

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 7 of the zoning code ☐ An appeal from the decision of the Zoning Inspector

For the property identified below:

Project Address: 325 Carroll St, Waukesha, WI 53186 Tax Key #: WAKC1308440

Current Zoning: I-1 Institutional Existing Use: Middle School - SDW - 6174

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: (<i>Person to receive notices</i>)		Owner of property:
Name: <u>Kate Egan</u>		<u>Board of Education School District</u>
Address: <u>829 S 1st Street</u>		<u>222 Maple Ave</u>
City & Zip: <u>Milwaukee, WI 53228</u>		<u>Waukesha, WI 53186</u>
Phone: <u>414-615-7679</u>		<u>262-970-1042</u>
E-mail: <u>kegan@brayarch.com</u>		<u>dclark@waukesha.k12.wi.us</u>

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

Kate Egan 10/17/19
Applicant Signature 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>331289</u>	Received by: <u>mu</u>

VARIANCES

A variance is a special exemption from the city zoning code granted by the Board of Zoning Appeals in unusual circumstances on a case-by-case basis. Variances are difficult to obtain, and they are not granted simply because of an applicant's desire to do certain things or use a property in a certain way. In order to receive a variance an applicant must show that a unique hardship exists on the applicant's property. An applicant bears the burden of proving that all of the following criteria for a variance are satisfied:

1. Special circumstances exist that apply only to the property for which the variance is requested, and not to any other neighboring properties. The special circumstances must relate to the property itself, and not to the applicant's desired use of the property. Explain the circumstances and how they are unique to the applicant's property.
2. Without a variance, substantial property rights that are enjoyed by neighboring properties will be denied to the applicant. Explain how the owners of neighboring properties are able to enjoy property rights that the applicant cannot.
3. The variance is not being requested solely for economic loss or gain. Explain how the variance is not just to increase property value or to allow profit-making activities.
4. The applicant's hardship is not self-created. Explain how the special circumstances relating to the property are not caused by the applicant's actions or wishes.
5. The variance would not defeat the purpose of the zoning ordinance, and would not be a detriment to neighboring properties. Variances cannot be contrary to the policy reasons for the ordinance from which the variance is requested. Explain how the variance would work within the existing zoning rules and not undermine the reasons for them.

In addition, please provide the following information:

If applicant is asking for a use variance, explain how the property will have no reasonable use unless a variance is granted.

If applicant is asking for a dimensional variance, explain how complying with the current rules is unreasonable or creates an unnecessary burden on the applicant.

Please review these criteria prior to application submission and address each of them in your detailed description of the proposal. Failure to address each point will result in a rejection of the application.

Fees are nonrefundable.



Monday | November 4th, 2019

Project: Les Paul Middle School – Central Campus
Site Address: 325 Carroll Street, Waukesha WI 53186

Bray Project Number: 3353

Owner: School District of Waukesha
222 Maple Ave, Waukesha WI 53186

Applicant / Architect: Bray Architects
829 S 1st Street, Milwaukee WI 53204

School District of Waukesha – Les Paul Middle School: Central Campus: Variance Petition Narrative

Zoning Reference:
Chapter 22 – Zoning,

- Section (7) Setback and Yards
- (a) There shall be a minimum street yard setback of twenty-five (25) feet from any street right-of-way.

Project Description:

The scope of this project demolishes the existing cafeteria building and rebuilds a new cafeteria and kitchen at Les Paul Middle School – Central Campus. The proposed plan locates the new cafeteria at the current grade as first floor of the school and adjacent new construction main office / secure entrance. There are multiple factors being improved with this project including:

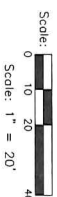
- accessibility to / from the cafeteria space: it is currently below grade and requires multiple stairs to access / exit unless students go back through a narrow hallway into the basement of the four-story Worthington Building
- it brings the cafeteria towards the center of the building, allowing better access for all students, as well as supervision by the administration
- it becomes a resource to the District and Community, as it can be segmented off from the rest of the building

Application for Variance:

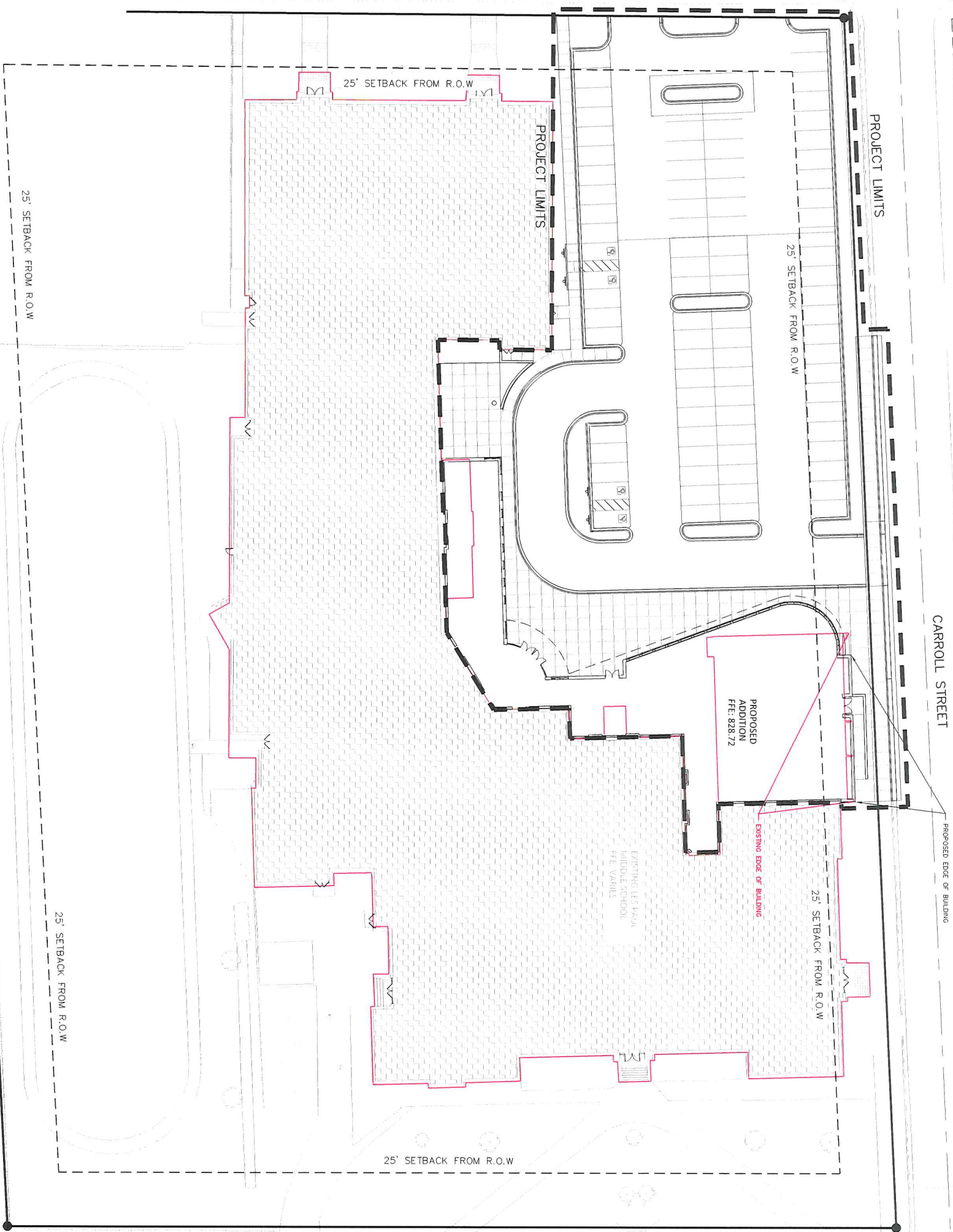
The School District of Waukesha is requesting a variance to allow the replacement cafeteria building to built along Carroll Street in a similar footprint as the existing portion of building being demolished is currently. The addition is extending west and south as well to provide the required footprint for a new cafeteria and kitchen space, and to address the egress paths of the existing building.

1. Special Circumstances of the Site: The School District of Waukesha occupies the entire block, and so has streets on all four sides. The zoning code requires a side yard "not less than ten (10) feet, which this proposed (and existing) setback meets – assuming that Grand Avenue can be considered the "front yard".
2. The property neighbor to the north (St Luke's Lutheran Church) is also closer than twenty-five (25) feet along both Carroll Street and Grand Avenue, enjoying the property rights the District is requesting. Their property is half the distance to the right-of-way that the School District is proposing and currently occupies.
3. The variance request is to increase the safety, security, and accessibility to the site. The purpose and function will remain the same. The building has existed in this similar footprint for 70 years and will not change its purpose or function.
4. The School District of Waukesha currently struggles with providing adequate and legal parking for their staff, administration and visitors during the school day. If they are required to further set the building back from Carroll Street, they will be required to further reduce the size of their parking lot, worsening a hardship they already struggle with.
5. The variance request is to maintain the footprint along Carroll Street that they currently enjoy. The School District is not asking to move the building closer to the right-of way and respects the reasons the zoning rules are in place. In growing their building as required to meet current building codes and comply with the American with Disabilities Act, the design team grew the building slightly to the west and to the south, which did reduce their parking counts slightly.

