



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 second Monday of every month at 4:00 p.m. 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 \$375.00.

This application is for (choose one)

A variance from section 22.39.7.a of the zoning code An appeal from the decision of the Zoning Inspector

For the property identified below:

Project Address: 1101 W. St. Paul Ave. OR Tax Key #: _____

Current Zoning: M-2 General Manufacturing Existing Use: Manufacturing

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: Eric Ortega

Address: 2610 Lake Cook Road, Suite 280

City & Zip: Riverwoods, IL 60015

Phone: 847.940.0300

E-mail: erico@pidarchitects.com

Owner of property:

Andrew Dawson

1101 W. St. Paul Ave.

Waukesha, WI 53188

262.278.2272

andrew.dawson@innio.com

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



Applicant Signature

4.27.26

Date

PLEASE NOTE: THIS FORM MUST BE ACCOMPANIED BY A \$375.00 FILING FEE

For Internal Use Only		
Amount Paid: _____	Check # _____	Received by: _____

VARIANCES

A variance is a special exemption from the city zoning code granted by the Board of Zoning Appeals in unusual circumstances on a case-by-case basis. Variances are difficult to obtain, and they are not granted simply because of an applicant's desire to do certain things or use a property in a certain way. In order to receive a variance an applicant must show that a unique hardship exists on the applicant's property. An applicant bears the burden of proving that all of the following criteria for a variance are satisfied:

1. Special circumstances exist that apply only to the property for which the variance is requested, and not to any other neighboring properties. The special circumstances must relate to the property itself, and not to the applicant's desired use of the property. Explain the circumstances and how they are unique to the applicant's property.
2. Without a variance, substantial property rights that are enjoyed by neighboring properties will be denied to the applicant. Explain how the owners of neighboring properties are able to enjoy property rights that the applicant cannot.
3. The variance is not being requested solely for economic loss or gain. Explain how the variance is not just to increase property value or to allow profit-making activities.
4. The applicant's hardship is not self-created. Explain how the special circumstances relating to the property are not caused by the applicant's actions or wishes.
5. The variance would not defeat the purpose of the zoning ordinance, and would not be a detriment to neighboring properties. Variances cannot be contrary to the policy reasons for the ordinance from which the variance is requested. Explain how the variance would work within the existing zoning rules and not undermine the reasons for them.

In addition, please provide the following information:

If applicant is asking for a use variance, explain how the property will have no reasonable use unless a variance is granted.

If applicant is asking for a dimensional variance, explain how complying with the current rules is unreasonable or creates an unnecessary burden on the applicant.

Please review these criteria prior to application submission and address each of them in your detailed description of the proposal. Failure to address each point will result in a rejection of the application.

Fees are non-refundable.



April 27, 2026

**RE: City of Waukesha Board of Zoning Appeals Application
Entrance 6 Renovation
1101 W. St. Paul Avenue, Waukesha, WI**

To Whom it may concern,

This project scope is a renovation of an existing vestibule entrance. The renovated entrance will continue to serve as the main entrance to the building. The renovation will maintain the existing interior SF while building out the exterior face of the entrance with light grey architectural metal panel to a maximum height of 22'-6". The entrance doors will be inset from the metal panel in a 15' tall clear glass curtain wall. In terms of the variance being requested, we are asking for a variance from the existing 25' street yard setback to a 7'-2" setback for this renovation. Below are the criteria indicating that a unique hardship exists on this property.

1. Special Circumstances Unique to the Property

Special circumstances exist that are unique to the subject property and do not apply generally to neighboring properties. The building predates the current zoning code and is legally nonconforming in several respects, including its reduced setback along St. Paul Avenue. The structure also features an approximately 1,363-foot-long façade, which is atypical in scale, and includes a continuous light well running along the entire St. Paul Avenue frontage. In addition, the property's proximity to both the Fox River and St. Paul Avenue further constrains development options. These combined conditions create a unique hardship in locating and improving building access along St. Paul Avenue, a situation not commonly shared by surrounding properties.

2. Deprivation of Substantial Property Rights

Without the requested variance, the owner would be denied substantial property rights that are enjoyed by neighboring properties. Specifically, other properties in the area are able to provide functional, direct street-facing entrances and make reasonable improvements to building access. Due to the subject property's unique physical constraints, including the light well and the configuration of the existing structure, the owner cannot reasonably achieve similar access improvements in compliance with the 25-foot setback requirement. As a result, strict enforcement of the ordinance would place the property at a disadvantage compared to others in the vicinity.

3. Not Based Solely on Economic Gain

The requested variance is not based solely on economic considerations or the desire to increase property value. Instead, it is driven by the need to provide safe, functional, and practical access to the building. The proposed renovation improves an existing entrance and addresses limitations created by the building's age and configuration. While there may be incidental economic benefit, the primary purpose of the request is to enable reasonable use and accessibility, not financial gain.

4. Hardship Not Self-Created

The hardship necessitating the variance is not self-created. It arises from the original design, placement, and age of the building, all of which predate current zoning regulations. Additional constraints, such as the continuous light well and the building's proximity to the Fox River and St. Paul Avenue, are inherent site conditions. The owner is simply attempting to make reasonable improvements within these existing limitations.

5. Consistency with the Purpose of the Zoning Ordinance

Granting the variance will not defeat the purpose of the zoning ordinance or be detrimental to neighboring properties. The proposed renovation occurs at the site of an existing vestibule. The improvement is located along the middle portion of an exceptionally long façade, minimizing any potential impact on adjacent properties. Additionally, the updated façade will enhance the building's appearance and contribute positively to the streetscape, remaining consistent with the intent of the zoning code to promote orderly and compatible development.

6. Unreasonable Burden (Dimensional Variance)

Strict compliance with the 25-foot street yard setback would impose an unnecessary and unreasonable burden on the owner. Due to the building's configuration, including the continuous light well and internal layout, relocating or redesigning the entrance to meet the setback requirement is impractical and would require disproportionate structural alterations. Such changes would not be feasible given the scale and constraints of the existing structure. The requested variance represents the minimum relief necessary to allow a reasonable and functional improvement to the property.

If you have any additional questions, please contact Werner Briske, wernerb@pidarchitects.com, or Eric Ortega, erico@pidarchitects.com, or call us at 847.940.0300.

Sincerely,



Werner H. Briske, AIA ALA GGP