

# Shorewood Board of Appeals Meeting Agenda

October 11, 2016 at 5:30 P.M.

Shorewood Village Hall Court Room  
3930 N. Murray Avenue, Shorewood, WI 53211

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1. Call to Order.
2. Roll Call.
3. Statement of Public Notice.
4. Approval of August 9, 2016 meeting minutes.
5. Attorney to Review the Standards by which the Board of Appeals must abide.
6. Public Hearing: Appeal of building inspector order to reduce fence height within the front yard zoning setback at residential property 2500 E. Olive Street.
7. Public Hearing: Appeal of building inspector denial to install an air conditioning unit within the zoning street side yard setback at residential property 3564-66 N. Frederick Avenue.
8. Public Hearing: Appeal of building inspector denial to install parking slab without a garage at residential property 1701-03 N. Menlo Blvd.
9. Public Hearing: Appeal to construct detached garage above zoning maximum area allowed at residential property 4324 N. Woodburn St.
10. Adjournment.

**PLEASE BE ADVISED THAT A REPRESENTATIVE OF THE APPLICANTS FOR THE ABOVE ITEMS MUST BE PRESENT AT THIS MEETING.**

Dated at Shorewood, Wisconsin, this 5th day of October, 2016

Village of Shorewood  
Tanya O'Malley, WCPC  
Village Clerk-Treasurer



August 6, 2016

To: Board of Appeals – meeting September 13, 2016  
Cc: Village Attorney Nathan Bayer  
  
From: Planning Director Ericka Lang  
  
RE: 2500 E. Olive Street Fence

The village received a Board of Appeals application on August 23, 2016 from property owners Mr. and Mrs. Tom Geough for 2500 E. Olive Street, appealing the correction notice to lower the height of the fence in the front yard to four feet. The fence is higher than five feet.

Per building code 225-8(2) All fences erected or constructed in the front setback area as established under the provisions of § 535-19E(5) of the Village Code shall be limited to a height of no more than four feet; provided, however, that on corner lots, where adjacent to a public walk or street, all fences erected or constructed to a height of more than four feet shall conform to the building setback provisions of § 535-19E(5) of the Village Code. The property is zoned R-6 One- and Two-Family and the front zoning setback states “25 feet or the average of existing setbacks on the side of the street where the property is located between the two closest intersection streets, whichever is greater.”

The building permit was initially approved without a marked survey, verbally describing that the front portion of the fence would be at least 25 feet back from the front property boundary. The description stated “cedar fencing alongside yard.” The permit was issued.

Olive Street is the front yard and the survey indicates the house is 32 feet back from the front property boundary. The inspector measured the fence and it is less than 16 feet from the front boundary.

The height of the fence in the front yard varies between 5’1” to 5’7”. Only the front yard fence was replaced.

Materials:

- BOA application
- Building permit
- Survey
- Aerial
- Photo’s
- Code section 225-8



# BOARD OF APPEALS APPLICATION

Village of Shorewood  
 Planning & Development Department  
 3930 N. Murray Avenue, Shorewood, WI 53211  
 Phone (414) 847-2640 Facsimile (414) 847-2648  
[www.villageofshorewood.org](http://www.villageofshorewood.org)

Village of Shorewood  
 08/23/2016 12:07:13 PM  
 Ref 00027255  
 Receipt 121067  
 Amount \$150.00

27255

The Board of Appeals has the authority to grant exceptions, variances or review appeals regarding Village official code interpretations. A *Variance* allows dimensional variations for items within the zoning code. Use variances are prohibited. *Special Exceptions* are granted for allowed uses when certain conditions must be met.

| OFFICE USE ONLY    |                       |
|--------------------|-----------------------|
| PERMIT #           | 16-1624 FEE: \$150.00 |
| DATE RECEIVED:     |                       |
| SCHEDULED MEETING: | 9-13-16               |
| TAX KEY #          |                       |

|  |   |
|--|---|
| Property Address <b>2500 EAST OLIVE</b>                                |   |
| <b>Owner's Information</b>   | <b>Applicant Information Contractor? YES NO</b>           |
| Name <b>MR. &amp; MRS. <sup>LAWNA</sup> TOM <sup>GOUGH</sup> GOUGH</b> | Name <b>IDEAL PROPERTY MANAGEMENT</b>                     |
| Address <b>2500 EAST OLIVE STREET</b>                                  | Address <b>P.O. Box 175</b>                               |
| City/State/Zip <b>SHOREWOOD WI. 53217</b>                              | City/State/Zip <b>SUSSEX WI. 53089</b>                    |
| Phone # <b>702-8424</b> Alt # <b>(C) 414 378 5254</b>                  | Phone # <b>(414) 550-8108</b> Alt # <b>(262) 246-8512</b> |
| Email <b>TomGough59@gmail.com</b>                                      | Email <b>IDEAL.LANDSCAPING@HOTMAIL.COM</b>                |
| Check if prefer Board of Appeals Meeting Agenda Emailed:               | OWNER APPLICANT   |

**I/We are requesting a:** (refer to guidelines for explanation)

**variance**  **special exception**

**appeal to interpretation to allow**

**Describe in detail the reason you are applying for a Board of Appeals application:**

**IN ORDER TO ACCEPT A VARIANCE FOR A SIDE YARD FENCE OF 60" WHICH SECLUDES THE PATIO AREA FROM TRAFFIC ALONG OLIVE.**

**MATERIALS REQUIRED WHEN APPEAL IS PROPERTY-BASED (FIVE COLOR COPIES OF EACH):**

**Picture – Of front of property taken from street curb**

**Picture(s) – Of property area in question**

**Property survey marked with appropriate dimensions**

**Variance Granting Criteria**

1. Describe how the hardship is due to physical limitations (lot shape, lot size, grade, drainage, neighboring uses, access, etc.) of the property rather than the circumstances of the appellant (economic, family, personal, and physical [other than certified disability] hardships are not considered, nor are the nature, condition or configuration of structures or improvements on the property): **THE PROPERTY IN QUESTION DOES NOT HAVE A REAR YARD WHICH WOULD ALLOW SITTING OR ANY GATHERINGS BEING VIEWED FROM OLIVE ST. OR MARION, WE WOULD BE REPLACING A CEDAR FENCE OF THE SAME HEIGHT THAT HAS EXISTED FOR 20 YRS.**

