



**Office of Building Services**  
W240 N3065 Pewaukee Road  
Pewaukee WI 53072  
Phone: 262-691-0770

**ZONING BOARD OF APPEALS  
MEETING NOTICE AND AGENDA  
Tuesday, June 2, 2026  
6:00 PM**

Pewaukee City Hall Common Council Chambers  
W240N3065 Pewaukee Road, Pewaukee, WI

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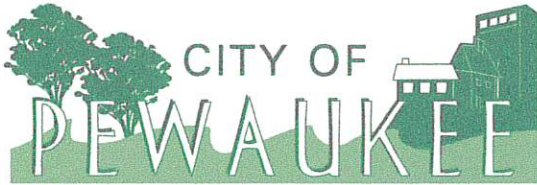
1. Call to Order and Pledge of Allegiance
2. PUBLIC HEARING
  - 2.1 **PUBLIC HEARING**, discussion and possible action regarding the request of Jon Williams and Michele Schmidt for a variance from Section 340-4.11(1) to allow for the construction of a new home with an approximate 20-foot front/street yard setback and an approximate 7-foot side yard setback, proposed to the required 30-foot street yard setback and 8-foot side yard setback for the property located at N27W27136 Woodland Drive (PWC 0933-127)
3. Adjournment

Kelly Tarczewski  
Clerk/Treasurer  
May 29, 2026

**NOTICE**

It is possible that members of other governmental bodies of the municipality may be in attendance to gather information that may form a quorum. At the above stated meeting, no action will be taken by any governmental body other than the governmental body specifically referred to above in this notice.

Any person who has a qualifying disability under the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible format must contact the Clerk/Treasurer, Kelly Tarczewski, at (262) 691-0770 three business days prior to the meeting so that arrangements may be made to accommodate your request.



Office of the Planner & Community Development Director  
 W240 N3065 Pewaukee Road  
 Pewaukee, Wisconsin 53072  
 Phone (262) 691-0770  
 Fax (262) 691-1798  
[fuchs@pewaukee.wi.us](mailto:fuchs@pewaukee.wi.us)

**APPLICATION FOR VARIANCE REQUEST**

TO THE HONORABLE MAYOR AND ZONING BOARD OF APPEALS OF THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

The undersigned hereby petitions the Zoning Board of Appeals of the City of Pewaukee, Waukesha County, Wisconsin requesting a variance from: Side setback of 7' 6" versus 8', front setback of 20' versus 30' or average of adjacent homes.

Legal description of property to be rezoned – Please attach.

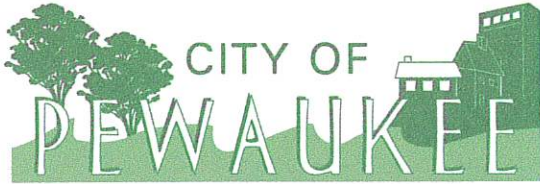
Common property description or name: N27W27136 Woodland Drive, Pewaukee, WI 53072  
 Property Address: N27W27136 Woodland Drive, Pewaukee Tax Key Number(s): PWC 0933127  
 Property owner(s) (Full Legal Name): John Michael Williams, Michelle Ann Schmidt  
 Owner's Address: Same as above City/State/Zip: Pewaukee, WI 53072  
 Phone: 253-355-1227 Email: Mike.Williams5054@gmail.com

Applicant (Full Legal Name):  
 Name: ~~John~~ John Michael Williams  
 Company: N/A  
 Address: See above  
 City/State/Zip: "  
 Phone: "  
 Email: "

Contact Person (Full Legal Name):  
 Name: Kerry Sutton  
 Company: Sutton Design  
 Address: W287N528 Williams Bay Ct.  
 City/State/Zip: Waukesha, WI 53188  
 Phone: 414-581-0270  
 Email: Suttondesign@hotmail.com

Variance submittals must include and be accompanied by the following:

- This Application form accurately completed with original signatures.
- Application Filing Fee, payable to the City of Pewaukee:
  - \$400.00
  - Note costs for publication, notice and all attorney fees related to the project shall be paid by the applicant and will be invoiced separately
- Five (5) complete collated sets of Application materials to include:
  - A written project narrative detailing the request and site & building improvements.
  - Scaled drawings, as may be applicable, including, but not limited to; a site plan, building elevations, colored renderings, and natural resource delineations.
- Variance Findings Form
- All application materials provided in a digital format (Adobe PDF). Materials may be submitted on a USB Flash Drive or emailed to [tarczewski@pewaukee.wi.us](mailto:tarczewski@pewaukee.wi.us).
- Note twelve (12) additional sets of plans will be required for the Zoning Board of Appeals following staff review of the initial submittal. These plans should be revised in response to staff comments as may be necessary.



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The applicant and property owner(s) hereby certify that:

- 1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge;
- 2) the applicant and property owner(s) has/have read and understand all information in this application; and
- 3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval.

