

Building Services

W240N3065 Pewaukee Road
Pewaukee, WI 53072
(262) 691-9107 Fax (262) 691-6039

**ZONING BOARD OF APPEALS
MEETING NOTICE AND AGENDA**

Wednesday, July 27, 2022

6:00 PM

Common Council Chambers ~ Pewaukee City Hall
W240 N3065 Pewaukee Road ~ Pewaukee, WI 53072

-
1. Call to Order and Pledge of Allegiance
 2. Discussion and possible action to approve the Zoning Board of Appeals minutes dated October 5, 2021
 3. **PUBLIC HEARING**, discussion and possible action regarding the request of Phillip Mattix and Sheila Stafford for a variance related to the construction of a detached garage upon property located at N29W27476 Peninsula Drive, Pewaukee, WI 53072, Tax Key No. 0933050. The subject property is zoned Rs-7 Single-Family Residential District, F-1 Floodplain District and SO Shoreland Overlay District. The application requests a variance from Section 17.0411a. and 17.0410f.(1) to allow for the construction of a 22-foot by 22-foot (484 square feet) detached accessory building with a front yard setback ranging from 14.8' to 15.2'. Additionally, the application requests a variance from Section 17.0436d. to exceed the maximum lot coverage requirement of the Shoreland Overlay District. This public hearing is being held pursuant to the requirements and standards of Section 17.1300 of the City of Pewaukee Zoning Ordinance.
 4. Adjournment

Kelly Tarczewski
Clerk/Treasurer

July 21, 2022

NOTICE

It is possible that members of other governmental bodies of the municipality may be in attendance to gather information that may form a quorum. At the above stated meeting, no action will be taken by any governmental body other than the governmental body specifically referred to above in this notice.

Any person who has a qualifying disability under the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible format must contact the Clerk/Treasurer, Kelly Tarczewski, at (262) 691-0770 three business days prior to the meeting so that arrangements may be made to accommodate your request.

**CITY OF PEWAUKEE
ZONING BOARD OF APPEALS AGENDA ITEM 2.**

DATE: July 27, 2022

DEPARTMENT: Zoning Appeal

PROVIDED BY:

SUBJECT:

Discussion and possible action to approve the Zoning Board of Appeals minutes dated October 5, 2021

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

ZBA Minutes 10/5/2021

In attendance:

R. Welcenbach, T. Matt and K. Marlin. J. Tredwell was absent and excused.

Also Present:

City Planner & Community Development Director N. Fuchs, Accounting & Payroll Specialist N. McMillian and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance

Ms. Marlin called the meeting to order at 6:00 p.m.

2. Discussion and possible action to approve the Zoning Board of Appeals minutes dated May 25, 2021

A motion was made and seconded (T. Matt, R. Welcenbach) to approve the meeting minutes dated May 25, 2021. Motion Passed: 4-For, 0-Against.

3. **PUBLIC HEARING**, discussion and possible action regarding the request of Cynthia Murphy and John Oswald of Warrior Homes, LLC for a variance related to the construction of a 576 square foot detached garage upon property located at N4W22625 Bluemound Road, Pewaukee, WI 53188, Tax Key No. 0963015001. The subject property is zoned Rs-4 Single-Family Residential District. The application requests a variance from Section 17.0408f.(2) to allow a side yard setback of 13'-8", opposed to the required minimum side yard setback of 20-feet and a variance from Section 17.0408f.(3) to allow a rear yard setback of 15'-5", opposed to the required minimum rear yard setback of 35-feet.

Ms. Marlin opened the public hearing.

Ms. McMillian swore in Mr. Oswald and Ms. Murphy. Mr. Oswald stated he was a co-owner of Warrior Homes. Ms. Murphy stated she was also a co-owner of Warrior Homes.

Mr. Oswald stated he bought the home with Ms. Murphy in May and they have been doing renovations. He stated the home is an old historic farmhouse on Bluemound Road. The home currently does not have a garage but by looking at old maps, there was one on the property in the past. He is seeking a variance to rebuild a garage on the foundation location that is still on the property. Mr. Oswald stated the setbacks are closer on the side yard and closer on the rear yard than what is allowed by ordinance.

