

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

201 Delafield Street, Waukesha, WI 53188  
Tel: 262.524.3701 fax: 262.524.3899  
www.waukesha-wi.gov

<b>Committee:</b> Board of Zoning Appeals	<b>Date:</b> 8/3/2020
<b>Item Number:</b> ID#20-0942	<b>Date:</b> 8/3/2020
<b>Submitted By:</b> Maria Pandazi, City Planner	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator
<b>Finance Department Review:</b> Diane Gard	<b>City Attorney's Office Review:</b> Brian Running, City Attorney
<b>Subject:</b> <b>The APPEAL of David Herring for a dimensional variance from section 22.53(3)(e)(1) of the zoning code. If granted, the variance would allow a driveway at 333 Oxford Road, which was built up to the property line to remain in place, when parking areas must be set back a minimum of five feet from all lot lines.</b>	

**Details:** Earlier this year the applicant had a driveway extension paved in the space next to his garage. He did not have a survey, but he believed he had enough room between the edge of his garage and the property line to meet code requirements. He added the paving to make room for a small trailer which he had previously been parking on the grass. Parking areas in all residential districts must be paved, so he had received code enforcement orders to move the trailer or pave the space. The existing paved space did not have room to park a trailer without blocking garage access for the cars.

During installation of the new paved area his next-door neighbor told him she believes the lot line is closer than he thought it was, and the driveway is closer than the ordinance allows. She has produced a survey showing the lot line within a foot or two of the driveway and has asked the applicant to remove it. The total distance between the houses is roughly 13 feet.

The applicant has noted that driveway additions are common in the surrounding neighborhood, and several neighbors either have driveways that either definitely or probably less than five feet from the property boundary.

**Options & Alternatives:****Financial Remarks:****Staff Recommendation:**

If the applicant proves a hardship exists, the Board may consider granting the variance request for a paved driveway addition at the lot line at 333 Oxford Rd.

