

**NOTICE OF MEETING
VILLAGE OF FOX POINT
BOARD OF APPEALS MEETING**

SCHWEMER HALL - MUNICIPAL BLDG.
7200 N. SANTA MONICA BLVD.
FOX POINT, WISCONSIN

WEDNESDAY
JULY 26, 2023
5:00 P.M.

AGENDA

- 1. Roll Call**
- 2. Approval of the Minutes and Determinations – May 24, 2023 Meeting**
- 3. Case 2023-06: 6811 N Barnett Lane.** The applicant is requesting a variance pertaining to Section 745-16 B. (2), concerning the B Residence District with regard to the required setback of 85 feet off of Lake Drive from the centerline of the right-of-way. The applicant is proposing to install a small shed within the Lake Drive setback, on the northwest side of the parcel.
- 4. Case 2023-07: 7425 N Longacre Road.** The applicant is requesting a variance pertaining to Section 745-17 B (3), concerning the C Residence District with regard to the required setback of 10 feet which should be provided for every building. The applicant is proposing to install a detached garage on the property line of two parcels owned by the applicant.
- 5. Adjourn**

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request these services, contact the Village Clerk at (414) 351-8900. It is possible that members of, and possibly a quorum of members of, other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

**VILLAGE OF FOX POINT
BOARD OF APPEALS MEETING
MINUTES AND DETERMINATION
WEDNESDAY, MAY 24, 2023**

A meeting of the Fox Point Board of Appeals was held in Schwemer Hall, 7200 N. Santa Monica Blvd., on Wednesday, May 24, 2023 at 5:00 p.m. Chair Nancy Filsinger called the meeting to order at 5:07 p.m. The Village Deputy Clerk-Treasurer took roll call. Those present included:

Nancy Filsinger, Chair
Mark Grady, Board Member
Thomas Dunst, Board Member
Scott Ratke, Board Member
Adam Bazelon, Board Member (Absent)

Staff members also present were Village Attorney Eric Larson, Building Inspector Michael Rakow, and Village Deputy Clerk-Treasurer Nathan Schafer.

Notice of the meeting was provided to the North Shore Now, to all others as required by State open meetings laws, Village ordinances and posted on the official bulletin board and the village website.

Approval of Minutes of March 22, 2023 Meeting and the Findings of Fact, Decision and Order

Motion by Member Ratke, Seconded by Member Dunst, and carried unanimously, to approve the March 22, 2023 Meeting Minutes and the Findings of Fact, Decision and Order of the last meeting.

Case 2023-05, 7250 N Beach Drive

The applicant is requesting a special exception to install a new four-foot, six-inch-high, powder coated, aluminum driveway gate and fieldstone pillars forward of the frontline of the home. The special exception request is made pursuant to 745-7 B.(3)(h)[2] and 745-7 B.(3)(j) of the Fox Point Code.

Village of Fox Point Building Inspector Michael Rakow

Building Inspector Michael Rakow stated his name and was sworn in to provide testimony by the Village Deputy Clerk-Treasurer.

Building Inspector Michael Rakow stated the applicant is requesting a drive way gate and needs a special exception.

Chair Nancy Filsinger asked if anyone has any questions for the building inspector.

Building Inspector Michael Rakow stated that if approved, the applicant would need to get an approval letter from the fire and police commission and then go to the building board.

Village Attorney Eric Larson reviewed the standards of the Village Code, regarding special exceptions.

**VILLAGE OF FOX POINT
BOARD OF APPEALS MEETING
MINUTES AND DETERMINATION
WEDNESDAY, MAY 24, 2023**

Applicants/Appellants Renee and Matthew Kirchner

Applicant Renee Kirchner of 7250 N Beach Drive stated her name and was sworn in to provide testimony by the Village Deputy Clerk Treasurer.

Chair Nancy Filsinger asked applicant Renee Kirchner to give background regarding Case 2023-05.

Applicant Renee Kirchner described the height and materials for the pillars. She stated that the driveway gate would be needed to prevent it from being used as a turn-around and general safety of the property.

Member Scott Ratke asked is they had any incidents in the past.

Applicant Renee Kirchner stated there have not been any incidents. She stated that the neighbors have lights and she would like to have lights.

Chair Nancy Filsinger asked if she had spoken with anyone at the Village.

Village Attorney Eric Larson stated that the lights are a separate issue and have to meet the Village Code. He reminded the Board, the issue at hand is the driveway gate.

Member Mark Grady asked for the address and relation of the Mary Nohl House.

Applicant Renee Kirchner stated that the Mary Nohl House is close and is now going to be a thoroughfare and they do not want people turning around.

Member Mark Grady stated that the street dead ends further South.

Chair Nancy Filsinger asked about safety; she inquired if the applicants had other means of security measures.

Member Mark Grady asked if any neighbors had driveway gates.

Applicant Renee Kirchner stated that they do; there are two or three, South of their house.

Applicant Renee Kirchner stated that there was a police incident where someone ran up the beach.

Member Mark Grady asked how much time the owners spend away from the house.

Applicant Renee Kirchner stated approximately ten to twelve weeks away from the home in a year.

**VILLAGE OF FOX POINT
BOARD OF APPEALS MEETING
MINUTES AND DETERMINATION
WEDNESDAY, MAY 24, 2023**

Member Scott Ratke asked if any neighbors had any comments regarding the gate.

Applicant Renee Kirchner stated that the neighbors are probably jealous of all the work they've done.

Closing of Testimony, Case 2023-05

Without objection and by unanimous consent, Chair Nancy Filsinger closed testimony for Case 2023-05 at 5:20 p.m.

Member Thomas Dunst stated that gate doesn't protect people when they are away.

Member Mark Grady stated that they are familiar with Beach Drive and it is a unique area. It is pretty isolated and has some of the villages most expensive homes. Board members carry this knowledge and it is a factor in favoring a driveway gate.

Chair Nancy Filsinger disagreed with Member Mark Grady because it is set back on the property and there are other people off that same drive. Chair Nancy Filsinger also stated that there is not a lot of traffic in her area and there are not many gates.

Member Scott Ratke stated that there is an attraction due to the art and the turnaround; this means that the special exception should be considered based on his experience, while living in the Village.

Member Mark Grady agreed that it is an attraction and there will be some increase in traffic.

Village Attorney Eric Larson stated that there should be a legitimate need of safety reasons to protect the people on the property. He also stated that the Village Board could have written this portion of the Village Code differently. The Board must make a finding based on a motion of the evidence the Board has heard whether the standard has been met or has not been met.

