

Board of Appeals MEETING AGENDA



March 7, 2024 - 6:00 PM
Council Chambers
3805 S. Casper Dr.

Published 3/1/2024

AGENDA

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE**
2. **ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**
3. **APPROVAL OF MINUTES**
 - A. February 1, 2024 Meeting Minutes
4. **NEW BUSINESS**
 - A. Petitioner requests to construct a 384 square foot accessory building 5 feet from the side yard property line. The property is located at 17905 W. Roosevelt Avenue and is Zoned R-5, Medium Density Single Family Residential District, which requires a yard setback of 10 feet. A side yard variance of 5 feet is required in order to obtain a building permit.
 - B. Petitioner requests to construct a 432 square foot accessory building 25 feet from the rear yard property line. The property is located at 5015 S. Rolling Meadow Drive and is Zoned R-1, R-2, Rural Conservation Single Family Residential District, which requires a rear yard setback of 50 feet. A rear yard variance of 25 feet is required in order to obtain a building permit.
 - C. Petitioner requests to construct and elevated attached deck 33 feet from the rear yard property line. The property located at 19155 W. Hillcrest Drive is Zoned R-1/R-2, Rural Conservation Single Family Residential District, which requires a rear yard setback of 50 feet. A rear yard variance of 17 feet is required in order to obtain a building permit.
5. **ADJOURN**

Supplemental Information:

- The meeting agenda and agenda packet are available online at www.NewBerlin.org. The minutes are published online and are approved at the next regularly scheduled meeting.
- 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.
- You may provide comments to the City Clerk via email at CitizenComments@NewBerlin.org. Comments will be forwarded to the Mayor and members of the governing body. Emailed comments are not read during the meeting.
- The City of New Berlin strives to host inclusive, accessible meetings that enable all individuals to engage and participate fully. Any person who has a qualifying disability under the Americans with Disabilities Act that requires that the meeting be accessible, please contact City Clerk Rubina R. Medina at (262) 786-8610 or via email at CityClerk@NewBerlinWI.gov at least 48 hours before the scheduled meeting time. Efforts will be made to accommodate the needs of disabled individuals through appropriate aids and/or services.
- 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 in the above notice.



Board of Appeals MEETING MINUTES

February 1, 2024 - 6:00 PM
Council Chambers
3805 S. Casper Dr.

Please note: Minutes are unofficial until approved at the next regular scheduled meeting.

MINUTES

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Commissioner Goetter called the meeting to order at 6:01PM

2. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

Joelle Erickson took the roll call as follows:

Present: Board Member Oldham, Board Member Klappa, Board Member Goetter, Commissioner Schulpus,

Alternate #1 Board Member Willoughby

Excused: Board Member Paul Langer

Staff Present: Dan Hogan - Code Compliance Specialist, Steve Krentz - Lead Inspector

3. APPROVAL OF MINUTES

A. November 2, 2023 Meeting Minutes

MOTION: Motion to Approve November 2, 2023 Minutes

VOTE: Motion by: Board Member Oldham
Second by: Board Member Schulpus
Motion Passes 5-0

4. NEW BUSINESS

- A. Petitioner Dan Igielski, 18830 W. Cleveland Avenue, requests to construct a 1,280 square foot accessory building. The property is 1.7 acres which allows for a maximum accessory square foot allowance of 840 square feet. An accessory foot variance of 440 is required in order to obtain a building permit.
- Petitioner Dan Igielski, 18830 W. Cleveland Avenue, is requesting to construct a 1,280 square foot accessory building. The property is 1.7 acres which allows for a maximum accessory square foot allowance of 840 square feet. An accessory square foot variance of 440 square feet is required in order to obtain a building permit.
- Petitioner #1 (Dan Igielski) states that he needs the accessory building as his current garage has 6' doors so it limits him working on a truck. Also, he has snowmobiles, collector cars, motorcycle, tractor, etc. He is looking for enough space for storage of everything. The proposed building meets all the setback requirements just need the size variance.
- Board Member Goetter: Can you please explain some of the nature of your appeal?
- Petitioner #1: No matter what building I put up, I cannot attach it to the house or put it in any other location. It wouldn't meet the setback requirements even with a 840 square foot building. The location is pretty much where it has to be. According to the survey from 1966, there was a building on the property, that is now removed, but if it remained – it wouldn't have met setback requirements either.
- Board Member Klappa: Was that existing garage added-on being that is on a basement level?
- Petitioner #1: I'm not certain but I don't believe so. It shares a wall with the basement. It is a flat roof.
- Board Member Goetter: Right now you move your items into storage?
- Petitioner #1: Yes, right now I am playing a musical chairs game with some of the vehicles I own.
- Board Member Goetter: How many vehicles do you own all together?

Petitioner #1: 2 collector cars, a pickup truck, a back-up car, a couple of snowmobiles, a motorcycle, and lawn equipment.

Board Member Schulpus: What do you keep in the current garage? What fits in there?

Petitioner #1: Right now, one of my collector cars, the snowmobiles and the tractor. The intention is to put a life in the new garage.

Board Member Goetter: Is there any intention of doing a business out of your garage?

Petitioner #1: No. I'm looking to retire in a couple of years so I'm not looking to run a business.

Board Member Oldham: Any reason you couldn't do it with a 840 square foot building?

Petitioner #1: I intend this to be my hobby shop so if I can build it a little bigger than the bare minimum that would be in my favor. The intent is to have it bigger so I can work on things. 840 square feet is a little tight.

Board Member Goetter: Is anyone else here to speak in favor of the petition?

Deanna Dejanovich, 18950 W. Cleveland Avenue. Our property abuts the Igielski property completely on the West end of the property and as well as the North end. We have no issues with a garage going up in that area. There wouldn't be an obstruction of any kind.

Board Member Willoughby: The actual location- is it closer to the circular driveway piece? On the South end? I'm trying to gauge where it is in relation to the driveway.

Petitioner #1: You cannot put it closer to the house because I have the driveway going down to the basement level existing garage. It has to be far enough away from the drive as well as the property line.

Board Member Goetter: No one is present to speak in opposition.

MOTION: Motion to Approve 18830 W. Cleveland Avenue Variance

VOTE: Motion by: Board Member Oldham
Second by: Board Member Klappa
Motion Passes 4-1

5. ADJOURN

MOTION: Motion to Adjourn at 6:28PM

VOTE: Motion by: Board Member Schulpus
Second by: Board Member Oldham
Motion Passes 5-0

***Respectfully Submitted,
Joelle Erickson, Community Relations Specialist***

STAFF REPORT SUMMARY

Board of Appeals

MEETING DATE: March 7, 2024

PETITIONER: Vernard & Kathryn Olenik

CASE NUMBER: BA-24-2671

LOCATION: 17905 W Roosevelt Ave

REQUEST: Petitioner requests to construct a 384 square foot accessory building 5 feet from the side yard property line. The property is Zoned R-5, Medium Density Single Family Residential District, which requires a side yard setback of 10 feet. A side yard variance of 5 feet is 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 March 7, 2024

Vernard & Kathryn Olenik/ Variance Request
17905 W Roosevelt Ave

DATE: February 27, 2024

APPLICANT / OWNER(S): Vernard & Kathryn Olenik

REQUEST/DESCRIPTION OF VARIANCE: Petitioner requests to construct a 384 square foot accessory building 5 feet from the side yard property line. The property is Zoned R-5, Medium Density Single Family Residential District, which requires a side yard setback of 10 feet. A side yard variance of 5 feet is required in order to obtain a building permit.

DATE OF APPLICATION: January 10, 2024

SIZE OF PARCEL: .35 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:	R-5	Land Use:	Medium-Density Single Family Residential District

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

ZONING CODE (CHAPTER 275): N/A

PROPOSED ARCHITECTURE: 384 Square Foot 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: No
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: No
- 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 275-33-2 of the Zoning Code requires a side yard setback of 10 feet in the R-5 Zoning District.
2. Project requires a Building Permit.
3. Property is adjacent to the New Berlin Trail and WE Energies easement.

Attachments:

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



Board of Appeals

Applicant / Contact

Name Vernard P. Oleinik
Address 17905 W. Roosevelt Av
City, State, Zip New Berlin, WI 53146
Phone 262-782-5017
E-Mail ST042@hotmail.com
Current Zoning R-5

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>
Filling Fee	\$ <u>50.00</u>
Total	\$ <u>250</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 8½" 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.

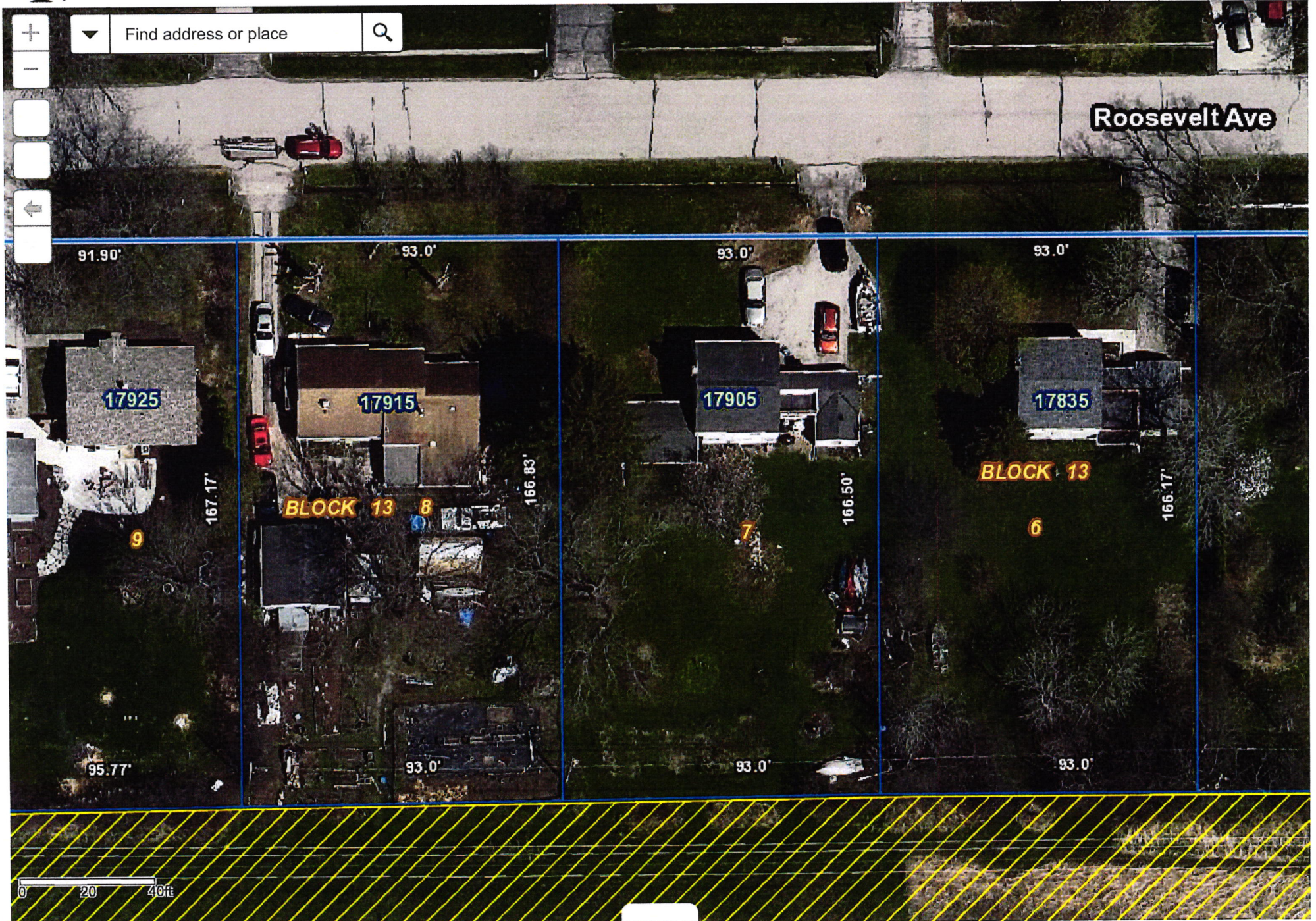
Signature Vernon P. O. Lewis Date: 1-10-24
Only the property owner or property manager may sign, or letter/email of authorization required. The final responsible party is the property owner.

