



**Plan Commission
Meeting Minutes
January 27, 2026**

3930 N. Murray Avenue, Village of Shorewood, WI 53211

1. Call to order.

The meeting was called to order at 6:32 p.m.

Present: President Ann McKaig, Trustee Matt McGovern, Commissioners Kate Flynn Post, Michael Kloehn, Josh Pollack

Absent: Commissioner Therese Klein, Dan Wycklendt

Others present: Planning Director Bart Griepentrog, Planning Administrative Clerk Crystal Kopydlowski

2. Approval of October 28, 2025 Plan Commission meeting minutes.

Trustee McGovern moved to approve the minutes as presented, seconded by Mr. Kloehn. Vote to approve the minutes, 5-0.

3. Update and further discussion of the Plan Commission's proposed initiative to increase housing opportunities in the village.

President McKaig started by explaining that results of the survey were included in the materials and thanked Commissioner Flynn Post for her assistance in preparing the survey. Director Griepentrog provided a summary of the survey results/statistics.

President McKaig asked if there were any comments from the public on the matter. Sally Durgerian, 4060 N. Farwell Avenue, stated she answered the survey and was in attendance to observe.

President McKaig explained that they had recommended to increase the household definition to 4 unrelated adults and asked if there was any desire to change that. There was no motion on the floor. She asked if there was any motion on the floor to change the recommendation on bedrooms in basements being allowed. There was no motion on the floor.

President McKaig said that, in terms of the accessory dwelling unit recommendations, it sounded like there was further direction needed. Director Griepentrog explained that he would need direction if the survey results changed any opinions. He included in the materials where the commission had left off with the regulations. President McKaig said she was inclined to address any of the regulations that there was not clear direction on. Director Griepentrog believed he had directions on all the regulations but welcomed discussion if needed. President McKaig thought there was more clarification on enclosed versus unenclosed parking regulations. Director Griepentrog stated that where the commission left off was that "no additional parking shall be required; existing parking must be maintained". If an ADU was developed parking for that unit would not be required but existing parking would need to be present. Director Griepentrog agreed that one outstanding question was whether unenclosed parking spaces, including driveways, should be allowed to meet required parking. Currently, if a single-unit residence has a garage that satisfies the parking

requirement. But if the desire was to convert that garage to an ADU, parking on the driveway would not satisfy the parking requirement. President McKaig requested clarification on this. Trustee McGovern was in favor of using the driveway to satisfy the parking requirement. President McKaig stated she was comfortable removing the enclosed parking requirement from the ordinance. The commission agreed unanimously to remove the enclosed parking requirement but to maintain parking.

Sally Durgerian, 4060 N. Farwell Avenue, commented that she does not park in her garage and that if they were to create an ADU it would be in the garage. She feels strongly that garages should be allowed to be used for building an ADU.

Director Griepentrog clarified that this would maintain the requirement to have some level of off-site parking but that the off-site parking could be in the driveway or on a parking pad. He asked if there was any desire to remove parking requirements in total. Commissioner Pollack moved to remove all parking requirements if an ADU was developed. Trustee McGovern seconded the motion. President McKaig stated she would lean towards maintaining the one parking space for the primary dwelling, not require additional parking for the ADU, and remove the enclosed parking requirement. Ms. Flynn Post stated this is her position also. Mr. Pollack clarified that his motion would be for no incremental or additional parking requirements when building an ADU. President McKaig stated there was consensus on that but stated the question was if you build an ADU do you need to maintain the parking for the primary residence. Director Griepentrog gave an example of a property that is alley served and converts the garage into an ADU but has no driveway. He asked if we would require residents to build a parking pad for their primary structures required parking or exempt the parking. Mr. Pollack stated he would exempt it. Trustee McGovern would second this. He did not want to mandate someone to build a parking pad if they want an ADU. President McKaig asked for a vote on the motion on the floor to create an exemption for maintaining parking minimums on lots that build an ADU. Vote 4-1; Ms. Flynn Post voting nay.

President McKaig asked if there was a preference to go clause by clause to clarify. Ms. Flynn Post said she has spent a lot of time on this and would appreciate going through all the points. President McKaig stated this was a big policy change and believed they should be detailed.

