



City of Waukesha
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Committee: Board of Zoning Appeals	Date: 7/8/2024
Common Council Item Number: ID#24-10137	Date: 7/8/2024
Submitted By: Doug Koehler, Principal Planner	City Administrator Approval: Click here to enter text.
Finance Department Review: Click here to enter text.	City Attorney's Office Review: Click here to enter text.
Subject: The APPEAL of Cheryl Lee for a dimensional variance from Section 22.30(7)(c) of the Zoning Code. If granted, the variance would allow for the construction of a house at 1234 E. Moreland Blvd, with a rear yard setback of 22 feet, when there shall be a rear yard of not less than 45 feet.	

Details: 1234 E. Moreland Blvd. is zoned Rm-1 Multi-family residential. It is located at the corner of East Moreland Blvd. and Highland Ave. The property has a width of 83 feet along Highland Ave. and 114 feet along Moreland Blvd, and it has an area of approximately 11,000 square feet. This means it is not considered to be a substandard lot. However, the direction of Moreland Blvd. gives the lot a trapezoidal shape, which is unusual for the area.

Until 2018 a house existed on the property with driveway access from Highland Ave. but pedestrian access and an address on Moreland Blvd. The house had a detached garage. It did not meet current street yard or rear yard setback requirements. The house was demolished in 2018 but the driveway approach remains.

The applicant would like to construct a new home on the property. The house will have a total area of approximately 1500 square feet and will have an attached garage, facing to the front. It will be oriented toward, and addressed off of Highland Ave. rather than Moreland Blvd. It will be a single story, ranch-style home, with the potential for a small second-story apartment over the garage. A second unit would be permitted in the RM-1 zoning district.

Due primarily to the front facing garage the proposed footprint of the house will extend about 23 feet into the required rear yard area, which faces to the west, leaving a rear yard of 22 feet. The property's depth facing Highland Ave. is 107 feet, which is less than the depth of most other residential properties in the surrounding area.

Since E. Moreland Blvd. is a busy street and the property is on a corner, the Engineering Department believes the existing driveway location is the safest possible access to the property, and would prefer that it not be moved. The property also has a slope facing Moreland. The applicant considered options for facing the house toward Moreland with a side entry or similar garage from Highland, but couldn't make it work for the house she wanted.

Options & Alternatives:
[Click here to enter text.](#)

Financial Remarks:

No financial impact to the City.

Staff Recommendation:

If the applicant proves a hardship exists, the Board may grant a variance to allow the proposed house at 1234 E. Moreland Blvd.