Please do not write below this line

Accepted by: 1/22/2024 Date: Don
 Board of Appeals Date: March 7th
 Total Fee: \$ 250
 File Number: 2400171



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



1165053
AARON ROBINETTE
17714 W ROOSEVELT AVE
NEW BERLIN WI 53146

1167990003
ABB, INC
305 GREGSON DR
CARY NC 27511

1165076
ALEXANDRA CROSON
17904 W ROOSEVELT AVE
NEW BERLIN WI 53151

1165072
ANGELA L. KLUENKER
17800 W ROOSEVELT AVE
NEW BERLIN WI 53151

1168127
ANTHONY PARISEY
17718 W ROGERS DR
NEW BERLIN WI 53146

1168100
BERTZYK LIVING TRUST
17835 W ROGERS DR
NEW BERLIN WI 53146

1165079
CAROLINE E. ROSENBAUM
17715 W ROOSEVELT AVE
NEW BERLIN WI 53146

1168101
CATHERINE M. RIEKKOFF
17801 W ROGERS DR
NEW BERLIN WI 53146

1165078
CHERYL ECKOLDT
17924 W ROOSEVELT AVE
NEW BERLIN WI 53151

1165074
CHRISTOPHER JACOB YOUNG
17824 W ROOSEVELT AVE
NEW BERLIN WI 53146

1165082
DANIEL C. FINK
17815 W ROOSEVELT AVE
NEW BERLIN WI 53151

1165073
DAVID A. HEUER
17814 W ROOSEVELT AVE
NEW BERLIN WI 53146

1168133
DENNIS KONRATH
17922 W ROGERS DR
NEW BERLIN WI 53146

1168131
DEREK A. PIETILA
3674 S 35TH ST
GREENFIELD WI 53221

1165077
ERIK L. LANDZETTEL
17714 W ROOSEVELT AVE
NEW BERLIN WI 53146

1165087
JACOB J. PRUSINSKI
17925 W ROOSEVELT AVE
NEW BERLIN WI 53146

1165052001
JAMES J. RUIZ
1721 S WEST LN
NEW BERLIN WI 53146

1165055
JEAN M. WEYANDT
1625 S WEST LN
NEW BERLIN WI 53146

1165081
JOSHUA WESLEY PETERSON
17801 W ROOSEVELT AVE
NEW BERLIN WI 53146

1165086
MARTIN Z. CAMERANESI
17915 W ROOSEVELT AVE
NEW BERLIN WI 53146

1168102
MICHAEL FRANZESE
17741 W ROGERS DR
NEW BERLIN WI 53151

1166985
MICHAEL J. WISTL
17920 W OAK DR
NEW BERLIN WI 53146

1168087
MICHELLE Y. DYER
17925 W WEST LN
NEW BERLIN WI 53146

1168129
NATHAN G. KRAHN
17800 W ROGERS DR
NEW BERLIN WI 53146

1168128
NEIL J. MCCUMBER
17738 W ROGERS DR
NEW BERLIN WI 53146

1168130
PATRICIA A LEAIR REVOCABLE TRUST
17828 W ROGERS DR
NEW BERLIN WI 53151

1165053001
PATRICK F. EBERT
17720 W ROOSEVELT AVE
NEW BERLIN WI 53146

1165083
RICHARD A. SHELLMER
17825 W ROOSEVELT AVE
NEW BERLIN WI 53146

1168099
ROBERT L. LARKWORTHY
17901 W ROGERS DR
NEW BERLIN WI 53151

1165056
RONALD J. MAYER
1635 S WEST LN
NEW BERLIN WI 53146

1168134

S AND C LIVING TRUST
17936 W ROGERS DR
NEW BERLIN WI 53146

1165084

ZACHARY R. BARNHART
17835 W ROOSEVELT AVE
NEW BERLIN WI 53151

1165080

SANDRA M. WINGERS
17725 W ROOSEVELT AVE
NEW BERLIN WI 53146

1165051

THOMAS F. SCHMIDT
17705 W ROOSEVELT AVE
NEW BERLIN WI 53146

1168132

THOMAS HOLLISTER
17900 W ROGERS DR
NEW BERLIN WI 53146

1165075

TIMOTHY J. KUHL
17834 W ROOSEVELT AVE
NEW BERLIN WI 53146

1165943001

UNION PACIFIC RAILROAD
1800 FORNAM ST
OMAHA NE 68102

1166988001

UNION PACIFIC RAILROAD
1800 FORNAM ST
OMAHA NE 68102

1165085

VERNARD P. OLEINIK
17905 W ROOSEVELT AVE
NEW BERLIN WI 53146

1165943

WIS ELECTRIC POWER CO
231 W MICHIGAN ST
MILWAUKEE WI 53203

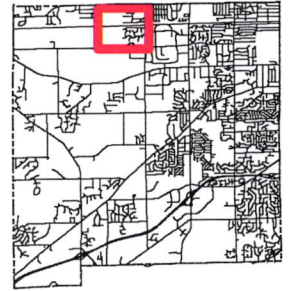
1166988

WIS ELECTRIC POWER CO
231 W MICHIGAN ST
MILWAUKEE WI 53203

17905 W. Roosevelt Ave -- BOA



Overview Map



Legend

- Subject to Action
- Notified Parcels
- Other Parcels

Notified parcels (green hash lines) are those properties that fall within 600 Feet of a property that is subject to City of New Berlin action.



0 405 810 Ft



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

The information and depictions herein have been produced using data available through photogrammetric means by the City of New Berlin. The information and depictions herein are for informational purposes and the City of New Berlin specifically disclaims accuracy in this reproduction and specifically admonishes and advises that any and all depiction, measurements, distances depicted herein and as to which specific or precise accuracy is required should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means.

G:\Projects\Requests\BOA\17905 Roosevelt Ave\17905 Roosevelt Ave

Dear Neighbors,

We would like to request your support for a variance that we are seeking from the City of New Berlin. We are trying to have a 16x24x16.5-foot storage shed built five feet from our property line instead of the usual ten-foot setback required by the City of New Berlin. Per the city code, this would be termed an "Accessory Building", rather than a shed due to the square footage being larger than 144 square feet.

We would be grateful if you could sign this document indicating that you do not object to this variance. Your support is greatly appreciated.

Thank you for your time and consideration.

Vernard & Kathryn Oleinik
17905 W Roosevelt Ave
New Berlin, WI 53146

Name	Phone Number	Address	Signature
MARTIN CAMERON	262-279-2861	17915 W ROOSEVELT	Martin Cameron
BOB WIRTZ	262-279-2861	17915 W ROOSEVELT	Bob Wirtz
JANE PALMER	262-336-1708	17904 W ROOSEVELT	Jane Palmer
ZACH BARNHART	414-418-0964	17835 W ROOSEVELT	Zach Barnhart
ERIK LANSZETTE	262-617-8154	17914 W ROOSEVELT	Erik Lanzette

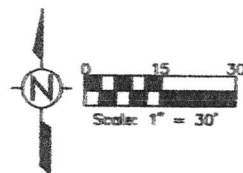
CONTAINING 15,500 SQUARE FEET, 0.3558 ACRES MORE OR LESS.

PLAT OF SURVEY FOR:

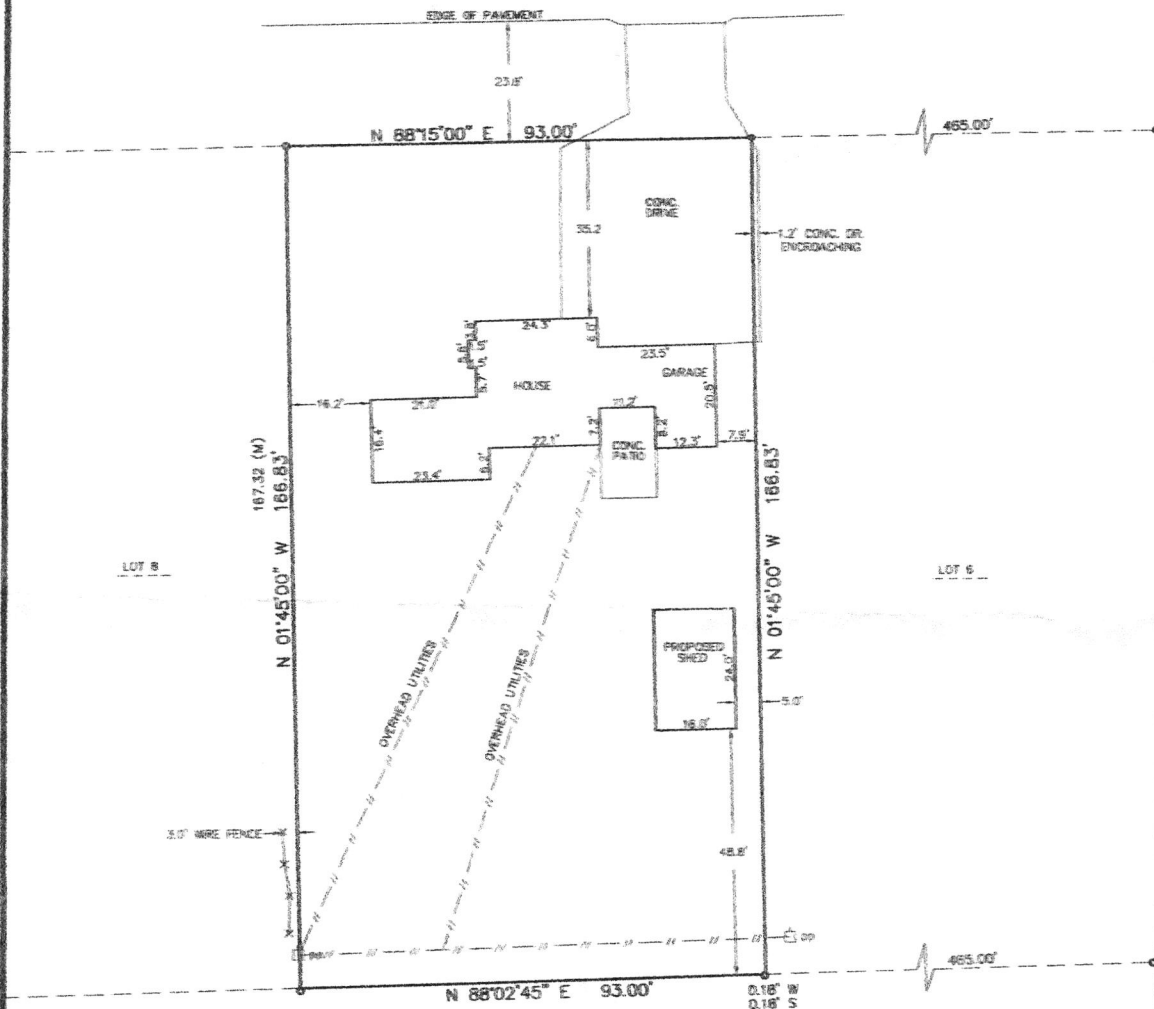
VERNARD & KATHRYN OLEINIK
17905 W. ROOSEVELT AVE.
NEW BERLIN, WI. 53146

LEGEND:

- 1" IRON PIPE FOUND
- 3/4" REBAR SET
- POWER POLE
- (M) MEASURED



**ROOSEVELT AVE.
(70' R.O.W.)**



JASON T. MAYER
P.L.S. NO. 2844

AS OF THE DATE OF THIS SURVEY, NO TITLE POLICY WAS PROVIDED. THEREFORE THIS PLAT OF SURVEY DOES NOT GUARANTEE THE EXISTENCE, SIZE AND LOCATION OF ANY EASEMENTS, ENCUMBRANCES, RESTRICTIONS OR OTHER FACTS THAT COULD OTHERWISE BE DISCLOSED IN A TITLE SEARCH OR CURRENT TITLE POLICY.

THIS IS AN ORIGINAL PRINT ONLY IF SEAL IS IMPRINTED IN RED. "I have surveyed the above property, and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all structures thereon, fences, apparent easements, roadways, and visible encroachments and is in compliance with Wisconsin Administrative Code AE-7 for property survey standards and is correct to the best of my knowledge and belief.

This survey is made for the exclusive use of the present owner of the property; also those who purchase, mortgage, or guarantee the title thereto, within one year from the date hereof."

THIS INSTRUMENT WAS DRAFTED ON 9-7-2023 BY JASON T. MAYER, P.L.S. W2491 N7303 S. WOODSVIEW DR. SUSSEX, WI 53089 (262)424-7552

COLLAR TIE REQUIRED
ONLY AT 12' & 16' WIDE AND ONLY
IF NO LOFT JOIST IS PROVIDED.

TB-800 SHED UP TO 16' WIDE x UP TO 24' LONG SUNDANCE SERIES

NOTES:

1. BUILDING CODE: 2015 IBC AND 2015 IRC
2. DESIGN LOADING:
WIND SPEED & EXPOSURE: 115C
ROOF LIVE LOAD: 40 PSF
ROOF DEAD LOAD: 10 PSF
3. FOR SHEDS WHICH OTHERWISE MEET THE PRESCRIPTIVE REQUIREMENTS OF THE 2015 IBC AND 2015 IRC ALL SHEDS CONSTRUCTED ACCORDING TO STANDARD CONVENTIONAL CONSTRUCTION METHODS.

