

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

Stamp Date Received

**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 22.26 of the zoning code ☐ An appeal from the decision of the Zoning Inspector

For the property identified below:

Project Address: 2612 Wyngate Way Tax Key #: \_\_\_\_\_

Current Zoning: RS3 Existing Use: Single Family Residential

**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: Carol A. Fager

Address: 2612 Wyngate Way

City & Zip: Waukesha 53189

Phone: 262-544-2094

E-mail: carolfager@gmail.com

Owner of property:

Carol A Fager

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

Carol Fager  
Applicant Signature

2-17-21  
Date

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

For Internal Use Only

Amount Paid: <u>\$100</u>	Check # _____	Received by: <u>ck</u>
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### Hardship Argument

2612 Wyngate Way is zoned RS-3. The rear setback for a lot zoned RS-3 is a 45 foot setback.

We would like to add a sunroom to the back of our house and are seeking to get a variance of approximately 14ft past the 45 rear setback requirement.

- 1) 2612 Wyngate Way is a very unique lot compared to the other lots in the neighborhood. Most of the lot is extremely steep. (Please see pictures attached). There weren't any other viable options to place the house on the lot other than where it currently sits. Unlike the other neighbors we do not have a backyard that we can use due to the steepness of the lot. Having a setback of 45 feet for a lot with no backyard and that size is unreasonable and drastically affects how we can make use of the property we invested in.
- 2) Assuming the purpose of the 45ft rear setback is to give space between neighbors and creating usable backyards for the homeowners to enjoy, we do not get that same right. Though our hill creates a nice buffer for the neighbors behind us, we in turn do not have a backyard to enjoy.
- 3) The reason we want a sunroom addition is to create an usable space behind our house away from the road and traffic. We plan on being in this house as long as our health allows us. We want a space in our backyard that we can enjoy. We are not adding this sunroom to create any value for our home other than our ability to enjoy it ourselves.
- 4) This situation, unfortunately, could not be avoided. With the unique elevations of our lot there were no other options as to where to place the house. The house could not be placed anywhere that would allow for a bigger setback than 45ft and in turn allow us to build an addition, so we can enjoy a space away from the road in the back of our home.
- 5) Granting us this variance would not defeat the purpose of the 45 yard setback. Because we are so much higher than the neighbors behind us they naturally have distance between our home and theirs. Our hill creates a natural buffer for the neighbors and does not impede on their property.

We are asking for a dimensional variance. As outlined in number 1 and number 5 above complying with the current rules is unreasonable and creates unnecessary burden on us.

I support the Fagers application for the variance to add a sunroom replacing the old deck on the back of their property. Their property abuts my property.

James D. BURNS 2/5/21  
JAMES T. BURNS  
2615 LAVINE LANE  
414-899-7159



Carol Fager &lt;carolfager@gmail.com&gt;

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**Sunroom Addition**

2 messages

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**tonya.tonyahomes@gmail.com** <tonya.tonyahomes@gmail.com>

Wed, Feb 17, 2021 at 5:28 AM

To: carolfager@gmail.com

Good morning, Carol.

Thank you for reaching out last night to discuss your anticipated sunroom addition. It sounds very nice! My husband and I are completely fine with your plans. There is still a lot of room between our lot lines and the location of the future sunroom.

Tonya and Ken Thomsen

[2609 Lavine Lane](#)

[Waukesha](#)

262-424-3138

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**Carol Fager** <carolfager@gmail.com>

Wed, Feb 17, 2021 at 6:29 AM

To: tonya.tonyahomes@gmail.com

Thanks so much Tonya. We will let you know if we are able to move forward.

Carol

[Quoted text hidden]



Carol Fager &lt;carolfager@gmail.com&gt;

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**Sunroom addition**

1 message

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**Beth** <beth25@gmail.com>

Fri, Feb 5, 2021 at 12:22 PM

To: carolfager@gmail.com

This email is in support of the proposed sunroom addition to the Fager property at [2612 Wyngate Way](#). I own the property next door at [2608 Wyngate Way](#), we share a property border, and I don't have any issues with the project as described.