*(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).*

**PETITIONER'S/APPLICANT'S SIGNATURE:** Kerry Sutton  
**NAME & TITLE (PRINT):** KERRY SUTTON OWNER OF SUTTON DESIGN LLC  
**SIGN AND DATED this** 16 **day of** APRIL **,** 2026 **.**

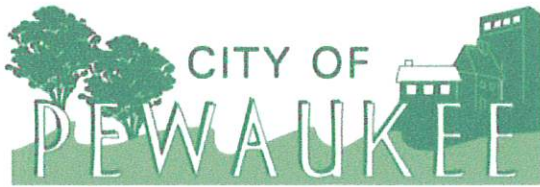
**PROPERTY OWNER'S SIGNATURE:** Jon M. Williams  
**NAME & TITLE (PRINT):** JON M. WILLIAMS  
**SIGN AND DATED this** 16<sup>TH</sup> **day of** APRIL **,** 2026 **.**

**PROPERTY OWNER'S SIGNATURE:** \_\_\_\_\_  
**NAME & TITLE (PRINT):** \_\_\_\_\_  
**SIGN AND DATED this** \_\_\_\_\_ **day of** \_\_\_\_\_ **,** \_\_\_\_\_ **.**

City Staff-

**RECEIVED** at City Hall by: \_\_\_\_\_ on \_\_\_\_\_

Fee paid: \$ \_\_\_\_\_ Date: \_\_\_\_\_



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**VARIANCE FINDINGS FORM**

It is recommended that this form be completed and submitted as part of all variance requests.

Date: April 16, 2026 Property Owner: John Williams + Michelle Schmidt  
 Property Address: N27W27136 Woodland Drive, Pewaukee, WI 53072

Section 17.1007 states, "No variance to the provisions of this Ordinance shall be granted by the Board unless it finds beyond a reasonable doubt that all the following facts and conditions exist and so indicates such 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 principle use, permitted accessory use, or permitted conditional use in that particular district.

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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 should not be of so general or recurrent nature as to suggest that the Ordinance should be changed.

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c. Economic or Financial Hardship and Self-Imposed Hardship Not Grounds for Variance: No variance shall be granted on the basis of economic/ financial gain or loss. Self-imposed hardships shall not be considered as grounds for the granting of a variance.

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d. Preservation of Property Rights: The variance must be necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.

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e. Absence of Detriment: No variance shall be granted that will create substantial detriment to adjacent property or that will materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest.

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f. Additional Requirements in Floodplain District: No variance in or related to a floodplain\* shall be granted where:

- (1) A change in the boundaries or elevation of the base flood floodplain (F-1 District) would result.
- (2) A lower degree of flood protection than a point two (2) feet above the 100-year recurrence interval base flood for the particular area would result.
- (3) Any action contrary to the provisions of Chapter NR-116 of the Wisconsin Administrative Code would result. (See sub-section 17.0435 and WisDNR requirements)
- (4) The lot or parcel is larger than one-half acre and is not contiguous to existing structures constructed below the regional (base) flood elevation.
- (5) No good or sufficient cause can be shown; greater than a minimum relief is necessary; there is increased risk to public safety or nuisances; rescue and relief costs would be increased; and, it is contrary to the purposes of this ordinance.
- (6) Such variance would allow alteration of an historical structure and/or use.

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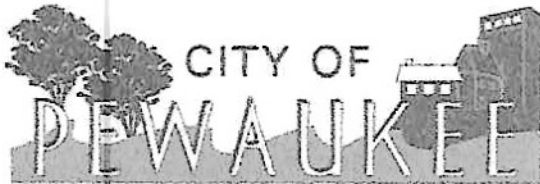
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g. When a floodplain variance is granted, the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 per coverage. A copy shall be maintained with the variance record.

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**VARIANCE FINDINGS FORM**

It is recommended that this form be completed and submitted as part of all variance requests.

Date: 5/11/2026 Property Owner: Mike Williams and Michelle Schmidt  
 Property Address: N27W27136 Woodland Drive, Pewaukee, WI 53072

Section 17.1007 states, "No variance to the provisions of this Ordinance shall be granted by the Board unless it finds beyond a reasonable doubt that all the following facts and conditions exist and so indicates such 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 principle use, permitted accessory use, or permitted conditional use in that particular district.

The existing conditions well exceed the permissable permiable/non-permiable ratio. We are meeting this with mitigation on the new home. The current home is on the lot line and we are asking for 7.5' and 8.0' for sideyard setbacks, 20' street and 75' lake setbacks.

- 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 should not be of so general or recurrent nature as to suggest that the Ordinance should be changed.

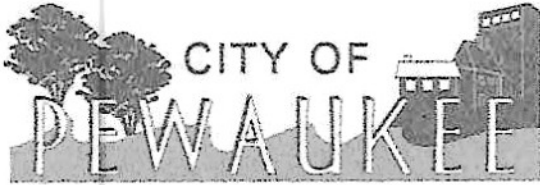
With the allowed setback of 30' from the street and the 75' 100 year lake setback, we do not have the ability to maintain the minimum first floor square footage and have a 2 car attached garage.

- c. Economic or Financial Hardship and Self-Imposed Hardship Not Grounds for Variance: No variance shall be granted on the basis of economic/ financial gain or loss. Self-imposed hardships shall not be considered as grounds for the granting of a variance.

Our issue is strictly with fitting a modest home on the property and with minimal disturbance.

- d. Preservation of Property Rights: The variance must be necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.

We feel that the new home blends perfectly with neighboring



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homes and we have made every effort to ensure this.

- e. Absence of Detriment: No variance shall be granted that will create substantial detriment to adjacent property or that will materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest.

We are improving the home placement with greater side yard setbacks and a drainage plan to contain rain run-off.

