



**CITY OF NEW BERLIN
BOARD OF APPEALS MEETING
Thursday, July 7, 2022
6:00 PM
Council Chambers
3805 S. Casper Drive**

AGENDA

CALL MEETING TO ORDER; PLEDGE OF ALLEGIANCE

ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

APPROVAL OF MINUTES

1. March 3, 2022 Board of Appeals Minutes

NEW BUSINESS

2. Petitioner requests to construct a 1,440 square foot accessory building that is '19' 6" tall in addition to an existing 571 square foot accessory building. The property is zoned R-5 Medium-Density Single Family and requires a maximum accessory structure height of 15 feet and a maximum accessory square footage of 840 square feet combined between 2 accessory structures. A height variance of 4'6" and a square footage variance of 1,171 square feet are required in order to obtain a building permit.

ADJOURN

PLEASE NOTE:

- ✓ It is possible that action will be taken on any of the items on the agenda and that the agenda may be discussed in any order. It is also possible that members of and possibly a quorum of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.
- ✓ Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact City Clerk Rubina R. Medina (262) 786-8610.



**CITY OF NEW BERLIN
BOARD OF APPEALS - MINUTES
Thursday, March 3, 2022**

**Council Chambers
3805 S. Casper Drive, New Berlin, WI, 53151**

6:00 PM

Please note: Minutes are unofficial until approved by the Board of Appeals Meeting at the next regularly scheduled meeting.

All votes were taken via a voice roll call vote.

CALL MEETING TO ORDER; PLEDGE OF ALLEGIANCE

Vice Chair Klappa called the meeting to order at 6:00PM

ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

Present were: Vice Chairman Klappa, Board Members Klappa, Oldham, Alternate #2 Stair and Alternate # 1 Willoughby.

Also present: Code Compliance Specialist Dan Hogan, Lead Inspector Steve Krentz, Deputy City Clerk, Sherri Hanson and Alternate Board Member

Excused: Chair Goetter and Board Member Schulpus

APPROVAL OF MINUTES

ITEM: February 3, 2022 Board of Appeals draft Minutes

MOTION: Motion to approve the February 3, 2022 Board of Appeals minutes.

VOTE: Motion by: Board Member Oldham
Second by: Board Member Langer
Motion passed 5-0.

NEW BUSINESS

ITEM: BA-22-2662 PDI Architectural on Behalf of New Berlin Animal Hospital, 3840 S. Moorland Road. Petitioner requests to construct a 1,140 square foot addition 18 feet from the front property line. The property is zoned B'2 General Retail Sales and Service District and requires a front yard setback of 40 feet along Howard Ave. A variance of 22 feet is required in order to obtain a building permit

Vice- Chairman Klappa gave an overview of the appeals process. The staff report and variance request were read into the record. Vice Chairman Klappa swore in the petitioner, Bradley Kropp, 11525 W North Ave. Wauwatosa of PDI Architecture on behalf of New Berlin Animal Hospital and tenant of the building. The Petitioner is requesting to reduce the front setback to approximately 20 feet for the building addition with an 18 foot overhang to accommodate the addition.

Petitioner Kropp followed up on a previous meeting in January where he presented an addition that was just under 1400 square feet in a similar location but in a square shape. The setback was about 8 feet less than what they are requesting now based on some of the comments and feedback from board members at the January meeting. They are looking for additional square footage in the building due to hardships they are facing including ADA requirements necessary as they try to make improvements and accommodate the growing community and needs of owners in the area. They are on a corner lot so have two major frontages which require 40 foot setbacks. They are asking for reduction on the secondary street which is Howard Ave. The existing building already encroaches the 40 foot setback there because it was built prior to the current zoning code. With the reduction of the square footage they lost one of the exam rooms but are still able to meet a lot of the needs they were looking for while trying to provide the setback that was requested at the meeting in January. The 18 feet is to the overhang or closer to 20 feet to the building, That's 5 foot more than the typical side yard setback that is required to the streets, so closer to the standards if this was on the street side yard as opposed to a frontage. New Berlin Animal Hospital has been there 50 years and with a changing of how vet clinics operate there is a tenant, which is CareVet that leases back to the doctors who work there. CareVet has signed a 10 year lease.

Board Member Paul Langer asked if the existing setback now is 30 feet, how much further are you asking. Petitioner Kropp said 10 more feet to the building, 12 feet to the overhang. Board Member Langer then asked if the entrance changes. Petitioner Kropp replied that this will not be the entrance, this will be for internal additions including ADA bathrooms for customers, two treatment rooms, modifying the reception area to make it more accessible for the public, ADA deficiencies in the front half of the building and the addition of a grooming area back in the lab area.

Board Member Langer then asked if they are a tenant in the building. Petitioner Kropp said yes that New Berlin Animal Hospital was owned by doctors but vet clinics are phasing this out as doctors get closer to retirement. CareVet is the tenant that hire the doctors and staff back and handle the behind the scenes accounting, ordering of supplies, charts etc.

Board Member Olham asked what the difference is to the plan that was submitted earlier and the revised plan. Petitioner Kropp said the previous plan was about 8 feet closer to the right of way so they were just under 12 feet to the building and now they are 20 feet to the building line. We became more rectangular as suggested and reduced it by 8 feet.

Board Member Oldham then asked if they did any line of site analysis coming up Howard Ave and coming out of that front parking lot and if there will be any real obstruction coming out of the parking lot heading West on Howard Ave. Petitioner Kropp stated customers would have to cross over the median and there is still an additional 10 to 15 feet as the right of way tapers.

Board Member Willoughby reiterated from a previous meeting that the reason the expansion was not proposed to the east side where the parking spots are is due to an already shortage of parking. Petitioner Kropp said although they meet the parking requirements they are still short on parking spots and have to rent out spots from adjacent buildings.

Vice-Chairman Klappa said the two setback created a hardship. Howard Ave is an access to get into the strip mall and there really is no residential homes in the area. There were questions previously about any issues with westbound traffic on Howard Ave and it was mentioned there would be no impact because it would be on the east side coming off on Moorland Rd.

Vice-Chairman Klappa then asked if anyone in attendance was there to speak for or against. Seeing none the meeting went into closed session at

Board Member Langer made a motion to approve the variance as submitted. Board Member Oldham seconded the motion.

Board Member Langer stated there were a number of factors that he is in favor of approving the variance. One is the existing building already does not meet the current zoning requirements and two the petitioner reduced the size and setback as requested at a previous meeting. There is no detrimental impact to the businesses in the area or the residents nearby. Under all the facts and circumstances the variance is warranted.

Board Member Oldham agreed with what Board Member Langer said as well as they just signed a 10 year lease so they aren't going anywhere. Looking at where this building is within the lot there really is nowhere else they can go with it.

MOTION: Motion to Approve the Variance

VOTE: Motion by: Board Member Langer
Second by: Board Member Oldham
Motion passed 4-1 with Board Member Willoughby opposing.

ITEM: BA-22-2663 Petitioner Richard Zimmer, 14601 W. Oklahoma Ave. New Berlin, requests to construct a 256 sq foot addition 16 feet from the rear property line. The property is zoned R-5 Medium-Density Single Family Residential District and requires a rear yard setback of 25 feet where the lot fronts an open drainage ditch. A variance of 9 feet is required in order to obtain a building permit.

Vice-Chairman Klappa read the staff report and variance request into the record. He then swore in Petitioner Richard Zimmer who resides at 14601 W. Oklahoma Ave. New Berlin. The Petitioner is filing for a 256 square foot addition to his property.

Petitioner Zimmer explained the nature of his appeal is to get a variance to build an 8 foot extension on the back of his existing garage to use as a workshop. This would cut down on noise since he would be using saws and other equipment inside the garage instead of out on his driveway. With the present garage he is unable to unload and load his truck when he pulls it in. He stated when he bought the house he didn't realize there was a setback behind him. He said that his hardship is that due to lung issues from COVID he is a semi-retired contractor and unable to climb up into the truck. They previously had a two story home and sold it to buy the current one due to health issues.

Vice-Chairman Klappa mentioned there were letters sent out to the many addresses in the surrounding area and a letter of hardship was provided as well as 4 signatures from adjacent neighbors in favor of the request. He asked if there was

any other place that this could be done that would be functional for his operation. Petitioner Zimmer said he can't go out to the side because his neighbors are right there.

Board Member Willoughby asked if the current garage from the back of the property line is currently 25 feet. Petitioner Zimmer said he believes it is 26 feet. Board Member Willoughby whether the other end of the expansion of the garage would require as much of a variance because of the angle of the backyard.

Board Member Oldham asked if he looked at any other location on the lot to build this for instance if it was placed where the slab is there would not be a setback required. Petitioner Zimmer said it won't work for the truck. Board Member Oldham then questioned if this was for a hobby or to run a business. Petitioner Zimmer said it is more for a hobby. Board Member Oldham said if you brought the front end of the garage even with the front end of the house you wouldn't need a variance. Petitioner Zimmer said that is only about 5 or 6 feet and we would lose a living room window. It is also quite a bit harder because the roofs are trusses and would require me to take the whole roof off the garage and move it to the front where if I did it in the back I can just add trusses on. Putting it off the back keeps the roof line looking the same and not like a shed. He said he wants it to look nice and as if it was always there. Board Member Oldham asked if any neighbors objected to or gave the petitioner any negative comments on the variance. Petitioner Zimmer No.

Board Member Willoughby asked if the 4 signatures that were provided were from neighbors that are next to his house. Petitioner Zimmer said yes.

Board Member Oldham questioned if there is a shed on the property in the back corner. Petitioner Zimmer said yes on the corner of the lot and it is just big enough for his garden tractor.

Board Member Langer questioned if the backdoor in the existing structure is usable. Petitioner Zimmer said there is a big step off when you open it. It is a door to nowhere. Board Member Langer asked if it would be closed off in the back if the addition was put on. Petitioner Zimmer said that opening would stay and he will use that to pull his bed slide out to unload and load his tools. It will go back into the addition so he can load and unload the truck nicely. He will use that hole to walk through to his shop. He said that is what makes this so easy to build is he just needs to put up two walls, some roof trusses and ceiling joists and he has a pretty nice addition.

Vice-Chairman Klappa then asked if there were any other questions or anyone in favor of or opposition of the variance. Seeing none the meeting went into closed session at 6:25PM.

**Board Member Stair made a motion to approve the variance as submitted.
Seconded by Board Member Langer**

Board Member Stair said based on all the residents that received letters there were no negative objections at all. He can see what he is doing and why he is doing it is in favor of the variance.

Board Member Langer agreed that there were no objections from any neighbors. He doesn't see any alternatives in terms of where he wants to put this and it doesn't have a negative impact on the neighborhood. His immediate neighbors are

in support of it. It seems to be a minimal amount to request and under all circumstances to put this addition on probably will increase the value of his property and anethetically might improve the property values in the neighborhood.

MOTION: Motion to approve the Variance.

VOTE: Motion by: Board Member Stair
Second by: Board Member Langer
Motion passed 5-0.

ADJOURN Motion to Adjourn at 6:38PM

VOTE: Motion by: Board Member Oldham
Second by: Board Member Stair
Motion passed 5-0.

Respectfully submitted,

Sherri L Hanson
Deputy City Clerk/Election Specialist

STAFF REPORT SUMMARY

Board of Appeals

MEETING DATE: July 7, 2022

PETITIONER: Sarah Tyrrell & Adam Sobieralski

CASE NUMBER: BA-22-2664

LOCATION: 6119 S Linnie Lac Ct

REQUEST: Petitioner requests to construct a 1,440 square foot accessory building that is 19' 6" tall in addition to an existing 571 square foot accessory building. The property is zoned R-5 Medium-Density Single Family and requires a maximum accessory structure height of 15 feet and a maximum accessory square footage of 840 square feet combined between 2 accessory structures. A height variance of 4' 6" and a square footage variance of 1,171 square feet are required in order to obtain a building permit.

DETAILS IN ATTACHED STAFF REPORT

CITY OF NEW BERLIN
DEPARTMENT OF COMMUNITY DEVELOPMENT
BOARD OF ZONING APPEALS STAFF REPORT
Meeting of July 7, 2022

Sarah Tyrrell & Adam Sobieralski/ Variance Request
6119 S Linnie Lac Ct

DATE: June 23, 2022

APPLICANT / OWNER(S): Sarah Tyrrell & Adam Sobieralski

REQUEST/DESCRIPTION OF VARIANCE: Petitioner requests to construct a 1,440 square foot accessory building that is 19' 6" tall in addition to an existing 571 square foot accessory building. The property is zoned R-5 Medium-Density Single Family and requires a maximum accessory structure height of 15 feet and a maximum accessory square footage of 840 square feet combined between 2 accessory structures. A height variance of 4' 6" and a square footage variance of 1,171 square feet are required in order to obtain a building permit.

DATE OF APPLICATION: May 23, 2022

SIZE OF PARCEL: .66 Acres

CURRENT ZONING: R-5 Medium-Density Single Family Residential District

CURRENT LAND USE: Residential

PROPOSED LAND USE: No change

ADJACENT ZONING AND LAND USE:

North Zoning:	R-5 Land Use:	Medium-Density Single Family Residential District
South Zoning:	R-5 Land Use:	Medium-Density Single Family Residential District
East Zoning:	R-5 Land Use:	Medium-Density Single Family Residential District
West Zoning:	C-2 Land Use:	Shoreland Wetland District

CONFORMANCE WITH COMPREHENSIVE PLAN AND MUNICIPAL CODE: Current use of property conforms to the Comprehensive Plan and Municipal Code.

ZONING CODE (CHAPTER 275): Per Zoning Code Section 275-42B – Table 275-42-1 for lots having less than 2 acres a maximum accessory square footage of 840 square feet combined between 2 accessory structures. Pre Zoning Code Section 275-42E(1)(b) Single-family residential accessory uses. An accessory building height may only be one-story and shall not exceed 15 feet in height. DCD may grant a waiver for accessory buildings with a height up to 18 feet in order to match the exterior of the principal structure or for a larger footprint accessory building. See § 275-45 for height measurement requirements.

PROPOSED ARCHITECTURE: 1,440 Sq Ft Accessory Building

UNIQUE SITE CHARACTERISTICS:

Environmental Corridor: No

Wetland on Property: No

Conservancy Districts (C-1, C-2): No

NRCS Map Classification: N/A

Floodplain: Yes,

Topography / Geologic: flat

NATURAL RESOURCES PROTECTION:

-Limits of Disturbance (LOD): N/A

-Wildlife Habitat Protection: N/A

-Wildlife Management Plan: N/A

ENVIRONMENTAL IMPACT: No impact to the local environment anticipated.

