



**City of Waukesha**  
Department of Community Development  
**BOARD OF ZONING APPEALS**  
201 Delafield Street, Waukesha, WI 53188

**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 **\$350.00**.

This application is for (choose one)

☒ A variance from section 22.25.7 of the zoning code ☐ An appeal from the decision of the Zoning Inspector

For the property identified below:

Project Address: 2910 Skyline Ct. OR Tax Key #: WAKC0981104

Current Zoning: RS-2 Existing Use: \_\_\_\_\_

**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: Brian Morrison

Address: 2910 Skyline Ct.

City & Zip: Waukesha 53188

Phone: 262-893-2343

E-mail: Bmmorrison18@msn.com.

Owner of property:

Brian Morrison

Brondi Morrison

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

[Signature]  
Applicant Signature

6/2/25  
Date

**PLEASE NOTE: THIS FORM MUST BE ACCOMPANIED BY A \$350.00 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.**

## **Project Summary:**

I'm looking to do an addition to my property in Waukesha, Wisconsin, zoned RS-2, during the summer/fall of 2025. The addition will be positioned to the right of my existing house(see attached image for location and approx. size), maintaining at least the required 10-foot side setback but requiring a variance to reduce the 45-foot rear setback to 16 feet due to my lot's unique shape. The main purpose of the addition would be for additional garage and storage space. It would be used to house a boat, additional vehicles, and allow for more storage.

The addition will be designed to match the architectural style of our home, using similar materials and colors to enhance curb appeal. Features like a pitched roof, decorative trim, and windows will ensure it blends seamlessly with the neighborhood. The additional space for vehicles and boat, will enhance the curb appeal as there won't be 3 vehicles and a boat in the driveway at any given time. They will be out of sight in the garage.

With no close neighbors to both rear/rear-side property line, there will be no impact to any of their property rights. My property is the corner of the City of Waukesha, the rear and rear-side border is City of Pewaukee. No home is within several hundred feet of the rear-side property line, 271ft. This ensures that neighbors are not impacted by this variance. In addition, there is a thick wooded separation between my property and the entire back property line.

Overall, this project will have little to no impact on the surrounding neighbors. It will enhance the curb appeal, by hiding multiple vehicles and a boat that normally sit in plain site out in the driveway. The project will use high quality materials matching and blending to the existing home.

Below are the circumstances that satisfy the criteria for the variance at my property @ 2910 Skyline Ct in Waukesha

### **1. Special Circumstances Unique to the Property**

My property has unique constraints due to its shape and location of the home on the property. The lot is part of a cul-de-sac making the lot lines narrow in the front yard, but also a unique shape overall. The property is not a typical rectangle shape with clearly defined rear lot lines. It is like a diamond shape, with five sides. My property has two different back borders or three side borders depending on how you look at it. The placement of the current home makes any addition difficult without a variance to the rear setbacks, due to the shape. If the variance is granted, there is still a big back yard, significantly more than 45ft to the other back lot line. This minimizes the need for a 45-foot setback in this circumstance. Building the garage to the right of the house is the only practical option, as the front is constrained by the narrow shape and street setbacks. The 45-foot rear setback, with two different rear lines, restricts the feasible building area due to the lot's shape and slope, making this constraint unique to my 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.**

There are several properties in my immediate neighborhood that have less than a 45ft setback. I believe the immediate neighbor to my right is under 40 feet to the rear lot line, but to be sure, there are several instances where the homes are much closer than the stated 45ft setback.

**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.**

The variance is not requested for economic gain or to increase property value. The garage is needed for secure parking and storage of additional vehicles, boat, and additional storage needs. The garage is for personal use only and not for profit. I will probably not make any money on the garage, as the costs will not be recouped even if I sell the property at a much later date.

**4. Hardship Not Self-Created**

The hardship is not self-created. The lot's dimensions, rear slope, and homes position on the property were pre-existing.

**5. The variance would not defeat the purpose of the zoning ordinance and would not be a detriment to neighboring properties.**

The variance will not defeat the zoning ordinance's purpose. The garage will match my home's style and comply with other zoning rules, like the 10-foot side setback, meant to protect immediate neighbors. Reducing the rear setback to 16 feet will not impact the rear neighbors, as there is already a wooded divide to the rear neighbor. In addition, there are no immediate neighbors to the rear of my property. The home on that property is on 8 acres and is very far away from the wooded lot line – 271ft away. They are also city of Pewaukee, so there is no precedent that will be set against a city of Waukesha residents' property. It won't impact their privacy or property use in any way. With regard to my direct neighbor, I will still be within normal setback regulations of 10ft on the side.

**In summary**, I am looking to do an addition to my existing home to provide much needed space and storage to my existing home. The addition will be for personal use, and not economic gain. There are many other homes in my direct neighborhood that have lesser setbacks than the 45ft. I have a uniquely shaped lot that requires a variance in order to do the addition to my home. With the addition there will still be a significant back yard, and it will not intrude on any neighbors rights by approving this variance. My neighbors are supportive of the addition. I appreciate your time and consideration.