



CITY OF WAUWATOSA
7725 W. North Avenue
Wauwatosa, Wisconsin 53213
Telephone: (414) 479-8957
Fax: (414) 471-8414

AGENDA
BOARD OF ZONING APPEALS
THURSDAY, JULY 28TH, 2016 – 7:00 PM
COMMITTEE ROOM #1

- *1. *Request by Arik Hertz at 2408 N 115th Street in the R1-6 Single-Family Residential District appealing the decision of the Design Review Board to deny the proposed construction plans for a dormer addition to the home.
- *2. *Request by John Standal at 2545 N 100th Street in the R1-15 Single-Family Residential District for a variance to the rear setback for an addition to a nonconforming structure.
- *3. *Request by Joe Caravella at 8222 Portland Avenue in the R1-6 Single-Family Residential District for a variance to the front yard setback for construction of a front porch.

*Under Wisconsin Statutes 19.85(1)(a) or (g) the Board may adjourn into closed session for purposes of deliberating after a quasi-judicial hearing or to confer with their legal counsel. Subsequent to the closed session, the Board may reconvene in open session for further consideration of other matters on the agenda.

Any person who has a qualifying disability as defined by the American With Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format must contact the City Clerk at voice telephone 479-8917 or TTY 471-8484 (City Hall, 7725 West North Avenue, Wauwatosa, Wisconsin 53213) for accommodations. Requests for accommodations for meetings should be made at least three (3) business days prior to the meeting. Every effort will be made to arrange accommodations for all meetings, so please give the City Clerk as much advance notice as possible.

Please note: A 5 minute break after each hour of meeting time is scheduled to allow a rest period for the recording clerk.

CITY OF WAUWATOSA
MEMO



To: **Board of Zoning Appeals**

From: **Jennifer Ferguson**

Date: **July 21, 2016**

Subject: ***Request by Arik Hertz at 2408 N 115th Street in the R1-6 Single-Family Residential District appealing the decision of the Design Review Board to deny the proposed construction plans for a dormer addition to the home.**

The property owner at 2408 N 115th Street is appealing the Design Review Board's (DRB) decision to deny the architectural plans for a dormer. Plans for the dormer were not submitted for a building permit prior to the work being completed and subsequently the dormer was not reviewed by the DRB. The DRB's concerns with the design include inconsistencies with the size and the roof pitch to that of the dormer on the other side of the home, in addition to the smaller window size and different size siding. The DRB's design guidelines are attached for your review and a member of the DRB may be present at the meeting to represent their denial.

By ordinance, the Board of Zoning Appeals reviews an appeal of a decision of the Design Review Board as a *de novo* hearing. The *de novo* hearing is a new hearing and therefore the Board of Zoning Appeals owes no deference to the previous decision and takes on the role of design review as an independent entity. The Board should create an entirely new motion, as if the first body to consider the item, and either uphold the appeal or vote to deny or modify the applicant's architectural plans.

If appeal is denied, the applicant has two options - return to the Design Review Board with a new, modified proposal or file an appeal of the Board of Zoning Appeals decision with Circuit Court.



Board of Zoning Appeals Application

City of Wauwatosa
Planning Division
7725 West North Avenue
Wauwatosa, WI 53213
414-479-8957
www.wauwatosa.net

Section 24 of the City Code establishes a Zoning Appeals Board for the purpose of hearing appeals and granting variances and exceptions to provisions in the zoning code. Meetings of the Board of Zoning Appeals are conducted at Wauwatosa City Hall at 7:00 p.m. on the fourth Thursday of the month. It is suggested that you discuss your proposal with Planning staff and READ THE CRITERIA FOR GRANTING A VARIANCE prior to submitting an application (see reverse side).

PROPERTY INFORMATION

Parcel: 336-0245-00

Project Address: 2408 N 115th St Tax Key #: _____

Current Zoning: R1-G Aldermanic District: 7th

Description of Proposal: Dormer - appeal of DRB denial

ATTACH DETAILED DESCRIPTION OF PROPOSAL including what is being requested, the rational, the hardships involved, etc

In order to be placed on the Board of Zoning Appeals agenda, the Planning Division must receive the completed application, fee, project description, 3 sets of plans (max. size 11" by 17") of the plans by the applicable deadline. SEE REVERSE FOR DEADLINES AND ADDITIONAL INFORMATION.

Applicant or Agent Information

Property Owner Information

Name _____

Name Arik Hertz

Company _____

Company _____

Address _____

Address 2408 N 115th St

City _____ State _____ Zip _____

City Wauwatosa State WI Zip 53226

Phone _____

Phone 414-335-5342

Email _____

Email arik-hertz@hotmail.com

Applicant or Agent Signature: _____ Date: 6/17/16

Property Owner Signature: _____ Date: 6/17/16

APPLICATION FEE \$250

TYPE: Variance Appeal

Make checks payable to City of Wauwatosa

FOR CITY USE ONLY: Accepted by _____ Date _____ <input type="checkbox"/> Entered into BluePrince Acct# 01-521-4410-040	Fees Amount Paid _____	Meeting Dates BZA _____
	Receipt # _____	Other _____
	Date paid _____	Updated Dec 2013

Attachment: 2408 n 115th (4261 : July BOZA - 2408 N 115th Street)



Attachment: 2408 n 115th (4261 : July BOZA - 2408 N 115th Street)

2408 N. 115th Street

DISCLAIMER: The City of Wauwatosa does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



City of Wauwatosa
7725 W. North Avenue
Wauwatosa, WI 53213
(414) 479 - 8900

SCALE: 1" = 50'