2. Describe how unnecessary hardship exists because compliance is unreasonably burdensome. The hardship must be unique to the property and cannot be self-created. **THERE IS NO HARDSHIP, I BELIEVE THIS IS MORE ABOUT GIVING THE FRONT APPEARANCE OF THE HOME, A MORE COMPLETED AND ATTRACTIVE WAY TO GIVE SECLUSION ALONG WITH A GARDEN FEEL.**

3. Describe how you think the granting of this variance would not harm public interest such as public safety, the environment, property values, etc.: **I BELIEVE ALONG WITH THE HOME OWNER, THAT THE FENCING WOULD GIVE AN ATTRACTIVE VIEW FROM ALL (4) NEIGHBORING HOMES THAT VIEW THAT PROPERTY DAILY.**

**OFFICE USE ONLY – Findings of the Board of Appeals after consideration of the criteria**

Reason for Application:

Applicant's Appeal Ruling

APPROVED

NOT APPROVED

Reason for Ruling:

\* Please verify with the Planning and Development Department prior to placement on the Board of Appeals Agenda whether site plans or other documentation are required.

\* A copy of the Board of Appeals Meeting Agenda will be mailed to the applicant/contractor unless otherwise indicated or emailed if an email is provided.

 (RICHARD J. DASSO - IDEAL PROPERTY MANAGEMENT)

Applicant Signature







# Yellow Line- Front Yard Boundary

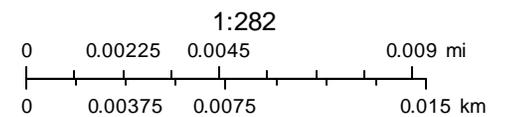


September 6, 2016

Address Numbers

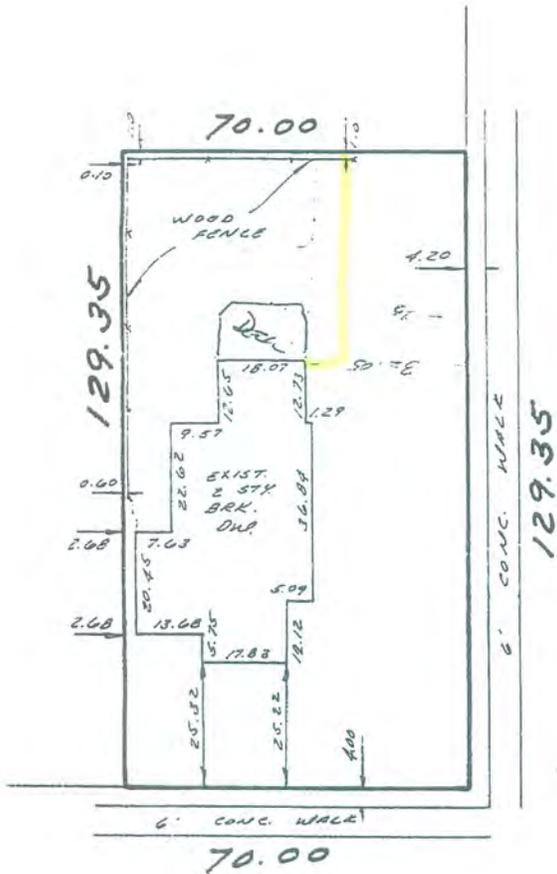
Parcels

Streets



Milwaukee County Land Information Office

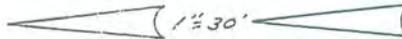




2500 E. OLIVE ST.  
70' R.O.W.



N. STOWELL AVE.  
66' R.O.W.



**METROPOLITAN SURVEY SERVICE, INC.**  
REGISTERED LAND SURVEYORS  
9415 W. FOREST HOME AVE., SUITE 107 HALES CORNERS, WI 53130  
529-5380

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY 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 DATE HEREOF.

**Mortgage Inspection**

Monumentation has been waived in accordance with A-5 5.01 (b) of the Wisconsin Administrative Code.

SIGNED Gerald E. Casey

Gerald E. Casey  
Registered Land Surveyor S-1329

2500 E Olive St 32-2500



## NOTICE OF CORRECTIONS

Village of Shorewood  
Planning & Development Department  
3930 N. Murray Avenue, Shorewood, WI 53211  
Phone (414) 847-2640 Facsimile (414) 847-2648

Date: 8/12/2016

Contractor/Owner: Ideal Property Management

Address: W264 N6615 HILLVIEW DR

City/State/Zip: Sussex, WI 53089

Phone: (414) 550 8108

Email: ideal.landscaping@hotmail.com

Owner Name: Tom Gough

Address: 2500 E OLIVE ST

City/State/Zip: Shorewood, WI 53211

Phone: 414-702-8424

Email:

REGARDING Property: 2500 E OLIVE ST

PERMIT #: P16-1223

INSPECTION DATE: 07/28/2016

Description of Work: 5 foot cedar fence in street side yard. NOT in side yard setback.

Additions/Comments:

- 1) Correct installation of fence. Currently the fence exceeds the height limitations described in Section 225-8 of the Village municipal code.

### (2)

All fences erected or constructed in the front setback area as established under the provisions of § 535-19E(5) of the Village Code shall be limited to a height of no more than four feet; provided, however, that on corner lots, where adjacent to a public walk or street, all fences erected or constructed to a height of more than four feet shall conform to the building setback provisions of § 535-19E(5) of the Village Code.

**EXTENSION:** If an extension is needed to comply with this order, please forward a written request, addressed to the undersigned, stating your phone number, your mailing address, the action you are taking towards compliance and the anticipated completion date.