Ms. Murphy stated they have two motives, safety and the history of the home in the community. Ms. Murphy stated putting the garage where they asked allows someone to turn their car around to go forward onto Bluemound Road safely. She stated they explored other options for the garage placement. Ms. Murphy indicated they cannot attach the garage to the home to the west side because of the brand-new septic mound system. Ms. Murphy stated they looked at attaching the garage to the back of the home, but they would still be in the same predicament with setbacks and would have had to take pieces of the house down. Ms. Murphy stated there is a shed on the property with possible historic value that they did not want to take down.

Ms. Marlin asked if the shed was depicted on the northwest corner of the CSM. Ms. Murphy stated it was on the southeast corner. Ms. Murphy stated they spoke to the neighbors to the west and they are in full support of the variance. She provided a letter from the neighbor and indicated that they are in favor of the variance because it offers them more privacy and it was not a two-story garage. Ms. Murphy stated right

now there is no place to turn a car around. Ms. Murphy indicated they are currently turning cars around on the front lawn and do not want the family that lives there to have to do that with. The previous location of the garage allowed a y-turn out of the garage and pull forward onto Bluemound Road.

Ms. Marlin asked if the label that says 'garage' on the old CSM is where they want to put the garage. Ms. Murphy and Mr. Oswald both said yes. Mr. Oswald stated they want to put it right back on that same foundation. She stated they talked to previous owners who lived there for 50 years and told them there was a two-story garage barn there. Ms. Marlin questioned if the request was a two-car garage. Ms. Murphy stated yes, a standard two-car garage, 24x24.

Mr. Fuchs stated staff is recommending approval of the variance. After reviewing the submittal there are difficulties attaching the garage to the home. Mr. Fuchs stated having a garage in the same footprint would be allowed if it was an existing structure that needed to be replaced. Ms. Marlin asked Mr. Fuchs if the 576 square feet was typical for a two-car garage. Mr. Fuchs stated yes. Ms. Marlin stated the applicant must show three parts of the test that need to be met; an unnecessary hardship, the hardship conditions are unique to the property and the variance would cause not harm to public interest or damage to the purpose or intent of the code.

Ms. Marlin closed the public hearing.

Ms. Marlin stated there is an unnecessary hardship because there is no garage at all on this property, which is a standard that is required as part of a single-family use. She stated the property being located on the highway and needing to safely enter and exit the property seems like a unique enough condition for purposes of public safety. Ms. Marlin stated a garage is part of the single-family use and she did not think the code or setbacks were put in place to prevent something like this garage from being built.

Mr. Matt stated the write up was good and it answered any questions he had. He stated the issue is safety; a two-car garage cannot get attached and they should not back onto Bluemound Road. He questioned the speed limit on Bluemound Road. Ms. Murphy stated there is a lot of heavy traffic and there is a lot of industrial across the street. Ms. Murphy stated they have never backed onto that road.

Mr. Welcenbach agreed it met the test and seems to be a big safety issue. Ms. Marlin stated the fact that the garage is not a two-story, five car garage with room for two more boats, makes it a reasonable request that meets all the tests.

A motion was made and seconded (R. Welcenbach, T. Matt) to approve the variance from section 17.0408f.(2) to allow a side yard setback of 13'-8", opposed to the required minimum side yard setback of 20-feet and a variance from Section 17.0408f.(3) to allow a rear yard setback of 15'-5", opposed to the required minimum rear yard setback of 35-feet relating to the construction of a 576 square foot detached garage. Motion Passed: 3-For, 0-Against.

4. Adjournment

A motion was made and seconded (T. Matt, R. Welcenbach) to adjourn the meeting at 6:15 p.m. Motion passed: 3-For, 0-Against.