Print Date: 7/7/2016

New Dormer



New Dormer

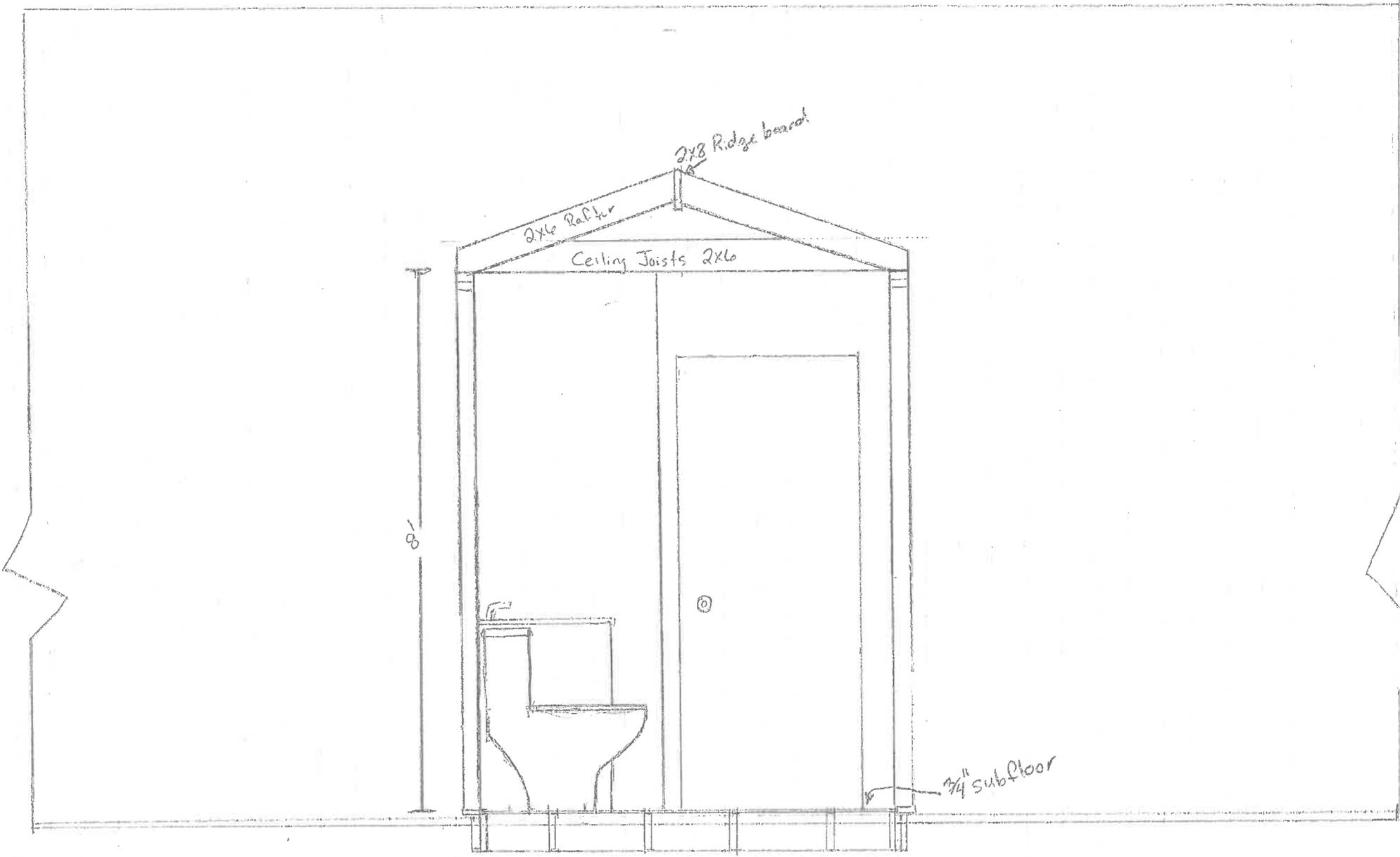


Existing Dormer
↓

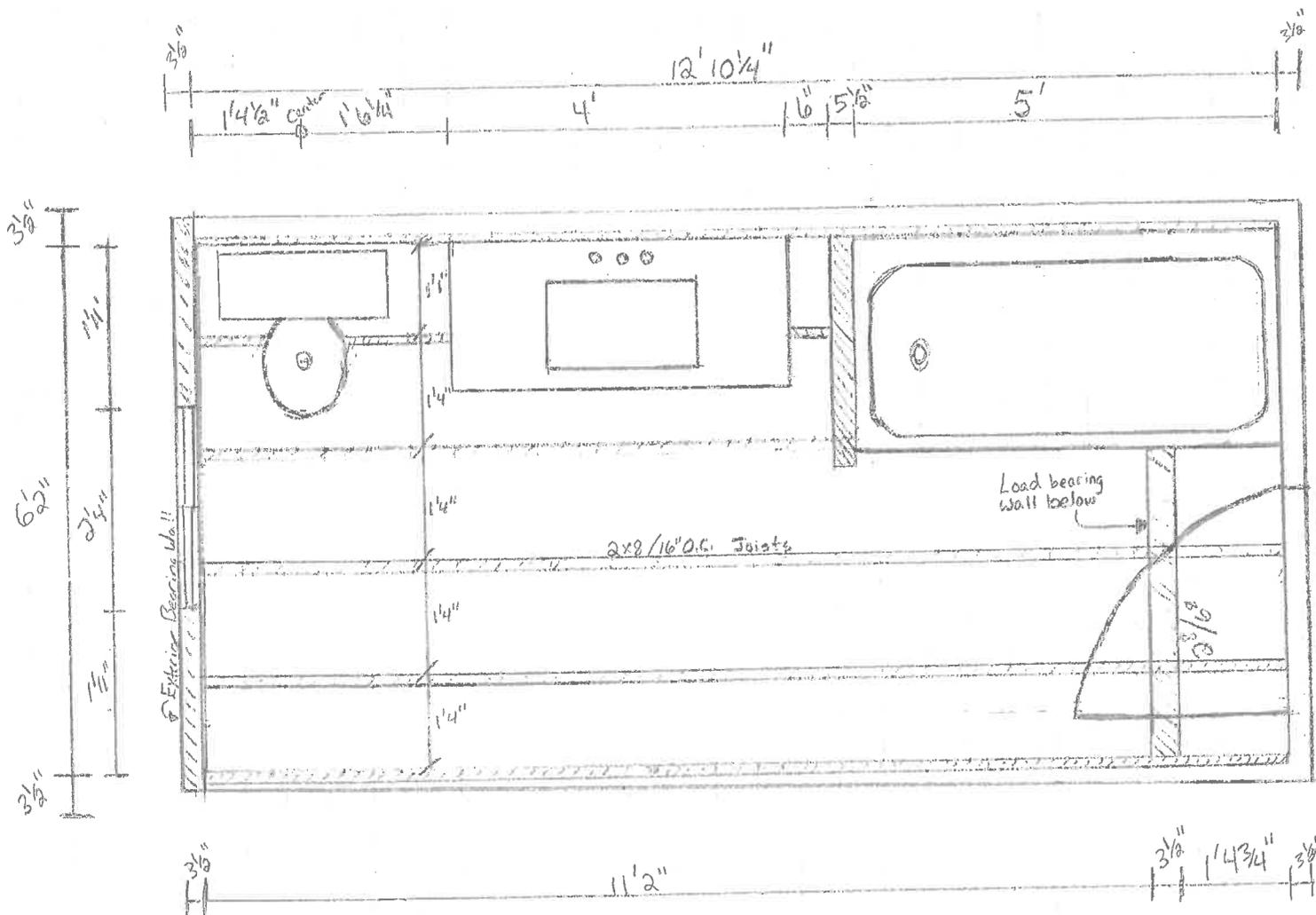


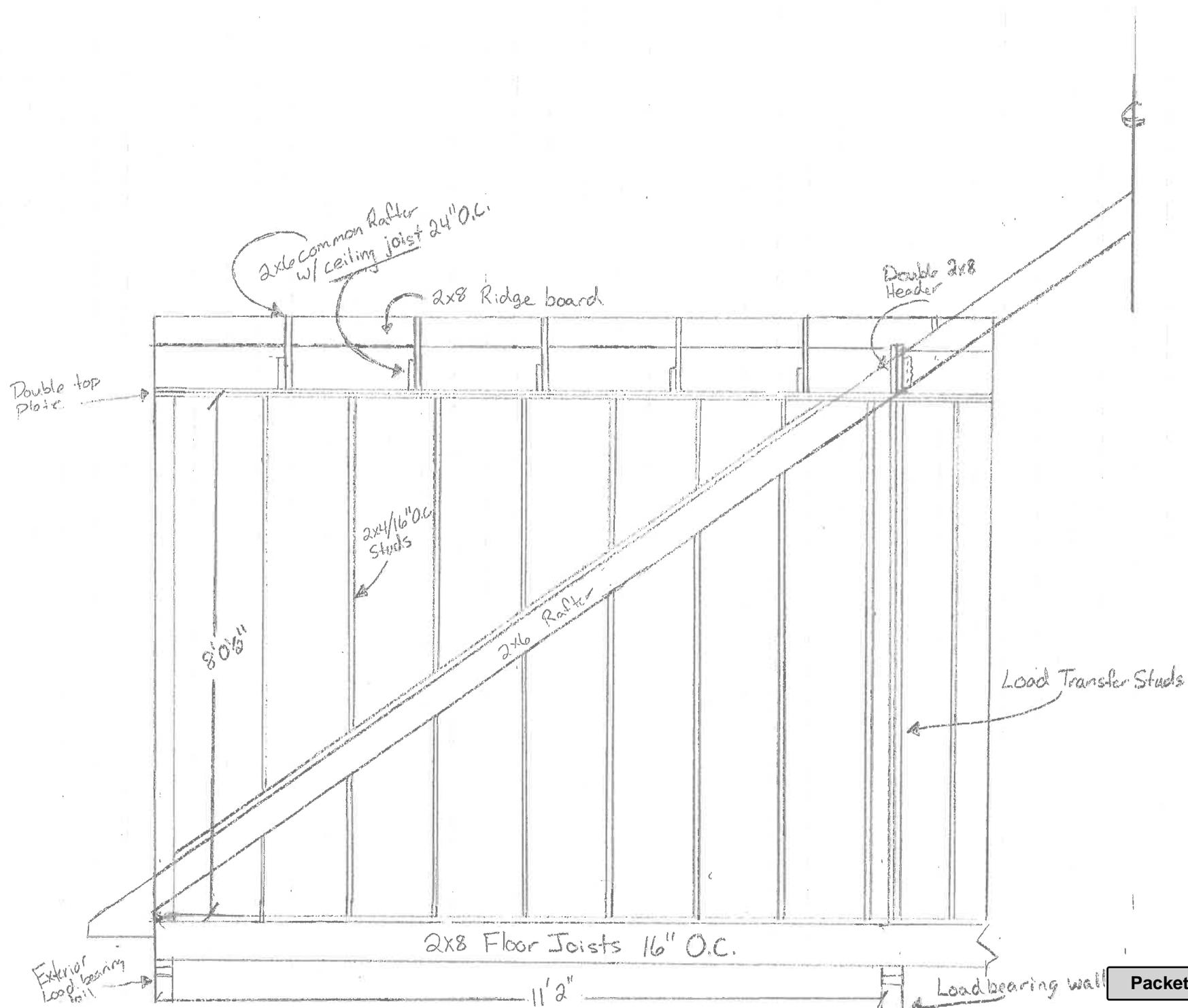
Existing
↓
Dormer





Attachment: 2408 n 115th (4261 : July BOZA - 2408 N 115th Street)





Duties of the Board as outlined in Chapter 15.10 of the Wauwatosa Municipal Code.

1. Exterior Architectural Appeal: How appealing will the building look to the passerby and neighbors? Color, trim, reveals, ornamentation – do they fit a style of architecture or is it just a bunch of components placed on a building? The board may consider type, color, and style of materials but only as they relate to aesthetics.
2. Site location: The building site in relationship to other zoned areas such as residential areas, commercial areas, planned developments, and industrial areas. (e.g. a grocery store that borders a residential district could be required to have a residential style).
3. Proposed location of the structure on the building site: Aside from required zoning setbacks, the building may be more aesthetically pleasing if placed on an angle or with no visible parking in the front and should fit site topography.
4. Landscaping: The Board of Public Works generally prescribes parking lot landscaping. However, the Design Review Board may consider any and all other landscaping shown not associated with required parking plans.
5. Similar to or so at variance from other structures...in the immediate neighborhood: A new house or garage should fit the architectural and materials of the neighborhood. A commercial building should fit the community as well as the area in which it is constructed. Remodeling and additions should be compatible with the existing architecture as well as the neighborhood.
6. Cause substantial depreciation in property value: If a new structure or addition is so dissimilar to the existing neighborhood, there is a concern that property values of the neighborhood could decline. Property value is the critical key to a financially healthy community. Members should familiarize themselves with the different neighborhoods and building styles within their districts.

**City of Wauwatosa
Building and Safety Division
Design Review Board - Design Guidelines**

New Construction

- Building scale and mass
- Architectural features consistent with design
- Roof lines and roofs shapes – visual continuity
- Materials compatible with all elevations
- Mechanical equipment properly screened
- Exterior lighting photo-metrics
- Building location in relation to the natural landscape

Additions

- Building scale and mass
- Architectural features consistent with existing
- Roof lines and roofs shapes tie into existing
- Materials compatible with all elevations
- Mechanical equipment properly screened
- Windows and doors match existing

Jennifer Ferguson

From: Arik Hertz <arik_hertz@hotmail.com>
Sent: Thursday, July 21, 2016 8:34 PM
To: Jennifer Ferguson
Subject: Re: Board of Zoning Appeals Application

Hello,

I apologize for missing your deadline for turning in my response. I have been out of town and have not been consistently checking my email. The DRB does not agree with the way my dormer has been constructed for 3 main reasons, which are all consistent with the current dormer not matching the dormer on the opposing side of the house. The window is smaller than they would like, the roof has less of a pitch than the dormer on the opposite side, and the walls are taller. This dormer was added to be a second bathroom. If I had stuck with a similar design as the dormer on the opposing side of the roof, I would have a few issues. First, if I put in a bigger window like they are requesting, there would be a privacy issue since this bathroom faces the neighbor's house. This bathroom will be mostly used by our children and privacy and safety are a major concern. Secondly, in order to achieve the headroom clearance needed for a standard bathroom, I needed to increase the height of the walls in comparison to the dormer on the opposite side of the house. This coincides with the pitch being slightly less on this dormer compared to the other.

I strongly disagree with the DRB's view that the design should come from outside in. In this case, it does not make logical sense. I have received many compliments on the design of the dormer and comments on how nice the property looks. This dormer/bathroom addition is only increasing the value of our house and neighborhood.

Thanks,
 Arik

From: Jennifer Ferguson <jferguson@wauwatosa.net>
Sent: Tuesday, July 19, 2016 9:59 AM
To: arik_hertz@hotmail.com
Subject: Board of Zoning Appeals Application

Hi Arik –

Attached is the agenda for the Board of Zoning Appeals meeting on Thursday, July 28th – someone should be present to represent the item and provide explanation. Please e-mail me your reasons for appealing the DRB decision by Thursday morning (July 21st) so that I can share it with the Board prior to the meeting. Let me know if you have any questions – thanks!

Jen Ferguson, Assistant Planner
 City of Wauwatosa
 Development Department
 7725 W North Avenue
 Wauwatosa, WI 53213

CITY OF WAUWATOSA
MEMO

To: **Board of Zoning Appeals**

From: **Jennifer Ferguson**

Date: **July 21, 2016**

Subject: ***Request by John Standal at 2545 N 100th Street in the R1-15 Single-Family Residential District for a variance to the rear setback for an addition to a nonconforming structure.**

The applicant is requesting a variance to the required 20 foot rear yard setback to construct a new, attached garage. The existing attached garage is nonconforming with respect to the rear yard setback, but complies with the rest of the zoning district's requirements. Because the new garage will expand the nonconforming footprint, a variance is necessary (Code Section 24.15.040). The enclosed survey depicts the current footprint of the home. The new garage will expand the footprint up to four feet toward the south; additionally the second story will be expanded to square off the structure at the northwest corner. Design Review Board approval is required.

Recommendation: Staff does not believe that the Wisconsin Supreme Court ruling regarding area variances gives us carte blanche to approve all variance applications. The applicants still must show a very high burden of proof of unnecessary hardship. As staff is to consistently enforce the code that is adopted by the Common Council, it is difficult for staff to give a recommendation regarding a variance without compromising the code we have to enforce. The Board of Zoning Appeals is granted the authority to overrule the regulations set forth by the Common Council if the Board feels that there is sufficient evidence to support such a variance. Please refer to the memo from the City Attorney and the language to approve or deny a variance application.