In response to Village Attorney Eric Larson's comments, Applicant Mark Grady stated that it is true the Village could amend this Section of the Village Code or permit all the houses on Beach Drive to be entitled to driveway gates. He feels that the reason the Village Code reads this way is so the Board of Appeals is allowed to use their discretion based on each circumstance.

Motion: Case 2023-05

Motion by Member Mark Grady, to grant the special exception to install a new four-foot, six-inch-high, powder coated, aluminum driveway gate and

VILLAGE OF FOX POINT
BOARD OF APPEALS MEETING
MINUTES AND DETERMINATION
WEDNESDAY, MAY 24, 2023

fieldstone pillars. ***Seconded by Member Ratke.***

Roll call vote:

<u>Mark Grady</u>	<u>Aye</u>
<u>Thomas Dunst</u>	<u>Nay</u>
<u>Scott Ratke</u>	<u>Aye</u>
<u>Nancy Filsinger</u>	<u>Nay</u>

Motion failed by roll call vote, 2-2.

Applicant Renee Kirchner asked if the pillars could be approved.

Building Inspector Michael Rakow and Village Attorney Eric Larson had a brief discussion regarding the process and the type of structure a pillar would be considered to be.

Village Attorney Eric Larson stated that the Board should act on the pillars.

Building Inspector Michael Rakow stated that since they are considered structures, the pillars must meet set back requirements. The setbacks should be 60 feet from the centerline and 20 feet from the side yard setbacks.

Village Attorney Eric Larson stated that this means the pillars would need a variance and not a special exemption.

Member Mark Grady asked if the pillars would be considered an ornamental fence.

Village Attorney Eric Larson said the Board should rely on the building inspector and his opinion; it should be treated as an accessory structure and it does not meet the required setbacks r. The special exception application doesn't address this separately from the gate. The applicants are able to apply for a variance.

Applicant Renee Kirchner asked if she applied for a special exception or a variance.

Village Attorney Eric Larson stated that the applicant applied for a special exception and due to the special exception notice, we are not able to change it without proper notice.

Applicant Renee Kirchner asked why it didn't pass with a 2-2 vote. Village Attorney Eric Larson stated that in order for the special exception to be granted, it needed a majority vote.

Adjourn

VILLAGE OF FOX POINT
BOARD OF APPEALS MEETING
MINUTES AND DETERMINATION
WEDNESDAY, MAY 24, 2023

Motion by Member Mark Grady, seconded by Member Scott Ratke, and by roll call vote, the Board of Appeals adjourned the meeting at 5:51 p.m. Motion carried unanimously.

Respectfully Submitted,

Nathan Schafer
Village Deputy Clerk Treasurer



VILLAGE OF FOX POINT
BOARD OF APPEALS

NOTICE OF APPEAL & APPLICATION FOR REVIEW

1. Name of Appellant ADAM KARNES
Address of Appellant 6811 N BARNETT LANE FOX POINT, WI 53217
Phone Number _____ Home _____ Work _____ 262-527-0528 Cell _____
E-mail Address AKARNES6491@GMAIL.COM
2. Address of Property 6811 N BARNETT LANE FOX POINT
Present Use of Property PERSONAL RESIDENCE
Proposed Use of Property No Change
Owner's Name and Address if Different than Above _____
3. Has a Previous Appeal or Application Been Made to the Board of Appeals with Respect to This Property?
Yes ☐ No ☒ If Yes, State the Nature of Previous Appeal or Application

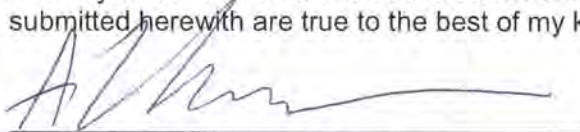
Disposition of Previous Appeal _____
Date of Decision in Previous Case _____
4. Date of Decision or Order of Administrative Official from which Appeal is Taken _____
Date of Notice of Such Decision Received by Appellant _____
5. Purpose of Grounds of Appeal or Application. Check Below the Relief Requested by This Appeal or Application:
- ☐ A. Request for interpretation of Zoning Code and reversal of order, requirement, decision or determination of administrative official. Attach separate sheet listing reasons why you claim this order, requirement, decision or determination is erroneous.
- ☒ B. Request for variance. Attach separate sheet explaining the following:
1. Variance requested.
 2. What special conditions exist which will cause unnecessary hardship if the variance requested is not granted.

Appellant Name: ADAM KARNES

Village of Fox Point - Board of Appeals
Notice of Appeal and Application for Review

3. Why the variance requested is not contrary to the public interest and will not endanger public safety and welfare.
4. Why the variance requested will be in accord with the spirit of the Zoning Code.
5. How the variance, if granted, will cause substantial justice to be done.
- ☐ C. Request for a special exception from the Fence Ordinance. Please obtain a copy of the Fence Ordinance to determine specific requirements. Attach a separate sheet or related materials explaining the following:
 1. Height of the proposed fence.
 2. Exact location of the proposed fence.
 3. Indicate whether the fence is replacement fence.
 4. Type of fence and materials.
- ☐ D. Other: _____
State relief requested and attach separate sheet, listing reasons why appellant is entitled to such relief.
6. Each appeal or application must be accompanied by a scale drawing showing the location and size of property, existing improvements, all abutting properties, and improvements thereon, and the requested change or addition. A \$200 filing fee must also accompany this application.
7. All applications for variances or special exceptions must include an area plat map, survey, pictures or other documentation depicting the location of the structural improvements on adjacent properties. These materials must be reasonably accurate in the judgment of the Board of Appeals.

I hereby swear that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.