If any further information is needed, please don't hesitate to contact me.

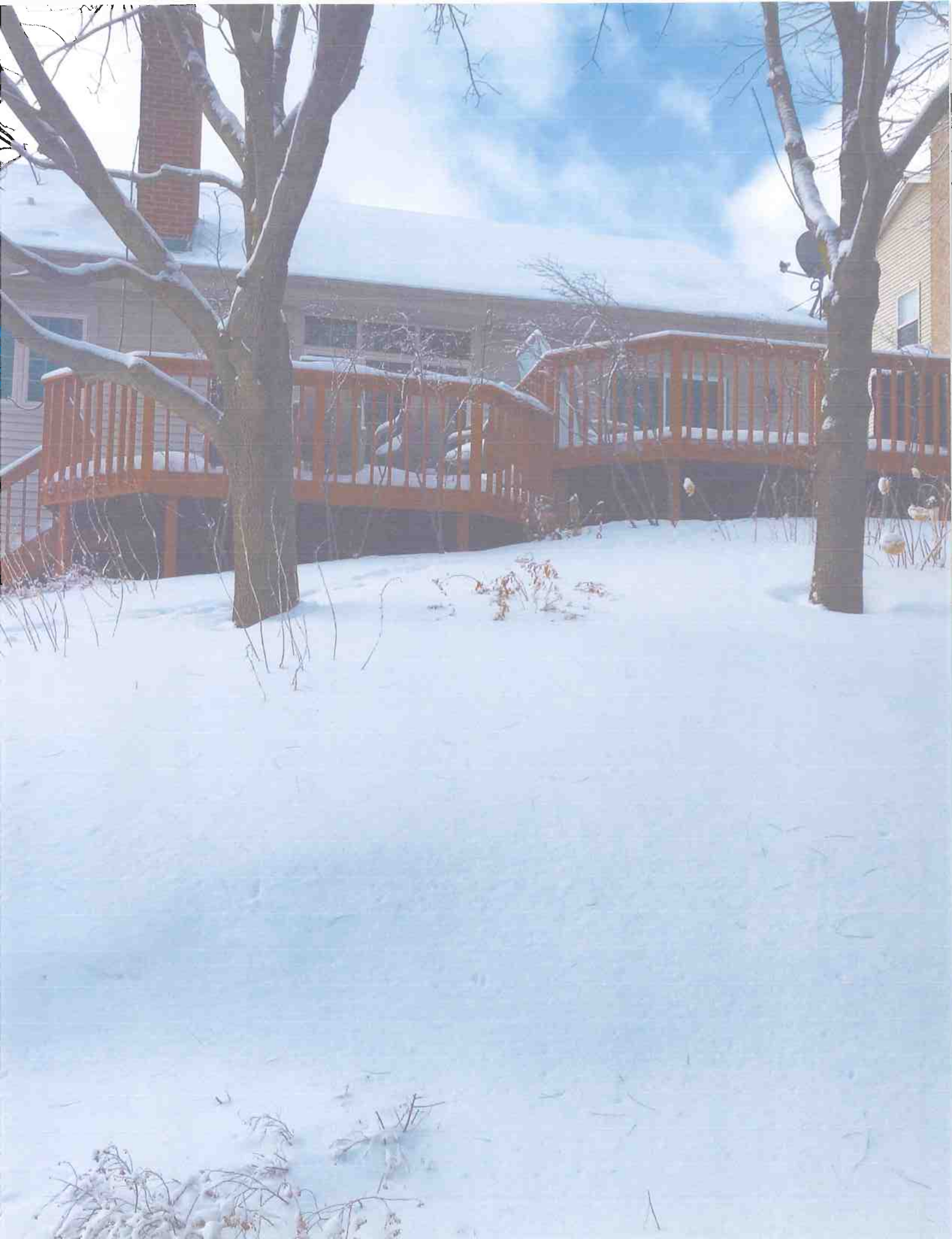
Beth Savagian  
262-613-6261  
[2608 Wyngate Way](#)  
[Waukesha WI 53189](#)