- f. Additional Requirements in Floodplain District: No variance in or related to a floodplain\* shall be granted where:
- (1) A change in the boundaries or elevation of the base flood floodplain (F-1 District) would result.
  - (2) A lower degree of flood protection than a point two (2) feet above the 100-year recurrence interval base flood for the particular area would result.
  - (3) Any action contrary to the provisions of Chapter NR-116 of the Wisconsin Administrative Code would result. (See sub-section 17.0435 and WisDNR requirements)
  - (4) The lot or parcel is larger than one-half acre and is not contiguous to existing structures constructed below the regional (base) flood elevation.
  - (5) No good or sufficient cause can be shown; greater than a minimum relief is necessary; there is increased risk to public safety or nuisances; rescue and relief costs would be increased; and, it is contrary to the purposes of this ordinance.
  - (6) Such variance would allow alteration of an historical structure and/or use.

- g. When a floodplain variance is granted, the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 per coverage. A copy shall be maintained with the variance record.



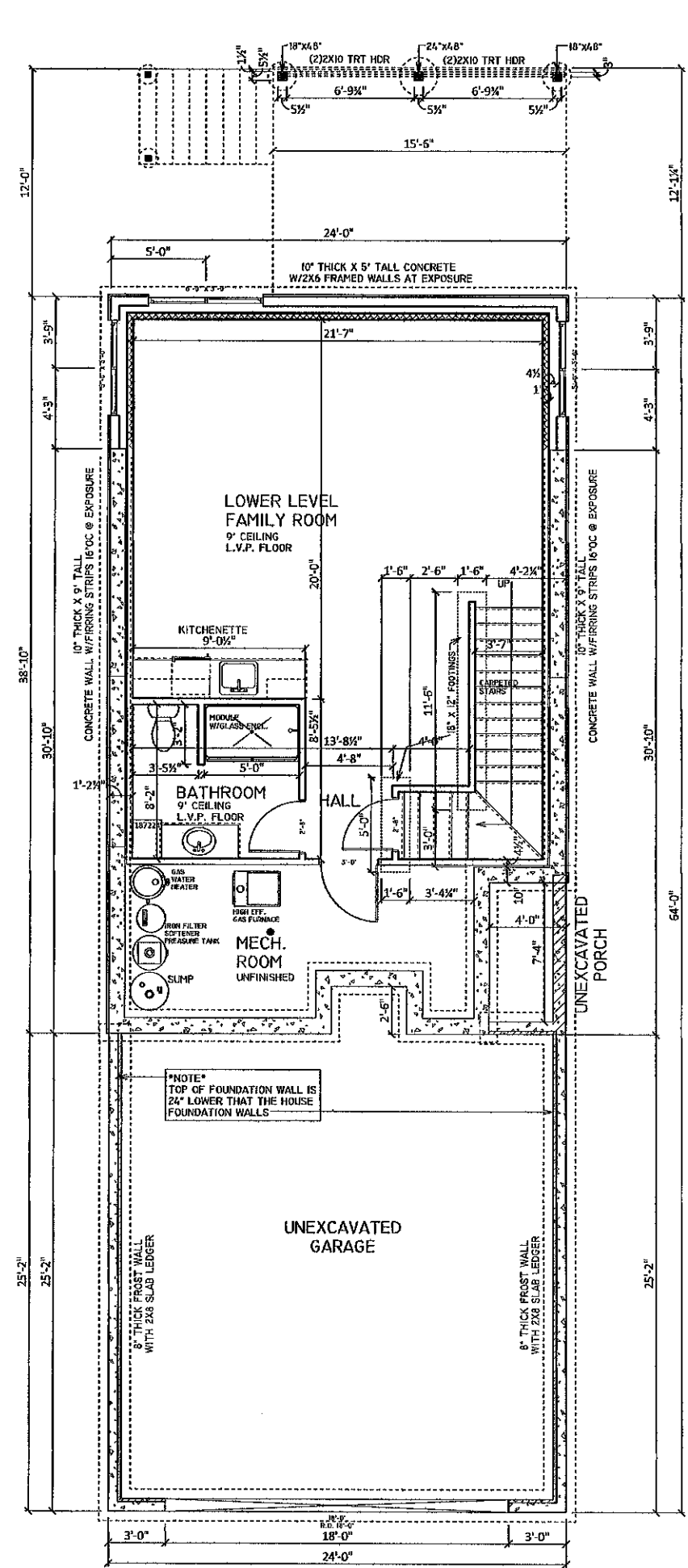




REAR ELEVATION  
SCALE: 1/4" = 1'-0"