Signature of Appellant

6/24/2023
Date

For Office Use Only:

Date Application Received 6/27/2023 Receipt Number for \$200 Filing Fee 1.059329

Case Number 2023-06 Hearing Date 07/26/2023

Disposition _____

Village of Fox Point – Board of Appeals – Variance Request

June 21, 2023

Submitted by: Adam and Catherine Karnes

Address: 6811 N Barnett Lane, Fox Point, WI 53217

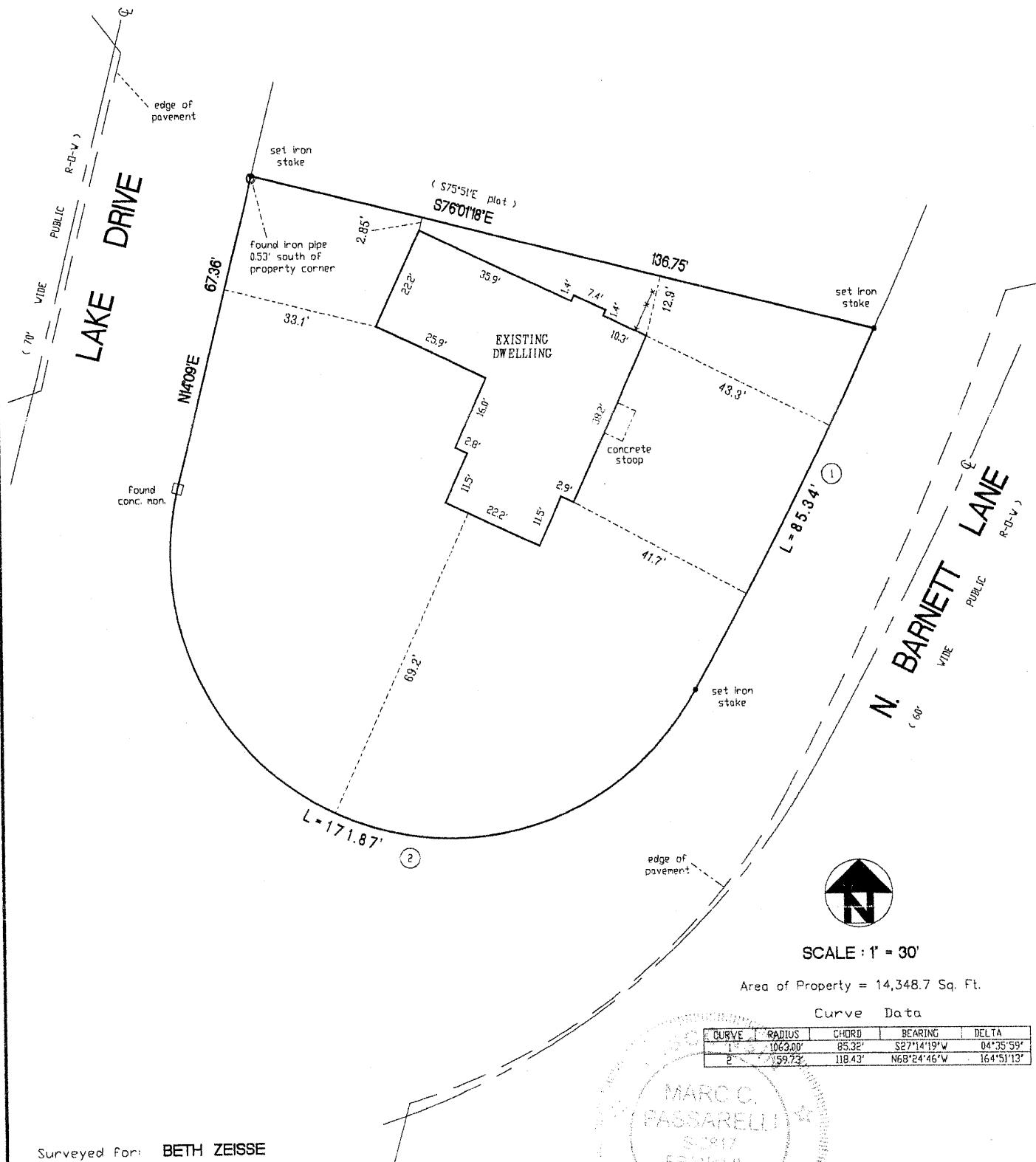
The request for Variance submitted with the notice of Appeal and Application for Review relays to my personal residence at the above address on Barnett Lane.

1. We are requesting a variance on the setback requirement from Lake Drive. I intend to put a small shed (less than 100 square feet) on the northwest side of the lot.
2. The special conditions that exist which would cause unnecessary hardship if the variance requested is not granted: We have two very narrow garage spaces which make it difficult, if not impossible to park vehicles in the garage while also storing items such as lawnmower, snowplow, garbage and recycling cans, storm/screen windows, standard yard tools, etc. There is roughly 6 inches of clearance total in front and behind my car when parked (front to back), and around 14 inches to the left of my vehicle when parked. When my wife and I both park inside, there is a roughly 20-inch lane between the two vehicles which is barely enough to get in and out of our cars let alone store things in between. The same situation exists where my wife parks, we are basically only able to store the garbage cans given size restraints. We are doing our best to utilize really the only space for storage in the garage, which is in front of my wife's car. Another important situation is that my yard is very undulated along the southern border. In addition to the fact that where I intend to place the shed will be out of sight entirely so as to not bother the neighbors, I would most certainly have to level out ground. This would include having to take into consideration the existing irrigation system that was in place when we bought the house, as well as the underground electric fence for our dog.
3. The variance is not contrary to public interest and will not endanger public safety and welfare: The location of the shed on the west side of my property will keep it almost entirely hidden from sight of my neighbors. While I definitely want to consider my neighbors, another factor is the undulation of my yard everywhere along the southern

border. I would have to level out the ground, which would include having to take into consideration the existing irrigation system that was in place when we bought the house, as well as the underground electric fence for our dog.

4. The shed will not require any excavating or any significant construction. It will be a shed that I put together myself and will not have any utilities or any other considerations. After speaking with Mike from the city, I face somewhat of a unique challenge being on a corner lot and subject to both the setbacks for Lake Drive and the setbacks for Barnett Lane.
5. How the variance, if granted, will cause substantial justice to be done: The shed will allow me to store all of my property maintenance tools and equipment within while also allowing my wife and I to park in our garage so that our vehicles are not constantly exposed to the elements especially during the winter. As I mentioned, it will be tucked away and completely out of sight, while also substantially improving the utilization of our garage.

Address: 6811 N. Barnett Lane



SCALE : 1" = 30'

Area of Property = 14,348.7 Sq. Ft.

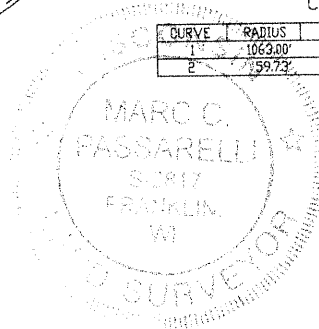
Curve Data

CURVE	RADIUS	CHORD	BEARING	DELTA
1	1063.00'	85.32'	S27°14'19"W	04°35'59"
2	59.73'	118.43'	N68°24'46"W	164°51'13"

Surveyed for: BETH ZEISSE

"I have surveyed the above described property from the legal description furnished by the client named on this survey."
 "This survey is made for the use of the present owners of the property, and those who purchase, mortgage, or guarantee the title thereto within one year from date hereof."