NAILING:

ROOF:

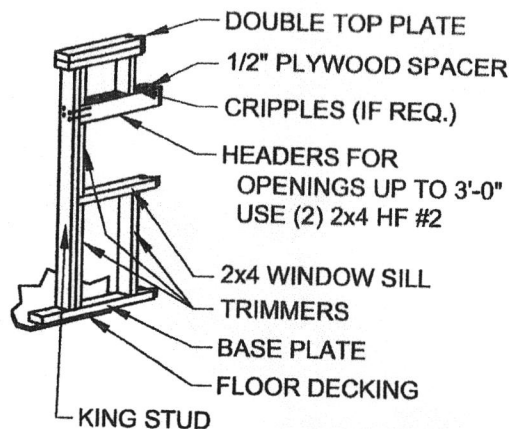
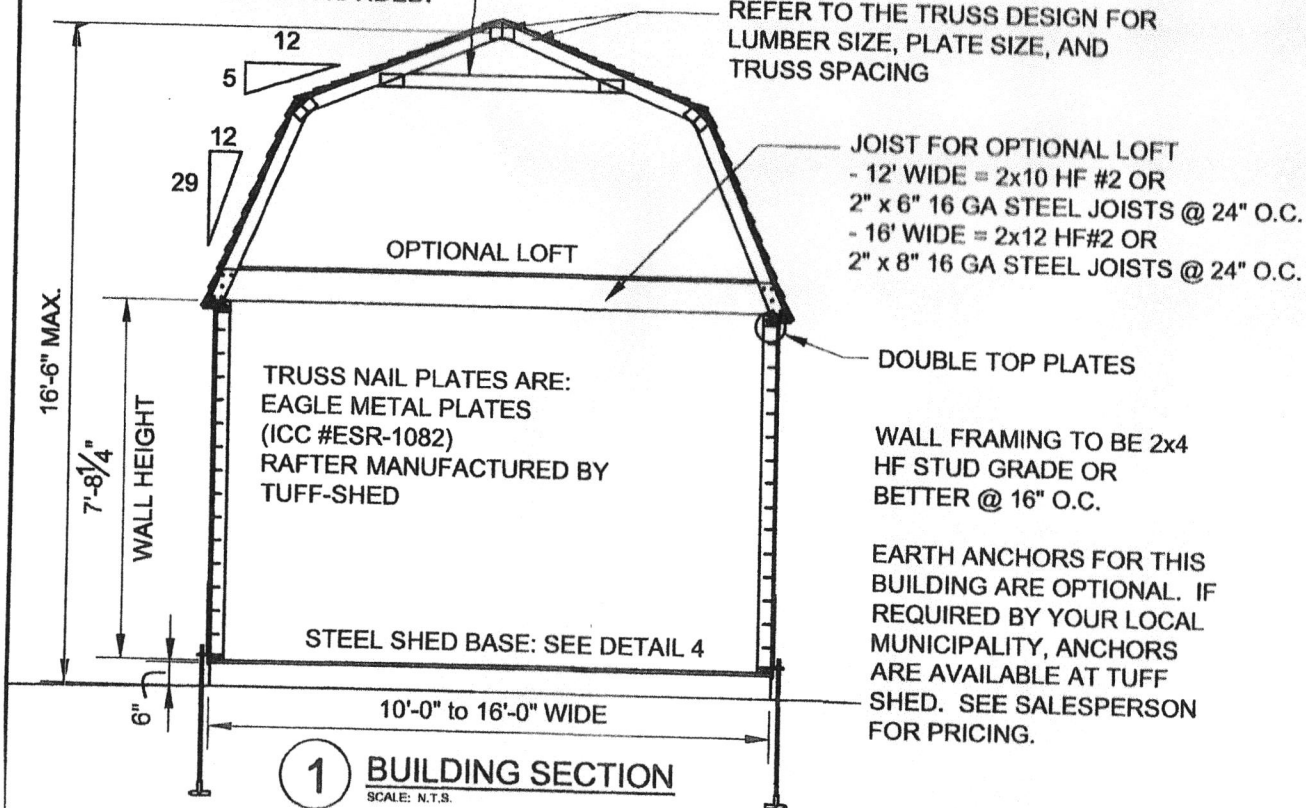
ATTACH 7/16" OSB SHEATHING TO TRUSSES WITH:
8d NAILS @ 6" O.C. AT EDGES
8d NAILS @ 12" O.C. IN FIELD

WALLS:

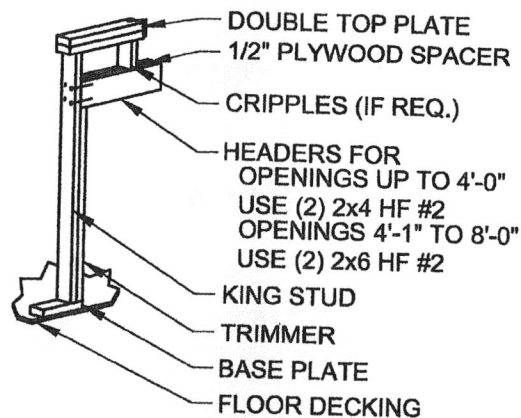
ATTACH 3/8" SMARTSIDE TO WALL FRAMING WITH:
8d NAILS @ 6" O.C. AT EDGES.
8d NAILS @ 12" O.C. IN FIELD

HEADER:

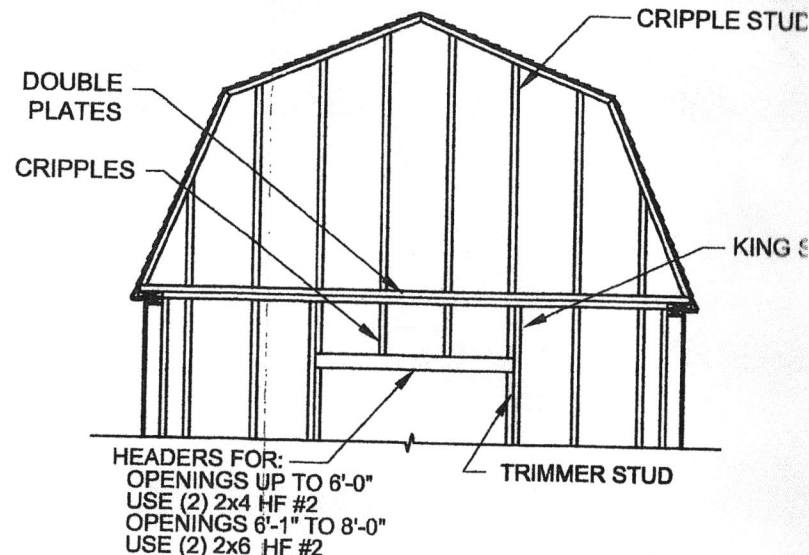
ATTACH HEADER TO STUD WITH:
4-8d TOENAIL OR 4-16d END NAIL DOUBLED HEADER-16d
16" STAGGERED FACE NAIL



FOR WINDOW OPENINGS UP TO 3'-0"
ON SUNDANCE SERIES SIDE WALLS



FOR OPENINGS UP TO 8'-0" ON
SUNDANCE SERIES SIDE WALLS



HEADERS FOR:
OPENINGS UP TO 6'-0"
USE (2) 2x4 HF #2
OPENINGS 6'-1" TO 8'-0"
USE (2) 2x6 HF #2

STAFF REPORT SUMMARY

Board of Appeals

MEETING DATE: March 7, 2024

PETITIONER: Kirt & Jodi Stephens

CASE NUMBER: BA-24-2672

LOCATION: 5015 S Rolling Meadow Dr

REQUEST: Petitioner requests to construct a 432 square foot accessory building 25 feet from the rear yard property line. The property is Zoned R-1/R-2, Rural Conservation Single Family Residential District, which requires a rear yard setback of 50 feet. A rear yard variance of 25 feet is 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 March 7, 2024

Kirt & Jodi Stephens/ Variance Request
5015 S Rolling Meadow Dr

DATE: February 27, 2024

APPLICANT / OWNER(S): Kirt & Jodi Stephens

REQUEST/DESCRIPTION OF VARIANCE: Petitioner requests to construct a 432 square foot accessory building 25 feet from the rear yard property line. The property is Zoned R-1/R-2, Rural Conservation Single Family Residential District, which requires a rear yard setback of 50 feet. A rear yard variance of 25 feet is required in order to obtain a building permit.

DATE OF APPLICATION: January 24, 2024

SIZE OF PARCEL: 1.49 Acres

CURRENT ZONING: R-1/ R-2 Rural Conservation Single Family Residential District

CURRENT LAND USE: Residential

PROPOSED LAND USE: No change

ADJACENT ZONING AND LAND USE:

North Zoning:	R-1/R-2	Land Use:	Rural Conservation Single Family Residential District
South Zoning:	R-1/R-2	Land Use:	Rural Conservation Single Family Residential District
East Zoning:	R-1/R-2	Land Use:	Rural Conservation Single Family Residential District
West Zoning:	R-1/R-2	Land Use:	Rural Conservation Single Family Residential District

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

ZONING CODE (CHAPTER 275): N/A

PROPOSED ARCHITECTURE: 432 Square Foot 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: No

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: No
- 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 275-33-2 of the Zoning Code requires a rear yard setback of 50 feet in the R-1/R-2 Zoning District.
2. Project requires a Building Permit.

Attachments:

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



Board of Appeals

Applicant / Contact

Name Kirt & Jodi Stephens
Address 5015 S Rolling Meadow Dr
City, State, Zip New Berlin, WI 53146
Phone (414) 758-0364
E-Mail podljatt@hotmail.com
Current Zoning R1/R2