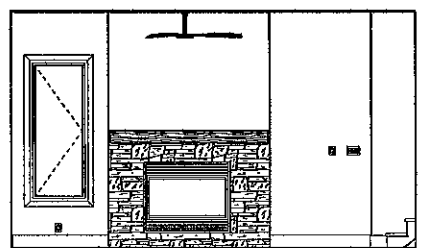
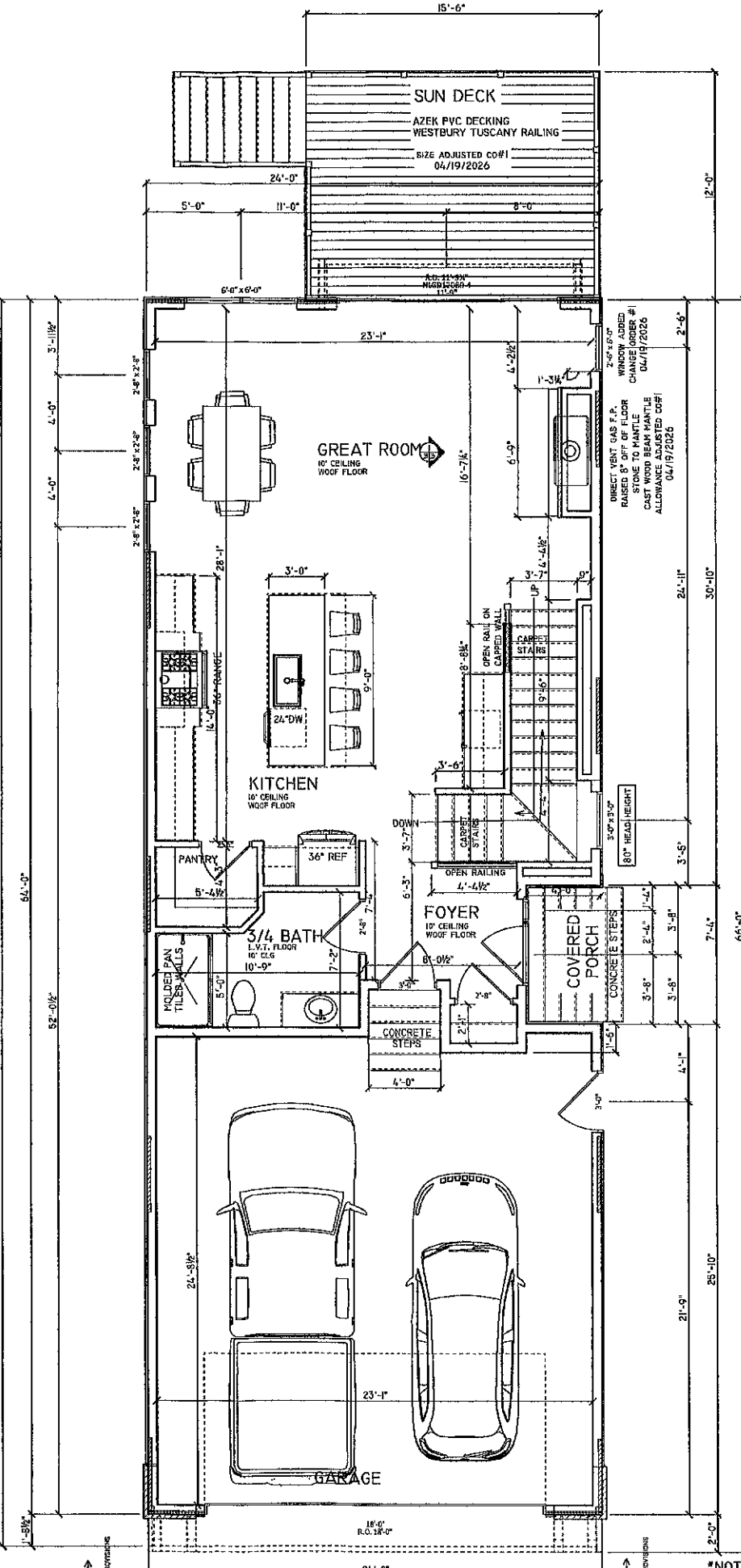


RIGHT ELEVATION  
SCALE: 1/4" = 1'-0"



