



Village of Bayside
9075 N Regent Rd
March 17, 2022
Village Hall Boardroom, 5:00 pm

BOARD OF ZONING APPEALS MINUTES

I. CALL TO ORDER AND ROLL CALL

Acting Chairperson Chaet called the meeting to order at 5:00pm.

Chair: Max Dickman – Excused
Members: Darren Fisher - Excused
Amy Krier
Ben Minkin
Barry Chaet
Tom Houck – 2nd alternate
Eido Walny – 1st alternate

Also Present: Village Manager Andy Pederson
Assistant to the Village Manager Leah Hofer
Village Attorney Chris Jaekels
There were six people in the audience.

II. PUBLIC HEARING

- A. **The purpose of the public hearing is to consider the request for a special exception by Rebecca and Seth Wahlberg, for the property located at 516 E Bay Point Rd, contrary to Section 125-90(b)(4) and Section 125-3(f)(2).**

Acting Chairperson Chaet read the above meeting notice and called for public discussion at 5:01pm.

1. Public Discussion

Dick Sherer, contractor, described the project location as a pie-shaped lot which limits side lot expansion. Rather than blocking light that would come in through the back side of the home into bedrooms and a sunroom, an L-shaped addition to the rear and side of the home would be more appropriate. The designers tried other layout options, however this one was the most logical and the most aesthetically pleasing. Other options would cause more problems than solutions. The overall purpose of the addition is to address health concerns for the resident.

2. Board Discussion

The Board stated that the contractor and homeowner had done their due diligence in looking at other layout options and that the proposed addition has a very clean look.

III. APPROVAL OF MINUTES

- A. **August 23, 2021, Board of Zoning Appeals Public Hearing and Meeting.**

Motion by Eido Walny, seconded by Ben Minkin, to approve the minutes from August 23, 2021, Board of Zoning Appeals Public Hearing and Meeting. Motion carried unanimously.

IV. BUSINESS

- A. **Discussion/recommendation on the request for a special exception by Rebecca and Seth Wahlberg, for the property located at 516 E Bay Point Rd, contrary to**

Section 125-90(b)(4) and Section 125-3(f)(2).

Motion by Eido Walny, seconded by Barry Chaet, to recommend approval to the Village Board of Trustees the request for a special exception by Rebecca and Seth Wahlberg, for the property located at 516 E Bay Point Rd, contrary to Section 125-90(b)(4) and Section 125-3(f)(2).

V. ANY OTHER BUSINESS AS MAY PROPERLY COME BEFORE THE BOARD

VI. ADJOURNMENT

Motion by Barry Chaet, seconded by Ben Minkin, to adjourn the meeting at 5:15pm. Motion carried unanimously.

Respectfully submitted,

Leah Hofer, Assistant to the Village Manager

NOTICE OF PUBLIC HEARING

In the matter of a request for special exception by Chelsea and Ahmad Omari, for the property located at 921 E Glencoe Pl, contrary to Section 125-91 (b) and the request for a special exception by Kevin Kleinmann, for the property at 1010 E Glencoe Pl, contrary to Section 125-91 (b).

PLEASE TAKE NOTICE that a public hearing will be held before the Village Board of the Village of Bayside on April 21, 2021, at 5:00 p.m. at the Village Hall, 9075 N. Regent Road, Bayside, WI 53217. The purpose of the public hearing is to consider:

The request for a special exception by Chelsea and Ahmad Omari, for the property located at 921 E Glencoe Pl, contrary to Section 125-91 (b).

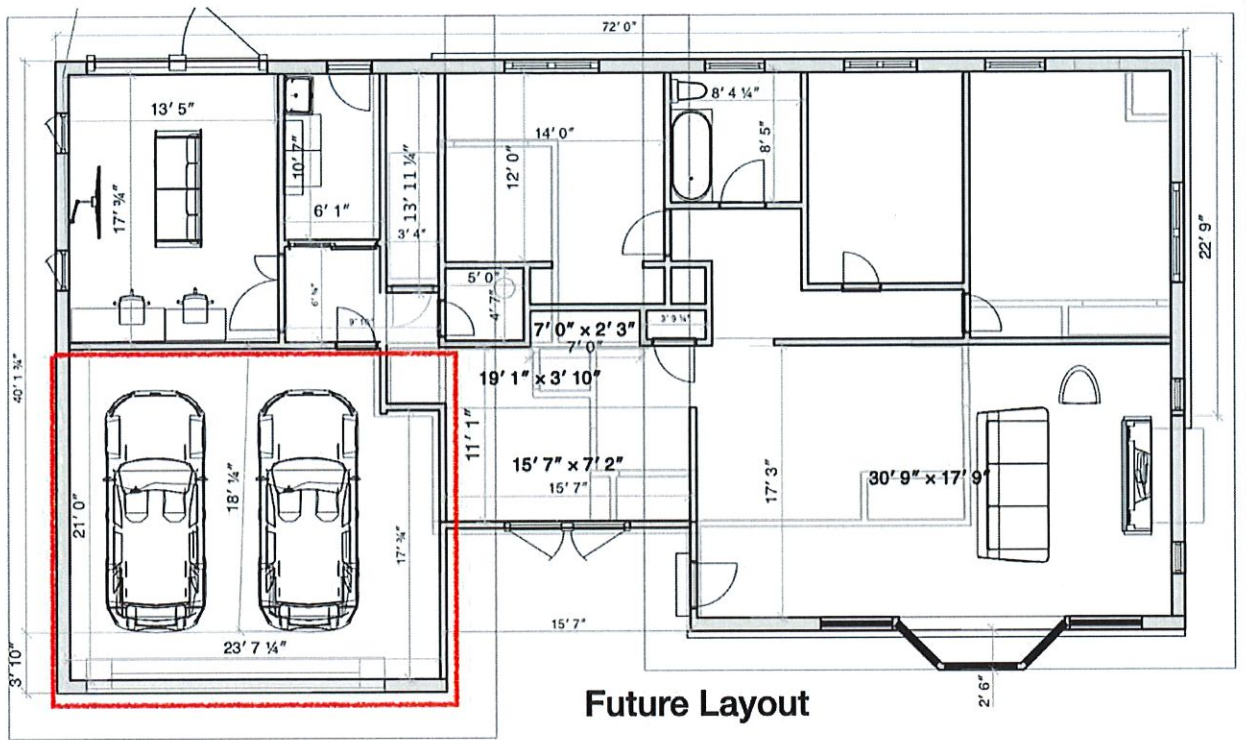
The request for a special exception by Kevin Kleinmann, for the property at 1010 E Glencoe Pl, contrary to Section 125-91 (b).