NOTE : THIS IS NOT AN ORIGINAL SURVEY UNLESS THIS SEAL IS RED.



Marc C. Passarelli
 WISCONSIN REGISTERED LAND SURVEYOR

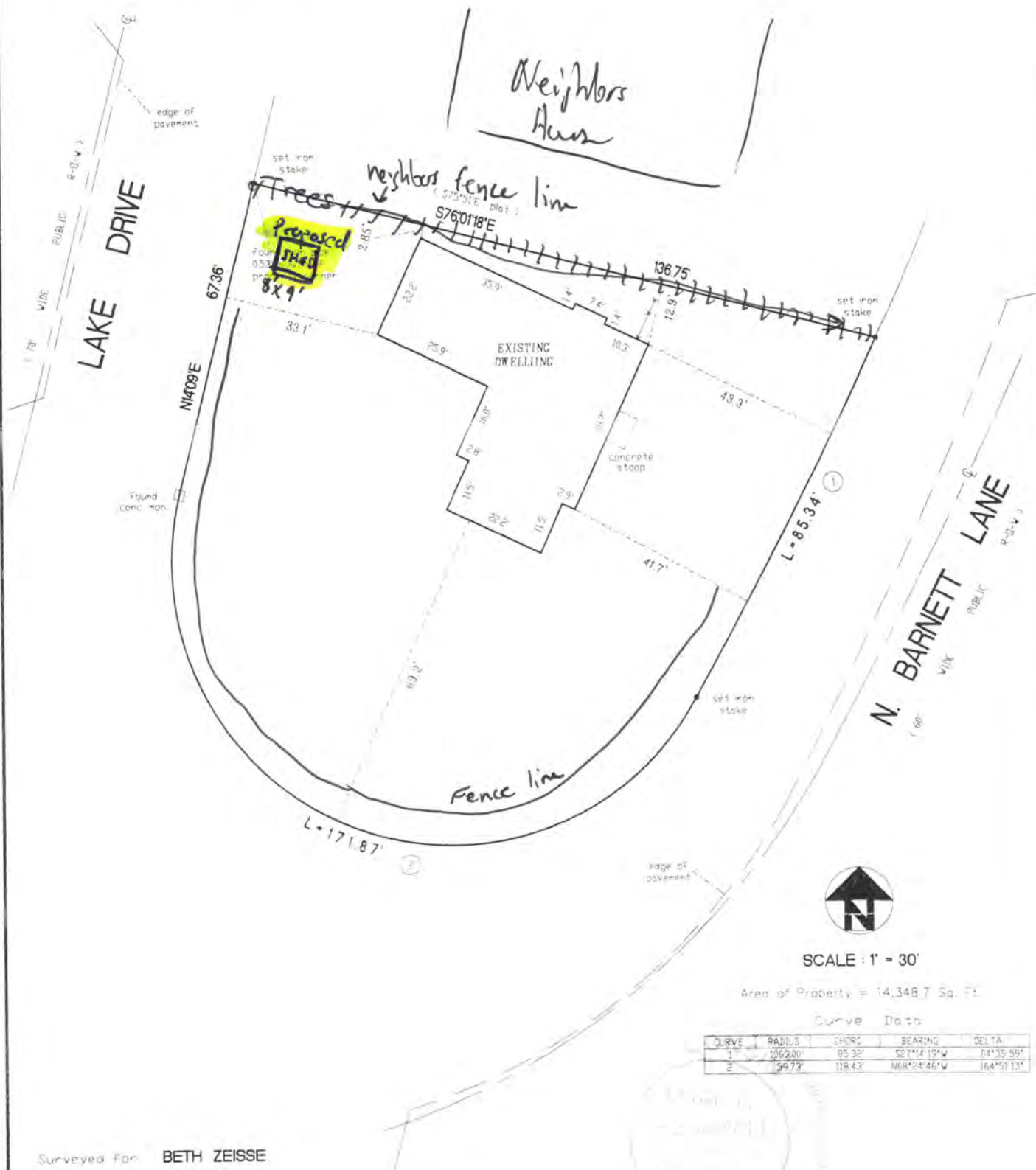
JAN. 15, 2004
 DATE

MCP AJN
 FIELD WORK BY

BJK
 DRAWN BY

Disk 405
 30050
 JOB NUMBER

Address: 6811 N. Barnett Lane



Surveyed For: BETH ZEISSE

"I have surveyed the above described property from the legal description furnished by the client named on this survey." "This survey is made for the use of the present owners of the property, and those who purchase, mortgage, or guarantee the title thereto within one year from date hereof."

NOTE: THIS IS NOT AN ORIGINAL SURVEY UNLESS THIS SEAL IS RED

man Passarelli
WISCONSIN REGISTERED LAND SURVEYOR

JAN. 15, 2004
DATE

MCP AJN
FIELD WORK BY

BJK
DRAWN BY

Dis. 405
30050
JOB NUMBER

VILLAGE OF FOX POINT
7200 N. SANTA MONICA BLVD
FOX POINT WI 53217

414-351-8900

Receipt No: 1.059329

Jun 27, 2023

Adam Karnes-6811 N Barnett

Previous Balance:	.00
LICENSES & PERMITS - OTHER PERMIT	200.00
10-44540 OTHER PERMIT	

Total:	200.00
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CHECK	Check No: 1035	200.00
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Payor: Adam Karnes-6811 N Barnett

Total Applied:	200.00
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Change Tendered:	.00
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Duplicate Copy

06/27/2023 9:46 AM



VILLAGE OF FOX POINT

MILWAUKEE COUNTY

WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT WI 53217-3505
414-351-8900
FAX 414-351-8909

**VILLAGE OF FOX POINT
NOTICE OF BOARD OF APPEALS MEETING
REQUEST FOR VARIANCE**

PLEASE TAKE NOTICE that the Fox Point Board of Appeals will meet in Schwemer Hall, 7200 N. Santa Monica Blvd, Fox Point, WI, on Wednesday, July 26, 2023, at 5:00 p.m. to hear the following appeal for a variance:

1. **Case 2023-06: 6811 N Barnett Lane.** The applicant is requesting a variance pertaining to Section 745-16 B. (2), concerning the B Residence District with regard to the required setback of 85 feet off of Lake Drive from the centerline of the right-of-way. The applicant is proposing to install a small shed within the Lake Drive setback, on the northwest side of the parcel.

Any interested party may attend this meeting and be heard concerning this case.