Board of Zoning Appeals Application

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PROPERTY INFORMATION

Project Address: 2545 N 100 Tax Key #: 335-0008-00
Current Zoning: RESIDENTIAL R1-15 Aldermanic District: 6-18
Description of Proposal: REVIEW OF GARAGE PLANS ON NON-CONFORMING LOT

ATTACH DETAILED DESCRIPTION OF PROPOSAL including what is being requested, the rational, the hardships involved, etc

In order to be placed on the Board of Zoning Appeals agenda, the Planning Division must receive the completed application, fee, project description, 3 sets of plans (max. size 11" by 17") of the plans by the applicable deadline. **SEE REVERSE FOR DEADLINES AND ADDITIONAL INFORMATION.**

Applicant or Agent Information

Property Owner Information

Name: JOHN STAUDAL Name: _____
Company: _____ Company: _____
Address: 2545 N 100 Address: _____
City: TOSA State: WI Zip: 53226 City: _____ State: _____ Zip: _____
Phone: 414-257-3880 Phone: _____
Email: JSTAUDAL@GMAIL.COM Email: _____

Applicant or Agent Signature: _____ Date: _____
Property Owner Signature: _____ Date: 6/16/16

APPLICATION FEE \$250
TYPE: Variance Appeal
Make checks payable to City of Wauwatosa

FOR CITY USE ONLY: Accepted by _____ Date _____ <input type="checkbox"/> MT ID _____ Acct# 01-521-4410-040	Fees Amount Paid <u>250.00</u>	Meeting Dates BZA _____
	Receipt # _____	Other _____
	Date paid _____	
		Updated Nov 2015

Attachment: 2545 n 100 (4263 : July BOZA - 2545 N 100th Street)



Attachment: 2545 n 100 (4263 : July BOZA - 2545 N 100th Street)

2545 N. 100th Street

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City of Wauwatosa
7725 W. North Avenue
Wauwatosa, WI 53213
(414) 479 - 8900

SCALE: 1" = 100'

Print Date: 7/7/2016

2545 N 100th Street –
 Parcel Code = 335-0008-00
 Owner – John and Amy Standal
 Lot size 1.1 acres
 Application for variance

1. **Exceptional circumstances do exist pertaining to this lot.**
 We are planning on rebuilding our garage and adding living space above it. The new garage footprint will be increased 3-4 feet on the southerly facing portion of the new structure and the northwest corner will be bumped out to square off the current footprint (approximately 4X5 foot space). Current closest property is .5-.75 acre away. The garage will not be expanding toward current lot line to the west, which is facing Bluemound Country Club's drive.
2. **That a variance is necessary for the preservation and enjoyment of the property rights possessed by other properties in the district or vicinity.**
 The current garage's roof is/was failing and the new structure will be much more pleasing than as it sits now. No other properties are impacted as there are no adjacent properties to the north and Bluemound's driving range is to the west. Current garage was built decades ago and was pieced together over the years with poor planning.
3. **That the variance will not create special detriment to the adjacent property and will not materially impair or be contrary to the purpose and spirit of this or to the public interest.**
 Again – this will improve the property's extrinsic curb appeal for the cars driving up and down Bluemound's drive and neighbors facing north towards the current garage.
4. **That the difficulty or hardship was not created by the property owner.**
 Current garage structure is failing and will need to be replaced. Current garage was "pieced" together over the past 110 years.

Respectfully submitted,
 John and Amy Standal
 414-257-3880

24.15.040 - Nonconforming Structures.

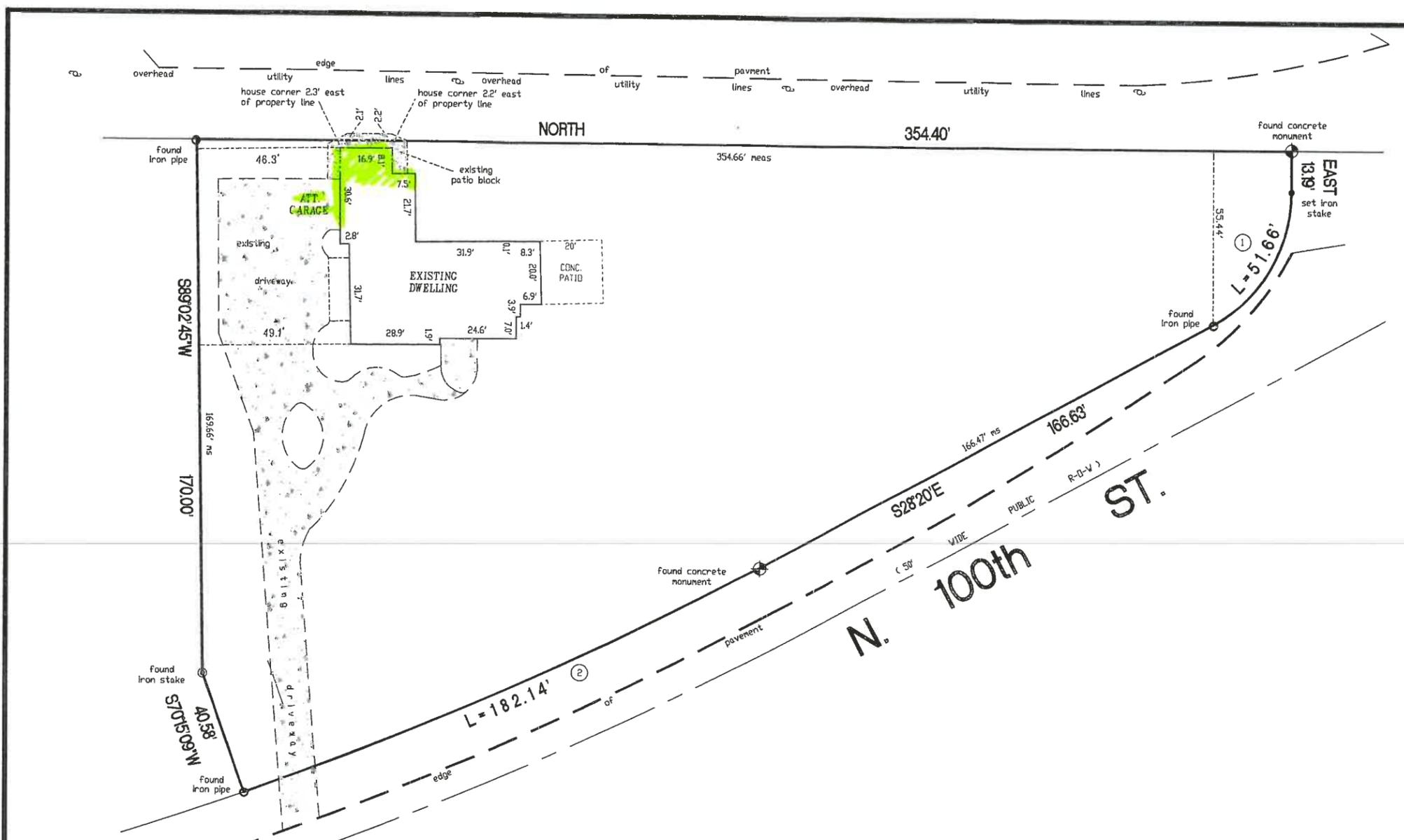
- A. Description. A nonconforming structure is any building or structure that was lawfully established but no longer complies with the lot and building standards of the zoning district in which it is located.
1. Use. A nonconforming structure may be used for any use allowed in the district in which the structure is located.
 2. Alterations and Expansions. Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building standards and does not increase the extent of the nonconformity. A building with a nonconforming front setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback standards and all other applicable lot and building standards. On the other hand, a multi-unit residential building that is nonconforming with regard to density (i.e., contains more dwelling units than allowed by the underlying zoning) may not be expanded to add additional dwelling units.
- B. Moving. A nonconforming structure may be moved in whole or in part to another location only if the movement does not increase the extent of the nonconformity.
- C. Loss of Nonconforming Status.
1. Accidental Damage or Destruction. When a nonconforming structure is accidentally destroyed or damaged by causes that are not within the control of the owner, the structure may be restored or repaired, provided that no new nonconformities are created and that the existing extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within 18 months of the date of occurrence of such damage.
 2. Intentional Damage or Destruction. When a nonconforming structure is intentionally destroyed or damaged by causes within the control of the owner and the extent of damage or destruction is more than 50% of the fair market value of the structure at the time of damage, based on information provided by the assessor's office, the structure may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located.

(Ord. No. O-14-20, Pt. VIII, 8-5-2014)



2554 N. 100TH STREET
 P.O. BOX 26596
 WAUWATOSA, WISCONSIN 53226
 (414) 257-2212 FAX : (414) 257-2443

FREDERICK W. SHIBILSKI R L S



Area of Property = 46,705.5 Sq. Ft.
 1.07 Acres

⊕ - Denotes Existing Power Pole

SCALE : 1" = 40'



Curve Data

CURVE	RADIUS	CHORD	BEARING	DELTA
1	48.00'	49.20'	S59°10'00"E	61°40'00"
2	1168.53'	181.96'	S23°52'04.5"E	08°55'51"

REVISED

RECEIVED

MAR 28 2005
 BUILDING DEPT.
 CITY OF WAUWATOSA

Surveyed for: **STEVE MARIA**

"I have surveyed the above described property from the legal description furnished by the client named on this survey."
 "This survey is made for the use of the present owners of the property, and those who purchase, mortgage, or guarantee the title thereto within one year from date hereof."

NOTE : THIS IS NOT AN ORIGINAL SURVEY UNLESS THIS SEAL IS RED.

WISCONSIN REGISTERED LAND SURVEYOR

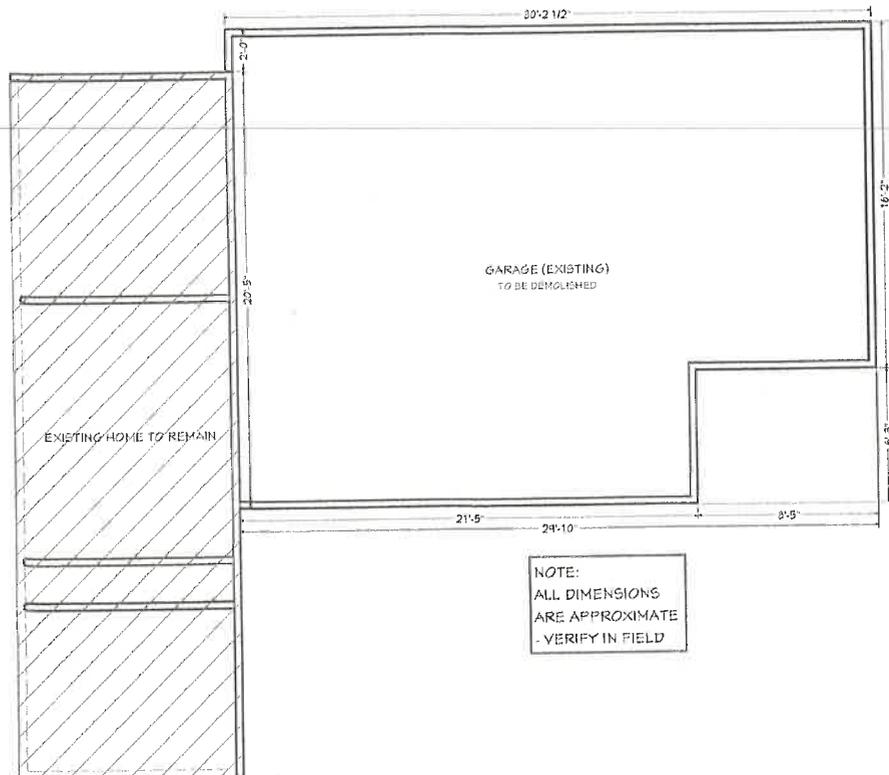
MARCH 26th, 2005
 DATE

JTY AJM
 FIELD WORK BY

JTY
 DRAWN BY

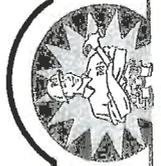
30775EX
 JOB NUMBER

Attachment: 2545 n 100 (4263 : July BOZA - 2545 N 100th Street)

1
A0EXISTING FLOOR PLAN
1/4" = 1'-0"

NOTICE:
It is understood by the client, owner, architect and contractor that the drawings are the property of Mukwonago Remodeling LLC. Any other use of these drawings without the written consent of Mukwonago Remodeling LLC is prohibited. These drawings are for the use of Mukwonago Remodeling LLC in the construction of the project only. Use of these drawings for any other purpose is prohibited. Mukwonago Remodeling LLC is not responsible for any errors or omissions on these drawings. Consult a professional engineer, architect or contractor for any questions. Mukwonago Remodeling LLC Thermal Area 11, 2015.

