



CITY OF WAUKESHA

Administration

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Committee: Board of Zoning Appeals	Date: 5/21/2021
Item Number: ID#21-2306	Date: 6/7/2021
Submitted By: Doug Koehler, Principal Planner	City Administrator Approval: Kevin Lahner, City Administrator
Finance Department Review: Bridget Souffrant, Finance Director	City Attorney's Office Review: Brian Running, City Attorney
Subject: The appeal of Joshua Folcik for a dimensional variance from section 22.58(2)(j)(3) of the zoning code. If granted the variance will allow construction of a six-foot solid fence in the street yard at 132 La Salle St. when solid fences are permitted in side yards and rear yards only.	

Details: 132 LaSalle St. is zoned RM-1 Multi-family Residential. It is a corner lot and has a width of approximately 65 feet. The minimum width for corner lots in the RM-1 district is 75 feet, so it is a substandard lot. The useable space in the rear and side yards (not including the garage) has an area of roughly 3,000 square feet. The surrounding neighborhood has many substandard lots, and some have even smaller back yards, but yards of between 4,000 and 6,000 square feet are common. Currently a four foot fence extends along the sidewalk around the outside edge of the rear yard. The fence is angled away from the driveway where it exits the property to prevent a blind corner with the sidewalk.

The applicant would like to replace the fence with a new six-foot solid fence, mostly because his dog is able to jump up on the existing fence and often barks at passing pedestrians. The new fence will be solid for most of its height with lattice for approximately the top foot. It will be located along the same line as the existing fence.

The applicant has pointed out that a fence complying with the existing regulation would have to run along the inside of the yard's interior walkway, and would reduce the yard area by roughly half. A proposed fence ordinance update was recently submitted to the Plan Commission, with a required setback of three feet in street yards. The applicant believes even this setback would reduce the yard size by too much, and would make the existing patio along the side of the house unuseable.

Options & Alternatives:

Financial Remarks: No Financial impact.



Staff Recommendation:

If the applicant proves a hardship exists, the Board may consider granting a variance to allow a six-foot solid fence in the street yard at 132 La Salle St.