



City of Waukesha
Department of Community Development
BOARD OF ZONING APPEALS
201 Delafield Street, Waukesha, WI 53188



NOTICE: The Board meets on the first Monday of every month at 4:00 p.m. in the upper level hearing room (207) at Waukesha City Hall. **ATTENDANCE OF THE APPLICANT OR A REPRESENTATIVE IS REQUIRED.** Failure to appear could result in the application being acted on without the applicant's input, or it could result in the item being removed from the agenda, requiring the applicant to reapply and pay another filing fee.

The appeal or application must be filed with the Community Development Department at least 17 days before the Board's meeting and within 20 days of the Zoning Inspector's order or decision, accompanied by the filing fee of **\$100.00**.

This application is for (choose one)

☒ A variance from section _____ of the zoning code ☐ An appeal from the decision of the Zoning Inspector

For the property identified below:

Project Address: 434 W. College Ave., Waukesha, WI 53189 Tax Key #: WAKC1308383

Current Zoning: R Existing Use: Residence

ATTACH DETAILED DESCRIPTION OF PROPOSAL including what is being requested, the rationale, and if a variance request, the facts and circumstances that satisfy the criteria for variance listed on the reverse of this form.

In order to be placed on the Board of Zoning Appeals agenda, the Community Development Department must receive the completed application, fee, project description, and a set of plans in PDF format by the applicable deadline. If this is an appeal from the decision of the Zoning Inspector, also attach a copy of the decision or order rendered by the Zoning Inspector and a statement of principal points on which the appeal is based. The Community Development Department - Planning Division should be consulted to assure an application is complete before being submitted.

SEE REVERSE FOR DEADLINES AND ADDITIONAL INFORMATION.

Applicant: (Person to receive notices)

Name: Danielle Domnitz

Address: 710 Larry Ct.

City & Zip: Waukesha, WI 53186

Phone: 262-671-8878

E-mail: danielle@dedicatedcm.com

Owner of property:

Mark and Julie Diodati

4845 Forest Ave.

New Berlin, WI 53151

I certify that the above statements and the statements contained in the materials submitted with this application are true and correct.


Applicant Signature

12.14.2020
Date

PLEASE NOTE: THIS FORM MUST BE ACCOMPANIED BY A \$100.00 FILING FEE

For Internal Use Only

Amount Paid: _____	Check # _____	Received by: _____
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VARIANCES

A variance is a special exemption from the city zoning code granted by the Board of Zoning Appeals in unusual circumstances on a case-by-case basis. Variances are difficult to obtain, and they are not granted simply because of an applicant's desire to do certain things or use a property in a certain way. In order to receive a variance an applicant must show that a unique hardship exists on the applicant's property. An applicant bears the burden of proving that all of the following criteria for a variance are satisfied:

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.
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.
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.
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.
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.

In addition, please provide the following information:

If applicant is asking for a use variance, explain how the property will have no reasonable use unless a variance is granted.

If applicant is asking for a dimensional variance, explain how complying with the current rules is unreasonable or creates an unnecessary burden on the applicant.

Please review these criteria prior to application submission and address each of them in your detailed description of the proposal. Failure to address each point will result in a rejection of the application.

Fees are non-refundable.

APPLICATION DEADLINE

All applications must be delivered to the Planning Division no later than the deadline indicated below to be considered for the subsequent meeting date. The advance application deadline is necessary to meet legal notification requirements.

<u>Deadline</u>	<u>Meeting Date (4:00 p.m.)</u>
December 20, 2019 -----	January 6, 2020
January 17, 2020 -----	February 3, 2020
February 14, 2020 -----	March 2, 2020
March 20, 2020 -----	April 6, 2020
April 17, 2020 -----	May 4, 2020
May 15, 2020 -----	June 1, 2020
June 19, 2020 -----	July 6, 2020
July 17, 2020 -----	August 3, 2020
August 28, 2020 -----	September 14, 2020
September 18, 2020 -----	October 5, 2020
October 16, 2020 -----	November 2, 2020
November 20, 2020 -----	December 7, 2020