If the dimensional variance is not granted, the School District of Waukesha will be forced to further reduce the size of their parking lot which affects site access for many users: staff and school administrators parking during the school day, visitors to the building, deliveries to the building, emergency vehicles accessing the site, and parents dropping off and picking up their children (they currently drive onto the site and the plan is to continue this process). If the parking lot size is further reduced by requiring the building to shift, addition parking and queuing will need to take place on neighborhood streets.



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Dial **811** or (800) 242-8511
www.DiggersHotline.com



NORTH GRAND AVENUE


 The logo for Bray Architects features a stylized red 'B' icon to the left of the text 'bray architects'. The word 'bray' is in a grey sans-serif font, and 'architects' is in a red sans-serif font.

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7. **Author's Address:** Wisconsin

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Shohovvovon

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Project Title:
**Additions and Remodeling to:
Les Paul / Central Middle School
School District of Waukesha
325 Carroll St, Waukesha, WI 53186**

REVISIONS:

REVISIONS:

**NOT FOR
CONSTRUCTION**

Project Number:
3353

Issues For:

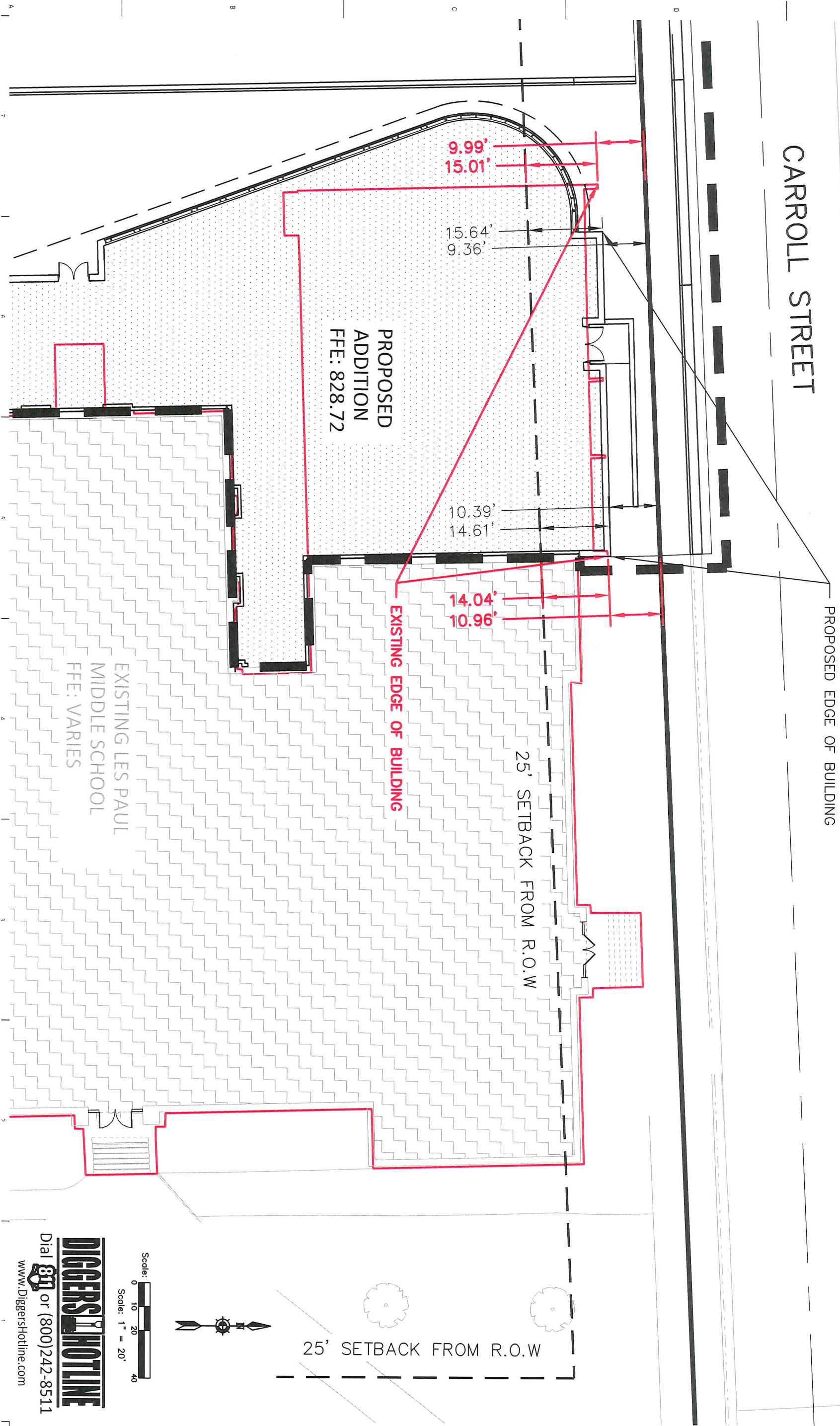
PROGRESS SET

04/27/2013

Sheet Title
**OVERALL SITE
PLAN**

Sheet Number:

C1.2A



Scale: 0 10 20 40
Scale: 1" = 20'



25' SETBACK FROM R.O.W

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www.DiggersHotline.com

**NOT FOR
CONSTRUCTION**

Project Number:
3353

Issued For:
PROGRESS SET

Sheet Title:
SITE PLAN

Sheet Number:
C1.2B

Project Title:
**Additions and Remodeling to:
Les Paul / Central Middle School
School District of Waukesha
325 Carroll St, Waukesha, WI 53186**

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Office Locations:

bray
architects



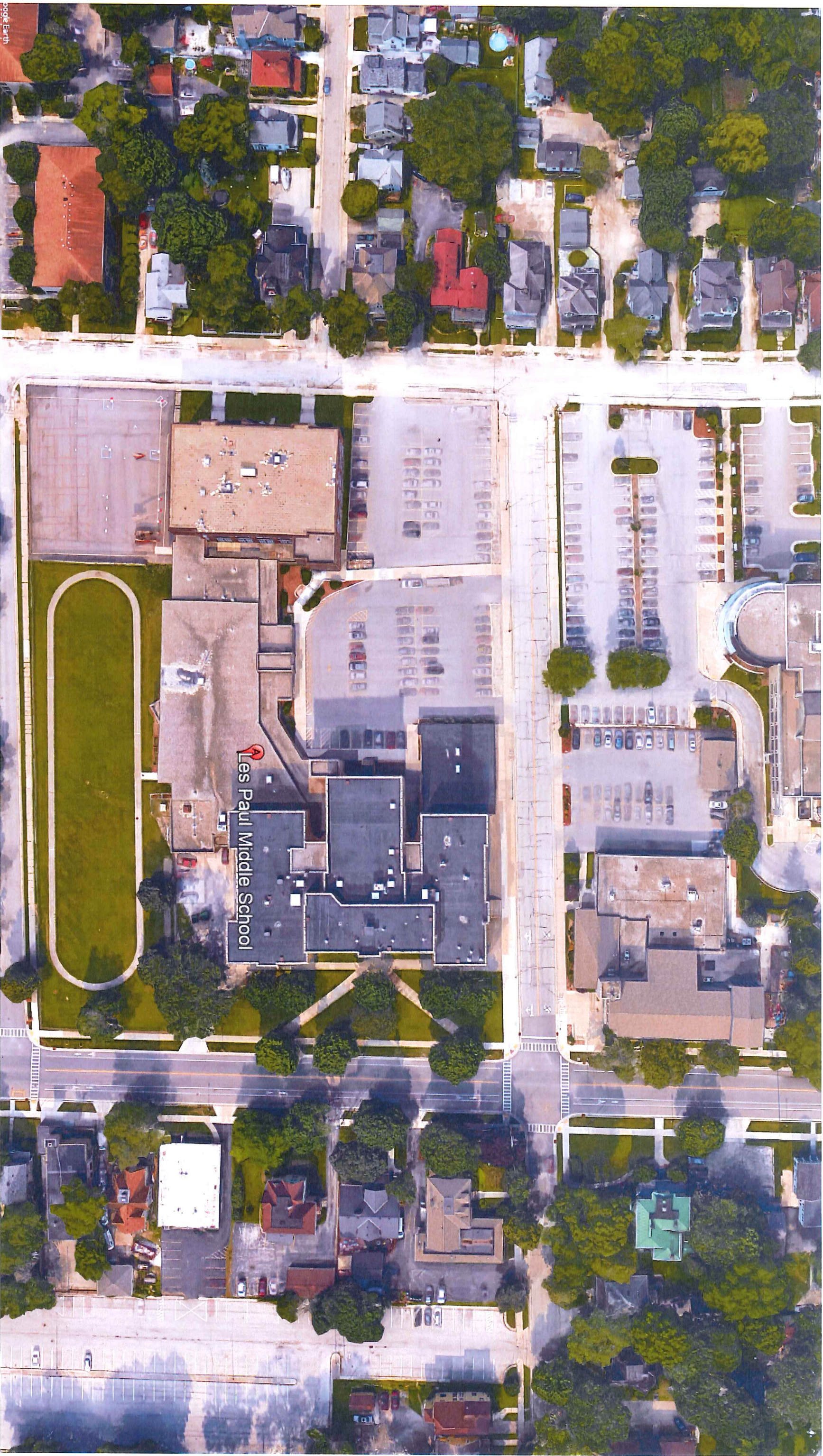
EXISTING BUILDING



PROPOSED CONSTRUCTION

LES PAUL MIDDLE SCHOOL
325 CARROLL STREET, WAUKESHA, WI 53186

11/04/019



Google Earth