

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN the following Public Hearings will be held by the Waukesha County Board of Adjustment on Wednesday, October 8, 2025 at 6:00 p.m., in Room AC 255/259 of the Waukesha County Administration Center, 515 W. Moreland Blvd., Waukesha, Wisconsin, 53188, to consider the following requests:

BA218: STEVEN AND ANN BELTER (OWNERS) request a variance from the road setback provisions of the Waukesha County Shoreland Protection Ordinance for the construction of a single family residence. The subject property is described as part of the NE ¼ of Section 14, T8N, R18E, commencing the SW corner of Lot 11, Marquardt's Subdivision, Town of Merton. More specifically, the property is located at N78 W29196 Flynn Road (Tax Key No. MRTT 0341.979).

BA220: JEFFREY AND HEATHER SORENSEN (OWNERS) request a variance from the shore setback provisions of the Waukesha County Shoreland Protection Ordinance to allow the construction of a fence within 75 ft. of the Ordinary High Water Mark of Eagle Spring Lake. The subject property is described as Lot 1, Certified Survey Map No. 11645 and an undivided interest of Outlot 1, Certified Survey Map No. 11645, being a redivision of Lot 2, Certified Survey Map No. 9891 and a redivision of area common to Block 1, Island View, part the NE ¼, SE ¼, NW, ¼ of Section 36, T5N, R17E, Town of Eagle. More specifically, the property is located at W345 S1503 County Road E (Tax Key No. EGLT 1870.030.002).

For additional information concerning these public hearings, please contact Emily Goodman for BA218 and Evan Hoier for BA220 of the Waukesha County Department of Parks and Land Use at 262-896-8300 or ehoier@waukeshacounty.gov or egoodman@waukeshacounty.gov.

All interested parties will be heard.

WAUKESHA COUNTY BOARD OF ADJUSTMENT
Richard Bayer, Chairman

Legal notice to be published in
the West Now on
Wednesday, September 24, 2025 and
Wednesday, October 1, 2025

Staff reports and meeting materials will be located on the Waukesha County Planning and Zoning Division webpage at [Meeting Information | Waukesha County](#) under Board of Adjustment Meeting Documents, no later than October 6, 2025.

AGENDA – FINAL
WAUKESHA COUNTY BOARD OF ADJUSTMENT

October 8, 2025, 6:00 p.m.

Waukesha County Administration Center, Room AC 255/259
515 W. Moreland Blvd., Waukesha, WI 53188

CALL TO ORDER

ROLL CALL

NOTE: THE AGENDA ITEMS MAY **NOT** NECESSARILY BE TAKEN UP IN THE ORDER LISTED BELOW.

REQUESTS: **BA218: STEVEN AND ANN BELTER (OWNERS)**

Town of Merton
(Road setback)

BA220: JEFFREY AND HEATHER SORENSEN (OWNERS)

Town of Eagle
(Shore setback)

SUMMARY OF MEETING: August 13, 2025

OTHER ITEMS REQUIRING BOARD ACTION: None

Following each public hearing portion of the meeting, the WAUKESHA COUNTY BOARD OF ADJUSTMENT will deliberate and make recommendations or decisions on the variances/special exceptions presented. Following the public hearing portion request of BA218, the Town of Merton Board of Adjustment will also deliberate and make recommendations on the variances/special exceptions presented, which may continue in a separate room open to the public. The chairman shall announce to those present the recommendations or decisions made.

The Staff Reports and meeting materials will be located on the Waukesha County Planning and Zoning Division webpage at <https://www.waukeshacounty.gov/landandparks/planning-and-zoning/meeting-information/> no later than October 6, 2025. See Board of Adjustment Meeting Documents heading for October 8, 2025. For questions regarding this agenda, please call (262) 896-8300 or email Emily Goodman at egoodman@waukeshacounty.gov for BA218 or Evan Hoier at ehoier@waukeshacounty.gov for BA220.

**WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
APPEAL FOR VARIANCE
STAFF REPORT**

DATE: October 8, 2025

FILE NO.: BA218

OWNERS: Steven and Ann Belter
N78 W29196 Flynn Road
Hartland, WI 53029

TAX KEY NO.: MRTT 0341.979

LOCATION:

The subject property is described as part of the NE ¼ of Section 14, T8N, R18E, Town of Merton. More specifically, the property is located at the Flynn Road address cited above with frontage on Lake Keesus.

REQUEST:

Variance from **Section 3(h)(1)(C) Road Setback** provisions of the Waukesha County Shoreland Protection Ordinance to permit the construction of a single-family residence.

ZONING CLASSIFICATION: R-3 Residential District

LOT CONFIGURATION:

The 17,898 square foot property is rectangular in shape and has irregular frontage on Flynn Road which ends at the Belter's eastern property line. The property also has approximately 55 ft. of frontage on Lake Keesus. The topography is extremely steep near the lakeshore but flattens out around the home and driveway area. South of the existing garage there is a large basin which is bounded to the south by railroad right of way. The existing and required average lot width, average lot depth and lot size, riparian frontage and road frontage are shown in the following table.

	Average Lot Width	Average Lot Depth	Lot Size* (sq. ft.)	Road Frontage (Flynn Road)	Riparian Frontage (Lake Keesus)
Existing	55 ft. +/-	324 ft. +/-	17,868	33 ft.	55 ft.
Required	120 ft. min.	n/a	20,000 (unsewered)	30 ft. min	100 ft. min.

*Excluding the established 33 ft. wide road right-of-way of Flynn Road.

PREVIOUS BOARD OF ADJUSTMENT ACTION ON THE SUBJECT PROPERTY:

BA16:017: On May 11, 2016, the Board of Adjustment granted a variance from the road setback, remodeling or expanding a non-conforming structure over 50% and offset requirements as well as a special exception from the accessory building floor area ratio requirements of the Waukesha County Shoreland and Floodland Protection Ordinance to permit the petitioners to

update and expand their existing detached garage smaller than proposed. The detached garage was updated as proposed and is still present on the subject property.

PENDING ACTIONS:

None.

PROPOSAL AND STAFF ANALYSIS:

The property is located at the end of Flynn Road on the southern shore of Lake Keesus. The parcel contains a single-family home and detached garage. A 75 sq. ft. shed is located along the shore within the floodplain. The shed violation is being pursued as a separate violation matter. Our records indicate the shed was not present during the 2016 Board of Adjustment case. The existing home is nonconforming to road setback and offset from the eastern lot line. The home and detached garage are separated by a driveway area which extends off of the western end of Flynn Road. There is a turn-around easement on the paved area of the lot which grants access to the town's snow removal equipment. The petitioners were granted a variance from road setback in 2016 to expand and update the detached garage.

The petitioners are proposing to raze the existing home and construct a new home with an attached garage. The existing detached garage will remain. The proposed residence with attached garage requires a variance from the road setback of the Waukesha County Shoreland Protection Ordinance.

The table below summarizes the existing and proposed improvements. A site plan showing existing and proposed improvements is attached as Exhibit A. Building plans showing the proposed improvements are attached as Exhibit B. The location of the easement are attached as Exhibit E.

	1 st Floor (sq. ft.)	2 nd Floor (sq. ft.)	Att. Garage (sq. ft.)	Accessory Bldgs. (sq. ft.)	Beds	Baths
Existing	938	938	na	1,132	4	2
Proposed	1,420	1,420	495	1,132	4	4

The proposed new residence requires variances from the Road Setback provisions of the Waukesha County Shoreland Protection Ordinance as summarized in the following table.

PROVISION	SPO	EXISTING	NON- CONFORMING? 3(o)	PROPOSED	REQUIRED	VARIANCE/ SPECIAL EXCEPTION?
ROAD SETBACK	3 (h) (1) (C)	12.51'	Y	18.49'	50'	Y
OFFSET (E)	3 (h) (3) (A)	8.61'	Y	10.15'	10' min	N
OFFSET (W)	3 (h) (3) (A)	10.24'	N	10'	10' min	N
TOTAL BUILDING FOOTPRINT	3 (j) (5) (B)	2,070 (11.5%)	N	3,122 (17.47%)	3,126 SF (17.5%)	N
ACCESSORY FOOTPRINT	3 (j) 4	1,132 SF	Y	No change	750 SF	N approved via variance in 2016

MINIMUM FLOOR AREA	3 (j) (1)	938 SF	N	1,420 SF	850 SF	N
BLDG HEIGHT	3 (i)		N	31.7'	35' maximum	N
SHORE SETBACK	3 (h) (2)	126'	N	75'	75'	N
IMPERVIOUS SURFACE	3 (t)	33%	N	27%	30%	N

PETITIONERS' COMMENTS:

The petitioners' comments are attached as Exhibit C.

STAFF RECOMMENDATION:

The Planning and Zoning Division staff recommends **approval** of the request for a variance from the road setback requirements of the Waukesha County Shoreland Protection Ordinance for the construction of a single-family residence. This recommendation is based upon the analysis of the below tests for a variance, as described below. We recommend that this approval be subject to the following conditions:

CONDITIONS:

1. The applicant proposes using Treated Impervious Surface to offset the overall impervious surface percentage on the site. Approval from the Waukesha County Land Resources Division must be obtained prior to the issuance of a zoning permit.
2. Prior to the issuance of a Zoning Permit, the 75 sq. ft. shed at the shoreline shall be removed.
3. The petitioners shall coordinate with Town of Merton regarding placement of construction materials in the vicinity of the turnaround easement.
4. The back patio shall not be permanently enclosed. The northern wall can only be enclosed with roll up screens.
5. The kitchenette or wet bar area proposed in the lower level of the residence shall not contain a stove/oven unless a deed restriction, reviewed and approved by the Waukesha County Planning and Zoning Division, is recorded in the Waukesha County Register of Deeds office stating, at a minimum, that the residence is to be used for single-family residential purposes and shall not be used as a multiple family residence. Only one set of utilities is permitted on the property.

AREA VARIANCE TEST CRITERIA ANALYSIS

State law, case law, and County ordinances require that the petitioner demonstrate that their request meet the following tests for a variance. The below Staff analysis assesses the merits of the subject application relative to the tests:

1. **Compliance with the ordinance would cause the owner to experience an unnecessary hardship. Unnecessary hardship is proven by demonstrating that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome. A property owner bears the**

burden of proving that the unnecessary hardship is based on special conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner. Hardships should not be financial or economic in nature. Variances are intended to provide only the minimum amount of relief necessary, and the purposes of the Ordinance shall be observed.

The subject property does not conform to the average lot width requirements (55' vs. 120' required). The property's narrow width necessitates a longer (north/south) house design. The subject property's road frontage is limited to 33' along the dead-end of Flynn Road at the east property boundary. The Ordinance does not provide unique road setback accommodations for properties that contain unconventional frontage conditions. Furthermore, the property is roughly twice as deep as the adjacent Flynn Rd. lots to the east with the parcel continuing south of the Flynn Rd. alignment. The imposition of road setback requirements from the dead-end results in a unique radiating road setback requirement that awkwardly impacts the buildable area of the parcel. A large turn around easement granted to the Town also cuts through the center of the property and is 40' wide. The unconventional lot/road configuration as well as the unique turn around easement on the subject property are legitimate grounds for hardship, making the granting of some relief from the Ordinance appropriate.

The variance request is similar to the 2016 variance request in seeking relief from the road setback requirements due to the unique turn around easement present on the property. Staff believe that relief is justified for the subject request, consistent with the prior approach taken by board. The board made a determination in 2016 that special conditions were present with the unorthodox road frontage condition and that condition remains today.

- 2. The granting of the variance will not adversely affect the general public interest/welfare or be detrimental to nearby properties/improvements or the natural resources in the area. Lack of local opposition does not mean a variance will not harm the public interest.**

The proposed residence, though nonconforming to the required road setback, will be positioned further from the road at 18.49 ft compared to the current residence at 12 ft. Additionally, the new residence will adhere to the 10 ft offset from the eastern property line, unlike the existing residence which does not comply. The proposed residence will not seem out of place as the neighborhood consists of a mix of residences that are conforming and nonconforming to road setback. The proposed improvements will not affect the Town's ability to maneuver its equipment on the subject property. The approval, as conditioned, will not adversely affect the general public interest or nearby natural resources. The residence will comply with shore setback requirements and will not encroach upon steep slopes.

Respectfully submitted,

Emily Goodman

Emily Goodman
Senior Land Use Specialist
Phone: 262-896-8300

Reviewed and approved by:

Jason Fruth

Jason Fruth
Planning and Zoning Manager

Exhibits: Exhibits A-E

PLAT OF SURVEY

RECEIVED 09/03/2025 BY
WAUKESHA COUNTY PLANNING
AND ZONING DIVISION

LOCATION: N78 W29196 Flynn Road, Hartland, Wisconsin

LEGAL DESCRIPTION: Part of the Northeast 1/4 of the Northeast 1/4 of Section 14, Town 8 North, Range 18 East, being more particularly described as follows: Commencing at the Southwest corner of Lot 11, Marquardts Subdivision; thence North 148 feet to the Lake; thence N 84°28' W, 55.26 feet; thence South 316.45 feet to the Rail-road; thence N 88°19' E. 55.02 feet; thence North 161.5 feet to the place of beginning, in the Town of Merton, Waukesha County, Wisconsin.

