



BOARD OF APPEALS
City of West Allis

WEST ALLIS BOARD OF APPEALS MINUTES
June 11, 2013

MEMBERS PRESENT: Helen Feuling (Chairperson)
David Princeton (Vice Chair)
Paul Budiak
Mark Maline (Alt)
Jean Wolfgang (Alt)

*Approved Minutes by
Bd. of Ap. on
8/13/13. File
7A*

EXCUSED: Charles Wolf
Rachel Cincotta

ALSO PRESENT: Ted Atkinson, Director of Building Inspections & Neighborhood Services
Sally Bukowski, Clerical Support

Chairperson Feuling called the meeting to order at 6:00 PM.

Chairperson Feuling stated that the Notice of Appeal for the subject case was published on May 30, 2013 in the "My Community Now" newspaper. She stated that all property owners within a radius of 100 feet of the subject property had been notified by mail of the appeal request. Mr. Atkinson stated that no written or other communication regarding today's petition were received. It was also noted that the meeting room was changed from Room 220 to Room 128.

Ms. Wolfgang made a motion to approve the minutes of the May 14, 2013 meeting. Her motion was seconded by Mr. Maline and unanimously approved.

Chairperson Feuling called for the first case to be heard.

Mr. Atkinson read from denial letter #2013-02.

May 9, 2013

Robert Neelis
2418 South 84th St
West Allis, WI 53227

RE: Written Notice of Permit Refusal No. 2013-02
Address: 2418 South 84th Street
Tax Key #: 488-0383-000
Zoning: RB-2 Residence District
Legal Description: Pleasant Homestead Land Company No. 2, West One hundred twenty and eighty-five hundredths (120.85) feet of Lot Three (3), Block One (1)

Dear Property Owner:

On April 24, 2013, a building permit application was submitted to this department for the above referenced property to demolish an existing garage and construct a new detached garage on the east side of the property. This property is in the RB-2 Residence Zoning District. The proposed twenty-eight (28) foot by thirty-six (36) foot garage will be located within the proper setbacks.

The area of the proposed garage is one thousand, eight (1,008) square feet. The maximum total area for a detached garage per the code is one thousand (1,000) square feet. The proposed garage will be eight (8) square feet larger than what the code will allow.

The height of the proposed garage is seventeen (17) feet, five (5) inches. The maximum height allowed for a detached garage is fifteen (15) feet. The proposed garage will be two (2) feet, five (5) inches taller than what the code allows.

Your garage permit application is denied because the proposed detached garage does not meet the required total area and height requirements as set forth in the following sections of the West Allis Revised Municipal Code:

12.10 General Provisions.

- * * *
- (2) Accessory Buildings. Accessory buildings are permitted as a matter of right in all of the Zoning Districts established under this Subchapter. Such buildings are, however, subject to all applicable general and specific regulations set forth in this Subchapter. The following shall apply to residential uses.
- * * *
- (c) No accessory building shall exceed fifteen (15) feet in height.

12.36 RB-2 RESIDENCE DISTRICT

- * * *
- (4) Site Area and Accessory Building Area.
- * * *
- (b) One (1) private attached garage per dwelling unit or one (1) private detached garage per lot is permitted. The garage(s) shall not exceed one thousand (1,000) square feet in total area and a detached garage shall not exceed fifteen (15) feet in height. For properties having a one- or two-family building initially constructed prior to 1980, regardless of applicable site coverage, one (1) garage not in excess of four hundred eighty-four (484) square feet may be allowed, although it shall be subject to all other bulk requirements.

The proposed garage will be eight (8) square feet too large in total area. The proposed garage will be two (2) feet, five (5) inches too tall in total height. The building permit for a detached garage as submitted is therefore denied.

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 414-302-8400.

Mr. Atkinson distributed pictures of the property and explained that the homeowner wants to demolish his existing detached garage and construct a new detached garage that would be eight (8) square feet larger and two (2) feet, five (5) inches taller than what the code allows.

Mr. Neelis appeared on his own behalf. He stated that he needs the larger garage to accommodate his pick-up truck with a roof rack and that he needs the extra height to meet the snow load requirements. He stated that he will have 10 foot side walls. Mr. Atkinson noted that he could stay within the height code and still meet the snow load requirements when the roof trusses are designed for the width of the building.

The Board discussed past height approvals and will research the number of height variances granted in the past five (5) years. The Board discussed that this garage will be large by going up to the 8 square feet over the maximum. The property owner said he needed the size for his many vehicles including a boat he will store inside.

Mr. Princeton made a motion to approve the eight (8) additional square feet but deny the height variance request because the roof can be constructed so the 15 foot height allowed is maintained. Mr. Maline questioned the need for downspouts and gutters. Mr. Princeton amended his motion that gutters and downspouts be installed as to not create a nuisance. The motion was seconded by Ms. Wolfgang and unanimously approved.

Mr. Maline then motioned to adjourn, seconded by Ms. Wolfgang and unanimously approved. The meeting was adjourned at 6:30 p.m.

Respectively Submitted,



Helen Feuling, Chairperson
West Allis Board of Appeals