

**MINUTES OF THE WHITEFISH BAY  
BOARD OF APPEALS  
Wednesday, March 9, 2016**

A meeting of the Whitefish Bay Board of Appeals was held in the Village Hall, 5300 North Marlborough Drive, Whitefish Bay, Wisconsin on March 9, 2016.

Pursuant to law, written notice of this meeting was published as a Class 2 public notice in the official Village newspaper and posted on the public bulletin boards.

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

**CASE NO. 1 - 120 E. Silver Spring Dr. - Dominican High School**

Request for a Variance for a proposed monument sign on the north campus (Lake View) that does not meet code. Emily Curley from Dominican High School was present to explain the request while the Board reviewed the submitted pictures of the proposed sign and where it will be placed on the property. There is a new parking lot on that end of the campus and the school feels it will be beneficial for the traffic going east and west on Lake View or coming down Bay Ridge.

**Russ Eisenberg made a motion to grant the Variance as requested. Leon Flagg seconded. After further discussion about flexibility for where the sign can be placed, Russ Eisenberg amended the motion to reflect that there be reasonable flexibility as to where the sign be placed. Tom Brown seconded. Dave & Bonnie Poquette from 5665 Bay Ridge were present to state they don't see the need for the sign and are glad to know it will not be illuminated. Bonnie stated that landscaping would really enhance the area. Mr. Hitchcock on Bay Ridge also asked about the need of the sign.**

After further discussion about the landscaping that will be done in the spring in this area, Russ Eisenberg had Sean Finnigan state his amendment: **Sean proposed an amendment that before approval, it be contingent upon the applicant to take steps to place landscaping around the sign so it's less visible to adjacent properties. Tom Brown seconded. A vote was taken and passed. (4-1)**

**CASE NO. 2 - 6012 N. Lake Dr. - Brian & Julie Demitros**

Request for a Special Exception for a proposed fence that does not meet Code in the front and side yards. The homeowner was present to explain the request while the Board reviewed the submitted pictures and survey. Seven property owners share the fence and the request is to replace it with the same height and style of the existing. It will be about 5 ½ ft. on top of a concrete "wall." No neighbors in attendance. **Tom Brown made a motion to grant the replacement of the fence as applied for. Leon Flagg seconded. A vote was taken and passed unanimously. (5-0)**

**CASE NO. 3 - 4821 N. Newhall St. - Catherine DiCamelli, Susan Goeb, & Lynn Ludke**

Request for the review of an Administrative Decision made by ARC for the approval of plans for the expansion of the existing house. Lynn Ludke was present to explain the request but had not received a copy of paperwork that was brought into the village hall at 2:15 that afternoon, so she requested a chance to look over the material. The Village Attorney explained that all the submitted paperwork should go through the Secretary of the BOA (clerk) for distribution, not to each individual Board member unless it's simultaneously to the clerk also.

There was discussion about tabling the case. **Leon Flagg made a motion to table the case and Russ Eisenberg made the suggestion that all the documents pertaining to the case be filed with the clerk no less than one week before the meeting and documented that in a motion that April 1<sup>st</sup> is the date that any more documents that are filed for this case be turned in to the Clerk and then replies be submitted by April 5<sup>th</sup>, with multiple copies for the Board members. Leon withdrew the beginning of his motion and seconded Russ' motion. A vote was taken and unanimously passed. (5-0)**

**CASE NO. 4 - 5866 N. Shore Dr. - David & Shari Grams**

Request for a Variance for the construction of a new garage in an established setback and also a Variance for a new, detached garage in the front yard that do not meet Code. Shari Grams, the homeowner, and Attorney James Gormley were present to explain the requests while the Board reviewed the submitted survey and pictures. The Village Attorney explained the previous Variance for this property from 2013 and that any options to revisit the decision have expired.

Several neighbors were in attendance: **James Mallatt from 5848 Shore Dr.** stated that their view of the lake & Klode Park would be blocked and explained that the original garage was built

underneath the existing house and is now used as living space. The previous homeowner applied for a Variance for a detached garage but did not build it. He also requested that the BOA review the history of this property. **Rich Claxton from 5850 N. Shore Dr.** stated his concern of how the structure will look when entering Klode Park; he thought he could still see Klode if it was built in the proposed space. **Todd Davies from 5852 N. Shore Dr.** stated he was not in approval of the proposed location and thought this issue couldn't be brought to the BOA again. The Village Attorney answered his concern. He feels the garage that was approved should be built instead. He complimented the homeowner on the design, but doesn't want it built in the front yard. **Janice & Marvin Blitstein from 5834 N. Shore Dr.** opposes the size and feels it would ruin the view of Lake Dr. and the neighborhood. **Gerard Parent from 5862 N. Shore Dr.** sent an email to Mrs. Grams' phone stating their approval of the proposed placement.

After further discussion from Attorney Gromley and the Village Attorney, Chris Jaekels, the Board felt that tabling the case would allow for the homeowners to review the hardship(s) of this property for their proposed garage and why it isn't possible to build this garage where it is legally possible from the previous owner's granted Variance. The Chairman requested the minutes from the meeting for this address that relate to the Variance be provided for the next BOA meeting. **Leon Flagg made a motion to table the case until the next BOA meeting in April. Sean Finnigan seconded. A vote was taken and passed. (5-0)**

The BOA meeting minutes from February 10, 2016 were tabled. They will be reviewed at the April BOA meeting.

**With no other matters to discuss, Leon Flagg made a motion to adjourn. Sean Finnigan seconded. A vote was taken and passed. (5-0) The meeting adjourned at 8:00 p.m.**

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Mark Johnson, Chairman

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Cynthia Wallner, Secretary



