

**CITY OF WAUKESHA****Administration**

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<b>Committee:</b> Plan Commission	<b>Date:</b> 6/3/2019
<b>Common Council Item Number:</b> ID#19-0734	<b>Date:</b> 6/3/2019
<b>Submitted By:</b> Maria Pandazi, City Planner	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator
<b>Finance Department Review:</b> Rich Abbott, Finance Director RA	<b>City Attorney's Office Review:</b> Brian Running, City Attorney
<b>Subject:</b> <b>The APPEAL OF Daniel Greene for a dimensional variance from section 22.58(1)b. of the zoning code. If granted, the variance would allow for the construction of a 24' x 13' deck in the rear yard at 160 S. Hartwell Avenue, when accessory structures shall not occupy more than twenty percent (20%) of the rear yard.</b>	

**Details:** The applicant would like to build a new deck in the rear yard of their property. The deck will have an area of roughly 300 square feet and will be attached to their garage, rather than their house. The location of the rear door and the interior configuration of the house make a deck attached to the house unfeasible. The property, which is located in an older part of the city and is zoned RS-3, has a total area of just under 6,000 square feet and a width of 41 feet. Minimum lot area in the RS-3 district is 8,000 square feet and minimum width is 65 feet. A large, four car garage is also located in the rear yard. It was built before the house, and also before the applicant purchased the property. The garage by itself exceeds 20% of the rear yard area. The applicant has already added a privacy fence to the rear yard, which will screen the deck from their neighbors.

**Options & Alternatives:****Financial Remarks:****Staff Recommendation:**

If the applicant proves a hardship exists, the Board may consider granting the variance request to build a new deck with an area that will exceed 20% of the rear yard area when combined with other accessory structures.