PLEASE TAKE FURTHER NOTICE that at such time and place, all interested parties will be heard.

DATED this thirteenth day of April 2022.



Rachel A. Safstrom
Administrative Services Director



Future Layout

Fee: \$500.00

APPLICATION FOR SPECIAL EXCEPTION TO ZONING CODE

REQUIREMENTS The Board of Appeals, pursuant to Wis. Stats. 62.23(7)(e), and, Section 125-57(e) of the Zoning Ordinance, and after appropriate notice and hearing, may, with regard to any requirement imposed by the Zoning Ordinance, or any other section of the Municipal Code which specifically allows for special exceptions, recommend a special exception to the Village Board for approval. Notice of application for special exception shall be provided to all property owners adjoining or abutting the property proposed for a special exception. Denials of special exceptions shall not be appeal able to the Village Board.

1. State the section of the Village of Bayside Municipal Code for which you are requesting a special exception:

“125-91 (b)”

2. Give a brief description of what you want to do and why.

With our expanding family and an unexpected transition to working from home the current floor plan no longer meets ours needs. We have really enjoyed living in Bayside and would prefer to renovate our existing property to increase functionality than relocating. With this special exception we feel this will adequately meet our needs, allow us to remain in the neighborhood, and increase the property's value.

We believe, based on the lot size and current layout, the only opportunity for an extension would be to convert our garage to livable space, and add a new adjacent garage. This proposed layout would give the impression that this had been part of the original floor plan.

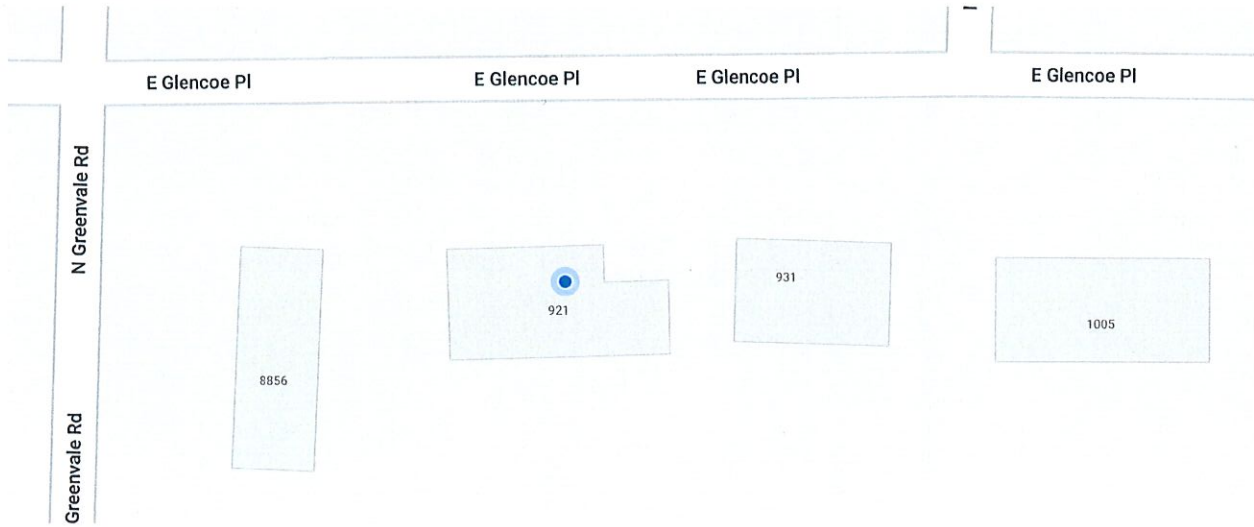
3. State why compliance with Municipal Code is unreasonably burdensome or negatively impacts the use of the property.

With the current code, a 30ft setback, we wouldn't be able to maintain the current parameters of the new garage without taking off an additional 3'10" to 4ft . The current length and position of the basement staircase (located right of new laundry room) does not allow a proper hallway pass to proposed new den and laundry rooms given our allowable 30ft setback. An additional 3'10" - 4ft is needed off the 30ft set back.

