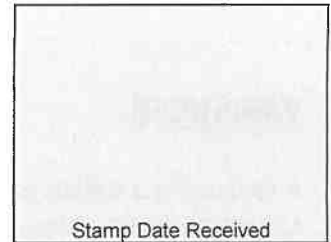


City of Waukesha  
Department of Community Development  
**BOARD OF ZONING APPEALS**  
201 Delafield Street, Waukesha, WI 53188



**NOTICE:** The Board meets on the first Monday of every month at 4:00 p.m. in the upper level hearing room (207) at Waukesha City Hall. **ATTENDANCE OF THE APPLICANT OR A REPRESENTATIVE IS REQUIRED.** Failure to appear could result in the application being acted on without the applicant's input, or it could result in the item being removed from the agenda, requiring the applicant to reapply and pay another filing fee.

The appeal or application must be filed with the Community Development Department at least 17 days before the Board's meeting and within 20 days of the Zoning Inspector's order or decision, accompanied by the filing fee of \$100.00.

This application is for (choose one) 22.32(5)(b) + 22.58(1)(b)  
☒ A variance from section 22 of the zoning code ☐ An appeal from the decision of the Zoning Inspector

For the property identified below:  
Project Address: 709 N. Hartwell Ave. Tax Key #: WAKC1302263

Current Zoning: RM3 Existing Use: single family residence / vacant lot

**ATTACH DETAILED DESCRIPTION OF PROPOSAL** including what is being requested, the rationale, and if a variance request, the facts and circumstances that satisfy the criteria for variance listed on the reverse of this form.

In order to be placed on the Board of Zoning Appeals agenda, the Community Development Department must receive the completed application, fee, project description, and a set of plans in PDF format by the applicable deadline. If this is an appeal from the decision of the Zoning Inspector, also attach a copy of the decision or order rendered by the Zoning Inspector and a statement of principal points on which the appeal is based. The Community Development Department - Planning Division should be consulted to assure an application is complete before being submitted.

**SEE REVERSE FOR DEADLINES AND ADDITIONAL INFORMATION.**

Applicant: (Person to receive notices)  
Name: Mark + Molly Wissler Owner of property: Same  
Address: 713 N. Hartwell Ave.  
City & Zip: Waukesha 53186  
Phone: 262-719-2386 - Mark  
E-mail: wissbow1@yahoo.com

I certify that the above statements and the statements contained in the materials submitted with this application are true and correct.

M. Wissler  
Applicant Signature

3/2/21  
Date

PLEASE NOTE: THIS FORM MUST BE ACCOMPANIED BY A \$100.00 FILING FEE

For Internal Use Only		
Amount Paid: _____	Check # _____	Received by: _____

City of Waukesha  
201 Delafield Street  
Waukesha WI 53186

Re: 713 & 705 N Hartwell Ave parcels

To whom it may concern,

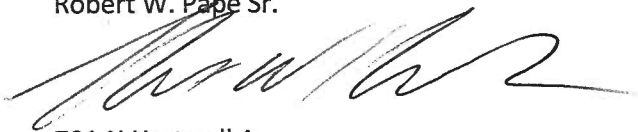
As the property owner at 701 N Hartwell Ave since 2005, our family would welcome the absorption of the lot in between the two above referenced properties creating a two lot parcel divided between the parties eliminating the easement of the driveway for 705 N Hartwell Ave.

Our family also approves of a portion of the lot being used for a recreational swimming pool.

Both owners of the properties have maintained a pleasurable aesthetic for the neighborhood and we look forward to the future improvements. I am certain they will continue to add value to our neighborhood.

Thank you for requesting the input.

Robert W. Pape Sr.

A handwritten signature in black ink, appearing to read 'R. W. Pape Sr.', written in a cursive style.

701 N Hartwell Ave.  
Waukesha, WI 53186

Ervin and Donna Szpek Jr  
620 N Hartwell Av  
Waukesha WI 53186  
262 424 1345 (Erv cell)  
262 424 5322  
[eszpekjr@sbcglobal.net](mailto:eszpekjr@sbcglobal.net)

February 27, 2021

City of Waukesha  
201 Delafield Street  
Waukesha WI 53188-3692

To the Board of Zoning Appeals:

In the matter of the additional lot purchased by our neighbors Mark and Molly Wissler at 713 N. Hartwell Av we have no issues on their plans which include building a pool and selling a portion of this lot to neighbors Paul and Rhonda Kwiecien at 705 N. Hartwell Av.