July 2, 2025

Survey No. 116010

August 22, 2025

Added Foundation Plan (Not Staked)

Lake Keesus

IMPERVIOUS SURFACES:

Proposed New House= 1,420 sq. ft.
Proposed New Garage= 495 sq. ft.
Proposed New Deck= 83 sq. ft.
Added Driveway= 401 sq. ft.
Existing Asphalt Driveway (to R.O.W.)= 3,123 sq. ft.
Existing Garage= 1132 sq. ft.
Existing Lighthouse= 20 sq. ft.
(Remaining) Existing Path= 186 sq. ft.
Existing Lake Stairs= 18 sq. ft.
Existing Shed= 75 sq. ft.

Estimated Impervious Surface= 7,143 sq. ft.
Estimated % Use of Total Lot Area= 40.0%

FLOOD DATA

This property is in Zone AE & X of the Flood Insurance Rate Map, Community Panel No. 55133C0062H which has an effective date of November 5, 2024 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.

NOTE:

1. Boundary and Legal Description Based Upon Plat of Survey by Benchmark Land Survey Technology, Dated April 21, 2015.

Prop. Gar. Slab 000.00
Prop. T.O.W. 000.00

Prop. Fin. Yd. Gr. 000.00

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

8482 South 76th Street
Franklin, Wisconsin 53132
PHONE (414) 529-5380

survey@metropolitansurvey.com
www.metropolitansurvey.com

- Denotes Iron Pipe Found
- Denotes Iron Pipe Set
- 000.0 — Denotes Proposed Grade
- x—x—x— Denotes Proposed Silt Screen

Union Pacific R.R.

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.

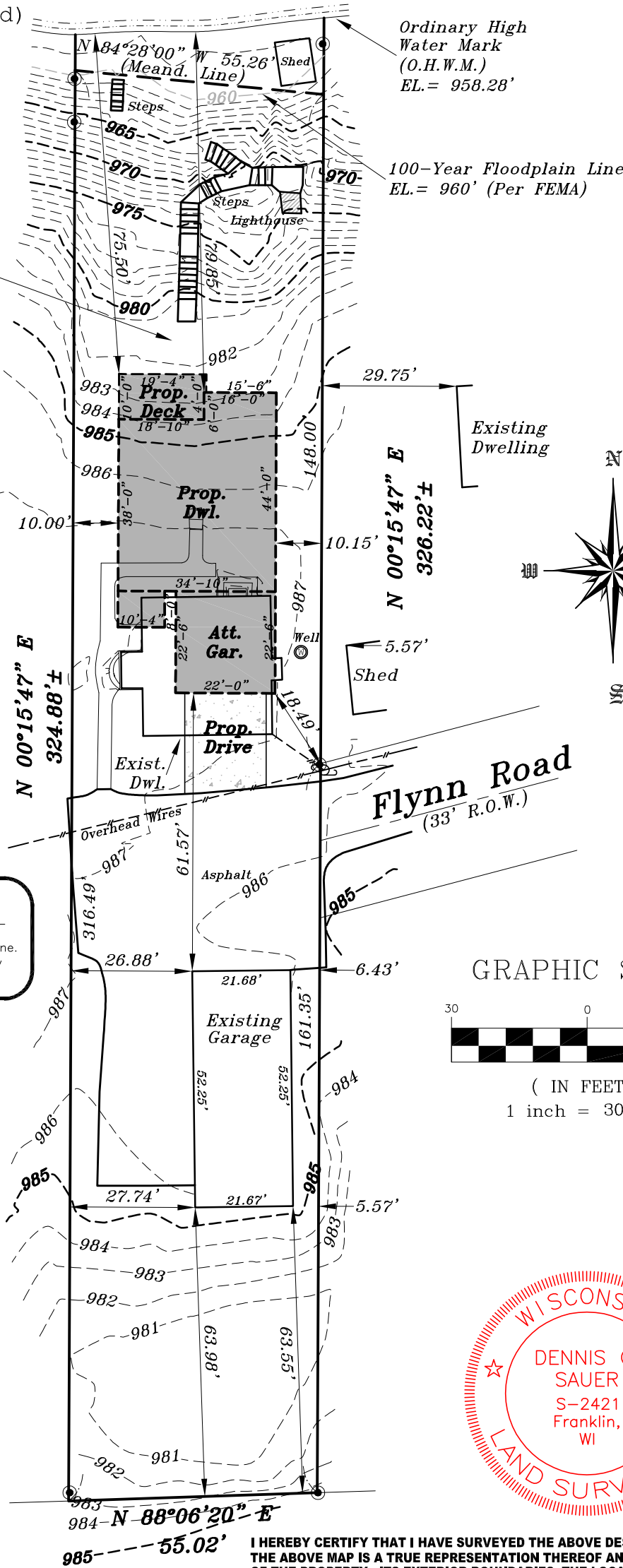
THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM THE DATE HEREOF.

SIGNED

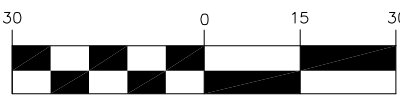
Dennis C. Sauer

Dennis C. Sauer

Professional Land Surveyor S-2421



GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

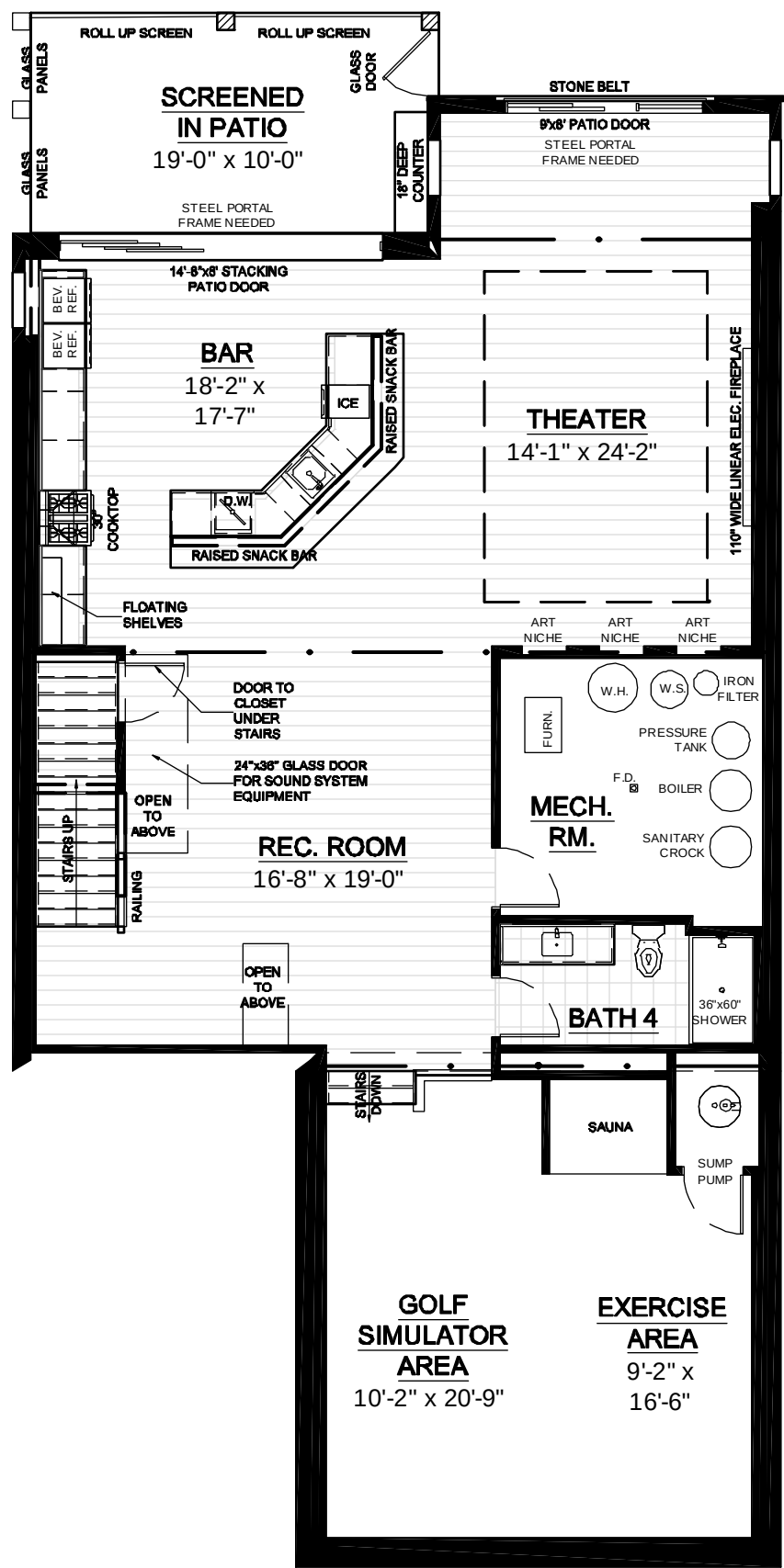




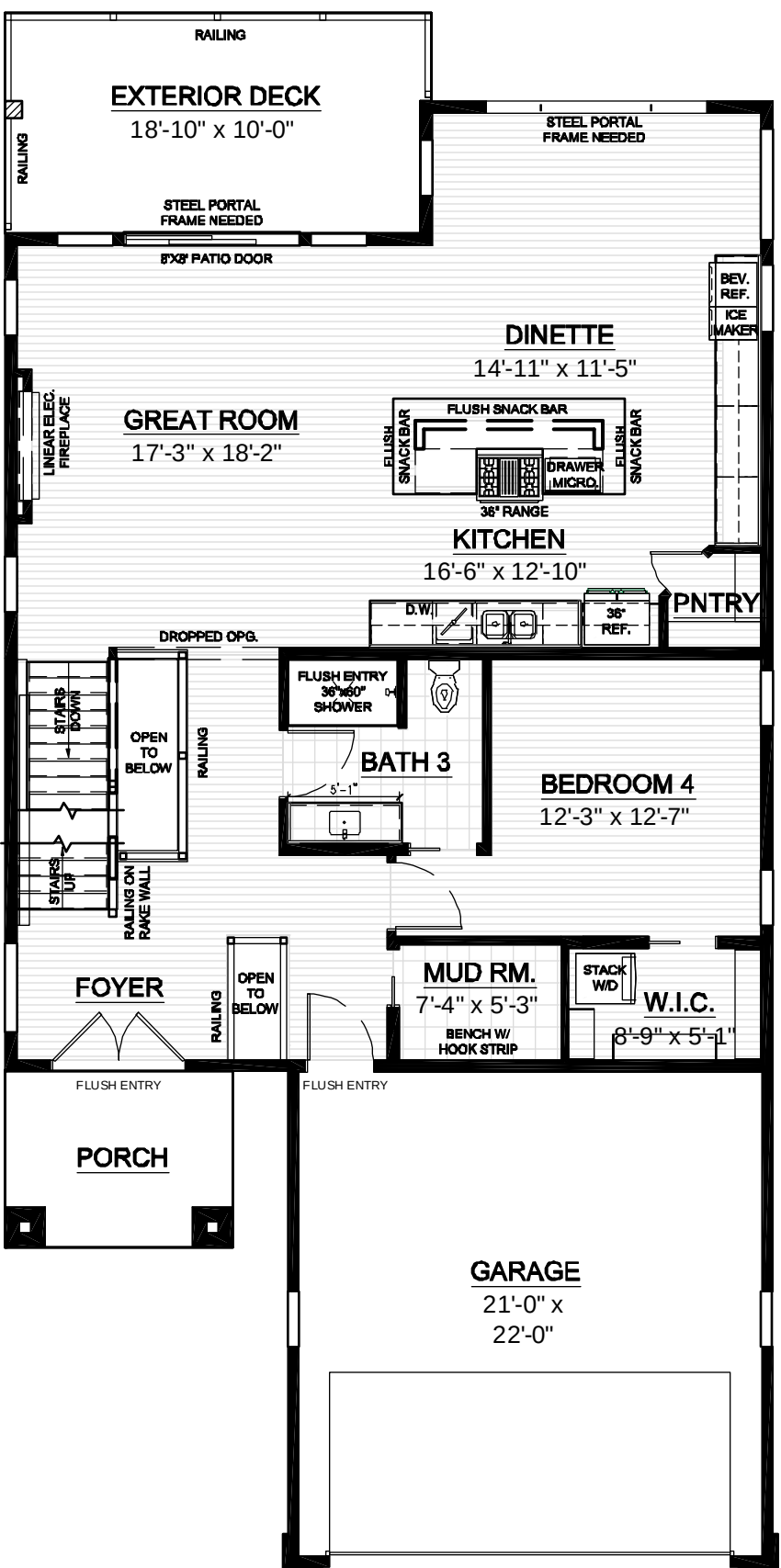
EXHIBIT B

CUSTOM
BELTER RESIDENCE

ILLUSTRATIONS



FINISHED BASEMENT



FIRST FLOOR PLAN



SECOND FLOOR PLAN

ALLOWANCES

SHEET INDEX

SHEET NO.	SHEET DESCRIPTION
CS	COVERSHEET
CUSTOM BASE SET	
A1	FRONT ELEVATION
A2	REAR ELEVATION
A3	RIGHT ELEVATION
A4	LEFT ELEVATION
A5	ROOF PLAN
A6	FOUNDATION PLAN
A6.1	FINISHED BASEMENT PLAN
A7	FIRST FLOOR PLAN
A8	SECOND FLOOR PLAN
A9	FOUNDATION ELECTRICAL PLAN
A10	FIRST FLOOR ELECTRICAL PLAN
A11	SECOND FLOOR ELECTRICAL PLAN
A12	FOUNDATION STRUCTURAL PLAN
A13	FIRST FLOOR STRUCTURAL PLAN
A14	SECOND FLOOR STRUCTURAL PLAN
A15	INTERIOR ELEVATIONS
CUSTOM DETAIL SET	
D1	TYPICAL WALL SECTIONS
D2	BUILDING DETAILS

