



**City of Waukesha**  
201 Delafield St. Waukesha, WI 53188  
Tel: 262.542.3700  
waukesha-wi.gov

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| <b>Committee:</b><br>Board of Zoning Appeals   | <b>Date:</b><br>10/2/2023  |
| <b>Common Council Item Number:</b><br>ID23-7711  | <b>Date:</b><br>10/2/2022  |
| <b>Submitted By:</b><br>Doug Koehler, Principal Planner  | <b>City Administrator Approval:</b><br><a href="#">Click here to enter text.</a>   |
| <b>Finance Department Review:</b><br><a href="#">Click here to enter text.</a>   | <b>City Attorney's Office Review:</b><br><a href="#">Click here to enter text.</a> |
| <b>Subject:</b><br><b>The APPEAL of Jeremy Egert for a dimensional variance from Section 22.58(1)(b) of the zoning code. If granted, the variance will allow construction of a new garden shed in a side yard at 2304 Judith Ln., when accessory structures shall be permitted in the rear yard only, not in a street yard or side yard.</b> |  |

**Details:** 2304 Judith Lane is located between Judith Lane to the north and Northview Road to the south. The front of the house faces Judith Lane, and the rear faces Northview Road. Based on the zoning code definitions, both the yard facing Northview and the yard facing Judith are considered to be street yards, and the property does not have a rear yard. Since the house is addressed on Judith Lane, the applicant has added a privacy fence in the yard facing Northview, as the code allows.

Now the applicant would like to build a new shed. The shed will be located in the side yard, adjacent to the next door property at 2300 Judith Lane. It will have an area of 140 square feet and will meet all of the required setbacks. It will be screened by the existing privacy fence.

The applicant has argued that a variance is needed because the property's lack of a rear yard eliminates any location where an accessory structure could be allowed.

#### **Options & Alternatives:**

#### **Financial Remarks:**

No financial impact to the City.

**Staff Recommendation:**

If the applicant demonstrates that a hardship exists, the Board may consider granting a variance to allow the proposed shed at 2304 Judith Lane.