STORMWATER MANAGEMENT / DRAINAGE PLAN: Applicant is required to adhere to all City of New Berlin Codes, Ordinances and Plans regarding storm water conveyance and maintenance as identified by the Department of Community Development.

SANITARY SEWER PROVISION:

-Within Current Sewer Service Area: Yes (Muskego)

-Basin Capacity Available: N/A

-Basin Balance (If known): N/A

-Adequate Linkage: N/A

PREVIOUS BOARD OF APPEALS ACTION: N/A

CONSISTANCY WITH PREVIOUS ACTION: N/A

FINDINGS:

1. Table 275-42-1 of the Zoning Code requires a maximum combined allowable square footage of 840 square feet for properties less than 2 acres.
2. 275-42 E (b) Single-family residential accessory uses. An accessory building height may only be one-story and shall not exceed 15 feet in height. DCD may grant a waiver for accessory buildings with a height up to 18 feet in order to match the exterior of the principal structure or for a larger footprint accessory building. See § 275-45 for height measurement requirements.
3. 275-45 A. Measurement of height. The "height of a structure" shall mean the vertical distance from the average grade adjoining the walls of the structure to the average of the highest points of the roof surface of a flat roof, or to the deckline of a mansard roof, or the mean height level between eaves and ridge for a gable, hip or gambrel roof.

4. Access to property is through a separate parcel, tax key #1280064.
5. Accessory building cannot be built on parcel #1280064 because there is no principal structure.

Attachments:

Applicant Letter
Location Map
Board of Appeals Application
Mailing Labels Map
Site Survey
Building plans
Neighbor Signatures



Board of Appeals

Applicant / Contact

Name Sarah Tyrrell and Adam Sobieralski
Address 6119 S Linnie Lac Ct
City, State, Zip New Berlin, WI 53146
Phone 414-704-9079
E-Mail Tyrealitywi@gmail.com
Current Zoning R5

Agent

Name _____
Address _____
City, State, Zip _____
Phone _____
Email _____
Property Owner's Address _____
Property Owner _____

NOTE: Should the Board of Appeals approve your variance, you will also need to obtain the appropriate zoning and/or building permits. A Board of Appeals approval does not grant final approval for your respective use or construction project. It is the property owner's responsibility to ensure that the appropriate permits have been received prior to the commencement of any construction and/or occupancy.

INSTRUCTIONS

All petitions must be accompanied by a survey showing the existence of the present use and the change required. Scaled drawings may be substituted for surveys. However, the Board may request a certified survey at the time of the hearing. Photographs and blueprints of proposed construction are helpful. A \$50.00 filing fee plus a \$200.00 administrative fee must be paid at the time the petition is filed for setback, square footage, height and floodplain variance. A \$500.00 administrative fee plus a \$50.00 filing fee is required for Plan Commission appeal.

Petitions must be received on or before 4:30 pm of the required due date in order for the petition to be scheduled for review by the board on first Thursday of the following month. Meetings are normally held at 6pm

At the hearing, proper documentation will be reviewed. Petitioner, or agent, will speak first along with those who favor the petition. Those who oppose the petition will be given the opportunity to speak after the affirmative case has been argued. All argument should be relevant to the appeal presented. The Board may, at its discretion, limit debate and place witnesses under oath.

Application Type (Time frame)*	Fees	Required Plans/Information (Failure to submit all required plans will result in rejection of the application.)
☒ Setback/Size Variance	\$200+ \$50 Filing Fee	☒ Nature of Appeal – 8 copies ☒ Hardship Argument – 8 copies ☒ Scaled Drawing/ Survey – 8 copies ☒ Photos – 8 copies
☐ Flood Plain	\$200+ \$50 Filing Fee	☐ Nature of Appeal – 8 copies ☐ Hardship Argument – 8 copies ☐ Scaled Drawing/ Survey – 8 copies ☐ Photos – 8 copies
☐ Plan Commission	\$500+ \$50 Filing Fee	☐ Nature of Appeal – 8 copies ☐ Hardship Argument – 8 copies

- - CONTINUED ON PAGE 2 - -

Fees:

Base Fee From Above	\$ <u>200</u>
Filing Fee	\$ <u>50.00</u>
Total	\$ <u>250.00</u>

* Only if all required materials are submitted and satisfactory.

¹ Other plans and information may be required by staff upon further review of the project.

² Drawn to a scale no greater than 1"=100'.

³ All architectural plans at a scale no smaller than 1/8" = 1'

⁴ Colored building elevation, architectural rendering, or photos suitable for public presentation to fit on a single 8 1/2" x 11" or 11" x 17" sheet.

No refunds for denied applications

By the execution of this application, applicant hereby authorizes the City of New Berlin or its agents to enter upon the property during the hours of 7:00 A.M. to 7:00 P.M. daily for the purpose of inspection. Applicant grants this authorization to enter to the City of New Berlin or its agents even if applicant has posted this land against trespassing pursuant to Section 943.13 Wis. Stats.

Signature: *Janet M. [Signature]*

Date: 5/23/22

Only the property owner or property manager may sign, or letter/email of authorization required. The final responsible party is the property owner.

Please do not write below this line

Accepted by: *Jan M. [Signature]* Date: 5/21/2022
Board of Appeals Date: July 7th, 2022
Total Fee: \$250
File Number: 2201323



**Make Checks Payable To:
CITY OF NEW BERLIN**

06/07/2022
Receipt #
Clerk
Paid By

Paid: \$ 250.00
: 1773715
: 9740csh2
: ADAM SOBIERALSKI, S

Board of Appeals -- 6119 S. Linnie Lac Ct

Overview Map



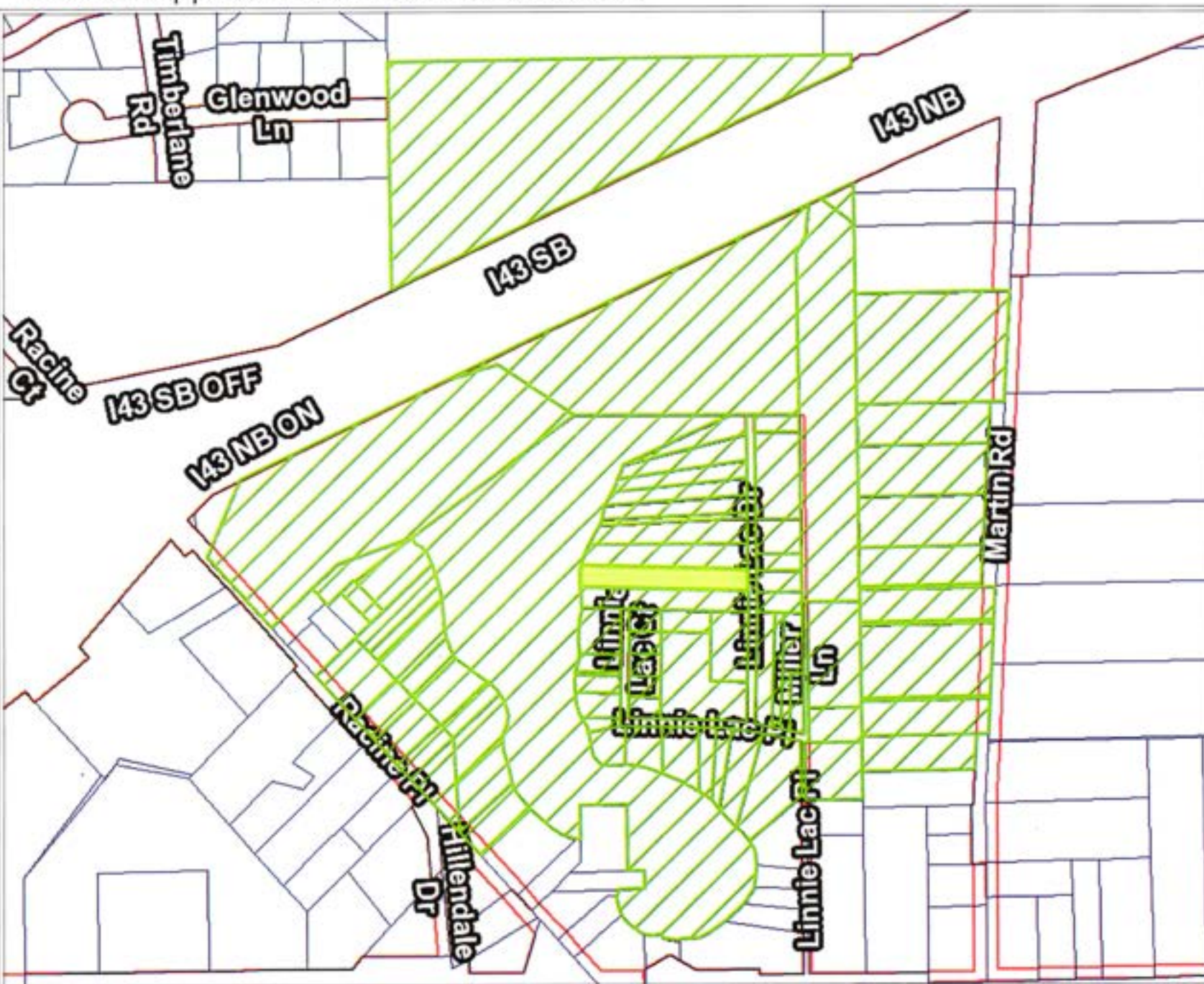
Legend

- Subject to Action
- Notified Parcels
- Other Parcels

Notified parcels (green hash lines) are those properties that fall within a certain distance of a property that is subject to City of New Berlin action.



0 225 450 Ft



City of New Berlin
Department of Community Development
3805 S Casper Drive, New Berlin WI 53151
(262) 797-2445 www.newberlin.org

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1280955

ALTMAN LIFE ESTATE, ELAINE PAULA E &
6151 S MILLER LN
NEW BERLIN WI 53146

1283974

BRIAN C. RICHLEN
6105 S MARTIN RD
NEW BERLIN WI 53146

1280050

BRIAN J. KARIS
18905 W LINNIE LAC PL
NEW BERLIN WI 53146

1283971

CASEY SCHACHT
6165 S MARTIN RD
NEW BERLIN WI 53146

1280055

CHAD J. SMET
18975 W LINNIE LAC PL
NEW BERLIN WI 53146

1280037

CHARLES WILM
6190 S RACINE PL
NEW BERLIN WI 53146

1280034

CHRISTOPHER M. VLISIDES
6170 S RACINE PL
NEW BERLIN WI 53146

1280064001

DANIEL RADTKE
6161 S LINNIE LAC DR
NEW BERLIN WI 53151

1280001

DANIEL T. HOLLANDER
6155 S LINNIE LAC CT
NEW BERLIN WI 53146

1280026

DAVID SCHARDT
6154 S RACINE PL
NEW BERLIN WI 53146

1280056

DONNA M. RUTCHIK
18979 W LINNIE LAC PL
NEW BERLIN WI 53146

1280072

DORIAN A. SULLIVAN
6065 S LINNIE LAC DR
NEW BERLIN WI 53146

1280018001

DUANE C LINDHORST AN LINDHORST
4915 MARIN WAY
NEW BERLIN WI 53151

1280987

DUANE N. MILLER
6186 S MILLER LN
NEW BERLIN WI 53146

1280103

EDWARD J. DZIEKAN
6080 S LINNIE LAC DR
NEW BERLIN WI 53146

1280023

EDWARD L. ROBINSON
6176 S RACINE PL
NEW BERLIN WI 53146

1280078

ERNESTINE J. MILLER
6137 S LINNIE LAC CT
NEW BERLIN WI 53146

1280038

HBS HOMES, LLC
PO BOX 734
MUSKEGO WI 53150

1280077

JAMES F. SCHLIEVE
18980 W LINNIE LAC
NEW BERLIN WI 53146

1280090

JANET L. URBAS
18850 W LINNIE LAC PL
NEW BERLIN WI 53146

1280097

JILLIAN JAMES
6110 S LINNIE LAC DR
NEW BERLIN WI 53146

1280048

JOSEPH W MONIGAL REVOCABLE TRUST
6225 S LINNIE LAC PL
NEW BERLIN WI 53146

1280021

JOSIP PERIC
6180 S RACINE PL
NEW BERLIN WI 53146

1280097

JUDITH TOOR
18890 W LINNIE LAC PL
NEW BERLIN WI 53146

1280053

KELLY LAUREN KNIGHT
18939 W LINNIE LAC PL
NEW BERLIN WI 53151

1280969

KEVAN J. SULLIVAN
6200 S LINNIE LAC PL
NEW BERLIN WI 53146

1280017501

LAWRENCE M. LENNOX
6220 S RACINE PL
NEW BERLIN WI 53146

1283976

LINDA M. MC GRADY
6035 S MARTIN RD
NEW BERLIN WI 53146

1283970

LINDA MC GRADY
6185 S MARTIN RD
NEW BERLIN WI 53146

1280090

LINDA MC NEIR
6165 S LINNIE LAC CT
NEW BERLIN WI 53146

1280999

LINNIE LAC MANAGEMENT DISTRICT

<null

1280066

RUSSELL O. FABRITZ
6115 S LINNIE LAC DR
NEW BERLIN WI 53146

1283972

MARK HINRICHS
6145 S MARTIN RD
NEW BERLIN WI 53146

1283975001

RYAN M. ZYLKA
6055 S MARTIN RD
NEW BERLIN WI 53146

1280052

MICHELE AKA: MICHE D. JOHNSTON
258 SW JAMESTOWN WAY
MAYO FL 32066

1280064

SARAH B. TYRRELL
6119 S LINNIE LAC CT
NEW BERLIN WI 53151

1280991

MUSKEGO LAKES LAND CONSERVANCY
S64 W18431 TOPAZ DR
MUSKEGO WI 53150

1280070

STEVEN A. HUNZIKER
6083 S LINNIE LAC DR
NEW BERLIN WI 53146

1283975

NICHOLAS A. WOJCIECHOWSKI
1552 WHITETAIL RUN
MUKWONAGO WI 53149

1280039

THEODORE E. SCHWULST
S74 W17634 LAKE DR
MUSKEGO WI 53150

1283973

PATRICIA A. SHALLOW
6125 S MARTIN RD
NEW BERLIN WI 53146

1280094

THOMAS J. ADAMS
PO BOX 340857
MILWAUKEE WI 53234

1280014001

PAUL A. WALDERA
6248 S RACINE PL
NEW BERLIN WI 53146

1280079

WAYNE R. MILLER
6137 S LINNIE LAC CT
NEW BERLIN WI 53146

1280068

ROBERT CRESS
6087 S LINNIE LAC DR
NEW BERLIN WI 53146

1280020

WILLIAM E. WEBBER
6186 S RACINE PL
NEW BERLIN WI 53146

1280082

ROGER K. ERICKSON
18946 W LINNIE LAC PL
NEW BERLIN WI 53146

1280058

WILLIAM J KOSS REVOCABLE TRUST DA
19014 W LINNIE LAC PL
NEW BERLIN WI 53146

1283969

RONALD HOICHEVAR
6195 S MARTIN RD
NEW BERLIN WI 53146

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July 7, 2022

Board of Appeals

City of New Berlin

Several thin, dark blue curved lines sweep upwards from the bottom left corner of the page.