The applications, drawings, and related materials are available for viewing in the office of the Village Clerk/Treasurer, Monday through Thursday from 8:00 a.m. - 4:00 p.m. and on Friday from 8:00 a.m. to 12:00 noon.

Kelly A. Meyer, CMC/WCMC/CMTW
Village Clerk Treasurer

Notice Sent: [June 29, 2023]
Posted: [June 29, 2023]



Village of Fox Point GIS

6811 N Barnett Ln-BOA Variance Request

DISCLAIMER: The Village of Fox Point Does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.

SCALE: 1" = 188'



VILLAGE OF FOX POINT

7200 North Santa Monica Blvd

Fox Point, WI 53217

(414) 351-8900

Print Date: 6/27/2023

§ 745-16. B Residence District.

- A. Uses. In a B Residence District, no building or premises, unless otherwise provided in this chapter, shall be erected or used except for dwelling, together with accessory uses incident to the permitted use; provided always the accessory use does not constitute or become a public or private nuisance. **[Amended 11-11-2014 by Ord. No. 2014-08]**
- B. Areas and yards. In a B Residence District, no building may be erected, enlarged or altered except in conformity with the following:
- (1) The open area of a lot on which a dwelling is erected, or proposed to be erected, shall not be reduced to less than 15,000 square feet for each family. No building not erected for a dwelling shall occupy more than 20% of the gross area of the lot or exceed a height of 25 feet.
 - (2) A front yard of not less than 30 feet shall be provided for every building on a lot for which a setback is not hereinafter provided for. Every building shall be set back from the center line of each adjoining street or area reserved for highway purposes, or any extension or separated portion thereof hereafter established, not less than the street setback specified upon the Official Zoning Map, except that the following reductions may be made for corner lots from the setbacks specified on the Official Zoning Map: five feet when width of lot is more than 80 feet but less than 90 feet; 10 feet when width of lot is more than 70 feet but less than 80 feet; 15 feet when width of lot is 70 feet or less; provided, however, that no setback will be less than 15 feet plus 1/2 the width of the abutting road or area reserved for highway purposes.
 - (3) A side yard of not less than 10 feet shall be provided for on each side of every building.
 - (4) A rear yard of not less than 20 feet shall be provided for every building, except one of not less than 10 feet shall be provided for a building used for or classified as an accessory use.
 - (5) Every lot on which a building is erected shall have a minimum width of 80 feet.
 - (6) No single-family residence built or existing in this district shall have a height greater than 40 feet from the grade abutting the structure on the front side of the structure. For purposes of this subsection, the height of the building shall include the highest roof point of any interior portion of the structure which can be occupied, including, but not limited to, attic and storage structures and observatories which accommodate entry or occupancy by a person, but shall not include roof attachments such as chimneys, antennas or decorative cupolas. **[Amended 2-9-2021 by Ord. No. 2021-01]**

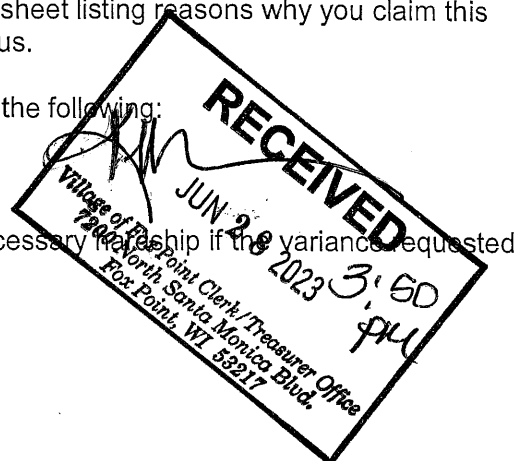


VILLAGE OF FOX POINT
BOARD OF APPEALS

NOTICE OF APPEAL & APPLICATION FOR REVIEW

1. Name of Appellant Craig and Jennifer Harper
Address of Appellant 7425 N. Longacre Drive
Phone Number 414/466-4415 414/322-4522
Home Work Cell
E-mail Address Craig trent harper @ gmail. com
2. Address of Property 7425 N. Longacre Drive
Present Use of Property Residence
Proposed Use of Property Residence
Owner's Name and Address if Different than Above _____
3. Has a Previous Appeal or Application Been Made to the Board of Appeals with Respect to This Property?
Yes ☐ No ☒ If Yes, State the Nature of Previous Appeal or Application

Disposition of Previous Appeal _____
Date of Decision in Previous Case _____
4. Date of Decision or Order of Administrative Official from which Appeal is Taken _____
Date of Notice of Such Decision Received by Appellant _____
5. Purpose of Grounds of Appeal or Application. Check Below the Relief Requested by This Appeal or Application:
- ☐ A. Request for interpretation of Zoning Code and reversal of order, requirement, decision or determination of administrative official. Attach separate sheet listing reasons why you claim this order, requirement, decision or determination is erroneous.
- ☒ B. Request for variance. Attach separate sheet explaining the following:
- Variance requested.
 - What special conditions exist which will cause unnecessary hardship if the variance requested is not granted.

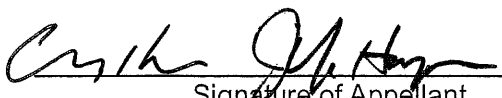


Appellant Name: _____

Village of Fox Point - Board of Appeals
Notice of Appeal and Application for Review

3. Why the variance requested is not contrary to the public interest and will not endanger public safety and welfare.
4. Why the variance requested will be in accord with the spirit of the Zoning Code.
5. How the variance, if granted, will cause substantial justice to be done.
- ☐ C. Request for a special exception from the Fence Ordinance. Please obtain a copy of the Fence Ordinance to determine specific requirements. Attach a separate sheet or related materials explaining the following:
 1. Height of the proposed fence.
 2. Exact location of the proposed fence.
 3. Indicate whether the fence is replacement fence.
 4. Type of fence and materials.
- ☐ D. Other: _____
State relief requested and attach separate sheet, listing reasons why appellant is entitled to such relief.
6. Each appeal or application must be accompanied by a scale drawing showing the location and size of property, existing improvements, all abutting properties, and improvements thereon, and the requested change or addition. A \$200 filing fee must also accompany this application.
7. All applications for variances or special exceptions must include an area plat map, survey, pictures or other documentation depicting the location of the structural improvements on adjacent properties. These materials must be reasonably accurate in the judgment of the Board of Appeals.

I hereby swear that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.