APPLICABLE BUILDING CODES

THE FOLLOWING MASTER SET COMPLYS WITH THE FOLLOWING CODES AS APPLICABLE IN THE FOLLOWING STATES:

STATE OF WISCONSIN

UNIFORM DWELLING CODE SPS 320-325-SPS 320

SPS 321, CONSTRUCTION STANDARDS

SPS 322, ENERGY CONSERVATION

SPS 323, HEATING, VENTILATING & AIR CONDITIONING

SPS 324 - ELECTRICAL STANDARDS

SPS 325 - PLUMBING

APRIL 1ST, 2014 EMERGENCY CODE, SS #139-13

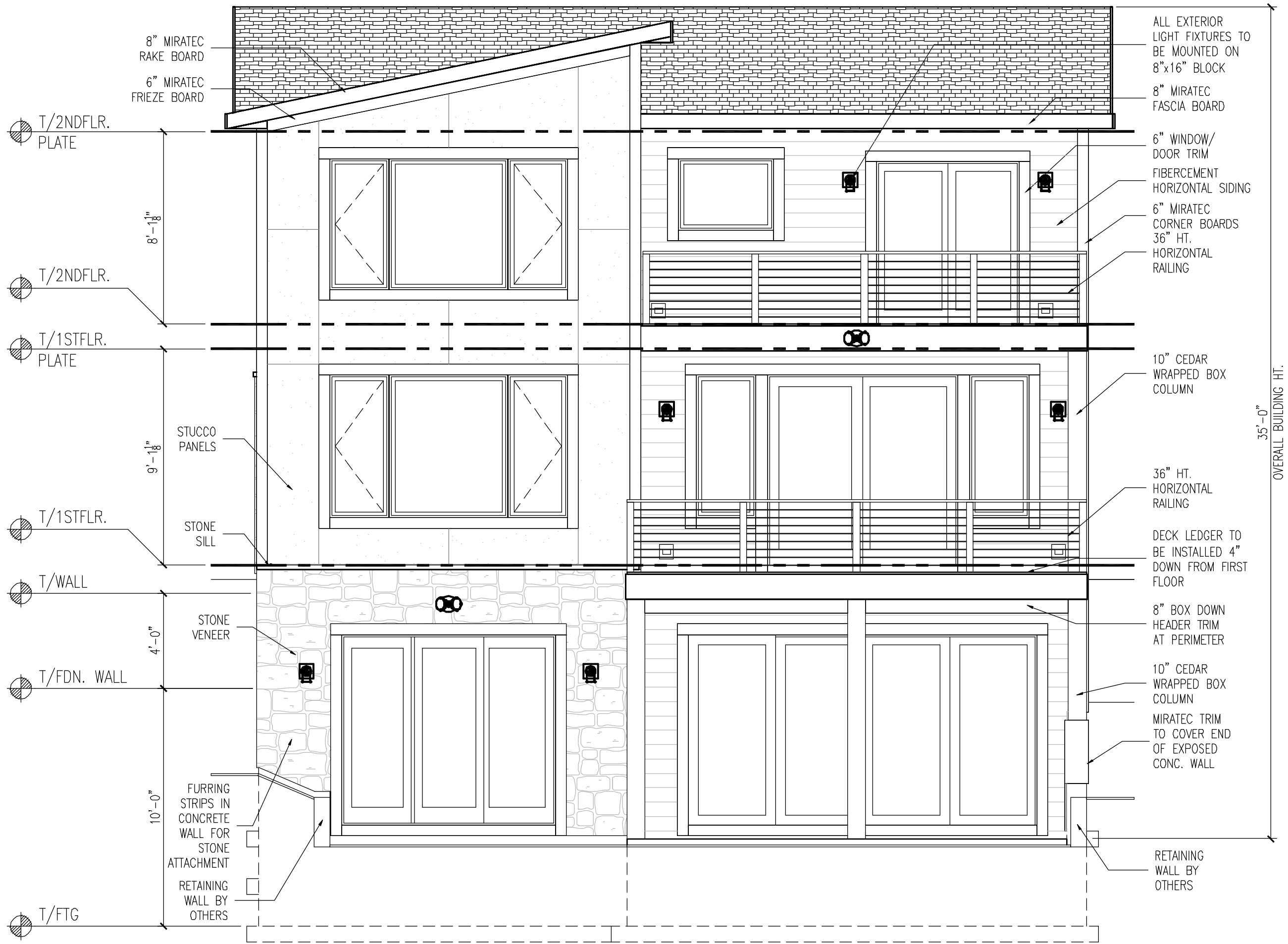
DWELLING SQUARE FOOTAGES

LIVING AREAS	SQUARE FOOTAGE
AREA	
FINISHED BASEMENT AREA	1613 SF
FIRST FLOOR LIVING AREA	1420 SF
SECOND FLOOR LIVING AREA	1661 SF
TOTAL LIVING AREA	4694 SF
NON-LIVING AREAS	SQUARE FOOTAGE
AREA	
BALCONY AREA	113 SF
COVERED PORCH AREA	83 SF
EXTERIOR DECK AREA	190 SF
GARAGE AREA	495 SF
SCREENED-IN PATIO AREA	190 SF
UNFINISHED BASEMENT AREA	162 SF

PROJECT INFORMATION

BELTER RESIDENCE
LAKE KEESUS
N78W29196 FLYNN RD
HARTLAND, WI

SHEET NUMBER		CS		SHEET TITLE		COVERSHEET		PROPOSED HOME FOR		BELTER RESIDENCE LAKE KEESUS N78W29196 FLYNN RD HARTLAND, WI	
Westridge BUILDERS N8 W2529L Johnson Dr Hartland, WI 53029 262.547-0326 Office www.westridgebuilders.com		2025 © Westridge Builders Inc. Copyright Notice: The designs represented by these plans are copyrighted subject matter protectable under 17 U.S.C. § 101, et seq., as amended. Any unauthorized use of these plans or designs is subject to judicial action as provided by federal law.		CUSTOM		CUSTOMER DOCUMENT APPROVAL		DATE		DATE	
				5 09.18.25 CD SET 05		KEF		Signature		Signature	
				4 08.28.25 CD SET 04		KEF		BY		BY	
				3 08.14.25 CD SET 03		KEF		NO.		NO.	
				2 07.29.25 CD SET 02		KEF		1 07.16.25 CD SET 01		1 07.16.25 CD SET 01	
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CUSTOM
REAR ELEVATION

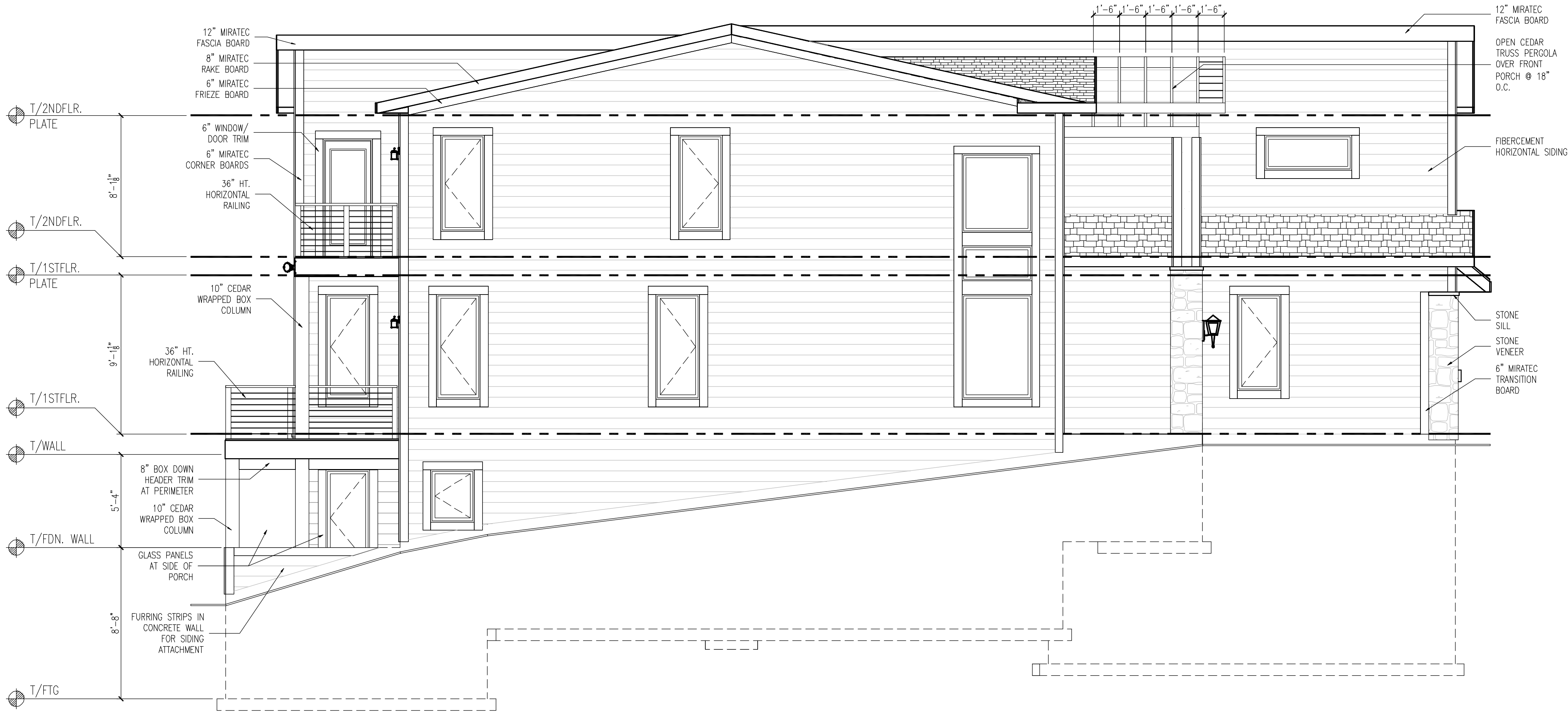
SCALE: 1/4" = 1'-0"

SHEET NUMBER	SHEET TITLE	CUSTOM	CUSTOMER DOCUMENT APPROVAL					PROPOSED HOME FOR	
			KEF	KEF	KEF	KEF	KEF	BELTER RESIDENCE LAKE KEESUS N78W291.96 FLYNN RD HARTLAND, WI	
			BY	DATE	DESCRIPTION OF REVISION	BY	DATE		
			9/18/2025	CD SET 05		9/18/2025	CD SET 04		
A2	REAR ELEVATION	2025 © Westridge Builders Inc. Copyright Notice: The designs represented by these plans are copyrighted subject matter protectable under 17 U.S.C. § 101, et seq., as amended. Any unauthorized use of these designs without the express written consent of Westridge Builders Inc. is prohibited and may result in legal action as provided by federal law.	10/28/25	CD SET 03		10/28/25	CD SET 02	PRINT DATE: 9/18/2025 4:46 PM	
			08/14/25	CD SET 01		08/14/25	CD SET 01		
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			07/16/25	CD SET 01		07/16/25	CD SET 01	DRAWN BY: KEF	



CUSTOM
RIGHT ELEVATION
SCALE: $1/4" = 1'-0"$

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CUSTOM
LEFT ELEVATION
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CUSTOM