Sarah Tyrrell & Adam Sobieralski
6119 S LINNIE LAC CT

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City of New Berlin Board of Appeals
C/O Chairman John Goetter
3805 S. Casper Dr.
New Berlin, WI 53151

Dear Chairman John Goetter and members of the City of New Berlin Board of Appeals,

We, Sarah Tyrrell and Adam Sobieralski, are the owners of the property located at 6119 S. Linnie Lac Ct, New Berlin.

We are requesting a variance to the maximum combined total square footage of accessory buildings and maximum height of accessory buildings. The present code allows a combined size of 840 square feet and a height of 15 feet to the midpoint of the roof. We are requesting a combined size of 2,011 square feet with a midpoint height of 19.5 feet. A size variance of 1,171 square feet and a height variance of 4.5 feet is requested.

Our home is a 689 square foot 1-bedroom ranch with a basement. There is currently a 571 square foot detached garage on our property. We were informed by the City of New Berlin building department that the city does not have a size limit on attached garages. However, we learned that our property has some unique limitations that prevent us from ever having the opportunity to attach a garage onto our home. There is a sanitary easement that runs between the home and the detached garage and nothing can be built over that easement. The house already sits on the north property line and the west and south sides of the home are located in a flood plain; therefore, we wouldn't be able to build an attached garage in those areas either. The flood plain and sanitary easement are noted on our plat of survey, as well as on an aerial image that we obtained from the building department. You'll find both of these documents on pages 5 and 6 of our presentation.

Due to these same unique property limitations, we also learned that the future possibility of expanding our home's footprint is most likely not possible; therefore, leaving us with a home that is limited to a 689 square foot print.

We are requesting the variances in order to build a 2nd detached garage on our property. We intend to use the original detached garage to improve our home storage needs. The additional accessory building will be used in a reasonable manner as a residential garage, workshop and shed. Neither our home nor our accessory buildings will be used for any commercial purposes.

Our neighborhood is unique and does not resemble New Berlin's typical subdivisions. Our home is the very last property on a dead end. It is out of view from the interstate, W. College Avenue and neighboring properties. The additional accessory building would be surrounded by heavily treed areas on the north and east sides and located in a secluded area behind our house. We've included a photo of the proposed location of the garage on page 7. Our variance request is not abnormal or out of the ordinary for our neighborhood. As you'll see we've included on pages 8-14 other residential homes with detached garages similar to the request we are making.

We have the support of our neighbors and the other property owners in the Linnie Lac Subdivision, again, you can see in the petition we included with our presentation on pages 38-39. Along with our neighbors, we do not feel that our variance requests pose any harm to the public interest.

Thank you for your time and consideration of our appeal for size and height variances.

5/8/22, 12:17 PM

New Berlin Property Viewer

version 2/2/22



New Berlin Property Viewer

6119 S LINNIE LAC CT



Show search results for 6119 S ...



0 20 40ft

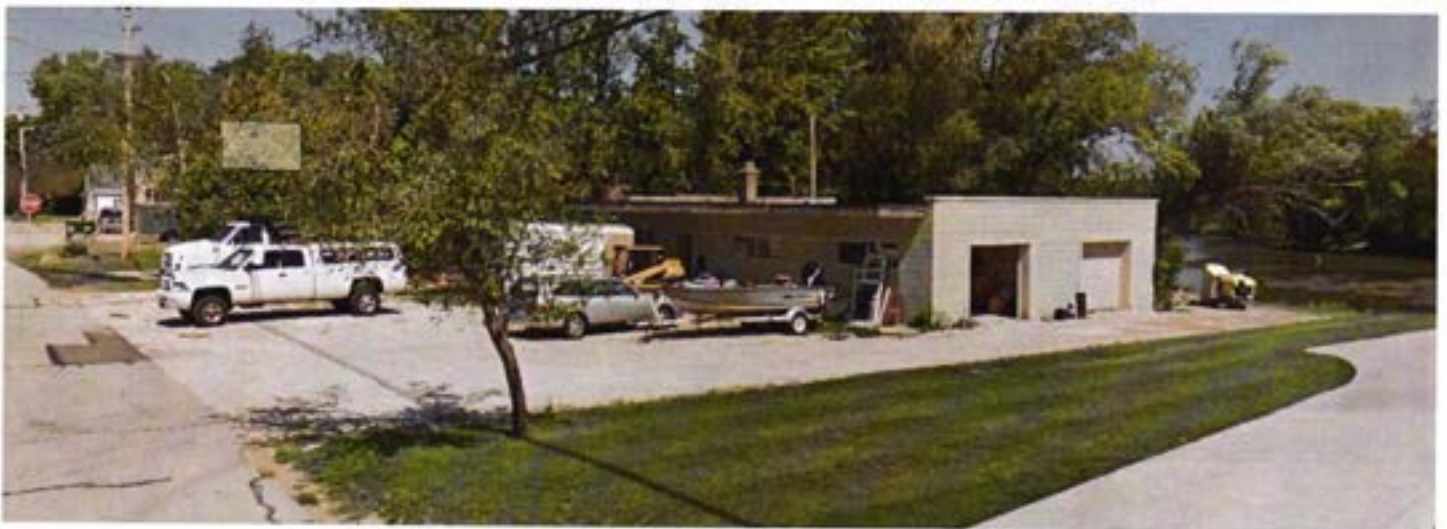
Proposed Location Photo



Comparable Garages



Comparable #1



6240 S. Racine Place, New Berlin – NBC 1280014001
.343 acres – R5 zoning
Detached ≈2,000 sq. ft. accessory building on a vacant lot
Allowable combined size is 840 sq. ft. - Variance of 1,160 sq. ft.

Comparable #2



6171 S. Racine Place, New Berlin – NBC 1280978
1.795 acres – R3 zoning
Detached ≈1,900 sq. ft. accessory building.
Allowable combined size is 840 sq. ft. - Variance of 1,060 sq. ft.

Comparable #3



18905 W. Linnie Lac Pl, New Berlin – NBC 1280050

.454 acres – R5 zoning

Detached ≈800 sq. ft. + ≈400 sq. ft. accessory buildings = 1,200 sq. ft.

Allowable combined size is 840 sq. ft. - Variance of 360 sq. ft.

Comparable #4



6106 S. Martin Rd, New Berlin – NBC 1283994

4.783 acres – R1 zoning

Detached $\approx$ 1,890 sq. ft. **Built in 2007** + $\approx$ 900 sq. ft. accessory buildings = 2,790 sq. ft.

Allowable combined size is 2,250 sq. ft. - Variance of 540 sq. ft.

Comparable #5



6040 S. Martin Rd, New Berlin – NBC 1283996

6.686 acres – R1 zoning

Detached $\approx 8,300$ sq. ft. **built in 2016** + $\approx 3,050$ sq. ft. + ≈ 650 sq. ft. accessory buildings = 12,000 sq. ft.

Allowable combined size is 2,500 sq. ft. - Variance of 9,500 sq. ft.

Comparable #6



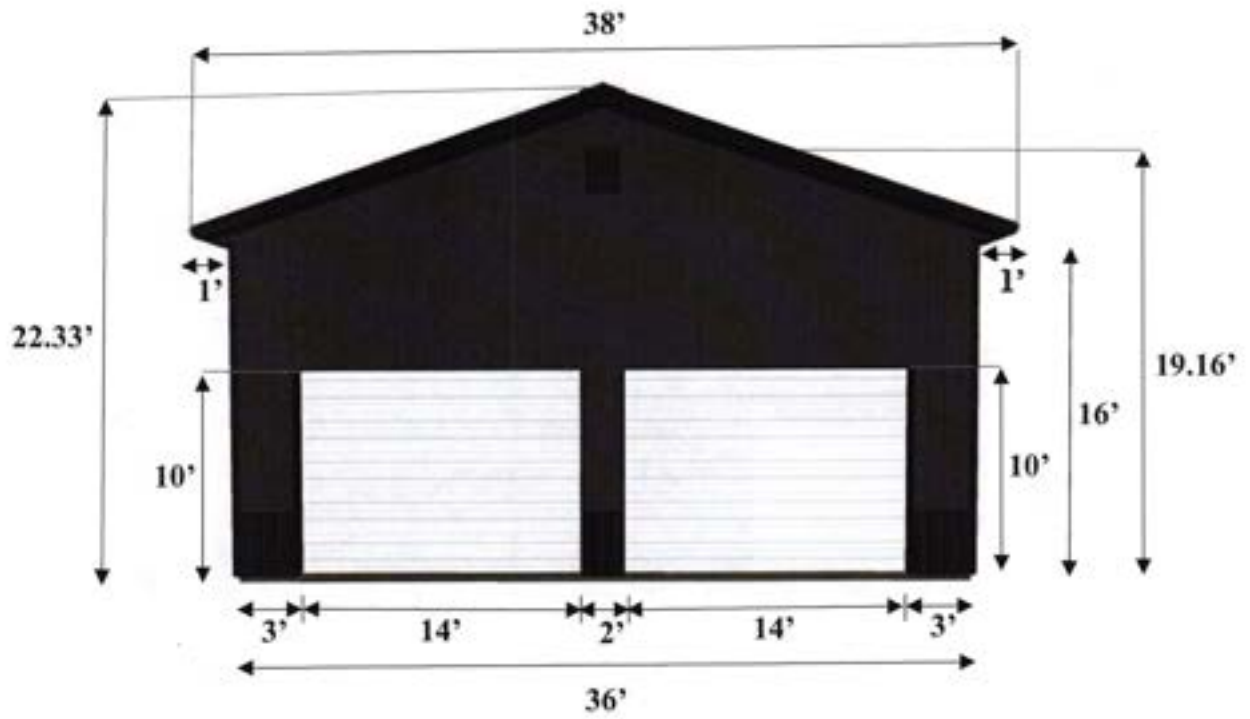
6240 S. Martin Rd, New Berlin – NBC 1283990

1.663 acres – R3 zoning

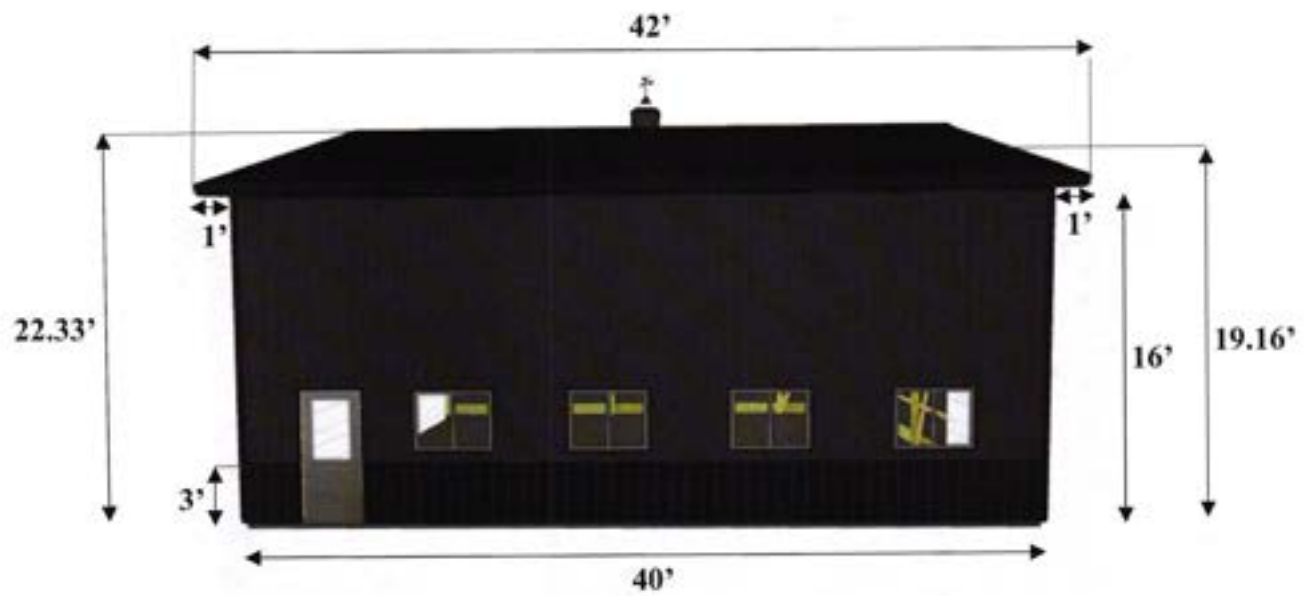
Attached ≈3,600 sq. ft. residential garage. No variance required since it's attached.

