



cc: Building Inspection

Enclosure

Doug Koehler
Secretary to the Board of Zoning Appeals

Sincerely,

Feel free to contact me with any questions or concerns.

Based on the Findings of Fact, the Board decided to grant the variance for the thirty-three (33) foot rear yard setback.

The variance will allow for a rear yard setback of thirty-three (33) feet, instead of the required forty (40) feet at 2119 Patrick Lane..
At the City of Waukesha Board of Zoning Appeals meeting, held on Monday, November 4, 2013, the Board heard your request for a variance from Section 22.26(7)c. of the Zoning Code requesting relief from the forty (40) foot rear yard setback..

Re: 2119 Patrick Lane – Rear yard setback

William Ryan Homes
2435 N. 124th Street, Suite J
Brookfield, WI 53005

November 7, 2013



201 DELAFIELD STREET
WAUKESHA, WISCONSIN 53188-3633
TELEPHONE 262/524-3750 FAX 262/524-3751

COMMUNITY DEVELOPMENT

Steven P. Crandell, Director
scrandel@ci.waukesha.wi.us

NOVEMBER 4, 2013
FINDINGS OF FACT AND RESOLUTION
BOARD OF ZONING APPEALS

THE APPEAL OF WILLIAM RYAN HOMES for a variance form Section 22.26(7)c of the Zoning Code. If granted, the variance would allow a rear yard setback of 33 feet when the Rs-3 zoning district has a specific rear yard setback of not less than 40 feet at Lot 318 of Rolling Ridge South Addition No. 7 along Patrick Lane.

UPON THE PROOFS SUBMITTED, plus its own independent knowledge and information, the Board of Zoning Appeals finds, beyond reasonable doubt, that all of the following facts and conditions exist, to wit:

- 1) That there are exceptional or extraordinary circumstances or conditions applying to the property in question, or to the intended use of the property, that do not apply generally to other properties or classes of uses in the same zoning district. (Sec. 22.68(3)(b)1a Zoning Code)

Affirm (it is exceptional)

Dissent (it is general or not exceptional)

4
0

- 2) That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and in the same vicinity. (Sec. 22.68(3)(b)1b Zoning Code)

Affirm (equal property rights could otherwise be enjoyed)

Dissent (the same property rights can be enjoyed without variance)

4
0

- 3) That a variance is not being requested solely on the basis of economic gain or loss, and that self-imposed hardships are not being considered as grounds for the granting of a variance. (Sec. 22.68(3)(b)1c Zoning Code)

Affirm

Dissent

4
0

- 4) That the authorizing of such variance will not be of substantial detriment to adjacent property and will not materially impair the purpose and intent of the Zoning Code or public interest. (Sec. 22.68(3)(b)1d Zoning Code)

Affirm (adjacent property and/or public interest will not be detrimented)

Dissent (adjacent property and/or public interest will be impaired if the variance is granted)

4
0

On the basis of the foregoing Findings of Fact, the Board took the action indicated in the minutes.

ATTEST

Secretary to the Board