

Detailed description of proposal:

We are requesting, at the request of the Wisconsin DNR department a variance in code 22.24 for the property at 3005 Chancery Lane in the City of Waukesha, tax key 0992 109 002 to reduce the minimum street yard setback to twenty (20) feet from the street right-of-way. This would result in less wetland area being impacted and to remain natural. The rationale is that by allowing the proposed residential structure to be closer to the right-of-way then less wetland area would be impacted.

Criteria:

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.

The neighboring properties do not have the extent of the wetlands that exist at this property. This variance is needed to appease the DNR to decrease the impact on the wetlands of the property. The home to be built is modest in size and we feel appropriate for the area (it is compact and not an overreach or spread-out layout).
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.

The neighboring properties do not have the same amount of wetlands so they were able to build the home wherever they pleased.
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.

There is no economic gain or loss associated with this variance request.
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.

This hardship is not self-created. The land is part of "T3/E2K" wetland area, origination date unknown. The applicant has only been interested in the property the last 4 months (February 2020).
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.

The variance is purely to allow the structure to be closer to the right-of-way to decrease the impact on the wetland area of the land. There is no detriment to the neighboring properties. The property to the East is a residence. The property to the West is a vast wetland area owned by the neighboring Christ the Life Evangelical Lutheran Church.