

City of Waukesha
Department of Community Development
BOARD OF ZONING APPEALS
201 Delafield Street, Waukesha, WI 53188



NOTICE: The Board meets on the first Monday of every month at 4:00 p.m. in the upper level hearing room (207) at Waukesha City Hall. **ATTENDANCE OF THE APPLICANT OR A REPRESENTATIVE IS REQUIRED.** Failure to appear could result in the application being acted on without the applicant's input, or it could result in the item being removed from the agenda, requiring the applicant to reapply and pay another filing fee.

The appeal or application must be filed with the Community Development Department at least 17 days before the Board's meeting and within 20 days of the Zoning Inspector's order or decision, accompanied by the filing fee of **\$100.00**.

This application is for (choose one)

☒ A variance from section 6.19.11(c) of the zoning code ☐ An appeal from the decision of the Zoning Inspector

For the property identified below:

Project Address: 2523 Northview Rd Tax Key #: 0989-006

Current Zoning: RS-3 Existing Use: Residential

ATTACH DETAILED DESCRIPTION OF PROPOSAL including what is being requested, the rationale, and if a variance request, the facts and circumstances that satisfy the criteria for variance listed on the reverse of this form.

In order to be placed on the Board of Zoning Appeals agenda, the Community Development Department must receive the completed application, fee, project description, and a set of plans in PDF format by the applicable deadline. If this is an appeal from the decision of the Zoning Inspector, also attach a copy of the decision or order rendered by the Zoning Inspector and a statement of principal points on which the appeal is based. The Community Development Department - Planning Division should be consulted to assure an application is complete before being submitted.

SEE REVERSE FOR DEADLINES AND ADDITIONAL INFORMATION.

Applicant: (Person to receive notices)

Name: Collin Bertram

Address: 2523 Northview Rd

City & Zip: Waukesha 53188

Phone: 414-1059-2114

E-mail: Collin.Bertram202@gmail.com

Owner of property:

Collin Bertram

I certify that the above statements and the statements contained in the materials submitted with this application are true and correct.

[Signature]
Applicant Signature

5/12
Date

PLEASE NOTE: THIS FORM MUST BE ACCOMPANIED BY A \$100.00 FILING FEE

For Internal Use Only

Amount Paid: <u>\$100 -</u>	Check # <u>105</u>	Received by: <u>ma</u>
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2523 Northview Rd

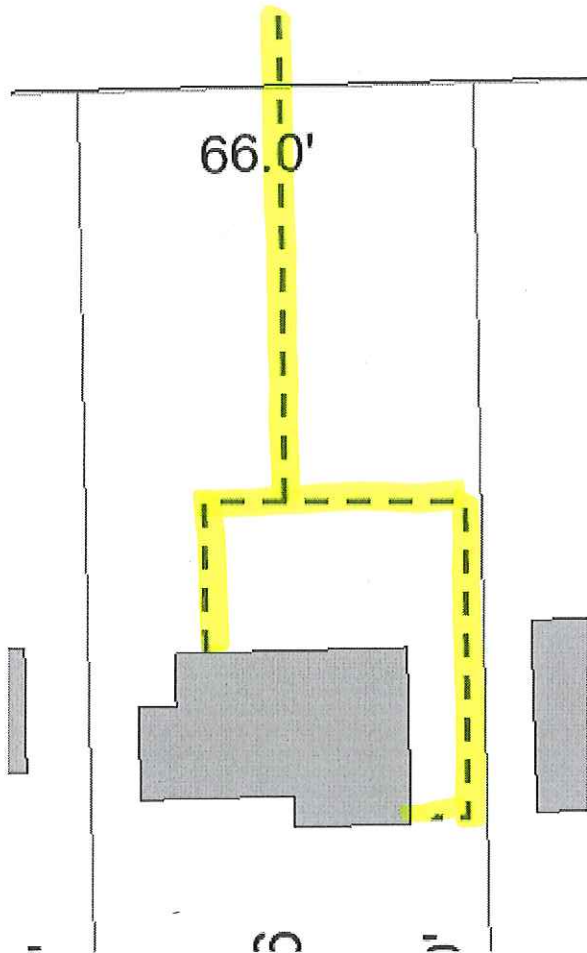
I am applying for a variance in hope of obtaining permission to build a detached garage on my lot in the City of Waukesha currently is residential code RS-3. Currently the code states any accessory structures must start at or behind the front line of the principle structure on the property. My lot is unique in that 13 years ago, prior to my owning the property the lot was split in half and the other half sold. The current lot is 66 feet wide with 20 feet between my home and my neighbors homes on both sides. On the East side of my property I have a side yard of 12 feet wide and on the West I have 8 feet. My house is 46 feet wide as it sits. Below I have listed the reasoning behind my request for a variance and have numbered the responses to match your requested questions on the variance application.