BRACE LINE 'A'  
PORTAL FRAMING METHOD  
REF. TO AREA A OF THE  
CC WALL BRACING PROVISIONS

BRACE LINE 'B'  
PORTAL FRAMING METHOD  
REF. TO AREA A OF THE  
CC WALL BRACING PROVISIONS

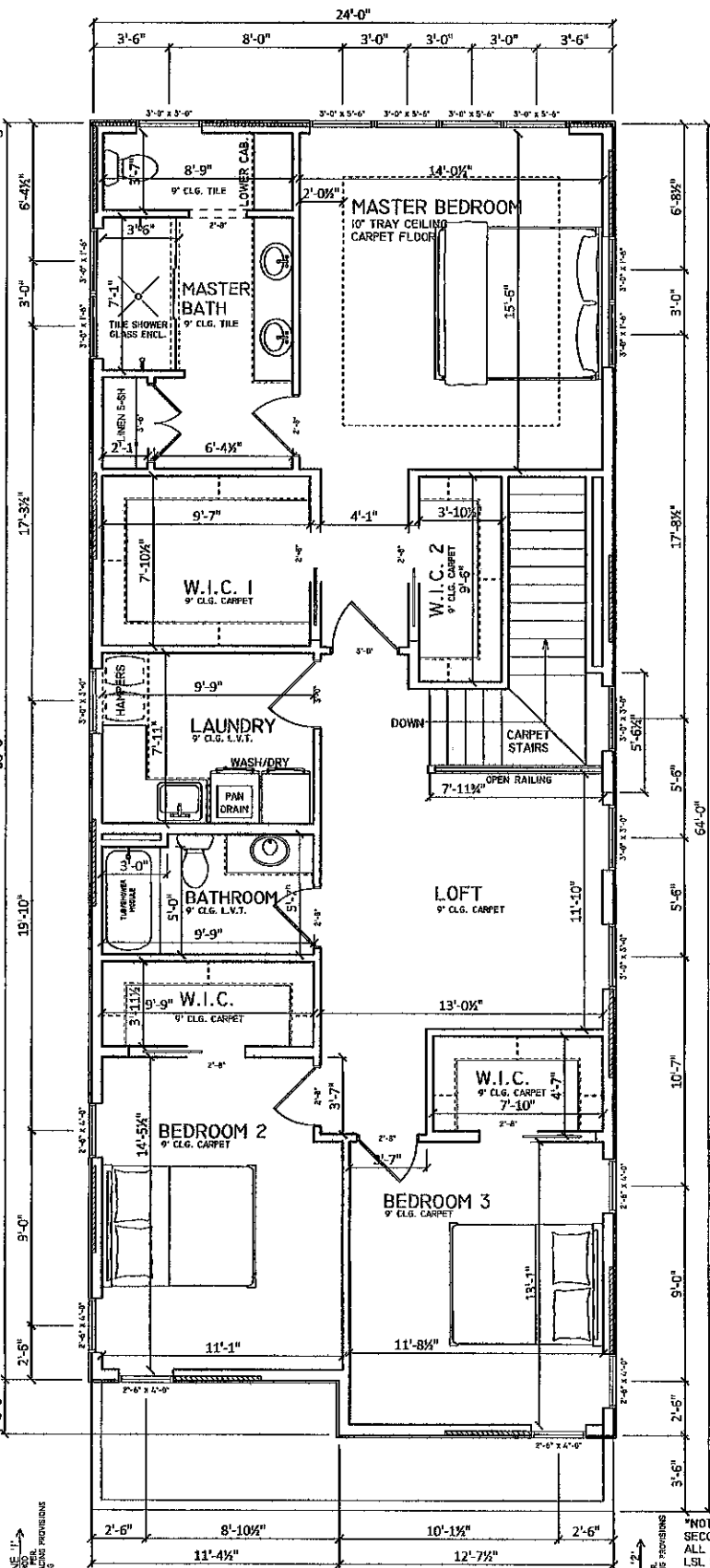


1  
33  
FIREPLACE INTERIOR ELEVATION I  
SCALE: 1/4" = 1'-0"

NOTE:  
FIRST FLOOR WINDOW HEAD HEIGHTS ARE 8'-0"  
ALL INTERIOR AND EXTERIOR DOORS ARE 8'-0" HEIGHT  
LSL STUDS AT ALL CABINET WALLS & SHOWERS  
PAINTED DOORS AND TRIM, DRYWALL RETURN WINDOWS WITH SILL  
ANDERSON 400 SERIES WINDOWS  
THERMATRU FIBERGLASS DOORS

BRACE LINE 'A'  
 CS-NIP HETTING (CONTIGUOUS SHEATHED)  
 REF. TO 2318.9 OF THE  
 UIC WALL BRACING PROVISIONS

BRACE LINE 'D'  
 BRACING METHOD  
 100% 2X4 RED. PER  
 UIC WALL BRACING PROVISIONS  
 TABLE S125-G



1,364 SQUARE FEET

\*NOTE\*  
 SECOND FLOOR WINDOW HEAD HEIGHTS ARE 6'-10"  
 ALL INTERIOR DOORS ARE 6'-8" HEIGHT  
 LSL STUDS AT ALL CABINET WALLS AND SHOWERS  
 PAINTED DOORS AND TRIM, DRYWALL RETURN WINDOWS WITH SILL  
 ANDERSON 400 SERIES WINDOWS

- SHINGLES: HIGH DEFINITION SHINGLES
- 15# BUILDING FELT
- 1/2" OSB ROOF DECKING W/ H-CLIPS
- 2X4 ENGINEERED ROOF TRUSSES @ 24" O.C.  
W/ TRUSS ANCHORS
- ICE & WATER SHIELD @ EAVES & VALLEYS
- ALUM. GUTTERS & DN. SPOUTS
- 2X6 SUBFASCIA
- 1X8 LP FASCIA
- 2X4 LOOKOUTS W/ 2X4 NAILER
- LP VENTED SOFFIT

- 5/8" DRYWALL @ CEILING
- 2X6 STUDS @ 16" O.C.
- R-23 BIBB INSULATION
- 4 MI. VAPOR BARRIER @ WALLS & CEILING
- 1/2" DRYWALL @ WALLS
- DRYWALL FINISH @ WALLS & CEILING
- LP LAP SIDING
- HOUSEWRAP
- 5/32" OSB SHEATHING