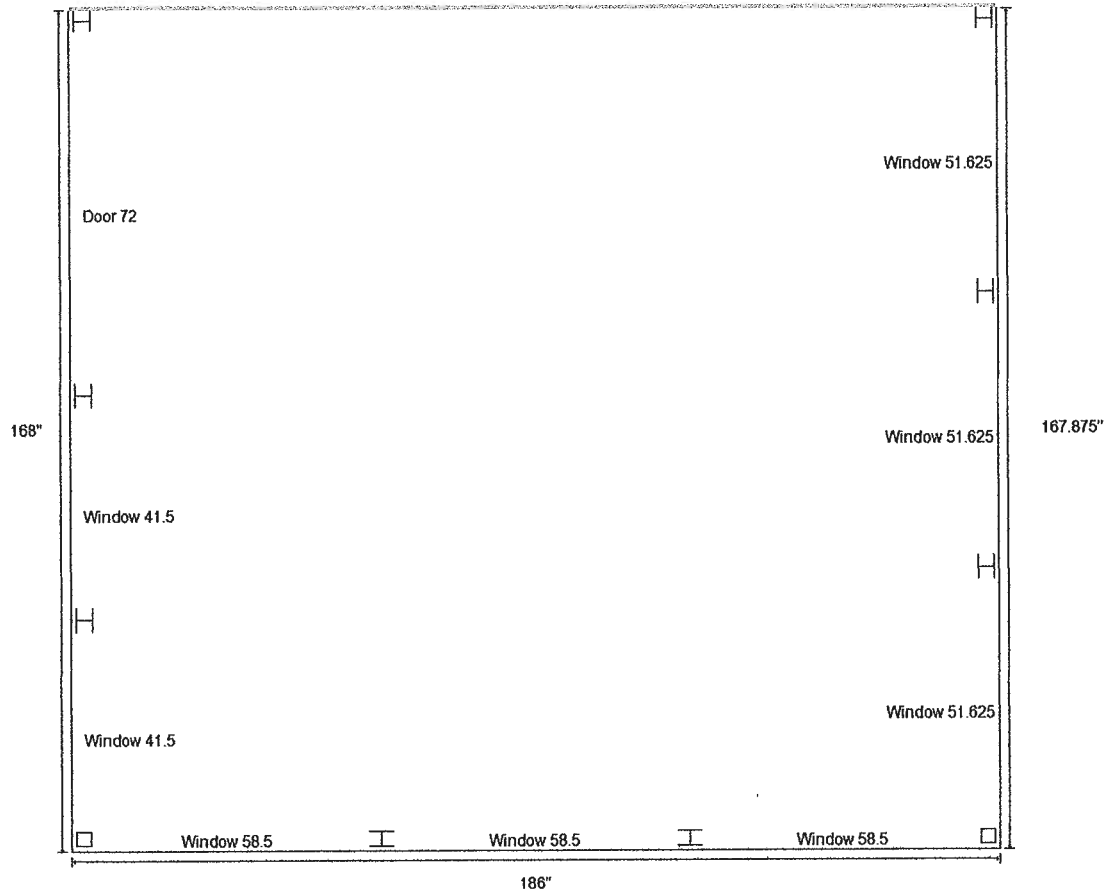




ORDER: 11900  
LINE ITEM: 1  
DATE: 1/27/2021

# Floor Plan