**WISCONSIN'S
LEADING
REMODELER**
575 BAY VIEW ROAD - SUITE 105
MUKWONAGO, WISCONSIN
53149
O: 262-365-9762 F: 262-365-9161
CONTRACTOR #: 685567
QUALIFIER #: 685571



**Mukwonago
Remodeling**

PROPOSED "GARAGE ADDITION" FOR THE:
**STANDAL
RESIDENCE**

2545 N. 100TH ST.
WAUKESHA, WI 53226
414-248-6651

REVISIONS

DATE	BY	DATE	BY

RD

6/3/16

STANDAL
AS NOTED

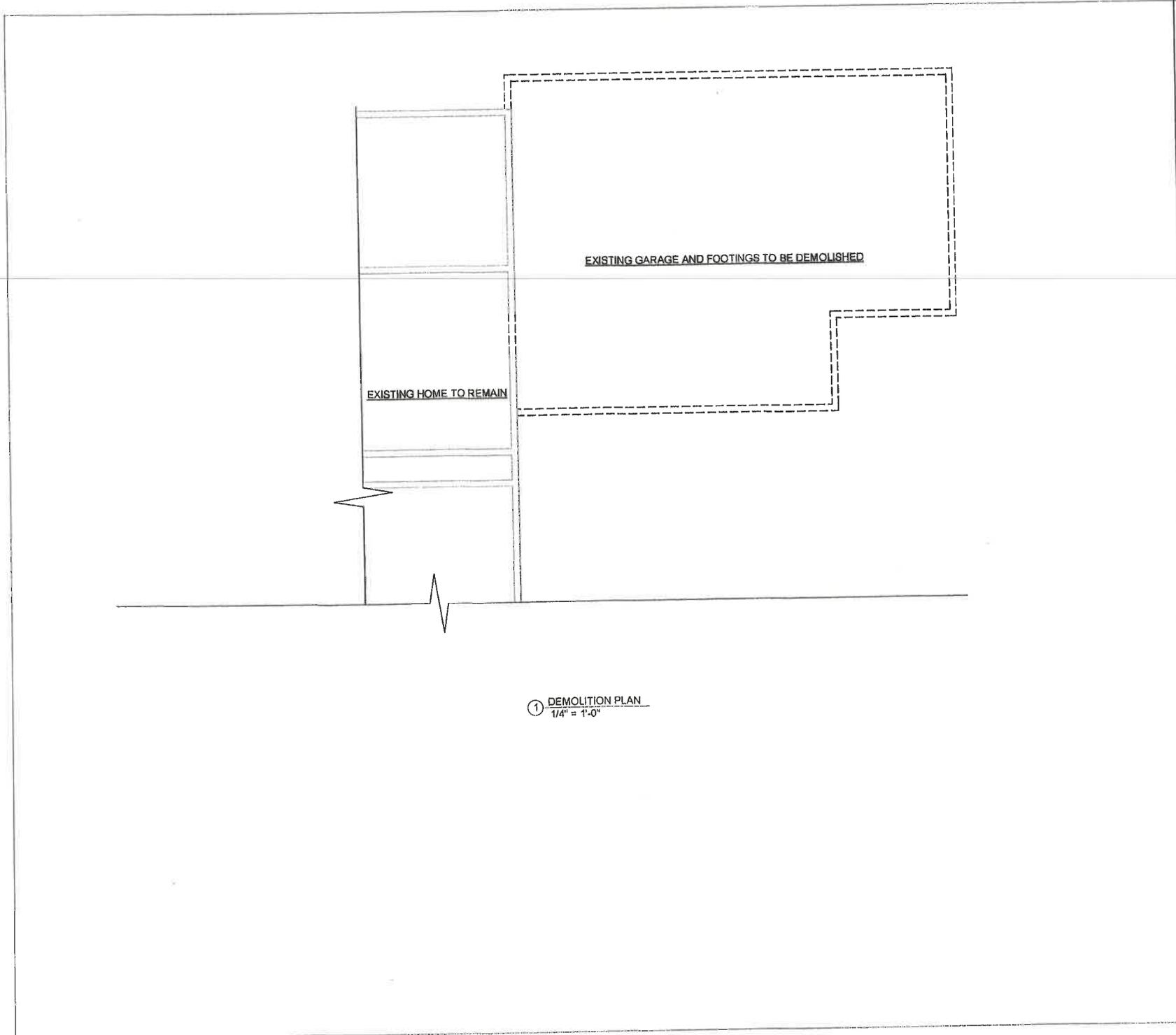
A-0

OF 1 SHEETS

NOTES:
WOOD SPECIES:
STAIN COLOR:
DOOR STYLE:
FINISHED SIDES:
BACKPLASH MATERIAL:
BACKPLASH SIDES:
COUNTERTOP MATERIAL:

Signature: _____

DESIGN SET - NOT FOR CONSTRUCTION
CONTRACT DOCUMENTS
CONSTRUCTION DRAWINGS



① DEMOLITION PLAN
1/4" = 1'-0"

Murray Smith, Architect
 2721 N. Hackett Ave
 Milwaukee, WI 53211
 murraysmith1116@gmail.com
 262-391-8769

Consultant
 Address
 Address
 Phone
 Fax
 e-mail

No.	Description	Date

STANDAL

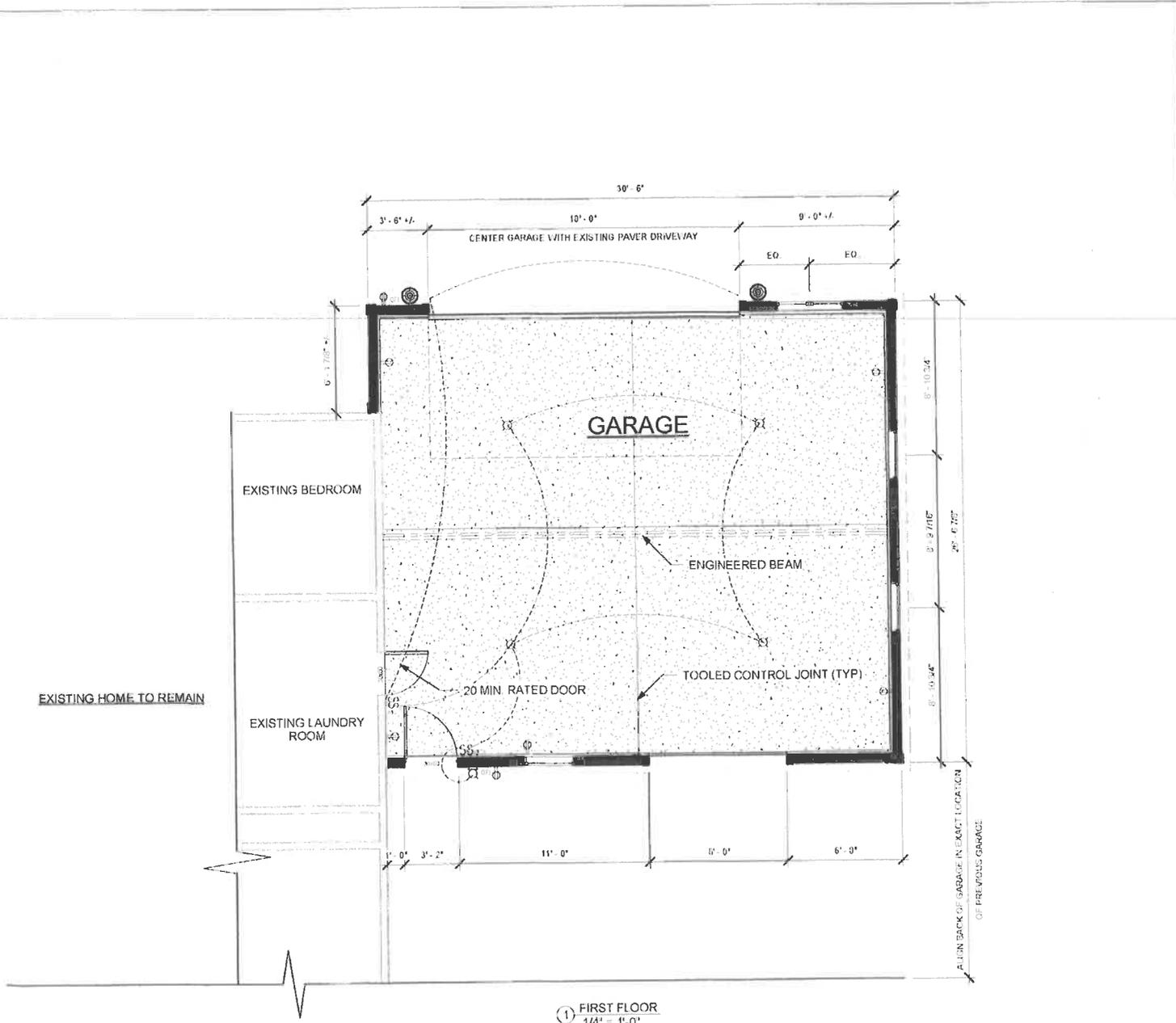
GARAGE ADDITION

2545 N. 100TH STEET
 WAUWATOSA WI 53213

Project number	STANDAL
Date	6/14/16
Drawn by	MVS
Checked by	Checker

A0

Attachment: 2545 n 100 (4263 : July BOZA - 2545 N 100th Street)



① FIRST FLOOR
1/4" = 1'-0"

Murray Smith, Architect
 2721 N. Hackett Ave
 Milwaukee, WI 53211
 murraysmith111@gmail.com
 262-391-8769