**APPEAL:** If after discussions with staff, you find that you are not in agreement with the enforcement of the above listed item(s), it is your right to appeal to Shorewood's Board of Appeals within 30 days of receipt of this order, where applicable. APPEALS SHALL NOT BE CONSIDERED FOR violations under Wisconsin's State Uniform Dwelling Code, Commercial Code or other state regulations. Please contact the Planning and Zoning Administrator at (414) 847-2647 to discuss your right to appeal. Forms and explanations are available at the Planning & Development Department at Village Hall or online on the Village website *villageofshorewood.org*.

**NEXT STEPS:** You are strongly encouraged to contact the Planning & Development Department as soon as you receive this letter so that we can work together to bring the above referenced violation(s) into compliance. Please call the Planning & Development Department at (414) 847-2640 Monday through Friday, 8am-4:30pm.

**YOU WILL HAVE 30 DAYS TO COMPLETE CORRECTIONS AND CALL FOR INSPECTION.**

**Re-inspection or additional fee payable BEFORE re-inspection \$ 30.00**

Please make check payable to Village of Shorewood

*Dawn A. Kenson*

**INSPECTOR**

**225-8 Fences & Retaining Walls.**

A. Definitions: As used in this section, the following terms shall have the meanings indicated:

**RETAINING WALL**

A wall of any material to resist the lateral displacement of soil, the slope of which is greater than 1.5 horizontal to 1 vertical.

B. Fences

- (1) All fences which extend 16 linear feet or more, or which are erected or constructed to a height of more than four feet, shall require a building permit and a fee as provided by the Village Fee Schedule.
- (2) All fences erected or constructed in the front setback area as established under the provisions of § 535-19E(5) of the Village Code shall be limited to a height of no more than four feet; provided, however, that on corner lots, where adjacent to a public walk or street, all fences erected or constructed to a height of more than four feet shall conform to the building setback provisions of § 535-19E(5) of the Village Code.
- (3) All fences erected directly across from any garage in an alley, the width of which is 15 feet or less, shall be set back a minimum of three feet from the alley line.

[Amended 9-4-1990 by Ord. No. 1582]

- (4) No fence shall be erected or constructed which exceeds a height of six feet.
- (5) No fence more than four feet in height may be erected between adjoining properties when the fence parallels an existing residence and the distance between the fence and the residence on either property is less than six feet.

[Amended 2-6-2004 by Ord. No. 1862]

- (6) All fences erected shall have the structural components thereof facing the side of the property for and on which the same are erected. Barbed wire shall not be used for fence purposes, and all fences shall be so constructed as to withstand a wind pressure of at least 30 pounds per square foot
- (7) Chain link and barbed style fences are prohibited in the Village of Shorewood, except, chain link fences with top barb ends knuckled are allowed in residential districts side yard or rear yard.
- (8) The height of any fence erected under this section shall be determined by the measurements from the uppermost point of the fence relative to the immediate existing adjacent ground level of the adjoining property.
- (9) All fences shall be erected within the dimensions of the lot according to survey. *Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I)*

## **Ericka Lang**

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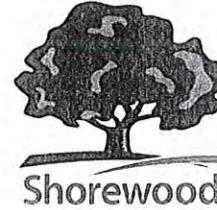
**From:** Joshua Yost <jmyost@gmail.com>  
**Sent:** Tuesday, September 13, 2016 12:49 PM  
**To:** Ericka Lang; Katie Yost  
**Subject:** 2500 E Olive Street

Ericka-

I regret that I will be unable to attend the appeals meeting this evening, but just wanted to provide some input supporting Tom and Laura Gough's appeal, and the inspector's request to lower the fence height. In this case, I fully support the fence at its current height. The nature of the corner lot and dwelling placement doesn't really fit with the inspector's reading of the ordinance as the fenced-in area is more appropriately a back yard in this case, which would allow for the higher fence. Additionally, the fence is gorgeous, and does not detract, but rather fits quite well with the aesthetic of the home and surrounding area. Thanks for your help!

Sincerely,  
Josh and Katie Yost  
4214 N Stowell Ave

September 7, 2016



## Notice of Board of Appeals Meeting Village of Shorewood

On **Tuesday, September 13, 2016** Shorewood's Board of Appeals will be hearing an appeal of a notice of correction to lower the height of the fence in the front yard to four feet at residential property 2500 E. Olive Street, property owners Mr. and Mrs. Tom Gough.

The meeting will be held in the **Village Hall Court Room** beginning at **5:30 p.m.**

Notice is required to be given to property owners within 100 feet of the property.

Please contact me if there are any questions regarding this.

Sincerely,

A handwritten signature in black ink that reads "Ericka Lang". The signature is fluid and cursive.

Ericka Lang, Planning & Zoning Administrator  
Village Hall  
3930 N. Murray Ave  
Shorewood, WI 53211  
414.847.2647

*We reside directly across the street at 2501 E Olive.  
We do not find the fence to be disturbing, and hope our good  
neighbors be allowed to keep them fence as is.*

A handwritten signature in blue ink that reads "Joe Kasper". The signature is cursive and includes a second line that appears to be "Andrew Kasper".

October 5, 2016



To: Board of Appeals- Meeting October 11, 2016  
Cc: Village Attorney Nathan Bayer  
From: Planning Director Ericka Lang

RE: Board of Appeals – 3564-66 N. Frederick Ave

The Village received a Board of Appeals application on September 9, 2016 from property owners Steve and Xiou Qiong Martinie, appealing the denial of a HVAC application that identifies an AC unit within the zoning street side yard setback. The applicant is requesting a variance to the zoning setback requirements.

The property has a side-by-side townhomes located on a corner in the R-6 Zoning District. The AC unit would serve the northern unit aside Menlo Ave.

Village zoning code section 535-19 F. (5) states:

*Setback: (c) Side: [2] street side: 25% of the width of the lot but not less than 10 feet, provided that the buildable width of the lot shall be not less than 20 feet.*

To meet zoning code setbacks, any structure on this parcel must be 31.25 feet from the street side property boundary. Per the attached survey, the width of the lot is 125 feet and the house is located 19.7 feet (averaged) from the side boundary along Menlo Avenue. The AC unit would be completely within the side yard setback. Given the house is not setback 31.25 feet from the property boundary, it is a legal nonconforming structure.