Respectfully Submitted,

Nadine McMillian
Accounting & Payroll Specialist

**CITY OF PEWAUKEE
ZONING BOARD OF APPEALS AGENDA ITEM 3.**

DATE: July 27, 2022

DEPARTMENT: Zoning Appeal

PROVIDED BY:

SUBJECT:

PUBLIC HEARING, discussion and possible action regarding the request of Phillip Mattix and Sheila Stafford for a variance related to the construction of a detached garage upon property located at N29W27476 Peninsula Drive, Pewaukee, WI 53072, Tax Key No. 0933050. The subject property is zoned Rs-7 Single-Family Residential District, F-1 Floodplain District and SO Shoreland Overlay District. The application requests a variance from Section 17.0411a. and 17.0410f.(1) to allow for the construction of a 22-foot by 22-foot (484 square feet) detached accessory building with a front yard setback ranging from 14.8' to 15.2'. Additionally, the application requests a variance from Section 17.0436d. to exceed the maximum lot coverage requirement of the Shoreland Overlay District. This public hearing is being held pursuant to the requirements and standards of Section 17.1300 of the City of Pewaukee Zoning Ordinance.

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Mattix Application

Mattix Staff Report



Office of the Planner & Community Development Director
 W240 N3065 Pewaukee Road
 Pewaukee, Wisconsin 53072
 Phone (262) 691-0770
 Fax (262) 691-1798
fuchs@pewaukee.wi.us

APPLICATION FOR VARIANCE REQUEST

TO THE HONORABLE MAYOR AND ZONING BOARD OF APPEALS OF THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

The undersigned hereby petitions the Zoning Board of Appeals of the City of Pewaukee, Waukesha County, Wisconsin requesting a variance from: STREET SETBACK

Legal description of property to be rezoned – Please attach.

Common property description or name: _____

Property Address: N29W27476 PENINSULA DR **Tax Key Number(s):** PWC 093305D

Property owner(s) (Full Legal Name): PHILLIP WAYNE MATTIX SHEILA ANN STAFFORD

Owner's Address: N29W27476 PENINSULA DR **City/State/Zip:** PEWAUKEE, WI 53072

Phone: 414-232-8897 **Email:** PMATTIX@SBCGLOBAL.NET

Applicant (Full Legal Name):

Name: PHILLIP W. MATTIX

Company: _____

Address: N29W27476 PENINSULA DR

City/State/Zip: PEWAUKEE, WI 53072

Phone: 414 232-8897

Email: PMATTIX@SBCGLOBAL.NET

Contact Person (Full Legal Name):

Name: Same as owner

Company: _____

Address: _____

City/State/Zip: _____

Phone: _____

Email: _____

Variance submittals must include and be accompanied by the following:

- This Application form accurately completed with original signatures.
- Application Filing Fee, payable to the City of Pewaukee:
 - \$400.00
 - Note costs for publication, notice and all attorney fees related to the project shall be paid by the applicant and will be invoiced separately
- Five (5) complete collated sets of Application materials to include:
 - A written project narrative detailing the request and site & building improvements.
 - Scaled drawings, as may be applicable, including, but not limited to; a site plan, building elevations, colored renderings, and natural resource delineations.
- Variance Findings Form
- All application materials provided in a digital format (Adobe PDF). Materials may be submitted on a USB Flash Drive or emailed to tarczewski@pewaukee.wi.us.
- Note twelve (11) additional sets of plans will be required for the Zoning Board of Appeals following staff review of the initial submittal. These plans should be revised in response to staff comments as may be necessary.



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The applicant and property owner(s) hereby certify that:

- 1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge;
- 2) the applicant and property owner(s) has/have read and understand all information in this application; and
- 3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).

PETITIONER'S/APPLICANT'S SIGNATURE: Phillip W. Mattix

NAME & TITLE (PRINT): PHILLIP W. MATTIX

SIGN AND DATED this 7 day of June, 2022.

PROPERTY OWNER'S SIGNATURE: Phillip W. Mattix

NAME & TITLE (PRINT): PHILLIP W. MATTIX

SIGN AND DATED this 7 day of June, 2022.

PROPERTY OWNER'S SIGNATURE: Sheila A. Stiffaro

NAME & TITLE (PRINT): SHEILA A. STIFFARO

SIGN AND DATED this 7th day of JUNE, 2022.

