City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Final

Board of Zoning Appeals

Monday, January 9, 2017 | **4:00 PM** | **City Hall, RM 207**

1. Call to Order

2. Roll Call

Present 4 - Martin, Langill, Raether, and Hansen

Absent 1 - Rathsack

3. Approval of Minutes

ID#16-1624 Minutes for the Meeting of November 7, 2016 and December 5, 2016.

A motion was made by Hansen, seconded by Martin, that the Minutes be approved. The motion carried by the following vote:

Aye: 4 - Martin, Langill, Raether and Hansen

Absent: 1 - Rathsack

4. New Business

ID#16-1623 The appeal of CFT NV Developments, LLC from the July 13, 2016 decision of the Plan Commission to deny approval of the preliminary plans for a retail development at 2720 N. Grandview Blvd.

i. A motion may be made, after the announcement of the closed session by the Chair, at any time during the aforementioned matters as well as later in the meeting to convene in closed session, pursuant to Wis. Stats. 19.85(1)(g), Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved specifically pertaining to the Appeal of CFT NV Developments, LLC from the July 13, 2016 decision of the Plan Commission to deny approval of the preliminary plans for a retail development at 2720 N. Grandview Blvd. Upon conclusion of the aforementioned closed session(s) the Board of Zoning Appeals will make a motion to reconvene in open session pursuant to Wis. Stat. 19.85(2).

ii. A motion may be made, after the announcement of the closed session by the Chair, to convene in closed session, pursuant to Wis. Stats. 19.85(1)

(a), Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body to consult with council, deliberate the matter of the appeal, and possibly reach a decision on the appeal of CFT NV Developments, LLC from the July 13, 2016 decision of the Plan Commission to deny approval of the preliminary plans for a retail development at 2720 N. Grandview Blvd.

iii. A motion will then be made to reconvene in open session, pursuant to Wis. Stat. 19.85(2) and take any action with regard to the Appeal of CFT NV Developments, LLC from the July 13, 2016 decision of the Plan Commission to deny approval of the preliminary plans for a retail development at 2720 N. Grandview Blvd.

A motion was made by Martin, seconded by Hansen, that this Appeal be approved. The motion carried by the following vote:

Aye: 4 - Martin, Langill, Raether and Hansen

Absent: 1 - Rathsack

ID#16-1732 The appeal of Dan and Patricia Quirt for a dimensional variance from Section 22.26(7)(c) of the Zoning Code. If granted, the variance would allow a 13' X 17' sunroom addition to be built in the rear of the house at 2504 Fox River Circle with one corner of the structure thirty-eight (38') feet from the adjoining lot when the required rear lot setback is forty (40') feet.

A motion was made by Hansen, seconded by Martin, that this Business Item be approved. The motion carried by the following vote:

Aye: 4 - Martin, Langill, Raether and Hansen

Absent: 1 - Rathsack

ID#16-1663 The appeal of Jim Lindenberg for a use variance from Section 22.40(1), (2) & (4) M-3 Limited Business and Industrial Park District of the Zoning Code, whose purpose is to provide for the development of an attractive and aesthetic grouping of limited light industrial uses, offices, corporate headquarters, and support facilities in a park-like setting. If granted, the variance would allow for retail furniture store to expand at 1005 Spring City Drive (Master Z's) with a mix of 87% retail and 13% office/warehouse when the M-3 District does not include retail sales in the permitted principal uses or conditional uses. Previously this applicant was granted use variance for 80% retail with 20% corporate headquarter office/warehouse.

A motion was made by Martin, seconded by Langill, that this Appeal be approved. The motion carried by the following vote:

Aye: 4 - Martin, Langill, Raether and Hansen

Absent: 1 - Rathsack

ID#16-1702 The appeal of Stephen VanderBloemen for a dimensional variance from

Section 22.35(7)(a) of the Zoning Code. If granted, the variance would allow for a street yard setback of eleven (11') feet at 222 W. St. Paul Avenue when the required street yard setback is twenty-five (25') from the right-of-way of all streets.

A motion was made by Raether, seconded by Hansen, that this Appeal be approved. The motion carried by the following vote:

Aye: 4 - Martin, Langill, Raether and Hansen

Absent: 1 - Rathsack

5. Adjournment