Materials provided:

1. BOA application
2. Pictures/aerials
3. Denial letter dated
4. Survey



# BOARD OF APPEALS APPLICATION

Village of Shorewood  
 Planning & Development Department  
 3930 N. Murray Avenue, Shorewood, WI 53211  
 Phone (414) 847-2640 Facsimile (414) 847-2648  
[www.villageofshorewood.org](http://www.villageofshorewood.org)

27389

The Board of Appeals has the authority to grant exceptions, variances or review appeals regarding Village official code interpretations. A *Variance* allows dimensional variations for items within the zoning code. Use variances are prohibited. *Special Exceptions* are granted for allowed uses when certain conditions must be met.

| OFFICE USE ONLY    |                       |
|--------------------|-----------------------|
| PERMIT #           | 16-1739 FEE: \$150.00 |
| DATE RECEIVED:     |                       |
| SCHEDULED MEETING: | OCT 11, 2016          |
| TAX KEY #          |                       |

| Property Address <sup>64-</sup> 3566 N. Frederic Duplex  |   |
|--|---|
| Owner's Information                                      | Applicant Information Contractor? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| Name Steve & Xiu Qiong Martinie                          | Name Owner  |
| Address 4955 North Lake Drive                            | Address   |
| City/State/Zip Whitefish Bay, WI 53217                   | City/State/Zip  |
| Phone # 414.332.9683 Alt # 414.239.1336                  | Phone # Alt #   |
| Email stevemartinie@gmail.com                            | Email   |
| Check if prefer Board of Appeals Meeting Agenda Emailed: | <input checked="" type="checkbox"/> OWNER <input type="checkbox"/> APPLICANT                          |

**I/We are requesting a:** (refer to guidelines for explanation)

variance  special exception  
 appeal to interpretation to allow

**Describe in detail the reason you are applying for a Board of Appeals application:**

We request an Area Variance allowing our contractor (Tomê Dependable Heating & Cooling, Inc.) to install an air conditioner condenser serving 3566 North Frederick Avenue.

**MATERIALS REQUIRED WHEN APPEAL IS PROPERTY-BASED (FIVE COLOR COPIES OF EACH):**

Picture – Of front of property taken from street curb  
 Picture(s) – Of property area in question  
 Property survey marked with appropriate dimensions

## Variance Granting Criteria

- Describe how the hardship is due to physical limitations (lot shape, lot size, grade, drainage, neighboring uses, access, etc.) of the property rather than the circumstances of the appellant (economic, family, personal, and physical [other than certified disability] hardships are not considered, nor are the nature, condition or configuration of structures or improvements on the property):  
 We are advised that the property is existing non-conforming in that it is subject to a 31.25 foot setback, but, since the north wall is 19.7 feet (averaged) from the north lot line, it does not meet the setback requirements. (This building was constructed in the late 1920s and is on a corner lot.)
- Describe how unnecessary hardship exists because compliance is unreasonably burdensome. The hardship must be unique to the property and cannot be self-created.  
 The hardship is that central air conditioning cannot be installed without a condenser. Central air conditioning can provide both comfort and health benefits to occupants of the property and is likely more energy efficient than window air conditioners. (Please see attachment for more details.)
- Describe how you think the granting of this variance would not harm public interest such as public safety, the environment, property values, etc.:  
 Since the condenser would be behind an existing fence, this location would meet the presumed purpose of shielding the view of the condenser from the street. Also, the condenser design is reasonably attractive. It will also tend to increase the property's value.

**OFFICE USE ONLY – Findings of the Board of Appeals after consideration of the criteria**

Reason for Application:

|                           |          |              |
|---------------------------|----------|--------------|
| Applicant's Appeal Ruling | APPROVED | NOT APPROVED |
|---------------------------|----------|--------------|

Reason for Ruling:

\* Please verify with the Planning and Development Department prior to placement on the Board of Appeals Agenda whether site plans or other documentation are required.

\* A copy of the Board of Appeals Meeting Agenda will be mailed to the applicant/contractor unless otherwise indicated or emailed if an email is provided.

*Steve Martin*

Applicant Signature

## Attachment to Board of Appeals Application

Additional information answering question # 2.

Central air conditioning condensers must be located outside of the building they serve. Other alternatives are worse:

1. Placing it on the east side would put it very close to or over the property line and near the windows of the adjacent property which faces Menlo.
2. Placing it on the west side would mean it would be visible in the front yard, facing Frederick Avenue, which we understand to be forbidden and certainly less attractive.
3. Placing it on south side would diminish the use of that small area by the tenants of 3564 North Frederick Avenue who do not benefit from the air conditioner for the north side unit. (This is a side-by-side or townhouse style duplex.) It would also be impracticable since the line-sets would run through the 3564 North Frederick Avenue townhouse and then cross over the walkway between the house and garage to reach a condenser on the south side.