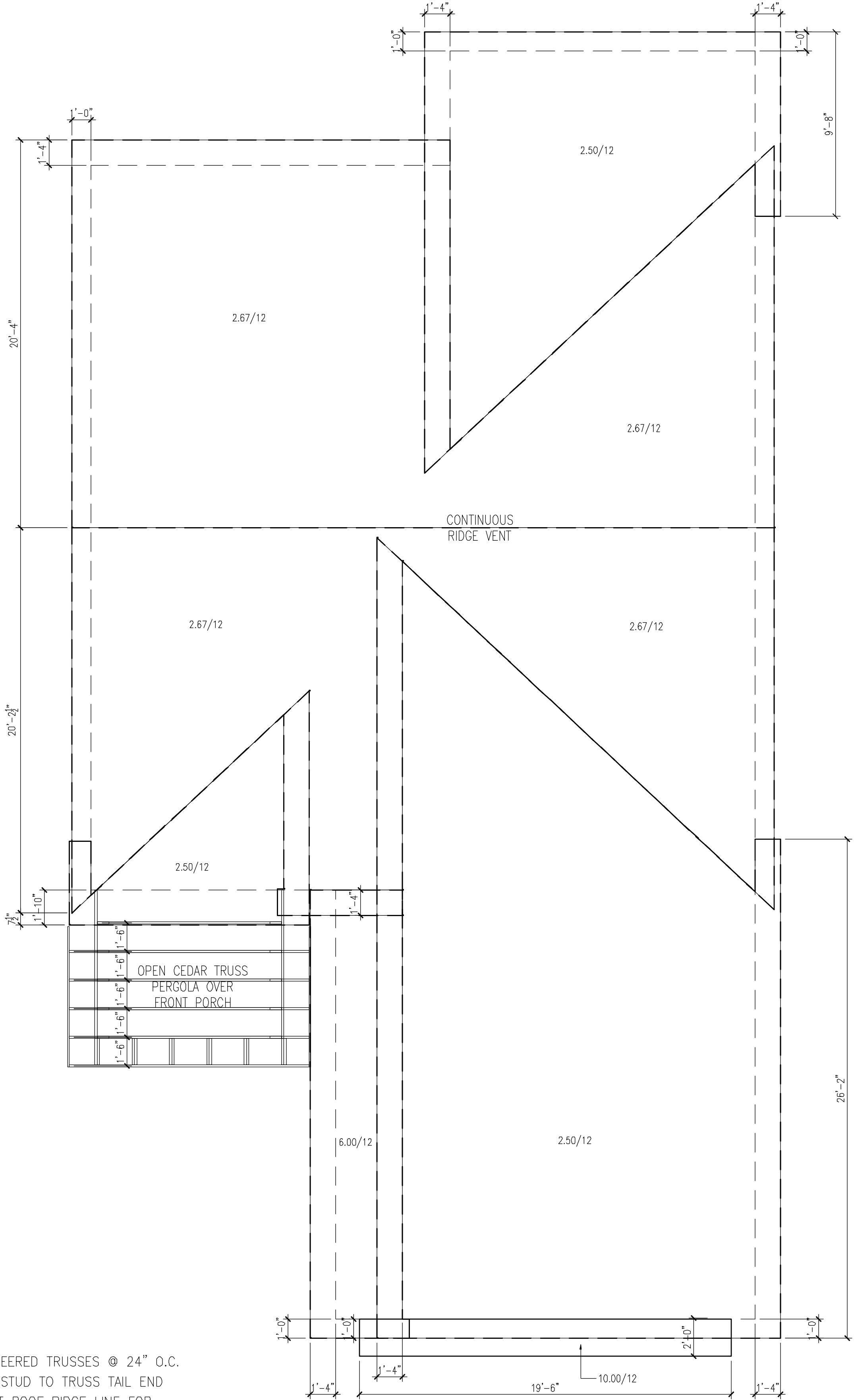
ROOF PLAN

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

NOTES:

ROOF INFORMATION

- ROOF TO BE COMPOSED OF PRE-ENGINEERED TRUSSES @ 24" O.C.
- OVERHANG DIMENSIONS FROM FACE OF STUD TO TRUSS TAIL END
- CARPENTER TO PROVIDE 1 1/4" GAP AT ROOF RIDGE LINE FOR INSTALLATION OF CONTINUOUS RIDGE VENT



SHEET NUMBER		SHEET TITLE		CUSTOM		2025 © Westridge Builders Inc. Copyright Notice: The designs represented by these plans are copyrighted subject matter protectable under 17 U.S.C. § 101, et seq., as amended. Any unauthorized use of these plans or designs is subject to judicial action as provided by federal law.		ROOF PLAN		A5	
www.westridgebuilders.com		202-547-0326 Office 202-547-0326 Cell		202-547-0326 Cell		202-547-0326 Cell		202-547-0326 Cell		202-547-0326 Cell	
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CUSTOM

FOUNDATION PLAN

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

NOTES:

WALL INFORMATION

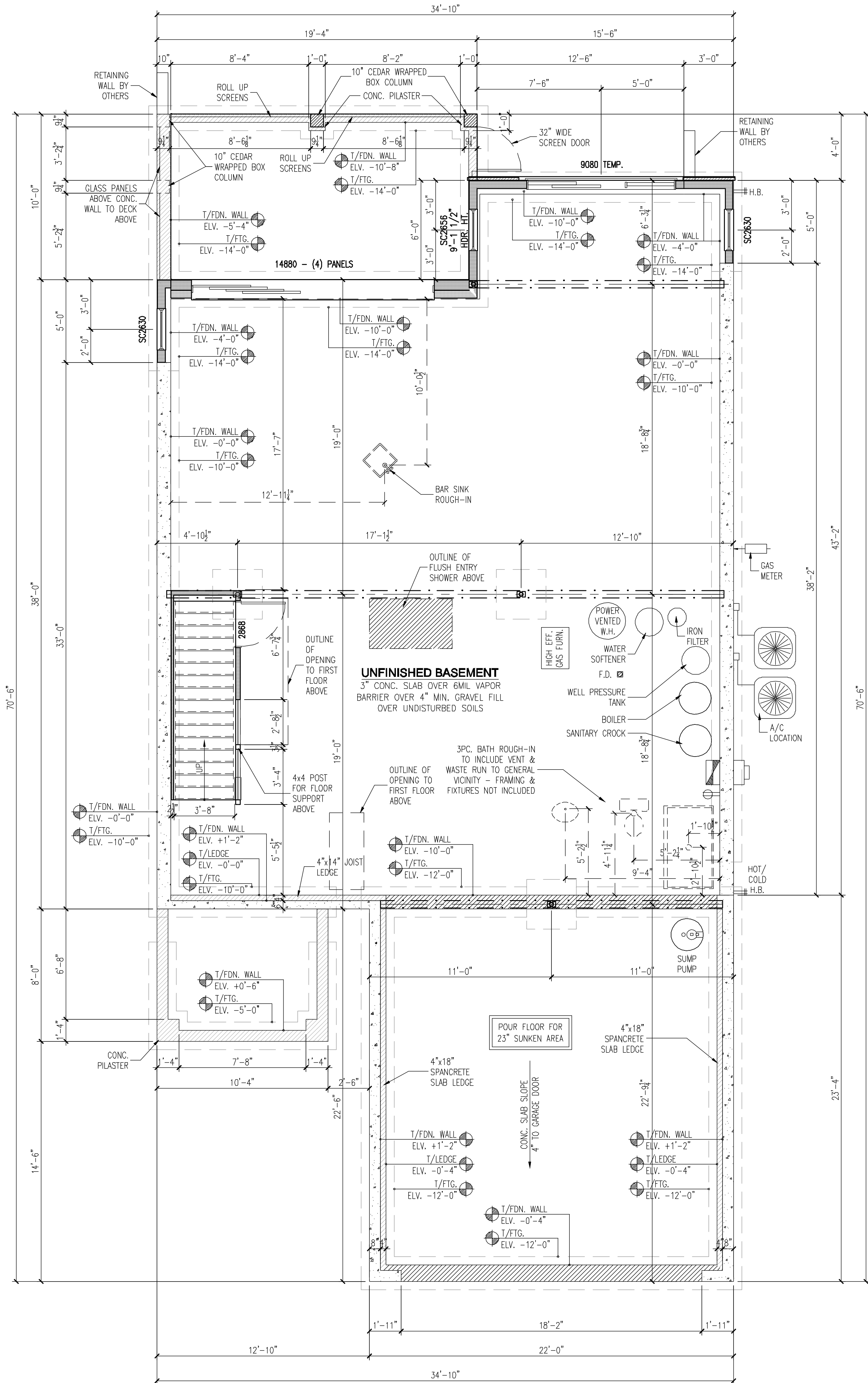
- MAIN HOUSE CONCRETE WALLS: 10" 4000psi POURED CONCRETE WALL @ 10'-0" UNLESS NOTED
- GARAGE CONCRETE WALLS: 6" 4000psi POURED CONCRETE WALL @ 4'-0" UNLESS NOTED
- REFER TO STRUCTURAL SCHEDULES FOR ALL COLUMNS, FOOTINGS, AND STEEL BEAM SIZES

STAIR INFORMATION

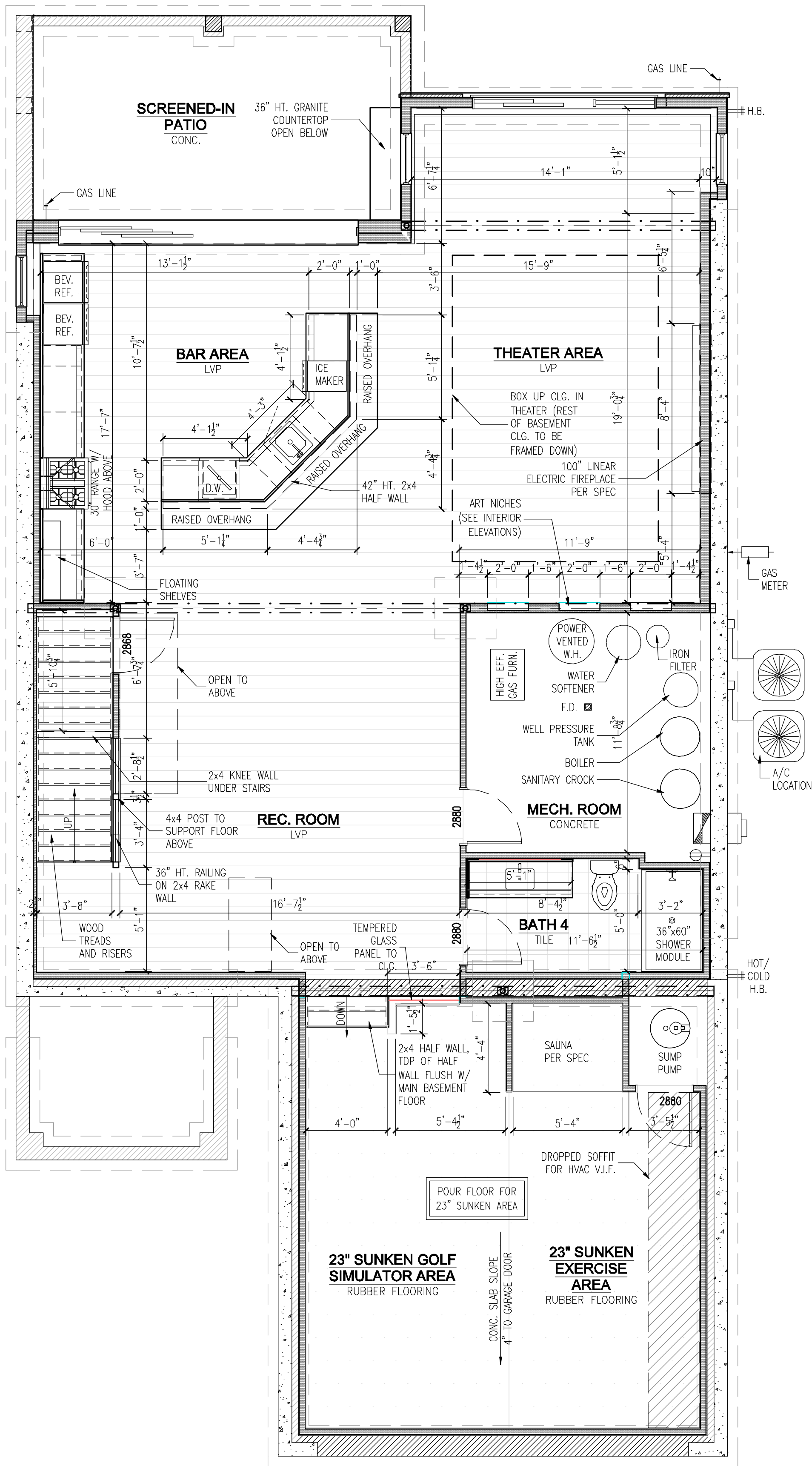
- REFER TO FIRST FLOOR PLAN FOR STAIR INFORMATION

PLAN INFORMATION

- REFER TO TYPICAL WALL SECTIONS ("D" SHEETS) FOR ADDITIONAL FOUNDATION INFORMATION
- ALL DIMENSIONS ARE TO FACE OF DRYWALL OR FACE TO FACE OF DRYWALL OR FACE TO FACE OF CONCRETE
- THE CONDITIONS LISTED HERE ARE STANDARD FOR THIS PLAN ELEVATION(S). EXCEPTIONS ARE NOTED ON THE PLAN