City Staff-

RECEIVED at City Hall by: _____ on _____

Fee paid: \$ _____ Date: _____



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VARIANCE FINDINGS FORM

It is recommended that this form be completed and submitted as part of all variance requests.

Date: 6/7/22 Property Owner: PHILLIP MATTIX / SHEILA STAFFORD
 Property Address: NA9 W27476 PENINSULA DR PEWAUKEE WI 53072

Section 17.1007 states, "No variance to the provisions of this Ordinance shall be granted by the Board unless it finds beyond a reasonable doubt that all the following facts and conditions exist and so indicates such in the minutes of its proceedings:

a. Preservation of Intent: No variance shall be granted that is not consistent with the purpose and intent of the regulations for the district in which the development is located. No variance shall have the effect of permitting a use in any district that is not a stated permitted principle use, permitted accessory use, or permitted conditional use in that particular district.

NOT APPLICABLE. LOOKING TO BUILD 2-CAR GARAGE

b. Exceptional Circumstances: There must be exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district, and the granting of the variance should not be of so general or recurrent nature as to suggest that the Ordinance should be changed.

NO EXCEPTIONAL CIRCUMSTANCES EXIST. BOTH DETACHED AND ATTACHED GARAGES CURRENTLY EXIST IN NEIGHBORHOOD.

c. Economic or Financial Hardship and Self-Imposed Hardship Not Grounds for Variance: No variance shall be granted on the basis of economic/ financial gain or loss. Self-imposed hardships shall not be considered as grounds for the granting of a variance.

N/A

d. Preservation of Property Rights: The variance must be necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.

NEW BUILDING DOES NOT IMPINGE ON NEIGHBORS PROPERTY NOR PROPERTY RIGHTS



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e. Absence of Detriment: No variance shall be granted that will create substantial detriment to adjacent property or that will materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest.

GARAGE, AS SURVEYED, DOES NOT SERVE AS DETRIMENT
 TO ADJACENT PROPERTIES

f. Additional Requirements in Floodplain District: No variance in or related to a floodplain* shall be granted where:

- (1) A change in the boundaries or elevation of the base flood floodplain (F-1 District) would result.
- (2) A lower degree of flood protection than a point two (2) feet above the 100-year recurrence interval base flood for the particular area would result.
- (3) Any action contrary to the provisions of Chapter NR-116 of the Wisconsin Administrative Code would result. (See sub-section 17.0435 and WisDNR requirements)
- (4) The lot or parcel is larger than one-half acre and is not contiguous to existing structures constructed below the regional (base) flood elevation.
- (5) No good or sufficient cause can be shown; greater than a minimum relief is necessary; there is increased risk to public safety or nuisances; rescue and relief costs would be increased; and, it is contrary to the purposes of this ordinance.
- (6) Such variance would allow alteration of an historical structure and/or use.

PROPERTY IS NOT IN A FLOOD PLAIN

g. When a floodplain variance is granted, the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 per coverage. A copy shall be maintained with the variance record.

NOT APPLICABLE

Planning and Development Personnel:

We are asking to build a detached, 2 car (22ft x 22ft) garage which is roughly 11 ft from the house and 15 feet from Peninsula Dr. The garage will have electricity and a side door with a side window. We are asking for a variance from the street setback.

Phil Mattix/Sheila Stafford

PLAT OF SURVEY

LEGAL DESCRIPTION(S):

(PER TAX RECORDS & CLIENT SUPPLIED SURVEY)

Lot 32, Starke Peninsula Subdivision, being a part of the Northeast 1/4 and Northwest 1/4 of Section 18, Town 7 North, Range 19 East, in the Township of Pewaukee, County of Waukesha, State of Wisconsin;

KNOWN AS: N29 W27476 Peninsula Drive
TAX KEY PIN: PWC 0888991

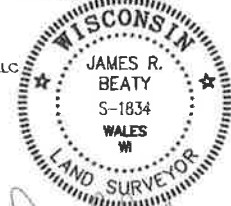
SURVEYORS CERTIFICATE

"I HAVE SURVEYED THE ABOVE PROPERTY AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL STRUCTURES THEREON, FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY."