Signature of Appellant

June 27, 2023

Date

For Office Use Only:

Date Application Received 06/28/2023 3:50 p.m. Receipt Number for \$200 Filing Fee 1.059339

Case Number Case 2023-07 Hearing Date July 26, 2023

Disposition _____

Notice of Appeal & Application for Review
Section 5.B.
7425 N. Longacre Drive

1. Variance requested: Our residence includes two lots. One very small/narrow and one regular size. Our garage was built upon the property line of the two parcels. Our garage is in very bad shape with a large crack in the foundation. We are asking for permission to build a new garage on the same location of the current garage but 10' toward the back of our lots. We have attached a survey to show the new garage.

We are asking for a variance to build the new garage on top of the same property line the original garage was built on. The new Garage is same width as old one and the same length as old one. Placement is 10' to the west which still leaves 10' to both neighbor's property lines. New size is 638 ft². Old size is 538 ft².

Old Garage is 22.2' by 20.2' with a 8.75' by 10.2' addition on the back. Old Garage shown in black on the survey under new red and yellow garage.

2. We need this variance as a new garage is needed and the new location causes no hardship to any of our neighbors. Condition of the current garage is very poor and unsafe. The new location will also make it possible to enter and leave the garage much easier. Currently we only have 20' between the existing garage and our house. It is almost impossible to enter and exit the garage with two vehicles. The new garage will provide 30' between the garage and the house which is highly recommended by garage builders. Obtaining this variance will also keep us from having to obtain a new survey and combining the two lots.
3. The variance requested will not negatively affect the public interest or endanger public safety and welfare. We will continue to have 10' setbacks from the north and west property lines. The new garage will look much better from the street and be structurally sound and the current garage is not.

Adding additional space between the garage and the house will make it much safer to enter the garage and leave. More than once individuals are hit our house with their vehicle when exiting the garage because of the small distance between the house and the existing garage.

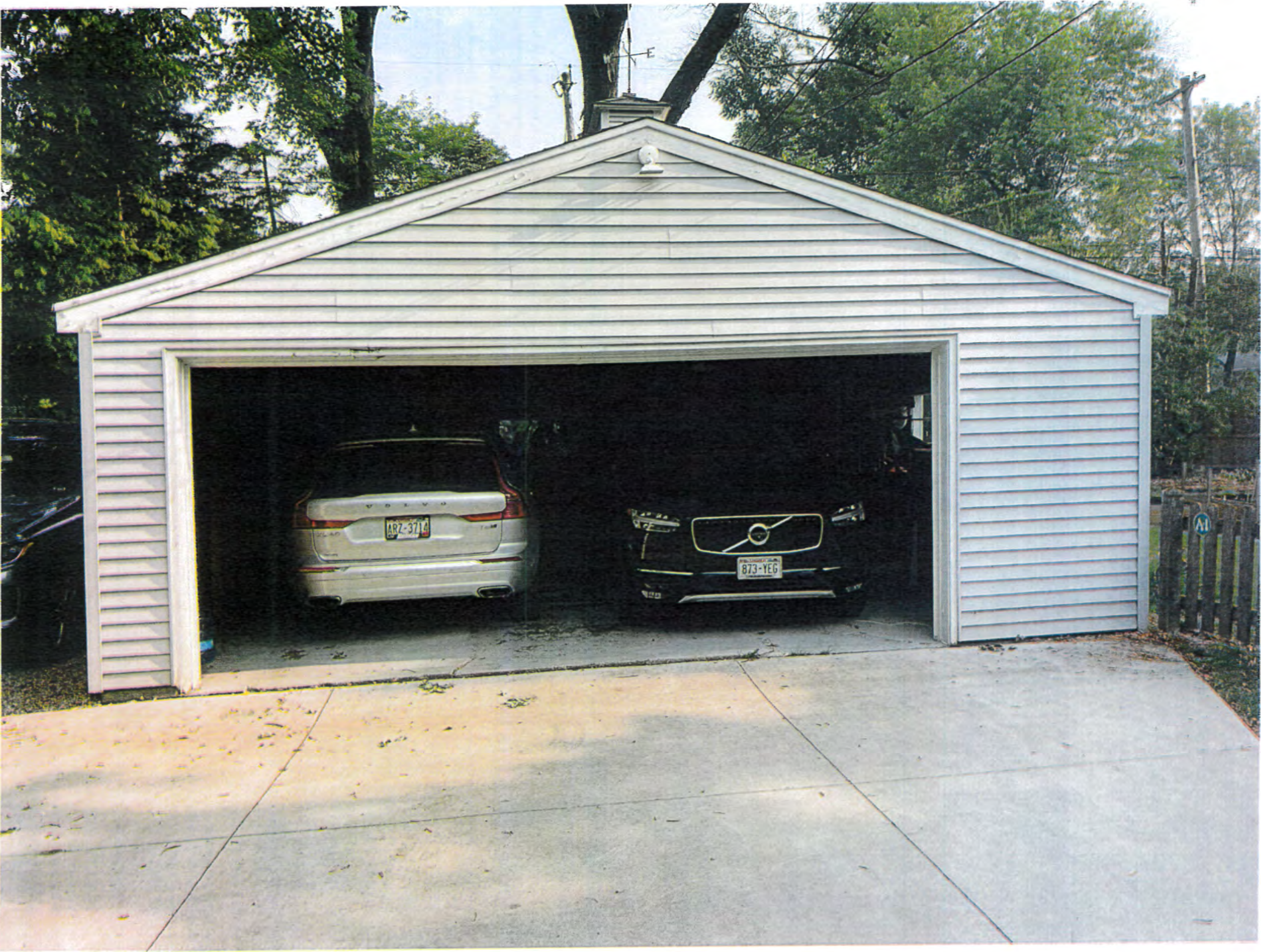
4. This variance will be in accord with the spirit of the Zoning Code as new garage will be: Structurally Safer, Provide much safer vehicle movement in front of the garage, new location will be on top of old location with a small distance towards the north, setbacks to both of our neighbors will be 10'.
5. The approved variance will allow a home owner to make a substantial improvement to a property and cause no harm to anyone in Fox Point. The old garage was permitted to sit upon the property line and a new one should also be permitted.



