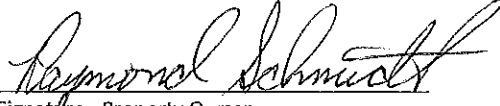
Applicant hereby certifies that:

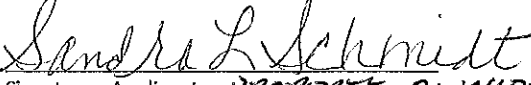
1. All of the above statements and other information submitted as part of this application are true and correct to the best of his or her knowledge.
2. Affirms that no Village of Mukwonago elected or appointed official or employee has a proprietary interest in the above referenced property for which this applications being filed (except as stated below under "Exceptions").
3. None of the above referenced individuals has been promised or given any contract for consultation, planning or construction in relation to this project (except as stated below under "Exceptions").
4. Applicant has read and understands all information in this packet.

Applicant further understands the policies of the Village regarding change of zonings and property development. Conditions of the resolution regarding all approvals are strictly followed. Certificates of Occupancy are not given until all conditions of approval have been met

By the execution of this application, applicant hereby authorizes the Village of Mukwonago or its agents to enter upon the property during the hours of 7:00 am to 7:00 pm daily for the purpose of inspection. Applicant grants this authorization to enter even if this land has been posted against trespassing pursuant to Section 943.13 WI Stats.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).


 Signature - Property Owner
RAYMOND SCHMIDT OWNER
 Name & Title (PRINT)
2/2/2017
 Date


 Signature - ~~Applicant~~ PROPERTY OWNER
SANDRA SCHMIDT OWNER
 Name & Title (PRINT)
2/2/2017
 Date

 Signature - Property Owner

 Name & Title (PRINT)