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 - -



1265030
ALEXANDER T. WITTE
19200 W HILLCREST DR
NEW BERLIN WI 53146

1265043
CHAD W. KUCHLER
5035 S ROLLING MEADOW DR
NEW BERLIN WI 53146

1265005
CHRISTOPHER LOWNIK
5005 S WOODRIDGE LN
NEW BERLIN WI 53151

1268997
DALE E. PETERSON
18970 W NATIONAL AVE
NEW BERLIN WI 53146

1265017
DANIEL K. PRATT
19075 W HILLCREST CT
NEW BERLIN WI 53146

1265060
DANIEL M. WILKENS
4850 S PROVIDENCE DR
NEW BERLIN WI 53146

1265015
DAVID OLDENBURG
19035 W HILLCREST CT
NEW BERLIN WI 53146

1265029
DIANE F. SCHUBERT
19250 W HILLCREST DR
NEW BERLIN WI 53146

1265010
GERALD J. PFEIFER
5055 S EGOFSKE RD
NEW BERLIN WI 53146

1265023
HENRY J. REED
5050 S EGOFSKE RD
NEW BERLIN WI 53146

1268994004
JACOB A. LUTZOW
5155 S WOODRIDGE LN
NEW BERLIN WI 53151

1265027
JACOB HOWELL
19330 W HILLCREST DR
NEW BERLIN WI 53146

1265011
JAMES S. BOTIC
5050 S WOODRIDGE LN
NEW BERLIN WI 53146

1265007
JENNIFER A. RAYL
5000 S WOODRIDGE LN
NEW BERLIN WI 53146

1268994003
JILLIAN WYROWSKI
5110 S WOODRIDGE LN
NEW BERLIN WI 53146

1265006
JOSEPH T. WONG
5055 S WOODRIDGE LN
NEW BERLIN WI 53146

1265008
KIEHNAU LIVING TRUST
19305 W HILLCREST DR
NEW BERLIN WI 53146

1265044
KIRT N. STEPHENS
5015 S ROLLING MEADOW DR
NEW BERLIN WI 53146

1265046
LON A. WERGIN
4965 S ROLLING MEADOW DR
NEW BERLIN WI 53146

1268994002
MARGARET HARRIS
5115 S WOODRIDGE LN
NEW BERLIN WI 53151

1265016
MARK KUETHER
19055 W HILLCREST CT
NEW BERLIN WI 53146

1268998001
MATHIAS G. WACHAL
18950 W NATIONAL AVE
NEW BERLIN WI 53146

1265020
MATTHEW DLUGI
19155 W HILLCREST CT
NEW BERLIN WI 53151

1265026
MICHAEL BAYLISS
19360 W HILLCREST DR
NEW BERLIN WI 53146

1265062
PETER C. STOMMA
4870 S PROVIDENCE DR
NEW BERLIN WI 53146

1265031
RAYMOND GREENE
19150 W HILLCREST DR
NEW BERLIN WI 53146

1265009
RICHARD SCHUNCK
5025 S EGOFSKE RD
NEW BERLIN WI 53146

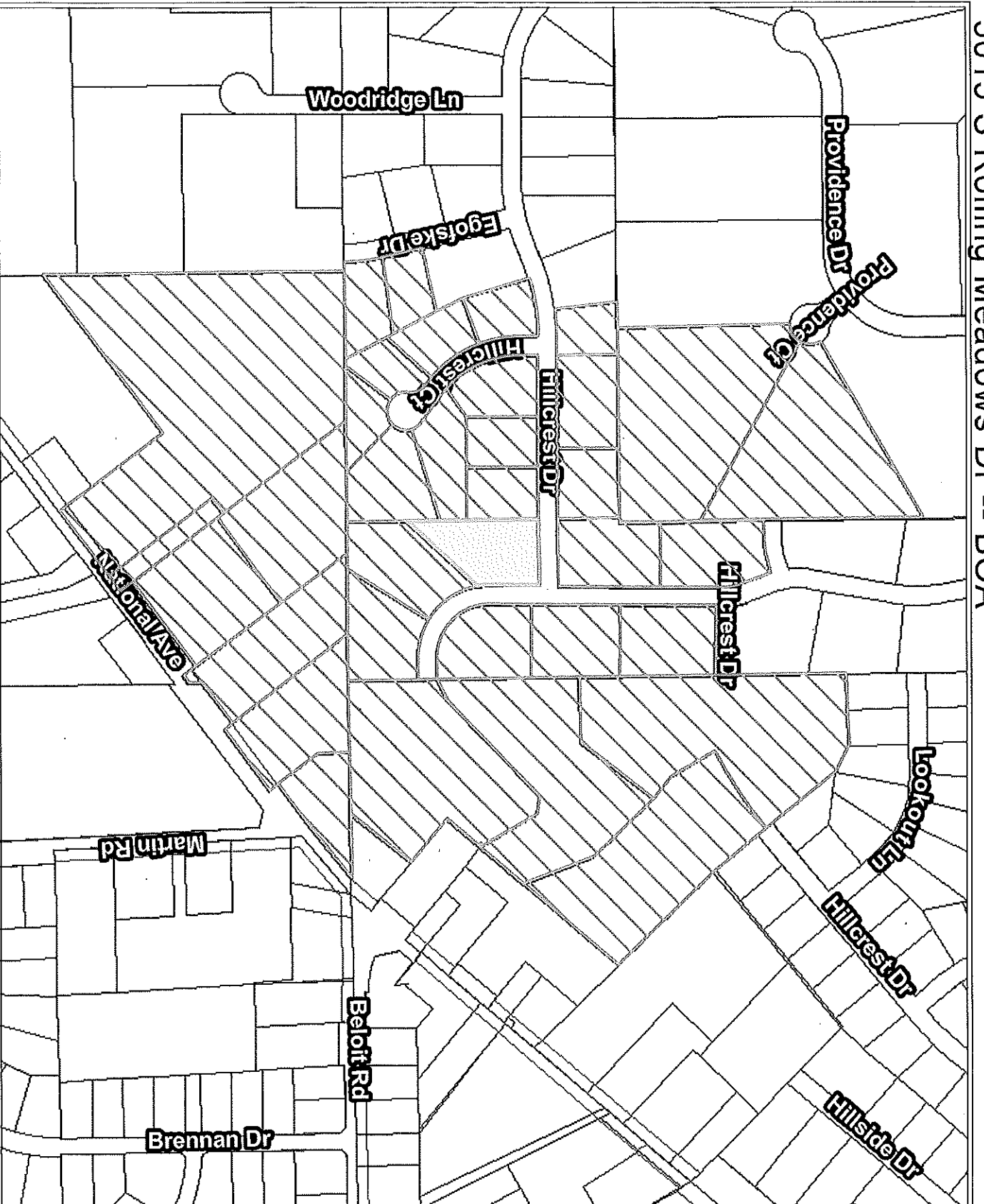
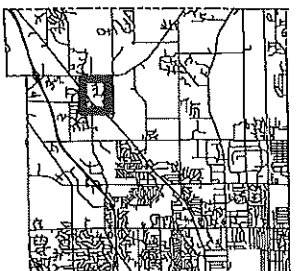
1265033
ROBERT C. BLESSINGTON
19000 W HILLCREST DR
NEW BERLIN WI 53146

1265058
ROBERT E. WILLIAMS
4830 S PROVIDENCE CT
NEW BERLIN WI 53146

1265019
ROBERT F. MENTZEL
19125 W HILLCREST CT
NEW BERLIN WI 53146

5015 S Rolling Meadows Dr -- BOA

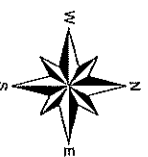
Overview Map



Legend

- Subject to Action
- Notified Parcels
- Other Parcels

Notified parcels (green hash lines) are those properties that fall within 600 Feet of a property that is subject to City of New Berlin action.



Kirt & Jodi Stephens

January 24, 2024

5015 S. Rolling Meadow Dr.

New Berlin, WI 53146

podijatt@hotmail.com

(414) 758-0364

City of New Berlin Board of Appeals

3805 S. Casper Dr.

New Berlin, WI 53151

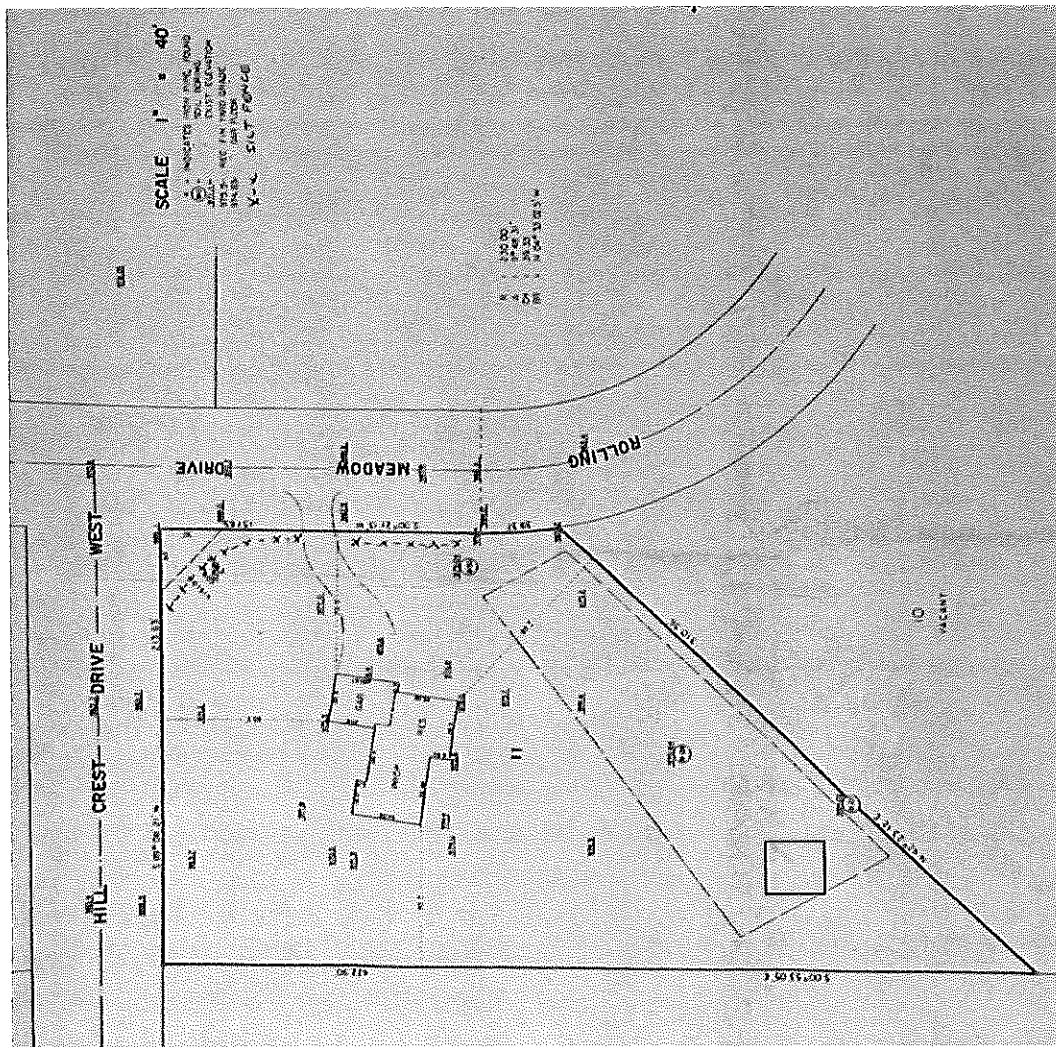
Subject: Request for Lot Variance

Dear Board of Appeals,

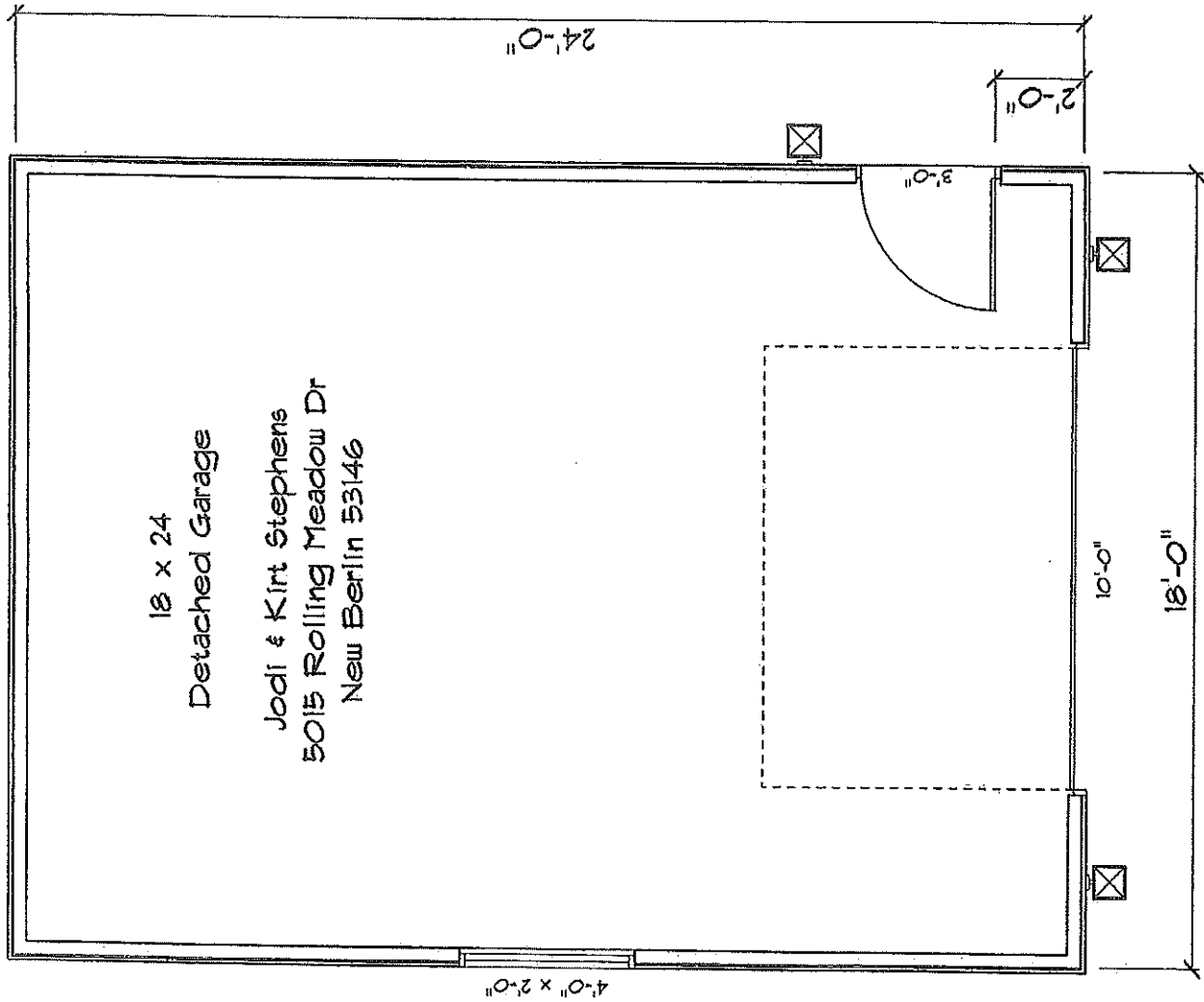
We hope this letter finds you well. We are writing to formally request a lot variance for 5015 S. Rolling Meadow Drive. As the property owners, we have carefully considered the unique circumstances surrounding our property and believe that a lot variance is necessary to address specific challenges that we are facing.

Our corner lot is subject to three 50-foot setbacks due to the 2 road sides of our lot being considered front yards instead of only 1 side. Our south lot line has been labeled as the back of the lot instead of the side, resulting in an additional 50-foot setback. As a result, our property has three 50-foot setbacks instead of a typical lot of comparable size, which only has two 50-foot setbacks, and two 25-foot side setbacks. In addition, the odd shape of the lot provides a unique hardship as a 50-foot setback amplifies the setback limitations. These two factors create a hardship for placement of an accessory building limiting the reasonable use of the property as zoned.