Built in 2014

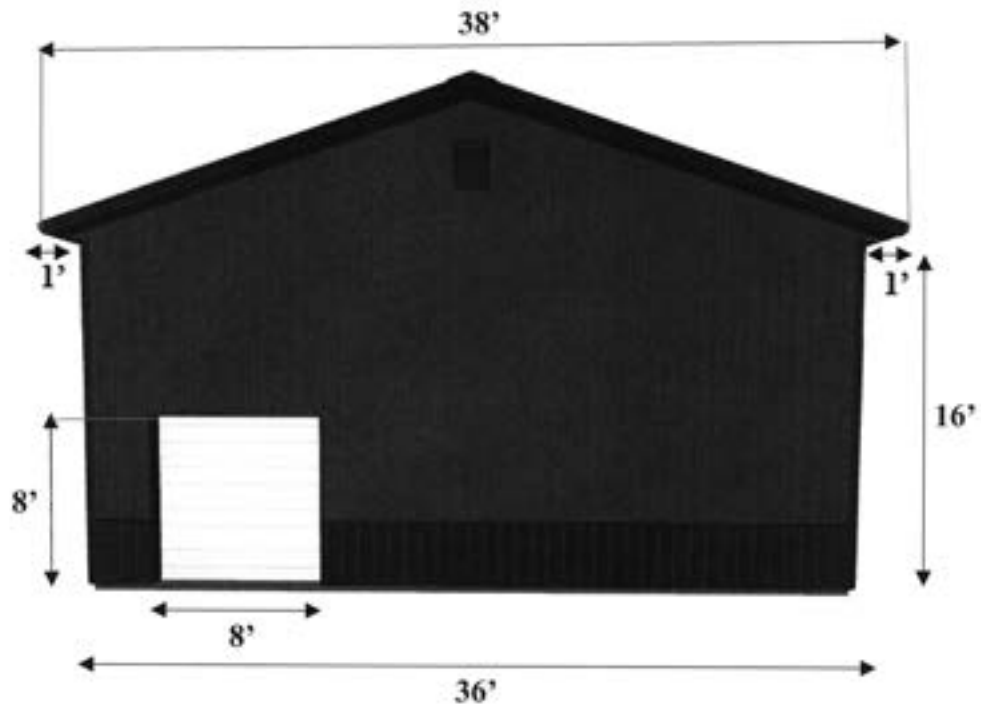
West Wall



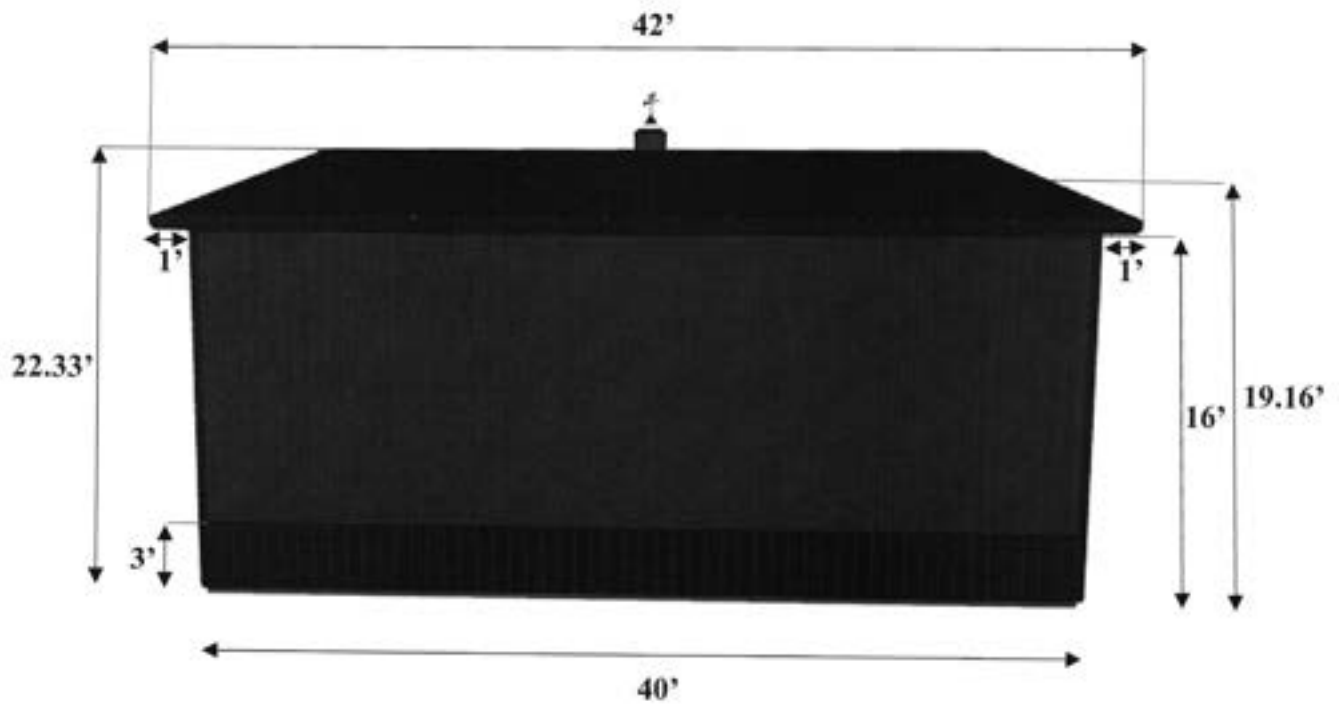
South Wall



East Wall



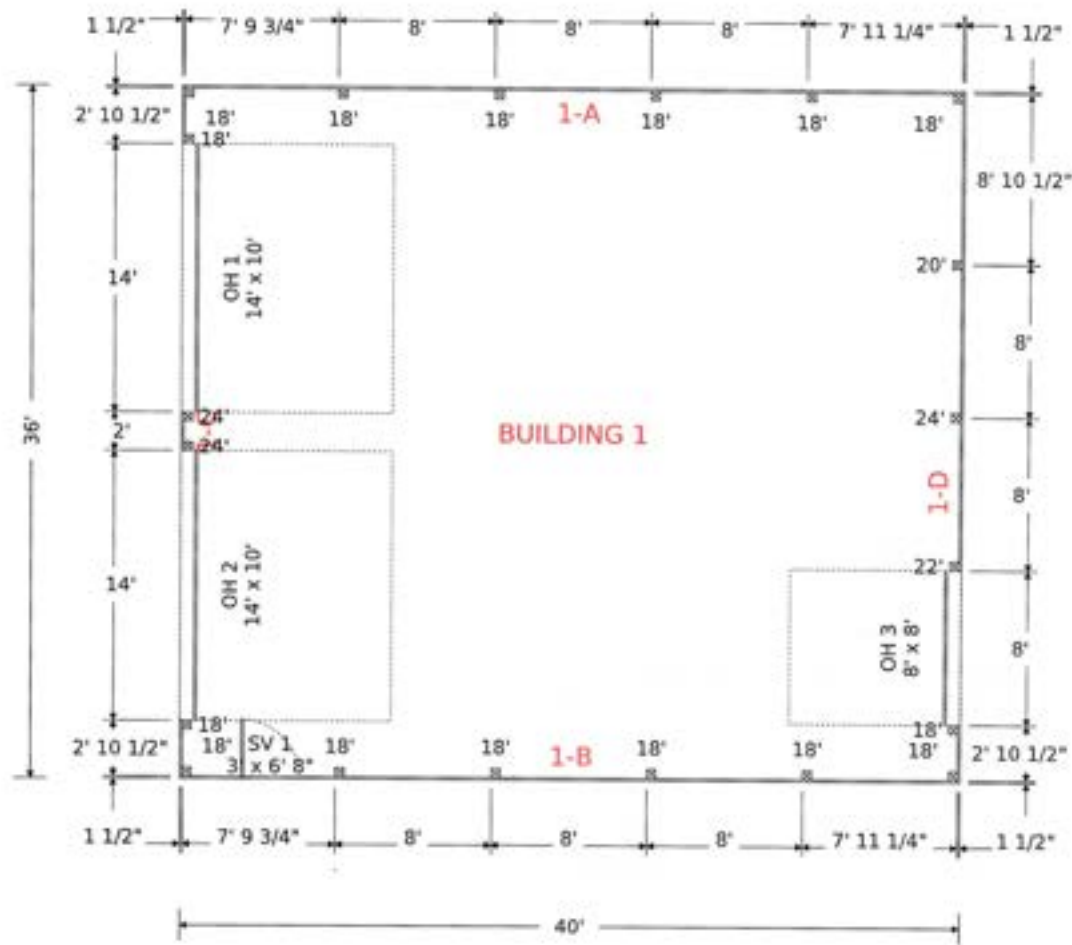
North Wall



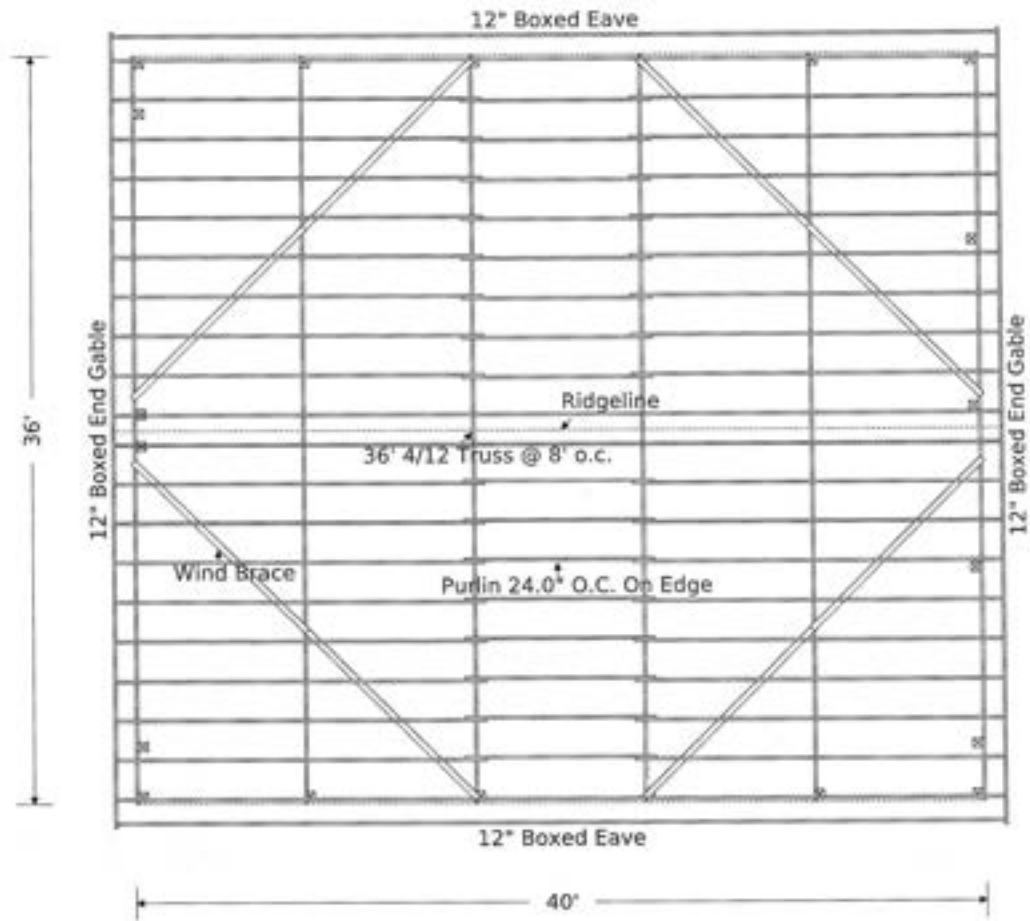




FLOOR PLAN



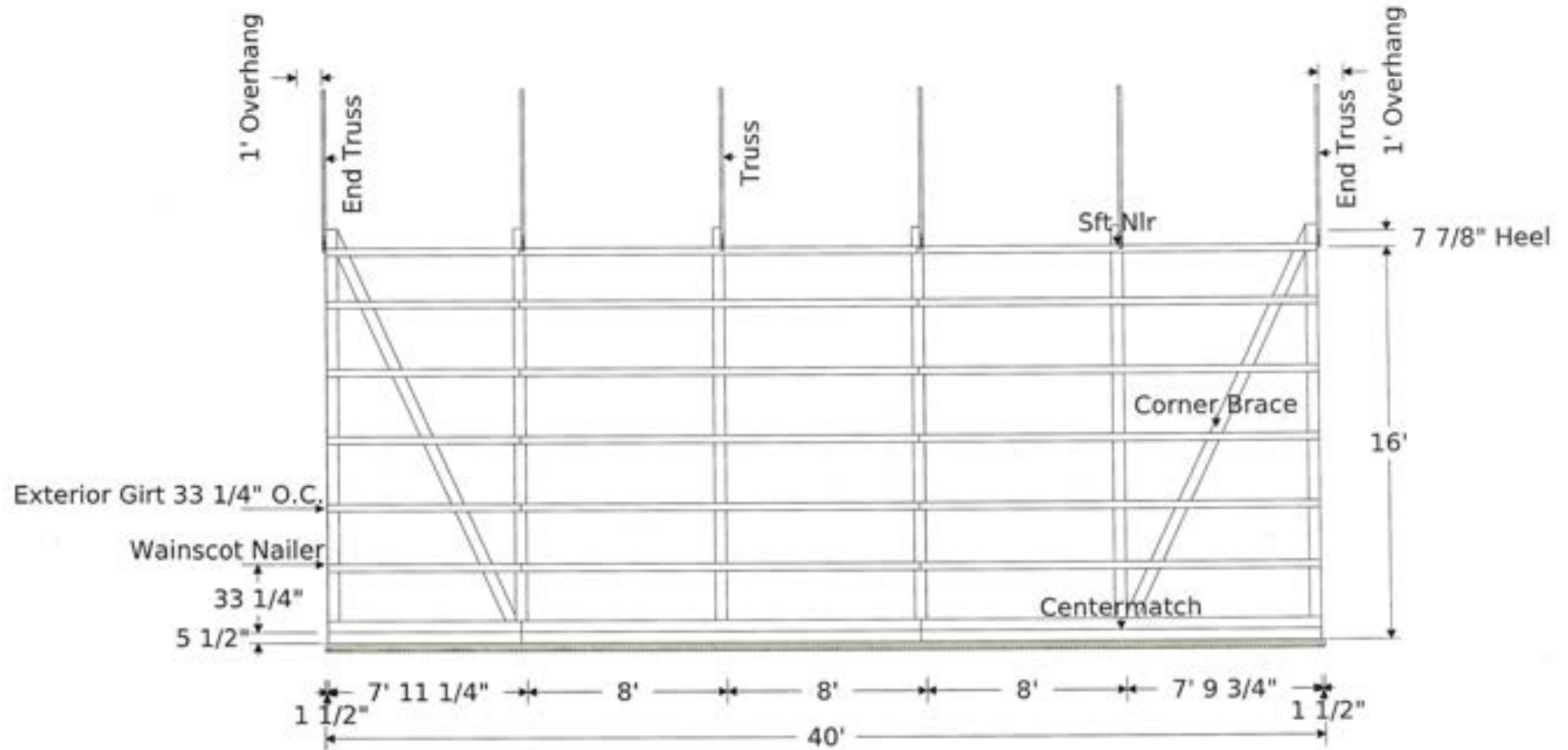
ROOF FRAMING



NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
NB PRO 238"	NB PRO 238"
+ Ridgeline	