 Date

 Signature - Applicant's Representative

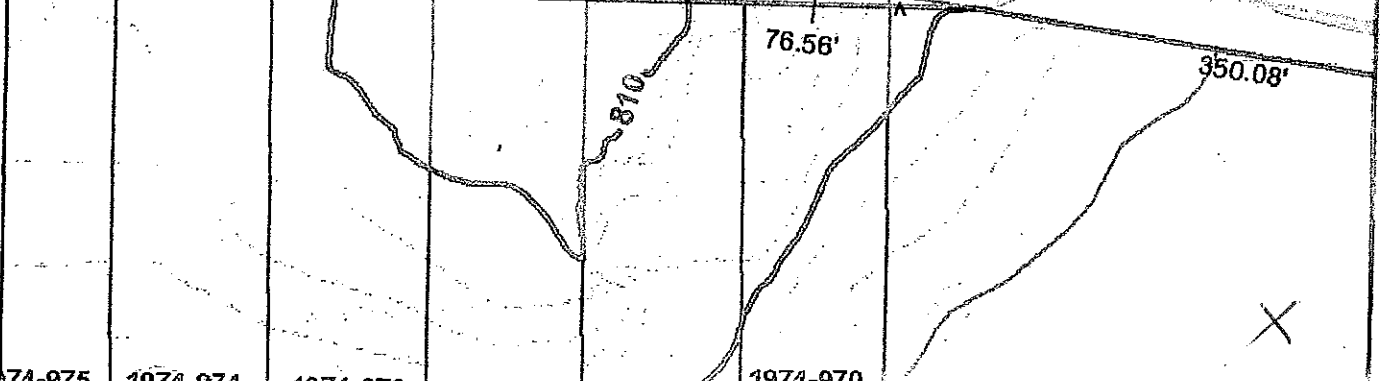
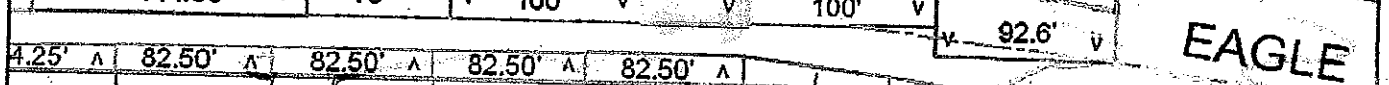