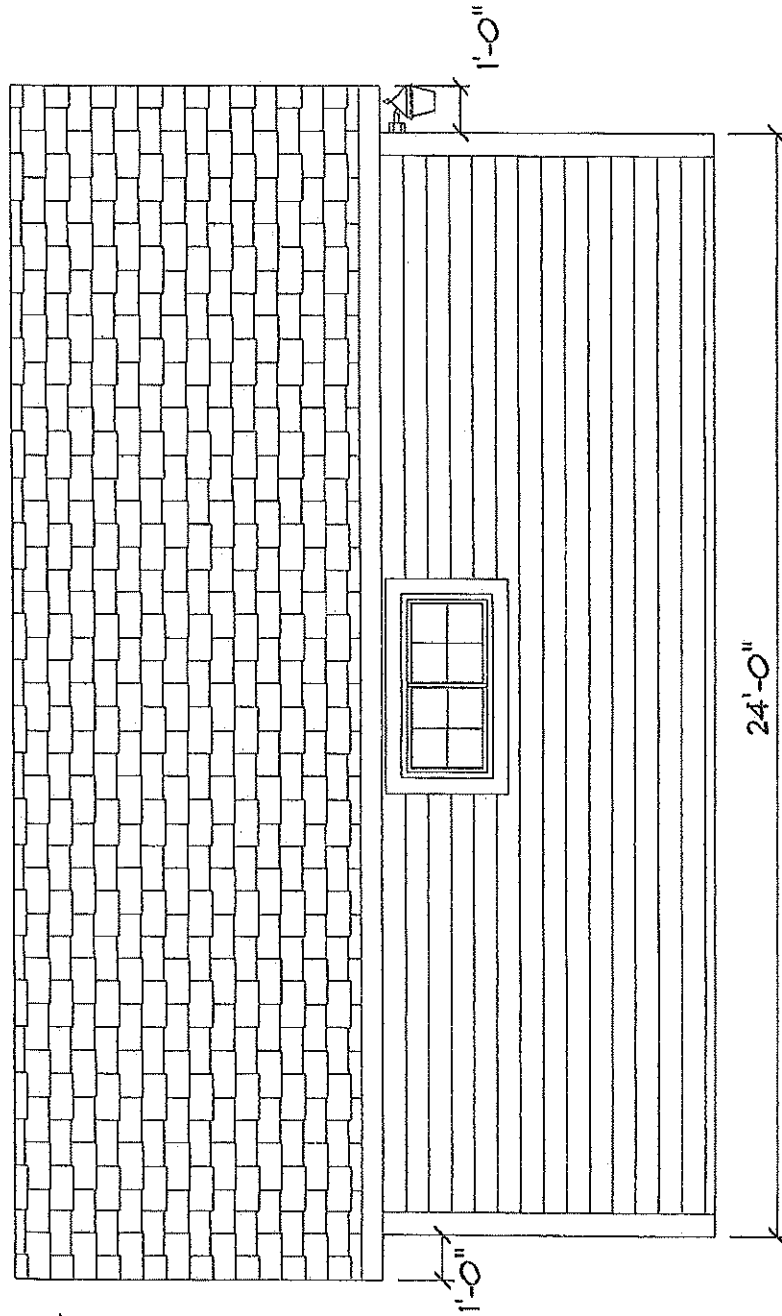
We are requesting a variance of 25 feet on the south lot line of our property which would allow for the location to fit the accessory building as proposed. This would result in a 25-foot lot line setback consistent with properties that share adjacent side lot lines. The requested location has been carefully selected to preserve the most heavily wooded areas between surrounding properties to maintain privacy. This would cause the least disruption to the surrounding neighbors. The requested variance also enables us to meet the requirements from our septic/mound system.



Red = Lot Line
 Black = Setback (25' W / 50' S)
 Yellow = 25' Variance
 Blue = Mound Setback / Downslope

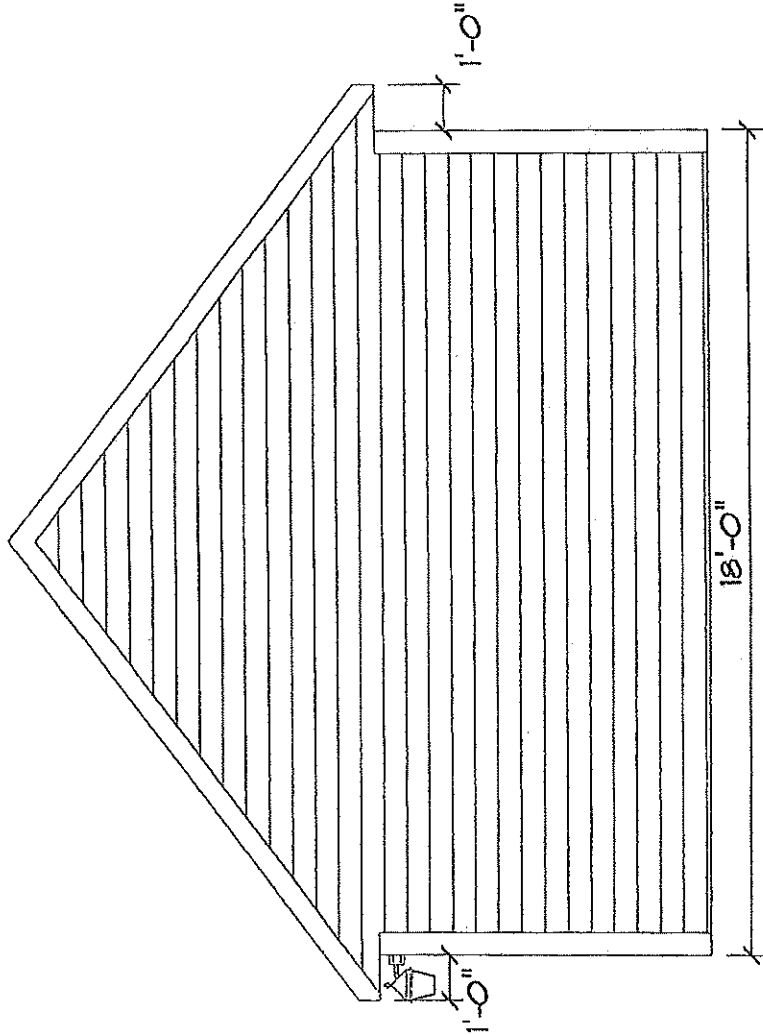


Dimensional Shingles -
 Weathered Wood
 4 x 2
 Slider Window -
 Clay



LEFT ELEVATION SCALE: 1/4" = 1'-0"

0.0 1.0



REAR ELEVATION

SCALE: 1/4" = 1'-0"

Kirt & Jodi Stephens

January 22, 2024

5015 S. Rolling Meadow Dr.

New Berlin, WI 53146

Dear Chad and Sue,

We are writing to inform you about a proposed improvement on our property at 5015 S. Rolling Meadow Dr, New Berlin, WI 53146 and to seek your support for a 25-foot lot line variance required for this project.

After careful consideration and consultation with local authorities, we have decided to add a detached accessory building to enhance the functionality of our property.

To ensure that the accessory building meets the necessary regulations and codes, we are seeking a 25-foot lot line variance on the south side of our property. The west property line will remain a 25-foot setback per the current zoning. This variance is essential to accommodate the size and design of the proposed structure without encroaching on the neighboring properties.

We want to assure you that the design and placement of the accessory building has been carefully planned to minimize any potential impact on our surroundings. The variance is crucial to realizing the full potential of our property without compromising the privacy or well-being of our neighborhood. Your support for this lot line variance would mean a lot to us, and we are committed to ensuring that this addition will be a tasteful and beneficial enhancement to our neighborhood.

Thank you for taking the time to consider our request.

Best regards,

Kirt & Jodi Stephens

We kindly ask for your signature below to show support for our variance request.

I, CHAD KUCHER, support the 25-foot south lot line variance for which Kirt & Jodi Stephens are requesting at 5015 S. Rolling Meadow Dr, New Berlin, WI 53146.

Chad Kucher

1/23/24

5035 S. Rolling Meadow Dr.

Date

New Berlin, WI 53146

Kirt & Jodi Stephens
5015 S. Rolling Meadow Dr.
New Berlin, WI 53146

January 22, 2024

Dear Steve and Cindy,

We are writing to inform you about a proposed improvement on our property at 5015 S. Rolling Meadow Dr, New Berlin, WI 53146 and to seek your support for a 25-foot lot line variance required for this project.

After careful consideration and consultation with local authorities, we have decided to add a detached accessory building to enhance the functionality of our property.

To ensure that the accessory building meets the necessary regulations and codes, we are seeking a 25-foot lot line variance on the south side of our property. The west property line will remain a 25-foot setback per the current zoning. This variance is essential to accommodate the size and design of the proposed structure without encroaching on the neighboring properties.

We want to assure you that the design and placement of the accessory building has been carefully planned to minimize any potential impact on our surroundings. The variance is crucial to realizing the full potential of our property without compromising the privacy or well-being of our neighborhood. Your support for this lot line variance would mean a lot to us, and we are committed to ensuring that this addition will be a tasteful and beneficial enhancement to our neighborhood.

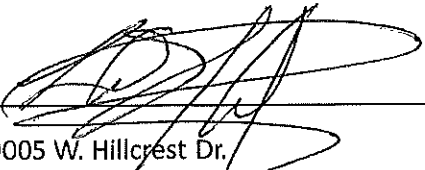
Thank you for taking the time to consider our request.

Best regards,

Kirt & Jodi Stephens

We kindly ask for your signature below to show support for our variance request.

I, STEVE KRAWITZ support the 25-foot south lot line variance for which Kirt & Jodi Stephens are requesting at 5015 S. Rolling Meadow Dr, New Berlin, WI 53146.


19005 W. Hillcrest Dr.
New Berlin, WI 53146

1-22-24
Date

Kirt & Jodi Stephens

January 22, 2024

5015 S. Rolling Meadow Dr.

New Berlin, WI 53146

Dear Dave,

We are writing to inform you about a proposed improvement on our property at 5015 S. Rolling Meadow Dr, New Berlin, WI 53146 and to seek your support for a 25-foot lot line variance required for this project.

After careful consideration and consultation with local authorities, we have decided to add a detached accessory building to enhance the functionality of our property.

To ensure that the accessory building meets the necessary regulations and codes, we are seeking a 25-foot lot line variance on the south side of our property. The west property line will remain a 25-foot setback per the current zoning. This variance is essential to accommodate the size and design of the proposed structure without encroaching on the neighboring properties.

We want to assure you that the design and placement of the accessory building has been carefully planned to minimize any potential impact on our surroundings. The variance is crucial to realizing the full potential of our property without compromising the privacy or well-being of our neighborhood. Your support for this lot line variance would mean a lot to us, and we are committed to ensuring that this addition will be a tasteful and beneficial enhancement to our neighborhood.

Thank you for taking the time to consider our request.

Best regards,

Kirt & Jodi Stephens

We kindly ask for your signature below to show support for our variance request.

I, Polly Oldenburger, support the 25-foot south lot line variance for which Kirt & Jodi Stephens are requesting at 5015 S. Rolling Meadow Dr, New Berlin, WI 53146.

Polly Oldenburger
19035 W. Hillcrest Ct.
New Berlin, WI 53146

Jan 23, 2024
Date

Kirt & Jodi Stephens

January 22, 2024

5015 S. Rolling Meadow Dr.

New Berlin, WI 53146

Dear Mark and Amy,

We are writing to inform you about a proposed improvement on our property at 5015 S. Rolling Meadow Dr, New Berlin, WI 53146 and to seek your support for a 25-foot lot line variance required for this project.

After careful consideration and consultation with local authorities, we have decided to add a detached accessory building to enhance the functionality of our property.

To ensure that the accessory building meets the necessary regulations and codes, we are seeking a 25-foot lot line variance on the south side of our property. The west property line will remain a 25-foot setback per the current zoning. This variance is essential to accommodate the size and design of the proposed structure without encroaching on the neighboring properties.

We want to assure you that the design and placement of the accessory building has been carefully planned to minimize any potential impact on our surroundings. The variance is crucial to realizing the full potential of our property without compromising the privacy or well-being of our neighborhood. Your support for this lot line variance would mean a lot to us, and we are committed to ensuring that this addition will be a tasteful and beneficial enhancement to our neighborhood.

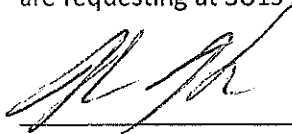
Thank you for taking the time to consider our request.

Best regards,

Kirt & Jodi Stephens

We kindly ask for your signature below to show support for our variance request.

I, Mark Kuether, support the 25-foot south lot line variance for which Kirt & Jodi Stephens are requesting at 5015 S. Rolling Meadow Dr, New Berlin, WI 53146.



19055 W. Hillcrest Ct.

New Berlin, WI 53146

1/23/24

Date

Waukesha County
*Department of Parks and
Land Use*



January 17, 2024

Jodi & Kirt Stephens
S83W18901 Saturn Dr.
Muskego, WI 53150

Re: Preliminary Site Evaluation
Garage Outbuilding
5015 S. Rolling Meadows Dr.
City of New Berlin

Dear Jodi & Kirt Stephens:

On January 16, 2024, a preliminary site evaluation was conducted on the above referenced premise. The purpose for this evaluation was to determine the operating condition of your private sewage system, the approximate location of this system and whether the improvement to your property could have a detrimental effect on the continued operation of your existing system.

Based on the site evaluation, it is this Department's position that the proposed improvement on your property would not have an adverse effect on the operation of your private sewage system. This Department would not object to the improvement as requested provided the following is met:

Garage must be at least 15 ft. from the downslope of mound.

