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Office of the City Clerk

BOARD OF APPEALS
Thursday, April 7, 2022
6:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Chairman Massey called the meeting to order at 6:00 PM.

Present:

Chair Kathleen Massey
Vice Chair William Komisar
Board Member Ramona Larson
Board Member Joseph Russell
Board Member Robert Stern
Board Member Thomas Flanagan -- **Absent**

Also Present: City Clerk Caroline Fochs, Inspection Supervisor Mike Hadley, press and interested public.

Chairman Massey thanked Vice Chair Komisar for his service on the Board.

2) Approve meeting minutes of March 3, 2022

RESULT: **Approved by Voice Acclamation [Unanimous]**
MOVED BY: Board Member Stern
SECONDED BY: Board Member Larson

AYES:	Massey, Larson, Russell, Stern
ABSTAIN:	Komisar

3) Hear evidence concerning; debate, deliberate and decide the request of:

Appellant: Chris D. Paulsen
Owner: Chris D. Paulsen
Address: 4927 W. Elmdale Road
Appeal: Opportunity will be afforded to all interested parties in being heard concerning the Petition requesting a variance from Section 58-239 and Table 58-249 of the City

of Mequon Code of Ordinances in order to construct a new unattached garage that exceeds the required side yard offset at 4927 W. Elmdale Road.

Hearing no objection, Chairman Massey opened the public hearing, stated the appeal and the process.

All parties appearing before the Board of Appeals were sworn.

Inspection Department Supervisor Hadley stated that the appellant is requesting a side yard offset variance to build a detached garage. The required side yard offset is 20 feet. The current offset is 1 foot 8 inches, and the appellant is proposing a 10 foot offset. It is staff's opinion that there are reasonable locations for a code compliant detached garage. He further noted that the neighbor to the east of the subject property appears to have a garage located closer than the required 20 feet. Shifting the garage further south and east would be possible, however, it would not be practical in his opinion. The appellant's driveway appears 3 feet from the property line and if the garage was repositioned it would have to curve east. The home was built in 1935 and pre-dates any offset rules. While it still would not be code compliant, the proposed garage is improving the side offset by 8 feet 4 inches.

Mr. Paulsen stated they've recently added a four-season room and hardscape patio with City staff's help. Currently, from most of the home's windows the garage is not seen. If they were to move the garage to the south or east it would encroach on the new patio wall, interfere with power/utility lines, be visible from the house and create difficult turning angles to enter/exit the garage. The current garage is dilapidated, outdated and needs to be replaced. A new aesthetically pleasing garage will add value and should be unseen from the street. The neighbors do not object to the proposed garage.

Motion to close the public portion of the hearing.

RESULT: **Approved by Voice Acclamation [Unanimous]**
MOVED BY: Board Member Stern
SECONDED BY: Board Member Larson

AYES: Massey, Komisar, Larson, Russell, Stern
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Board discussion ensued:

- Lot and home create hardship.
- Maneuverability of cars would be much more difficult if the garage were positioned according to code.
- The offset would be increased from 1 foot 8 inches to 10 feet.
- Current garage takes away from the value of the neighborhood.
- Following the letter of the ordinance is contrary to the spirit of the ordinance.

Motion to grant the variance in order to build the detached garage with a 10-foot side offset.

RESULT: **Approved by Voice Acclamation [Unanimous]**
MOVED BY: Board Member Stern
SECONDED BY: Board Member Russell

AYES: Massey, Komisar, Larson, Russell, Stern
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4) Adjourn

Motion to adjourn at 6:27 PM.

RESULT: **Approved by Voice Acclamation [Unanimous]**
MOVED BY: Board Member Stern
SECONDED BY: Board Member Larson

AYES: Massey, Komisar, Larson, Russell, Stern
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Respectfully Submitted,
Kathy Andrykowski
Deputy Clerk
Approved 06-02-22