

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

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Committee: Board of Zoning Appeals	Date: 11/4/2019
Item Number: ID#19-1398	Date: 11/4/2019
Submitted By: Maria Pandazi, City Planner	City Administrator Approval: Kevin Lahner, City Administrator
Finance Department Review: Rich Abbott, Finance Director	City Attorney's Office Review: Brian Running, City Attorney
Subject: The APPEAL OF the School District of Waukesha for a dimensional variance from sections 22.42(7)a. of the zoning code. If granted, the variance would allow for a new cafeteria to be constructed on the site of the current cafeteria at Les Paul Middle School along Carroll Street, with a street yard setback of 3.00 feet, when a minimum street yard setback of 25 feet from the right-of-way is required.	

Details: The school building predates the current zoning ordinance, and possibly predates the city's zoning code altogether. The building's existing cafeteria, along with an adjacent wing of classrooms, extend into the area of the 25 foot setback. The proposed addition, if approved, will bring the cafeteria up to ground level and will allow a secondary access to it which will be used for special events. The cafeteria is currently below grade and is only accessible via a staircase or through a narrow hallway in the basement of the adjacent wing. The proposed addition will extend slightly further into the setback area than the current building does. This application is part of a larger renovation project which will include relocating school offices and reconfiguring the entrance to make it more secure. If the Board of Zoning Appeals does not grant a variance for the proposed plans the applicant plans to move the cafeteria onto space currently used for the parking lot instead, which would reduce the number of parking spaces available for school staff and visitors.

The applicant has noted that St. Luke's Lutheran Church, which is located directly across Carroll Street, also encroaches on the 25 foot street yard setback.

Options & Alternatives:**Financial Remarks:**

Staff Recommendation:

If the applicant proves that a hardship exists, the Board may grant a variance to allow them to build a cafeteria addition within the property's street yard setback area.