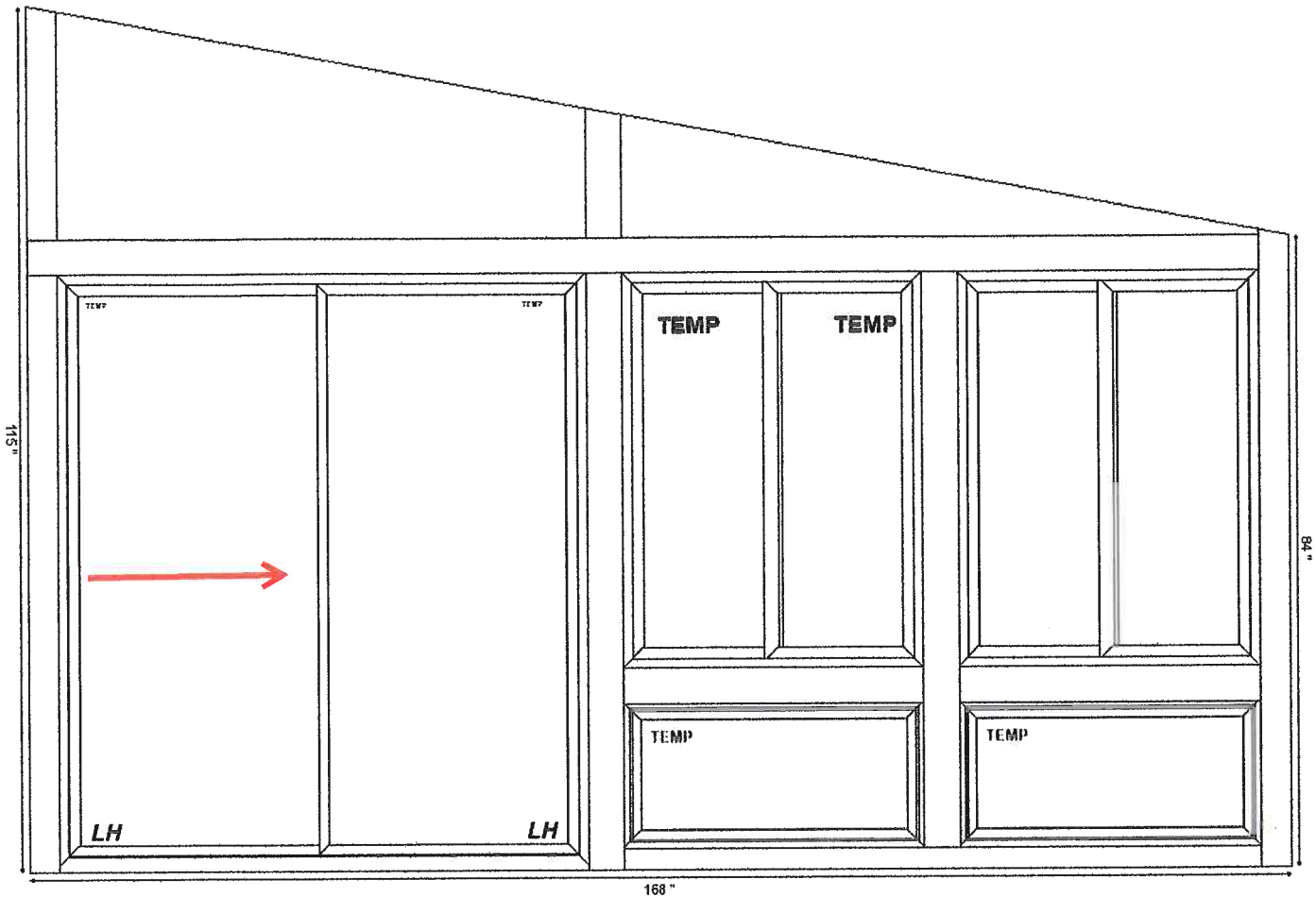
House





## A Wall

USE



### Dimensions

Width: 168"

Height: 84"