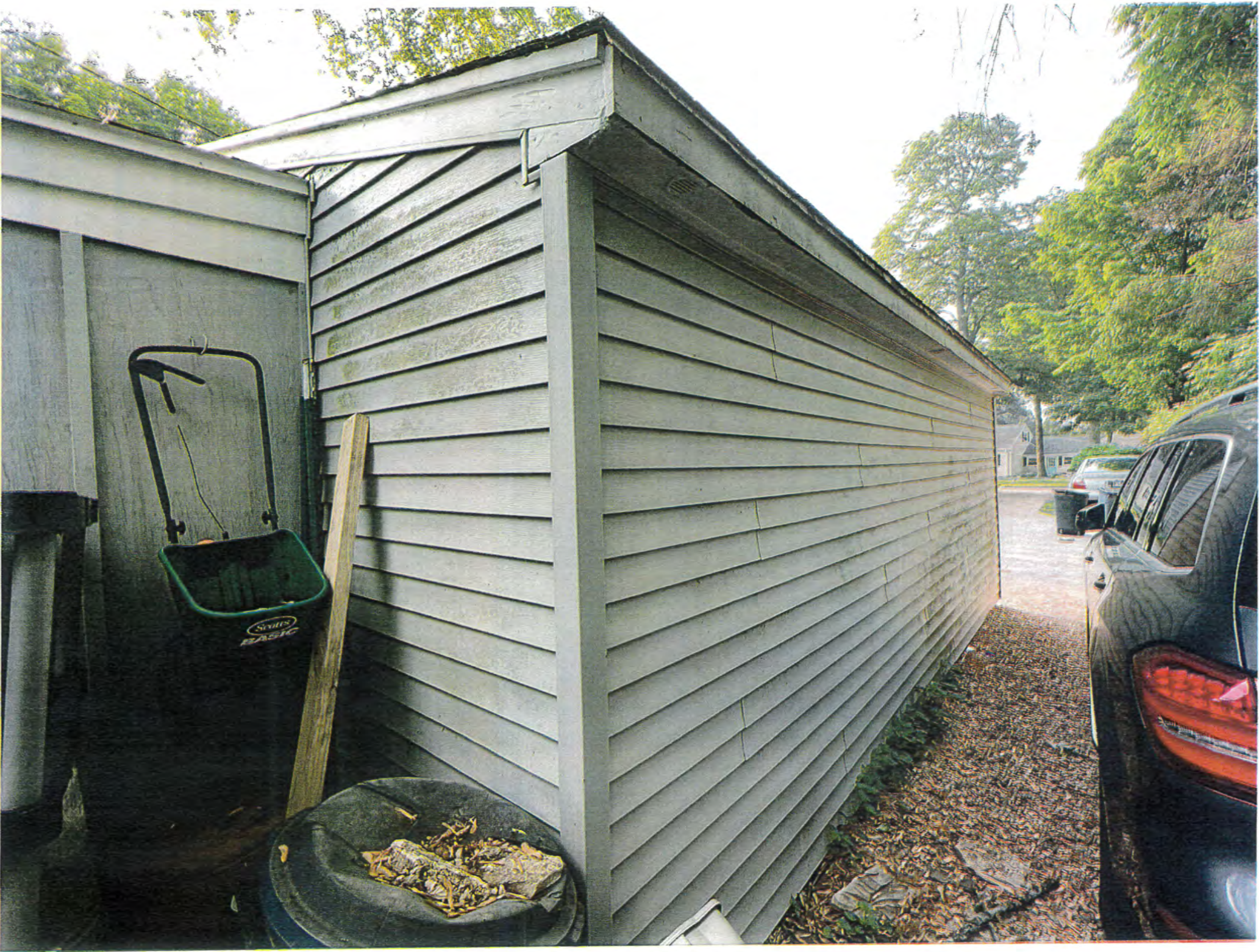














PLAT OF SURVEY

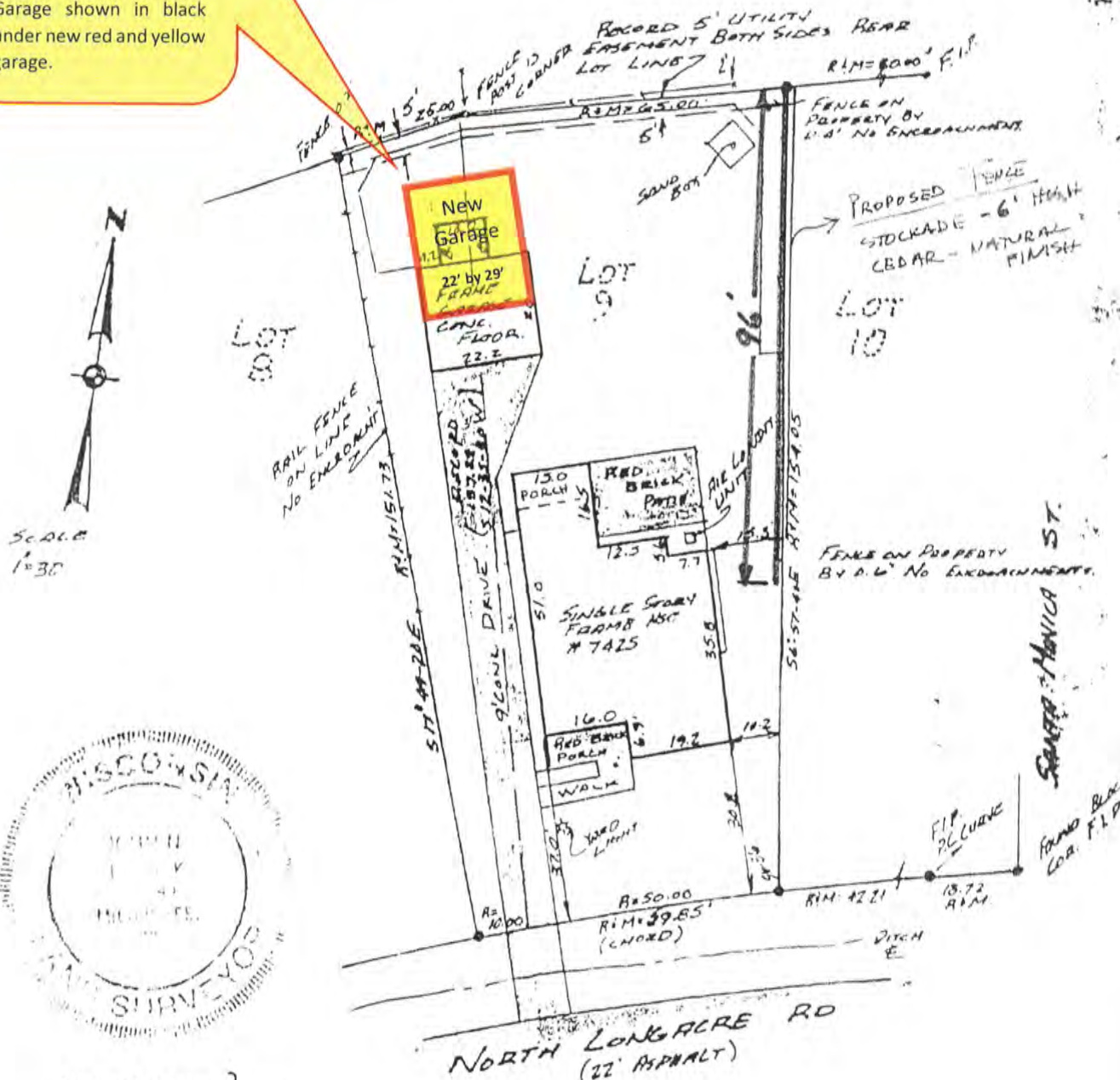
J.N.L. SURVEYING COMPANY
7343 North Teutonia
Milwaukee, Wisconsin 53209

FOR: RE. SERVICES
RE: Newenhouse, Tans P.