PROPOSED HOME FOR		CUSTOMER DOCUMENT APPROVAL		BELTER RESIDENCE LAKE KEESUS N78W291.96 FLYNN RD HARTLAND, WI	
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BY	DATE	DESCRIPTION OF REVISION	BY	Signature	Date
5	10/18/25	CD SET 05	5	9/18/2025 4:47 PM	PRINT DATE:
4	08/28/25	CD SET 04	4		
3	08/14/25	CD SET 03	3		
2	07/29/25	CD SET 02	2		
1	07/16/25	CD SET 01	1		
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SHEET TITLE		CUSTOM		FOUNDATION PLAN	
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SHEET NUMBER		A6			



CUSTOM

FINISHED BASEMENT PLAN

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

SHEET NUMBER

A6.1

SHEET TITLE

FINISHED BASEMENT PLAN

CUSTOM

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CUSTOMER DOCUMENT APPROVAL

PROPOSED HOME FOR

BELTER RESIDENCE
LAKE KEESUS
N78W291.96 FLYNN RD
HARTLAND, WI

CUSTOM

FIRST FLOOR PLAN

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

NOTES:

FLOOR SYSTEM INFORMATION

- FIRST FLOOR: 11 7/8" ENGINEERED "I" JOIST – SPACING PER MANUFACTURER
- ANY PARALLEL JOIST TO RIM BOARD MUST BE SET A MINIMUM 14" OFF OF RIM BOARD

ROOF INFORMATION

- REFER TO ROOF PLAN FOR ROOF INFORMATION

WALL INFORMATION

- FIRST FLOOR EXTERIOR WALLS: 104 5/8" 2x6 #2SPF STUD GRADE OR BETTER STUDS @ 16" O.C.
- FIRST FLOOR INTERIOR WALLS (NON BEARING): 104 5/8" 2x4 #2SPF STUD GRADE OR BETTER STUDS @ 16" O.C.
- FIRST FLOOR INTERIOR WALLS (BEARING): 104 5/8" 2x6 #2SPF STUD GRADE OR BETTER STUDS @ 16" O.C.

CEILING INFORMATION

ALL FIRST FLOOR CEILINGS ARE 9'-1 1/8" UNLESS NOTED ON PLANS

WINDOW INFORMATION

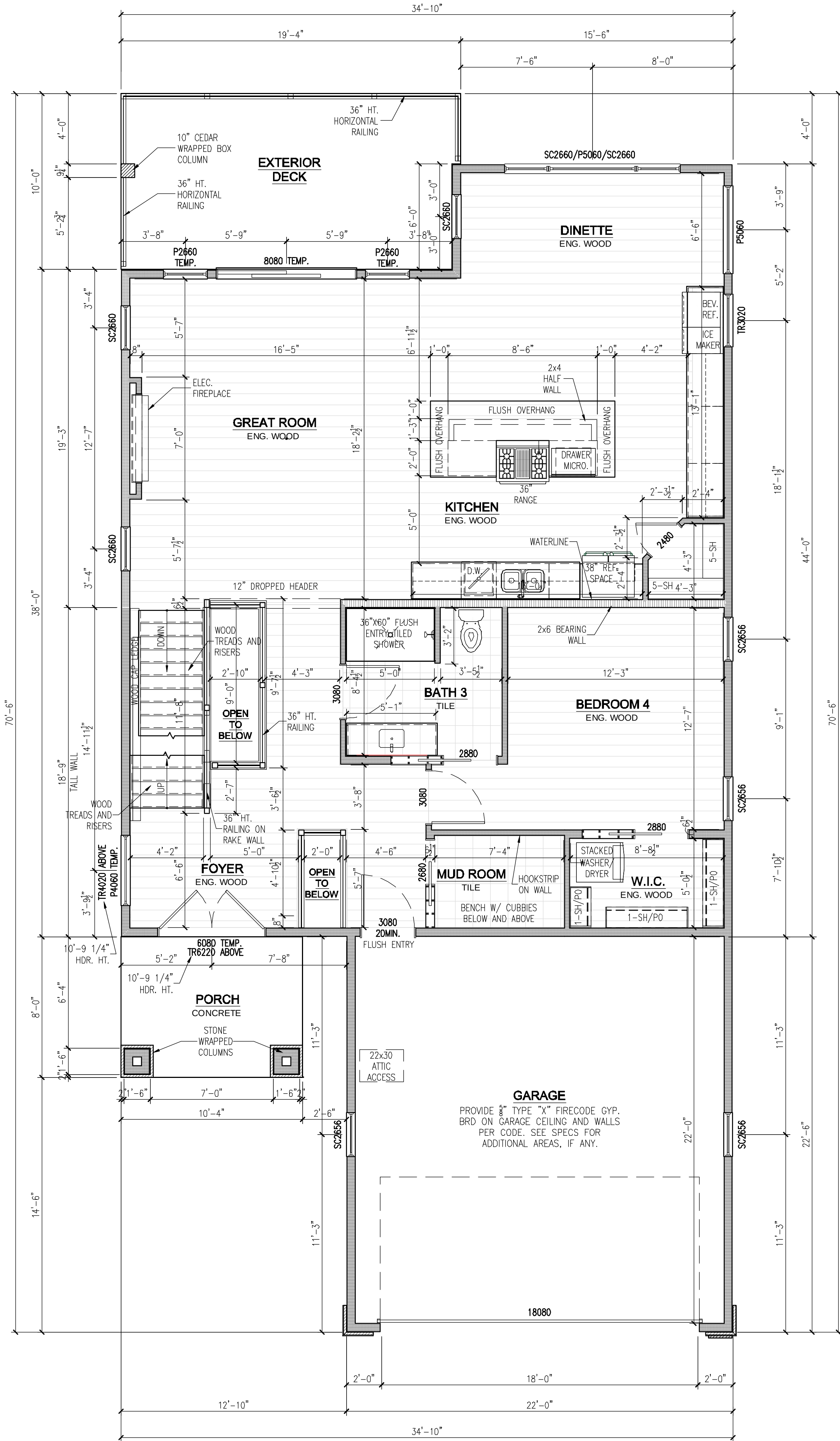
- ALL WINDOW TYPE AND SIZED SHOWN ARE FOR GENERIC WINDOWS – FEET/INCHES x FEET/INCHES
- ALL WINDOW HEADER OPENINGS TO BE 8'-0" FROM T/FLOOR UNLESS NOTED
- ALL SINGLE POCKET DOOR (24"-36") ROUGH OPENINGS TO BE 2x THE DOOR WIDTH PLUS 1" & OPENING SET AT 85" FROM T/FLR.
- ALL DOUBLE POCKET DOOR (48"-72") ROUGH OPENINGS TO BE 2x THE DOOR WIDTH PLUS 1/2" & OPENING SET AT 85" FROM T/FLR.

STAIR INFORMATION

- BASEMENT TO FIRST FLOOR: 17 RISERS @ 7 3/4" MAX / 16 TREADS @ 9" WITH 1" NOSING
- FIRST FLOOR TO SECOND FLOOR: 16 RISERS @ 7 3/4" MAX / 15 TREADS @ 9" WITH 1" NOSING

PLAN INFORMATION

- ALL DIMENSIONS ARE TO FACE OF DRYWALL TO FACE OF DRYWALL
- THE CONDITIONS LISTED HERE ARE STANDARD FOR THIS PLAN ELEVATION(S). EXCEPTIONS ARE NOTED ON THE PLAN



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DRAWN BY: KEF					

CUSTOM

SECOND FLOOR PLAN

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

NOTES:

FLOOR SYSTEM INFORMATION

- SECOND FLOOR: 11 7/8" ENGINEERED "I" JOIST – SPACING PER MANUFACTURER
- ANY PARALLEL JOIST TO RIM BOARD MUST BE SET A MINIMUM 14" OFF OF RIM BOARD

ROOF INFORMATION

- REFER TO ROOF PLAN FOR ROOF INFORMATION

WALL INFORMATION

- SECOND FLOOR EXTERIOR WALLS: 92 5/8" 2x6 #2SPF STUD GRADE OR BETTER STUDS @ 16" O.C.
- SECOND FLOOR INTERIOR WALLS (NON BEARING): 92 5/8" 2x4 #2SPF STUD GRADE OR BETTER STUDS @ 16" O.C.
- SECOND FLOOR INTERIOR WALLS (BEARING): 92 5/8" 2x6 #2SPF STUD GRADE OR BETTER STUDS @ 16" O.C.

CEILING INFORMATION

- ALL SECOND FLOOR CEILINGS ARE 8'-1 1/8" UNLESS NOTED OTHERWISE

WINDOW INFORMATION

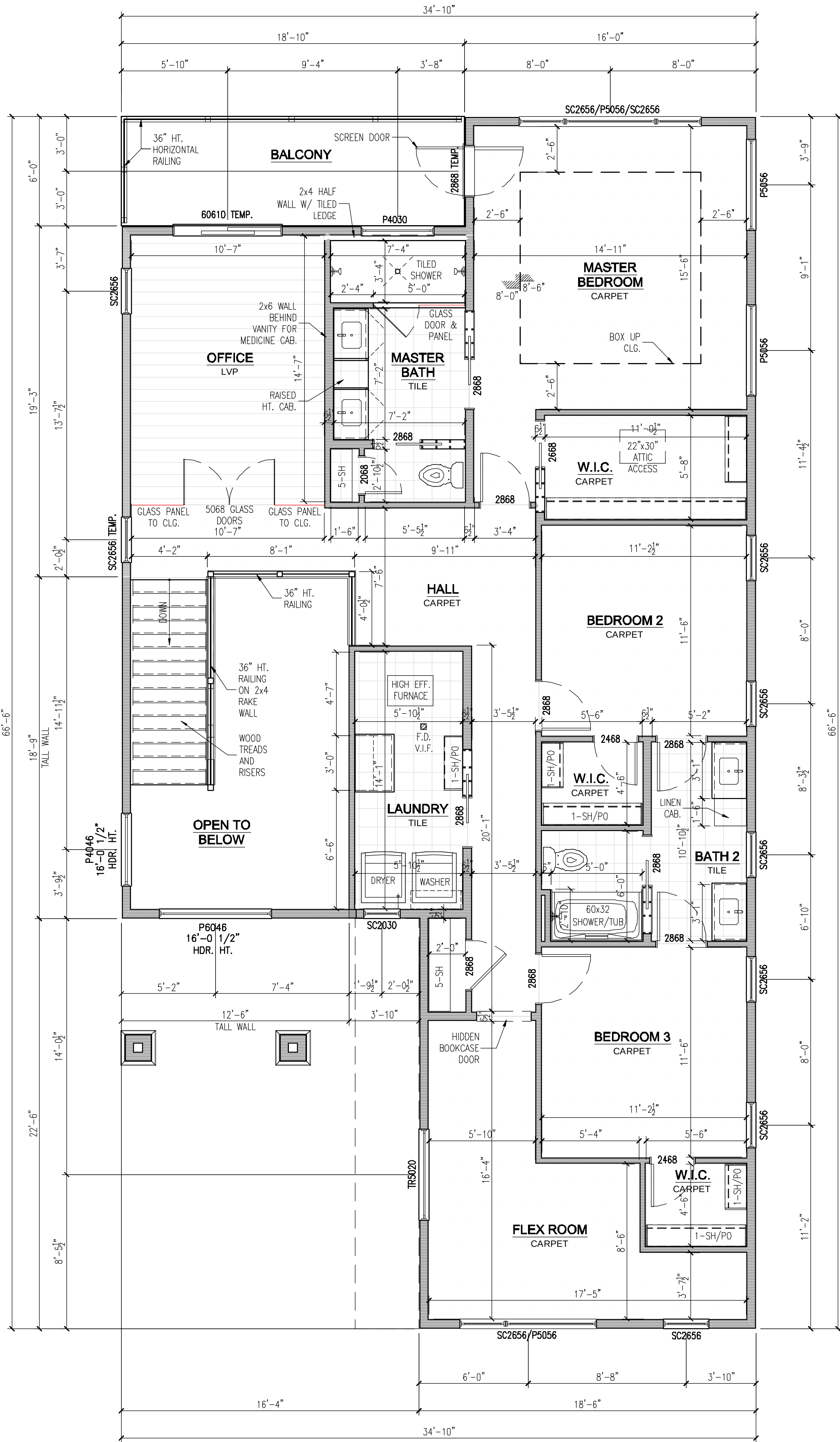
- ALL WINDOW TYPE AND SIZED SHOWN ARE FOR GENERIC WINDOWS – FEET/INCHES x FEET/INCHES
- ALL WINDOW HEADER OPENINGS TO BE 6'-11 3/8" FROM T/FLOOR UNLESS NOTED
- ALL SINGLE POCKET DOOR (24"-36") ROUGH OPENINGS TO BE 2x THE DOOR WIDTH PLUS 1" & OPENING SET AT 85" FROM T/FLR.
- ALL DOUBLE POCKET DOOR (48"-72") ROUGH OPENINGS TO BE 2x THE DOOR WIDTH PLUS 1/2" & OPENING SET AT 85" FROM T/FLR.