Consultant
 Address
 Address
 Phone
 Fax
 e-mail

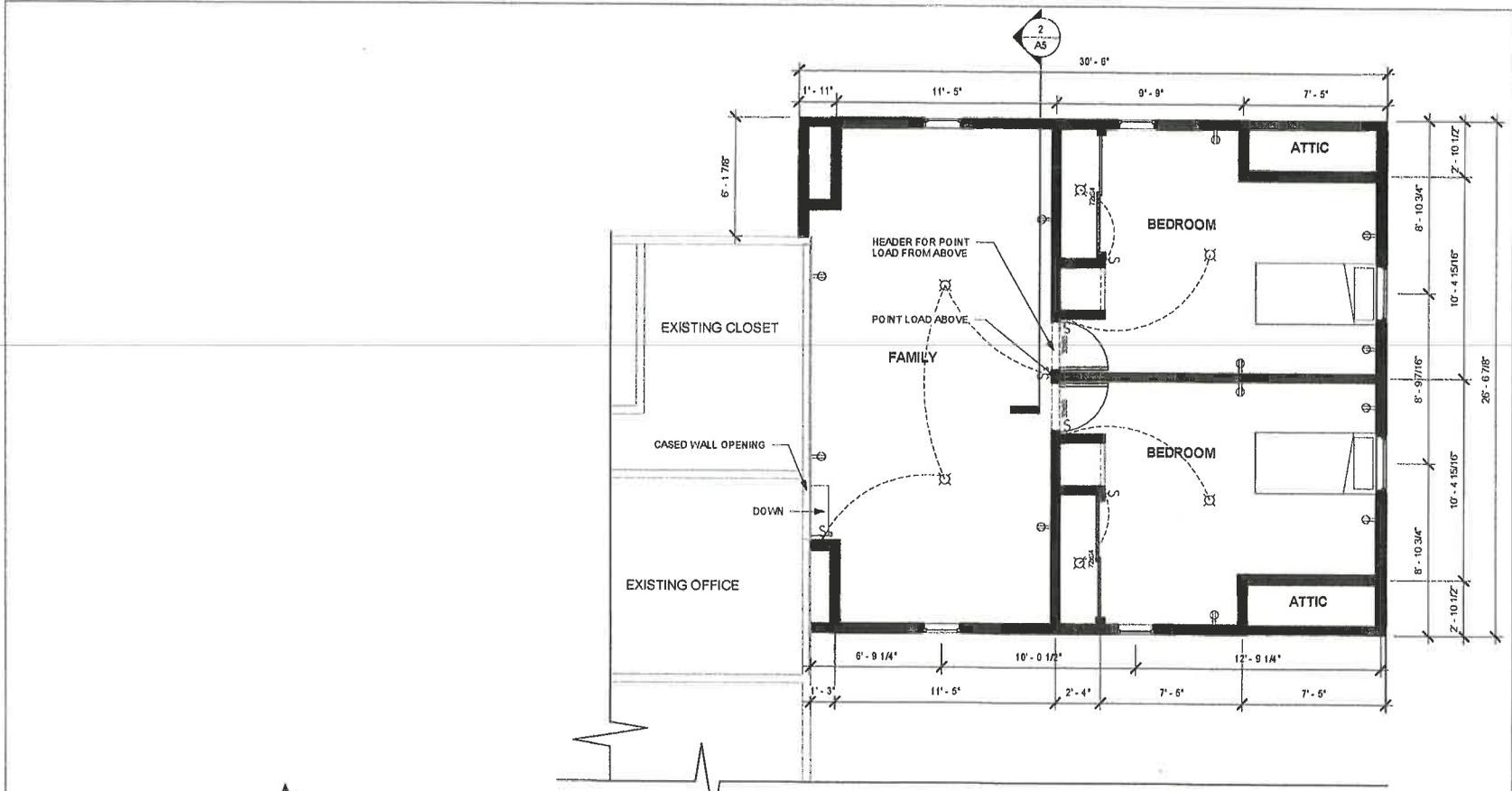
No.	Description	Date

STANDAL
 GARAGE ADDITION
 2545 N. 100TH STREET
 WAUWATOSA WI 53213

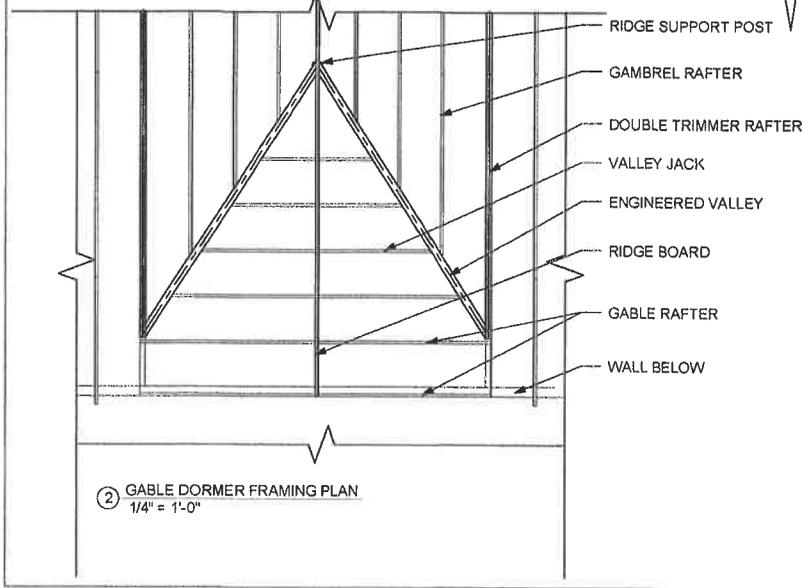
Project number STANDAL
 Date 6/14/16
 Drawn by MVS
 Checked by Checker

A1

Attachment: 2545 n 100 (4263 : July BOZA - 2545 N 100th Street)



① SECOND FLOOR
1/4" = 1'-0"



② GABLE DORMER FRAMING PLAN
1/4" = 1'-0"

Murray Smith, Architect
 2721 N. Hackett Ave
 Milwaukee, WI 53211
 murraysmith1116@gmail.com
 262-391-8769

Consultant
 Address
 Phone
 Fax
 e-mail

No.	Description	Date

STANDAL

GARAGE ADDITION

2545 N. 100TH STEET
 WAUWATOSA, WI 53213

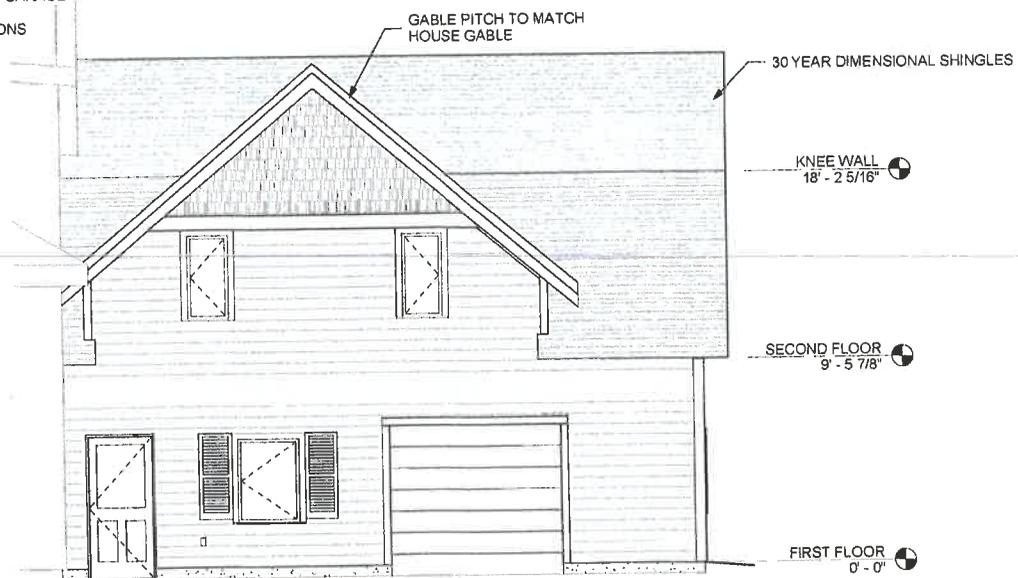
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 Date 6/14/16
 Drawn by MVS
 Checked by Checker

A2

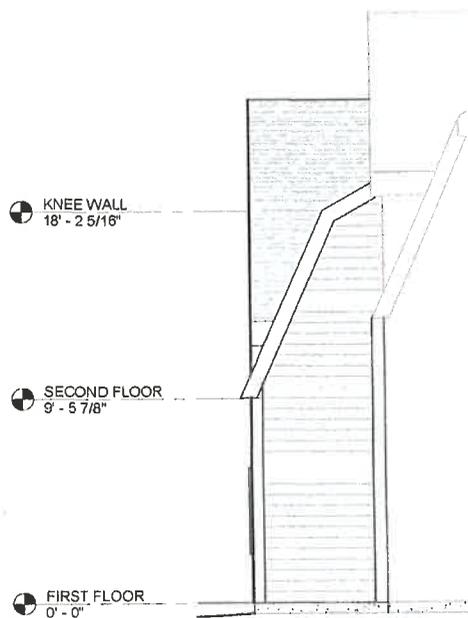
Attachment: 2545 n 100 (4263 : July BOZA - 2545 N 100th Street)

EXISTING HOUSE

- TO BE RE-ROOFED WITH 30 YEAR DIMENSIONAL SHINGLE TO MATCH NEW GARAGE
- NEW (VINYL) SHAKE SIDING AT GABLES TO MATCH NEW GARAGE
- NEW GUTTERS & DOWNSPOUTS TO MATCH EXISTING STYLE AND LOCATIONS



① NORTH ELEVATION
1/4" = 1'-0"



② EAST ELEVATION
1/4" = 1'-0"