# 3564-66 Frederick

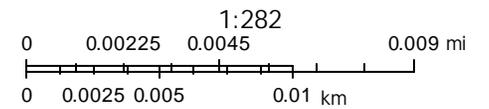


October 5, 2016

Address Numbers

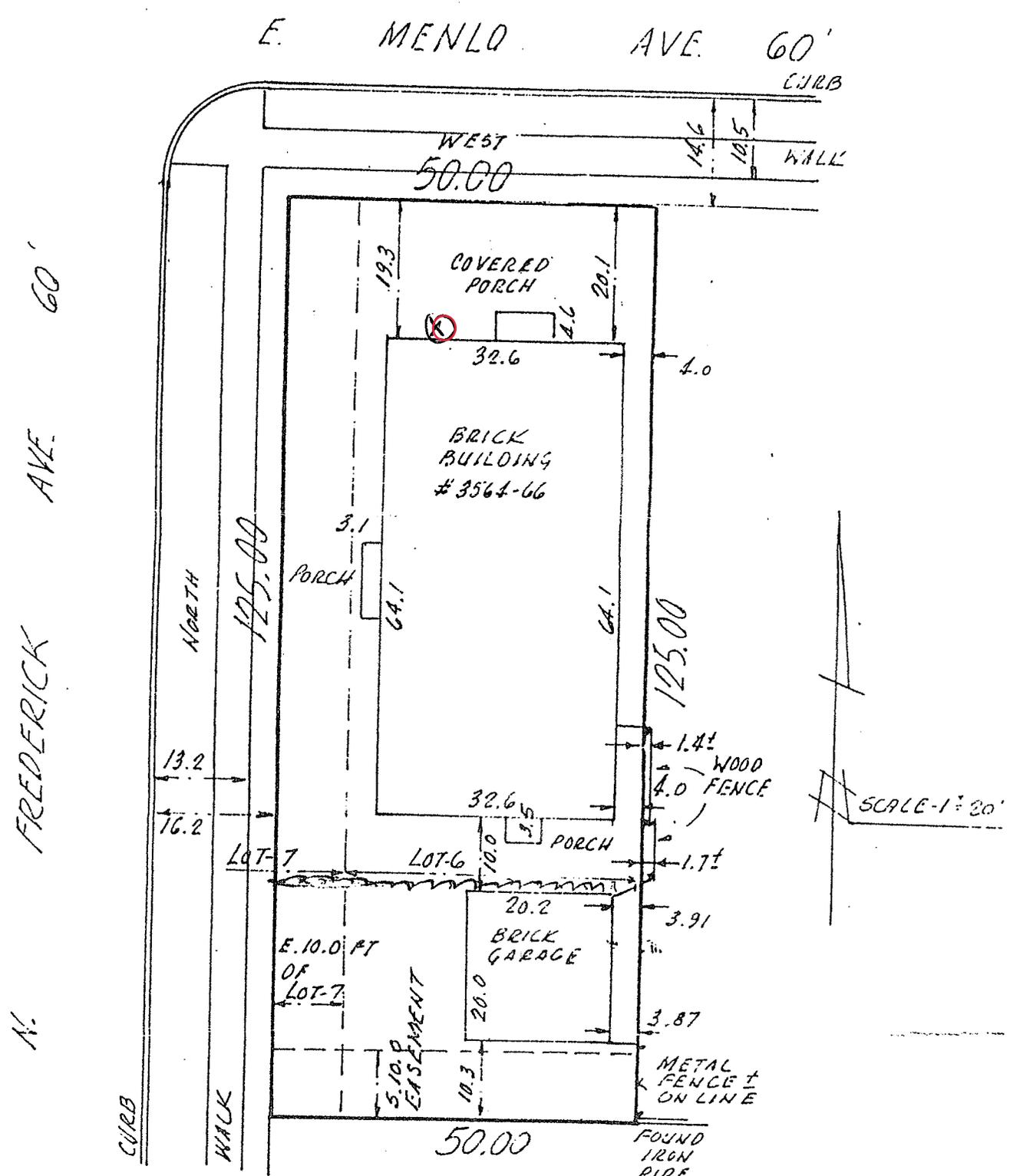
 Parcels

Streets



Milwaukee County Land Information Office





I Certify that I have surveyed the above described property (Property), and the above map is a true representation thereof and shows the size and location of the Property, its exterior boundaries, the location and dimensions of all visible structures thereon, boundary 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 date hereof.

*Kenneth E. Burke*  
SURVEYOR



THIS IS ORIGINAL  
PRINT ONLY IF  
SEAL IS IMPRINTED  
IN RED  
12-3564-66



September 09, 2016

Tom's Dependable Heating & Cooling INC  
3325 W Layton Ave.  
Greenfield, WI 53221  
414-282-377  
[judy@tomsdependable.com](mailto:judy@tomsdependable.com)

RE: 3566 N Frederick Ave. A/C Condenser unit

To whom it concerns,

Your HVAC application for the placement of the air conditioner condensing unit at 3566 N Frederick Ave. has been respectfully denied per Village Code 535-19 F.(5). Your application was submitted September 2, 2016.

The property is located in the R-6 Zoning District; Village code section 535-19 F. (5) states: Setback:

(b) Rear, minimum: three feet.

(c) Side: [1] Interior, minimum: three feet.

**[2] Street side:** 25% of the width of the lot but not less than 10 feet, provided that the buildable width of the lot shall be not less than 20 feet.

The street side yard setback for the property is 31.25'. The property is 19.7' feet (averaged) from the North property line making it an existing non-conforming parcel; placing the condensing unit on the North side of the dwelling would make it entirely within the street side yard setback which is prohibited.

Should you decide to appeal, please submit your Board of Appeals application and supporting materials on or before September 21, 2016. The next scheduled meeting will be held on October 11, 2016 at 5:30 pm. The applicant or a representative must be present for the application to be heard.

I may be reached at 414-847-2643 should you have any questions.

Respectfully,

Justin Burris  
Building Inspector  
Planning & Development Department

Cc: Property Owner

# APPLICATION FOR ELECTRICAL PERMIT

Village of Shorewood  
 Planning & Development Department  
 3930 N. Murray Avenue, Shorewood, WI 53211  
 Phone (414) 847-2640 Facsimile (414) 847-2648  
 www.villageofshorewood.org



27473

Rough and Final inspections are required on all work covered by this permit  
 Permits are Valid for four (4) Months

CALL FOR ALL INSPECTIONS  
 24- 48 HOUR ADVANCE NOTIFICATION REQUIRED

INSPECTIONS MONDAY THROUGH FRIDAY  
 10:00 A.M. - 12 NOON & 1:00 - 3:00 P.M.

