

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

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

WEDNESDAY
JANUARY 21, 2026
5:00 P.M.

AGENDA

- 1. Roll Call**
- 2. Suspension of the Board of Appeals Rules Which Specify the Meeting Date of January 28, 2026, and Instead, Proceed with Holding the Board of Appeals Meeting on January 21, 2026**
- 3. Approval Of the Minutes and Determinations of the November 19, 2025 Meeting.**
- 4. Consideration and Possible Action to Adopt an Amendment to Section 2(b) of the Fox Point Board of Appeals Rules of Procedure, to Change the Regular Meeting date from the 4th Wednesday to the 3rd Wednesday.**
- 5. Adjourn**

Published and Posted: January 15, 2026

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, NOVEMBER 19, 2025**

A meeting of the Fox Point Board of Appeals was held in Schwemer Hall, 7200 N. Santa Monica Blvd., on Wednesday, November 19, 2025 at 5:00 PM.

Chair Mark Grady called the meeting to order at 5:01 PM.

Members present:

Mark Grady, Chair
Thomas Dunst, Member
Scott Ratke, Member
Adam Bazalon, Member
Lucille Sells, Alternate Member

Staff Present: Attorney Eric Larson, Building Inspector Michael Rakow, and Assistant Village Manager Kevin Ausman.

Suspension of the Board of Appeals Rules Which Specify the Meeting Date of November 26, 2025, and Instead, Proceed with Holding the Board of Appeals Meeting on November 19, 2025

Motion by Dunst, Second by Sells, to suspend of the Board of Appeals Rules which specify the meeting date of November 26, 2025, and instead, proceed with holding the Board of Appeals meeting on November 19, 2025

Roll call vote:

Mark Grady	Aye
Thomas Dunst	Aye
Scott Ratke	Aye
Adam Bazalon	Aye
Alternate Lucille Sells	Aye

All ayes, motion carried.

Approval of Minutes of the September, 2025 Meeting and the Findings of Fact, Decision and Order

Roll call vote:

Mark Grady	Aye
Thomas Dunst	Aye
Scott Ratke	Aye
Adam Bazalon	Aye
Alternate Lucille Sells	Aye

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Motion by Bazalon, and second by Ratke, to approve the minutes of the September 24, 2025 meeting, and findings of fact and determinations. All ayes, motion carried.

Case 2025-10: 1572 E Goodrich Ln.

The applicant is requesting a special exception for a corner lot for determination of the front, rear, or side yard areas and approval of 6ft fencing. The special exception request is made pursuant to 745-7 B(3)(h)[1] of the Fox Point Code.

Attorney Larson provided an overview of the considerations in the Municipal Code regarding fencing for corner lots.

Village of Fox Point Building Inspector Michael Rakow

Building Inspector Michael Rakow stated his name and was sworn in to provide testimony by the Assistant Village Manager. The Building Inspector described the subject property, its street frontages, and orientation.

Applicant Cheryl Brickman – 3200 W Boniwell Rd., Mequon.

Applicant was sworn in to provide testimony by the Assistant Village Manager. Applicant described wishing to enclose the yard because of coyotes, turkeys, and pedestrians along the road to create safety for her three dogs. The rear entrance of the home opens to Fox Lane to allow access to the yard. Dead vegetation has been removed along the fenceline.

Bob Fetherston – 7320 N Longacre Rd.

Contractor for the project was sworn in to provide testimony by the Assistant Village Manager. Mr. Fetherston described the fencing along the driveway as ornamental and the fencing along Fox Lane as black chain link.

Closing of Testimony: Case 2025-10

Without objection and by unanimous consent, Chair Grady closed testimony for Case 2025-10 at 5:26 PM.

The Board of Appeals discussed the legitimate need for fencing.

The Board of Appeals unanimously agreed to reopen testimony at 5:41 PM.

The Board of Appeals discussed the proposed location for fencing. The applicant proposes to screen fencing, which is 15ft off of the road, with additional vegetation.

Without objection and by unanimous consent, Chair Grady closed testimony for 5:47 PM.

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Motion by Sells, seconded by Ratke, to APPROVE the request as the standards for special exception HAVE been met. This approval is subject to the fence receiving Building Board approval, and subject to requiring vegetative screening along Fox Lane.

Roll call vote:

Mark Grady	Aye
Thomas Dunst	Aye
Scott Ratke	Aye
Adam Bazalon	Nay
Alternate Lucille Sells	Aye

Motion is carried 4-1. The request is APPROVED.

Case 2025-11: 1081 E Thorne Ln.

The applicant is requesting a special exception to install a 42" stone wall screening device within the street yard setback. 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 Assistant Village Manager. Mr. Rakow described the street yard request for a screening device made of stone.

Applicant Lee Riordan – 1081 E Thorne Ln.

Applicant was sworn in to provide testimony by the Assistant Village Manager. Mr. Riordan described location of the stone screening device along the north portion of the subject property for aesthetic purposes as the home is set back to the rear.

Chris Miracle – 9358 N Riverview Dr., Colgate, WI

Mr. Miracle was sworn in to provide testimony by the Assistant Village Manager.

