

MINUTES OF THE WHITEFISH BAY
BOARD OF APPEALS
Wednesday, August 8, 2018

A meeting of the Whitefish Bay Board of Appeals was held in the Whitefish Bay Library, 5420 North Marlborough Drive, Whitefish Bay, Wisconsin on August 8, 2018.

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: Leon Flagg, Sean Finnigan, Russ Eisenberg & Mike Kelley. Village Attorney, Chris Jaekels & Building Inspector, Joel Oestreich

The Chairman called the meeting to order at 6:20 P.M.

The Village Attorney reviewed the history of the case and proceedings of Administrative decisions to the Board and that it will be simple majority for voting.

CASE NO. 1 - 5850 N. Lake Dr. - Will Harman

Request for a Review of Village Administrative Decision for the permitted fence. The request is made by the neighbor at **5840 N. Lake Dr.** The homeowners (Harman) from 5840 N. Lake were present to explain the request while the Board reviewed the submitted pictures and survey. The Village Inspector explained the required information for a fence permit and that the distance from the lot line is not part of the review. Then the homeowners (Hill) from **5850 N. Lake**, explained their reasons and concerns for the placement of the fence up to the lot line. Both parties discussed their possible intentions to rectify the prior and current issues between them and Mr. Hill asked if they could have a few minutes to privately discuss options. The Chairman then discussed how the Board will review the decision(s). **After further discussion, Russ Eisenberg made a motion to adjourn this matter for 15**

minutes until the next case is concluded and then they will positively continue this matter; the parties are requested not to leave the nearby grounds including listening to the band. Leon Flagg seconded. A vote was taken and unanimously passed. (5-0)

Back on the record to continue the matter between **5850 and 5840 N. Lake Dr.** The Hills have requested the Harmans pay for the fence and that it will be constructed 1.4 ft. away from the lot line. No neighbors in attendance. **Russ made a motion to continue this case until the next 2 meetings to allow time for the fence to be built and if there are no issues, the Board could accept the agreement to dismiss the application so nothing has to be ruled on at this meeting. If a formal request is asked for, the Board will review that. For discussion purposes, Sean Finnigan seconded.** The Board discussed tabling the case and Russ withdrew his motion, Sean seconded.

The Village Inspector stated he would come out to check the placement of the post holes before the rest of the fence is completed. The homeowners decided who was going to pay for the fence and how the payments would be made; not to exceed \$5,000.00. If the case comes back to BOA there would be no fee charged. **After further discussion, Sean Finnigan made a motion to table the case until the post holes are inspected and determined to be in the correct area. Mike Kelley seconded. A vote was taken and unanimously passed. (5-0)**

CASE NO. 2 – 5827 N. Shore Dr. – Ted & Lauren Gronski

Request for a Special Exception for the proposed placement of an air conditioner that does not meet Code. The homeowners and the representative from Donovan Jorgensen were present to explain the request while the Board reviewed the submitted survey. No neighbors in attendance and no letters were submitted. **After further discussion about the request for neighbor's letters, Russ Eisenberg made a motion to grant the Special Exception as applied for based on approval letters from the 3 adjacent neighbors to be delivered to the Building Inspector within 4 weeks of this meeting. Leon Flagg seconded. A vote was taken and unanimously passed. (5-0)**

The BOA meeting minutes from July 11, 2018 were reviewed. Leon Flagg made a motion to approve the minutes as submitted with corrections for the spelling of the last name of Mike Kelley and the correction of a final vote count for the last case to 4-0. Mike Kelley seconded. A vote was taken and unanimously passed. (4-0) (Russ Eisenberg was not in attendance)

With no other matters to discuss, Mike Kelley made a motion to adjourn. Sean Finnigan seconded. A vote was taken and unanimously passed. (5-0) The meeting adjourned at 7:30 p.m.

Mark Johnson - Chairman of BOA

Cynthia Wallner - Secretary-BOA