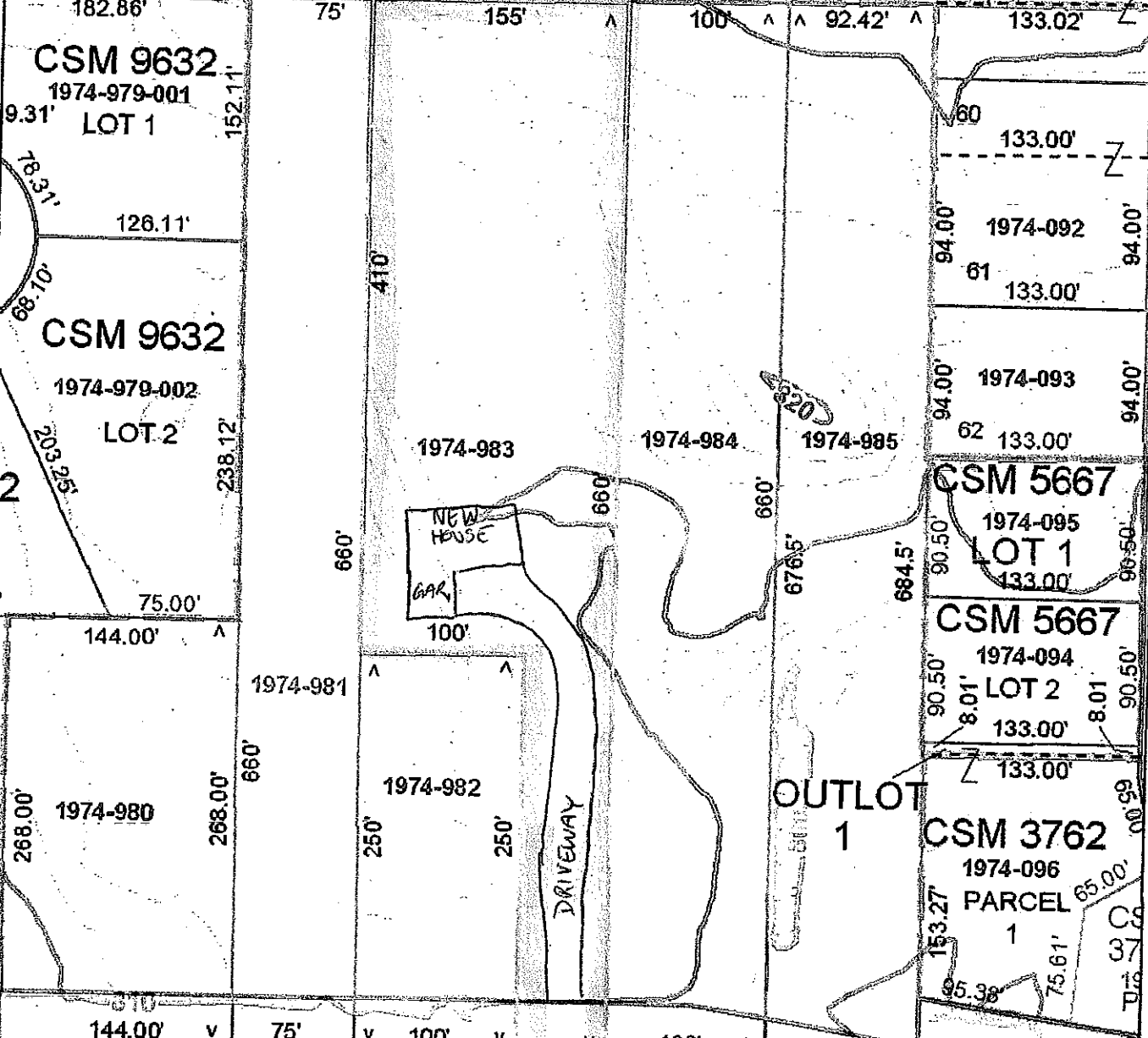
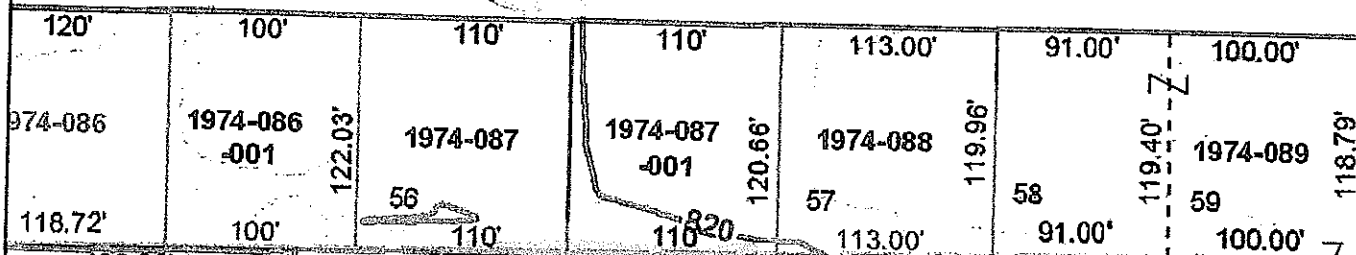
 Name & Title (PRINT)