It was unfortunate a fire destroyed the house on this lot at 709 N. Hartwell Av. We are glad the Wisslers purchased the lot rather than the prior owner rebuilding since more than likely the design would have been contemporary and not fit in with the architecture of this old neighborhood.

The Wisslers purchase is a win for both neighbors. Mark and Molly always wanted more land than a standard city lot. Their purchase keeps them as neighbors who have a well maintained property. As soon as the house was razed they immediately turned the lot into an attractive green space. The purchase of part of this lot by the Kwieciens also keeps them as neighbors since they will now have their own driveway instead of a shared one which was never an ideal situation.

We have lived at our house since 1984 and our pleased with improvements made by our neighbors.

Sincerely,



Ervin Szpek, Jr.



Donna Szpek

Andrew Brown & Katrina Nipko  
717 N Hartwell Ave  
Waukesha, WI 53186

For the Attention of the City of Waukesha

To Whom It May Concern,

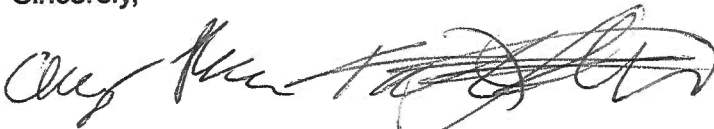
Mark and Molly Wissler have conveyed to us their plans to make changes to their property lot at 713 N Hartwell Ave and 709 N Hartwell Ave, including:

- Selling a portion of the lot to their neighbors to the south, including a portion of a driveway;
- Installing an above-ground pool.

We approve of all of their planned uses of their lot, and have no issues with how they plan to move forward.

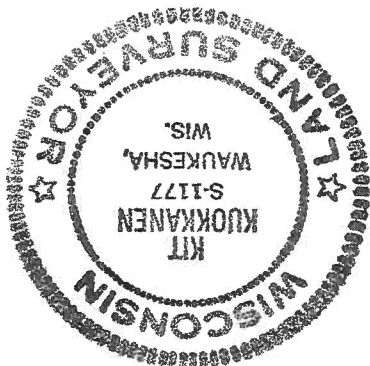
Thank you for your time.