DESCRIPTION: That part of Lot 8 in Block 2 in FOX POINT SCHOOL ESTATES, being a Subdivision of a part of the SW. 1/4 of Section 16, T8N., R22E, in the Village of Fox Point, Milwaukee County, Wisconsin, described as follows:
Beginning at the NE corner of said Lot 8 thence S58°42'W, 25.00 feet to a point marked by an iron pipe; thence S17°49'20"E, 151.73 feet to a point marked by an iron pipe; thence N4°1' along a curve whose centre is to the South and whose radius is 248.31 feet (the long chord of which bears N57°47'10"E, 10.00 feet) 10.00 feet to a point marked by an iron pipe at the SE corner of said Lot 8; thence N42°35'30"W, 157.29 feet along the East line of said Lot 8 to the point of beginning. Also Lot 9, in Block 2 in FOX POINT SCHOOL ESTATES, being a Subdivision of a part of the SW. 1/4 of Section 16, T8N., R22E, in the Village of Fox Point Wisconsin.

The new Garage is same width as old one and the same length as old one. Placement is 10' to the west which still leaves 10' to both neighbor's property lines. New size is 638 ft². Old size is 538 ft².

Old Garage is 22.2' by 20.2' with a 8.75' by 10.2' addition on the back. Old Garage shown in black under new red and yellow garage.



State of Wisconsin } S.S.
County of Milwaukee }

I have surveyed the above-described 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 visible structures thereon, fences, apparent easements, roadways and visible encroachments, if any.

This survey is made for the exclusive use of the present owners of the property, and also of those who purchase, mortgage, or guarantee the title thereto within one year from the date hereof, and to them I do certify the accuracy of said survey and map as related to Chapter A-ES, Wisconsin Administrative Code. TO THE BEST OF MY KNOWLEDGE
Dated this date 6th of April 1989

John W. Lohr 51289



VILLAGE OF FOX POINT

MILWAUKEE COUNTY

WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT WI 53217-3505
414-351-8900
FAX 414-351-8909

**VILLAGE OF FOX POINT
NOTICE OF BOARD OF APPEALS MEETING
REQUEST FOR VARIANCE**

PLEASE TAKE NOTICE that the Fox Point Board of Appeals will meet in Schwemer Hall, 7200 N. Santa Monica Blvd, Fox Point, WI, on Wednesday, July 26, 2023, at 5:00 p.m. to hear the following appeal for a variance:

1. **Case 2023-07: 7425 N Longacre Road.** The applicant is requesting a variance pertaining to Section 745-17 B (3), concerning the C Residence District with regard to the required setback of 10 feet which should be provided for every building. The applicant is proposing to install a detached garage on the property line of two parcels owned by the applicant.

Any interested party may attend this meeting and be heard concerning this case.

The applications, drawings, and related materials are available for viewing in the office of the Village Clerk/Treasurer, Monday through Thursday from 8:00 a.m. - 4:00 p.m. and on Friday from 8:00 a.m. to 12:00 noon.

Kelly A. Meyer, CMC/WCMC/CMTW
Village Clerk Treasurer

Notice Sent: [June 29, 2023]
Posted: [June 29, 2023]



Village of Fox Point GIS

7425 N Longacre Road-BOA Variance Request



VILLAGE OF FOX POINT

7200 North Santa Monica Blvd
Fox Point, WI 53217
(414) 351-8900

DISCLAIMER: The Village of Fox Point Does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.

SCALE: 1" = 200'

Print Date: 6/29/2023

§ 745-17. C Residence District.

- A. Uses. In a C Residence District, no building or premises, unless otherwise provided in this chapter, shall be erected or used except for dwelling, together with accessory uses incident to the permitted use, provided always the accessory use does not constitute or become a public or private nuisance. **[Amended 11-11-2014 by Ord. No. 2014-08]**
- B. Areas and yards. In a C Residence District, no building may be erected, enlarged or altered except in conformity with the following:
- (1) The open area of a lot upon which a dwelling is erected, or proposed to be erected, shall not be reduced to less than 10,500 square feet for each family. No building not erected for a dwelling shall occupy more than 15% of the gross area of the lot or exceed a height of 25 feet above the proposed grade of the ground.
 - (2) A front yard of not less than 30 feet shall be provided for every building on a lot for which a setback is not hereinafter provided for. Every building shall be set back from the center line of each adjoining street or area reserved for highway purposes, or any extension or separated portion thereof hereafter established, not less than the street setback specified upon the Official Zoning Map, except that the following reductions may be made for a corner lot from the setbacks specified on the Official Zoning Map: five feet when width of lot is more than 80 feet but less than 90 feet; 10 feet when width of lot is more than 70 feet but less than 80 feet; 15 feet when width of lot is 70 feet or less; provided, however, that no setbacks will be less than 15 feet plus 1/2 the width of the abutting road or area reserved for highway purposes.
 - (3) A side yard of not less than 10 feet shall be provided for on each side of every building.
 - (4) A rear yard of not less than 20 feet shall be provided for every building, except one of not less than 10 feet shall be provided for a building used for or classified as an accessory use.
 - (5) Every lot on which a building is erected shall have an average minimum width of 80 feet.
 - (6) No single-family residence built or existing in this district shall have a height greater than 35 feet above the lowest point of the lot grade abutting the structure. For purposes of this subsection, the height of the building shall include the highest roof point of any interior portion of the structure which can be occupied, including, but not limited to, attic and storage structures and observatories which accommodate entry or occupancy by a person, but shall not include roof attachments such as chimneys, antennas or decorative cupolas. **[Amended 2-9-2021 by Ord. No. 2021-01]**