

**VILLAGE OF ELM GROVE  
BUILDING BOARD  
MEETING MINUTES**

**Tuesday, September 19, 2023**

**1. Roll Call.**

Present: Chairman Olson, Ms. Steindorf, Ms. Raysich, Mr. Janusz, Mr. Roge, and Mr. Thedford

Absent: Trustee Stuckert, Mr. Falsetti, and Mr. Matola

Also present: Ms. Gehl, Ms. Miller, and Applicants

Chairman Olson called the meeting to order at 5:30 P.M.

**2. Review and act on meeting minutes dated September 5, 2023.**

**MS. STEINDORF MOTIONED TO APPROVE THE MINUTES AS PRESENTED. MS. RAYSICH SECONDED. MOTION PASSED 6-0.**

**3. Public Hearing, review and act on a request by Rebekah & Bryan Kopec-Farrell, 14900 Westover Road, for a fence variance request.**

Ms. Rebekah and Mr. Bryan Kopec-Farrell, the homeowners, and Mr. Matt Rozeski, the contractor, were present before the Board to represent the request.

Applicant is requesting approval for 6' open fence to enclose their backyard. Per Village Ordinance, "Solid Fences, or any Open Fence proposal at variance with the aforesaid standards, shall be examined by the Building Board. A variance from the terms of this chapter may be granted by the Building Board, but only after a public hearing before said Board." The applicant was approved for a 4' open fence to serve as the required pool enclosure; however, the applicant has since had concerns about the 4' height and is submitting a revised fence plan for review. Please see the enclosed plan set for review

Chairman Olson opened the Public Hearing.

Ms. Renee Deubel – 15035 Cascade Drive

Ms. Deubel stated that she is not against the fence itself but is against the 6' height. Ms. Deubel said that the fence will kill the arborvitaes that line her property because the trees will not get enough sunlight.

Seeing no additional comments, Chairman Olson closed the Public Hearing.

Ms. Kopec-Farrell explained that since being approved for a 4' fence they have discovered that their dog can jump over a 4' fence and feel a 6' foot fence would be safer. She stated that the neighbor's trees are not on the lot line and the fence is proposed off of the lot line.

Mr. Thedford asked if the fence was a shadowbox fence noting that it is hard to distinguish the type of fence on the drawings and the Board has disqualified a 6' shadowbox fence at a previous meeting, considering it a solid fence that would require a variance. Chairman Olson stated that none of the

materials indicate that the fence is a shadowbox and that the only thing on tonight's agenda for consideration is the 6' height.

The contractor asked if a shadowbox fence could be left out of the discussion tonight and he and the homeowners will abide by the open fence criteria while still 6' in height.

Chairman Olson stated that the homeowners and contractor should work with Ms. Gehl on open fence options relative to a prior 4' fence approval and what the approval was for; however, the Board was in agreement that their request does not constitute the necessity for a variance to be granted for a fence 6' in height.

**MS. STEINDORF MOTIONED TO DENY THE REQUEST FOR A 6' FENCE. MR. ROGE SECONDED. MOTION PASSED 6-0.**

**4. Review and act on a request by Jim & Kathleen Quinn-Griffin, 14800 Watertown Plank Road, for an alteration.**

Ms. Jody Brandemuehl with JDJ Remodel was present before the Board via Zoom to represent the request.

Applicants are requesting approval for an alteration to a previously approved garage addition. The applicants came before the Building Board on August 1st and August 15th, 2023 and were approved; however, the applicants have submitted a revised design for review. Of note, the applicants have revised the design to show two windows on the lower and upper levels of the garage on the south elevation. Please see the plan set enclosed for review.

Ms. Brandemuehl stated that the previously approved garage addition had one large window on the first and second level on the left side of the south elevation. The new request has divided the window on each level into two windows and has proposed window trim and color to match the rest of the house.

**MR. THEDFORD MOTIONED TO APPROVE THE PROPOSAL AS SUBMITTED. MR. ROGE SECONDED. MOTION PASSED 6-0.**

**5. Review and act on a request by John & Laura Fahey, 1720 Village Green Court, for a pool.**

Mr. Matt Rozeski with Penguin Pools was present before the Board to represent the request.

Applicants are requesting approval to install a swimming pool and fence in the rear yard of the property. The applicants are proposing to enclose the pool with a 4' high black aluminum fence located outside of setback areas. Please see the enclosed pool site plan, fence design, and landscaping plan for review.

Chairman Olson confirmed with Mr. Rozeski that there will be a gate on the pool fence.

Ms. Steindorf asked if an approval of the landscaping details will also be an approval of the grill island shown on the plans. Mr. Rozeski stated he will have to return at a later date with a confirmation of the materials being used as this has not yet been decided by the homeowner. Chairman Olson clarified that the Board will also need to review and approve the pool deck materials, grill materials, and the materials shown as a round pavement area.

Mr. Thedford asked the contractor where the pool equipment will be kept and how it will be screened. Mr. Rozeski stated that the pool mechanicals are intended to be placed where the plant bed is currently shown on the south side of the home and adjacent to the driveway.

