VILLAGE OF LAC LA BELLE

VILLAGE OF LAC LA BELLE BOARD OF APPEALS
SUMMARY OF MEETING

The following is a Summary of the Board of Appeals Meeting held on Wednesday, April 16, 2025, at 5:30 p.m. at the Lac La Belle Village Hall, W359 N6812 Brown Street, Oconomowoc, WI 53066.

BOARD MEMBERS PRESENT:	Stephen Schmidt, Chairman George Stumpf Dione Funk Bill Groskopf Bill Burkhardt
BOARD MEMBERS ABSENT:	None
SECRETARY TO THE BOARD:	George Stumpf
STAFF PRESENT:	Jacob Heermans, Village Planner Jason Fruth, Planning and Zoning Manager Michael Van Kleunen, Village Attorney

The following is a record of the motions and decisions made by the Board of Appeals.

NEW BUSINESS:

<u>BA205: CRAIG AND JANA KNAPP (OWNERS), PETER POPE (APPLICANT)</u>

<u>Public Hearing</u>:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **<u>approval</u>** for a special exception from the non-conforming to offset provisions of the Village of Lac La Belle Shoreland Protection Ordinance, to permit a vertical addition to the existing residence.

Discussion between the petitioner (Peter Pope), owners (Craig and Jana Knapp), Board and Staff followed. The petitioner was unable to attend in person but was able to attend via phone. The petitioner noted that the required Certified Survey Map had been completed and was emailed to the Village Planner prior to the meeting. The Board inquired as to whether there was a foundation under the pantry and the petitioner replied that there was concrete block. The Board sought clarification as to the rationale for a special exception, prior to making a motion. Staff relayed that special exceptions are minor adjustments which are justified by special conditions of the property.

Mr. Stumpf inquired as to whether granting a variance and/or special exception was precedent setting. Attorney Van Kleunen replied that variances and/or special exceptions are not precedent setting and are evaluated on a case by case basis.

Public Reaction:

- Larry Egofske, who lives immediately to the east (W351N5332 Road C) stated that he is in favor of the project and is glad to see the owners investing in the property. The property has historically been utilized as a rental property and the improvements will positively impact the neighborhood.

Decision and Action:

Mr. Stumpf *I make a motion to **approve** the request in accordance with the staff report with the conditions and reasons stated in the staff report.*

The motion was seconded by Mr. Groskopf and carried unanimously.

BA206: JULIE TOMLIN (OWNER), MARK WALMER (APPLICANT)

Public Hearing:

Staff provided a brief summary of the Staff Report and Recommendation. Staff's recommendation was for **approval** of the request for a variance from the offset requirements of the Village of Lac La Belle Shoreland Protection Ordinance to permit the construction of an unenclosed covered porch and bonus room and **denial** of the request for a variance from the offset requirements for a master suite addition.

Discussion between the petitioner (Mark Walmer), Board and Staff followed. The petitioner stated that the owner has some health issues which necessitated the need for the first floor master suite. The master suite addition matches the existing offset and does not encroach closer to the lot line. He stated that if the master suite were reconfigured to the 10' offset, it would block the owner's lake views from both the 1st and 2nd floor. The Board inquired about the purpose of the bonus room above the garage which the petitioner relayed would be utilized for storage and the occasional occupancy of guests. The Board questioned whether there were any ADA accommodations that could be made to the existing residence and noted that the design of the encroachment into the offset on both sides of the property lacked effort to comply with the Ordinance requirements.

Public Reaction:

- The applicant provided an email from the neighbor to the east, Cheryl Obermeier at N65W35227 Road J. Mr. Heermans read the email for the record, which stated that the neighbor was in favor of the proposed improvements.

Decision and Action:

Mr. Stumpf *I make a motion to **deny** the request for the master suite addition for the reasons stated in the staff report and to **deny** covered patio and bonus room addition for the following reasons.*

REASONS:

The owners currently have a residence which exceeds the 1,100 square foot minimum (approx. 2,500 square feet including an attached garage) and therefore have reasonable use of the property. Additionally, the orientation of the residence would allow for the owners to construct an addition that meets the required offset rather than perpetuating the nonconforming offset. While relief would still be required from the Board, the encroachment into the east offset would be eliminated. The property is pie shaped and gets substantially narrower near the shore; however, the conforming building envelope is in the wider portion of the property and is 68’ at the widest point (Exhibit D). A conforming residence could be constructed which incorporates the square footage of the proposed addition without the need for any relief. Because the owners have reasonable use and there are alternatives available, no hardship has been demonstrated relative to the master suite addition.

The proposed master suite addition would significantly enlarge a non-conforming residence that is sub-standard to side yard offset, which increases the bulk of the structure in the vicinity of the property line. Offset requirements are intended to create a level of consistency within neighborhoods and provide for adequate maintenance space, drainage and separation between neighboring residences. Allowing substantial improvements within the side yard offset reduces open space near the lot line.

No hardship has been demonstrated relative to the covered porch or the bonus room above the attached garage which would authorize a further encroachment into the side yard offsets; the owners are able to utilize the property for a permitted purpose without those expansions. The size of the covered patio is well more than required to enjoy a patio.

The motion was seconded by Mr. Groskopf and carried unanimously.

OTHER ITEMS REQUIRING BOARD ACTION: **Appointment of Board Secretary**

Attorney Van Kleunen requested that the Board appoint a secretary who will be responsible for reviewing the meeting minutes and decision sheets. The Board discussed amongst themselves, and Mr. Stumpf volunteered for the position. The Board asked about the duration of the position, and it was decided that the position would be limited to the current meeting only.

Ms. Funk *I make a motion to appoint Mr. Stumpf as Board secretary for this meeting.*

The motion was seconded by Mr. Groskopf and carried unanimously.

ADJOURNMENT:

Ms. Funk *I make a motion to adjourn this meeting at 6:34 p.m.*

The motion was seconded by Mr. Stumpf and carried unanimously.

Respectfully submitted,

George Stumpf

Secretary, Board of Appeals

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