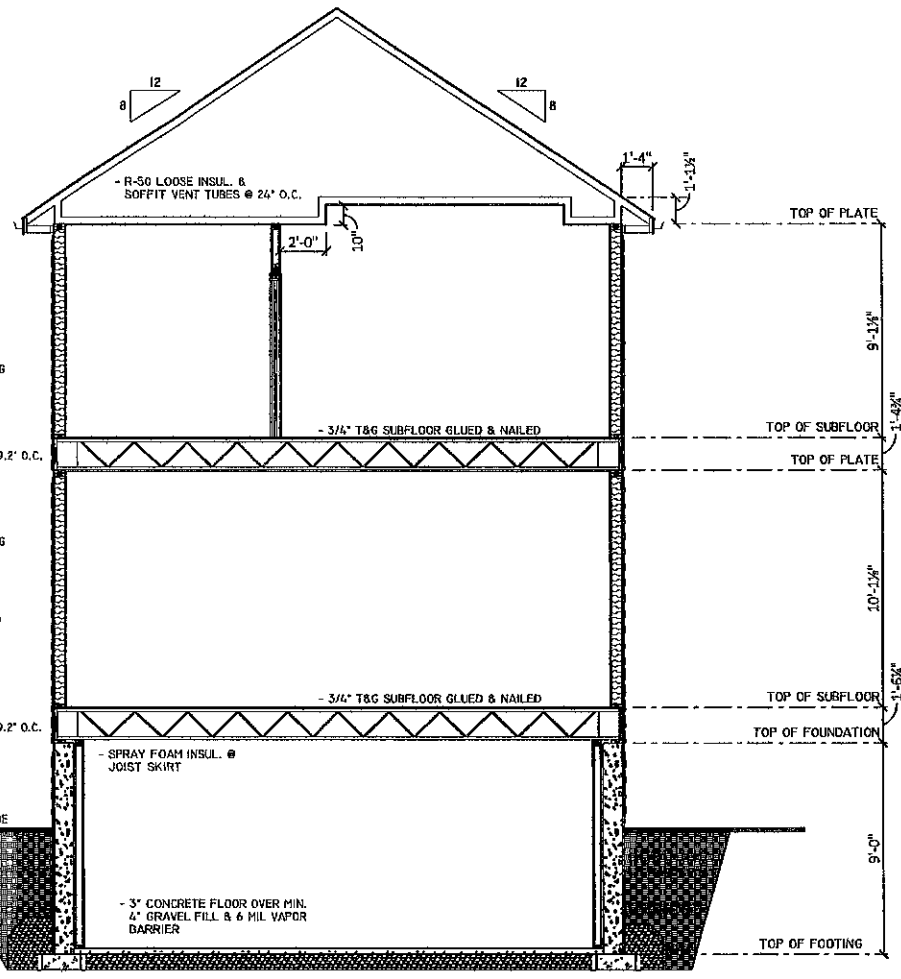
16" DEEP FLOOR TRUSSES @ 19.2" O.C.

- LP LAP SIDING
- HOUSEWRAP
- 5/32" OSB SHEATHING

- 2X6 P.T. MUD SILL W/ SILL SEALER
- MASS STRAP ANCHORS @ 5'-0" O.C.
- 10" X 9" POURED CONC. WALLS  
(REINFORCED REBAR PER WISCONSIN  
BUILDING CODE & MUNICIPALITY REQUIREMENTS)

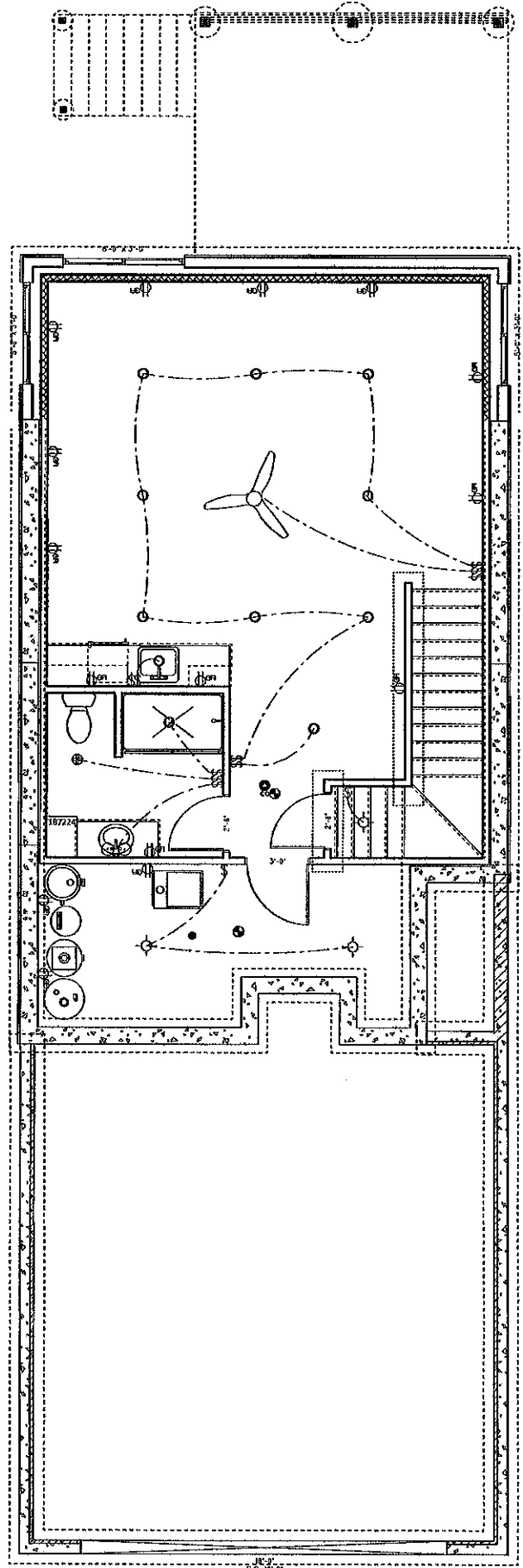
16" DEEP FLOOR TRUSSES @ 19.2" O.C.

