



**City of Waukesha**  
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<b>Committee:</b> Board of Zoning Appeals	<b>Date:</b> 4/13/2026
<b>Common Council Item Number:</b> ID#26-03281	<b>D/ate:</b> 4/13/2026
<b>Submitted By:</b> Charlie Griffith, Senior Planner	<b>City Administrator Approval:</b> <a href="#">Click here to enter text.</a>
<b>Finance Department Review:</b> <a href="#">Click here to enter text.</a>	<b>City Attorney's Office Review:</b> <a href="#">Click here to enter text.</a>

**Subject:**  
 The APPEAL of Wisconsin Housing Preservation Corp. for a dimensional variance from section 22.58(1)(b) of the zoning code. If granted, the variance will allow for construction of a car-port mounted solar array in the side yard parking lot at 801 N. East Ave., when detached accessory structures shall be permitted in the rear yard, not in a street yard or side yard.

**Details:** The East Terrace Apartments at 801 N. East Ave. is a nine story residential building which, along with its parking lots, takes up the whole space between East Ave. and Pleasant St. The main parking lot is in the side yard, as the zoning code defines it, immediately to the south of the building, facing toward East Ave. A smaller lot is located in the rear of the building, facing toward Pleasant Street, in what the code defines as both the rear yard and a street yard.

The applicants would like to install solar panels to provide supplemental power. The primary solar array will be on the roof of the building and will not be visible from neighboring properties. A smaller array will be located on car-port structures in the main parking lot to the south of the building. The parking lot array will be divided into two sections. They will be arranged so as to provide shade for parked cars. The panels will be supported by metal poles, with concrete bases extending underground. They will be have a minimum clearance of 14 feet above the ground, and will be angled slightly so they will be higher in the rear. The array will be set back at least 40 feet from East Ave. (about 30 feet from the property boundary) and 5 feet from the property to the south.

The applicants have noted that since the property is a double frontage lot it does not have a rear yard which is not also a street yard. As the zoning code is written, there is no location where an accessory structure would be allowed. This restriction applies to all accessory structures, including the proposed solar arrays. They note that other properties in the area which do have rear yards would be able to construct a similar structure while remaining in compliance with the zoning ordinance.

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

**Financial Remarks:**

No financial impact to the City.

**Staff Recommendation:**

If the applicant proves a hardship exists, the Board may consider granting a variance to allow the proposed car-port mounted solar panels at 801 N. East Ave.