STAIR INFORMATION

- REFER TO FIRST FLOOR PLAN FOR STAIR INFORMATION

PLAN INFORMATION

- ALL DIMENSIONS ARE TO FACE OF DRYWALL TO FACE OF DRYWALL
- THE CONDITIONS LISTED HERE ARE STANDARD FOR THIS PLAN ELEVATION(S). EXCEPTIONS ARE NOTED ON THE PLAN



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Complete this Section for **AREA VARIANCE** requests only.

An **Area Variance** is a modification to a dimensional, physical, or locational requirement such as the setback, frontage, height, bulk, or density restriction for a structure. The request must be justified by the applicant using **ALL** of the following criteria in accordance with *Section 59.694, Wis. Stats.*, and the Waukesha County Shoreland & Floodland Protection Ordinance/Zoning Code. The applicant is responsible for justifying each variance type requested (i.e. offset and shore setback). **Attach additional sheets if necessary.**

1. **Compliance with the ordinance would cause the owner to experience an unnecessary hardship.** Unnecessary hardship is proven by demonstrating that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome. A property owner bears the burden of proving that the unnecessary hardship is based on special conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner. Hardships should not be financial or economic in nature. Variances are intended to provide only the minimum amount of relief necessary, and the purposes of the Ordinance shall be observed.

Requesting variance from 50' road setback as this renders the lot unbuildable. In addition, Flynn road does not actually intersect or cross this parcel so the 50' road setback should not apply.

2. **The granting of the variance will not adversely affect the general public interest/welfare or be detrimental to nearby properties/improvements or the natural resources in the area.** Lack of local opposition does not mean a variance will not harm the public interest.

A variance from the 50' road setback will not affect the general public or welfare and should cause no harm to the public interest.

Complete this Section for **USE VARIANCE** requests only.

An **Use Variance** is the authorization for the use of land for a purpose that is otherwise not allowed or is prohibited by the applicable zoning ordinance. The request must be justified by the applicant using **ALL** of the following criteria in accordance with *Section 59.694, Wis. Stats.*, and the Waukesha County Shoreland & Floodland Protection Ordinance/Zoning Code. **Attach additional sheets if necessary.**

1. **Compliance with the ordinance would cause the owner to experience an unnecessary hardship.** Unnecessary hardship is proven by demonstrating that strict compliance with the zoning ordinance would leave the property owner with no reasonable use of the property in the absence of a Variance. A property owner bears the burden of proving that the unnecessary hardship is based on conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner.

2. The granting of the variance will not adversely affect the general public interest/welfare or be detrimental to nearby properties/improvements or the natural resources in the area. Lack of local opposition does not mean a variance will not harm the public interest.

SB 9/3/2025

Complete this Section for **SPECIAL EXCEPTION** requests only.

A **Special Exception** is a minor adjustment to the requirements of the Ordinance, where specifically authorized, and is justified by special conditions of the property. A request must be justified by the applicant using the following criteria. **Attach additional sheets if necessary.**

1. The granting of the special exception will not adversely affect the general public interest/welfare or adversely affect adjacent property owners. The request will not be detrimental to nearby properties/improvements or the natural resources in the area. Lack of local opposition does not mean a special exception will not harm the public interest. When reviewing a special exception request from the minimum floor area provisions, the proposed building shall not be of such character or quality as to depreciate the property values of the surrounding area.

~~There is a small area of fill that needs to be cut out and removed at a depth of approximately 6' 0" at the lower level full walk-out elevation. Requesting variance from 4' 0" max cutting zoning regulation.~~

N/A per ZP
Administrator

ITEMS THAT MUST ACCOMPANY ALL VARIANCES AND SPECIAL EXCEPTIONS:

1. One electronic copy of an **accurate** site plan/map (a plat of survey is preferred) **drawn to scale** showing the following:
 - A. The boundaries and dimensions of the subject property.
 - B. The location and dimensions of **all** existing **and** proposed structures **and** buildings on the property.
 - C. The location and dimensions of **all** buildings **and** structures on adjacent properties.
 - D. The location and centerline of **all** abutting streets.
 - E. The 100-year floodplain, wetland boundary, **and** the ordinary high water mark of any water body which the lot abuts.

NOTE: Maps, plans and surveys shall **not** be reduced, enlarged, or faxed as these functions alter the scale. The scale of the map shall **not** be altered.
 2. A zoning permit, impervious surface worksheet, nonconforming use and structure value worksheet, building plans, grading plan and/or Environmental Health approval may also be required.
 3. The required filing fee, payable to the Waukesha County Department of Parks and Land Use. Once the public notice has been sent, this fee is nonrefundable.
- Application must be **complete** upon submittal. Once the public notice has been sent, **no changes to the request may be made**. If any changes or deviations from the original application are desired after the public notice has been sent, a new application will be required.
 - Variances from multiple ordinance provisions may be requested as part of a single application, but only one **proposal** may be made per application. **Each alternative proposal** will be considered a **separate** request and require a **separate** application packet and fee.

EXHIBIT D

PLAT OF SURVEY

RECEIVED 09/03/2025 BY
WAUKESHA COUNTY PLANNING
AND ZONING DIVISION

LOCATION: N78 W29196 Flynn Road, Hartland, Wisconsin

LEGAL DESCRIPTION: Part of the Northeast 1/4 of the Northeast 1/4 of Section 14, Town 8 North, Range 18 East, being more particularly described as follows: Commencing at the Southwest corner of Lot 11, Marquardts Subdivision; thence North 148 feet to the Lake; thence N 84°28' W, 55.26 feet; thence South 316.45 feet to the Rail-road; thence N 88°19' E. 55.02 feet; thence North 161.5 feet to the place of beginning, in the Town of Merton, Waukesha County, Wisconsin.

July 2, 2025

Survey No. 116010

August 22, 2025

Added Foundation Plan (Not Staked)

Lake Keesus

IMPERVIOUS SURFACES:

Proposed New House= 1,420 sq. ft.
Proposed New Garage= 495 sq. ft.
Proposed New Deck= 83 sq. ft.
Added Driveway= 401 sq. ft.
Existing Asphalt Driveway (to R.O.W.)= 3,123 sq. ft.
Existing Garage= 1132 sq. ft.
Existing Lighthouse= 20 sq. ft.
(Remaining) Existing Path= 186 sq. ft.
Existing Lake Stairs= 18 sq. ft.
Existing Shed= 75 sq. ft.

Estimated Impervious Surface= 7,143 sq. ft.
Estimated % Use of Total Lot Area= 40.0%

FLOOD DATA

This property is in Zone AE & X of the Flood Insurance Rate Map, Community Panel No. 55133C0062H which has an effective date of November 5, 2024 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.

NOTE:

1. Boundary and Legal Description Based Upon Plat of Survey by Benchmark Land Survey Technology, Dated April 21, 2015.

Prop. Gar. Slab 000.00
Prop. T.O.W. 000.00

Prop. Fin. Yd. Gr. 000.00

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

8482 South 76th Street
Franklin, Wisconsin 53132
PHONE (414) 529-5380

survey@metropolitansurvey.com
www.metropolitansurvey.com

- Denotes Iron Pipe Found
- Denotes Iron Pipe Set
- 000.0 — Denotes Proposed Grade
- x—x—x— Denotes Proposed Silt Screen

Union Pacific R.R.

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

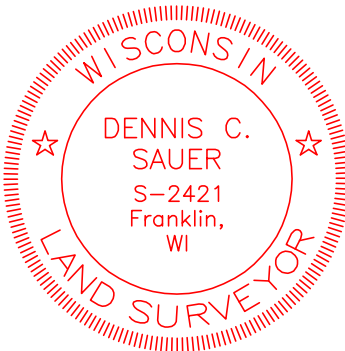
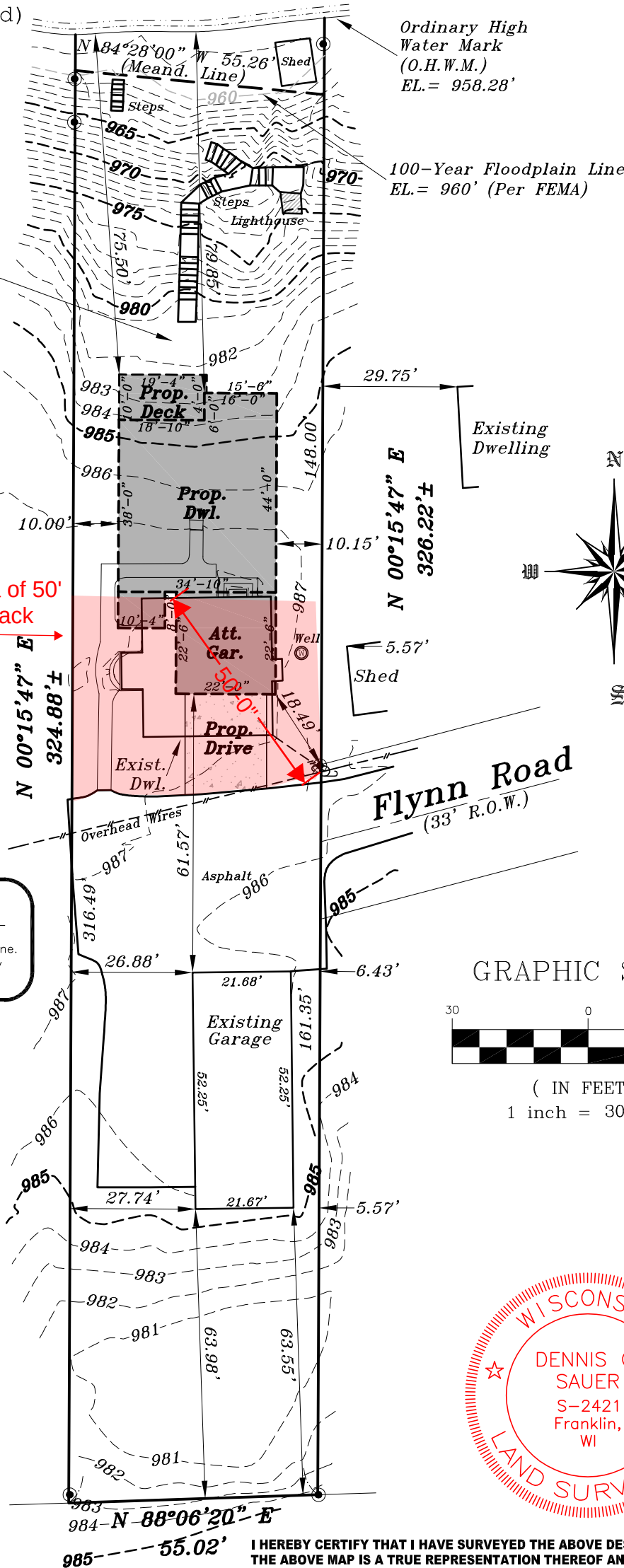
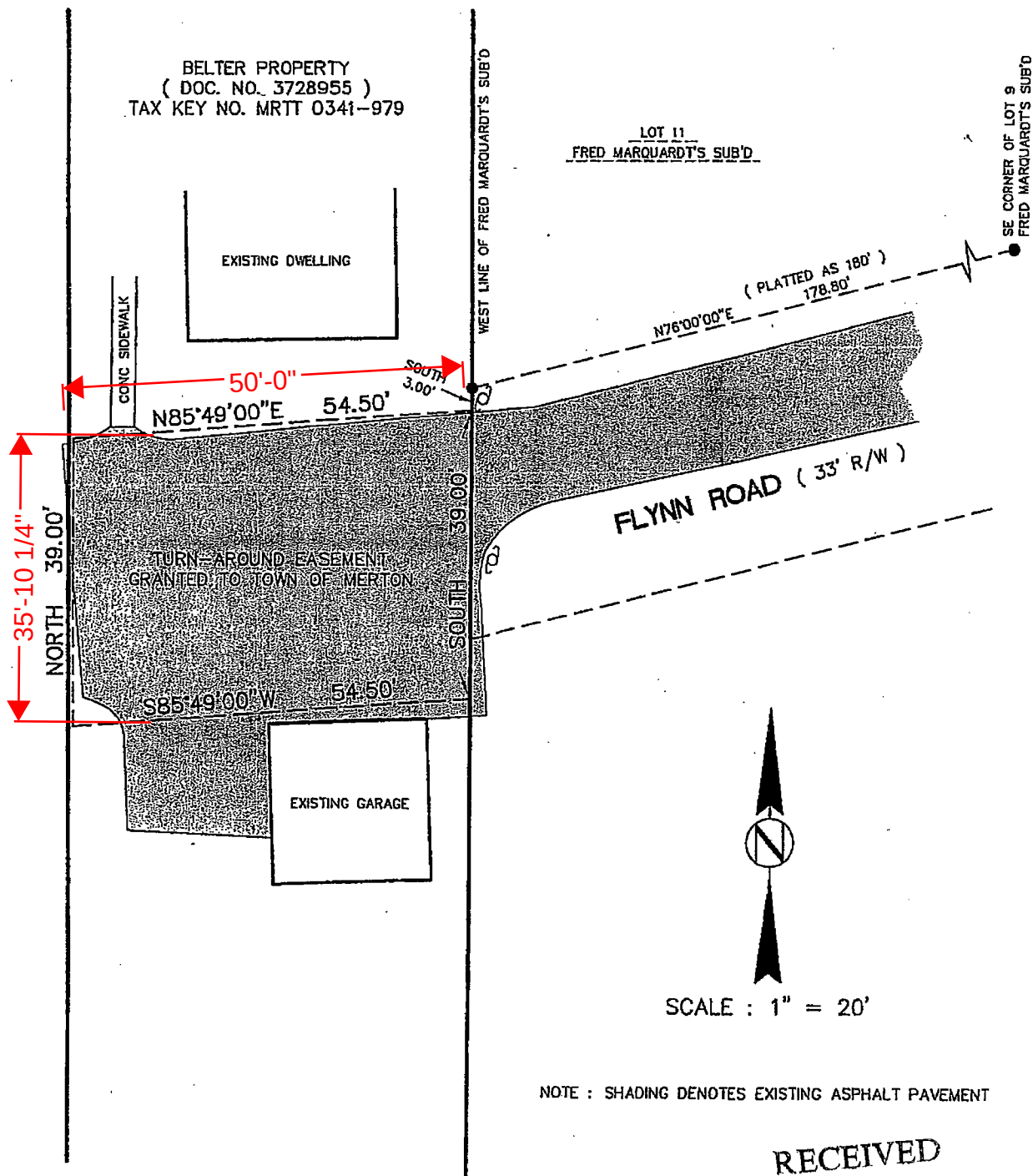