Murray Smith, Architect

2721 N. Hackett Ave
Milwaukee, WI 53211

murraysmith1116@gmail.com
262-391-8769

Consultant
Address
Address
Phone
Fax
e-mail

No.	Description	Date

STANDAL

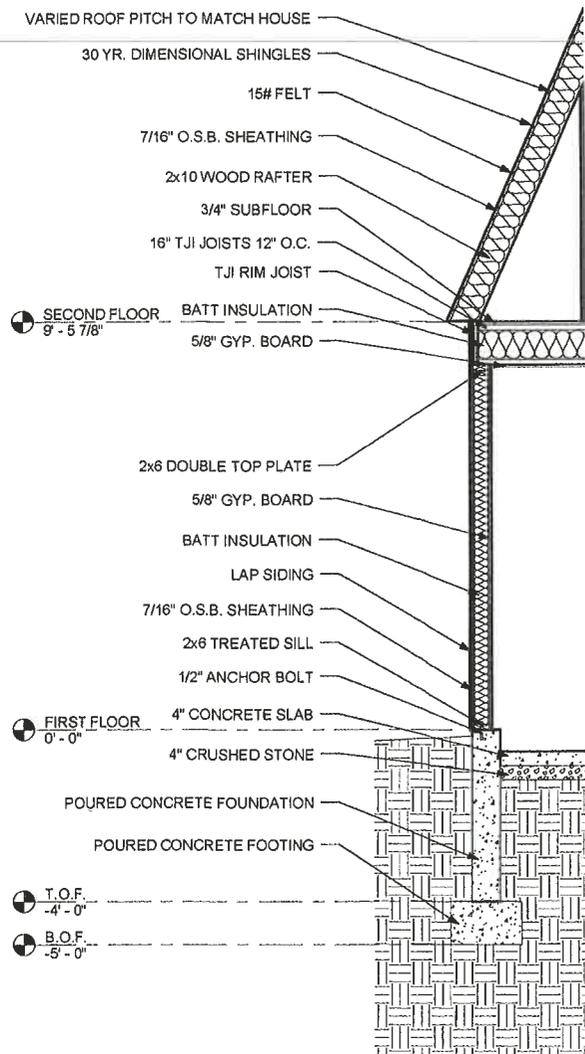
GARAGE ADDITION

2545 N. 100TH STEET
WAUWATOSA WI 53213

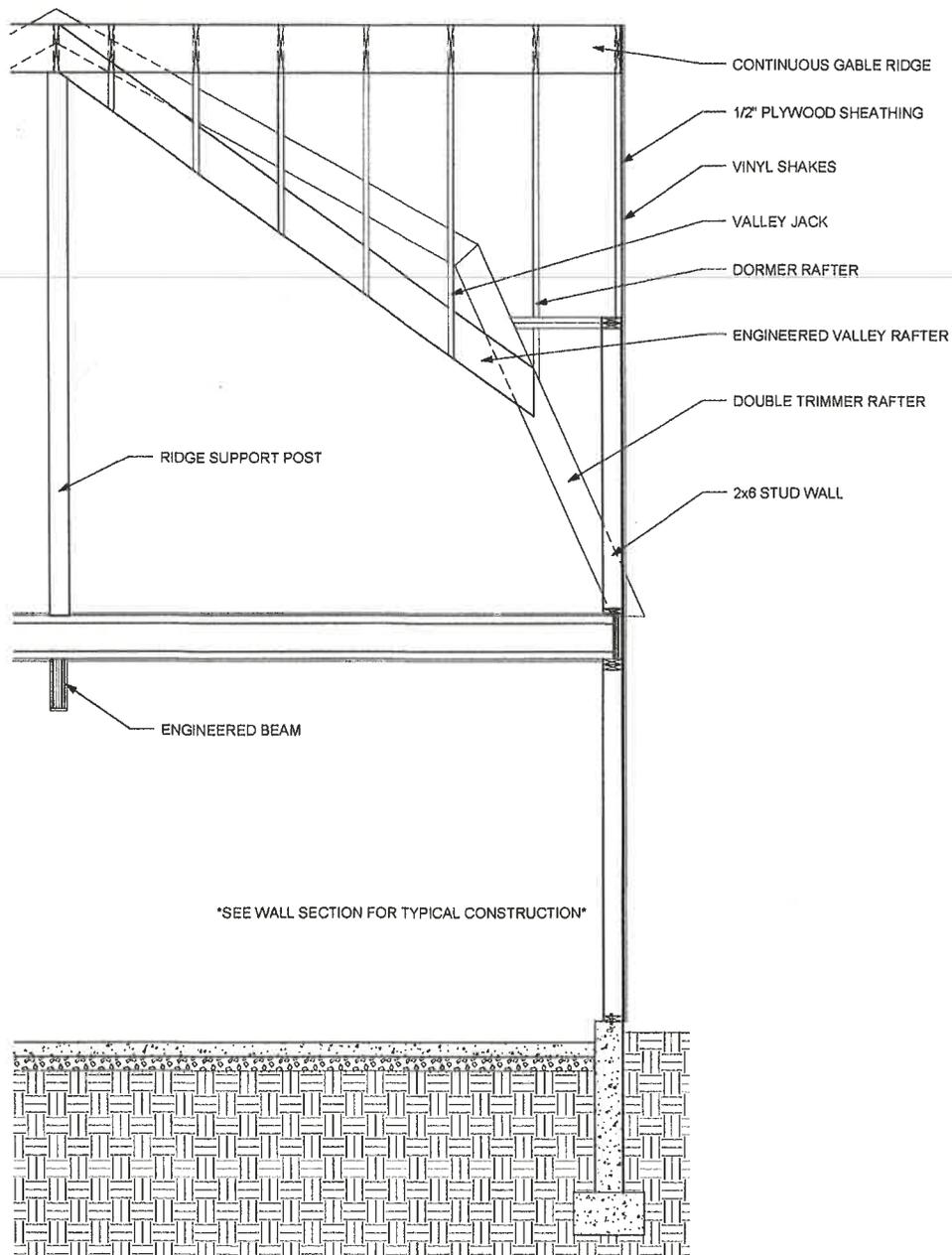
Project number	STANDAL
Date	6/14/16
Drawn by	Author
Checked by	Checker

A4

Attachment: 2545 n 100 (4263 : July BOZA - 2545 N 100th Street)



1 WALL SECTION
1/2" = 1'-0"



2 FRAMING SECTION AT GABLE
1/2" = 1'-0"

Murray Smith, Architect

2721 N. Hackett Ave
Milwaukee, WI 53211

murraysmith111@gmail.com
262-391-8769

Consultant
Address
Address
Phone
e-mail

Consultant
Address
Address
Phone
Fax
e-mail

No.	Description	Date

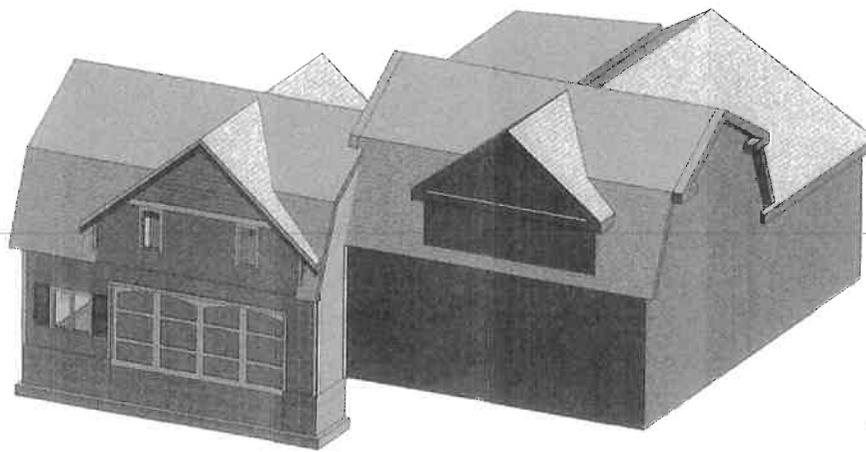
STANDAL

GARAGE ADDITION

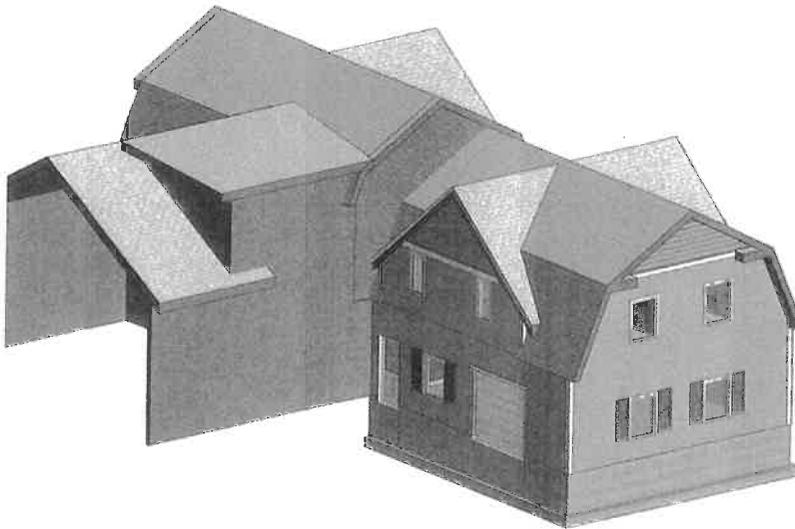
2545 N. 100TH STREET
WAUWATOSA WI 53213

Project number STANDAL
Date 6/14/16
Drawn by MVS
Checked by Checker

A5



① FRONT ELEVATION



② REAR ELEVATION

Murray Smith, Architect

2721 N. Hackett Ave
Milwaukee, WI 53211

murraysmith1116@gmail.com
262-391-8769

Consultant
Address
Address
Phone
Fax
e-mail

No.	Description	Date

STANDAL

GARAGE ADDITION

2545 N. 100TH STREET
WAUWATOSA, WI 53213

Project number: STANDAL
 Date: 6/14/16
 Drawn by: MVS
 Checked by: Checker

A6

2/15/16 9:24:30 AM

Attachment: 2545 n 100 (4263 : July BOZA - 2545 N 100th Street)

CITY OF WAUWATOSA
MEMO

To: **Board of Zoning Appeals**

From: **Jennifer Ferguson**

Date: **July 21, 2016**

Subject: ***Request by Joe Caravella at 8222 Portland Avenue in the R1-6 Single-Family Residential District for a variance to the front yard setback for construction of a front porch.**

The applicant is requesting a variance to the required front yard setback to construct an attached, covered porch. As all of the homes along the street are closer than the required 30 foot setback in the R1-6 District, an average is taken to determine the setback for the block. In this case, maintaining the current setback of the home at 15 feet is required, and the proposed covered porch will extend approximately five and half feet further toward the front, necessitating the variance.

The concrete stoop could be replaced as is, and/or a simple roof overhang that does not extend more than two feet past the existing structure could be added without needing a variance. However, the covered porch that is proposed represents a structural element that must meet the font setback. Design Review Board approval is also needed.

Recommendation: Staff does not believe that the recent Wisconsin Supreme Court ruling regarding area variances gives us carte blanche to approve all variance applications. The applicants still must show a very high burden of proof of unnecessary hardship. As staff is to consistently enforce the code that is adopted by the Common Council, it is difficult for staff to give a recommendation regarding a variance without compromising the code we have to enforce. The Board of Zoning Appeals is granted the authority to overrule the regulations set forth by the Common Council if the Board feels that there is sufficient evidence to support such a variance. Please refer to the memo from the City Attorney and the language to approve or deny a variance application.



Board of Zoning Appeals Application

City of Wauwatosa
Planning Division
7725 West North Avenue
Wauwatosa, WI 53213
414-479-8957
www.wauwatosa.net

Section 24 of the City Code establishes a Zoning Appeals Board for the purpose of hearing appeals and granting variances and exceptions to provisions in the zoning code. Meetings of the Board of Zoning Appeals are usually conducted at Wauwatosa City Hall at 7:00 p.m. on the fourth Thursday of the month. It is suggested that you discuss your proposal with Planning staff and READ THE CRITERIA FOR GRANTING A VARIANCE prior to submitting an application (see reverse side).

PROPERTY INFORMATION

Project Address: 8222 Portland AVE Tax Key #: _____
Current Zoning: R1-L6 Aldermanic District: 3rd
Description of Proposal construct front porch

ATTACH DETAILED DESCRIPTION OF PROPOSAL including what is being requested, the rational, the hardships involved, etc

In order to be placed on the Board of Zoning Appeals agenda, the Planning Division must receive the completed application, fee, project description, 3 sets of plans (max. size 11" by 17") of the plans by the applicable deadline. SEE REVERSE FOR DEADLINES AND ADDITIONAL INFORMATION.

Applicant or Agent Information

Name JOE CARAVELLA
Company Caravella Bild
Address 559 N 67 Street
City Wauwatosa State WI Zip 53213
Phone 262 424 0609
Email caravella@paintworks@gmail.com

Property Owner Information

Name Bernard J Westphal Jr
Company 1186 Elmview LLC
Address 13307 Webstertown Pk
City Elm Grove State WI Zip 53122
Phone 414 614 2311
Email BWestphal@yahoo.com

Applicant or Agent Signature: [Signature] Date: 7/6/16
Property Owner Signature: [Signature] Date: 7/6/16

APPLICATION FEE \$250
TYPE: Variance Appeal
Make checks payable to City of Wauwatosa

FOR CITY USE ONLY: Accepted by _____ Date _____ <input type="checkbox"/> MT ID _____ Acct# 01-521-4410-040	Fees Amount Paid _____	Meeting Dates BZA _____
	Receipt # _____	Other _____
	Date paid _____	
		Updated Nov 2015

Attachment: 8222 portland (4264 : July BOZA - 8222 Portland Avenue)



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8222 Portland Ave

City of Wauwatosa
7725 W. North Avenue
Wauwatosa, WI 53213
(414) 479 - 8900

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SCALE: 1" = 50'

Print Date: 7/7/2016

We have applied for a variance to the existing set-back and related building code due to the existing physical constraints of the building and property itself and the significant benefit the improvement will yield to the owner, neighborhood and City. The variance is simply to permit the encroachment of a porch overhang [not enclosed space] up to 12 inches. The addition of this porch and overhang will greatly benefit the owner, neighbors and city by creating a much more aesthetically and architecturally appealing front façade and further benefit the city due to increased value and therefore tax base.

The home was built during a time when different set-backs applied and as such the home was built closer to the road and sidewalk than currently permissible. As such the addition of a common, functional and aesthetically pleasing front entry is eliminated due to the application of current set-backs.

The front porch and overhang will benefit the owner functionally in providing a proper and sheltered front entry to the home and benefit the owner, neighbors and city by making the property and neighborhood more aesthetically and architecturally appealing.