 Date

FOR OFFICE USE ONLY	
Date Paid <u>2/7/17</u>	Receipt # <u>13555.944</u>
Date(s) Notice Published	Date Notices Mailed
Public Hearing Date	Plan Commission Date(s)
Escrow Required? <input type="checkbox"/> Yes <input type="checkbox"/> No	Escrow Amount
Board of Zoning and Building Appeals Disposition	

AHRENS DRIVE

60'



N89°00'28"E 155.45'

NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SEC. 28-5-18

(N89E)

(155')

PLAT OF SURVEY

PLAT OF SURVEY
This plat shows the boundaries of the property described in the foregoing plat, as surveyed and shown on the ground, and as the same may be affected by the proposed improvements...

SURVEYED FOR: RAY AND SANDY SCHMIDT

SUGGESTED YARD GRADE: 818.0
SUGGESTED TOP OF FOUNDATION: 818.67
SUGGESTED TOP OF FOOTING: 808.67

173 ACRES EXCL. OF R/W

DRAINAGE PLAN NOT NEEDED AREA PROPOSED IS FLAT

1/4 SECTION 28-5-18

SECTION 28-5-18

WEST LINE OF THE NORTHWEST 1/4 OF SECTION 28-5-18

1 1/4" O.D. IRON PIPE WITH 3/4" FIN INSIDE

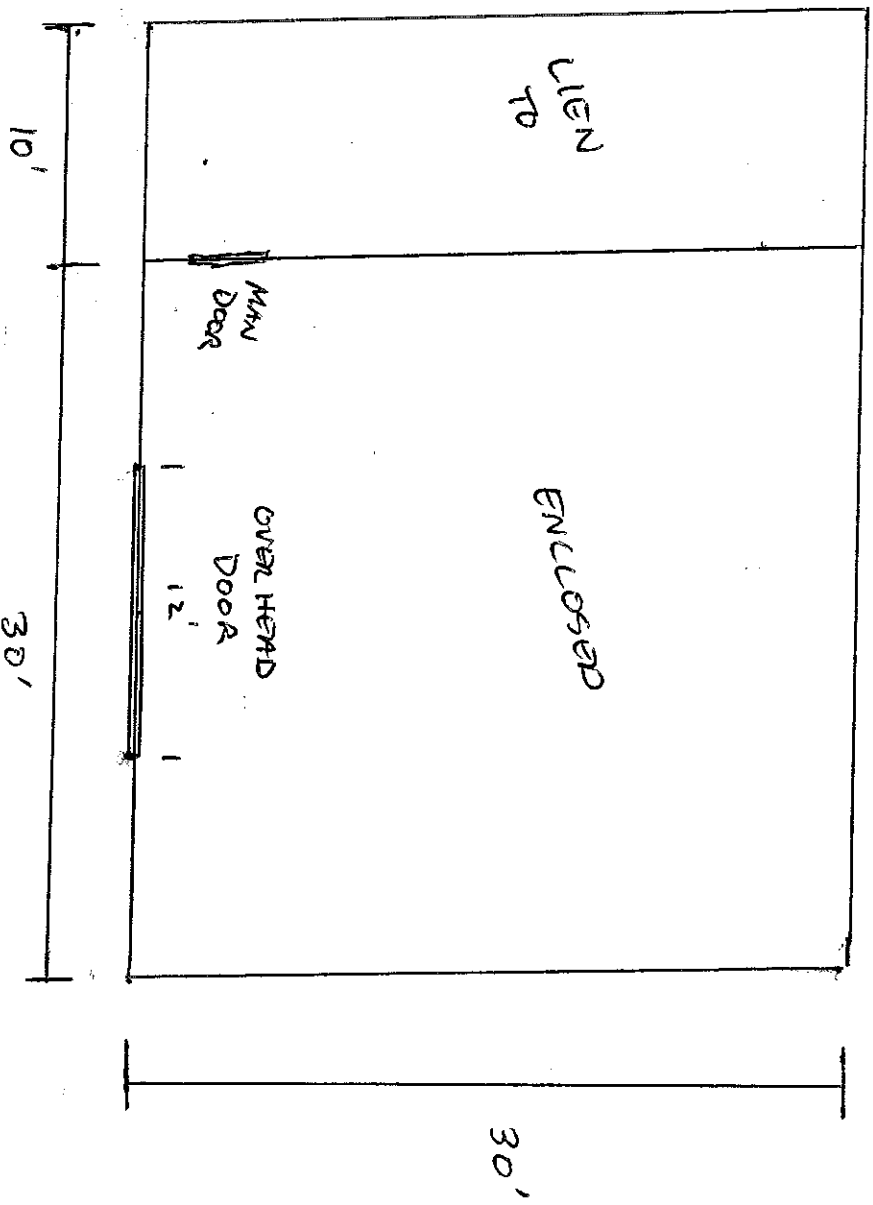
C.T.H. 'LO' EAGLE LAKE AVE.

SCALE 1"=80'
BEARINGS ARE REFERENCED TO THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 28-5-18 AND IS ASSUMED TO BEAR S00°10'30"E.

- FOUND 2" O.D. IRON PIPE
FOUND 1 1/4" O.D. IRON PIPE
FOUND 3/4" IRON PIN
RECORDED AD DIMENSIONS

Professional seal and title block for Kettle Springs Surveying Inc., including surveyor name, date, and project information.

SCHMIDT POLE BUILDINGS 1/8" = 1' SCALE
450 STATE LAKE AVE
MILLBURN, NJ 07041



February 3, 2017

The below referenced request is for the out building at 450 Eagle Lake Ave., Mukwonago, WI 53149.

262 3661504

We, Raymond & Sandra Schmidt are requesting a variance to increase the size/ square footage from 720 to 900 with a 300 sq ft covered over hang. The height of the building would increase from 15 ft to 19 ft to accommodate a larger overhead door for our vehicles. This building will be used to store our personal belongings and accommodate a woodshop area. Without this building we would need to store equipment and vehicles outdoors and would not have room for wood working shop as the basement of the house is taken up by living space. This building is only being used for personal belongs and a hobby workshop and not to be used for business purposes.

By signed this you would be agreeing to have no objects to the increased size of the out building.