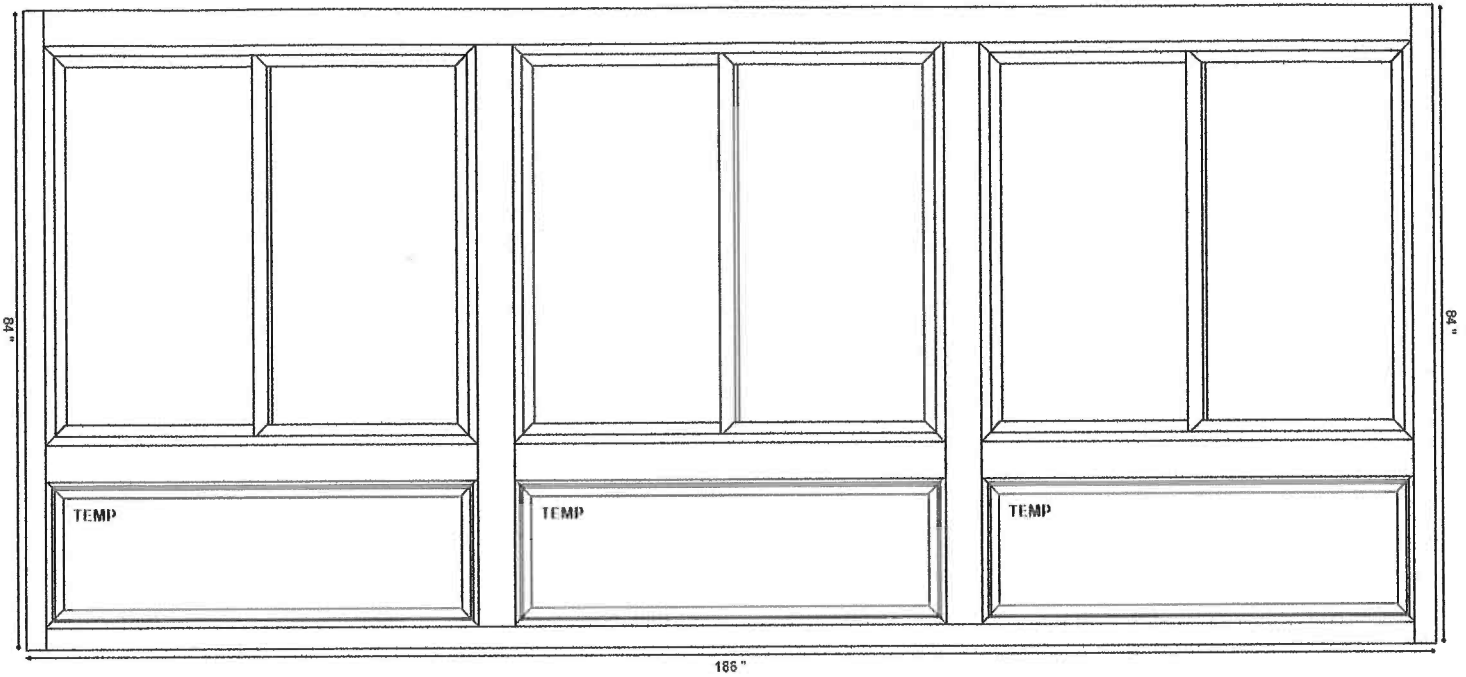
Pitch: 2.0 / 12 = 10.5°

### Layout

3.25" (Wall Starter) + 72" (Door) + 3.25" (Door Post) + 41.5" (Window) + 3.25" (Center Post) + 41.5" (Window) + 3.25" (Corner Post)

2" (Floor Starter) + 20.75" (Kick Panel) + 3.25" (Sill) + 54" (Window) + 3.25" (Header)

## B Wall



### Dimensions

Width: 186"

Height: 84"

