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January 9, 2025

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01/09/2025 Plan Commission Meeting

Public Hearing and Conditional Use Grant at 319 Quinlan Drive.

[Meeting Minutes \(?Type=M&ID=392\)](#)

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[Video \(?Type=V&ID=392\)](#)

Plan Commission Meeting
January 09, 2025 – 6:00 pm
Village Hall
235 Hickory Street, Pewaukee, WI 53072

<https://www.youtube.com/watch?v=J-sh8LR6iHc> (<https://www.youtube.com/watch?v=J-sh8LR6iHc>)

1. Call to Order and Roll Call, Pledge of Allegiance, & Moment of Silence

President Knutson called the meeting to order at approximately 6:02 p.m.

Plan Commission members present: Comm. Mark Grabowski; Comm. Sam Liebert; Comm. Katie Jelacic; Comm. Theresa Hoff; Trustee Bob Rohde; and President Jeff Knutson.

Excused: Comm. Brian Belt

Also present: Village Attorney, Matt Gralinski; Village Planner, Mark Lyons; Village Administrator, Matt Heiser; and Deputy Clerk, Mackenzie Quigley.

2. Public Hearings –

- a. **Conditional Use Grant request to allow a modular handicap ramp. The ramp is proposed at 3 feet from the setback which is only permissible through the issuance of a Conditional Use Grant (Section 40.209(b). This 0.202-acre parcel, located at 319 Quinlan Drive / PWV0893003, is zoned R-5 Residential Detached District. Property owners are Chris & Cathy Graham and Applicant is DMDZ Inc. (Ryan Dziewik, agent)**
 - No Comments

3. Citizen Comments – No comments.

4. Approval of the Minutes

- a. **Regular Plan Commission Meeting – December 12, 2024.**

Trustee Rohde motioned/seconded by Comm. Hoff to approve the December 12, 2024, Regular Plan Commission Meeting minutes as presented.

Motion carried 6-0.

5. Old Business

- a. **None**

6. New Business

- a. **Review, discussion, and possible action on a Conditional Use Grant request to allow a modular handicap ramp. The ramp is proposed at 3 feet from the setback which is only permissible through the issuance of a Conditional Use Grant (Section 40.209(b). This 0.202-acre parcel, located at 319 Quinlan Drive / PWV0893003, is zoned R-5 Residential Detached District. Property owners are Chris & Cathy Graham and Applicant is DMDZ Inc. (Ryan Dziewik, agent)**

Trustee Rohde shared that this is an item where through ordinance change or through suggestion to Village Board where the Village Administrator should be able to approve items like this without the added expense and time of Plan Commission approval.

Comm. Liebert questioned – if waiving fees or partial fees is an option when the item is needed due to a medical condition.



ough to need commission approval.

ation on the lifespan of the project.

stated that the CUG is only good for the current owner – if he were to sell the house, the pply for a new CUG.

1S:

Commission recommends Approval of the Conditional Use Grant Request for Chris and Cathy Grabowski (home) the property located at 319 Quinlan Drive, subject to the following conditions:

1. That this conditional use allows a new modular handicap ramp on the above referenced property to be as close as three (3) feet from the eastern property line.
2. That all conditions made by the Plan Commission at their meeting of January 2025 are met.
3. That the modular ramp structure meets all building and zoning codes.
4. The reduction in building setback for the proposed ramp is requested as a reasonable accommodation for circumstances unique to the applicant and the current property owner. The Village acknowledges that the circumstances necessitating this accommodation may no longer be present in the event the property is sold or no longer occupied by the applicant and current property owner. The Village explicitly finds a change in ownership or occupation of the property by someone other than the applicant and current property owner constitutes a change in the nature and/or character of the permitted conditional use. To that end, and pursuant to authority found in Wisconsin Statute Section 66.23(7)(de) 4. and Village Municipal Code Section 40.154(3), this Conditional Use Grant shall terminate and be null and void upon the sale or conveyance of the property to which this Grant applies, or upon the date on which the current property owner no longer occupies the property as a primary residence, whichever occurs first. The Plan Commission may, after application by owner, applicant, or a bona fide transferee of the property, amend this provision or extend the duration of this Grant pursuant to the procedure for conditional use approval found in Chapter 40 Article V of the Village Municipal Code.”
5. The proposed modular ramp is in close proximity to the properties water service, should the water line or curb stop need to be serviced, It shall be the property owners responsibility to move the ramp in order for the necessary work to be completed.
6. The Petitioner shall satisfy all comments, conditions, and concerns of the Village of Pewaukee Plan Commission, Village Engineer and Village Planner for the site plan, and other documentation.
7. Building Inspection. The Petitioner and/or Property Owner shall comply with any and all recommendations by the Village Building Inspector (or designee) prior to the issuance of an occupancy & use permit for the subject property. Approval by the Village Building Inspector, if granted, shall be solely for the benefit of the Village of Pewaukee, and shall not be relied upon by the petitioner or others as proof of structural integrity or safety of any structure on the property, or as proof of compliance with any particular construction standard that would apply to new construction. The petitioner shall independently determine the suitability of all structures on the property for the petitioner’s intended uses.
8. This approval is granted for the express conditions stated herein. Changes or alterations including, but not limited to, a change in use, premises, lands, or ownership of the property in question shall require a new conditional use approval with all the zoning procedures at the time being followed. The allowed uses of the property must at no time be hazardous, harmful, obnoxious, offensive, or a nuisance by reasons of appearance, noise, dust, smoke, odor, or other similar factors. Any use not specifically listed, as permitted, shall be considered to be prohibited, except as may be otherwise specified herein.
9. The Property Owner shall allow Village of Pewaukee representatives to inspect the premises following a 24-hour notice for the purposes of determining compliance with this approval.
10. The Petitioner and/or Property Owner shall obtain the appropriate permits from the Village of Pewaukee.
11. The Petitioner and/or Property Owner shall, on demand, reimburse the Village of Pewaukee for all costs and expenses of any type incurred by the Village in connection with the review and approval of this application, including, but not limited to, the cost of professional services incurred by the Village for the review and preparation of required documents, attendance at meetings or other related professional services as well as to enforce the conditions in this approval due to a violation of these conditions.

Comm. Grabowski motioned/seconded by Trustee Rohde to approve the Conditional Use Grant and Site Plan as presented with the planner recommendations.

Motion carried 6-0.

7. Citizen Comments – No comments.

8. Adjournment

Comm. Liebert motioned/seconded by Comm. Grabowski to adjourn the January 09, 2025, Regular Plan Commission meeting at approximately 6:08 p.m.

Motion carried 6-0.

Respectfully submitted,

Mackenzie Quigley
Deputy Clerk

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Friday	8 a.m. - 4:30 p.m.
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Sunday	Closed

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