4. State how the Special Exception requested, including any proposed restrictions, will be consistent with the existing character of the neighborhood; will not effectively undermine the application or enforcement of the Code to other properties; and will be in harmony with the purpose and intent of the Code.

The proposed addition is consistent with similar homes in our neighborhood in terms of square feet and number / type of rooms. Since our home is the only property with a recessed garage (as shown below), this addition would help with bringing better symmetry and

appearance.



Applicant Printed Name
Chelsea & Ahmad Omari

Applicant Signature
Ahmad Omari
Chelsea Omari

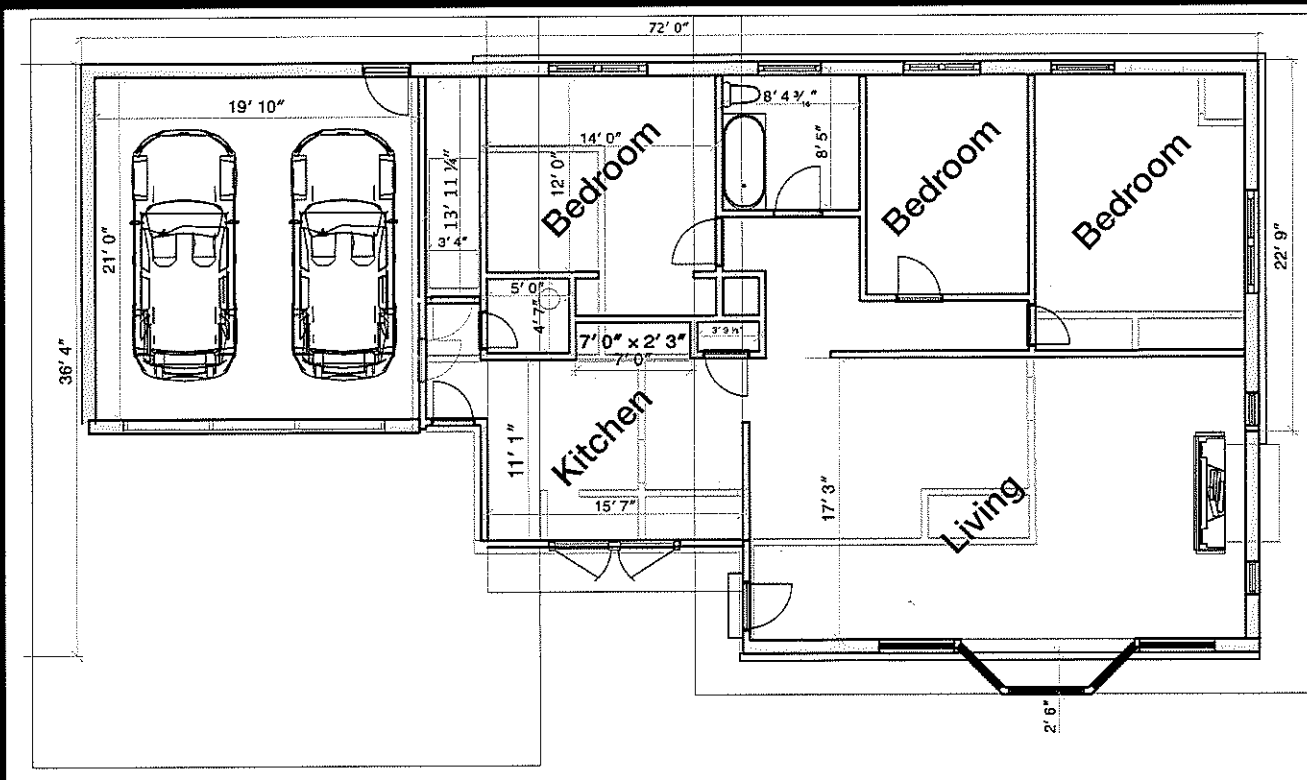
Date
4/6/22

921 Glencoe Remodel

Board of Zoning Appeals Meeting

Chelsea & Ahmad Omari

Current 2D Diagram



Why Renovate?

