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Office of the City Clerk

**BOARD OF APPEALS
Regular Meeting
Thursday, March 5, 2026 - 6:00 PM
Christine Nuernberg Hall**

Minutes

1) Call to Order and Roll Call

The meeting was called to order by Chair Wawrzyn at 6:00 p.m.

Present:

Chair Wawrzyn, Board Member Helfer, Board Member Larson, Board Member Korger, Board Member Reigle

Also present: City Clerk Caroline Fochs, City Attorney Brian Sajdak, Assistant City Engineer Cole McCraw, Building Inspection Supervisor Greg Golden, Attorney Chris Jaekels, and interested public.

2) Approval of Meeting Minutes

- a) Meeting minutes of February 5, 2026

Motion to amend the meeting minutes to allow conformity of referenced name usage: William Hanney versus Bruno Hanney.

MOTION:	Meeting Minutes of February 5, 2026 Approved as amended
MOVER:	Board Member Stephen Helfer
SECONDER:	Board Member Ramona Larson
AYES:	Chair James Wawrzyn, Board Member Stephen Helfer, Board Member Ramona Larson, Board Member Allison Korger, Board Member Scott Reigle
RESULT:	Approved by Voice Acclamation

3) Hear Evidence Concerning: Debate, Deliberate and Decide the Request of:

Vice Chair Warzyn explained the guidelines for the Board of Appeals as well as the process for

the meeting. All parties planning to testify before the Board of Appeals were sworn in:

- Youssef Berrada 7421 W. Ridgeview Drive, Mequon
- Joe Goldberger 13460 N. Silver Fox Drive, Mequon
- Paul Apfelbach 3903 W. Mequon Road, Mequon
- Eric Miller 616 E. Circle Road, Mequon
- Brian Sajdak 11333 N. Cedarburg Road, Mequon
- Cole McCraw 11333 N. Cedarburg Road, Mequon
- Greg Golden 11333 N. Cedarburg Road, Mequon

- a) Joe A. Goldberger on behalf of Youseff Berrada request a variance to Mequon Code Sec 58-60308 to retain the existing berm at 7421 W. Ridgeview Drive.

Chair Wawrzyn began preliminary discussion with an explanation of the Board's rules and regulations in relation to receiving staff testimony prior to a hearing.

The applicant's attorney Mr. Goldberger acknowledged that all matters concerning his client and his property have been resolved except for the berm. The settlement arranged by the City and signed by the Mayor and City Attorney provided the option of being heard by the Board of Appeals or the Planning Commission on that matter.

City Attorney Sajdak clarified that the City has no objection to the Board's jurisdiction, and clarified that this particular request is a variance and not part of the settlement agreement.

The Board went into discussion on the jurisdictional power and authority of the Board, referring to municipal ordinances. The order of power was up for debate to determine whether the Board should be the initial act for the City on this hearing.

Mr. Sajdak referenced the statute on variances - 623.237(b) — stating the Board or body can make determinations. He explained the difference between a variance appeal. The settlement provides the applicant the choice to be heard by the Planning Commission or the Board of Appeals. The topic at hand is a request for a variance in relation to municipal code restrictions. The Planning Commission may grant a waiver to City requirements. However, if they choose to deny the request, the applicant may be seen by the Board of Appeals to review for errors by the Commission. Following the Board's decision, the applicant may then choose to escalate their hearing to the Ozaukee County Circuit Court.

Mr. Goldberger requested to withdraw from the hearing to go before the Planning Commission. The Board recognized their right to do so and discussion ended.

- b) Eric and Margaret Miller Architectural Review Board appeal regarding denial for construction of a detached accessory structure at 616 E. Circle Road

Supervisor Golden provided the Board with an overview of the proceedings on behalf of the City and the Architectural Review Board (ARB). The ARB unanimously voted to deny the applicant's request for accessory structure's building materials in relation to ARB guidelines in December 2025. There is an inconsistency in roofing and siding materials of board and batten

on the new build plans and masonry treatments terminating at an outside corner, whereas cedar shake shingle siding and asphalt roofing are used on the existing property structure.

Mr. Apfelbach representing the ARB, explained that the applicant did not come to the ARB meeting to gain approval, but denial, so that he may come before the Board of Appeals. Member Reigle inquired on what guidelines the applicant was provided with following the ARB's denial. Mr. Apfelbach explained that the ARB offered the applicant solutions to two of the three issues. He believes the ARB worked with the applicant to modify to the best of their ability considering guidelines' constraints.

Member Reigle confirmed that the cedar shake siding was the basis for denial. He believes the City guidelines are not specific enough to differentiate this situation involving structures on the same property.

Mr. Golden expressed that the ARB's purpose is to provide guidance and single lots with a secondary structure must retain a consistent architecture to the primary residence.

Mr. Miller commented on the discussion of neighboring properties and feels their addition will enhance the area. He believes the ARB does not appreciate the nature of the lot, its unique characteristics, or the vision he wishes to achieve. He cited the wording of "match" and "consistent" used at the ARB discussion are different by definition and allow reasonable disconnect. He concluded that the decision of the ARB may have followed guidelines, but their reasoning for denial was not accurately reflected in the decision-making process.

Member Reigle inquired whether the applicant believes the guidelines for a detached storage structure was followed in his proposed plans and if it is considered compatible with the neighborhood. Mr. Miller believes his structure will focus on bringing back a natural area to enhance the neighborhood.

Mr. Apfelbach explained the difference between batten board and cedar shake siding styles for the members, reiterating the ARB offered compromises to the applicant to adhere to guidelines.

MOTION:	Motion to close the public portion of the hearing
MOVER:	Board Member Stephen Helfer
SECONDER:	Board Member Scott Reigle
AYES:	Vice Chair James Wawrzyn, Board Member Stephen Helfer, Board Member Ramona Larson, Board Member Allison Korger, Board Member Scott Reigle
RESULT:	Approved by Voice Acclamation

With the public portion of the hearing closed, the Board began its discussion. Members Korger, Larson, and Reigle expressed the ARB's lack of guideline consistency, use of poor terminology, and absence of the decision in detail in writing lead to their error in denial. Member Helfer

cited the fact of the applicant being provided with several suggested updates to obtain approval and lack of hardship to adhere to the guidelines. Chair Wawrzyn stated that the ARB exercised their role in judgment, and unfortunately, the audio proved use of inconsistent wording in reference to guidelines opening up this case to possible error.

MOTION:	Motion to grant the variance
MOVER:	Board Member Scott Reigle
SECONDER:	Board Member Allison Korger
AYES:	Board Member Ramona Larson, Board Member Allison Korger, Board Member Scott Reigle
NAYS:	Vice Chair James Wawrzyn, Board Member Stephen Helfer
RESULT:	Approved by Roll Call Vote

4) Adjourn

MOTION:	Motion to adjourn at 7:58 p.m.
MOVER:	Board Member Scott Reigle
SECONDER:	Board Member Ramona Larson
AYES:	Vice Chair James Wawrzyn, Board Member Stephen Helfer, Board Member Ramona Larson, Board Member Allison Korger, Board Member Scott Reigle
RESULT:	Approved by Voice Acclamation

Respectfully Submitted,
Janet Meyer, Deputy Clerk