

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

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Committee: Board of Zoning Appeals	Date: 4/5/2021
Item Number: ID#21-1981	Date: 4/5/2021
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 Keith and Kimberly Navis for a dimensional variance from section 22.26(7)(c) of the zoning code. If granted the variance would allow a new sunroom to be built at 4046 Stillwater Circle with a setback of 29.5 feet when there shall be a rear yard of not less than 40 feet.	

Details: 4046 Stillwater Circle is zoned RS-1, and the house and lot meet all setback and area requirements. The property has an area of roughly 9,200 square feet. Most other properties on the west side of Stillwater Circle have similar areas. Some of the properties on the east side of the street are slightly larger, around 12,000-13,000 square feet, and several of the houses on these lots are larger than the ones on the west side of the street. Some of the adjacent properties on River's Crossing Drive, immediately to the west, are slightly smaller at just over 8,000 square feet each.

The house currently has a rear yard setback of 42 feet, which just exceeds the minimum of 40 feet. They have an existing at-grade patio in the rear of the house, and they would like to build a sunroom in place of the patio. The sunroom will extend fourteen feet from the rear of the house and will also be fourteen feet wide. Its height at the rear wall of the house will be roughly nine feet, and the roof will slope down to a height of just over seven feet at the outer edge. It will have a rear yard setback of 29.5 feet.

The applicants have argued that the sunroom will allow them to use their outdoor space more. They are currently limited in their use due to bug allergies. They also believe a gazebo, which would be permitted, would detract from their property values while a sunroom would improve them.

The applicants provided a letter signed by their neighbors from all the adjacent properties stating that they support the variance.

Options & Alternatives:**Financial Remarks:**

Staff Recommendation:

If the applicant proves that a hardship exists the board may consider granting a variance to allow a new sunroom in the rear yard at 4046 Stillwater Circle, with a setback of 29.5 feet.