- Zoning Districts – The consensus had been to allow ADUs in the R-1 through R-6 Districts (one and two-unit residential districts). Ms. Flynn Post moved to only allow ADUs at single-unit residences to align with state regulation that is pending. There was no second; motion failed.
- Number – The consensus was to allow no more than one per lot.
- Type – The consensus was to allow internal (attic/basement), attached (rear or side yard only) or detached (garage).
- Size – The consensus was not to exceed gross floor area of the principal dwelling or 1,000 square feet whichever is less. This was developed based on Milwaukee and Wauwatosa's ordinances with similar building patterns. Director Griepentrog added that the proposed state legislation would limit accessory dwelling units only to being smaller than the principal use one-unit dwelling. The proposal before the commission is more restrictive than that by saying 1,000 square feet or the gross floor area. Mr. Pollack moved to restrict the size to not exceed the gross floor area of the principal dwelling. President McKaig seconded.

Sally Durgerian, 4060 N. Farwell Avenue, asked if the commission was at the point where an ADU cannot be larger than the principal residence. Mr. Pollack said his motion was to remove the smaller (1,000 square foot) language. She stated that ADUs are expensive to build and people should be allowed to build larger than 1,000 square feet if they can. She stated that height requirements and lot coverage should determine the maximum size. She thinks it should be allowed to build an ADU larger than 1,000 square feet.

Ms. Flynn Post appreciated the Conservation Committee Chair waying in on this topic and asked if there are any environmental factors with data that they should be looking at in terms of lot coverage, managing storm water or building materials etc. Director Griepentrog stated he did not have any data on environmental impacts but to the point of form-based standards, one would be allowed to develop up to those setbacks, up to that height, and up to that lot coverage. If the commission were to limit ADUs further for environmental reasons, then the conversation would need to be had about limiting single-unit dwellings the same way. He did not expect that ADUs would be an impact. Mr. Pollack asked if there were still greenspace rules in place. Director Griepentrog stated yes. President McKaig called the question asking all those in favor of the motion on the floor. Vote 4-1, Ms. Flynn Post voting nay.

- Lot Coverage – The consensus was to maintain the existing lot coverage ratios (30% maximum for principal structure and 10% maximum for detached accessory structures) and green space requirements (30% minimum).
- Setbacks – The consensus was that existing setbacks (side/rear 3-10 feet) be maintained (building code also requires that a detached accessory structure be separated by 10 feet from the principal building or 5 feet if fire rated).
- Height – The consensus was that the height could be the same as the principal building or not to exceed 20 feet if detached. Director Griepentrog added that per the survey results, height was the second most important regulation to maintain.

Ms. Flynn Post stated she would appreciate a discussion as she has heard that 20 feet may not be enough for people to develop a space and that 30 feet is now competing with the primary structure. She asked if the commission could land somewhere in the middle and thinks that aesthetics, per survey results, is an important part they should be considering. She said that if it's 30 feet perhaps you are competing with the overall feeling of the block with primary residences versus ADUs but also questioned if 20 feet was enough to develop an ADU. President McKaig asked if 20 feet was in other ordinances. Director Griepentrog explained that the current measurement is based on the mean of the peak of the roof and the ridge of the roof. He added that people have been able to get around that by maintaining the average and building taller peaks. The modification would be to limit the peak to 20 feet to stay below that threshold. Currently, garages with taller roofs are being built based on the current interpretation. When this was discussed, the desire of staff was to put a maximum height on the peak, so it was clearer. President McKaig asked what the concern was with 20-foot not being enough. Mr. Pollack said that depending on the style of your house (flat roofs possibly) this could limit those trying to maximize their space. He was reviewing the summary table for all the R Districts and asked if it was considered to just adopt a building height maximum. Director Griepentrog does not believe this was considered. Director Griepentrog added that accessory structures must not exceed 15 feet in height and shall not occupy more than 10% of the lot. In definitions it is detailed how the 15 feet is measured. It is possible to have a 20-foot peak and still qualify under the 15 feet