Sincerely,

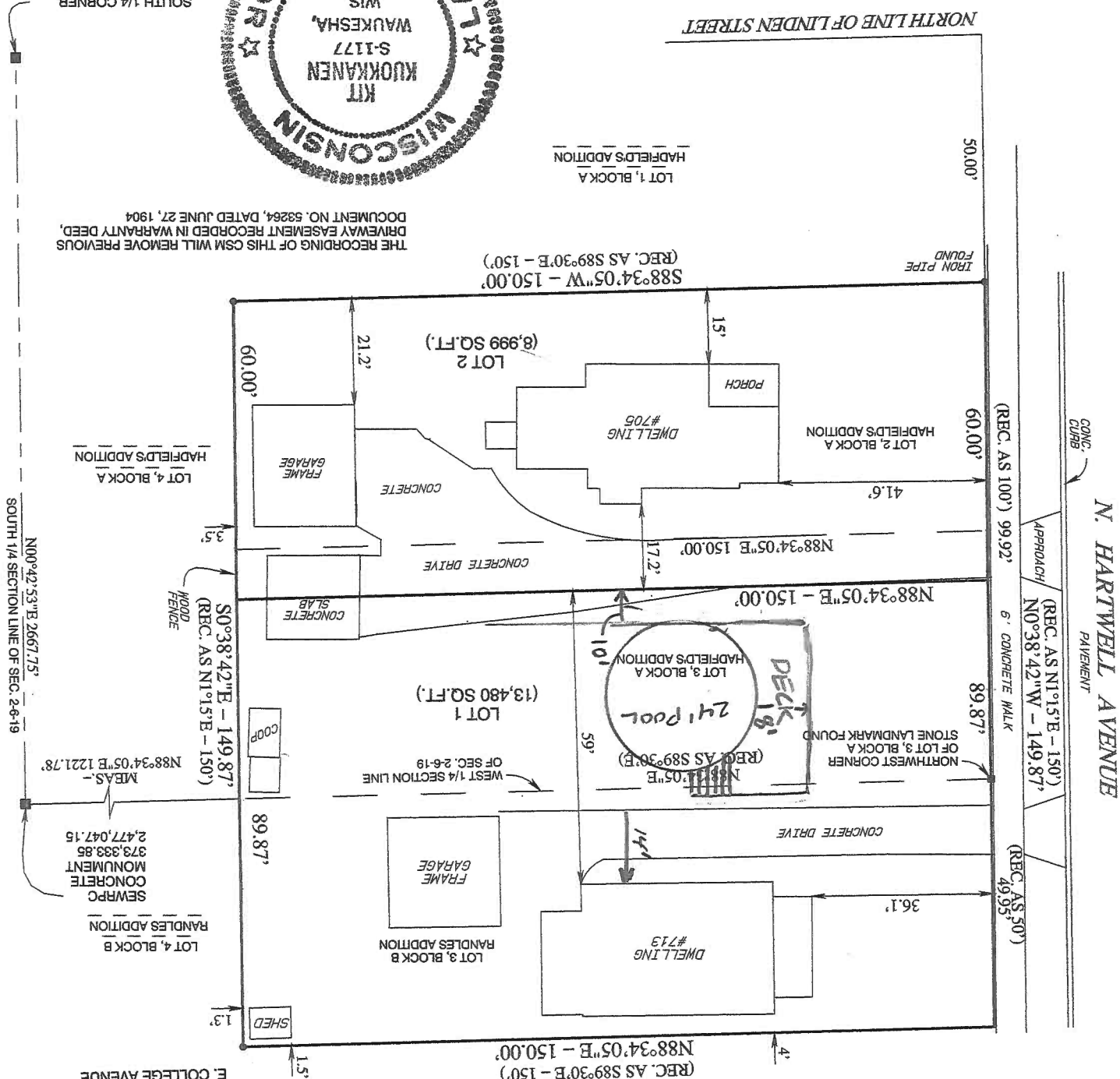
A handwritten signature in black ink, appearing to read "Andrew Brown & Katrina Nipko", written in a cursive style.

Andrew Brown & Katrina Nipko

SOUTH 1/4 CORNER  
SECTION 2-6-19  
SEWRPC  
CONCRETE MONUMENT  
370,666.54  
2,477,013.87



THE RECORDING OF THIS CSM WILL REMOVE PREVIOUS  
DRIVEWAY EASEMENT RECORDED IN WARRANTY DEED,  
DOCUMENT NO. 53264, DATED JUNE 27, 1904



LOCATION MAP  
SOUTHWEST 1/4  
OF SECTION 2-6-19

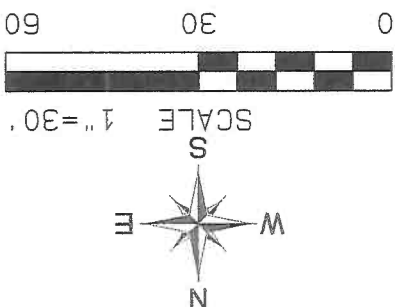
OAKLAND AVENUE

N. EAST AVENUE

E. COLLEGE AVENUE

SCALE: 1"=2000'

C.S.M.



BEING A RE-DIVISION OF LOTS 2 AND 3, IN BLOCK A OF HADFIELD'S ADDITION AND LOT 3 IN BLOCK B OF RANDELS ADDITION  
BEING LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWN 6 NORTH, RANGE 19 EAST, IN THE CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN.

CERTIFIED SURVEY MAP NO.

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**  
BEING A RE-DIVISION OF LOTS 2 AND 3, IN BLOCK A OF HADFIELD'S ADDITION AND  
LOT 3 IN BLOCK B OF RANGLES ADDITION  
BEING LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4  
OF THE NORTHWEST 1/4 OF SECTION 2, TOWN 6 NORTH, RANGE 19 EAST,  
IN THE CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN.