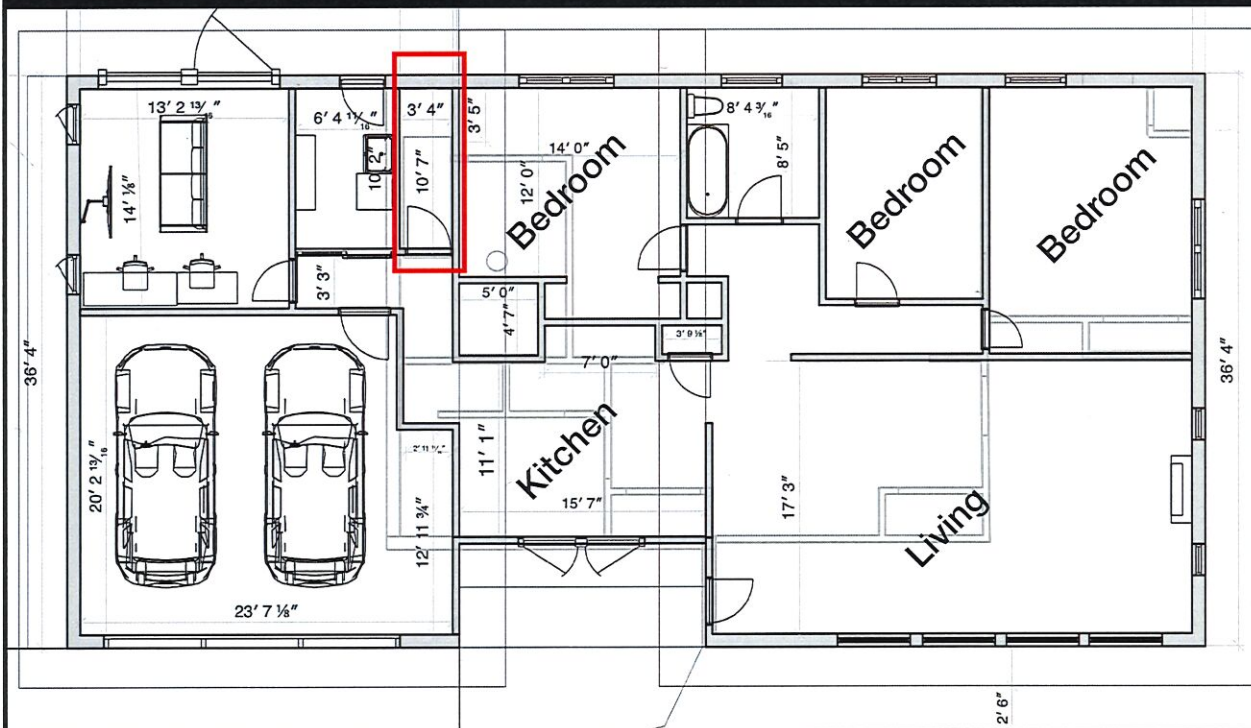
- Expanding family
- Transition to working from home
- We love Bayside!

Nice to have

- Backyard access
- 1st floor laundry
- Less doors in small hallway off garage

Design # 1

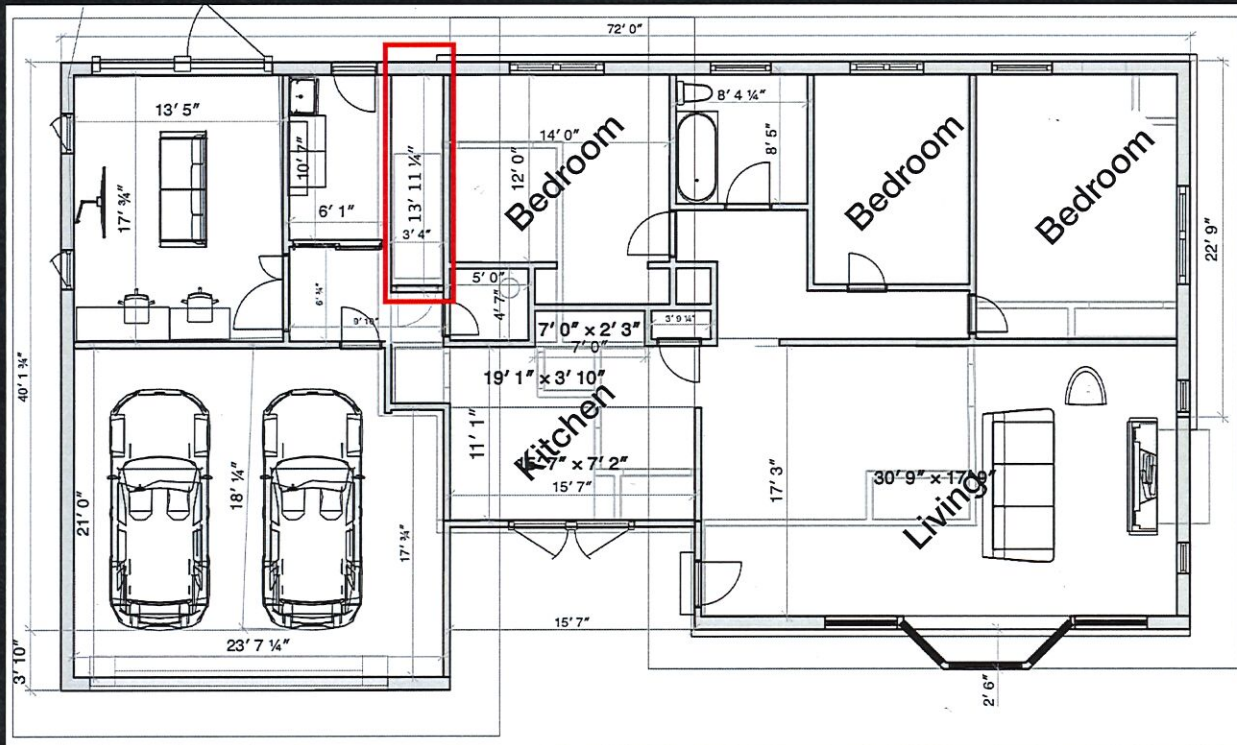
Building New Garage & Maintaining a 30ft setback



- Reduce basement staircase length from 13'11" to 10'7" for new hallway to den
- Does not comply to new code without making expensive basement excavations