height restriction because height is measured at the mean of the peak and the ridge. Currently, a house is 30 feet, and an accessory structure is 15 feet both with the same style of measurement. Ms. Flynn Post asked why 20 feet was the number. Director Griepentrog stated, per the inspector, that 20 feet is typically the average height. Mr. Pollack stated his desire is to allow homeowners to build what is prudent for them and that he was leaning closer to principal height. Ms. Flynn Post agreed with that but was trying to understand why the use of 20 feet and if there was a reason for it otherwise, she felt people should have flexibility to make their design and it doesn't compete too much with the aesthetics of the rest of the block. She would be in favor of that. Mr. Pollack stated that peak mean is an interesting way to establish height. He supported anything moving away from that. Director Griepentrog stated that the goal would be to move away from that and provide more consistency and clarity with respect to that. He added that the current system was not providing consistent results for people. With respect to trying to give people an idea of what this would look like, there was a desire to develop that maximum number as opposed to a number that is then not adhered to because the definition says we do it differently. President McKaig said that it seemed with a 20-foot peak one could still dormer out the sides which is consistent with primary dwelling styles and that is how people handle peaks to allow for more head room. She asked if that was more of a Design Review Board thing or if language would need to be introduced. Director Griepentrog stated that Design Review Board would review dormers and the peak would still be the maximum.

Sally Durgerian, 4060 N. Farwell Avenue, asked if one could build a two-story structure with a flat roof as an ADU. Director Griepentrog stated yes under the 20-foot rule that is being discussed.

Mr. Pollack stated he would like people to build whatever is right and make it easier and not have to do calculations and get crafty with a designer that could make things even more expensive. President McKaig agreed. President McKaig asked if the 20-foot height maximum would accomplish that. Mr. Pollack said having a fixed height would and is concerned that a 20-foot height seems potentially shorter and would rather define it by the primary residence height or not to exceed what is in the required zoning district height max. President McKaig felt removing the calculation was a good idea. Ms. Flynn Post asked what Milwaukee's standard is. Trustee McGovern stated he was coming around to the idea of having it simple to understand; 20 feet or what's allowed under the current zoning. Director Griepentrog stated that Milwaukee allows a maximum ADU height of a detached structure to be the same as the principal structure and Wauwatosa allows 20 feet maximum. The current draft is based on Wauwatosa, but Milwaukee's version allows for more height.

President McKaig believed that the general public probably would prefer that ADUs do not match the height of the primary dwelling. Ms. Flynn Post asked why a number between 20 and 30 wasn't picked if that would allow people to build what they desired. Director Griepentrog stated he did not know the average heights in the village and that the village had very diverse architectural styles. He added that the 20 feet was, in the inspector's opinion, big enough to allow for a second story above the garage while still being lower than the primary structure. He said the current draft was developed based on a realistic two-story accessory dwelling unit that still fits the context of our neighborhoods. Trustee McGovern asked if it could just say two stories or if that would be too vague. Director Griepentrog said two stories would

give a much more open-ended option. Trustee McGovern suggested that it could just say principal structure and that would be simpler. Mr. Pollack wanted a clean standard, not the peak mean. He asked if they were okay with the principal zoning table and what they were afraid was going to happen. Ms. Flynn Post liked the idea of the primary being taller than the other one but then they are getting into specific number of feet. She wants the primary structure taller than the ADU but also questioning if people would be allowed to build what they wanted to build.

Mr. Kloehn said the whole concept of an accessory structure is its not to the same scale as the primary structure. President McKaig said the expectation should be that it would be shorter. Mr. Kloehn agreed.

Mr. Pollack asked if they could do something like up to 75% of the primary structure's height but not to exceed a number to have a fixed minimum but allow for flexibility. He asked if that was possible. Director Griepentrog said it could be an option, but he wasn't sure he had ever seen that before. He said back to why this is being regulated, in some cases your principal structure could be three feet off a rear lot line and adding height could be a concern for neighbors. The primary should be more prominent.

President McKaig said Mr. Kloehn's comment was very well taken and that the title of these is accessory dwelling unit. She said that expecting it to be able to be the primary residence's height is a higher expectation than they can reasonably offer. She said that is putting her back at 20 feet and that it was thought of from a practical level and is buildable. It may not offer that maximum capacity, but it is an accessory dwelling unit. President McKaig moved that the maximum height of a detached accessory dwelling shall not exceed 20 feet. Seconded by Mr. Kloehn. President McKaig stated that her motion is consistent with the survey results. Vote 3-2; Ms. Flynn Post and Mr. Pollack voting nay.