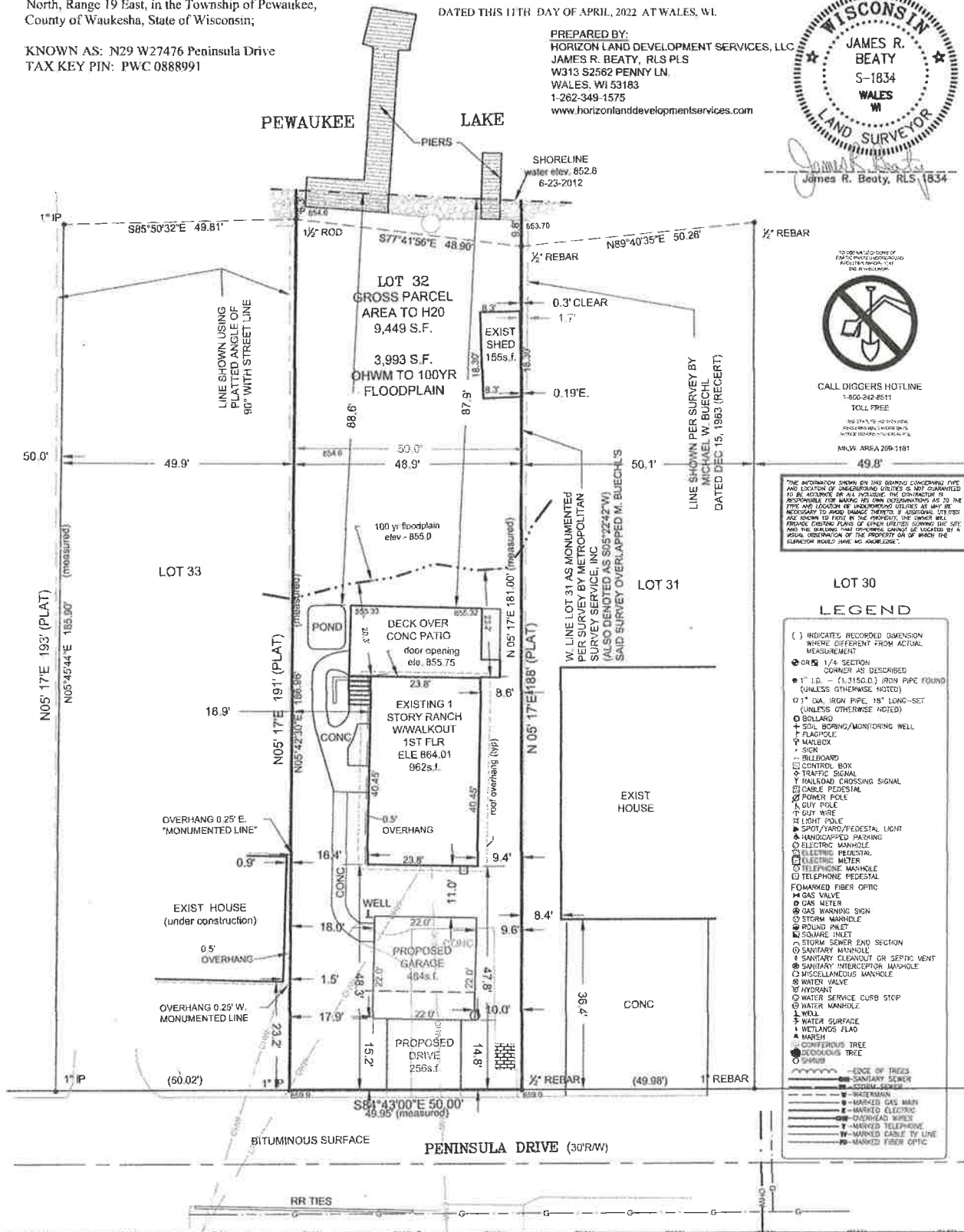
"THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM THE DATE HEREOF, AND TO THEM I WARRANT THE ACCURACY OF SAID SURVEY AND MAP."

DATED THIS 11TH DAY OF APRIL, 2022 AT WALES, WI.