The physical and aesthetic improvement allowed through this variance will in no way cause a slight or significant detriment to the adjacent neighbors or neighborhood in whole. The proposed encroachment is solely a roof line [not enclosed structure]; therefore, the lowest point of the roof line will be roughly 12 feet over the plane of the sidewalk or street, and as such there will be no impact to the physical or visual sightlines.

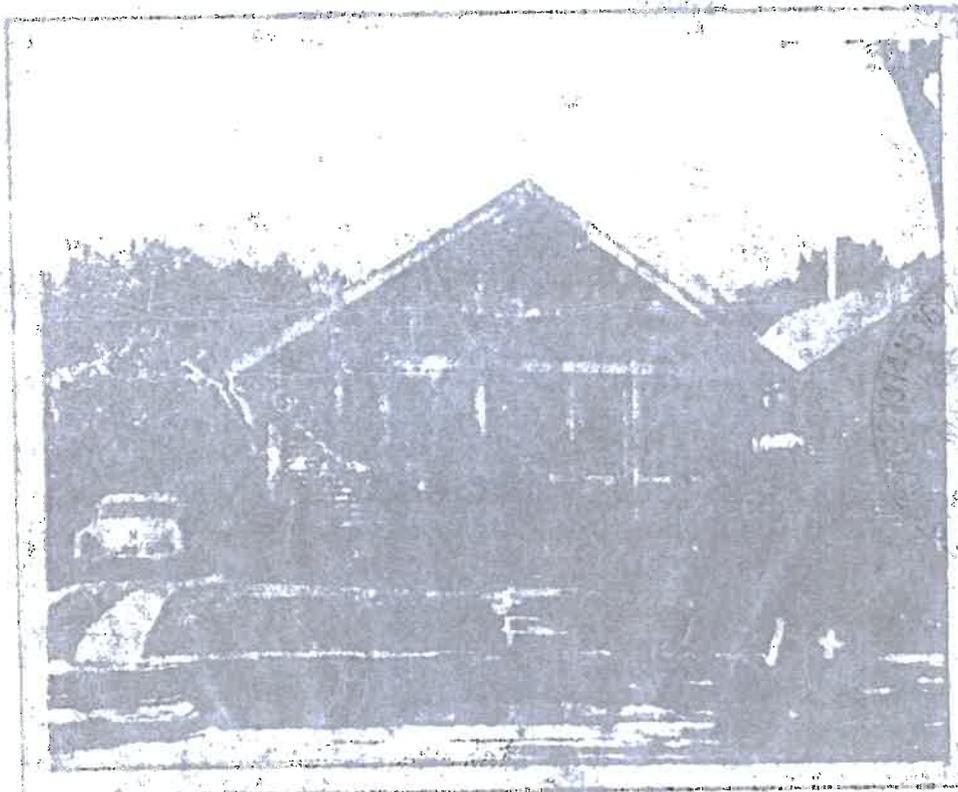
As stated above, this variance is being requested due to the interaction or conflict of old and new building requirements, in this case set-back requirements. This request is not related to owner error or inconvenience.

Thank you in advance for your consideration. We are confident that this physical improvement will provide significant benefit to the owner, immediate neighbors, and city as a whole.

PLAT OF SURVEY

Lot 18 and the East 1/2 of Lot 19, i. Block 4, in Jarner's Subdi-
vision No. 1, being a part of the Northeast 1/4 of Section 28,
Town 7 North, Range 21 East, in the City of Wauwatosa, Milwaukee
County, Wisconsin.

LOCATED AT 8222 PORTLAND AVE.



B. ERICSSON AVE

PORTLAND AVE.
CURB 25 FEET

WALK



NEW GARAGE
NEW CONCRETE DRIVE
NEW CURBED TRAIL

Owners: Carl B. Christensen

Surveyed and Drawn by
LAND SURVEYORS

1925 NO. 72nd ST.
West North of State St.
WAUWATOSA, WIS.

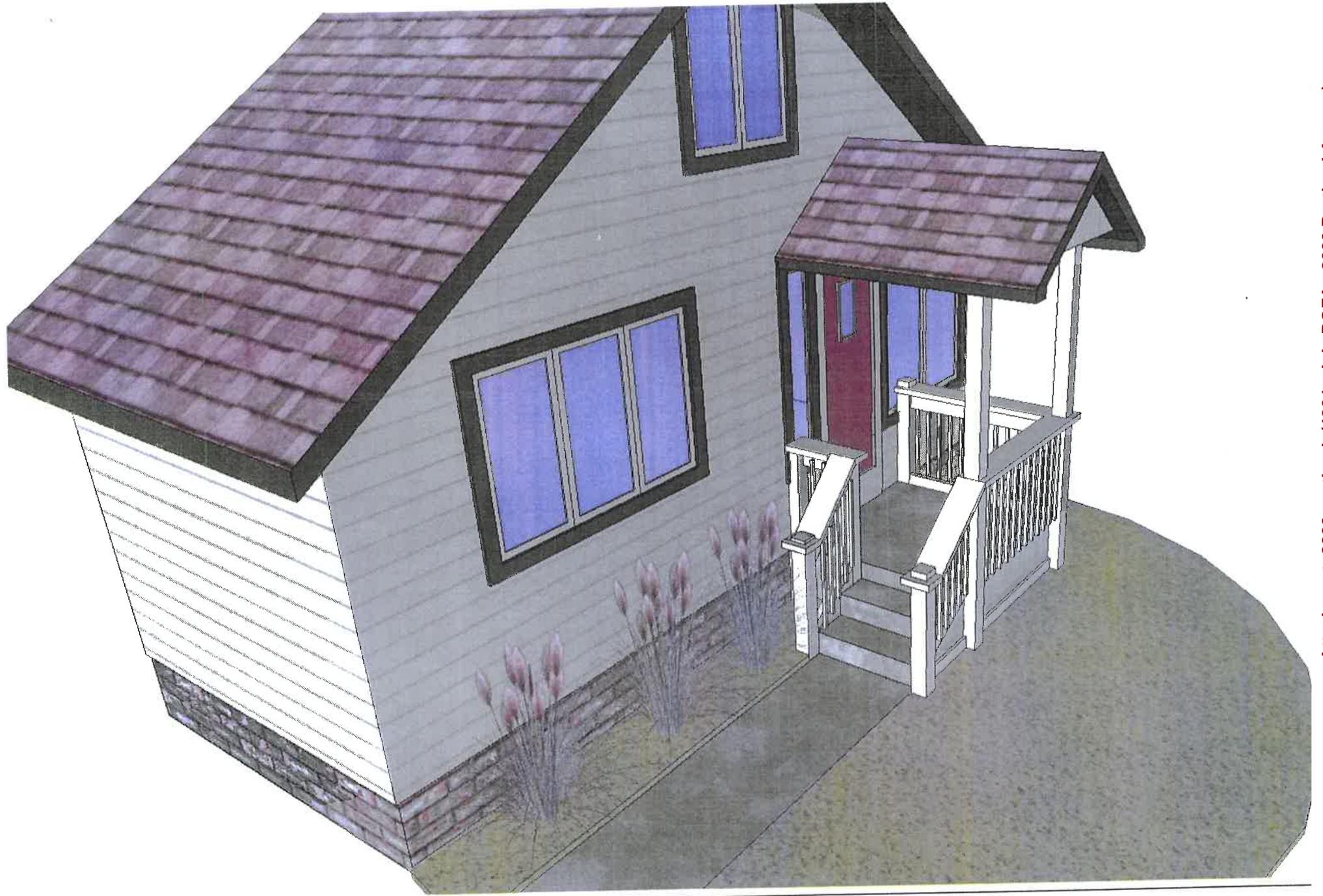
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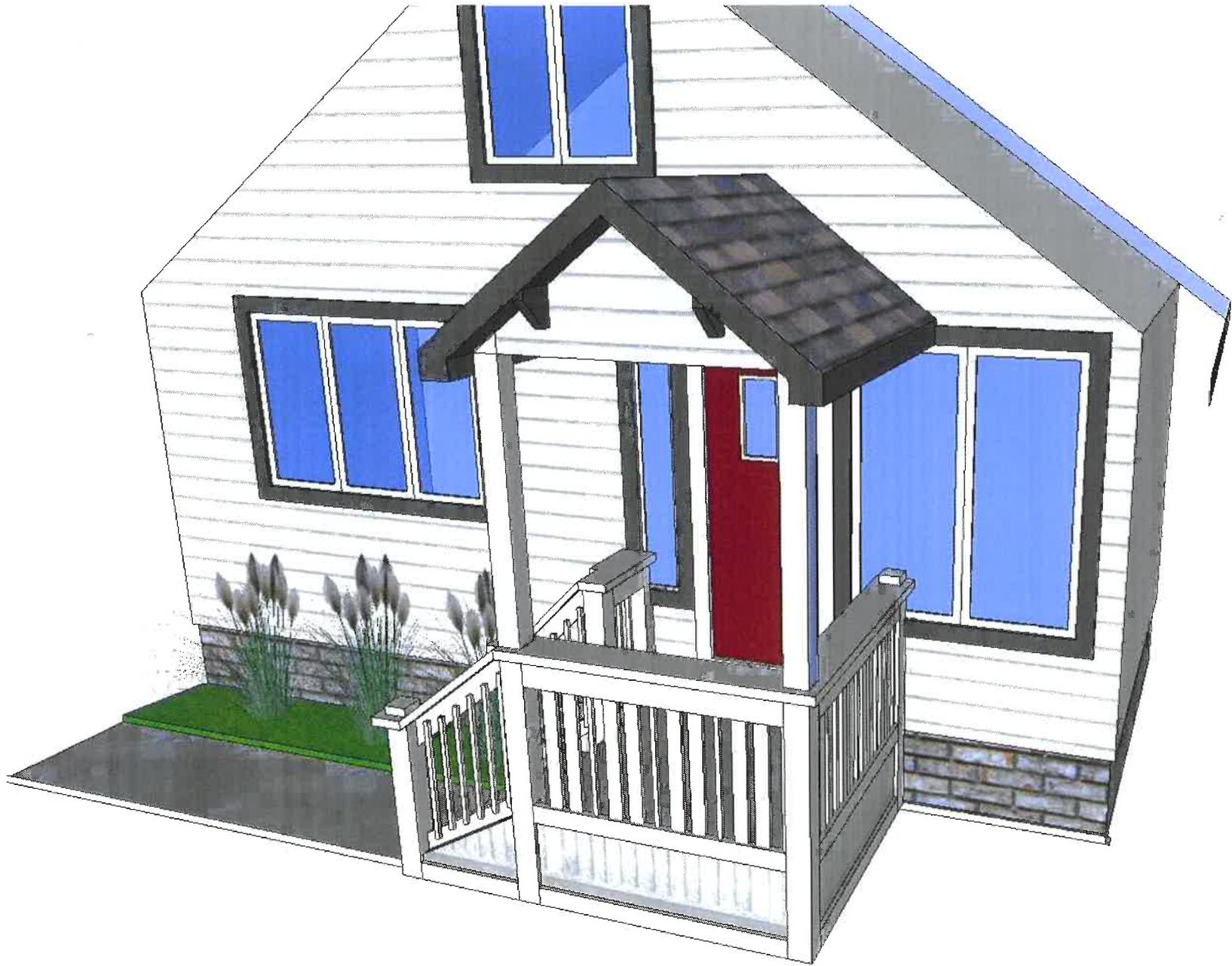


