

**MINUTES OF THE WHITEFISH BAY  
BOARD OF APPEALS  
Wednesday, June 8, 2016**

A meeting of the Whitefish Bay Board of Appeals was held in the Village Hall, 5300 North Marlborough Drive, Whitefish Bay, Wisconsin on June 8, 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 & Mike Kelley. Village Inspector - Joel Oestreich

**CASE NO. 1 - 5460 N. Lake Dr. - James & Kristina Mellin**

Request for a Variance for the chimney height that does not meet the State of Wisconsin Code. Tabled from the May BOA meeting. The homeowners, Jim from Cream City Construction and Fire Chief Robert Whitaker, were present to review newly submitted documentation from the Fire Chief. No neighbors were present. After further discussion, **Tom Brown made a motion to grant the Special Exception subject to the fireplace remaining a gas burning fireplace. Sean Finnigan seconded. After further discussion, Leon amended the motion to say: in view of the Fire Chief's letter from May 20, 2016. Russ Eisenberg seconded. A vote was taken and passed. (5-0)**

**CASE NO. 2 - 709 E. Lexington Blvd. - Brenda Tang**

Request for a Special Exception for a proposed garage size that does not meet the Code. The homeowner was present to explain the request while the Board reviewed the submitted plans and survey. No neighbors were present. **After further discussion, Sean Finnigan made a motion to grant the Special Exception as applied for. Tom Brown seconded. A vote was taken and passed. (5-0)**

**CASE NO. 3 - 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. The homeowner was present to explain the request for both the size and placement of the proposed garage. Matthew Wines from 5144 N. Kent was present to state his concern of making sure the garage isn't being built closer to the lot line near his property.

After further discussion about a different placement and size of the garage, **Leon Flagg made a motion to table the case with the opportunity for the applicant to come back to the next BOA meeting in July, or the case would be closed. Sean Finnigan seconded. A vote was taken and passed. (5-0)**

**The BOA meeting minutes from April 13, 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)**

**With no other matters to discuss, Leon Flagg made a motion to adjourn. Tom Brown seconded. A vote was taken and passed. (6-0)**  
**The meeting adjourned at 7:20 p.m.**

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Mark Johnson, Chairman

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Cynthia Wallner, Secretary