PREPARED BY:
HORIZON LAND DEVELOPMENT SERVICES, LLC
JAMES R. BEATY, RLS PLS
W313 S2582 PENNY LN
WALES, WI 53183
1-262-349-1575
www.horizonlanddevelopmentservices.com



James R. Beaty, RLS, 1834



CALL DIGGERS HOTLINE
1-800-242-8511
TOLL FREE

AS SHOWN ON THIS SURVEY
ENCLOSURE SHALL BE IN THE
OWNER'S POSSESSION

M.L.W. AREA 209-1161

THE INFORMATION SHOWN ON THIS SURVEY CONCERNING THE
EXISTENCE AND LOCATION OF UNDERGROUND UTILITIES IS NOT GUARANTEED
TO BE ACCURATE OR COMPLETE. THE CONTRACTOR IS RESPONSIBLE FOR
VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES AS WELL AS THE
NECESSARY TO MAKE SURE THAT NO UTILITIES ARE DAMAGED OR
DISRUPTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE
NECESSARY PERMITS AND FOR THE PROTECTION OF ALL UTILITIES. THE
OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES.
THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL
UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION
OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE
PROTECTION OF ALL UTILITIES.

- LEGEND**
- () INDICATED RECORDED DIMENSION WHERE DIFFERENT FROM ACTUAL MEASUREMENT
 - OR 1/4 SECTION CORNER AS DESCRIBED
 - 1" I.P. - (1.3150 O.D.) IRON PIPE FOUND (UNLESS OTHERWISE NOTED)
 - 0.1" DIA. IRON PIPE, 18" LONG-SET (UNLESS OTHERWISE NOTED)
 - BOLLARD
 - SOIL BORING/MONITORING WELL
 - FLAGPOLE
 - MALEBOX
 - SIGN
 - RAILROAD
 - CONTROL BOX
 - TRAFFIC SIGNAL
 - RAILROAD CROSSING SIGNAL
 - CABLE PEDESTAL
 - POWER POLE
 - GUY POLE
 - GUY WIRE
 - LIGHT POLE
 - SPOT/YARD/PEDESTAL LIGHT
 - HANDICAPPED PARKING
 - ELECTRIC MANHOLE
 - ELECTRIC PEDESTAL
 - ELECTRIC METER
 - TELEPHONE MANHOLE
 - TELEPHONE PEDESTAL
 - FORMER FIBER OPTIC
 - GAS VALVE
 - GAS METER
 - GAS WARNING SIGN
 - STORM MANHOLE
 - ROUND PILE
 - SQUARE INLET
 - STORM SEWER END SECTION
 - SANITARY MANHOLE
 - SANITARY CLEANOUT OR SEEP/VENT
 - SANITARY INTERCEPTOR MANHOLE
 - MISCELLANEOUS MANHOLE
 - WATER VALVE
 - WARRANT
 - WATER SERVICE CURB STOP
 - WATER MANHOLE
 - WELL
 - WATER SURFACE
 - WETLANDS FLAG
 - MARSH
 - CONIFEROUS TREE
 - DECIDUOUS TREE
 - SHRUB
 - EDGE OF TREES
 - SANITARY SEWER
 - STORM SEWER
 - WATERMAIN
 - MARKED GAS MAIN
 - MARKED ELECTRIC
 - OVERHEAD WIRE
 - MARKED TELEPHONE
 - MARKED CABLE TV LINE
 - MARKED FIBER OPTIC

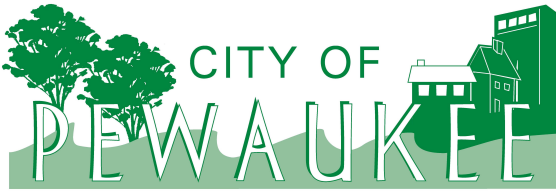
BEARING REFERENCE - THE NORTH LINE OF PENINSULA DRIVE AS PER STARKE PENINSULA SUBDIVISION PLAT AND AS MONUMENTED, IS ASSUMED TO BEAR S84°43'E. VERTICAL DATUM: STARTING BENCHMARK REB BOAT SPIKE SE SIDE PP #75-259.3 AT MEANDER CORNER N. 1/4 CORNER SEC. 18-7-19 ELEV 860.066 (NGVD 1929 DATUM).

