



**CITY OF WAUKESHA**

**Administration**

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<b>Committee:</b> Board of Zoning Appeals	<b>Date:</b> 2/5/2018
<b>Common Council Item Number:</b> ID#18-0121	<b>Date:</b> 2/5/2018
<b>Submitted By:</b> Maria Pandazi, City Planner	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator <a href="#">Click here to enter text.</a>
<b>Finance Department Review:</b> Rich Abbott, Finance Director RA	<b>City Attorney's Office Review:</b> Brian Running, City Attorney <a href="#">Click here to enter text.</a>
<b>Subject:</b> The APPEAL OF ROSEANNE GARCIA for a dimensional variance from section 22.58(2)(a)1. of the zoning code. If granted, the variance would allow for a detached garage to be constructed with the roof overhang only two (2.0) feet from the side lot line at 1034 Baxter Street, when a detached garage shall be located so that the nearest point is not closer than three (3) feet to a lot line.	

**Details:**  
 Building permits were approved for the construction of this garage being setback 3 feet from the side lot line. Once constructed, it was realized that the wall is 3 feet from the lot line, but there is a 1 foot overhang, so the closest point from the lot line is only 2 feet instead of the required 3 feet. This is a nonconforming lot, as it is only 50 feet wide.

1. (Am. #61-02) The nearest point of any accessory building shall be located no closer than five (5) feet from the permitted principal structure; shall be placed on a pad of concrete, asphalt, wood, or metal; shall be located so that the nearest point is not closer than three (3) feet to a lot line; and shall not exceed fifteen (15) feet in height. Any accessory building for motor vehicles shall be placed on a concrete floor or pad. Accessory buildings shall be set back at least five (5) feet from an alley, except if vehicular access to the lot is from the alley, accessory buildings shall be set back at least eight (8) feet from the alley.

**Options & Alternatives:**  
 The overhang along the side of the garage could be removed or the garage can be relocated to meet the setback.

**Financial Remarks:**  
[Click here to enter text.](#)

**Staff Recommendation:**  
 If the applicant proves a hardship exists, the variance should be approved to allow the garage to encroach 1.0 ft. into the required side yard setback resulting in a setback of 2 feet..