A building permit from the local building inspector must be obtained prior to construction of the above referenced improvement. Please consult local officials for regulations and permits covering this work.

The following comments are being made to you regarding the evaluation of your private sewage system.

This premise is served by a mound private sewage system. Our records indicate the mound system was installed on April 25, 2000, by Todd Stair, plumber number 227608, and consists of a 1,000 gallon septic tank, a 1,000 gallon lift pump tank and a 7 ft. by 54 ft. mound area.

Environmental Health Division
515 W. Moreland Blvd., AC 260
Waukesha, Wisconsin 53188
Phone: (262) 896-8300 Non-Metro: 1-800-567-2366 • Fax: (262) 896-8298
www.waukeshacounty.gov/eh

STAFF REPORT SUMMARY

Board of Appeals

MEETING DATE: March 7, 2024

PETITIONER: John Devlin on behalf of Matt Dlugi

CASE NUMBER: BA-24-2673

LOCATION: 19155 W Hillcrest Dr

REQUEST: Petitioner requests to construct an elevated attached deck 33 feet from the rear yard property line. The property is Zoned R-1/R-2, Rural Conservation Single Family Residential District, which requires a rear yard setback of 50 feet. A rear yard variance of 17 feet is 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 March 7, 2024

John Devlin on behalf of Matt Dlugi/ Variance Request
19155 W Hillcrest Dr

DATE: February 27, 2024

APPLICANT / OWNER(S): John Devlin on behalf of Matt Dlugi

REQUEST/DESCRIPTION OF VARIANCE: Petitioner requests to construct an elevated attached deck 33 feet from the rear yard property line. The property is Zoned R-1/R-2, Rural Conservation Single Family Residential District, which requires a rear yard setback of 50 feet. A rear yard variance of 17 feet is required in order to obtain a building permit.

DATE OF APPLICATION: January 24, 2024

SIZE OF PARCEL: 0.79Acres

CURRENT ZONING: R-1/ R-2 Rural Conservation Single Family Residential District

CURRENT LAND USE: Residential

PROPOSED LAND USE: No change

ADJACENT ZONING AND LAND USE:

North Zoning:	R-1/R-2	Land Use:	Rural Conservation Single Family Residential District
South Zoning:	R-1/R-2	Land Use:	Rural Conservation Single Family Residential District
East Zoning:	R-1/R-2	Land Use:	Rural Conservation Single Family Residential District
West Zoning:	R-1/R-2	Land Use:	Rural Conservation Single Family Residential District

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

ZONING CODE (CHAPTER 275): N/A

PROPOSED ARCHITECTURE: 432 Square Foot 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: No

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: No
- 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 275-33-2 of the Zoning Code requires a rear yard setback of 50 feet in the R-1/R-2 Zoning District.
2. Project requires a Building Permit and must meet setbacks due to height of deck.

Attachments:

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



City of New Berlin Department of Community Development
3805 S. Casper Drive, New Berlin, WI 53151
Phone (262) 797-2445 / Fax (262) 780-4612 / www.newberlin.org/dcd



Board of Appeals

Applicant / Contact

Name Matt Dlugi
Address 19155 W. Hillcrest
City, State, Zip New Berlin, WI 53146
Phone 414-975-5319
E-Mail fence deck pros@gmail.com
Current Zoning R3

Agent

Name John Devlin (Fence & Deck Pros)
Address 2960 N 75 st
City, State, Zip Milwaukee, WI
Phone 414-333-6633
Email fence deck pros@gmail.com
Property Owner's Address 19155 W Hillcrest
Property Owner Matt Dlugi

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	\$ _____
Filing Fee	\$ <u>50.00</u>
Total	\$ _____

* 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 8½" 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 _____

Date: Jan 25, 2024

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

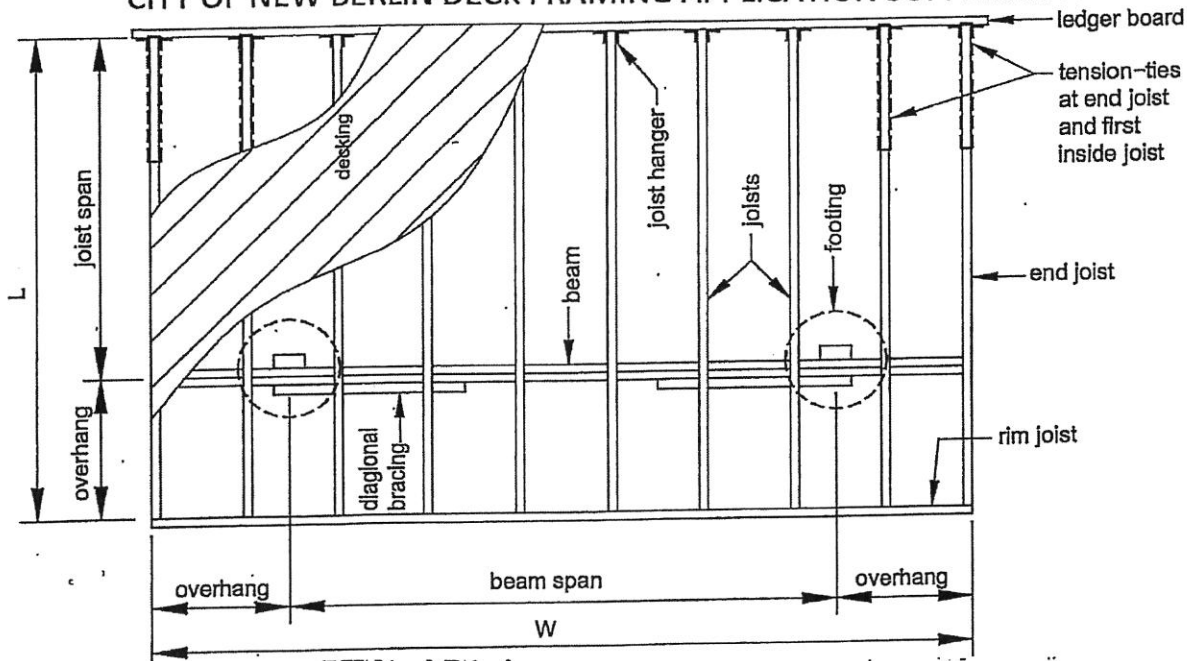
Please do not write below this line

Accepted by: 1/22/2024 Date: Don
 Board of Appeals Date: March 7
 Total Fee: \$1250
 File Number: 2301510



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

CITY OF NEW BERLIN DECK FRAMING APPLICATION SUPPLEMENT



Decking: ☐ 2x4 ☐ 2x6 ☐ Five-quarter board ☒ Wood Plastic composite

☐ Other decking, evaluation report number: _____

Joists: Size: ☐ 2x6 ☐ 2x8 ☒ 2x10 ☐ 2x12 Spacing: ☐ 12 in. ☐ 16 in. ☐ 24 in.

Joist span dimension: 9 ft. - 8 in.

Overhang: ☒ Yes ☐ No overhang dimension: 1 ft. - 4 in.

Rim joist: ☐ 2x6 ☐ 2x8 ☒ 2x10 ☐ 2x12

Beam(s): number of plies: ☐ 2 ☒ 3 size: ☐ 2x6 ☐ 2x8 ☒ 2x10 ☐ 2x12

Overhang: ☒ Yes ☐ No overhang dimension: 1 ft. - 4 in.

Posts: size: ☐ 4x4 ☐ 4x6 ☒ 6x6 height: 5 ft. - 8 in.

Footings: size: N/A in. ☐ square ☐ round thickness: _____ in. *Diamond piers*

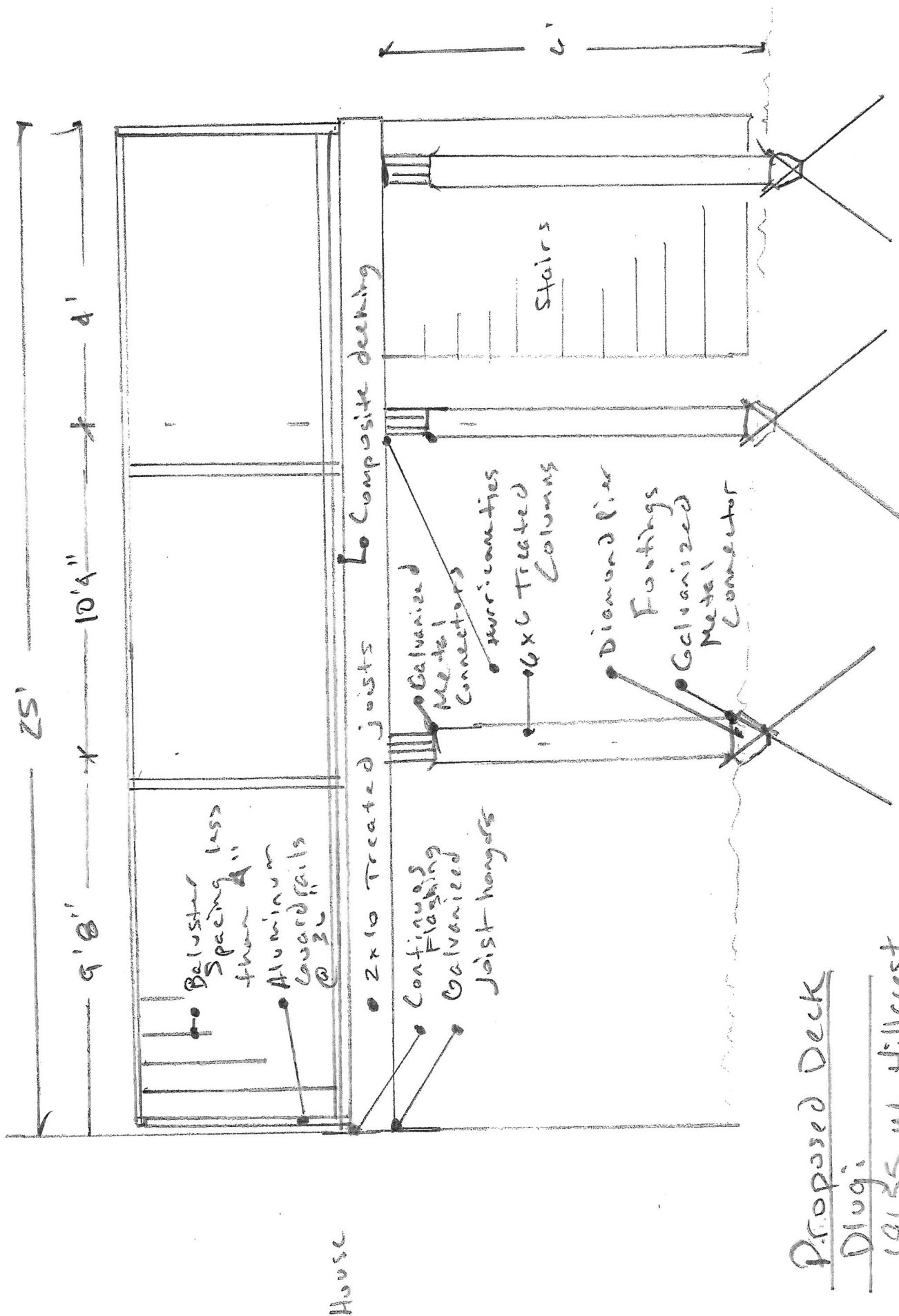
Ledger: ledger board size: ☐ 2x8 ☒ 2x10 ☐ 2x12 ☐ Not applicable (free standing deck)