Mr. Rozeski asked if the Board could vote only on the position of the pool and fence tonight and he can then return to the Building Board at an upcoming meeting with additional information. He stated that due to the weather he would like a Board decision on the pool and fence as soon possible so that those items can still be completed this year.

Chairman Olson stated that the Board can decide tonight on the pool and fence location; however, the remainder of the items proposed with this project will be contingent on future Board approval. Chairman Olson also stated the contractor should come back with full landscaping plans, material types, and physical samples for the pavers which are proposed to be used in the circular table area.

**MR. THEDFORD MOTIONED TO APPROVE THE POOL SIZE AND POSITION AS PROPOSED WITH THE CONDITION THAT THE APPLICANT WILL RETURN WITH UPDATED PLANS SHOWING POOL MECHANICALS PLACED WHERE THE EXISTING PLANT BED IS SHOWN; WILL SUBMIT AN UPDATED FENCE LAYOUT AND DESIGN PLAN; AND WILL SUBMIT AN UPDATED LANDSCAPING PLAN WHICH SHOWS THE LOCATION OF THE POOL MECHANICALS WITH THE PROPOSED SCREENING, THE PROPOSED HARDSCAPE WITH MATERIALS, FINISHES, AND SAMPLES PROVIDED, AND PROPOSED LANDSCAPING WITH SPECIES, QUANTITY, SIZE, AND LOCATION SHOWN. MS. STEINDORF SECONDED. MOTION PASSED 6-0.**

**6. Review and act on a request by David Gaus, 12505 Laurel Lane, for a shed.**

Mr. David Gaus, the homeowner, was present before the Board via Zoom to represent the request.

Applicant is requesting approval for a 9.5' tall shed with a 14' x 10' footprint to be located in their rear yard. The proposed shed is in height and size compliance and is indicated to be painted white with black trim to match the existing home. The shed is proposed to be located outside of setback areas. Please see the enclosed plan set for review.

Mr. Roge asked if the shingles will match the house, if there will be a concrete base, and whether there will be electricity run to the shed. Mr. Gaus stated that the shingles will match the house, the shed will have a concrete base, and there will be no electricity or plumbing run to the shed.

Mr. Thedford asked if fascia and trim could be added to the ends of the gables. Mr. Gaus stated that he will add the fascia and trim on the ends of the gables to match the eaves on the opposite side of the structure. Ms. Raysich asked that a trim board be added to the bottom along the perimeter of the shed. Mr. Gaus stated that he will add the trim board along the bottom of the shed.

**MS. RAYSICH MOTIONED TO APPROVE THE PROPOSAL CONTINGENT ON FASCIA AND TRIM BEING ADDED TO THE ENDS OF THE GABLES AND A TRIM BOARD ADDED TO THE BOTTOM ALONG THE PERIMETER OF THE SHED. MS. STEINDORF SECONDED. MOTION PASSED 6-0.**

**7. Review and act on a request by Brian & Julie Gingrass, 13555 Highwood Drive, for retaining walls.**

Mr. Brian Gingrass, the homeowner, was present before the Board to represent the request.

Applicants are requesting approval for multiple retaining walls on their property. The first retaining wall is proposed on the southwest corner of the property and is proposed to be a diamond pro retaining wall 4' in height located at closest 13.6' from the property line. The applicants will also be extending an existing boulder wall on the western property line. Finally, the applicants are proposing to replace an existing railroad tie wall along the eastern property line with a diamond pro retaining wall 4'-6' in height. It is important to note that a retaining wall exceeding 4' in height is required by Code to have plans approved by a professional engineer licensed in the State of Wisconsin. The applicant is working to obtain this; however, any approval of a retaining wall greater than 4' in height should be contingent on the engineer approved plans being submitted.

Mr. Gingrass stated that the diamond pro retaining walls and cap will be gray in color and they will be tiered back as shown on the submitted drawings. Mr. Gingrass also stated that the new retaining walls being requested will fix existing water issues with the neighbors. Mr. Gingrass has also submitted the required engineer approved plans.

**MS. RAYSICH MOTIONED TO APPROVE THE PROPOSAL AS SUBMITTED. MR. THEDFORD SECONDED. MOTION PASSED 6-0.**

#### **8. Other Business.**

The Building Board discussed their desire for a review of certain sections of the Zoning Code to be done this fall/winter. Specifically, they would like to review the fence and shed ordinances and they would also like to clarify the ordinance as it relates to connecting private garages and accessory structures to the principal structure. The Board asked that staff begin planning dates for these meetings and doing research as to what ordinances other communities have in place as it relates to these items.

#### **9. Adjournment.**

**MS. STEINDORF MOTIONED TO ADJOURN. MR. ROGE SECONDED. MOTION PASSED 6-0.**

Meeting adjourned at 6:25 P.M.

Respectfully Submitted,

Katherine Gehl  
Assistant Manager/Zoning & Planning Administrator