ROOF STEEL

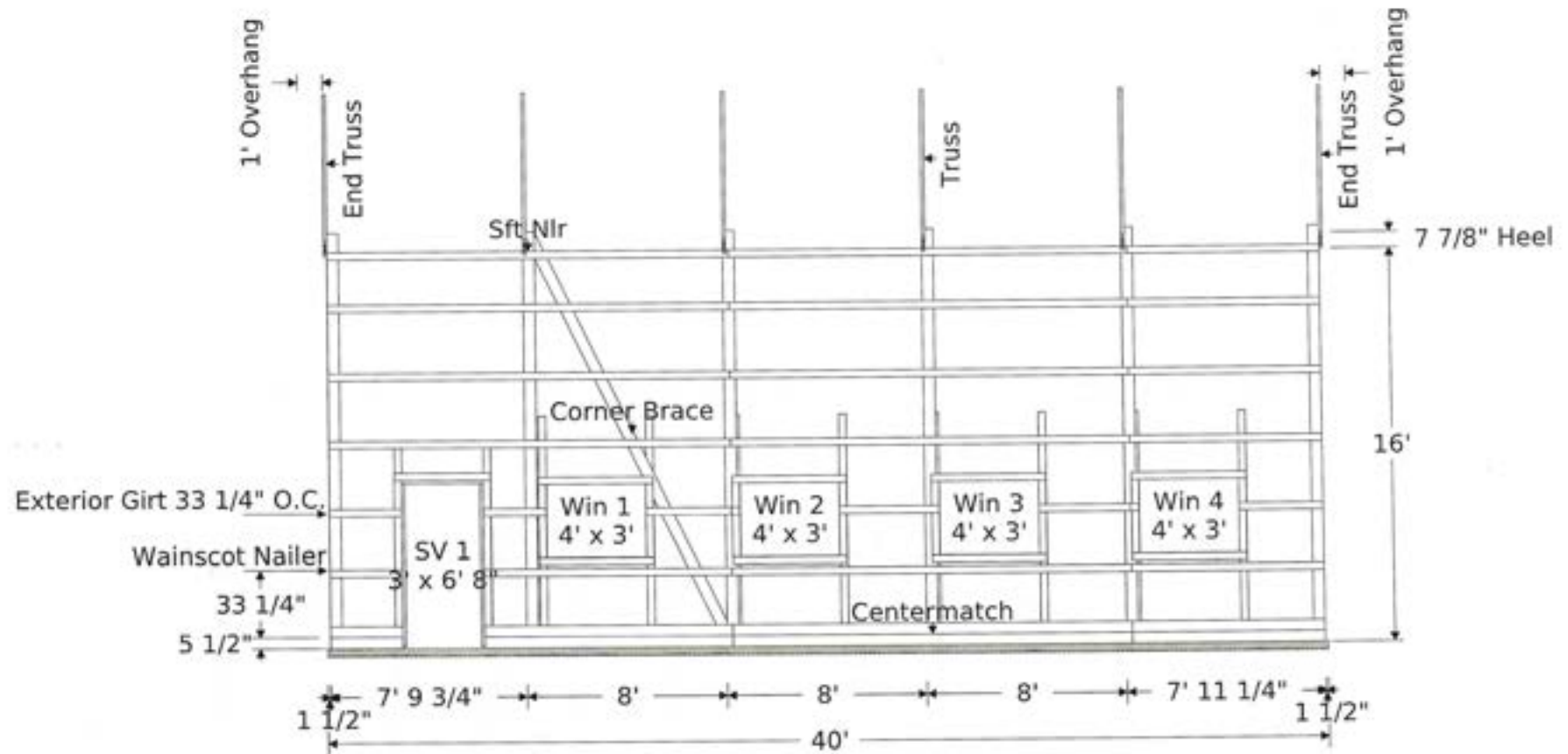
WALL 1-A FRAMING



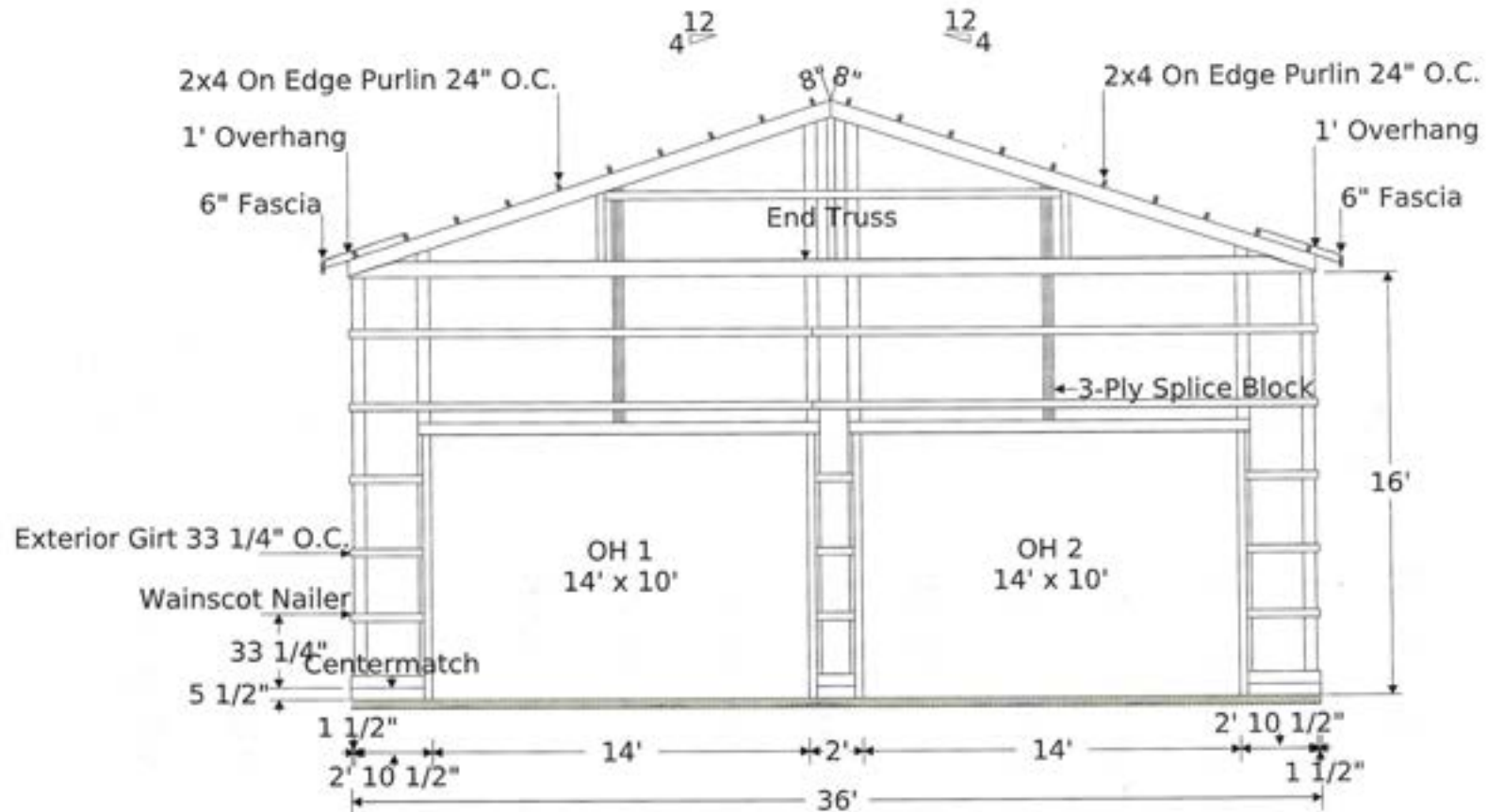
1" Rise	NB PRO 36"	NG PRO 156"
	NB PRO 36"	NG PRO 156"
	NB PRO 36"	NG PRO 156"
	NB PRO 36"	NG PRO 156"
	NB PRO 36"	NG PRO 156"
	NB PRO 36"	NG PRO 156"
	NB PRO 36"	NG PRO 156"
	NB PRO 36"	NG PRO 156"
	NB PRO 36"	NG PRO 156"
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	NB PRO 36"	NG PRO 156"
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	NB PRO 36"	NG PRO 156"
	NB PRO 36"	NG PRO 156"
	PRO 36"	NG PRO 156"

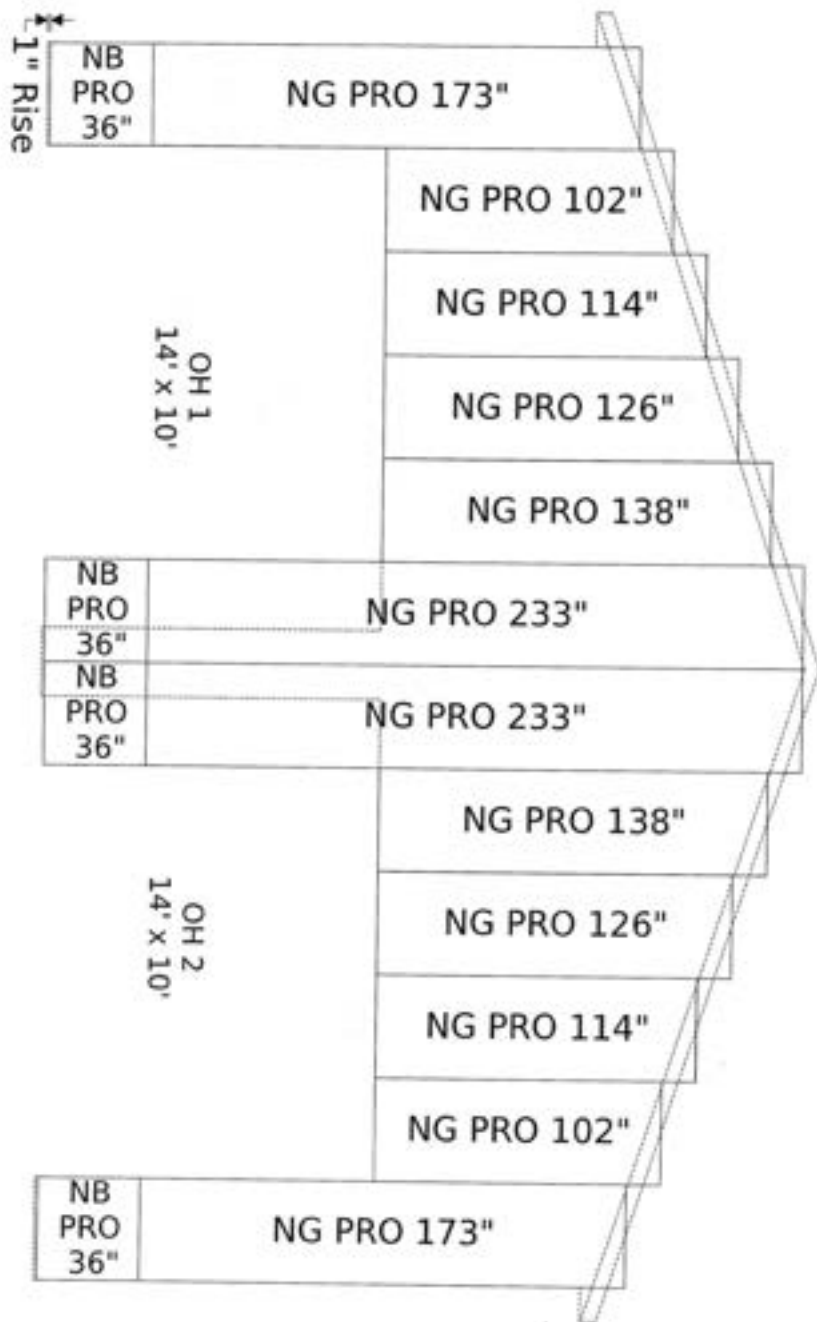
WALL 1-A STEEL

WALL 1-B FRAMING



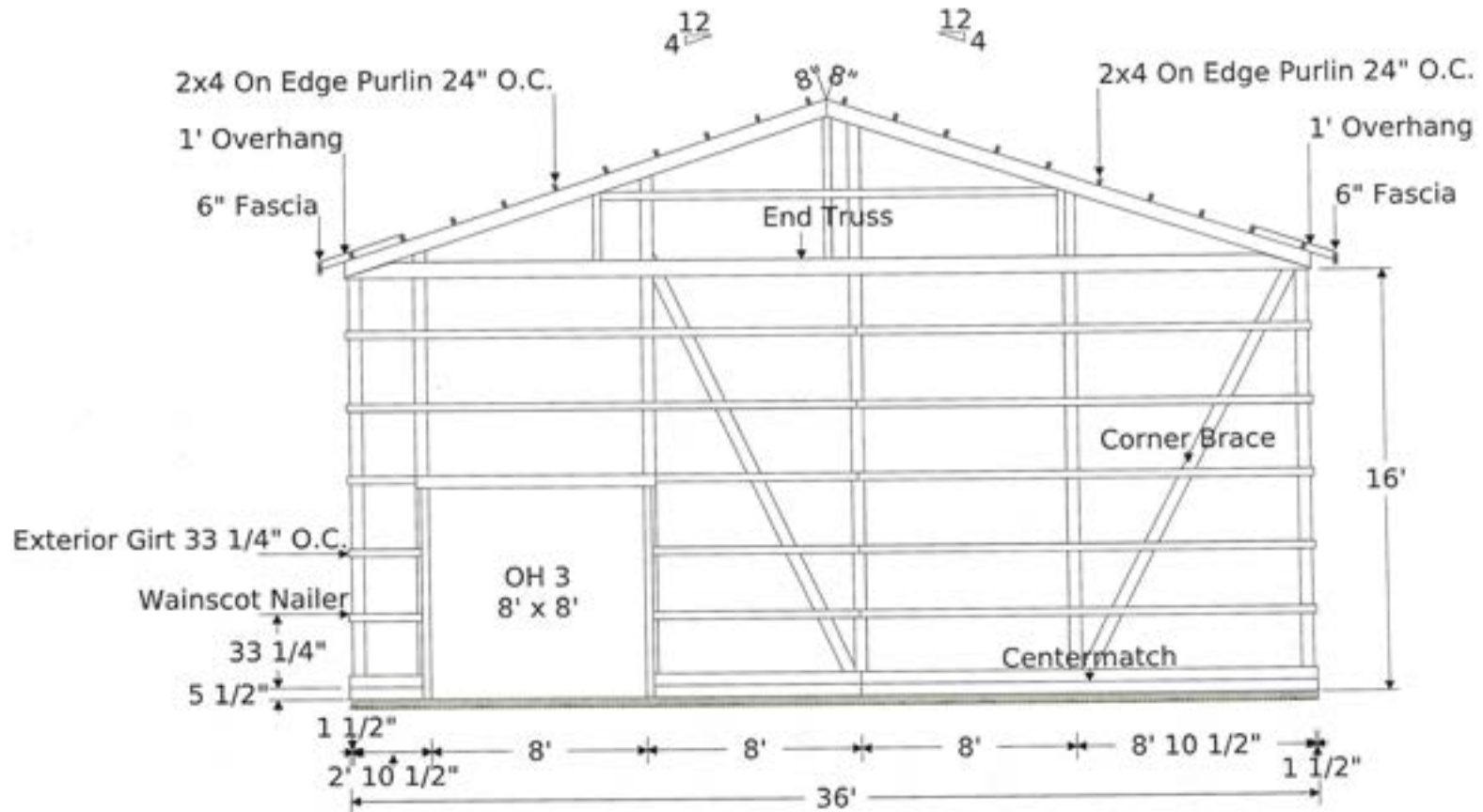
WALL 1-C FRAMING

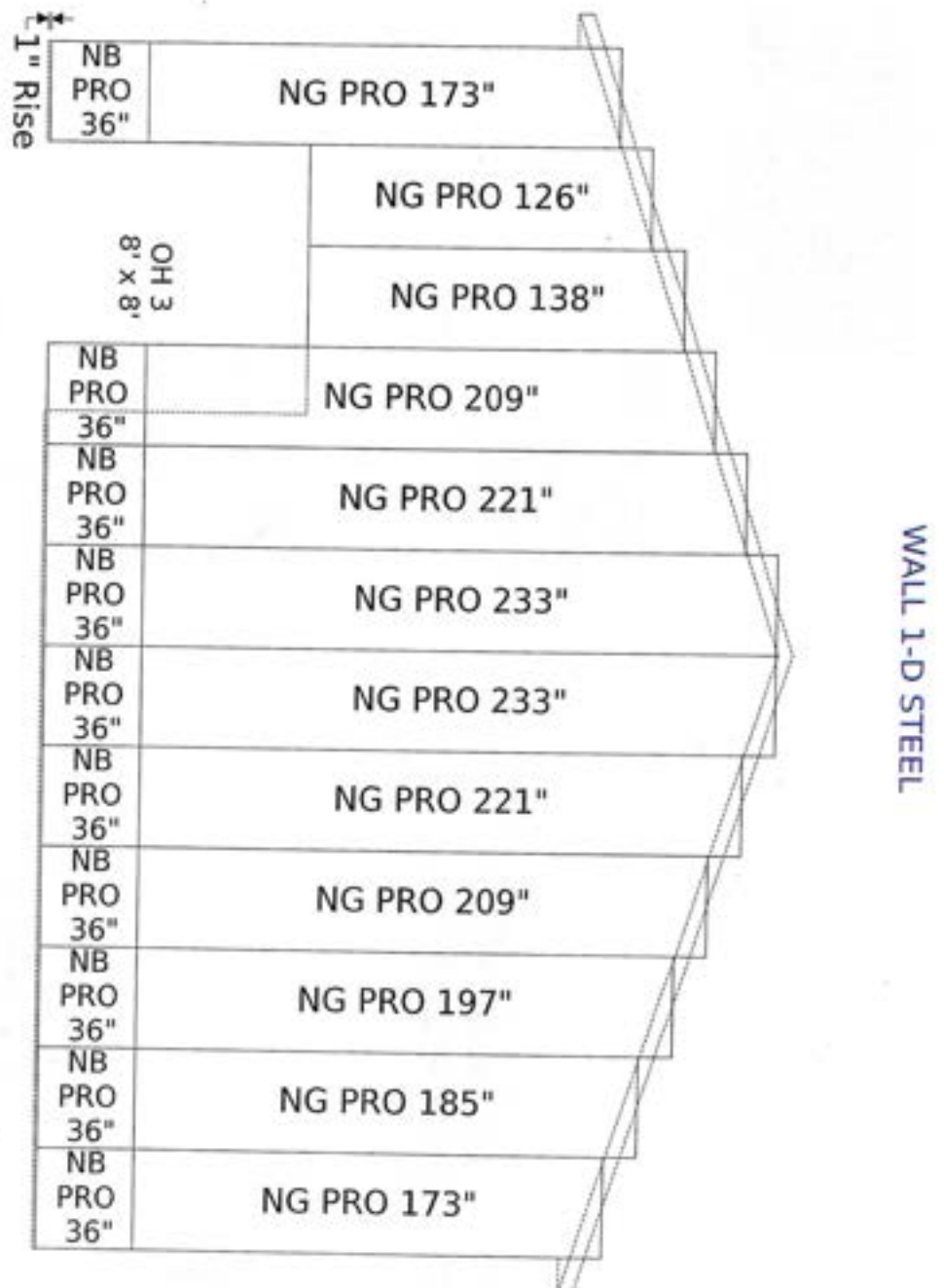




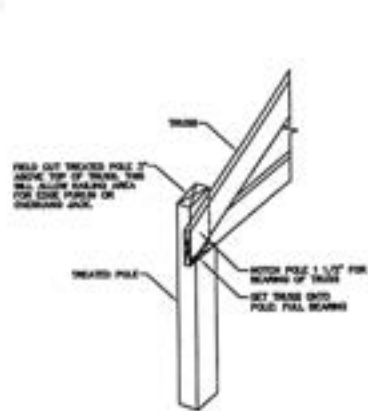
WALL 1-C STEEL

WALL 1-D FRAMING

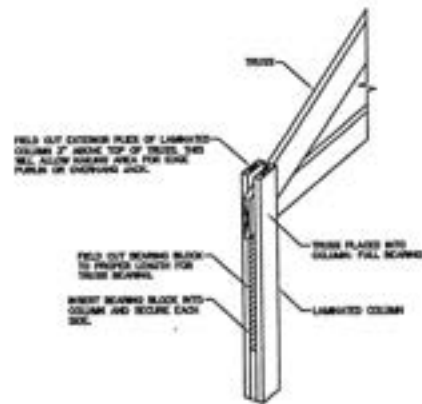




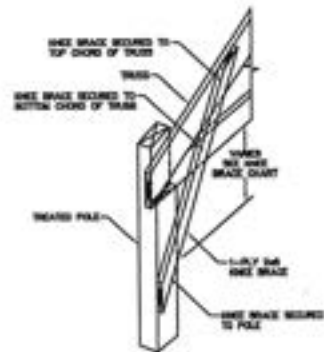
TRUSS, HEADER, AND KNEE BRACE DETAILS



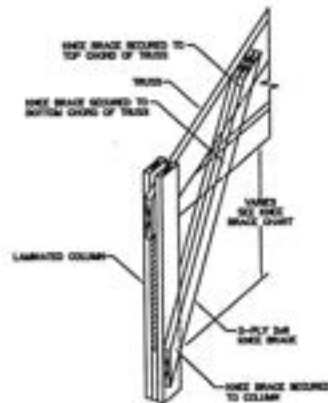
**TRUSS INSTALLATION
FOR TREATED POLE**
NOT TO SCALE



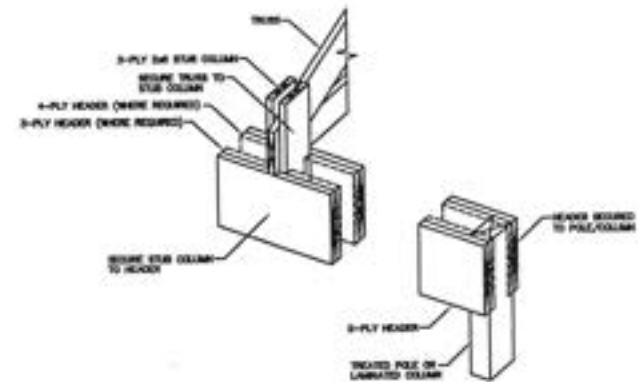
**TRUSS INSTALLATION
FOR LAMINATED COLUMN**
NOT TO SCALE



**KNEE BRACE INSTALLATION
FOR TREATED POLE**
NOT TO SCALE



**KNEE BRACE INSTALLATION
FOR LAMINATED COLUMN**
NOT TO SCALE

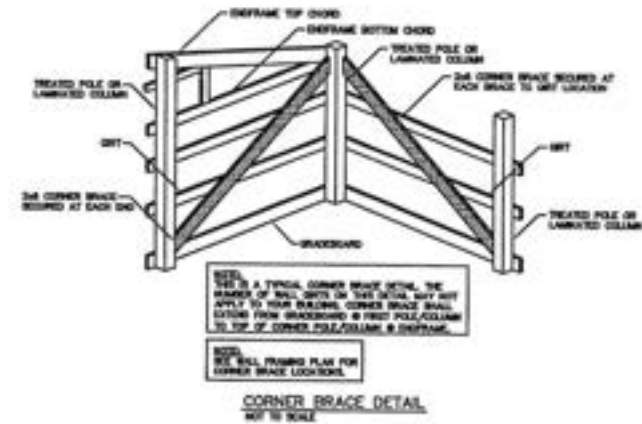
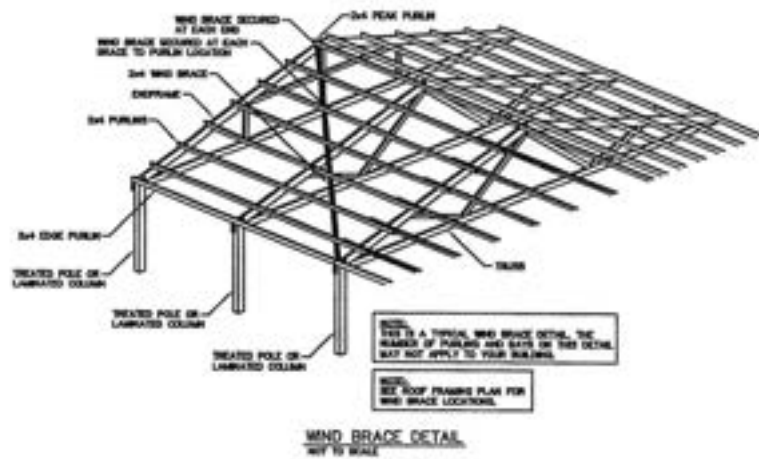


HEADER FRAMING DETAIL
NOT TO SCALE

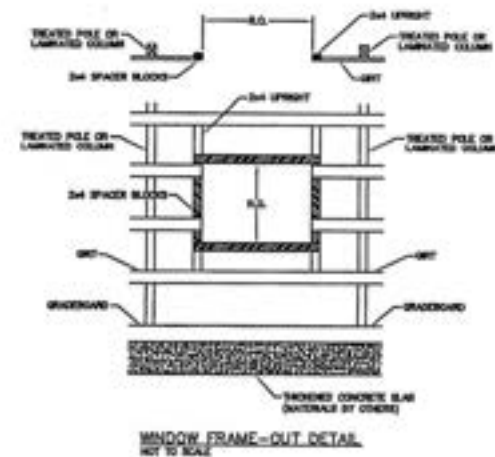
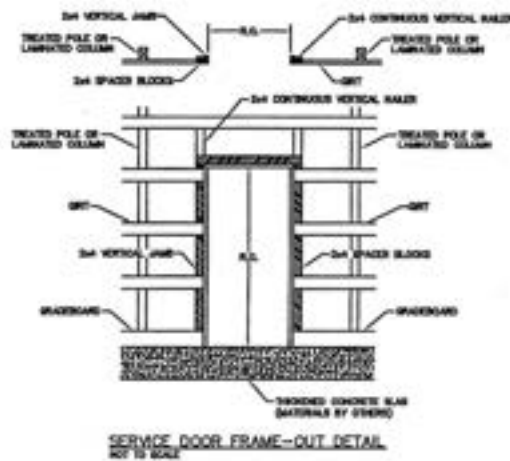
HEADER NOTCH SCHEDULE	
HEADER PILES	SEMI-CIRCULAR LUMBER
1-PLY HEADER	1-PLY PILE NEEDED TO FULLY FIT CORNER & CANNOT BE USED TO FULL AT BOTTOM
2-PLY HEADER	2-PLY PILE NEEDED TO FULLY FIT CORNER & CANNOT BE USED TO FULL AT BOTTOM
3-PLY HEADER	3-PLY PILE NEEDED TO FULLY FIT CORNER & CANNOT BE USED TO FULL AT BOTTOM
4-PLY HEADER	4-PLY PILE NEEDED TO FULLY FIT CORNER & CANNOT BE USED TO FULL AT BOTTOM
HEADER PILES	LVL LAMBER
1-PLY HEADER	1-PLY PILE NEEDED TO FULLY FIT CORNER & CANNOT BE USED TO FULL AT BOTTOM
2-PLY HEADER	2-PLY PILE NEEDED TO FULLY FIT CORNER & CANNOT BE USED TO FULL AT BOTTOM
3-PLY HEADER	3-PLY PILE NEEDED TO FULLY FIT CORNER & CANNOT BE USED TO FULL AT BOTTOM
4-PLY HEADER	4-PLY PILE NEEDED TO FULLY FIT CORNER & CANNOT BE USED TO FULL AT BOTTOM

KNEE BRACE CHART	
MIN. HEIGHT	THICKNESS
10'	2" TO 4" CHORD OF TRUSS
12'	2" TO 4" CHORD OF TRUSS
14'	2" TO 4" CHORD OF TRUSS
16'	2" TO 4" CHORD OF TRUSS
18'	2" TO 4" CHORD OF TRUSS
20'	2" TO 4" CHORD OF TRUSS
22'	2" TO 4" CHORD OF TRUSS
24'	2" TO 4" CHORD OF TRUSS
26'	2" TO 4" CHORD OF TRUSS
28'	2" TO 4" CHORD OF TRUSS
30'	2" TO 4" CHORD OF TRUSS
32'	2" TO 4" CHORD OF TRUSS
34'	2" TO 4" CHORD OF TRUSS
36'	2" TO 4" CHORD OF TRUSS
38'	2" TO 4" CHORD OF TRUSS
40'	2" TO 4" CHORD OF TRUSS
42'	2" TO 4" CHORD OF TRUSS
44'	2" TO 4" CHORD OF TRUSS
46'	2" TO 4" CHORD OF TRUSS
48'	2" TO 4" CHORD OF TRUSS
50'	2" TO 4" CHORD OF TRUSS
52'	2" TO 4" CHORD OF TRUSS
54'	2" TO 4" CHORD OF TRUSS
56'	2" TO 4" CHORD OF TRUSS
58'	2" TO 4" CHORD OF TRUSS
60'	2" TO 4" CHORD OF TRUSS
62'	2" TO 4" CHORD OF TRUSS
64'	2" TO 4" CHORD OF TRUSS
66'	2" TO 4" CHORD OF TRUSS
68'	2" TO 4" CHORD OF TRUSS
70'	2" TO 4" CHORD OF TRUSS
72'	2" TO 4" CHORD OF TRUSS
74'	2" TO 4" CHORD OF TRUSS
76'	2" TO 4" CHORD OF TRUSS
78'	2" TO 4" CHORD OF TRUSS
80'	2" TO 4" CHORD OF TRUSS
82'	2" TO 4" CHORD OF TRUSS
84'	2" TO 4" CHORD OF TRUSS
86'	2" TO 4" CHORD OF TRUSS
88'	2" TO 4" CHORD OF TRUSS
90'	2" TO 4" CHORD OF TRUSS
92'	2" TO 4" CHORD OF TRUSS
94'	2" TO 4" CHORD OF TRUSS
96'	2" TO 4" CHORD OF TRUSS
98'	2" TO 4" CHORD OF TRUSS
100'	2" TO 4" CHORD OF TRUSS

