

VILLAGE OF ELM GROVE

13600 Juneau Boulevard
Elm Grove, WI 53122

BOARD OF APPEALS

Wednesday, April 21, 2021 * 4:00 PM * Park View Room

or

ZOOM:

<https://us02web.zoom.us/j/85664438230?pwd=RGQ1MndZaGljUXBuTjEOL1hVcVJKdz09>

Meeting ID: 856 6443 8230

Passcode: 615223

AGENDA

1. Bring meeting to order and roll call.
2. Review and possible action on minutes dated January 6, 2021.

Documents:

2021-01-06 Minutes DRAFT.pdf

3. Consideration, Hearing, and Possible Action on Appeal for Variance - 14655 Juneau Blvd

Elm Grove Municipal Code 335-66 through 335-73: Variance.

335-72: No variance to the provisions of this chapter shall be granted by the Board unless it finds beyond a reasonable doubt that all the following facts and conditions exist and so indicates in the minutes of its proceedings:

- A. Preservation of intent. No variance shall be granted that is not consistent with the purpose and intent of the regulations for the district in which the development is located. No variance shall have the effect of permitting a use in any district that is not a stated permitted use, accessory use or conditional use in that particular district.
- B. Exceptional circumstances. There must be exceptional, extraordinary or unusual circumstances or conditions applying to the lot or parcel, structure, use or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Chapter should be changed.
- C. Economic hardship and self-imposed hardship not grounds for variance. No variance shall be granted solely on the basis of economic gain or loss. Self-imposed

hardships shall not be considered as grounds for the granting of a variance.

- D. Preservation of property rights: that such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.
- E. Absence of detriment: that the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this chapter or the public interest.

Documents:

- 3a. 14655 Juneau Blvd - Variance Application.pdf*
- 3b. BOA Memo 20210421.pdf*
- 3c. 14655 Juneau Blvd - As Built Site Plan.pdf*
- 3d. 14655 Juneau Blvd - As Build Dimensions.pdf*

4. Convene into closed session to deliberate the above appeals.

Documents:

- 2021-04-21 Agenda CLOSED SESSION.pdf*

5. Reconvene into Open Session and Possibly Take Action Regarding the Above Board of Appeals Item.

6. Adjournment.

Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires that the meeting or materials for the meeting has to be in an accessible location or format must contact the Village Clerk, Michelle Luedtke, at 262-782-6700 or 13600 Juneau Boulevard by 3:00 PM Friday prior to the meeting so that any necessary arrangements can be made to accommodate your request.

NOTICE: It is possible that members of, and possibly a quorum of, other governmental bodies of the Village 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 in the above notice.