Not Feasible - New code does not allow

Design #2



- Keeping staircase as is
- Add 3' 10" to front of house

Requires Board of Appeals Approval

Front of House (current)

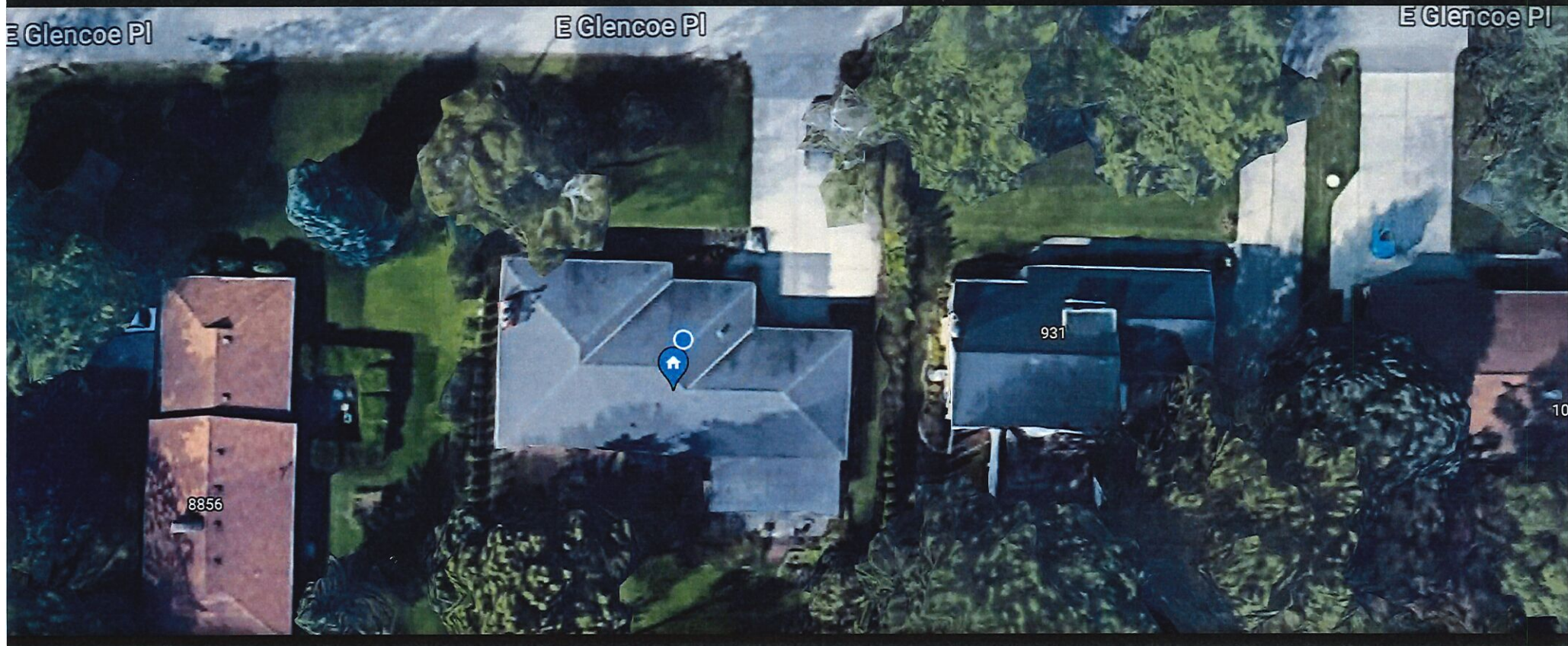


Back of House (Current)