PROPERTY LIES WITHIN ZONES AE & X PER FEMA COMMUNITY PANEL 55133C 0183 F, EFFECTIVE DATE OF NOV 19, 2008



HOME / BOATHOUSE & PROPOSED GARAGE
FOOTPRINT
AREA - 1,601 S.F. = 16.84%
PROPOSED HARD SURFACE
(post construction)
TOTAL AREA - 735 S.F.
7.46% OF LOT AREA

PREPARED FOR (CLIENT):
PHILLIP MATTIX & SHIELA STAFFORD
N29 W27476 PENINSULA DRIVE
PEWAUKEE, WI 53072



Office of the Planner & Community Development Director
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REPORT TO THE ZONING BOARD OF APPEALS

Meeting of July 27, 2022

Date: July 21, 2022

Project Name: Mattix Variance Request

Project Address/Tax Key No.: N29W27476 Peninsula Drive/PWC 0933050

Applicant(s): Phillip Mattix and Sheila Stafford

Property Owner: Phillip Mattix and Sheila Stafford

Current Zoning: Rs-7 Single-Family Residential District, F-1 Floodplain District and SO Shoreland District

Proposed Zoning: Same

2050 Land Use Map Designation: Medium Density Residential (6,500 SQ. FT. – ½ AC. / D.U.) and Floodplains, Lowland & Upland Conservancy and Other Natural Areas

Use of Surrounding Properties: Pewaukee Lake to the north and single-family residential to the south, east, and west

Project Description/Analysis:

The applicants filed a Variance Application requesting a variance from Section 17.0411a. and 17.0410f.(1) to allow for the construction of a 22-foot by 22-foot (484 square feet) detached accessory building with a front yard setback ranging from 14.8' to 15.2'. Additionally, the request includes a variance from Section 17.0436d. to exceed the maximum lot coverage requirement of the Shoreland Overlay District.

The subject property is zoned Rs-7 Single-Family Residential District, F-1 Floodplain District and SO Shoreland Overlay District. The property currently does not have a garage. The applicant is proposing a 2-car garage in front of the home. Note the garage must be a minimum of 10-feet from the house for the proper and allowed building separation, which is met.

Regarding lot coverage, the SO District allows 20% of the lot to be occupied by structures and an additional 7.5% of the lot to be occupied by impervious surfaces.

The subject property consists of 1,610 square feet of structures, including the proposed garage. This equates to 16.94%, which is in compliance with the SO District.

According to the applicant, the lot contains about 705 square feet of impervious surfaces. Staff questioned this calculation and requested a detailed breakdown of what was included for impervious surfaces.

At the time of this report, staff is continuing to verify that lot coverage calculations are accurate and account for all impervious surfaces onsite. It appears that all concrete and hard surfaces were included, and it is anticipated that the variance from lot coverage restrictions will not be needed. This is expected to be confirmed by the surveyor prior to the ZBA meeting.

The Zoning Board of Appeals must review the application materials provided as well as Section 17.1007 of the City's Zoning Code, which outlines the factors the Board must consider in determining whether to grant or deny a variance request. The applicant has provided responses to these findings for review.

Recommendation:

Staff finds that a detached garage is a permitted use within the Rs-7 District and a reasonable accommodation for a single-family use. The garage location is similar to that of many of the homes along Peninsula Drive, which is a unique street in the City with substandard lots on both sides of the street abutting Pewaukee Lake. Staff further finds that the proposed size of the garage is reasonable and not atypical of the area and a 2-car garage.

Again, it should be noted that the garage is not able to meet the required front yard setback while still maintaining the required 10-foot building separation from the home.

Staff recommends approval of a variance from Section 17.0411a. and 17.0410f.(1) to allow for the construction of a 22-foot by 22-foot (484 square feet) detached accessory building with a front yard setback ranging from 14.8' to 15.2'.

If needed, staff would recommend mitigation to accommodate lot coverage up to 35%, as allowed within the SO District.