- Design – The consensus was that approval from the Design Review Board is required if exterior modifications are proposed.
- Parking – See above.
- Short-term Rental Prohibition – The consensus was to include notation that rentals of less than 7 days are prohibited. Mr. Pollack asked what the current practice was on short-term rentals. Director Griepentrog said that based on state statutes the village is not allowed to prohibit them if the stays are 7 days or more and that the village needs to have proof that the stay is for less than that, which is difficult, to be able to give a citation and take it to court. He said because of this it has been hard to successfully enforce our code language. Trustee McGovern said he thinks this will be something that will have to be addressed one way or the other. He understands the limitations imposed on the village by state law but that was consistent in the comments. He questioned what the village can do to better enforce the rules that are in place for the benefit of the people who live here. President McKaig said this was noted and out of scope for this discussion but that it could be a future initiative.

Ms. Flynn Post said short-term rental is included in the state legislation. She said her understanding is that there is a prohibition on short-term rentals included in the ADU legislation that is pending and to be heard in February or March. She would like for a reconciliation between what they are doing and what's happening at the state level. Mr. Pollack said if the prohibition happens at the state level, then that is

the last word. President McKaig said she was under the impression that they would prohibit short-term rentals with the understanding that with our current policy is difficult to enforce and that the minimal language detailing this would be in the ordinance. She added that if it changes at the state level that is the final word. Mr. Pollack takes a more middle ground approach and that the primary reason for ADUs is more housing in Shorewood and that if one rents it out five days a year and that makes it affordable that is a good thing. He said the difference is if it is used as full time Airbnb and then it comes down to enforcement. Director Griepentrog reiterated that the state does not allow you to prohibit short-term rentals if they are for 7 days or more and the question is always how long did a person stay or were they just visiting. He said that even if the state prohibits this it will not make it easier because it will still rely on having some level of evidence to take to court or issue a citation. The state prohibition would make it clear, but it would still be hard to enforce. Ms. Flynn Post said this was difficult because she did not want to get into the business of telling people what they can do with their homes; like you can Airbnb your home but not your ADU. President McKaig said that whatever the state policy/statute would be around managing short-term rentals is what would be baked into this policy. Director Griepentrog said that was correct. She said that currently it would include the minimum language on the topic and that it could be changed in the future if there are changes at the state level. Director Griepentrog said that this ordinance cannot be more restrictive than the state regulations.

- Owner occupancy – The consensus was that owner occupancy at the time of construction would be included.

Director Griepentrog said that he will bring back the drafted ordinance changes for review and final recommendation at the next meeting.

4. Further discussion and possible recommendation of a Zoning Code amendment to clarify the location restrictions of office uses within the MX Districts.

The draft ordinance was presented, and the commissioners were asked if there were any further comments. With no further comment, Mr. Kloehn moved to recommend that the Village Board consider a Zoning Code amendment to clarify the location restrictions of office uses within the MX Districts, seconded by Mr. Pollack. Vote to recommend, 5-0.

5. Discussion and consideration of 2025 Plan Commission Annual Report and Future Initiatives.

Director Griepentrog gave a brief overview of the annual report that detailed the Plan Commission's accomplishments in 2025. He provided the Commission with two future initiatives that have been previously discussed in past years; review/update home occupation regulations and review/update notice requirements (inclusion of tenants?). Commissioners expressed interest in the opportunity to provide more initiatives for the report. Director Griepentrog explained that the report/initiatives were time sensitive and due at the end of January. President McKaig said she would discuss with the Village Manager about extra time to complete the report. Director Griepentrog asked that commissioners provide additional initiatives by Monday, February 16.

6. Future agenda items.

No applications have been received for the next meeting. Director Griepentrog will be bringing the drafted ordinances for the housing opportunities and the Plan Commission's future initiatives for review and recommendation. He is also working on a vision ordinance that he may have ready for introduction. Village Attorney Bayer may have his zoning ordinance regarding appeals to administrative or Village decisions for review as well.

7. Adjournment.

Mr. Pollack moved to adjourn the meeting at 7:48 p.m. Seconded by Trustee McGovern.
Vote to adjourn 5-0.

Recorded by,

A handwritten signature in blue ink that reads "Crystal Kopydlowski". The signature is written in a cursive, flowing style.

Crystal Kopydlowski
Planning & Development Administrative Clerk