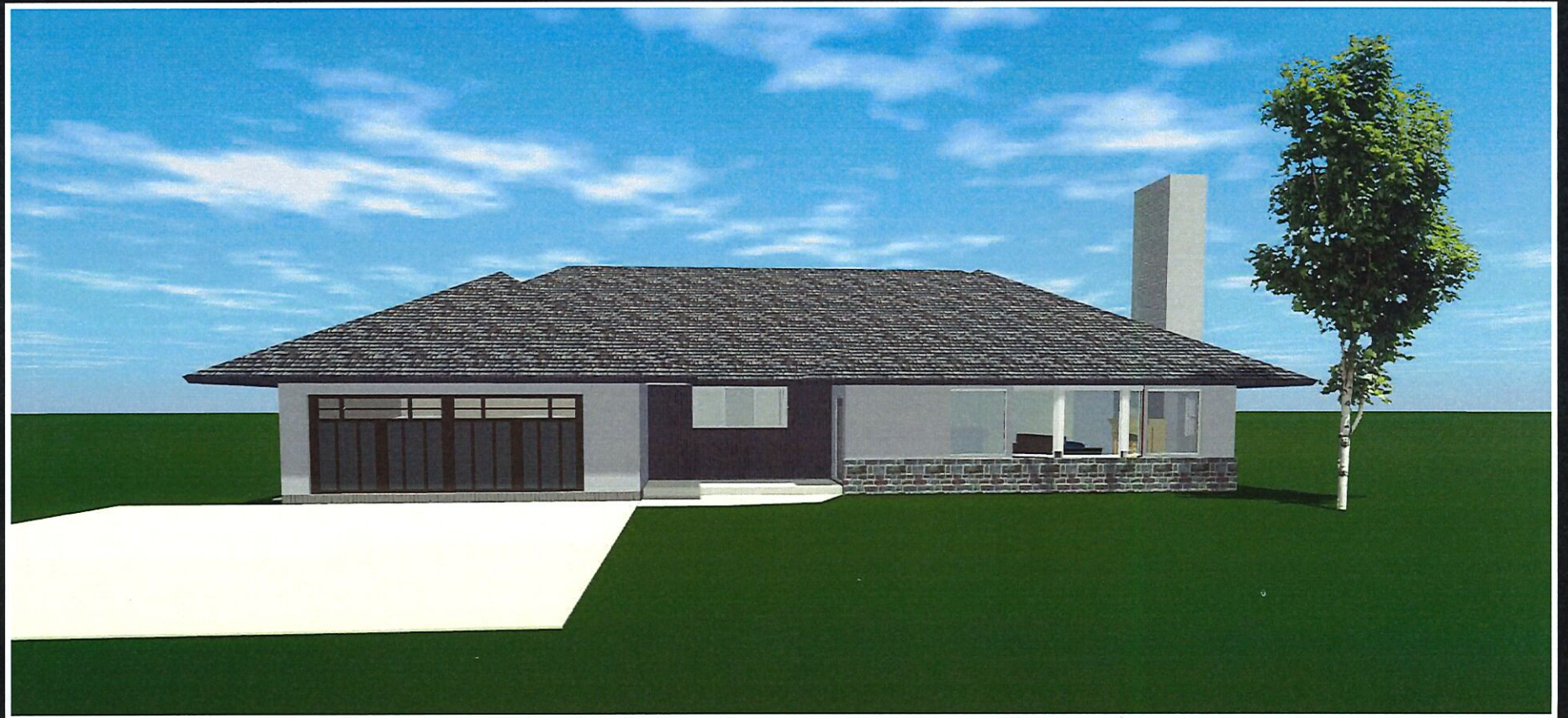
Aerial View

Google Maps



3D Rendering of Design #2

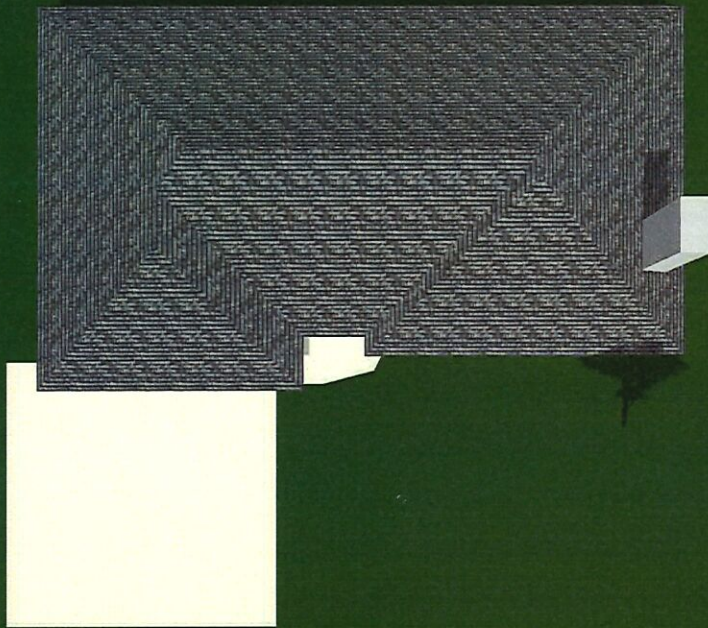
Front



3D Rendering of Option #2



3D Rendering of Option #2



Thank you!

Plat No. D.S.

