



Ed Lisinski
Director

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WEST ALLIS BOARD OF APPEALS MINUTES
July 12, 2016

MEMBERS PRESENT: David Princeton – Chair
Paul Budiak – Vice Chair
Jean Wolfgang – Board Member
Brian Keller – Board Member

EXCUSED: Bill Catlin, Jr. – Alternate Member
Rachel Wagner – Board Member

ALSO PRESENT: Ed Lisinski, Director of Building Inspections & Neighborhood Services
Sally Bukowski, Clerical Support

David Princeton called the meeting to order at 5:30 p.m.

Mr. Princeton stated that the Notice of Appeals for the subject case was published on June 30, 2016 in the "My Community Now" newspaper. He stated that all property owners within a radius of 100 feet of the subject property had been notified by mail of the appeal request. He also noted that no written or other communications regarding today's petitions were received.

Ms. Wolfgang made a motion to approve the minutes of the August 11, 2015 meeting. Her motion was seconded by Mr. Keller and unanimously approved.

Mr. Princeton called for the first case to be heard.

Mr. Lisinski read from denial letter #2016-01

May 24, 2016

Andrew Brown
1142-44 S. 76th St.
West Allis, WI 53214

RE: Written Notice of Permit Refusal No. 2016-01
Address: 1142-44 S. 76th St.
Tax Key: 440-0467-000
Zoning: RB-2 Residence District
Legal: OTJEN PULLEN & SHENNERS S 20 ft of Lot 11 & N 20 ft of Lot 12 Blk 11

Dear Property Owner:

On May 2, 2016, application was made for a permit for a dormer erected on the above referenced property. The dormer is 2.45 feet off of the south side lot line.

Your permit is denied because it is in violation of the following section of the West Allis Revised Municipal Code.

12.36 RB-2 RESIDENCE DISTRICT

The RB-2 Residence District is intended to provide areas in the City for single family, two (2) family and limited multi-family residential uses. It is specifically intended for areas of the City designated as Class "B" Residential under the preceding City Zoning Ordinance and represents a historical zoning pattern.

* * *

(8) **Side Yard.**

(a) Every lot shall have two (2) side yards, the east and south of which will be not less than seven (7) feet in width and the north and west of which will be not less than three (3) feet in width; provided, however, that any lot having a width of forty (40) feet or less, which was platted and recorded prior to the passage of this Subchapter, shall have no side yard less than three (3) feet in width.

The proposed is 4.55 feet too close to the south side lot line, and therefore not allowed by code.

You may appeal this decision to the West Allis Board of Appeals. Information on filing an appeal can be obtained by contacting the Department of Building Inspections & Neighborhood Services at 414-302-8412.

Mr. Lisinski displayed pictures of the property and explained that the property owner wants to construct a dormer addition that will be located 4.55 feet too close to the south side lot line than the code allows. He noted that the dormer will not be any closer to the lot line than the house.

Mr. Brown appeared on this own behalf. He stated that his family needs more room and that he wants to stay in West Allis. Dan and Kim Napieralski who own the property directly next to Mr. Brown appeared in favor of the variance.

Ms. Wolfgang made a motion to approve the variance as it is not contrary to public interest and public safety and welfare would not be affected. The motion was seconded by Mr. Keller and unanimously approved.

Ms. Wolfgang motioned to adjourn, seconded by Mr. Keller and unanimously approved. The meeting was adjourned at 5:40 p.m.

Respectively Submitted,



David Princeton, Chairperson
West Allis Board of Appeals



Ed Lisinski, Director of Bldg. Inspection & Neighborhood Services
Board of Appeals Secretary