Fastener: ☐ Through bolt ☒ Lag screw ☐ Wood screw

☐ Expansion anchor ☐ Adhesive anchor

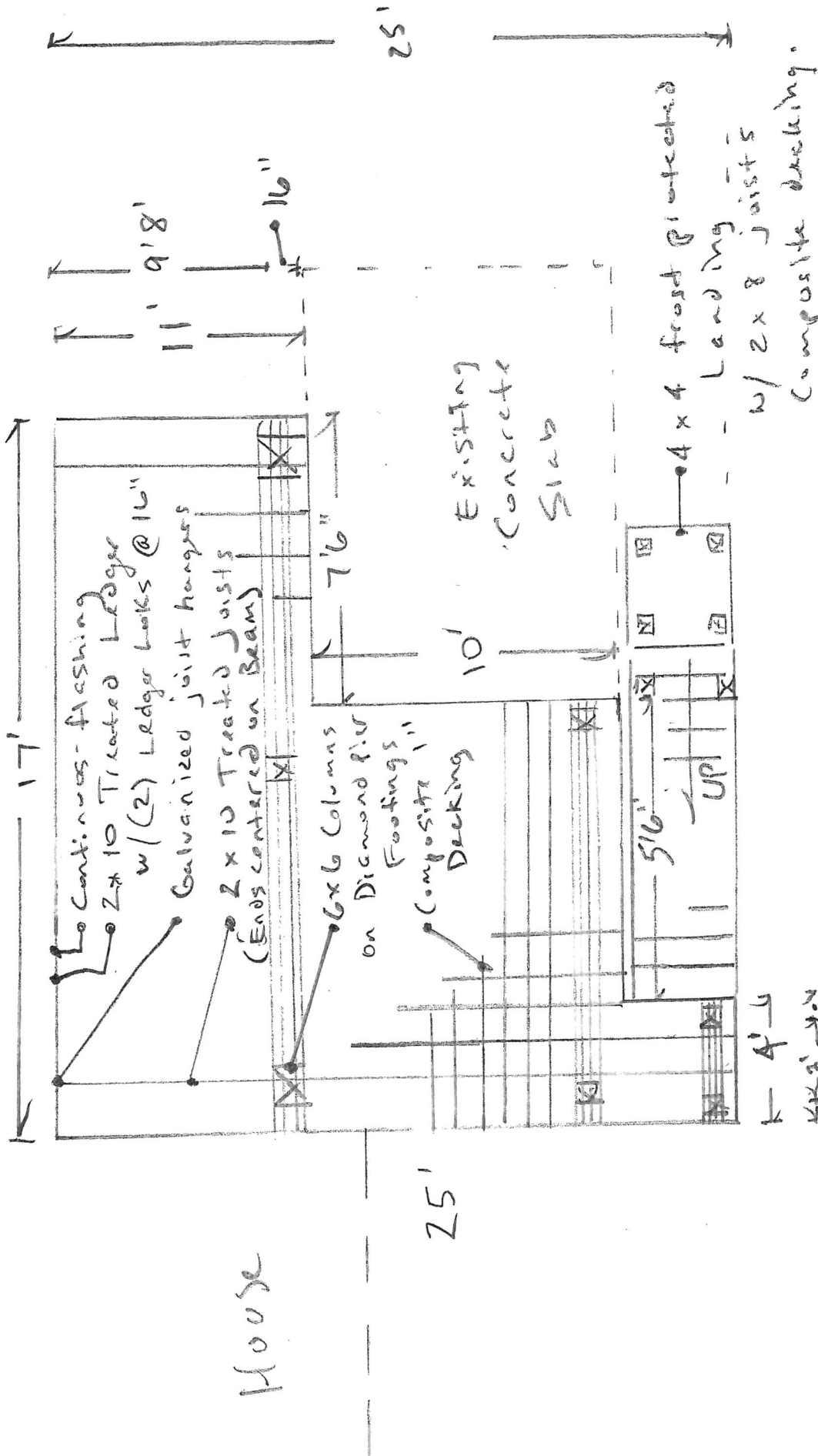
Lateral Support: ☐ Tension-tie ☒ Diagonal bracing, size: ☒ 2x 8
(not permitted for free standing deck)

Deck Size: L= 17 ft. - _____ in. W= 11 ft. - _____ in. *\$ 10' x 10'*
Lumber Type/Grade: ☐ Doug Fir/Larch ☐ Hem/Fir ☐ SPF² ☒ Southern Pine *\$ 4' x 4' Landing*



Proposed Deck
Diugi
19155 W. Hillcrest
Side View
Fence & Deck Pros
414-333-6633

House



☒ = Frost Protected Footing

Proposed Deck
 19.55 W. Hillcrest
 Overhead View
 Fence 4 Deck Pros
 414-333-6633

Waukesha County
*Department of Parks and
Land Use*



August 21, 2023

Matt Dlugi
2960 N. 75th St.
Milwaukee, WI 53210

RE: Office Review - Preliminary Site Evaluation
Wood Deck
19155 W. Hillcrest Ct.
City of New Berlin

Dear Matt Dlugi:

A plan review of your proposed improvement was conducted on the above referenced premise. The purpose for this review is to determine the approximate location of your private sewage system and whether this improvement to your property could have a detrimental effect on the continued operation of your existing system.

Based on the site evaluation, it is this Department's position that the proposed improvement on your property would not have an adverse effect on the operation of your private sewage system. This Department would not object to the improvement as requested provided the following is met:

Deck posts must be a minimum of 5 ft. to the septic tank and 10 ft. from the absorption field.

A building permit from the local building inspector must be obtained prior to construction of the above referenced improvement. Please consult local officials for regulations and permits covering this work.

The following comments are being made to you regarding the evaluation of your private sewage system.

This premise is served by a mound private sewage system. Our records indicate the mound system was installed on October 6, 2021, by Robert Lietzau, plumber number 232132, and consists of a 1,200 gallon two compartment septic tank, a 1,000 gallon lift pump tank and two 8 ft. by 37.5 ft. mound areas.

Environmental Health Division
515 W. Moreland Blvd., AC 260
Waukesha, Wisconsin 53188
Phone: (262) 896-8300 Non-Metro: 1-800-567-2366 • Fax: (262) 896-8298
www.waukeshacounty.gov/eh

In addition a sewage filter is located inside your septic tank. Filters are designed to remove suspended matter which would otherwise exit the septic tank and enter the soil absorption system causing clogging to occur. Compared to routine tank pumping, filter maintenance may be necessary at more frequent intervals to prevent clogging. Filter maintenance is usually done by a sewage hauler or homeowner.

This private sewage system was for a residence having no more than 4 bedrooms.

If you have any questions concerning this letter, please feel free to call our Department at (262) 896-8300.

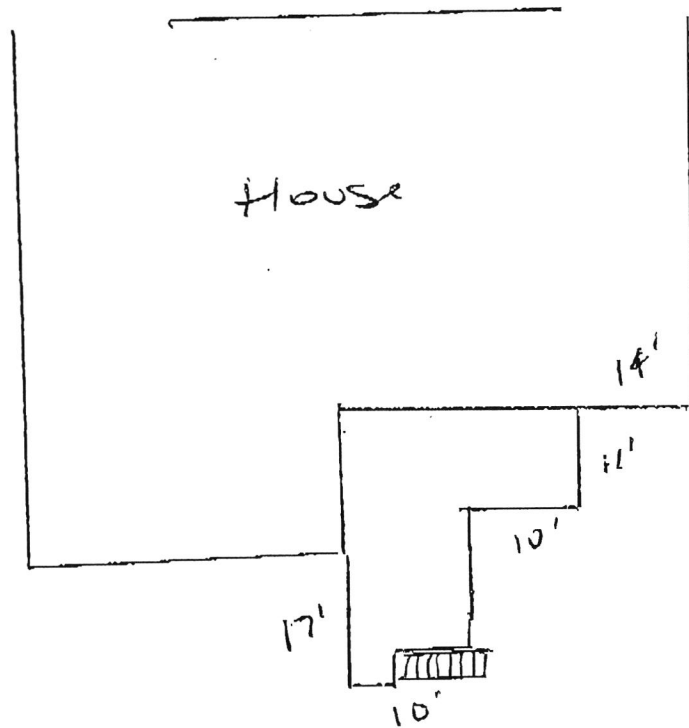
Sincerely,

A handwritten signature in black ink, appearing to read 'LB' with a stylized flourish extending to the right.

