

**MINUTES OF THE WHITEFISH BAY
BOARD OF APPEALS
Wednesday, July 13, 2016**

A meeting of the Whitefish Bay Board of Appeals was held in the Village Hall, 5300 North Marlborough Drive, Whitefish Bay, Wisconsin on July 13, 2016.

Pursuant to law, written notice of this meeting was published on the official Village website and posted on the three public bulletin boards.

Present were: Chairman - Mark Johnson. Members: Sean Finnigan, Russ Eisenberg, Leon Flagg, Tom Brown & Mike Kelley. Village Inspector - Joel Oestreich

CASE NO. 1 - 1122 E. Sylvan Ave. - Seth Zlotocha & Sarah Radke

Request for a Variance for a Special Exception for an installed air conditioner on the roof, that does not meet Code. The homeowner was present to explain the project while the Board reviewed the submitted pictures and letter from the neighbor. No neighbors were present. After further discussion, **Tom Brown made a motion to grant the Special Exception as applied for. Sean Finnigan seconded. A vote was taken and passed. (5-0)**

CASE NO. 2 - 500 E. Chateau Pl. - Michael Murphy

Request for a Special Exception for a proposed air conditioner in the front yard that does not meet the Code. The homeowner was present to explain the request while the Board reviewed the submitted pictures and site plan. No neighbors were present. **After further discussion, Russ Eisenberg made a motion to grant the Special Exception as applied for but to include shielding by foliage or other screening. After more discussion, Leon Flagg suggested an amendment to state: for the placement of the a/c to be in the back 1/3 of the house to keep with the "Spirit of the Law." Russ Eisenberg added the amendment. Leon Flagg seconded. A vote was taken and passed. (5-0)**

CASE NO. 3 - 5043 N. Woodruff Ave. - Daniel Klein

Request for a Special Exception for a proposed garage size that does not meet the Code and for a Variance for a side yard setback for a proposed garage that does not meet the Code. The homeowner was present to explain the request for both the size and placement of the proposed garage. The homeowner and a friend, Rhonda, were present to explain the project while the Board reviewed a submitted survey. No neighbors present. **After further**

discussion, Leon Flagg made a motion to grant the Special Exception and Variance as applied for, for discussion purposes only. An informal vote was taken: For the Special Exception 3-2 and the Variance 5-0. After more discussion, Russ made a motion to reconsider the vote for the Special Exception. Sean Finnigan seconded. Another vote was taken and passed. (4-1)

CASE NO. 4 - 4707 N. Wilshire Rd. - Liz & Wes Fleming

Request for a Variance for a ceiling height in an upstairs bathroom that does not meet State Code. The homeowner was present to explain the request while the Board reviewed the submitted pictures. No neighbors in attendance. **After further discussion, Leon Flagg made a motion to grant the Variance as requested. Tom Brown seconded. A vote was taken and unanimously passed. (5-0)**

CASE NO. 5 - 5140 N. Kent Ave. - David Shapson

Request for a Special Exception for a proposed garage size that does not meet the Code and for a Variance for a side yard setback for a proposed garage that does not meet the Code. This was tabled from the previous BOA meeting. The homeowner did not attend the meeting, so the case is closed.

The BOA meeting minutes from May 11, 2016 were reviewed. Leon Flagg made a motion to approve the minutes as submitted. Russ Eisenberg seconded. A vote was taken and passed. (5-0)

The BOA meeting minutes from June 8, 2016 were reviewed. Leon Flagg made a motion to approve the minutes as submitted. Tom Brown seconded. A vote was taken and passed. (5-0)

The Board then discussed different options and ideas on how to address the problem of air conditioning units being installed before the permit is issued along with how to have the contractor attend the meeting to explain the situation.

With no other matters to discuss, Leon Flagg made a motion to adjourn. Russ Eisenberg seconded. A vote was taken and passed. (6-0) The meeting adjourned at 8:10 p.m.

Mark Johnson, Chairman

Cynthia Wallner, Secretary