Closing of Testimony: Case 2025-11

Without objection and by unanimous consent, Chair Grady closed testimony for Case 2025-11 at 6:26 PM.

The Board of Appeals discussed legitimate need and the project is in the interest of the

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community.

Motion by Bazalon, seconded by Sells, to APPROVE the special exception as the standards HAVE been met.

Roll call vote:

Mark Grady	Aye
Thomas Dunst	Aye
Scott Ratke	Aye
Adam Bazalon	Aye
Alternate Lucille Sells	Aye

Motion is carried 5-0. The request is APPROVED/DENIED.

Chair Grady recused himself from Case 2025-12.

By unanimous consent and without objection, Bazalon assumed the role of Acting Chair.

Case 2025-12: 402 E Calumet Rd.

The applicant is requesting a variance to allow a principal structure addition (porch) to be located 62.4 feet from the right-of-way centerline rather than the required 75 foot setback, a variance of 12.6 feet. The request is made pursuant to 745-17 B(2) of the Fox Point Code and the official zoning map of the Village of Fox Point.

Attorney Larson Described the standards for variance requests under Wisconsin state law.

Village of Fox Point Building Inspector Michael Rakow

Building Inspector Michael Rakow stated his name and was sworn in to provide testimony by the Assistant Village Manager. Mr. Rakow described the application which would remove the existing non-conforming porch and would install a new porch, returning to the footprint which existed in 2021.

Heidi Wick Spoerl – 2408 N Terrace Ave., Milwaukee, WI

Ms. Wick Spoerl was sworn in to provide testimony by the Assistant Village Manager and expressed questions over variance requirements. Ms. Wick Spoerl described the new variance request which would return the porch to the footprint which existed prior to the project which occurred in 2021. Questions over recourse regarding a denied variance were raised.

Applicant Libby Wick – 5100 W Palmdale Rd. Mequon, WI

Applicant was sworn in to provide testimony by the Assistant Village Manager.

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Brian Spoerl – 2408 N Terrace Ave., Milwaukee, WI

Mr. Spoerl was sworn in to provide testimony by the Assistant Village Manager and described the home as legal nonconforming.

Patrick Walter – W163N11463 Windsor Ct., Germantown, WI

Mr. Walter was sworn in to provide testimony by the Assistant Village Manager.

Closing of Testimony: Case 2025-12

Without objection and by unanimous consent, Acting Chair Bazalon closed testimony for Case 2025-12 at 7:05 PM.

The Board of Appeals discussed standards for a variance request and a self-imposed hardship.

Motion by Bazalon, seconded by Dunst, to DENY the variance request as the standards HAVE NOT been met.

Roll call vote:

Thomas Dunst	Aye
Scott Ratke	Aye
Adam Bazalon	Aye
Alternate Lucille Sells	Aye

Motion is carried 4-0; Grady recused. The request is DENIED.

Mark Grady resumed the role of Chair at 7:18 PM.

Motion by Bazalon, second by Ratke, to direct the Village Attorney to reduce the decision to writing and to have the Assistant Village Manager circulate the decision participating members of the Board of Appeals and respond individually back to the Assistant Village Manager whether to approve or not approve the findings of fact, and if all participating members approve to distribute the findings to the Applicant.

Motion carried unanimously.

Adjourn

Motion by Grady, and adopted by unanimous consent without object, to adjourn. Meeting adjourned at 7:23 PM.

Respectfully Submitted,

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Kevin Ausman
Assistant Village Manager

DRAFT

BOARD OF APPEALS AMENDMENT #2

AN AMENDMENT TO SECTION 2(b) OF THE FOX POINT BOARD OF APPEALS RULES OF PROCEDURE

WHEREAS, the Fox Point Board of Appeals sets its rules for its procedures and meetings pursuant to Wisconsin Statutes Section 61.35 and 62.23(7)(e)3.; and

WHEREAS, on or about July 28, 2022, the Fox Point Board of Appeals amended its rules (Amendment #1) to have regularly scheduled meetings throughout the year, and established the regular meetings as the 4th Wednesday of the months of January, March, May, July, September, and November; and

WHEREAS, the Fox Point Board of Appeals hereby intends to modify that requirement to change from the 4th Wednesday to the 3rd Wednesday of said months.

NOW, THEREFORE, the Board of Appeals of the Village of Fox Point, Milwaukee County, Wisconsin, hereby amends its Rules of Procedure as follows:

SECTION 1: The Fox Point Board of Appeals Rules of Procedures, Section 2 entitled "Meetings," Subsection (b) entitled "Call," is hereby amended as follows:

- (b) Call. The Fox Point Board of Appeals shall have regular meetings held on the 3rd Wednesday of the months of January, March, May, July, September, and November. The regular meetings shall be held at 5:00pm at Village Hall. Regular meetings can be cancelled at the call of the Chair when there is no business to conduct. Alternative meeting dates and/or times or special meetings of the Board of Appeals may be called by action of the Board at any duly noticed meeting as it deems to be necessary.

Dated this _____ day of _____, 2026.

VILLAGE OF FOX POINT

Mark Grady, Chair

ATTEST:

Teri Repins, Deputy Village Clerk