Lance Brow
Environmental Health Sanitarian

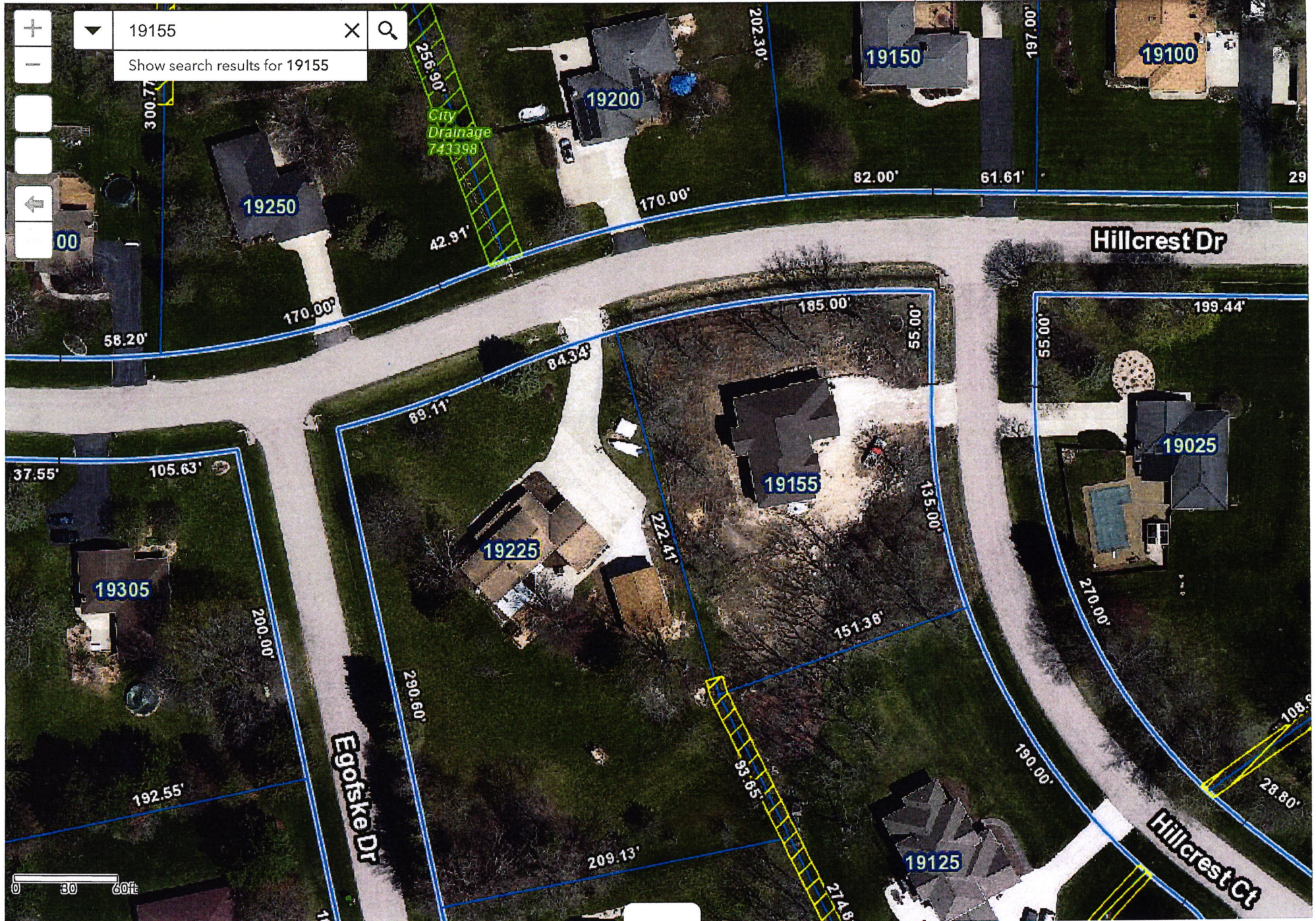
cc: Building Inspector

RS



Diugi, Matt
414-333-6633
Fence and Deck Pros
Deck Plan Location





1265042
BRIAN HINTZE
5065 ROLLING MEADOW DR
NEW BERLIN WI 53146

1265043
CHAD W. KUCHLER
5035 S ROLLING MEADOW DR
NEW BERLIN WI 53146

1268997
DALE E. PETERSON
18970 W NATIONAL AVE
NEW BERLIN WI 53146

1265017
DANIEL K. PRATT
19075 W HILLCREST CT
NEW BERLIN WI 53146

1265015
DAVID OLDENBURG
19035 W HILLCREST CT
NEW BERLIN WI 53146

1262995006
DOUGLAS A. ANDERSON
18675 W HILLCREST DR
NEW BERLIN WI 53146

1262994005
ELISSA J. MCRAE
5068 S ROLLING MEADOW DR
NEW BERLIN WI 53146

1262994006
EMILY R. SCHOBBER
18777 W HILLCREST DR
NEW BERLIN WI 53146

1265023
HENRY J. REED
5050 S EGOFSKE RD
NEW BERLIN WI 53146

1265041
HEWITT TRUST
5040 S ROLLING MEADOW DR
NEW BERLIN WI 53146

1268999
KARTH, TIMOTHY G & JOAN J FAMILY TR
15748 W RIDGE RD
NEW BERLIN WI 53151

1265044
KIRT N. STEPHENS
5015 S ROLLING MEADOW DR
NEW BERLIN WI 53146

1265045
LON A. WERGIN
4965 S ROLLING MEADOW DR
NEW BERLIN WI 53146

1265016
MARK KUETHER
19055 W HILLCREST CT
NEW BERLIN WI 53146

1268998
MATHIAS G. WACHAL
18950 W NATIONAL AVE
NEW BERLIN WI 53146

1268998001
MATHIAS G. WACHAL
18950 W NATIONAL AVE
NEW BERLIN WI 53146

1265020
MATTHEW DLUGI
19155 W HILLCREST CT
NEW BERLIN WI 53151

1265039
NATHAN T. KOEPKE
4940 S ROLLING MEADOW DR
NEW BERLIN WI 53146

1263982
PAUL SAN FELIPE
18700 W NATIONAL AVE
NEW BERLIN WI 53146

1265040
RANDY B. MAAS
4980 S ROLLING MEADOW DR
NEW BERLIN WI 53146

1265031
RAYMOND GREENE
19150 W HILLCREST DR
NEW BERLIN WI 53146

1265033
ROBERT C. BLESSINGTON
19000 W HILLCREST DR
NEW BERLIN WI 53146

1265058
ROBERT E. WILLIAMS
4830 S PROVIDENCE CT
NEW BERLIN WI 53146

1265019
ROBERT F. MENTZEL
19125 W HILLCREST CT
NEW BERLIN WI 53146

1265012
ROBERT LAYMAN
19025 W HILLCREST DR
NEW BERLIN WI 53146

1265014
STEVEN J KRANTZ AND CYNTHIA O KRA
19005 W HILLCREST DR
NEW BERLIN WI 53146

1265022
STEVEN R. SAARI
5020 S EGOFSKE RD
NEW BERLIN WI 53146

1265059
SUSAN BRAUN
4840 S PROVIDENCE CT
NEW BERLIN WI 53146

1265013
THOMAS E. OSTEEN
19015 W HILLCREST DR
NEW BERLIN WI 53146

1265018
THOMAS R. SINDORF
19105 HILLCREST CT
NEW BERLIN WI 53151

1262995007

THOMAS S. SAVIGNAC
5085 S ROLLING MEADOW DR
NEW BERLIN WI 53146

1265046

TROY D. BURKE
4925 S ROLLING MEADOW DR
NEW BERLIN WI 53146

1268997001

TYLER T. SAVIGNAC
18920 W NATIONAL AVE
NEW BERLIN WI 53146

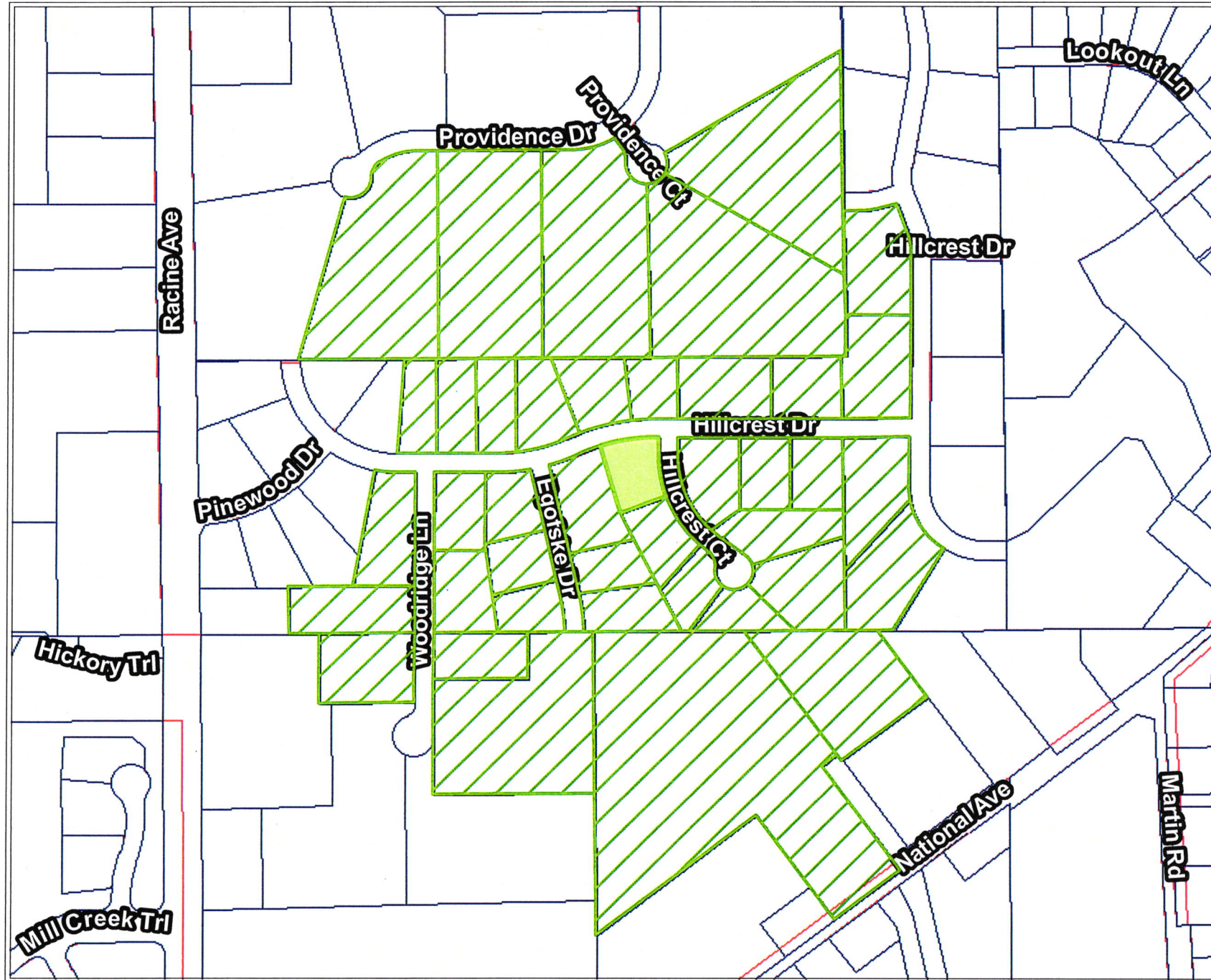
1265032

WILLIAM F BAYLISS AND MAUREEN M BA
19100 W HILLCREST DR
NEW BERLIN WI 53146

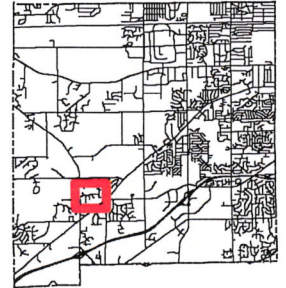
1263981

WISCONSIN ELECTRIC POWER COMPAN
PO BOX 2179
MILWAUKEE WI 53201

19155 W Hillcrest Ct -- BOA



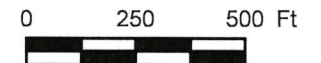
Overview Map



Legend

- Subject to Action
- Notified Parcels
- Other Parcels

Notified parcels (green hash lines) are those properties that fall within 600 Feet of a property that is subject to City of New Berlin action.



To who it may concern.

I am the home owner at 19155 W Hillcrest Ct. My wife and I built this house with a partial exposed basement. It's at least a six foot deep from the patio door to the ground so we need an elevated deck with stairs. Also the width of the patio door is six foot and it faces the south, so we would need to expand the deck west to make it functioning. Currently the deck would only be 8 feet from the house.

Thanks

Matt Dlugi

Matt Dlugi

19155 W Hillcrest Dr

To Whom it may concern/ City of new Berlin Board:

The current setback from the west lot line to the house at 19155 W. Hillcrest Dr is 50 feet. (This Would only allow a 7 to 8 foot deep deck)

We are requesting a 17 foot variance to the lot line for a (larger) deck.

Set back would be 33 feet from the lot line.

Thank you for the consideration,

Matt Dlugi (homeowner) 414-975-5319

John Devlin (Contractor) 414-333-6633

PLAT OF SURVEY

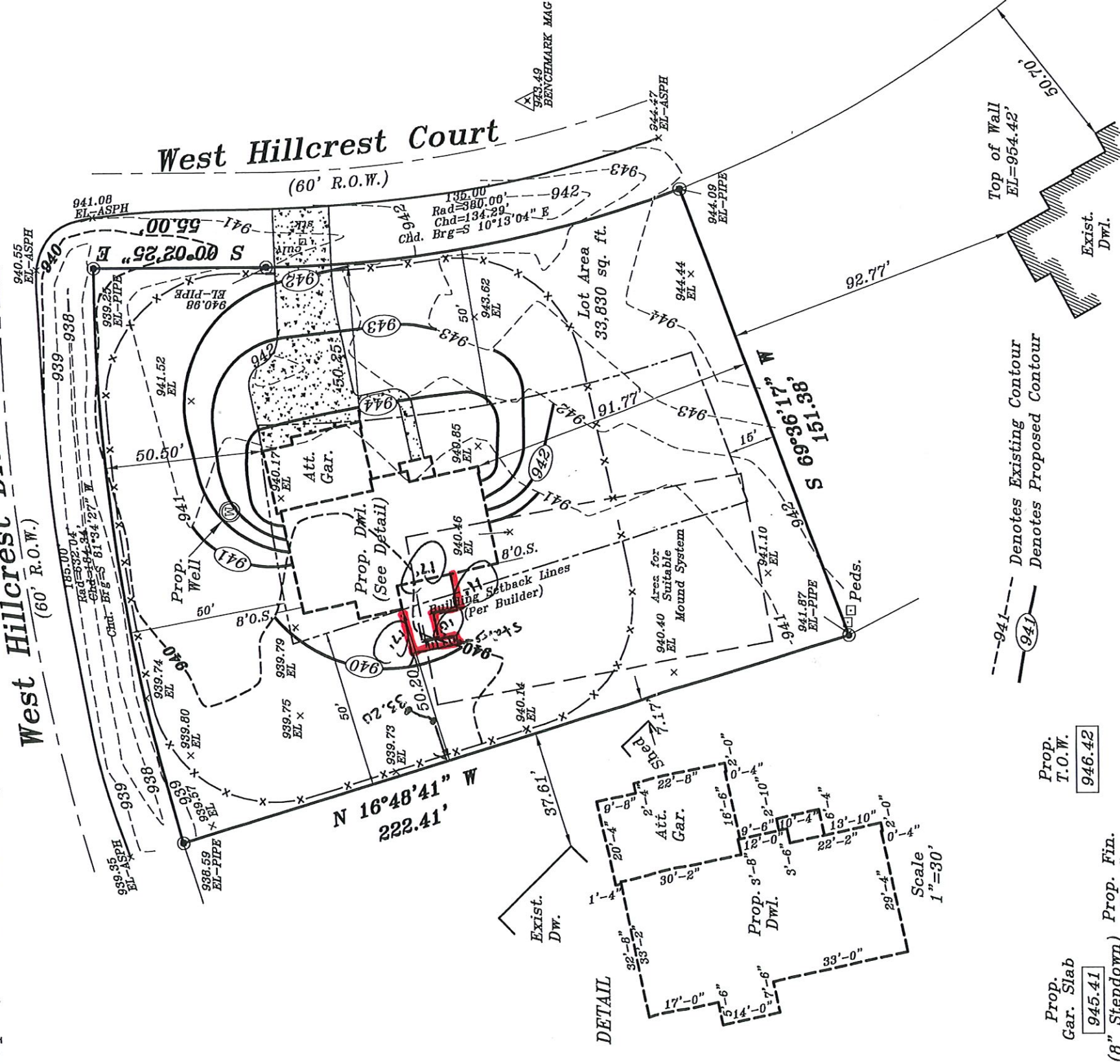
LOCATION: West Hillcrest Court, New Berlin, Wisconsin

LEGAL DESCRIPTION: Lot 9 Block 3 in **HILLSIDE TERRACE**, being a Subdivision of a part of the Northeast 1/4 of Section 29, Town 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.

Survey No. 112153-S

December 15, 2020 (Drawing Only)
January 26, 2021 Revised Foundation Plan (Not Staked)
February 1, 2021 Moved Foundation Plan (Not Staked)
February 8, 2021 Revised Foundation Plan (Not Staked)
February 11, 2021 Rough Staked Dwelling and Prepared Grading Plan
April 5, 2021 Staked Dwelling
April 19, 2021 Revised FYG Per Customer
May 5, 2021 Added Proposed Well Per Builder

ed Well Per Builder **Drive**



Prop. Gar. Slab	945.41	Prop. Fin. v ₃ C ₂
(8" Stepdown)		
		946.42
		Prop. T.O.W.

(8" Stepdown) $\frac{\text{Prop. Fin.}}{\text{Yd. Gr.}}$

941.75
945.75

(Per Builder)

(Per Builder)

Proposed finished yard, 1st floor or top of foundation grade shown on this drawing is a suggested grade and should be verified by the owner, builder or municipality.

**METROPOLITAN SURVEY
SERVICE, INC.**

PROFESSIONAL LAND SURVEYORS

9415 West Forest Home Avenue, Suite 202

Hales Corners, Wisconsin 53130

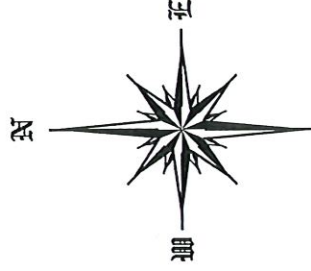
PH. (414) 529-5380

survey@metropolitansurvey.com

www.metropolifansurvey.com

000.0 — Denotes Proposed Grade

000.0 — Denotes Proposed Grade
 -x-x-x-x- Denotes Proposed Silt Screen



ॐ

GRAPHIC SCALE



(IN FEET)

 $1 \text{ inch} = 40 \text{ ft.}$

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 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.

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

Professional Land Surveyor S-2421