

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

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<b>Committee:</b> <b>Board of Zoning Appeals</b>	<b>Date:</b> 3/15/2021
<b>Item Number:</b> ID#21-1821	<b>Date:</b> 3/15/2021
<b>Submitted By:</b> Maria Pandazi, City Planner	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator
<b>Finance Department Review:</b> Bridget Souffrant, Finance Director	<b>City Attorney's Office Review:</b> Brian Running, City Attorney
<b>Subject:</b> The appeal of Carol Fager for a dimensional variance from section 22.26(7)(c) of the zoning code. If granted the variance would allow construction of a new sunroom at 2612 Wyngate Way, set back 30 feet from the rear property boundary, when there shall be a rear yard setback of not less than 40 feet.	

**Details:** 2612 Wyngate Way is zoned RS-3 and the lot and house meet all of the width, area, and setback requirements for the district. The house itself is set back 41 feet from the rear property line, and the existing uncovered deck extends the maximum ten feet into the setback area.

The applicants would like to build a new sunroom in place of their deck. The sunroom will extend twelve feet behind the house, to the edge of the location of the existing deck. It will be fifteen feet wide, extending roughly half of the width of the deck. The existing deck has two sections, at slightly different heights. The sunroom will replace the upper, further west section of deck. Its roof will slope down from a height of just under nine feet at the point where it meets the wall of the house to seven feet at the furthest point. All three exterior walls will have floor to ceiling windows, and a door on the south side will give access to the remaining deck section.

The property sits on the slope of a hill, which drops off to the rear and the east of the house. The applicants have noted that slope of the rear yard limits the useable area for them in the back of the house, particularly limiting the yard area. They have stated that increasing the useability of the deck space by adding the proposed sunroom section will help make up that deficit. They have also argued that the slope reduces the impact of the addition on the neighbors to the north, by providing a buffer between the houses.

The application included letters of support from three neighbors with adjacent properties. We have also received a letter objecting to the variance from the next door neighbor to the west.

**Options & Alternatives:****Financial Remarks:**

**Staff Recommendation:**

If the applicant proves that a hardship exists, the Board may consider granting a variance to allow a sunroom extending ten feet into the required rear yard setback at 2612 Wyngate Way.