

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

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Committee: Board of Zoning Appeals	Date: 7/1/2019
Common Council Item Number: ID#19-0841	Date: 7/1/2019
Submitted By: Maria Pandazi, City Planner	City Administrator Approval: Kevin Lahner, City Administrator
Finance Department Review: Rich Abbott, Finance Director RA	City Attorney's Office Review: Brian Running, City Attorney
Subject: The APPEAL OF Russell Stelzner for a dimensional variance from section 22.58 (2) a. 2. of the zoning code. If granted, the variance would allow for the construction of a 225 sq. ft. detached shed in the rear yard at 3111 Kisdon Hill Drive, when accessory structures shall not exceed 150 sq. ft.	

Details: The applicant, Russel Stelzner, would like to build a 225 square foot detached shed in the rear yard of his property. The shed will be located in the rear yard and will meet all necessary setbacks. It will be twelve feet high, and fifteen feet long by fifteen feet wide. It will have an overhead garage style door on the front, and no windows or doors on the sides. He plans to store lawn mowers, snow blowers, lawn furniture, and other common property maintenance equipment, as well as kayaks, bicycles, and similar recreational items in the shed.

Other houses in the neighborhood have between 2 and ½ car and 4 car garages, which gives them plenty of space to store the kind of equipment Mr. Stelzner would like to put in the shed. The attached garage at 3111 Kisdon Hill is a 2 car garage only and doesn't have much room for storing extra equipment. It is located in the street yard and is set back about 43 feet from the street. The PUD agreement for the neighborhood requires a 40 foot setback, so it is not possible to expand the garage toward the street to make up the difference unless the Plan Commission and Common Council approve a PUD amendment. The garage is set back roughly 20 feet from the property to the east. Mr. Stelzner is not sure of the side yard setback, and the city does not have records of the PUD agreement's setback requirements, but other nearby properties appear to follow the regular 10 foot setback required by the underlying RM-1 zoning. However, the side yard includes a significant amount of landscaping, some of which was planted by the next-door neighbor. Mr. Stelzner would prefer not to encroach on the landscaping by expanding the garage there. Since there is no easy way to expand the garage Mr. Stelzner believes a larger shed than the code maximum of 150 square feet is necessary. If he can't build one at that size he expects that he will need to store some of the equipment outside under tarps.

Options & Alternatives:**Financial Remarks:**

Staff Recommendation:

If the applicant proves a hardship exists, the Board may consider granting the variance request to build a 225 sq. ft. detached shed in the rear yard at 3111 Kisdon Hill Drive.