H. C. WEBSTER & SON

739 NORTH SECOND STREET
MILWAUKEE 3, WIS.

DONALD W. WEBSTER
REGISTERED CIVIL ENGINEER
ASSOCIATE
ROY J. CHARMOCK

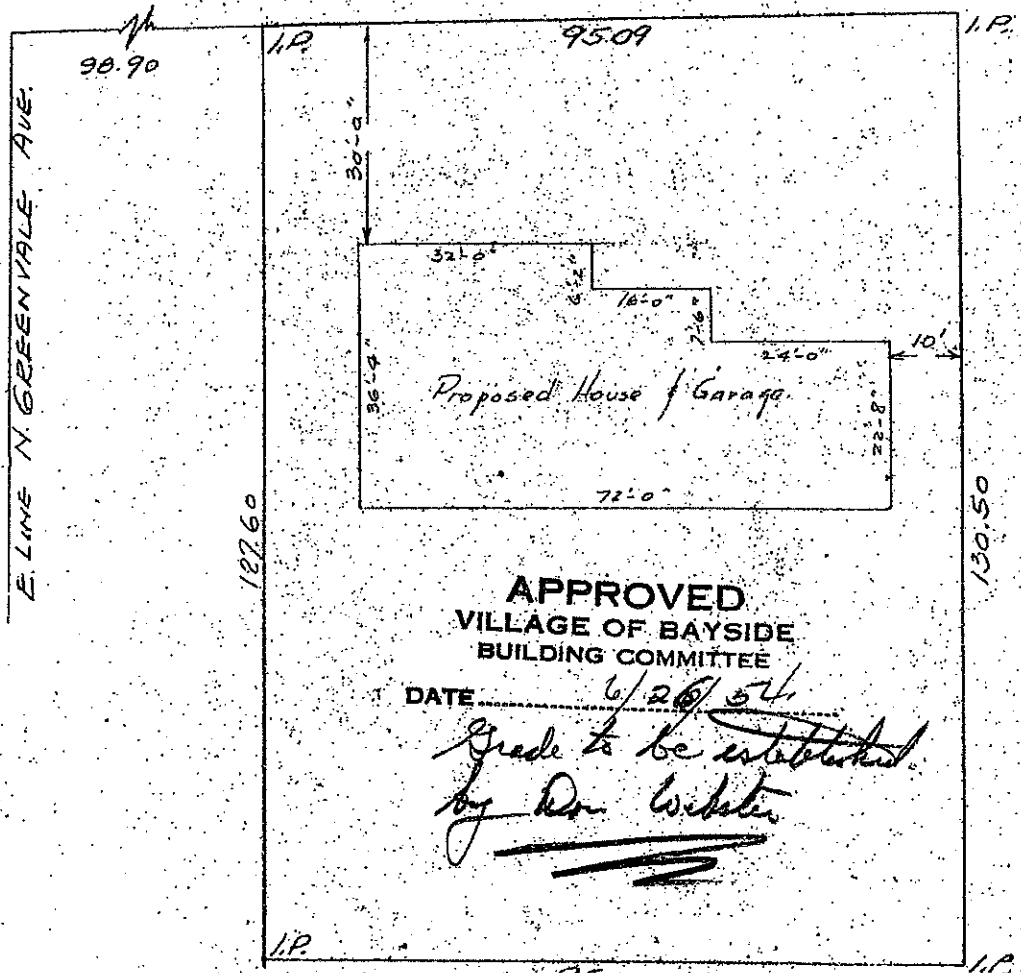
PLAT OF SURVEY

OF PROPERTY OF A & E. Construction Co.

described as follows: Lot 2, Schuch's Subdivision in the S7/4 of Section 4-8-22 Village of Bayside.

E. GLENCOE PL.

599-2



APPROVED
VILLAGE OF BAYSIDE
BUILDING COMMITTEE

DATE 6/26/54

*Grade to be established
by Don Webster*

AFFIDAVIT: 1"=20'
I hereby certify that I have made a survey on
..... 195..... and that the location
of the..... Building on above described
property is correctly shown on the above plat.

STATE OF WISCONSIN
COUNTY OF MILWAUKEE

I, D. W. WEBSTER, Surveyor, do hereby certify that I
have made a survey of the above described property and that
the above plat is a true representation of said survey.

Milwaukee, Wis. May 14 1954
[Signature]



Village of Bayside
9075 N Regent Rd
April 21, 2022
Village Hall Boardroom, 5:00 pm

BOARD OF ZONING APPEALS AGENDA

PLEASE TAKE NOTICE the meeting of the Village of Bayside Board of Zoning Appeals will be held at Bayside Village Hall, 9075 North Regent Road, Bayside, Wisconsin at the above noted time and date, at which the following items of business will be discussed and possibly acted upon.

I. CALL TO ORDER AND ROLL CALL

II. PUBLIC HEARING

- A. The purpose of the public hearing is to consider the request for a special exception by Chelsea and Ahmad Omari, for the property located at 921 E Glencoe Pl, contrary to Section 125-91(b)(3).
 - 1. Public Discussion
 - 2. Board Discussion

- B. The purpose of the public hearing is to consider the request for a special exception by Kevin Kleinmann, for the property located at 1010 E Glencoe Pl, contrary to Section 125-91(b)(5).
 - 1. Public Discussion
 - 2. Board Discussion

III. APPROVAL OF MINUTES

- A. March 17, 2022, Board of Zoning Appeals Meeting.

IV. BUSINESS

- A. Discussion/recommendation on the request for a special exception by Chelsea and Ahmad Omari, for the property located at 921 E Glencoe Pl, contrary to Section 125-91(b)(3).

- B. Discussion/recommendation on the request for a special exception by Kevin Kleinmann, for the property located at 1010 E Glencoe Pl, contrary to Section 125-91(b)(5).

V. ANY OTHER BUSINESS AS MAY PROPERLY COME BEFORE THE BOARD

VI. ADJOURNMENT

Leah Hofer, Assistant to Village Manager

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. Contact Village Hall at 414-206-3915. It is possible that members of and possibly a quorum of members of other Boards, Commissions, or Committees of the Village including in particular the Board of Trustees may be in attendance in the above stated meeting to gather information; no action will be taken by any other Boards, Commissions, or Committees of the Village except by the Board, Commission of the Village, or Committee noticed above. Agendas and minutes are available on the Village website (www.baysidewi.gov)



**Application for Appearance before the
Board of Appeals**

Owner's Name Kevin Kleinmann

Property Address 1010 E. Glencoe Pl., Bayside, WI 53217

Telephone 414-349-9134

Email kleinmk@hotmail.com

Proposed project details (type of work, size, materials, etc.):

This project will be a DIY construction of an outdoor gas fireplace with 2 pondless waterfalls on either side of the firebox. Construction will be completed with concrete block and faced with natural Fond Du Lac stone sourced from The Rock Stone & Landscape Supply, Sussex (see pages attached).