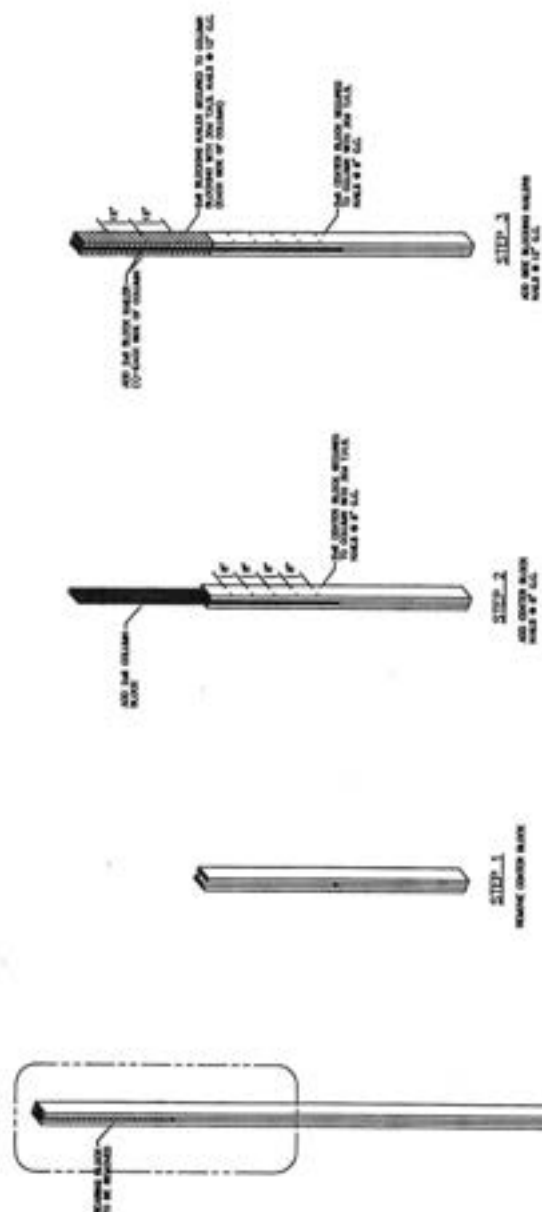
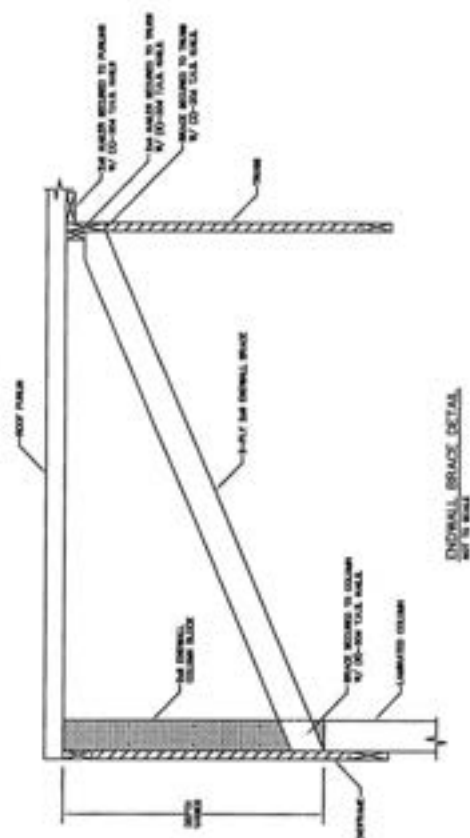
WIND AND CORNER BRACE DETAILS



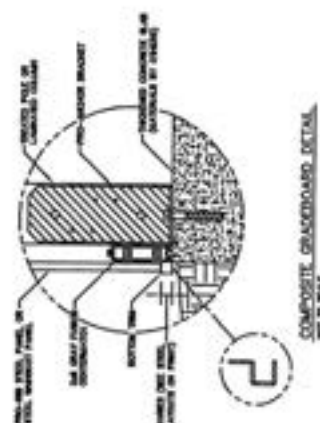
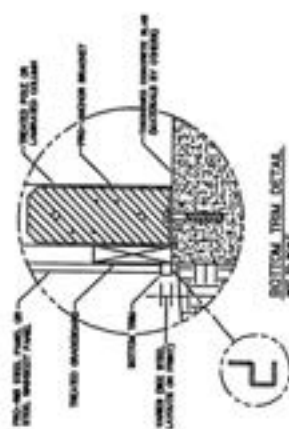
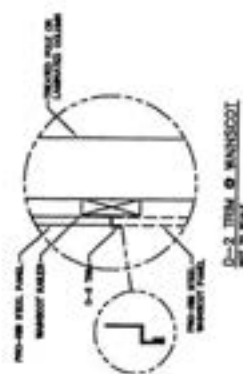
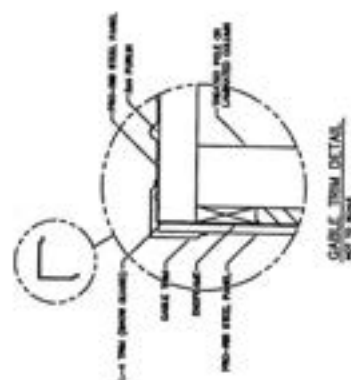
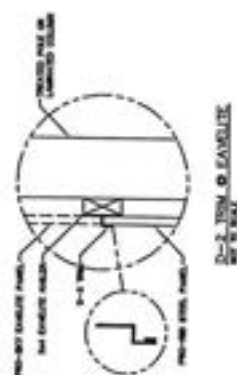
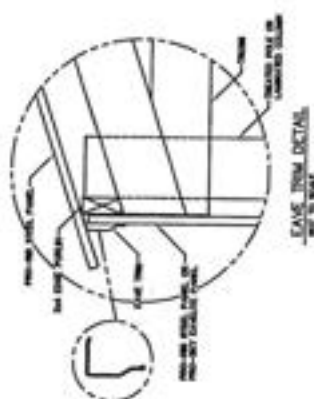
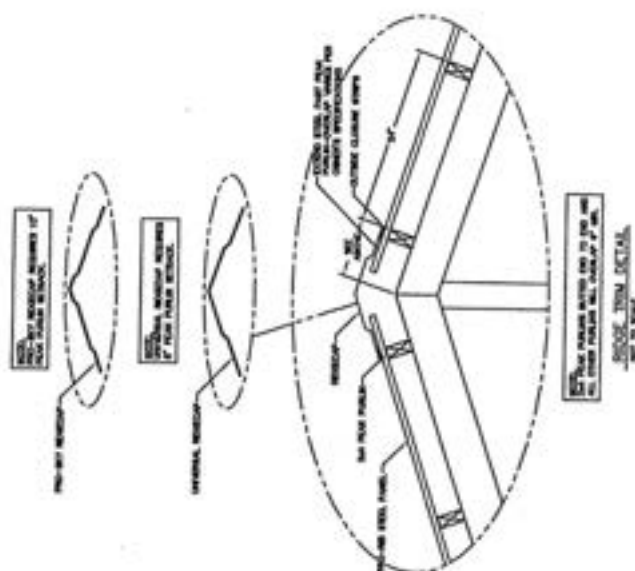
SERVICE DOOR AND WINDOW DETAILS



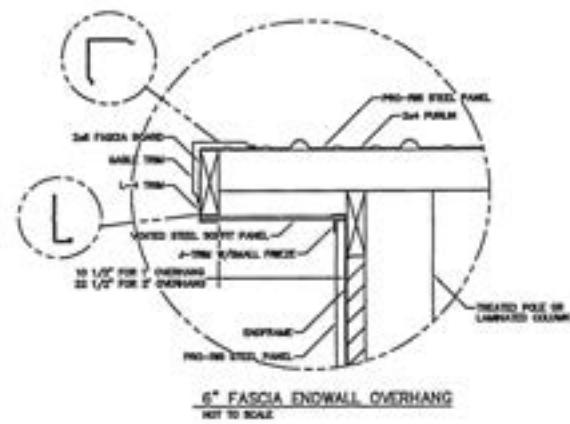
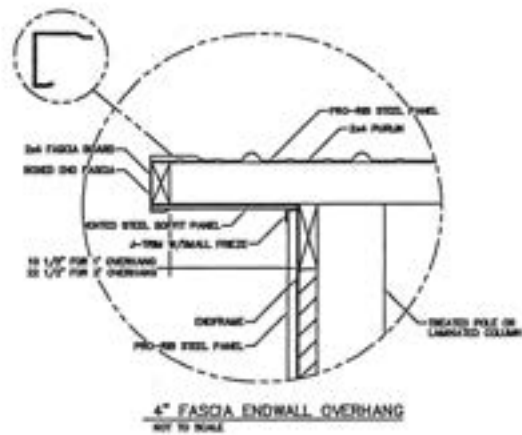
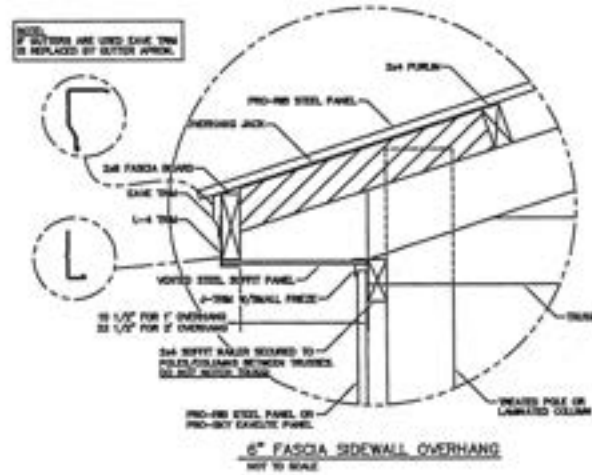
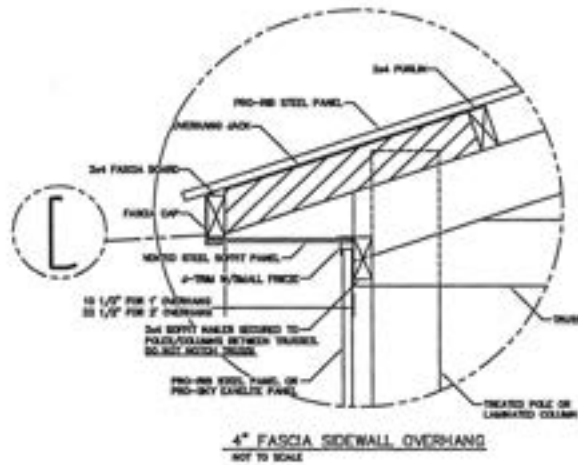
ENDWALL COLUMN BLOCK EXTENSION AND ENDWALL BRACE DETAILS

[illegible]