| OFFICE USE ONLY |         |
|-----------------|---------|
| PERMIT #        | 16-1853 |
| APPROVAL DATE   | 9.19.16 |

|  |  |
|--|--|
| Job Address <u>3566 N Frederick Ave</u>  | Building Type (circle) <u>(SF)</u> DUP MULTI COMM CONDO PUBLIC |
| Job Description, Location on site & Cost of Job (PLEASE INCLUDE ALL INFORMATION REQUESTED)<br><u>wire A/C; attic + outside; \$600.00</u> |  |
| Owner's Information  | Contractor's Information (PLEASE PRINT)                        |
| Name <u>Martinie, Steve</u>  | Name <u>ELECTRIC SERVICES OF WI, LLC</u>                       |
| Address <u>3566 N Frederick Ave</u>  | Address <u>4704 S. 47th St.</u>                                |
| City/State/Zip <u>Shorewood WI 53211</u>   | City/State/Zip <u>GREENFIELD WI 53220</u>                      |
| Phone <u>414-332-9683</u>  | Phone <u>414-282-6682</u>                                      |
| Property Tax Key #   | Shwd Lic. # <u>171180</u> Business Credential # <u>1102142</u> |

| Description  | Rate(s)           | Qty.         | Amount  |
|--|-------------------|--------------|---------|
| Devices (fixtures, switches, receptacles, etc.)  | \$.75 ea          |              |         |
| All tubular discharge lamps (fixture mounted)  | \$.50/Tube        |              |         |
| Arc, mercury, quartz, AV, other search or floodlight or HID Fixture  | \$5.00 ea         |              |         |
| Illuminated sign   | \$35.00 ea        |              |         |
| Dimmer - recessed (1000 watts or above)  | \$3.00 ea         |              |         |
| Pole-mounted fixture, area lighting pole   | \$10.00 ea        |              |         |
| Automatic heating system, gas or oil, other heating devices - duct, floor, wall, baseboards, cables ( CSST must be bonded) | \$15.00 ea        |              |         |
| Central air conditioner - residential **   | \$15.00 ea        | 1            | 15.00   |
| Central air conditioner - commercial (3HP and up)  | \$25.00 ea        |              |         |
| Unit air conditioners; wall insert type (up to 3 HP)   | \$12.00 ea        |              |         |
| Other refrigeration - air handling, compressors  | \$12.00 ea        | 1            | 12.00   |
| CSST Grounding   | \$15.00 ea        |              |         |
| Commercial Building Grounding  | \$15.00 ea        |              |         |
| Dishwasher, disposal, dryer, range, cook top, water heater, whirl pool/hot tub (circle)                                    | \$12.00 ea        |              |         |
| Exhaust hood/fan, vacuum cleaner, low voltage transformer, paddle fan (circle)   | \$5.00 ea         |              |         |
| Exhaust system - Commercial  | \$25.00 ea        |              |         |
| Bus way, wire way, under floor raceway, ect. - per foot  | \$1.00/Foot       |              |         |
| Strip lighting, Plug-in Strip, trolley duct, ect - per foot  | \$.50/Foot        |              |         |
| Fire alarm, exit, or fuel dispensing system, Class 1-3, less than 50 volt system   | \$50.00/System    |              |         |
| Motors - each HP or fraction thereof   | \$.75/HP          |              |         |
| Services:  |                   |              |         |
| A. 0-100 Amp service/feeders   | \$30.00 ea        |              |         |
| B. 101-200 Amp service (per service)   | \$45.00 ea        |              |         |
| C. Each additional 100 Amps (per service)  | \$15.00 ea        |              |         |
| D. Each additional service switch or disconnect switch   | \$15.00 ea        |              |         |
| Generator, rectifier, transformer  | \$1.50/kw         |              |         |
| <b>Additional Charges</b>  |                   |              |         |
| Re-inspection fee or failure to arrange final inspection within 15 days of completion                                      | \$30.00           |              |         |
| On-site information  | \$25.00/ 1/2 Hour |              |         |
| <b>Additional Information</b>  |                   |              |         |
| Is this part of a non-compliance statement? <u>(N)</u> Y, CC#  | Subtotal Fees     |              | 12.00   |
| Is this part of an occupancy correction notice? <u>(N)</u> Y, Permit #   | Or Minimum Fee    | -            | \$60.00 |
| Failure to procure permit - TRIPLE TOTAL FEES  | 3x Total Fee      | Y <u>(N)</u> |         |
|  | Total Fee         |              | 60.00   |

Triple fees shall be chargeable to all applicants hereunder who fail to obtain a permit before work has been started. No further permits shall be issued to any applicant who owes fees to the Village or who failed to comply with any lawful orders of the Village inspector. It is agreed and understood that all work shall be done in accordance with the state of Wisconsin's applicable codes and ordinances of the Village of Shorewood. (11/2011)

Contractor's Signature [Signature]

Date 08/30/16



# APPLICATION FOR HVAC PERMIT

Village of Shorewood  
 Planning & Development Department  
 3930 N. Murray Avenue, Shorewood, WI 53211  
 Phone (414) 847-2640 Facsimile (414) 847-2648  
 www.villageofshorewood.org

27341

Rough and Final inspections are required on all work covered by this permit  
 Permits are Valid for four (4) Months

| OFFICE USE ONLY |             |
|-----------------|-------------|
| PERMIT #        | 16-16916    |
| APPROVAL DATE   | 9-2-16 J.H. |
| TAX KEY #       |             |

CALL FOR ALL INSPECTIONS  
 24-48 HOUR ADVANCE NOTIFICATION REQUIRED

INSPECTIONS MONDAY THROUGH FRIDAY  
 9:00 - 12 NOON & 1:00 - 3:30 P.M.

