



CITY OF WAUWATOSA
7725 WEST NORTH AVENUE
WAUWATOSA, WISCONSIN 53213
Telephone: (414) 479-8917
Fax: (414) 479-8989
Web Site: www.wauwatosa.net

MINUTES
MEETING OF THE BOARD OF BUILDING & FIRE CODE APPEALS
Friday, August 13, 2010
Committee Room #1

PRESENT: D. Bachman, S. Jung, P. Nook, C. Millman, R Ornst, R. Lex, D. Wheaton – 7

EXCUSED: J. Price

ALSO PRESENT: B. Mainus, Building Inspector

Mr. Ornst as Chair called the meeting to order at 9:00 a.m.

2461 N. 60th Street

Variance

Mr. Eric Clark has requested a variance to not modify the existing 2 foot door to 2 foot 8 inches as required by code. (Section COMM 21.035 (1) C (1))

Present in favor: Eric Clark, 2461 N. 60th Street

No one present in opposition.

Mr. Clark advised that he purchased his home in 2004 and part of the basement was finished off. He has since found out that no permits were pulled at the time the work was done. He advised he wants to bring the basement up to code and the city inspector advised that the existing bathroom door is in violation of city code.

The existing door is two feet wide and the city code calls for a two feet eight inch width. Mr. Clark said due to duct work on either side of the door this would be difficult to move.

Mr. Ornst commented that it appeared the homeowner is constricted by existing conditions and would be quite a hardship to put in a larger door as there is no room.

Mr. Mainus reported that the City Inspector preferred that the door be left as is instead of changing the door width. Mr. Mainus advised Mr. Knapp had no problem with the existing door.

Moved by Mr. Lex, seconded by Mr. Bachman.

The Board finds that 1) a manifest injustice exists and that granting the Variance will be in keeping with the spirit of the code; 2) the Variance will not create special detriment to the overall character of the neighborhood nor adversely effect property values in that the ductwork and existing conditions prevent making the door opening any larger; 3) the hardship or practical difficulty was not created by the property owner; it exists due to existing conditions.

Based upon these findings I move that the variance be granted with the understanding that all necessary permits be obtained.

Roll call vote taken. Ayes: 7

The meeting adjourned at 9:12 a.m.

David M. Wheaton, Secretary

mks