- APPROXIMATE GRADE
- 1" R-5 FOAM SHTG. @ FULL HEIGHT  
FROM TOP OF FOUNDATION WALL W/  
PROTECTIVE COVERING ON EXPOSED  
SHTG. @ GRADE (REVELED TOP EDGE)
- 12" MIN. STONE FILL
- FORM-A-DRAIN AT FOOTINGS
- 20" X 8" CONCRETE FOOTING

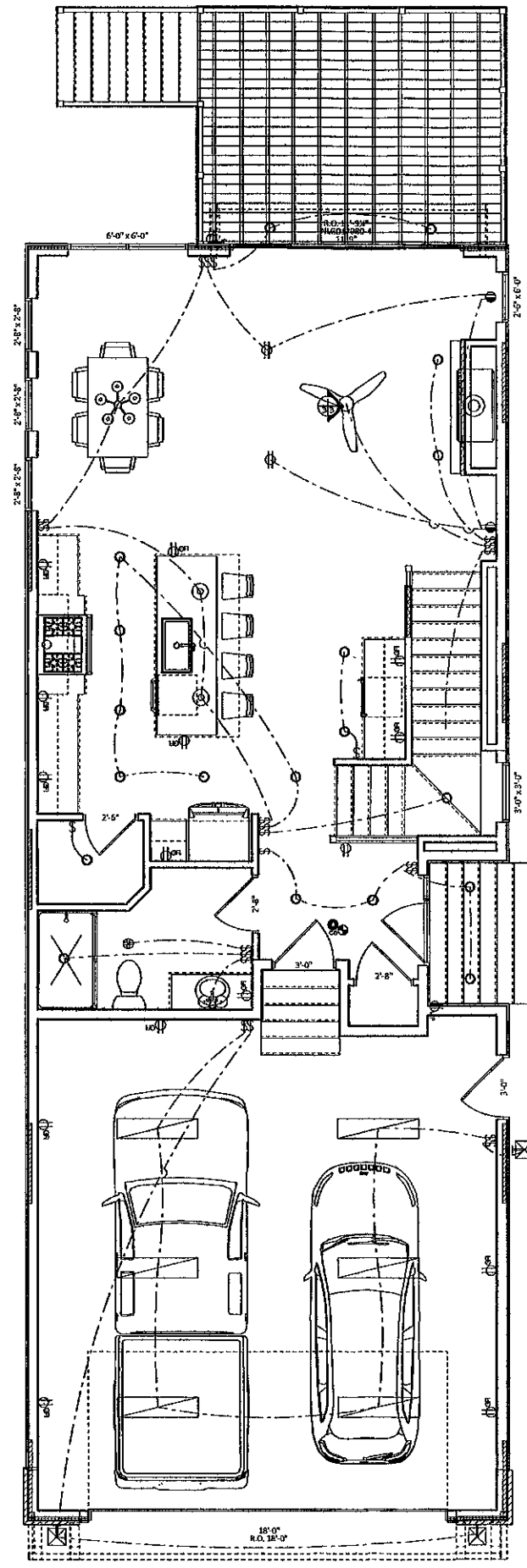


CROSS SECTION A  
 SCALE: 1/4" = 1'-0"

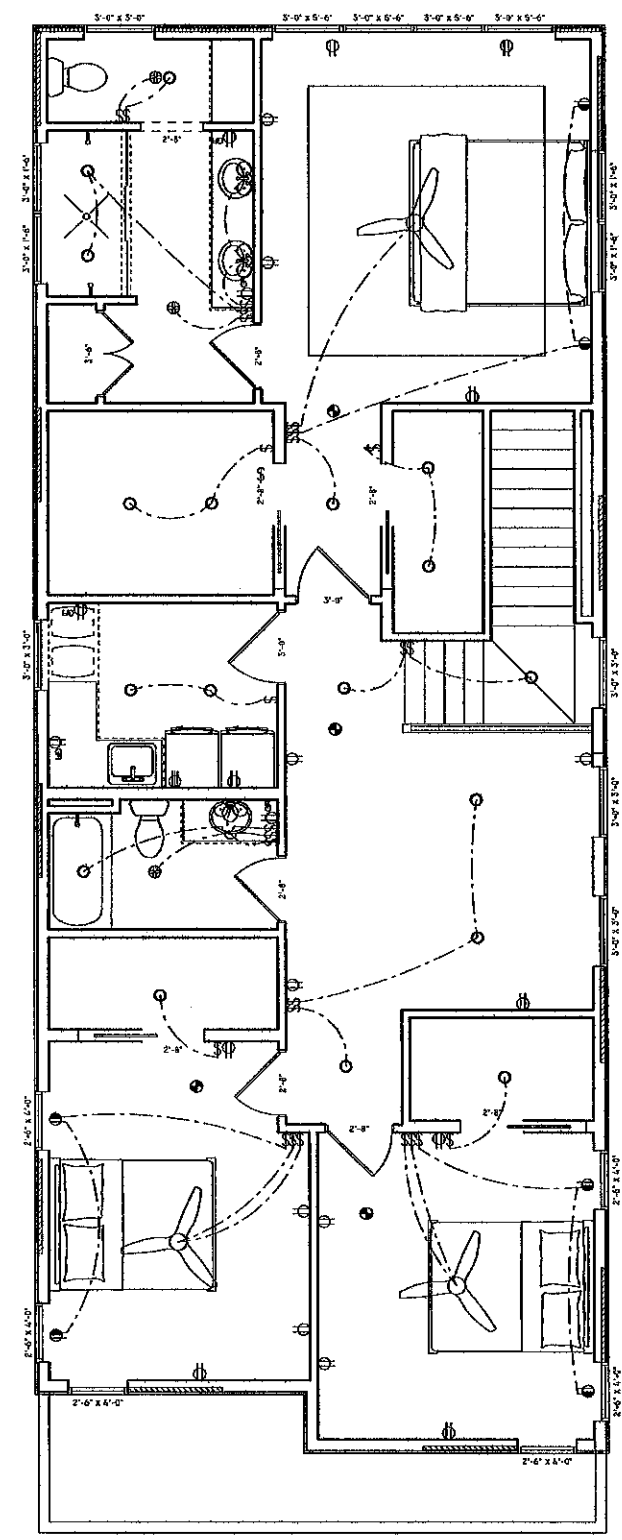
02 SECOND FLOOR  
 SCALE: 1/4" = 1'-0"



