

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

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Committee: Board of Zoning Appeals	Date: 2/1/2021
Item Number: ID#21-1591	Date: 2/1/2021
Submitted By: Maria Pandazi, City Planner	City Administrator Approval: Kevin Lahner, City Administrator
Finance Department Review: Bridget Souffrant, Finance Director	City Attorney's Office Review: Brian Running, City Attorney
Subject: The appeal of Stephanie Pierce for a dimensional variance from section 22.58(2)(J)(3) of the zoning code. If granted the variance would allow a solid fence which was built in the street yard at 2202 Lander Lane to remain when solid fences are not permitted in street yards.	

Details: 2202 Lander Lane is zoned Rs-2 Single Family Residential. The property has an area of roughly 13,000 square feet, which exceeds the district's minimum lot size of 12,000 square feet. However, the minimum width for corner lots in the Rs-2 district is 100 feet, and this lot has a width of 84 feet. It bends out a few feet with the curvature of the street, but at it's widest is still just over 90 feet. The rear yard area (not including the street yard) is roughly 4,000 square feet. Most of the houses in the area have rear yards of about 5,000 square feet, but a few have significantly smaller yards.

The applicants built a six foot white vinyl privacy fence last year, to replace a similar wood fence which was built by a previous owner in 2012, on the same location along the edge of the sidewalk facing Kilps Dr. Previously a four foot high chain link fence was located in the same space.

The applicants have stated that they need a privacy fence to prevent trespassers from getting into their yard and burglars from entering their house through the rear. According to the applicant the area has had several armed robberies recently, and he wants to limit access for potential future robberies. He has also noted that the fence does not cause any obstruction of the vision corner and that several of his neighbors have told him they are supportive of the fence.

Options & Alternatives:**Financial Remarks:**

Staff Recommendation:

If the applicant proves a hardship exists, the board may consider granting a variance to allow a fence in the street yard at 2202 Lander Lane.