

TOWN OF EAGLE  
Board of Zoning Adjustment Meeting  
April 7, 2008  
**Minutes**

Mr. Day called the meeting to order at 6:35 p.m.

Present: Day, West, Erickson, Olsen, Wambach, Town Planner Brian Pionke, and J. Pasterski, (taking minutes). Absent: Harthun.

Minutes: Motion by West, seconded by Olsen to approve the minutes from September 4, 2007. Wambach abstained and the motion carried.

**Public Hearing ZA08-03:** On request by applicants Jim and Cynthia Berg. Property location: S108 W37606 Draper Rd., in the Town of Eagle, Waukesha County, Wisconsin. Request is for a 0.62 foot variance from the height restrictions in Section 5.14(6)(B) and a 16 ft. variance from the 30 ft. setback in requirements in Section 5.14(5)(B) of the Town of Eagle Zoning Code. Pionke read the public hearing notice into the record and his staff review dated March 27, 2008. After questions/comments by board members, Cynthia Berg clarified issues i.e. well and septic location, tree lines and other identified structures indicated on a Plat of Survey. C. Berg also commented that the application question #6 was not correctly explained to her as to the clarification of a hardship. She agreed that a “hardship” did not exist and that a suitable location without a variance was available on the lot.

Mark Doyle, S108 W37600 Draper Rd., was present and commented on his letter of 3/3/08 whereby he does not object to the location of the proposed accessory structure. Andy Konkel, W377 S10700 Betts Rd., wanted to know the location of the barn. After his review, he did not object to the location. Discussion with the Bergs continued as to options for moving the accessory structure. C. Berg agrees that there was no “hardship” as discussed earlier.

The Bergs may have to meet with the Planning & Zoning Commission next meeting May 5, 2008 to get approval for the height issue. The public hearing portion of the meeting was closed on a motion by West, seconded by Wambach. Motion carried. The board then proceeded to answer the checklist questions. West moved, Erickson seconded to deny the variance request. Motion carried.

There being no further business on the agenda, Erickson moved, Wambach seconded to adjourn at 7:22 p.m. Motion carried.

James Pasterski  
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