**SURVEYOR'S CERTIFICATE**

I, Kit Kuokkanen, Registered Land Surveyor, hereby certify:

That I have surveyed, re-divided and mapped Lots 2 and 3, Block A in Hadfield's Addition and Lot 3, Block B in Randles Addition, located in the Northeast 1/4 of the Southwest 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 2, Town 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at a stone landmark at the Northwest corner of Lot 3, Block A of Hadfield's Addition; thence N0°38'42"W along the East line of Hartwell Avenue and the West line of Lot 3, Block B in Randles Addition 49.95 feet; thence N88°34'05"E along the North line of said Lot 3, Block B, 150.00 feet; thence S0°38'42"E along the East line of said Lot 3, Block B and Lots 2 and 3, Block A in Hadfield's Addition, 149.87 feet to the Southeast corner of said Lot 2, Block A in Hadfield's Addition; thence S88°34'05"W along the South line of said Lot 2, Block A, 150.00 feet to the Southwest corner of said Lot 2, Block A and the East line of Hartwell Avenue; thence N0°38'42"W, 99.92 feet to the point of beginning.

Contains, 22,479 square feet of land, more or less.

That I made said survey and map by the direction of Mark H. Wissler and Molly J. Wissler, Paul L. Kwiecien and Rhonda R. Kwiecien, owners of said land.

This said map is a correct representation of all exterior boundaries of the land surveyed and the map hereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and Chapter 23.051 of the City of Waukesha Municipal Code requirements for minor land division.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kit Kuokkanen  
Registered Land Surveyor  
S-1177



**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**  
BEING A RE-DIVISION OF LOTS 2 AND 3, IN BLOCK A OF HADFIELD'S ADDITION AND  
LOT 3 IN BLOCK B OF RANGLES ADDITION  
BEING LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4  
OF THE NORTHWEST 1/4 OF SECTION 2, TOWN 6 NORTH, RANGE 19 EAST,  
IN THE CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN.

**OWNERS' CERTIFICATE**

As owners, we hereby certify that we caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map, in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and City of Waukesha Municipal code in land division.

Witness the hand and seal of said owners, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Mark H. Wissler

\_\_\_\_\_  
Molly J. Wissler

**STATE OF WISCONSIN)      SS**  
**COUNTY OF WAUKESHA)**

Personally came before me \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the above named Mark H. Wissler and Molly J. Wissler, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

SEAL

\_\_\_\_\_  
Notary Public  
Waukesha County, Wisconsin  
My Commission Expires: \_\_\_\_\_

**OWNERS' CERTIFICATE**

As owners, we hereby certify that we caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map, in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and City of Waukesha Municipal code in land division.

Witness the hand and seal of said owners, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Paul L. Kwiecien

\_\_\_\_\_  
Rhonda R. Kwiecien

**STATE OF WISCONSIN)      SS**  
**COUNTY OF WAUKESHA)**

Personally came before me \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the above named Paul L. Kwiecien and Rhonda R. Kwiecien, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

SEAL

\_\_\_\_\_  
Notary Public  
Waukesha County, Wisconsin  
My Commission Expires: \_\_\_\_\_



SHEET 3 OF 4

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**  
BEING A RE-DIVISION OF LOTS 2 AND 3, IN BLOCK A OF HADFIELD'S ADDITION AND  
LOT 3 IN BLOCK B OF RANGLES ADDITION  
BEING LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4  
OF THE NORTHWEST 1/4 OF SECTION 2, TOWN 6 NORTH, RANGE 19 EAST,  
IN THE CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN.

**MORTGAGE CERTIFICATES**

**Waukesha State Bank**, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedicating of the land described on the Certified Survey Map, and does hereby consent to the above certificate this \_\_\_\_\_ day of \_\_\_\_\_.

Waukesha State Bank

\_\_\_\_\_

**Landmark Credit Union**, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedicating of the land described on the Certified Survey Map, and does hereby consent to the above certificate this \_\_\_\_\_ day of \_\_\_\_\_.

Landmark Credit Union

\_\_\_\_\_

**CITY OF WAUKESHA PLAN COMMISSION APPROVAL**

Approved by the Plan Commission of the City of Waukesha on this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
SHAWN N. REILLY - MAYOR

\_\_\_\_\_  
DOUG KOEHLER - SECRETARY

**CITY OF WAUKESHA COMMON COUNCIL APPROVAL**

Approved by the Common Council of the City of Waukesha, on this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
SHAWN N. REILLY - MAYOR

\_\_\_\_\_  
GINA KOZLIK - CLERK TREASURER