| Job Address: 3566 N. Frederick                          | Building Type: Single Family Town House              |                          |                       |
|---|--|--------------------------|-----------------------|
| Description of Work: INSTALL Ductwork A/C + Air Handler |  |                          |                       |
| Job Location: First Floor, 2nd Floor, 3rd Floor         | Cost of Job: 7,400.00                                |                          |                       |
| Owner's Information/Occupant's Information              |  | Contractor's Information |                       |
| Name: Steve Martine                                     | Name: Tom Weiss - Tom's Dependable Htg & Cooling Inc | Name:                    | Name:                 |
| Address: 4955 N. Lake Dr                                | Address: 3325 W. Madison                             | Address:                 | Address:              |
| City/State/Zip: Whitfish Bay, WI 53217                  | City/State/Zip: Greenfield WI 53221                  | City/State/Zip:          | City/State/Zip:       |
| Phone: (414) 332-9683                                   | Phone: (414) 282-3377                                | Phone:                   | HVAC LICENSE #: 22066 |
| Email:  | Email: judy@tomsdependable.com                       | Email:                   | Email:                |

| Description  | Rate(s)           | Qty.   | Amount  |
|--|-------------------|--|---------|
| ***Code Gas Valves Required on replacements of furnace or boiler   |                   |  |         |
| Heating Units: 150,000 BTU's input or under, including ducts ***   | \$40.00           |  | 0.00    |
| Each additional 50,000 BTU's or fraction thereof   | \$15.00           |  | 0.00    |
| Air handler  | \$40.00           | 1  | 40.00   |
| Boiler: 150,000 BTU's input or under ***   | \$40.00           |  | 0.00    |
| Each additional 50,000 BTU's or fraction thereof   | \$15.00           |  | 0.00    |
| Backflow preventers (REQUIRED) (Replace with boiler replacement)   | \$15.00           |  | 0.00    |
| Humidifiers NO SADDLE FITTINGS ON WATER SUPPLY   | \$20.00           |  | 0.00    |
| Air Conditioners, other than wall units  | \$40.00           | 1  | 40.00   |
| Permanently-installed wall units   | \$20.00           |  | 0.00    |
| In Floor Heating and Radiators   | \$40.00           |  | 0.00    |
| Duct work  | \$40.00           | 1  | 40.00   |
| Commercial Exhaust Hood(s)   | \$40.00           |  | 0.00    |
| Additional Charges   |                   |  |         |
| Re-inspection Fee  | \$30.00           |  | 0.00    |
| Failure to arrange final inspection within 15 days of completion   | \$50.00           |  | 0.00    |
| On Site Information  | \$25.00/ 1/2 Hour |  | 0.00    |
| Additional Information   |                   | Final Charges  |         |
| Is this part of a non-compliance statement? <input checked="" type="checkbox"/> N <input type="checkbox"/> Y, CC #         | Subtotal Fees     | -  | 120.00  |
| Is this part of an occupancy correction notice? <input checked="" type="checkbox"/> N <input type="checkbox"/> Y, Permit # | Or Minimum Fee    | \$60.00  |         |
| Electrical Contractor ( if required): Electric Services  | 3x Total Fee      | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N |         |
|  | Total Permit Fee  |  | 4120.00 |

Contractor's Signature Thomas A Weiss

Date 8/26/16

October 5, 2016



To: Board of Appeals- Meeting October 11, 2016  
Cc: Nathan Bayer  
From: Ericka Lang, Planning Director

RE: Board of Appeals – 1701-03 E. Menlo Blvd.

The Village received a Board of Appeals application on September 7, 2016 from property owner/landlord James Curro, appealing the decision of the building inspector that denied a building application to construct a rear parking slab. The property does not have a garage and the application was denied because all single family and two family dwellings must provide a garage.

The property is located in the R-6 Zoning District; Village code section 535-9-F (4) Site Restrictions states: “Driveway shall not be constructed unless they lead to a garage” and Village code section 535-47 A. (4) (b) Schedule of requirements states: “Two-family dwellings: one space in an approved garage per dwelling unit” requiring a Two-family dwelling to have a two car garage and allows up to a two-car parking slab.

The lot is 47.55 feet wide and 109.99 feet deep. The pictures provided show the steep grade change at the rear of the property- approximately 20 feet of the depth of the lot is this grade change. A contour map is provided and shows that there is a seven to eight foot drop down from the proposed parking slab to the rear parcel boundary.

The code requires a two-car garage, which equates to a garage that is a minimum of 20' x 20'. In the opinion of village staff, there is space for a two-car garage in the rear lot. The house was built in 1943 without a garage, making it legal nonconforming use of lot.

Materials provided:

1. BOA application
2. Pictures
3. Denial letter
4. Contour map
5. Block map
6. Zoning code sections



21371

# BOARD OF APPEALS APPLICATION

Village of Shorewood

Planning & Development Department  
3930 N. Murray Avenue, Shorewood, WI 53211  
Phone (414) 847-2640 Facsimile (414) 847-2648 [www.villageofshorewood.org](http://www.villageofshorewood.org)

Village of Shorewood  
Date 09/07/2016 11:43:50 AM  
027371  
Receipt 121768  
Amount \$150.00

The Board of Appeals has the authority to grant exceptions, variances or review appeals regarding Village official code interpretations. A *Variance* allows dimensional variations for items within the zoning code. Use variances are prohibited. *Special Exceptions* are granted for allowed uses when certain conditions must be met.

| OFFICE USE ONLY    |                      |
|--------------------|----------------------|
| PERMIT #           | 16-172 FEE: \$150.00 |
| DATE RECEIVED:     | 9.7.16               |
| SCHEDULED MEETING: | OCT 11, 2016         |
| TAX KEY #          |                      |

|  |                             |                              |             |
|--|-----------------------------|------------------------------|-------------|
| Property Address <b>1701-03 Menlo Blvd.</b>              |                             |                              |             |
| <b>Owner's Information</b>                               |                             | <b>Applicant Information</b> |             |
| Name   | <b>JAMES J. CURRO</b>       | Name                         | <b>SAME</b> |
| Address  | <b>2520 E. STRATFORD CT</b> | Address                      |             |
| City/State/Zip   | <b>SHOREWOOD, WI 53211</b>  | City/State/Zip               |             |
| Phone #  | <b>414-704-6761</b>         | Phone #                      |             |
| Alt #  |                             | Alt #                        |             |
| Email  | <b>Jimmycurro@gmail.com</b> | Email                        |             |
| Check if prefer Board of Appeals Meeting Agenda Emailed: |                             | OWNER                        | APPLICANT   |

