



WEST ALLIS BOARD OF APPEALS MINUTES
April 11, 2017

MEMBERS PRESENT: Paul Budiac – Vice Chair
Rachel Wagner – Board Member
Brian Keller – Board Member
Eric Euteneier – Board Member
Michael Pranghofer – Board Member

EXCUSED: Bill Catlin, Jr. – Alternate Member
Jean Wolfgang – Board Member

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

Mr. Budiac called the meeting to order at 5:30 p.m.

Mr. Budiac stated that the Notice of Appeals for the subject case was published on March 30, 2017 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 communications were received regarding today's petition.

Mr. Budiac made a motion to approve the minutes of the November 8, 2016 meeting. His motion was seconded by Mr. Keller and unanimously approved.

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

Mr. Lisinski read from denial letter #2017-01.

March 20, 2017

Sheilia Vasquez
2104 S. 70th Street
West Allis, WI 53219

RE: Written Notice of Permit Refusal No. 2017-01
Address: 2104 S. 70th Street
Tax Key #453-0975-001
Zoning: C-2 Neighborhood Commercial District
Legal: Gross West Allis Addition, Lots 1, 2 and 3, Block 20.

Dear Ms. Vasquez,

On September 28, 2016, an email was submitted to request the installation of a six (6) foot high wood fence in the required front yard setback. The front yard is technically on Becher Street, due to the odd shape of the lot, even though the front door and the house itself face S. 70th Street. The front yards setback is determined to be twelve and sixty-six hundredths (12.66) feet from the front property line along Becher Street. The request was to install a fence located five (5) feet from the front property line. The fence would be located seven and sixty-six hundredths (7.66) feet too close to the front property line.

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

12.41 C-2 NEIGHBORHOOD COMMERCIAL DISTRICT.

The C-2 Neighborhood Commercial District is intended to provide convenience shopping in close proximity for persons residing in nearby residential areas, by allowing only such uses as are necessary to satisfy basic shopping needs which occur daily or frequently. Normally these uses attract little vehicular traffic and are compatible with residential areas.

(1) Permitted Uses.

(a) Single and two (2) family residences on lots platted or recorded prior to the adoption of this ordinance and meeting the minimum requirements of the RB-2 Residence District.

12.36

RB-2 RESIDENCE DISTRICT.

The RB-2 Residence District is intended to provide areas in the City for single-family, two-family, and limited multifamily residential uses.

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- (9) Front Yard. Every lot shall have a front yard not less than twenty (20) feet in depth; however:
- (a) If the average front yard setback of existing buildings is less than the required minimum, then the minimum front yard setback may be the average of the existing front yard setbacks within that distance; or
1. Calculating the average. The average front yard setback shall be calculated based on existing buildings on either side of a lot or buildings on either side of a lot within a distance of one hundred (100) feet of the lot line of the proposed building; fronting on the same side of the same street in the same block; within the same zoning district; and, not more than ten (10) feet beyond the required minimum setback.
- (b) If the average front yard setback of existing buildings is more than the required minimum, then the average shall be the minimum front yard setback.
1. Calculating the average. The average front yard setback shall be calculated based on existing buildings on either side of a lot or buildings on either side of a lot within a distance of one hundred (100) feet of the lot line of the proposed building; fronting on the same side of the same street in the same block; within the same zoning district. This section shall not be interpreted in any way so as to require a setback of more than forty (40) feet.

13.31 FENCE REGULATIONS.

- (2) Fence Location and Height Requirements
- (a) One and two (2) family uses. Fences are permitted in yards as follows:
1. Fences are not permitted in any required front yard, as established in Chapter 12, Zoning Code.

The proposed six (6) foot high wood fence would be erected in the required front yard setback. It would be located seven and sixty-six hundredths (7.66) feet too close to the front lot line, and therefore not permitted.

You may appeal this decision to the West Allis Board of Appeals. Information on filing an appeal can be obtained by contacting the Director 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 fence that will be located seven and sixty-six hundredths (7.66) feet too close to the front property line. He stated that the front yard is technically on Becher Street due to the odd shape of the lot. He also stated that the fence would be seven (7) feet in from the sidewalk and would be constructed of wood.

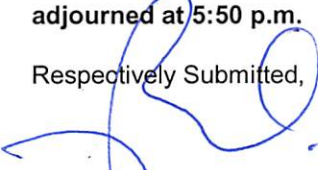
Ms. Vasquez appeared on her own behalf. She explained that there is a commercial property behind her and that she wanted to fence in her rear yard for more privacy. She also stated that the fence would be professionally installed

Mr. Keller 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. Budiac and unanimously approved.


The Board had a discussion regarding who would take over the Chair and Vice Chair positions.

Mr. Keller motioned to adjourn, seconded by Mr. Budiac and unanimously approved. The meeting was adjourned at 5:50 p.m.

Respectively Submitted,



Paul Budiac, Vice Chair
West Allis Board of Appeals



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