

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: 235 Richard St. Tax Key #: \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Existing Use: \_\_\_\_\_

**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: Michael Collier

Address: 235 Richard St.

City & Zip: Waukesha, 53189

Phone: 414-406-1735

E-mail: mcollier27@yahoo.com

Owner of property:

Michael Collier

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

Michael W. Collier  
Applicant Signature

Dec 23 2020  
Date

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

For Internal Use Only

Amount Paid: <u>\$ 100.00</u>	Check # <u>1354</u>	Received by: <u>M.A.Z.</u>
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December 23, 2020

235 Richard Street  
Waukesha, WI 53189

RE: Waukesha County Variance request

Dear Members of the zoning board:

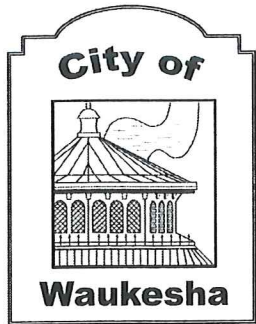
We are writing to seek a fence variance for our single-family home located on the corner lot of 235 Richard St. in the city of Waukesha.

Current zoning rules state Residential fences are permitted up to the lot line in the side and rear yards but shall not exceed a height of six (6) feet and should not extend into the street yard. We respectfully request to install a six (6) foot fence on the side street yard.

This side street yard is located on the intersection of Richard St. and Grand Ave. Our reason for this request is the safety of our children. It is the only available yard for our children to play. The side/rear yard contains a cable box and telephone pole with wires connecting to the side of the property. These obstruct the area for practice and play. The side street yard has been made level and a retaining wall installed. It is also large enough for our kids to practice/play their sports activities and allow our dog space to run around safely behind a fence.

Thank you for your thoughtful consideration of our request.

Respectfully,  
Michael and Amber Collier



## COMMUNITY DEVELOPMENT

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

November 11, 2020

MICHAEL COLLIER  
235 RICHARD ST  
Waukesha, WI 53189

Re: 235 RICHARD ST - Case #CE20-00643

Dear MICHAEL COLLIER:

This office has received a complaint regarding the condition of your above stated property. During a recent inspection, the following violations were found:

22.58(2)j.3. FENCES, 6 FT, NO  
STR YD:

Solid Fences are permitted in residential zoning districts, subject to the following rules: They shall not exceed a height of 6 feet; they are permitted in side and rear yards; and they are not permitted in street yards, except that they may extend on or parallel to the lot line into the street yard, no farther than the line of the adjacent property's street yard.

You are hereby ordered to repair your fence and bring it into compliance with city ordinance(s) within 30 days from the date of this notice.

-please refer to the literature I have included, please call or email the inspector with any questions - (262)524-3532

6' solid fence in street yard

An inspector shall return to your property after the deadline given in these Orders to determine whether the property has been returned to compliance with the Code. If the inspector determines the Code violation has not been corrected, a \$75 fee shall be charged against the property for the first re-inspection, \$150 shall be charged for the second and any subsequent re-inspections. Any such fees shall be charged against the real estate upon which the re-inspections were made, shall be a lien on the real estate, and shall be assessed and collected as a special charge. Additional enforcement action may also be taken such as issuing citations or filing a law suit.

If you have any questions, please contact this office.

Sincerely,

MATTHEW DAMA  
Property Maintenance Inspector  
MDama@waukesha-wi.gov



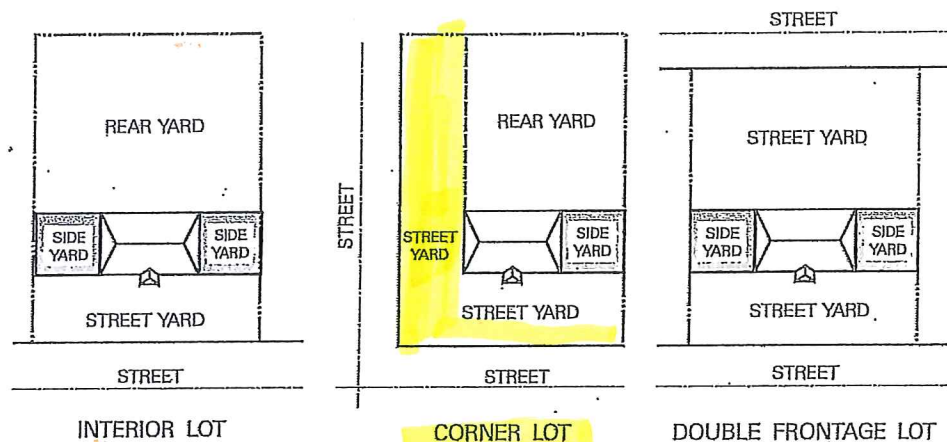


## CHAPTER 22 Zoning

### 22.05 Definitions

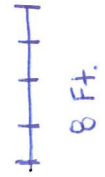
201. Wireless Communications Facility. A land use facility, supporting antennas and microwave dishes that send and/or receive radio frequency signals which provide commercial mobile services, unlicensed wireless services and common carrier wireless exchange access services. The facilities include structures, towers, and accessory buildings.
202. Yard. An open space on the same lot with a structure, unoccupied and unobstructed from the ground upward except for vegetation and as otherwise provided in this Code. (See example in Illustration No. 2.)

ILLUSTRATION NO. 2  
YARDS



203. Yard, Street. A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing or proposed street or highway line or right-of-way and a line parallel thereto through the nearest point of the principal structure; provided, if the proposed location of the right-of-way line of such street as established on the Thoroughfare Plan or on the "Official Map of the City of Waukesha" differs from that of the existing street, the required front yard depth shall be measured from the right-of-way line of such street as designated on the Thoroughfare Plan or Official Map. Corner lots and double frontage lots have two such yards. (See example in Illustration No. 2)
204. Yard, Rear. A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and a line parallel thereto through the nearest point of the principal structure. This yard is opposite the street yard or, in the case of a corner lot, opposite the street yard fronting the street to which the principal structure refers as its street address. (See example in Illustration No. 2)

Google Maps 235 RICHARD ST WAUKESHA, WI 53189







I want to...

Tools

Waukesha County - Land Information Sys



Parcel\_Ba... 0 20 40ft