Thank you Raymond and Sandra Schmidt

I understand JLW 460 Eagle Lake Ave

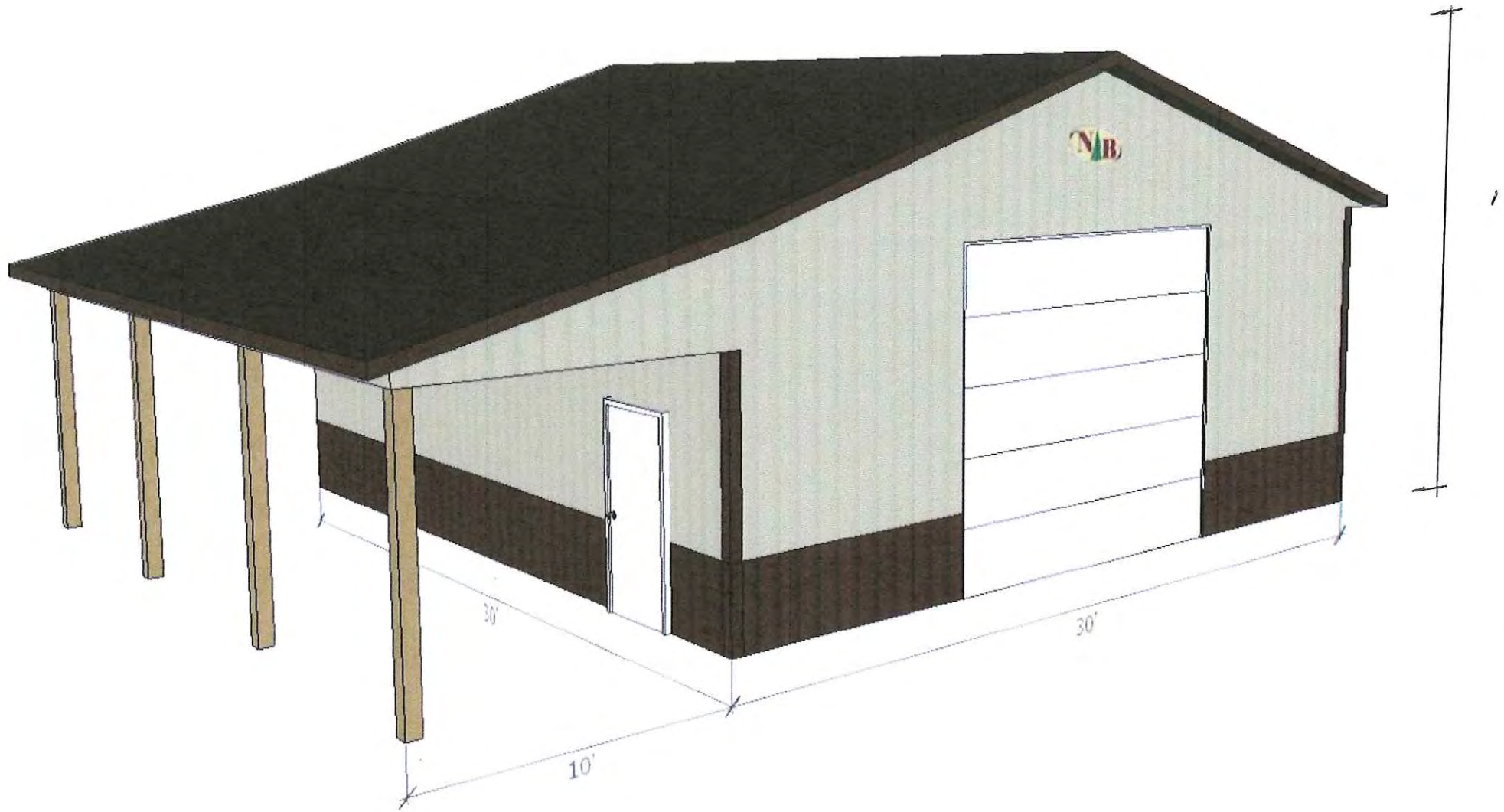
Sandra Schmidt 430 Eagle Lake Ave

Virginia Decker 307 Abrams Drive

JCH 612 Meadowview Ct.

Ally Bateman 606 Meadow ^{view} ~~park~~ Ct Mukwonago WI 53149

Ray Schmidt 440 Eagle Lake Ave. Mukwonago WI 53149



Google Maps 450 Eagle Lake Ave



Imagery ©2017 Google, Map data ©2017 Google 50 ft



450 Eagle Lake Ave
Mukwonago, WI 53149