1. There are several special circumstances surrounding my lot and the reasons for requesting a detached garage in the front yard. The first and primary reason for needing a variance is I haven't enough room on either side yard to construct an adequate drive way. On the West side I have only 8 feet and 2 feet are occupied by my gas meter leaving only 6 feet for a driveway. On the East I have 12 feet which is enough for a very small driveway, however, My neighbors home which is within 20 feet of mine, is 3-4 feet below the grade of my home when comparing foundational walls. Between our homes is a large swale that allows rain and ground water an avenue past his home without taxing his foundation and sump pumps (two of which run multiple times a day even during dry spells due to his house being the low spot on two hills). If I were to construct a driveway on the East side of my home I would eliminate the swail built and designed to shed water from my neighbors home, creating a major water issue for him as he has expressed several times to me while I have been planning this build. The second special circumstance rises from my sewer main. I actually have multiple sewer attachments (pictures below depict the sewer lines in my yard). One portion of the lateral exits my homes foundation on the south east side of the home, running out into the side yard approx. 2 feet, then turns north until reaching the front of the home. At this point the lateral runs east to west until it reaches the middle of my house, at this point it meets the second lateral that exits my home on the north west side of my house, and runs to the street and City sewer system. If I were to build an attached garage, I would have to not only build over these mains, but also excavate, and pour foundational frost protected footings over my sewer main. All is fine and well in that case however I would be concerned should I ever run into problems with my sewer lateral and need major work I would have to dig up part of my garage and my foundational walls to fix any issues that arise.
2. Without a variance as I referenced prior I would be impacting my neighbor on the east side of my home in a major way. I would be doing one of two things. I would either eliminate his primary water shed, or two, move that water shed immediately next to his home and foundational wall. Bob struggles with water shed as is and has multiple sump pumps installed in his home to attempt to compensate for his current situation, building a driveway on the side lot would only stress his current water shed system, and would cause him hardship later on as he attempts to sell the house in the future.
3. The primary reason for wanting a garage is I have nowhere to store my vehicle except the driveway, and this garage is intended to safe guard the vehicles my wife and I own. This variance is not only for economic gain, It is primarily to improve the storage situation at my residence as I often have to leave extra garbage or recyclables out next to my cans in the front yard, which

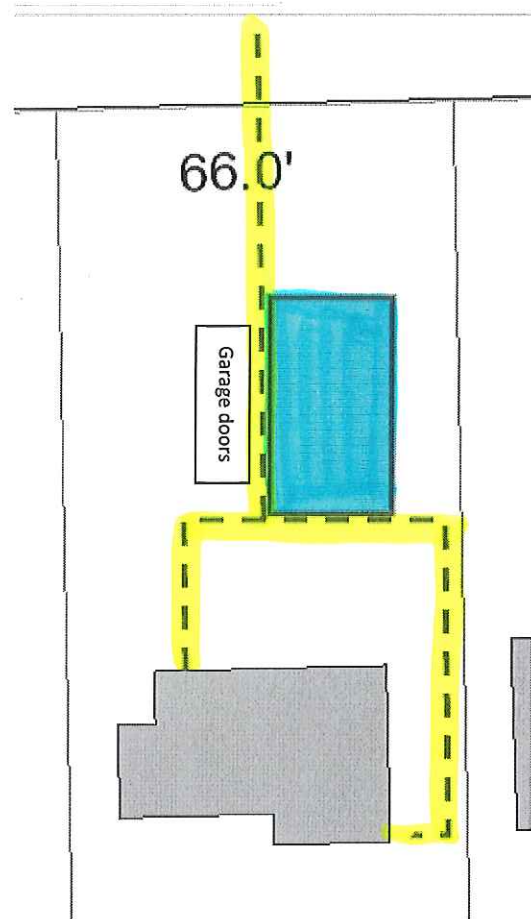
given a garage I would still have the extra garbage and yard scrap, however, I would be able to keep a clean exterior appearance so my neighbors can't see my extra garbage.

4. The lot being split and sold leaving me very little side yard or flexibility was done well before I owned the property. And I have done several things including regrading my backyard to improve water shed towards bobs house and to help make his life easier on that front.
5. The variance I am requesting would be the first property in my local area to allow for a detached garage in my front lot. As I have listed above I am not requesting this variance for any reason other than to prevent hardships with other aspects of the home and utilities, as well as to prevent hardship on my neighbor that would be caused by building a driveway on my east side lot. In an effort to work with the board of zoning and appeals and to help prevent an eye sore, detached pole barn type garage, I would build a garage that is built from the same construction, same building materials, and would maintain the image and appearance of a standard home. I would be open to installing windows to match the home and to look more like a home than a garage, I will have the garage doors face west so the large garage doors are not visible except for a 10 second period of driving by. I would build the garage to be a single story, two car garage that would match many of the attached garages and detached garages my neighbors own. I am flexible, and willing to build the garage how the board sees best if given this variance.

Below I have included several images of my lot, including birds eye views, and several images of the swail and grade difference between my neighbors home and mine.



Depicted above is my sewer lateral that includes both accesses to the city sewer main.



In blue rectangle would be the proposed location of the detached two car garage. This would allow for the garage to maintain a 10 foot side yard to meet code, and would not cover or impact my ability to access the sewer lateral. The garage its self would be 20 feet away from the principle structure, 10 feet from the side lot, and would maintain at least a 25 foot setback from the streets right of way. The garage would measure 24x30

