



City of Waukesha
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Committee: Board of zoning Appeals	Date: 5/11/2026
Common Council Item Number: BZA26-0004	Date: Click here to enter a date.
Submitted By: Doug Koehler, Principal Planner	City Administrator Approval: Click here to enter text.
Finance Department Review: Click here to enter text.	City Attorney's Office Review: Click here to enter text.
Subject: The APPEAL of the City of Waukesha for a dimensional variance from sections 22.33(5)(b), 22.33(7)(a), and 22.33(7)(c) of the zoning code. If granted, the variance will allow for alteration of lot lines on an existing property at 223 S. West Ave., resulting in a new parcel with a setback of less than one foot from the street right of way, and a rear yard of less than seven feet, when there shall be a minimum street yard setback of 25 feet from the right of way of all streets, there shall be a rear yard of no less than 25 feet, and individual business sites in the B-1 district shall provide sufficient area for the principal building and its accessory buildings, and required yards.	

Details:

The City is looking to dispose of this surplus property. Before transferring the property, the lot needs to be expanded to include the portion of the existing building currently extending into the West Avenue ROW. This one lot CSM will encompass the entire building within the lot for 223 S West Avenue. The new lot will be 0.12 acres in size. The site will be under B-1 Neighborhood Business zoning. There is an existing former Water Utility Station building in the site, which was permitted as a conditional use. The existing building is still in good condition and would lend itself well to a small commercial use. Staff is requesting a variance to allow the establishment of a new lot when the existing building will be nonconforming and not meet the front yard set back of 25 feet or the rear yard setback of 25 feet. It should be noted that the current building is nonconforming on the existing lot and encroaches over the lot line into the right of way. By creating the new lot, the building will be removed from the right-of-way, improving the situation, but do to the unique configuration of lot being limited in area by the railroad tracks and the West Avenue right of way, there is no way to meet front and rear yard setbacks for the existing building.

Options & Alternatives:
[Click here to enter text.](#)

Financial Remarks:
[Click here to enter text.](#)

Executive Recommendation:

- If the applicant proves a hardship exists, the Board may consider granting the variance request for the residential solid fence in the side street yard along Summit Avenue.