Fee: \$500.00



APPLICATION FOR SPECIAL EXCEPTION TO ZONING CODE REQUIREMENTS

The Board of Appeals, pursuant to Wis. Stats. 62.23(7)(e), and, Section 125-57(e) of the Zoning Ordinance, and after appropriate notice and hearing, may, with regard to any requirement imposed by the Zoning Ordinance, or any other section of the Municipal Code which specifically allows for special exceptions, recommend a special exception to the Village Board for approval. Notice of application for special exception shall be provided to all property owners adjoining or abutting the property proposed for a special exception. Denials of special exceptions shall not be appeal able to the Village Board.

- 1. State the section of the Village of Bayside Municipal Code for which you are requesting a special exception:.

10 feet from the property line.

- 2. Give a brief description of what you want to do and why.

We would like to build an outdoor fireplace in the corner of the pool deck. This would be on top of the existing pool deck. However, this accessory structure would be closer than 10' to the property line but would still be on the pool deck which is closer than 10' as well. Please see attached pages for more details.

- 3. State why compliance with Municipal Code is unreasonably burdensome or negatively impacts the use of the property.

There is not room to put this structure 10' from the property line and would disrupt the flow of the outdoor living space and overall design and does not impede any neighbors. Please see attached pages for more detail

- 4. State how the Special Exception requested, including any proposed restrictions, will be consistent with the existing character of the neighborhood; will not effectively undermine the application or enforcement of the Code to other properties; and will be in harmony with the purpose and intent of the Code.

This will be faced with the Fond Du Lac natural stone (see paperwork) and be consistent with existing character of house/neighborhood. This will be inside the fence line and will not impede/hinder any neighbors. Please see attached pages for details.

Applicant Printed Name	Applicant Signature	Date
<u>Kevin Kleinmann</u>		<u>4/11/2022</u>

Kevin Kleinmann
1010 E. Glencoe Place
Bayside, WI 53217
kleinmk@hotmail.com
414-349-9134
3/11/2022

Application for Special Exception to Zoning Code requirements attachment

2. Give a brief description of what you want to do and why:

We would like to build an outdoor fireplace in the corner of the existing pool deck. This would be build on top of the existing pool deck already in place and be contained within the existing fence line. However, the existing pool deck is 4.5 feet from the property line. The pool deck has "grandfathered" status. What we are looking to do is just build on top of that space. This would help beautify the overall space and produce an extended outdoor living space to go along with the pool and the overall environment around the pool.

With 4 children we want to build childhood memories of eating dinner, swimming in the pool and roasting marshmallows in the fireplace. We currently utilize the pool area extensively during the summer months, but this would extend the outdoor living space through the fall and even winter months.

3. State why compliance with Municipal Code is unreasonably burdensome or negatively impacts the property:

There is not room to put the outdoor fireplace positioned 10' from the property line and still retain the other components of the outdoor living space. It would disrupt the overall flow of the outdoor living space zones and this corner is currently a "dead zone" with nothing in it. We currently have a temporary TV stand positioned in this location made from wood planks and concrete block (see figure 1). The goal is to beautify this whole corner and make it an "attraction point" with the Outdoor Fireplace and two soothing waterfall spillways located on each side of the firebox . Below represents a similar design (see figure 2 and figure 3) however it will be faced with Fond Du Lac natural stone (see figure 4).

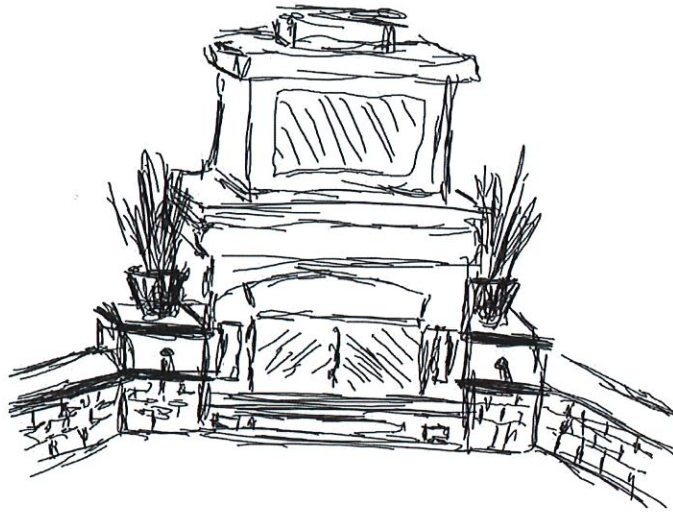
Figure 1:



Figure 2:



Figure 3:



4. State how the Special Exception requested, including any proposed restrictions, will be consistent with the existing character of the neighborhood; will not effectively undermine the application or enforcement of the Code to other properties; and will be in harmony with the purpose and intent of the code:

Granting the Special Exceptions will be consistent with the neighborhood character. Our proposed outdoor fireplace will be within the fence line and only a small portion of the top be visible from the street. It will be faced with Fond Du Lac natural stone and will match and blend in with the rest of the outdoor living space. It also maintains the architectural aesthetic of the existing home and the integrity of the Dutch Colonial design. Below is a picture of the stone planned for the outdoor fireplace sourced from the The Rock Stone and Landscape Supply, Sussex, WI.

Figure 4:



