



Village of Bayside
9075 N Regent Rd
July 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 Rory and Vanessa Kurtz for a shed at the property located at 9095 N Rexleigh Dr, contrary to Section 125-90(b).

1. Public Discussion
2. Board Discussion

B. The purpose of the public hearing is to consider the request for a special exception by Seth Cullen for a fence at the property located at 9029 N Lake Dr, contrary to Section 104-125(k).

1. Public Discussion
2. Board Discussion

III. APPROVAL OF MINUTES

A. June 23, 2022, Board of Zoning Appeals Meeting.

IV. BUSINESS

A. The purpose of the public hearing is to consider the request for a special exception by Rory and Vanessa Kurtz for a shed at the property located at 9095 N Rexleigh Dr, contrary to Section 125-90(b).

B. The purpose of the public hearing is to consider the request for a special exception by Seth Cullen for a fence at the property located at 9029 N Lake Dr, contrary to Section 104-125(k).

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

VI. ADJOURNMENT

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, or Committee noticed above. Agendas and minutes are available on the Village website (www.baysidewi.gov)



Village of Bayside
9075 N Regent Rd
June 23, 2022
Village Hall Boardroom, 5:00 pm

BOARD OF ZONING APPEALS MINUTES

I. CALL TO ORDER AND ROLL CALL

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

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

Also Present: Village Manager Andy Pederson
Administrative Services Director Rachel Safstrom
Assistant to the Village Manager Leah Hofer
Village Attorney Chris Jaekels

II. PUBLIC HEARING

- A. The purpose of the public hearing is to consider the request for a special exception by Stephen and Barbara Becker, for the property located at 9370 N Lake Dr, contrary to Section 104-125(k).

Chairperson Dickman read the above meeting notice and called for public discussion at 5:00pm.

1. Public Discussion

The applicant was absent due to illness. Village Manager Pederson reviewed the applicant's request with the Board. The fence requested is to replace a current fence. Due to current code, replacement of the full fence would require a variance due to the fence being solid as well as the distance from the property line. Mr. Pederson stated there are several fences similar to the request in the neighborhood.

Closed discussion at 5:02 p.m.

2. Board Discussion

There was no Board discussion.

III. APPROVAL OF MINUTES

- A. **April 21, 2022, Board of Zoning Appeals Public Hearing and Meeting.**

Motion by Barry Chaet, seconded by Ben Minkin, to approve the minutes from April 21, 2022, Board of Zoning Appeals Public Hearing and Meeting. Motion carried unanimously.

IV. BUSINESS

- A. Discussion/recommendation on the request for a special exception by Stephen and Barbara Becker, for the property located at 9370 N Lake Dr, contrary to Section 104-125(k).

Motion by Tom Houck, seconded by Ben Minkin, to recommend approval to the Village Board of Trustees for a special exception by Stephen and Barbara Becker, for the property located at 9370 N Lake Dr, contrary to Section 104-125(k). Motion carried 4-0. (President Walny abstained)

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

VI. ADJOURNMENT

Motion by Barry Chaet, seconded by Tom Houck, to adjourn the meeting at 5:04pm. Motion carried unanimously.

Respectfully submitted,

Rachel A. Safstrom
Administrative Services Director



Application for Appearance before the Board of Appeals

Owner's Name	Rory and Vanessa Kurtz
Property Address	9095 N. Rexleigh Dr. Bayside, WI 53217
Telephone	414.364.0165
Email	rory@rorykurtz.com

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

We have an existing 10ft by 10ft shed on our property with an existing concrete foundation.

The shed itself is in significant disrepair and it would be more cost efficient to replace than repair it at this point. We would like to replace it with a newly constructed shed by TuffShed, while utilizing the existing concrete foundation which is in like new condition. The materials include wood, vinyl siding, shingles, treated wood, steel, housewrap, plywood. A full list of materials and specifications can be provided.

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:.

Sec. 125-90. - "B" residence district regulations. (b) Areas. "A side yard of not less than ten feet shall be provided for on each side of every building."

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

We would like to utilize the concrete foundation of the existing shed in it's existing location.

While the existing shed is in need of replacement, the original concrete foundation is as strong and valuable as when it was originally poured and it would allow the project to be cost effective.

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

The added cost of demo/removal of the existing concrete foundation, and relocation and reframing and pouring of a new concrete foundation more than double the cost of the project making it unaffordable. Likewise, finding contractors for this work is nearly impossible right now.

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 exemption, allowing us to maintain the existing foundation and placement of our shed, will allow us to replace the structure itself, increasing the value of our property, while also solving the eyesore that our current shed is to our neighbors and general neighborhood, which as a corner lot is visible to all. As it falls within our established property, and has existed in it's current location for decades, it has caused no conflict to any neighboring home owner.

Applicant Printed Name

Rory Kurtz

Applicant Signature

Date

5/31/2022

21-0006

Plat of Survey

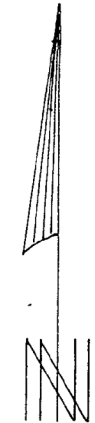
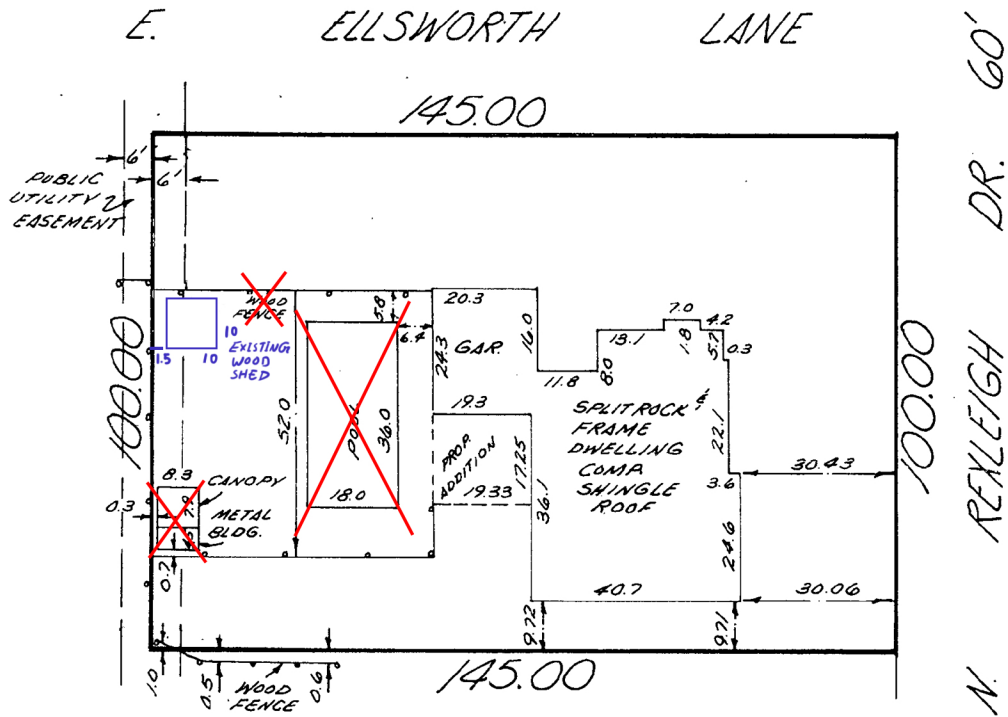
Known as 9095 North Rexleigh Drive, in Village of Bayside, Wisconsin
Lot 1 in Block 1 in BRANDA ESTATES, being a Subdivision of a part of the
S W 1/4 of Section 4, T 8 N, R 22 E, in the Village of Bayside, Milwaukee
County, Wisconsin

AUGUST 1, 1972

SURVEY NO. 77024-M

APPROVED
VILLAGE OF BAYSIDE
BUILDING COMMITTEE

DATE AUG 7 1972



SCALE: 1" = 30'

We Certify that we have surveyed the above described property and that the above plat is an accurate survey and a true representation thereof and correctly shows the exterior boundary lines and location of buildings and other improvements on said property and the correct measurements thereof.

NATIONAL SURVEY SERVICE INC.
CIVIL ENGINEERS AND SURVEYORS
3470 NORTH 127TH STREET (414) 781-3010
BROOKFIELD, WIS. 53005



Kenneth E. Berke
SURVEYOR
S-107









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

Owner's Name Sean Cullen

Property Address 9029 N. Lake Dr.

Telephone 608 - 931 - 7470

Email sean.cullen@jpcullen.com

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

Replace existing damaged fence w/ new
cedar fence.

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:.

Sec. 104-125. - Fences, (k) Fence Types

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

on the 3 sides adjacent to my neighbors I would like to replace the fence as it currently is as a solid fence to keep weeds/garden/wetland growth from entering my yard

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

on 3 sides adjacent to neighbors there is weed/bush/garden growth spilling into my yard requiring me to landscape/trim

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.

I am replacing the current fence as it was. The majority of the fence is not visible by my neighbors & I have received approval from them. the street facing fence will comply with code of 25% open

Applicant Printed Name

Applicant Signature

Date

Sean Colten

7.11.22



Navigate Locate Analyze File

Tool Labels



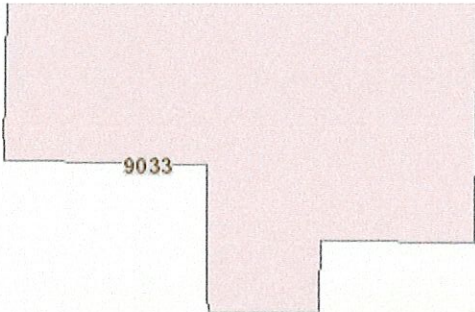
Click or tap to draw a multi-sided shape and find area. Double-click/tap to finish.

I want to...

★ 9029 N LAKE DR,
Bayside

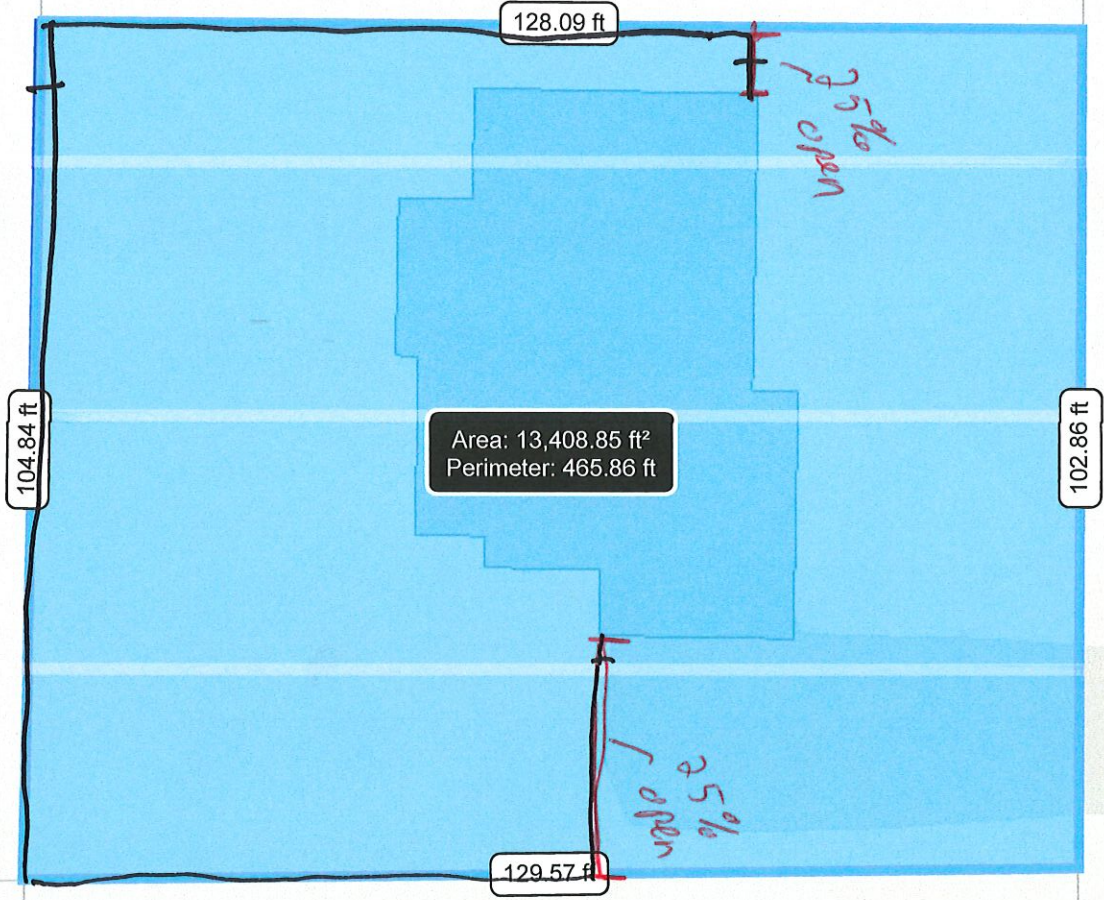
[Assessment Information for
Parcel 0219965001](#)
[Parcel Report](#)

[View Additional Details](#)
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9033

9030



Area: 13,408.85 ft²
Perimeter: 465.86 ft

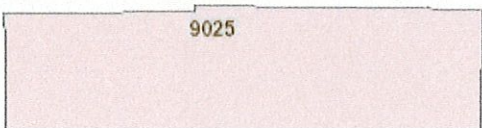
128.09 ft

102.86 ft

104.84 ft

129.57 ft

9020



9025



Basemap