existing conditions

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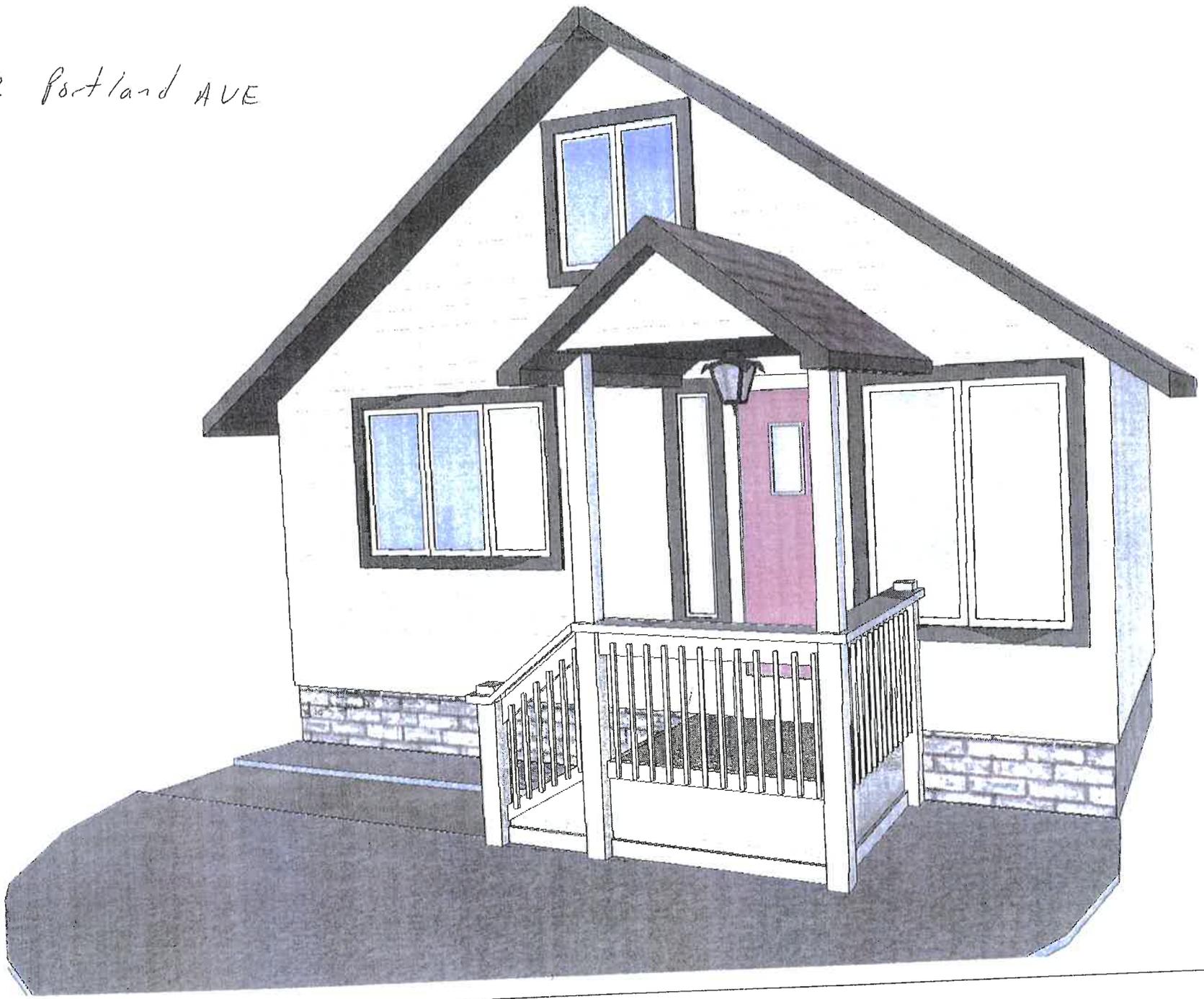


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8222 Portland AVE



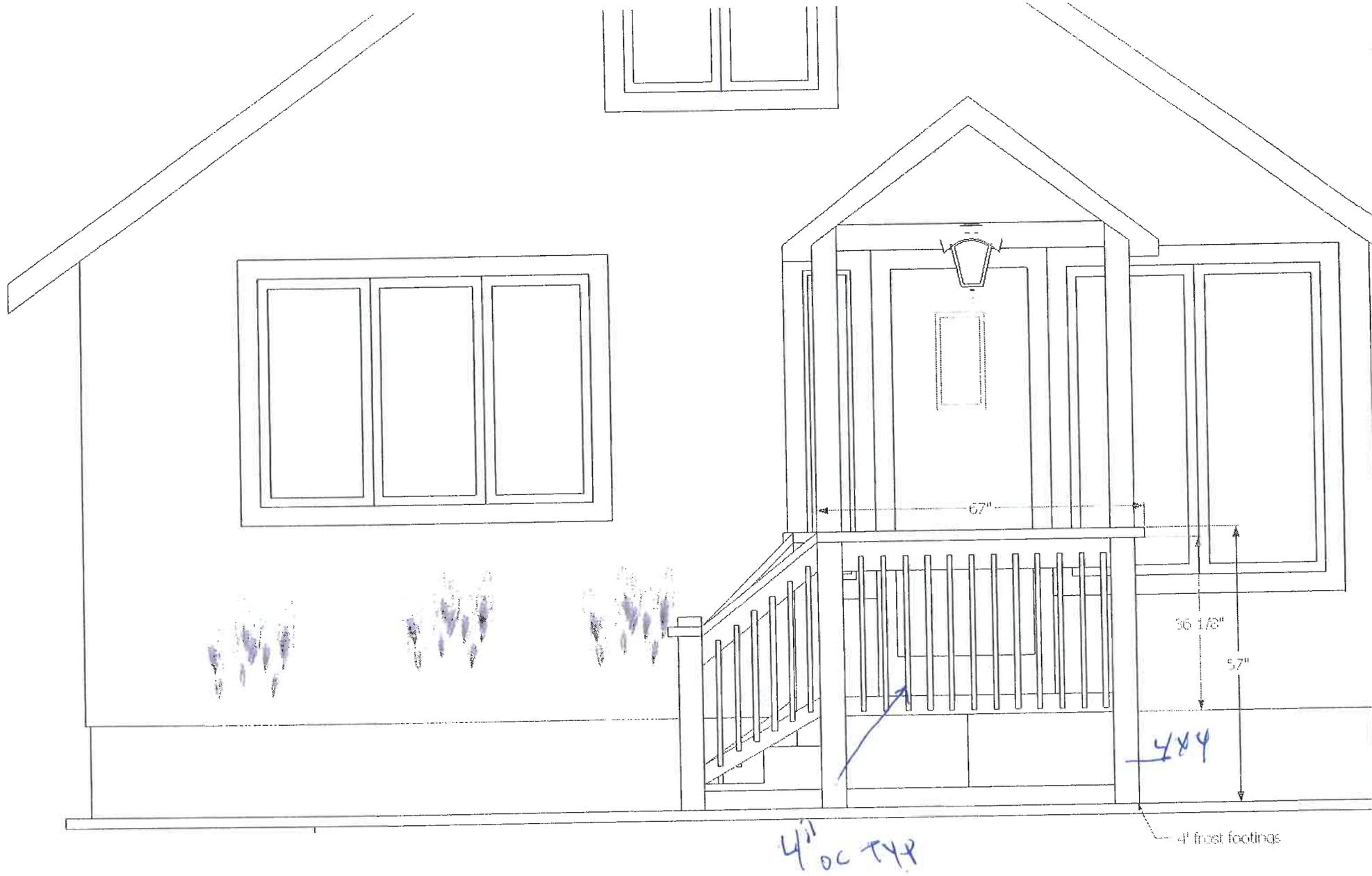
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bridgeway independent living designs

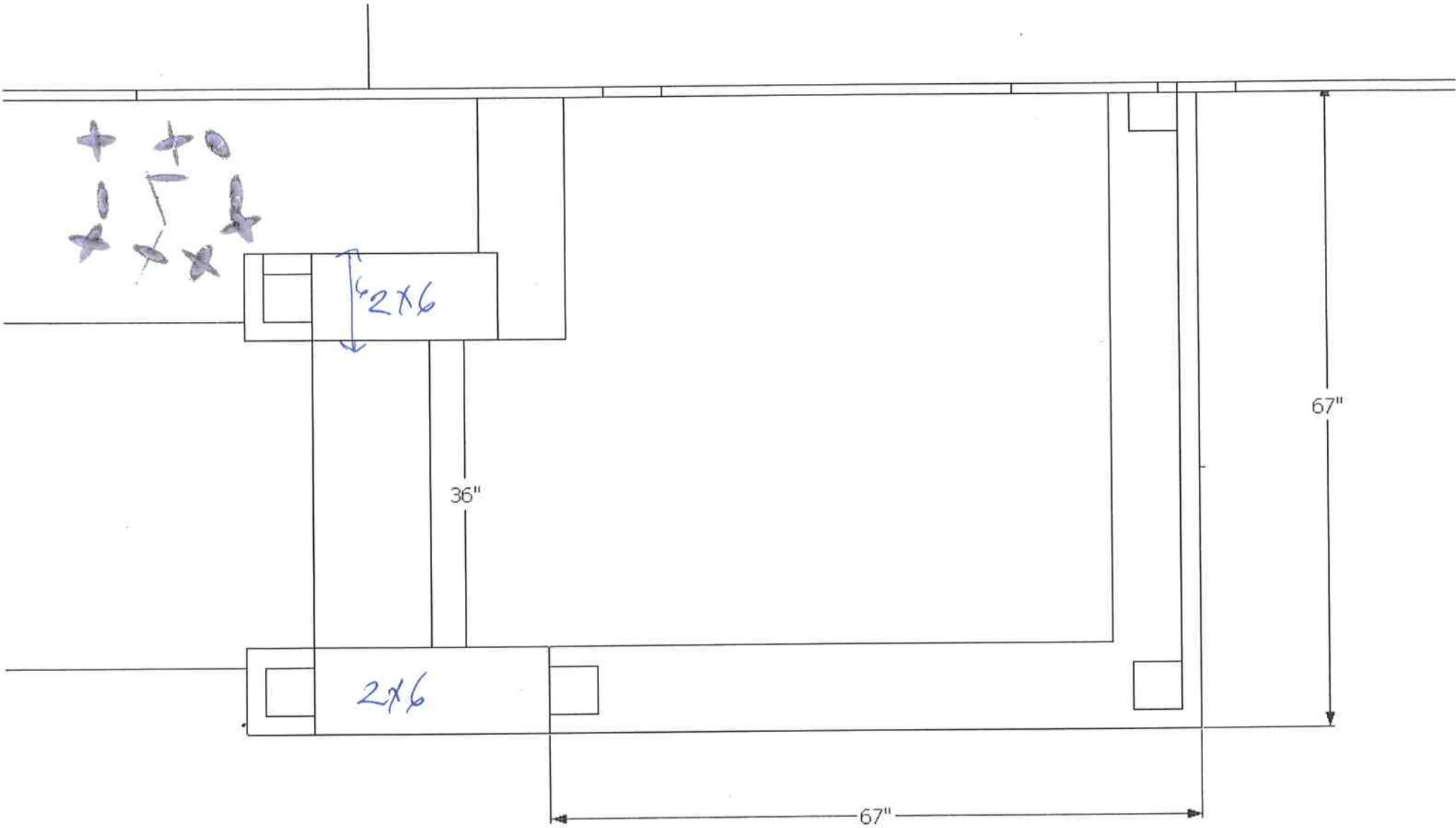
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