EXHIBIT E

TURN-AROUND EASEMENT DETAIL



NOTE : SHADING DENOTES EXISTING ASPHALT PAVEMENT

RECEIVED

APR 11 2016

DEPT OF PARKS & LAND USE

**WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
APPEAL FOR VARIANCE
STAFF REPORT**

DATE: October 8, 2025

FILE NO.: BA220

OWNERS: Jeffrey and Heather Sorensen
W345 S10503 County Road E
Mukwonago, WI 53149

TAX KEY NO.: EGLT 1870.030.002

LOCATION:

The subject property is described as Lot 1, Certified Survey Map No. 11645 and an undivided interest of Outlot 1, Certified Survey Map No. 11645, being a redivision of Lot 2, Certified Survey Map No. 9891 and a redivision of area common to Block 1, Island View, part the NE ¼, SE ¼, NW, ¼ of Section 36, T5N, R17E, Town of Eagle. More specifically, the property is located at the County Road E address cited above with frontage on Eagle Spring Lake.

REQUEST:

Variance from **Section 3(h)2 Shore Setback** provisions of the Waukesha County Shoreland Protection Ordinance to permit the construction of a fence within 75 ft. of the Ordinary High-Water Mark of Eagle Spring Lake.

ZONING CLASSIFICATION: R-3 Residential District

LOT CONFIGURATION: The existing and required average lot width, average lot depth and lot size, riparian frontage and road frontage are shown in the following table.

	Average Lot Width	Average Lot Depth	Lot Size* (sq. ft.)	Road Frontage	Riparian Frontage (Eagle Spring Lake)
Existing	184 ft. +/-	130 ft. +/-	26,877	n/a (easement)	163 ft.
Required	120 ft. min.	n/a	20,000 (unsewered)	30 ft. min	100 ft. min.

PREVIOUS BOARD OF ADJUSTMENT ACTION ON THE SUBJECT PROPERTY:

BA04:052: On July 14, 2004, the previous owners were granted variances from the lot size and lot width requirements to permit a land transfer of approximately 24 ft. to the north property. The lot line adjustment was completed via Certified Survey Map (CSM) No. 9891.

BA05:026: On May 11, 2005, the previous owners were granted variances to the shore and floodplain setback to add a concrete block basement beneath the existing residence to provide structural support for the residence. The improvements were constructed as proposed.

BA17:013 On August 9, 2017, the previous owners were granted a variance from the offset provisions to allow lot line adjustments to incorporate the existing detached garage into the subject parcel area. Previously, the detached garage was located within the commonly owned Outlot but owned by the subject property. The CSM was executed as proposed.

BA66 On November 11, 2020, the owners were denied a variance from the shore setback and height requirements to permit an addition to the principal structure which included retaining walls, a driveway and sidewalk(s). The owners were able to revise the proposal to comply with the Ordinance standards and a Zoning Permit was issued for an addition to the principal structure.

PENDING ACTIONS:

VL569 On October 28, 2024, staff received a complaint about the construction of a fence within 75' of the OHWM of Eagle Spring Lake. A site visit was conducted which revealed a white fence along the southern lot line as well as a black metal fence near the large retaining wall at the southeast corner of the property. Portions of the fence were removed at the request of staff; however, the owner would like to replace and expand the fence which requires a variance due to its proximity to the shore of Eagle Spring Lake.

PROPOSAL AND STAFF ANALYSIS:

The rectangular shaped property is located on a peninsula in Eagle Spring Lake, with access via a private ingress and egress easement on the east side of the property, abutting the lake. There is a ridge running along the centerline of the peninsula, with the land sloping steeply to the lake from both the east and west sides. The easement on the east side serves two additional properties at the end of the peninsula. The property contains a single-family residence with an attached garage, screened-in porch, patio, and detached garage. A private on-site sewage system is located on the north side of the property.

The petitioners are proposing an aluminum fence which will surround the property almost entirely, however, the fence is not proposed to run parallel to the lake on the west side of the property. Most of the fencing would be four feet tall and would be made of black aluminum panels. However, a small section of fencing in the southeast corner of the property would be six feet in height to safeguard an existing retaining wall which runs adjacent to the private ingress-egress easement. The petitioner has expressed that the proposed fencing is for safety purposes, due to the neighboring dogs and to safeguard the petitioner's son who has special needs.

The table below summarizes the existing and proposed improvements. A site plan showing existing and proposed improvements is attached as Exhibit A.

	1 st Floor (sq. ft.)	2 nd Floor (sq. ft.)	Att. Garage (sq. ft.)	Accessory Bldgs. (sq. ft.)	Beds	Baths
Existing	3,683	2,517	530	490	4	4.5
Proposed	No change	No change	No change	No change	No change	No change

The proposed installation of fencing requires variances from the Shore Setback provisions of the Waukesha County Shoreland Protection Ordinance as summarized in the following table.

PROVISION	SPO	EXISTING	NON-CONFORMING? 3(o)	PROPOSED	REQUIRED	VARIANCE/ SPECIAL EXCEPTION?
SHORE SETBACK	3 (h) (2)	n/a	N/A	Varies (< 75')	75' min	Y (fence)

PETITIONERS' COMMENTS:

The petitioners' comments are attached as Exhibit B.

STAFF RECOMMENDATION:

The Planning and Zoning Division staff recommends **modified approval** of the request for a variance from the shore setback provisions of the Waukesha County Shoreland Protection Ordinance to permit the construction of a fence within 75 ft. of the Ordinary High-Water Mark of Eagle Spring Lake. This recommendation is based upon the analysis of the below tests for a variance, as described below. We recommend that this approval be subject to the following conditions:

CONDITIONS:

1. The fence must be located outside of the regulated floodplain boundary and shall be no closer than 35' to the shore of Eagle Spring Lake.
2. The fence shall be constructed of black aluminum panels, wrought iron, or a similar material. Solid fence panels are not allowed.
3. A deed restriction must be filed with the intention that the fence will be removed upon sale of the property prior to zoning permit issuance.

AREA VARIANCE TEST CRITERIA ANALYSIS

State law, case law, and County ordinances require that the petitioner demonstrate that their request meet the following tests for a variance. The Staff analysis below assesses the merits of the subject application relative to the tests:

1. **Compliance with the ordinance would cause the owner to experience an unnecessary hardship. Unnecessary hardship is proven by demonstrating that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome. A property owner bears the burden of proving that the unnecessary hardship is based on special conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner. Hardships should not be financial or economic in nature. Variances are intended to provide only the minimum amount of relief necessary, and the purposes of the Ordinance shall be observed.**

The Ordinance defines fences as a structure within 75 feet of the OHWM, as regulated by the DNR. Because the property is situated on a peninsula and has a required shore setback from both the east and west side of the property, there is a limited area in which a fence can be constructed which does not fall within the shore setback. The only conforming location for fencing would be north of the existing residence, which would make the fencing unusable in this scenario. In addition to the double shore frontage, the southeast side of the property has large retaining walls which creates a potential safety hazard. The requested fencing for the

petitioners' special needs child addresses some of the potential safety hazards on the property, but stops short of providing an enclosed area for the child to recreate. While the zoning administrator has the ability to offer administrative relief for special needs cases under the Americans with Disabilities Act (ADA), the location and extent of this fence to provide enclosure may go further than this relief is able to provide.

Staff communicated with the applicant to create a site plan that shows the potential full extent of the fencing plan for the property. The applicant responded to staff with a plan showing the entirety of the perimeter of the property fenced in except for the shoreline to the west. When asked why the petitioner did not enclose the shoreline when the main concern was water safety for their child, the petitioner noted that the water depth on that side was less of a concern than the eastern shoreline. However, the petitioner was open to fencing to enclose the western yard fully to provide more safety for the child.

Staff has drawn up several options (A, B, C) for the Board to consider with the goal of fully enclosing a meaningful area on the western side of the property for the child to recreate in while providing fencing in areas for the maximum degree of safety possible. These options keep the fencing out of the shoreline and floodplain areas and preserve viewsheds for neighboring properties as well.

2. The granting of the variance will not adversely affect the general public interest/welfare or be detrimental to nearby properties/improvements or the natural resources in the area. Lack of local opposition does not mean a variance will not harm the public interest.

Fences in shore setback areas can cause harm to wildlife by creating physical barriers that block movement. They can also negatively impact neighboring property owners by blocking lake views and in some cases impeding lake access. As conditioned, the proposed fencing will be located outside of the vegetative buffer zone and outside of the regulated floodplain boundary, allowing for the unimpeded movement of wildlife. Additionally, as conditioned, the aluminum fence panels would primarily be open and do not create a barrier that would entirely block neighboring property owners' views of the lake. This combination of a larger setback from the shoreline and creating some permeability in the fence's structure allows for the free movement of light, air, and views that the ordinance intends to provide.

Respectfully submitted,

Evan G Hoier

Evan G. Hoier
Senior Land Use Specialist
Phone: 262-896-8300

Reviewed and approved by:

Jason Fruth

Jason Fruth
Planning and Zoning Manager

Exhibits: Exhibits A and B, Option A, Option B, Option C,

EXHIBIT A



1. 4 ft. Fence - White picket
2. 6 ft Aluminum fence / 12 ft drop to roadway below
3. 4 ft Aluminum fence / 8 ft drop to roadway below
4. 4 ft Aluminum fence / 4-5 ft drop to roadway below

EXHIBIT B

RECEIVED 08/07/2025 BY
WAUKESHA COUNTY PLANNING
AND ZONING DIVISION

Jeffrey and Heather Sorensen
W345 S10503 CTH E
Mukwonago, WI 53149

Waukesha Dept. of Parks and Land Use
Planning and Zoning Division
515 W. Moreland Blvd. Room AC203
Waukesha, WI 53188

July 25, 2025

RE: Variance Application for Property Located at W345 S10503 CTH E, Mukwonago, WI 53149

We are in receipt of two letters dated April 10 and July 10, 2025, from Waukesha County subject: Zoning Violation Complaint (VL569) Section 36, Town of Eagle (Enclosures 1 and 2). The letters state we are required to either remove the fencing we erected on our property to protect our children, grandchildren and pets from the hazards on and near the property; or to apply for a variance to correct the zoning violation.

