

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

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<b>Committee:</b> Board of Zoning Appeals	<b>Date:</b> 3/2/2020
<b>BZA Item Number:</b> ID#20-0300	<b>Date:</b> 3/2/2020
<b>Submitted By:</b> Doug Koehler	<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> The APPEAL OF the City of Waukesha Public Works Department for a dimensional variance from section 22.43(6)a. of the zoning code. If granted, the variance would allow for a new pool building to be constructed with the same set back as previous pool buildings at this location, having a street yard setback of twenty (20) feet at Buchner Park, 233 Oakland Avenue, when no structure shall be closer than forty (40) feet to a lot line.	

**Details:** The City of Waukesha Public Works and Parks Departments are seeking a variance to allow the Buchner Park poolhouse building to be demolished and rebuilt in the existing location, as part of their larger pool restoration project. The current pool bathhouse building was built in 1967 to replace an earlier structure which was built in the same location in the early 1930's. It has a setback of twenty feet from the property line, which does not meet the minimum setback of forty feet from the lot line for any building in a park district. The current building predates the existing zoning requirements, and the original building almost certainly was built before the city had any zoning ordinance at all.

The property boundary for Buchner Park is set back about ten feet from the sidewalk, which leaves an unusually large right of way for Oakland Ave. This contrasts with residential properties in the surrounding neighborhoods, which typically have boundaries along the inside of the sidewalk. This means that while the setback from the property boundary is twenty feet, the building is and will be set back just over thirty feet from the sidewalk and just over forty feet from the edge of the street. The Engineering Department has no plans to expand Oakland Ave.

Buchner Park occupies a single city block and has a number of other amenities in addition to the pool, including a baseball diamond, tennis courts, and a playground. The Public Works Department believes moving the building to a different location or shifting the pool to accommodate the setback would make it necessary to remove some of the other park amenities.

**Options & Alternatives:****Financial Remarks:**

**Staff Recommendation:**

If the applicant proves a hardship exists, the Board may consider granting the variance request for a pool building at Buchner Park with a twenty-foot setback.