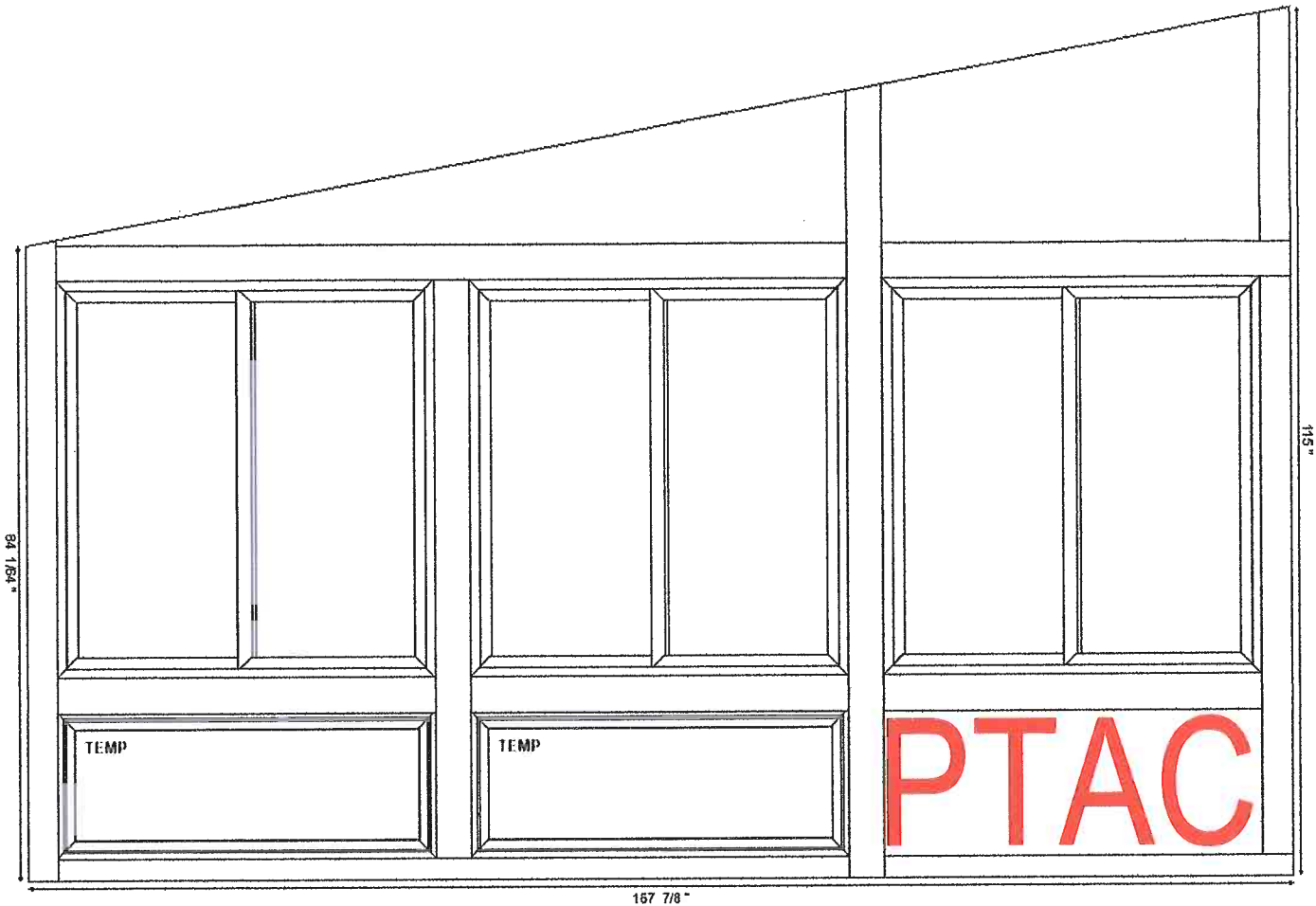
### Layout

2" (Corner Post) + 58.5" (Window) + 3.25" (Center Post) + 58.5" (Window) + 3.25" (Center Post) + 58.5" (Window) + 2" (Corner Post)

2" (Floor Starter) + 20.75" (Kick Panel) + 3.25" (Sill) + 54" (Window) + 4" (Bearing Header)

## C Wall

House



### Dimensions

Width: 167 7/8"

Height: 84 1/64"

Pitch: 2.0 / 12 = 10.5°

### Layout

3.25" (Corner Post) + 51.625" (Window) + 3.25" (Center Post) + 51.625" (Window) + 3.25" (Center Post) + 51.625" (Window) + 3.25" (Wall Starter)

2" (Floor Starter) + 20.75" (Kick Panel) + 3.25" (Sill) + 54" (Window) + 3.25" (Header)





Picture of Similar Sunroom  
Completed



*Picture of Similar Sun room completed.*