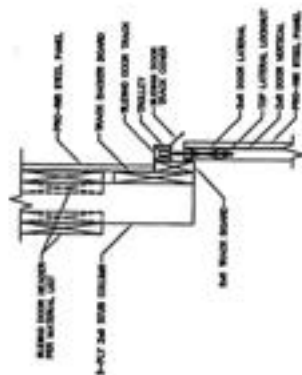
TRIM DETAILS



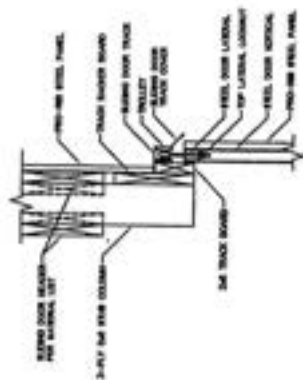
OVERHANG DETAILS



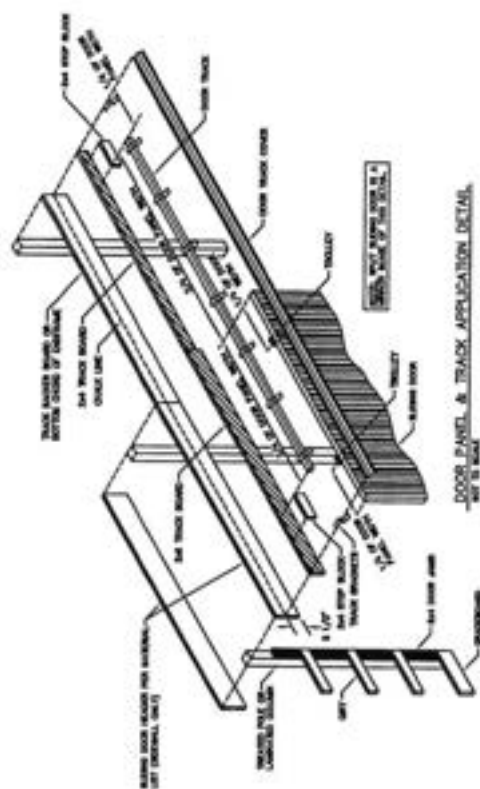
SLIDING DOOR DETAILS



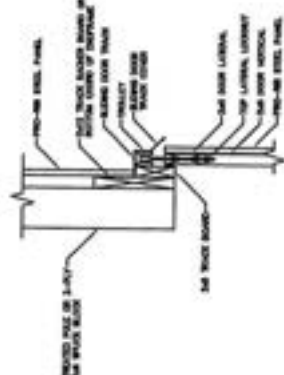
WOOD & ALUMINUM SOEWALL TRACK DETAIL
NOT TO SCALE



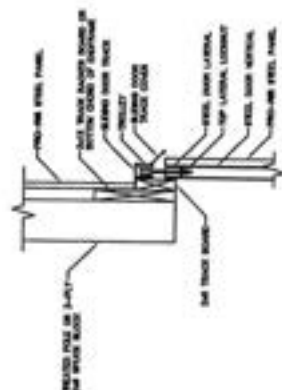
STEEL FRAMED SIDEWALL TRACK DETAIL
SEE 10.10.2



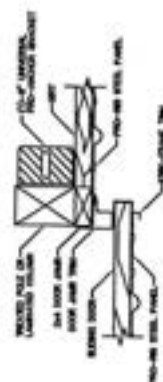
DOOR PANEL & TRACK APPLICATION DETAIL
SEE 15.000



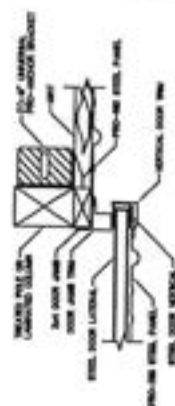
WOOD & ALUMINUM ENDWALL TRACK DETAIL
SEE 10.0000



STEEL FRAMED ENDWALL TRACK DETAIL

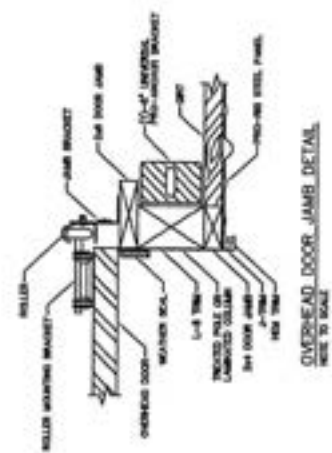
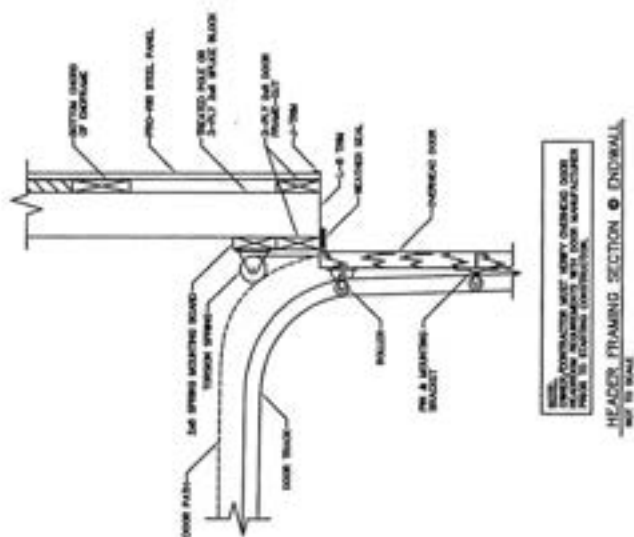
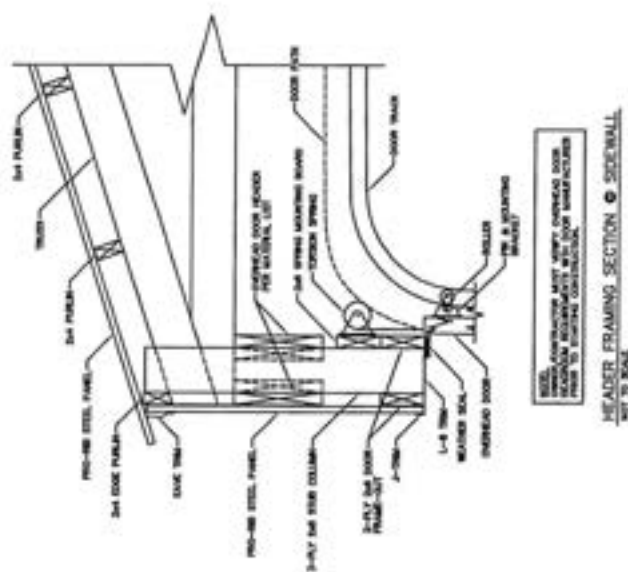


WOOD AND ALUMINUM SLIDING DOOR JAMB DETAIL
SEP 15, 2004

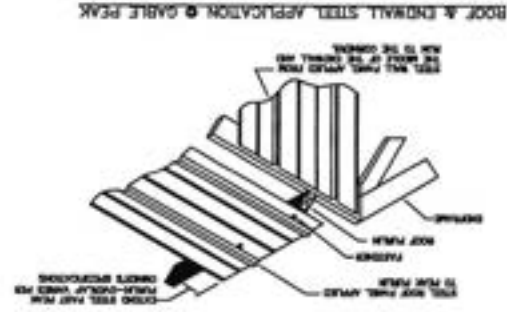


STEEL FRAMED SLIDING DOOR JAMB DETAIL
DOOR TO WALK

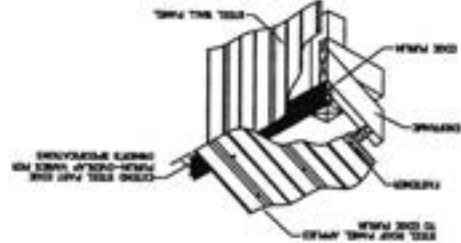
OVERHEAD DOOR DETAILS



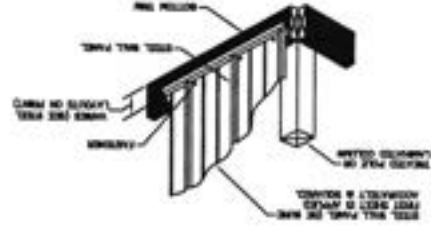
STEEL APPLICATION DETAILS



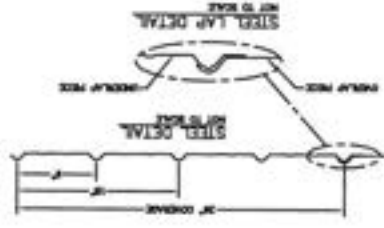
HOOF & ENDWELL STEEL APPLICATION • GABLE PEAK



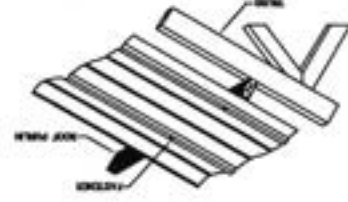
ROOF & SIDING STEEL APPLICATION • EAVE



WALT STEEL APPLICATION • GRABBER



WALT STEEL APPLICATION • INTERMEDIATE



WOOL STEEL APPLICATION • INTERMEDIATE

We, Sarah Tyrrell and Adam Sobieralski, property owners of 6119 S. Linnie Lac Ct, New Berlin, WI 53146, are the promoters of this petition which contains 18 signatures.

PETITION TO A SIZE VARIANCE FOR DETACHED ACCESSORY BUILDINGS AT 6119 S. LINNIE LAC CT.

To Chairman John Goetter and members of the City of New Berlin Board of Appeals,

We, the undersigned residents of Linnie Lac Subdivision, **SUPPORT** the property owners request for a size variance and height variance for detached accessory buildings at 6119 S. Linnie Lac Ct. We understand that the current R5 zoning and City of New Berlin regulations require that any property less than 2 acres can have up to 2 accessory buildings with a maximum combined allowable square footage of 840 square feet and maximum roof midpoint of 15 feet. The requested variance in size will be 1,171 square feet for a combined total allowable square footage of 2,011 square feet between 2 accessory buildings. The requested height variance will be 4.5 feet for a maximum roof midpoint height of 19.5 feet. We understand and acknowledge that this petition will be submitted with the property owners Board of Appeals application for a size and height variance. As a neighboring property owner, we do not feel that this request poses any harm to the public interest.

NAME	PROPERTY ADDRESS	SIGNATURE	DATE
Ernestine Miller	6137 S. Linnie Lac Ct.	Ernestine Miller	5/15/2022
WAYNE MILLER	6137 S. Linnie Lac Ct	W. Miller	5/15/2022
ARLENE SCHLIEVE	18980 W. Linnie Lac Pl	Arlene Schlieve	5/15/2022
KEVIN SCHULTZ	6275 S Linnie Linnie Lac Pl	Kevin Schultz	5/15/2022
HORTON SCHULTZ	6275 S. Linnie Lac Place	Horton Schultz	5/15/2022
Dorinda Sullivan	6065 S. Linnie Lac Dr	Dorinda Sullivan	5-15-2022
ED DZICKA	6080 S. Linnie Lac Dr.	Ed Dzik	5-15-2022
Ellen Dzik	6080 S Linnie Lac Dr	Ellen Dzik	5-15-2022
Mary Radtke	6061 S. Linnie Lac Dr	Mary Radtke	5-15-2022
Daniel Radtke	6061 S. Linnie Lac Dr	Dan Radtke	5-15-2022
Joe Moniz	6225 S. Linnie Lac Dr	Joe Moniz	5-16-2022
Daniel Hollander	6155 S Linnie Lac Ct	Dan Hollander	5-16-22

**PETITION TO A SIZE VARIANCE FOR DETACHED ACCESSORY
BUILDINGS AT 6119 S. LINNIE LAC CT.**

To Chairman John Goetter and members of the City of New Berlin Board of Appeals.

We, the undersigned residents of Linnie Lac Subdivision, SUPPORT the property owners request for a size variance and height variance for detached accessory buildings at 6119 S. Linnie Lac Ct. We understand that the current R5 zoning and City of New Berlin regulations require that any property less than 2 acres can have up to 2 accessory buildings with a maximum combined allowable square footage of 840 square feet and maximum roof midpoint of 15 feet. The requested variance in size will be 1,171 square feet for a combined total allowable square footage of 2,011 square feet between 2 accessory buildings. The requested height variance will be 4.5 feet for a maximum roof midpoint height of 19.5 feet. We understand and acknowledge that this petition will be submitted with the property owners Board of Appeals application for a size and height variance. As a neighboring property owner, we do not feel that this request poses any harm to the public interest.

[illegible]

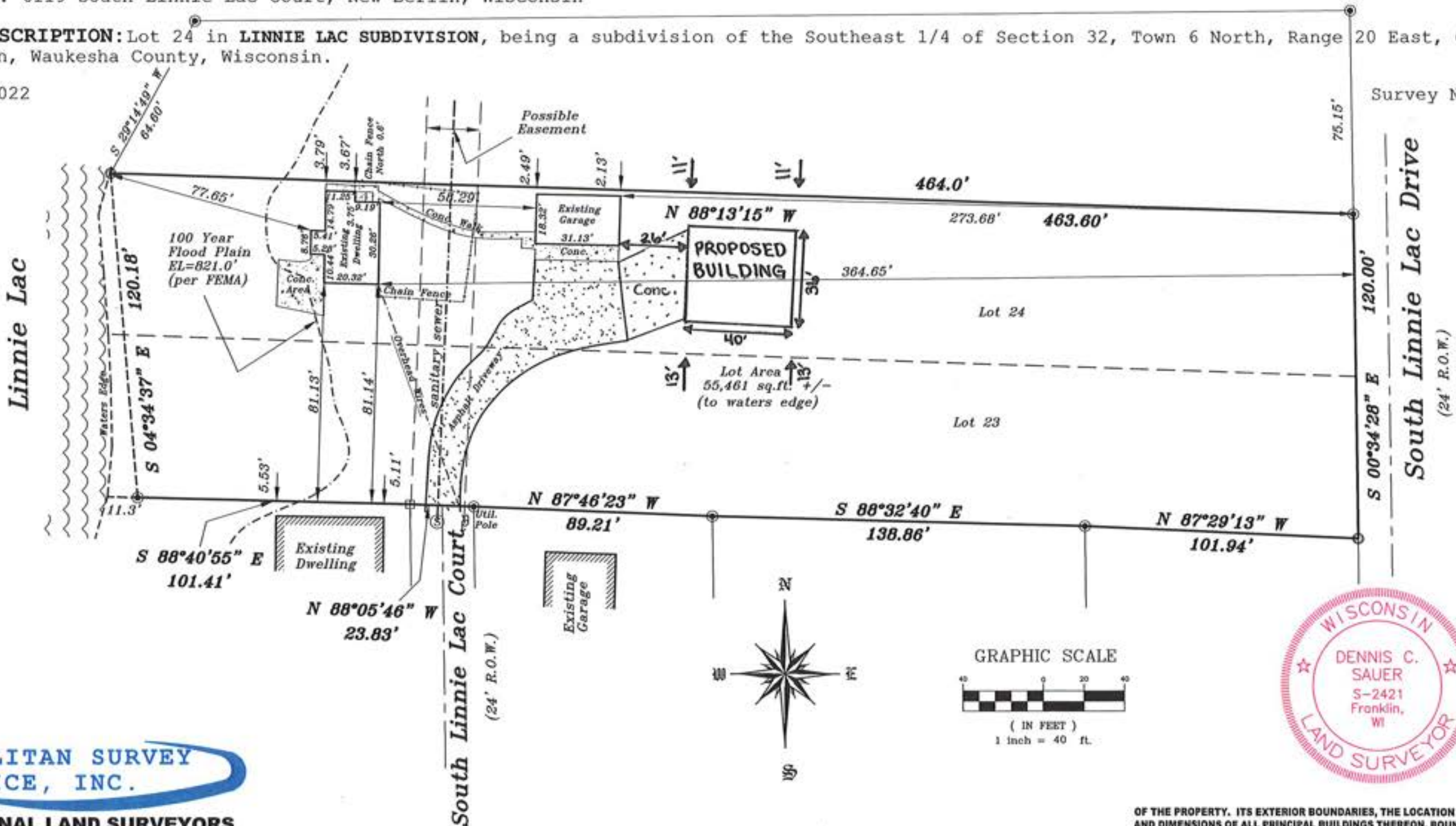
PLAT OF SURVEY

LOCATION: 6119 South Linnie Lac Court, New Berlin, Wisconsin

LEGAL DESCRIPTION: Lot 24 in LINNIE LAC SUBDIVISION, being a subdivision of the Southeast 1/4 of Section 32, Town 6 North, Range 20 East, City of New Berlin, Waukesha County, Wisconsin.

May 11, 2022

Survey No. 113462



METROPOLITAN SURVEY SERVICE, INC.

PROFESSIONAL LAND SURVEYORS
 9415 West Forest Home Avenue, Suite 202
 Hales Corners, Wisconsin 53130
 PH. (414) 529-5380
 survey@metropolitansurvey.com
 www.metropolitansurvey.com

- ⊙ — Denotes Iron Pipe Found
- — Denotes Iron Pipe Set
- ⊞ — Denotes Stone Found

FLOOD DATA This property is in Zone AE & X of the Flood Insurance Rate Map, Community Panel No. 55133C0342G which has an effective date of 11/05/2014 and is in a Special Flood Hazard Area. Field surveying was not performed to determine this zone. An elevation certificate may be needed to verify this determination or apply for an amendment from the Federal Emergency Management Agency.

OF THE PROPERTY. ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENT, IF ANY.
 I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION.
 THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM THE DATE HEREOF.

SIGNED Dennis C. Sauer
Dennis C. Sauer
 Professional Land Surveyor S-2421