



BOARD OF APPEALS
DEPARTMENT OF BUILDING INSPECTIONS &
NEIGHBORHOOD SERVICES
City of West Allis

414/302-8400
414/302-8402 (Fax)

City Hall
7525 West Greenfield Avenue
West Allis, Wisconsin 53214

www.westalliswi.gov

WEST ALLIS BOARD OF APPEALS MINUTES
August 11, 2015

MEMBERS PRESENT: David Princeton - Chair
Rachel Wagner – Board Member
Jean Wolfgang – Board Member

EXCUSED: Paul Budiak – Vice Chair
Bill Catlin, Jr. – Alternate
Brian Keller - Alternate

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

David Princeton called the meeting to order at 6:38 p.m.

Mr. Princeton stated that the Notice of Appeals for the subject cases were published on July 30, 2015 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 May 12, 2015 meeting. Her motion was seconded by Ms. Wagner and unanimously approved.

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

Mr. Lisinski read from denial letter #2015-03.

July 17, 2015

David Schneck
2949 S. Waukesha Rd
West Allis, WI 53227

RE: Written Notice of Permit Refusal No. 2015-03
Address: 2949 S. Waukesha Rd.
Tax Key #: 521-9948-000
Zoning: RA-1 Residence District

Dear Property Owner:

On June 22, 2015, a building permit application was submitted to this department for the above referenced property to construct a new storage shed on the west side of the property. This property is in the RA-1 Residence Zoning District. The proposed fourteen (14) foot by eighteen (18) foot storage shed will be located within the proper setbacks and to a proper height.

The overall area of the proposed storage shed is two hundred and fifty-two (252) square feet. The maximum area allowed for a storage shed is one hundred and fifty (150) square feet. The proposed storage shed will be one hundred and two (102) square feet larger than what the code allows.

The proposed storage shed has an overhead garage door that is eight (8) feet in width. The maximum width of an overhead door for a storage shed is five (5) feet. The proposed overhead door on the storage shed is three (3) feet larger than what the code allows.

Your permit application is denied because the proposed storage shed does not meet the maximum area and overhead door width requirements as set forth in the following sections of the West Allis Revised Municipal Code (RMC):

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.

* * *

(g) A storage shed may not exceed one hundred fifty (150) square feet in area or 12 feet in height and may not have a door greater than five (5) feet in width.

The proposed storage shed will be one hundred and two (102) square feet too large in total area and the overhead door will be three (3) feet too wide per the RMC. The building permit for a storage shed 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. Lisinski displayed pictures of the property and explained that the property owner wants to construct a storage shed that is one-hundred and two (102) square feet larger than the maximum area allowed per code and will contain an overhead door that is three (3) feet wider than allowed per code. He noted that this is an extremely large lot, 177' by 657'.

Mr. Dave Schneck and Ms. Joan sternweis appeared on their own behalf. Mr. Jerry Kozy, Building Contractor, also appeared on behalf of the property owners. Mr. Kozy stated that the existing shed will be removed and the homeowners needed a larger shed to accommodate their gardening supplies and lawn mower.

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 Ms. Wagner and unanimously approved.

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

Mr. Lisinski read from denial letter #2015-02

June 26, 2015

Mark Wilhelm
5839 W. Madison St
West Allis, WI 53214

RE: Written Notice of Permit Refusal No. 2015-02
Address: 5839 W. Madison St.
Tax Key #: 438-0314-000
Zoning: RB-2 Residence District
Legal Description: Brady's Subdivision, Lots Twenty-five (25) and Twenty-six (26), Block Five (5)

Dear Property Owner:

On May 28, 2015, a building permit application was submitted to this department for the above referenced property to construct a new detached garage on the north side of the property, off of the alley. This property is in the RB-2 Residence Zoning District. The proposed twenty-four (24) foot by thirty-two (32) foot garage will be located within the proper setbacks on an existing slab that was constructed last year.

The height of the proposed garage is twenty-four (24) feet. The maximum height allowed for a detached garage is eighteen (18) feet. The proposed garage will be six (6) feet taller than what the code allows.

Your garage permit application is denied because the proposed detached garage does not meet the maximum 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.

* * *

(f) A garage shall not exceed one thousand (1,000) square feet in total area and a detached garage shall not exceed eighteen (18) feet in height.

The proposed garage will be six (6) feet 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. Lisinski displayed pictures of the property and explained that the property owner wants to construct a detached garage that is six (6) feet taller than the maximum height allowed per code. He noted that there is already an existing concrete slab for the garage and that the owner wants to exceed the height limitations to match the pitch of the house.

Mr. William Canales did not appear on his own behalf.

Ms. Wolfgang stated that the Board has never approved a garage height of 24'.

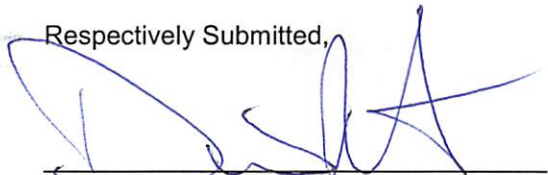
Ms. Wolfgang made a motion to deny the height variance request because the roof can be constructed so the 18 foot height allowed is maintained. The motion was seconded by Ms. Wagner and unanimously denied.

Mr. Lisinski nominated Brian Keller, Alternate Board Member, to fill the vacant regular Board Member position. Board members voted unanimously to approve the position appointment.

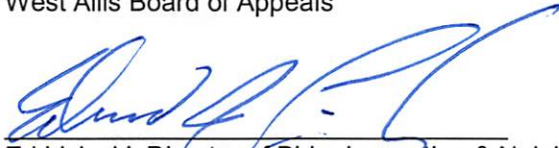
The Board discussed changing the Board of Appeals meeting location and time. All were in favor of holding the meetings in conference room 222 at 5:30 p.m.

Mr. Princeton motioned to adjourn, seconded by Ms. Wolfgang and unanimously approved. The meeting was adjourned at 7:00 p.m.

Respectively Submitted,



David Princeton, Chairperson
West Allis Board of Appeals



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