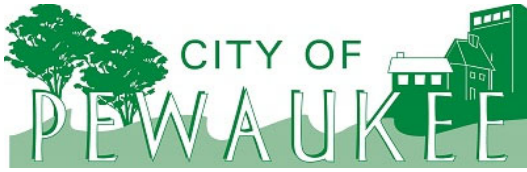
01 FOUNDATION - ELECTRICAL  
SCALE: 1/4" = 1'-0"



01 MAIN FLOOR - ELECTRICAL  
SCALE: 1/4" = 1'-0"



02 SECOND FLOOR - ELECTRICAL  
SCALE: 1/4" = 1'-0"



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REPORT TO THE BOARD OF ZONING APPEALS

Meeting of June 2, 2026

**Date:** May 25, 2026

**Project Name:** Williams Variance Request

**Project Address/Tax Key No.:** N27W27136 Woodland Drive / PWC 0933127

**Applicant:** Jon Michael Williams and Michele Ann Schmidt

**Property Owner:** Jon Michael Williams and Michele Ann Schmidt

**Zoning:** Rs-7 Single-Family Residential District, F-1 Floodplain District, and SO Shoreland Overlay District

**2050 Land Use Map Designation:** Medium Density Residential (6,500 Sq. Ft. - 1/2 Ac. / D.U.) and Floodplains, Lowland, & Upland Conservancy and Other Natural Areas

**Use of Surrounding Properties:** Pewaukee Lake to the north and single-family residential to the south, east, and west.

**Project Description/Analysis**

The property owners filed a Variance Application requesting approval of a variance from Section 340-4.11(1) to allow for the construction of a new home with a 20-foot front/street yard setback and an approximately 7-foot side yard setback, opposed to the required 30-foot street yard setback and 8-foot side yard setback of the Rs-7 District upon property located at N27W27136 Woodland Drive.

The proposed home conforms to all other Rs-7 District and Shoreland Overlay District standards. The property owner is proposing about 31% lot coverage; however, intends to provide mitigation, which allows a combined lot coverage of up to 35%. Note that the applicant did not include the driveway in the impervious surface calculations on the survey/grading plan. This will be revised as the project moves forward.

The Board of Zoning Appeals must review the application materials provided as well as Section 17.1007 of the City’s Zoning Code (below), which outlines the factors the Board must consider in determining whether to grant or deny a variance request. The applicant has provided responses to these criteria for consideration by the Board.

17.1007 FINDINGS (Rep. & Rec. 14-14)

No variance to the provisions of this Ordinance shall be granted by the Board unless it finds beyond a reasonable doubt that all the following facts and conditions exist and so indicates such 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 principal use, permitted accessory use, or permitted 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 should not be of so general or recurrent nature as to suggest that the Ordinance should be changed.
  - c. Economic or Financial Hardship and Self-Imposed Hardship Not Grounds for Variance: No variance shall be granted on the basis of economic/ financial gain or loss. Self-imposed hardships shall not be considered as grounds for the granting of a variance.
  - d. Preservation of Property Rights: The variance must be 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: No variance shall be granted that will create substantial detriment to adjacent property or that will materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest.
  - f. Additional Requirements in Floodplain District: No variance in or related to a floodplain\* shall be granted where:
    - (1) A change in the boundaries or elevation of the base flood floodplain (F-1 District) would result.
    - (2) A lower degree of flood protection than a point two (2) feet above the 100-year recurrence interval base flood for the particular area would result.
    - (3) Any action contrary to the provisions of Chapter NR-116 of the Wisconsin Administrative Code would result. (See sub-section 17.0435 and WisDNR requirements)
    - (4) The lot or parcel is larger than one-half acre and is not contiguous to existing structures constructed below the regional (base) flood elevation.
    - (5) No good or sufficient cause can be shown; greater than a minimum relief is necessary; there is increased risk to public safety or nuisances; rescue and relief costs would be increased; and it is contrary to the purposes of this ordinance.
    - (6) Such variance would allow alteration of an historical structure and/or use.
  - g. When a floodplain variance is granted, the Board shall notify the applicant in writing that it may increase risks to life and property, and flood insurance premiums could increase up to \$25.00 per \$100.00 per coverage. A copy shall be maintained with the variance record.

### **Recommendation**

Staff find that the proposed home and site design is reasonable and consistent with the surrounding area and other new homes constructed within the Rs-7 District. Moreover, the 20-foot street yard setback allows compliance with the 75-foot 100-year floodplain setback.

As such, staff recommends approval of the proposed variance request.

Consideration should also be given to public comments heard at the public hearing.