We respect there is no guarantee of approval as stated in your letters, however, in the interest of the safety and wellbeing of our family members, we are submitting this variance application. We also were advised that the Fair Housing Act (FHA) and Americans with Disabilities Act (ADA) require local governments to consider modifications or exceptions to zoning rules and land use regulations to accommodate individuals with disabilities and hope you will consider this request as reasonable accommodation for our special needs child.

Enclosed you will find our property details (Enclosure 3) as well as several pictures (Enclosures 4, 5, 6) showing the hazards on or in proximity of the property, the majority of which existed prior to our purchase of the property. These pictures also show the black iron fence we erected to serve as protection from the stone walls and adjacent drop-offs to the active roadway and stone patio below and the lake beyond the road. The drop offs beyond the black fences ranges from two- and one-half feet to as high as eleven feet and the lake on that side has a depth of eight feet. In enclosures 7 and 8, you will see the property line surrounding our home with the locations of the fences marked.

The white fence was erected to keep our special needs child from accessing the neighbors' piers, which are largely out of our line-of-sight. This fence also serves to keep the neighbors' dogs, which, prior to the erection of this fence, crossed the property line and bit one of our dogs and one of our children, and chased our son on more than on occasion. To be effective at mitigating these hazards, this fence, like the black fences, had to be erected within 75 feet of the navigable waterway (Eagle Spring Lake).

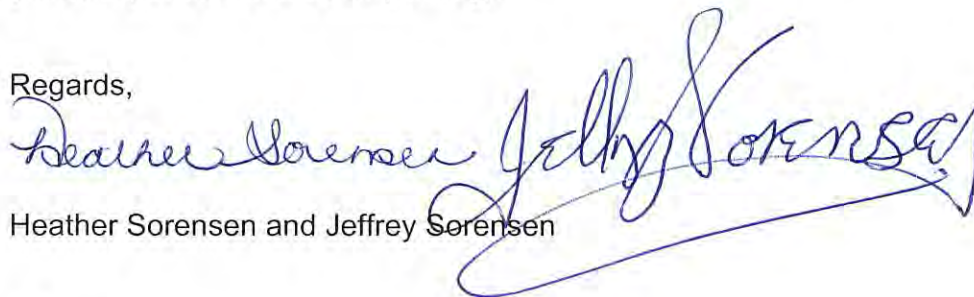
To ensure you understand the significance of this request, we are providing specific details regarding our special needs son to underscore the importance of establishing physical boundaries on our property to protect his safety and wellbeing. He has autism, severe impulse control and other processing challenges. His difficulty with impulse control prompts him to leave the house and wander without telling anyone where he is going. These episodes have increased since we

moved to the property. We had a near-drowning incident with our son at our last home so this experience, coupled with the hazards on our current property and the evolving nature of his condition, necessitate extra precautions. Erecting fencing was one of those precautions and now we are being asked to remove all of it. We believe doing so represents an undue hardship because it subjects our child and our grandchildren to increased and unnecessary risk. If anything happened to any of them, it would be a burden we should not have to bear. If you require verification of our son's special needs and the steps their unit takes to protect children under their oversight, you may contact his case manager at Waukesha County Health and Human Services, Special Needs Unit, Attivo Padilla. Mr. Padilla is aware of this matter and will await your call.

Enclosed you will find the paperwork including the forms required for the variance (Enclosure 9). We were unsure if this constitutes an area, use or special exception variance. We can certainly state that these fences do not adversely affect the general public interest or welfare and are not detrimental to nearby property/improvements or the natural resources in the area. In fact, we have observed animals going over, through or around these fences. They are aesthetically appealing, were erected within our property lines, and we have not received any objections from the neighbors immediately adjacent to our property. We have substantiated that removing these fences to comply with the ordinances would cause an unnecessary hardship because these fences are necessary to protect our family members, particularly our son. Without them, our son will not have the opportunity be outside and fully enjoy the property due to the risks he could face in the absence of these safety barriers. In fact, it is our intent is to fence all the property to maximize the safety of our son, and when we inquired about this matter with the Waukesha County Special Needs Unit, we were advised that the state will assist us with this given the medical condition of our son.

Thank you for taking the time to review our application and for considering our request. If there is anything else you need or if you have any questions, please contact us at either 262-210-6080 (Heather) or 262-945-2822 (Jeffrey).

Regards,



Heather Sorensen and Jeffrey Sorensen

9 Enclosures

NOTE:
SITE PLAN BASED OFF SURVEY
REVISED ON JULY 29, 2020
(ORIGINAL DATE NOVEMBER 4, 2019)
BY TERRANCE E. PISAREK (S-1930)
KETTLE MORAIN SURVEYING INC.,
P.O. BOX 357, EAGLE WI 53119
(262)-594-3484

NOTE
GENERAL CONTRACTOR TO DISTRIBUTE
ALL SHEETS IN SET TO SUBCONTRACTORS!
DO NOT DISTRIBUTE PARTIAL SETS

NOTE:
RAIN GARDEN TO HANDLE 900 SQFT
OF IMPERVIOUS ROOF RUNOFF.
(900x0.04=36 CUBIC FOOT
CAPACITY; 36x4=144SQFT @ 4"
DEEP) SHAPE MAY CHANGE, BUT
MINIMUM OF 144 SQFT REQUIRED.
REFER TO WI DNR TECHNICAL
STANDARD RAIN GARDEN 1009.

RECEIVED
Waukesha County Dept Parks
and Land Use
11/5/2021

Revised

APPROVED FINAL
SITE PLAN

ALL DIMENSIONS MEASURED
TO AND FROM FACE OF STUD
ALL ANGLES TO BE 45
DEGREES UNLESS
OTHERWISE NOTED
ON DRAWINGS
DO NOT SCALE FROM DRAWINGS
IF ANY QUESTIONS PLEASE NOTIFY
ARCHITECT IMMEDIATELY

FENCE PLAN STAFF
OPTION "A"

EAGLE SPRING LAKE

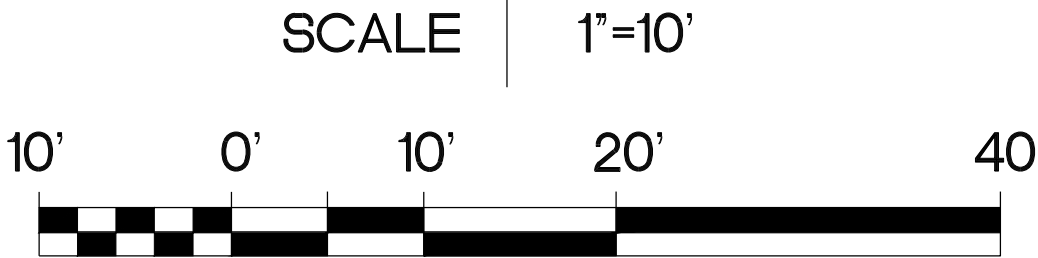
ORDINARY HIGH
WATER ELEV.
820.9

EAGLE
SPRING
LAKE

ORDINARY HIGH
WATER ELEV.
820.9

1 SITE PLAN
1" = 10'-0"

- +832.0 - PROPOSED FINISH GRADES
 - EXISTING CONTOUR
 - PROPOSED CONTOUR CHANGES
 - 35'-0" SHORLINE SETBACK
 - HOME SETBACK ESTABLISHED BY WAUKESHA COUNTY
 - EXISTING POWER POLE TO BE RELOCATED
 - TREE TO BE REMOVED FOR CONSTRUCTION ACTIVITIES
- TREES TO BE REMOVED:
HICKORY
(2) @ 14"Ø, (1) @ 16"Ø
OAK - HOLLOW*
(1) @ 28"Ø, (1) @ 24"Ø*, (1) @ 20"Ø*,
(1) @ 12"Ø, (1) @ 14"Ø



BEARINGS ARE REFERENCED TO THE EAST
LINE OF THE NORTHWEST 1/4 OF SECTION
36-5-17 AND IS ASSUMED TO BEAR
N00°46'43"W, (NAD27).

26877± SQ. FT.
0.62± ACRES

TREE DRIP LINES WERE NOT MEASURED
TREES OUT SIDE OF CONSTRUCTION AREA ARE NOT SHOWN -
SPECIFICALLY AROUND THE EXISTING HOME

PROJECT DESCRIPTION:
RESIDENTIAL REMODEL/ADDITION
PROJECT FOR:

JEFF & HEATHER SORENSEN
W345S10603 C.T.H. 'E'
MUKWONAGO, WI 53149

REVISIED SITE PLAN

OWNERSHIP OF DOCUMENTS:
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REVISED FOOTPRINT
(INSULATED
CONCRETE FORMS)
11-5-21

REVISIONS:

APPROVED:

DRAWN BY:

JB

DATE:

8-11-21

ARCHITECTS

PROJECT NUMBER:

19019

SHEET NUMBER:

AS101

X OF X

STELLING & ASSOCIATES
ARCHITECTS, LTD.
181 W. CHESTNUT STREET
BURLINGTON, WI 53105
TELEPHONE: (262) 763-8725 FAX: (262) 763-1871

NOTE:
SITE PLAN BASED OFF SURVEY
REVISED ON JULY 29, 2020
(ORIGINAL DATE NOVEMBER 4, 2019)
BY TERRANCE E. PISAREK (S-1930)
KETTLE MORAIN SURVEYING INC.,
P.O. BOX 357, EAGLE WI 53119
(262)-594-3484

NOTE
GENERAL CONTRACTOR TO DISTRIBUTE
ALL SHEETS IN SET TO SUBCONTRACTORS!
DO NOT DISTRIBUTE PARTIAL SETS

NOTE:
RAIN GARDEN TO HANDLE 900 SQFT
OF IMPERVIOUS ROOF RUNOFF.
(900x0.04=36 CUBIC FOOT
CAPACITY; 36x4=144SQFT @ 4"
DEEP) SHAPE MAY CHANGE, BUT
MINIMUM OF 144 SQFT REQUIRED.
REFER TO WI DNR TECHNICAL
STANDARD RAIN GARDEN 1009.

RECEIVED
Waukesha County Dept Parks
and Land Use

11/5/2021

Revised

APPROVED FINAL
SITE PLAN

ALL DIMENSIONS MEASURED
TO AND FROM FACE OF STUD
ALL ANGLES TO BE 45
DEGREES UNLESS
OTHERWISE NOTED
ON DRAWINGS
DO NOT SCALE FROM DRAWINGS
IF ANY QUESTIONS PLEASE NOTIFY
ARCHITECT IMMEDIATELY

FENCE PLAN STAFF
OPTION "B"

EAGLE SPRING LAKE

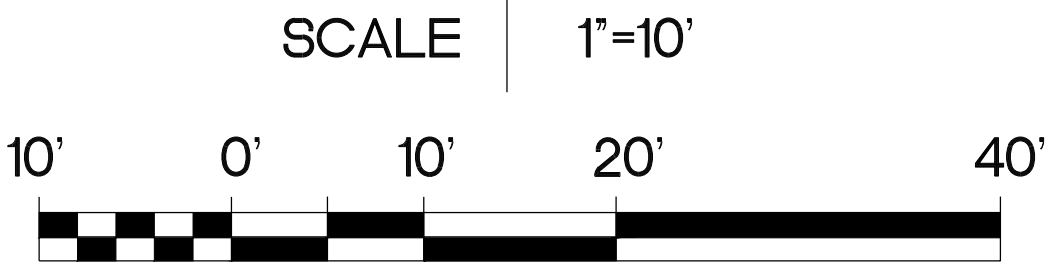
ORDINARY HIGH
WATER ELEV.
820.9

EAGLE
SPRING
LAKE

ORDINARY HIGH
WATER ELEV.
820.9

1 SITE PLAN
1" = 10'-0"

- +832.0 - PROPOSED FINISH GRADES
- EXISTING CONTOUR
- PROPOSED CONTOUR CHANGES
- 35'-0" SHORLINE SETBACK
- HOME SETBACK ESTABLISHED BY WAUKESHA COUNTY
- EXISTING POWER POLE TO BE RELOCATED
- TREE TO BE REMOVED FOR CONSTRUCTION ACTIVITIES
- TREES TO BE REMOVED:
HICKORY
(2) @ 14"Ø, (1) @ 16"Ø
OAK - HOLLOW*
(1) @ 28"Ø, (1) @ 24"Ø*, (1) @ 20"Ø*,
(1) @ 12"Ø, (1) @ 14"Ø



BEARINGS ARE REFERENCED TO THE EAST
LINE OF THE NORTHWEST 1/4 OF SECTION
36-5-17 AND IS ASSUMED TO BEAR
N00°46'43"W, (NAD27).

26877± SQ. FT.
0.62± ACRES

TREE DRIP LINES WERE NOT MEASURED
TREES OUT SIDE OF CONSTRUCTION AREA ARE NOT SHOWN -
SPECIFICALLY AROUND THE EXISTING HOME

PROJECT DESCRIPTION:
RESIDENTIAL REMODEL/ADDITION
PROJECT FOR:

DRAWING DESCRIPTION:
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