**I/We are requesting a: (refer to guidelines for explanation) variance special exception appeal to interpretation to allow**

Describe in detail the reason you are applying for a Board of Appeals application:

**MATERIALS REQUIRED WHEN APPEAL IS PROPERTY-BASED (FIVE COLOR COPIES OF EACH) :**

- Picture – Of front of property taken from street curb
- Picture(s) – Of property area in question
- Property survey marked with appropriate dimensions

## Variance Granting Criteria

- Describe how the hardship is due to physical limitations (lot shape, lot size, grade, drainage, neighboring uses, access, etc.) of the property rather than the circumstances of the appellant (economic, family, personal, and physical [other than certified disability] hardships are not considered, nor are the nature, condition or configuration of structures or improvements on the property): **A GARAGE NEVER EXISTED AT THIS PROPERTY, THE CONCRETE DRIVEWAY ALWAYS HAS ENDED AT THE BACK OF THE HOUSE AND A GRAVEL PARKING AREA AFTER THAT FOR 16 YRS**
- Describe how unnecessary hardship exists because compliance is unreasonably burdensome. The hardship must be unique to the property and cannot be self-created. **THERE WOULD BE TREE AND WIRE ISSUES ASSOCIATED WITH A GARAGE, PLUS IT WOULD ELIMINATE 2 EXISTING PARKING SPOTS**
- Describe how you think the granting of this variance would **not** harm public interest such as public safety, the environment, property values, etc.: **IT WOULD JUST TAKE A 16YR EXISTING PARKING SPACE OF GRAVEL AND MAKE IT CONCRETE**

**OFFICE USE ONLY – Findings of the Board of Appeals after consideration of the criteria**

Reason for Application:

Applicant's Appeal Ruling

APPROVED

NOT APPROVED

Reason for Ruling:

\* Please verify with the Planning and Development Department prior to placement on the Board of Appeals Agenda whether site plans or other documentation are required.

\* A copy of the Board of Appeals Meeting Agenda will be mailed to the applicant/contractor unless otherwise indicated or emailed if an email is provided.

  
Applicant Signature

1977 survey

# BADGER SURVEYING CO., INC.

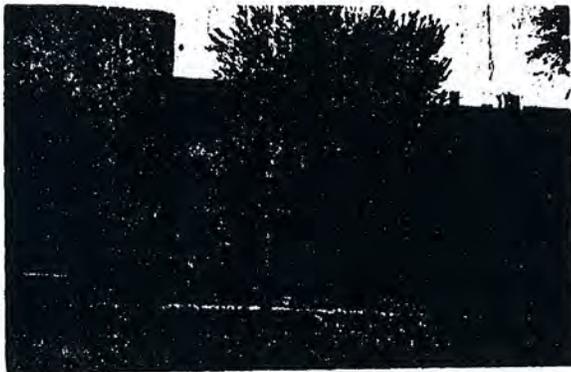
7970 NORTH 47TH ST. BROWN DEER, WISCONSIN 53223  
PHONE 354-9080

CLARENCE H. PIEPENBURG, PRESIDENT  
REGISTERED LAND SURVEYOR

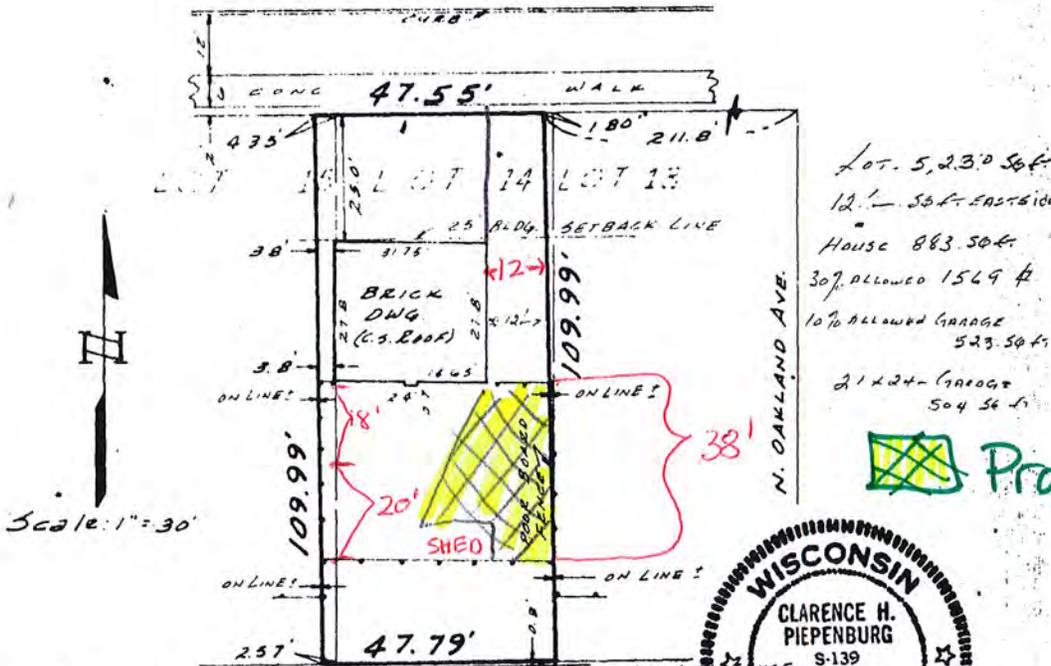
PROPERTY AT 1701-03 E. Menlo Ave.

OWNER

**LEGAL DESCRIPTION** — Part of Lots 13, 14 and 15, bounded and described as follows, to-wit: Commencing at a point in the south line of E. Menlo Blvd., that point being 1.80 feet west of the northeast corner of Lot 14; thence West on and along the south line of E. Menlo Blvd., 47.55 feet to a point; said point being 4.35 feet west of the northeast corner of said Lot 15; thence southerly 109.99 feet to a point in the south line of Lot 15, said point being 2.57 feet west of the southeast corner of said Lot 15; thence East on and along the said south line of Lot 15, 14, and 13, 47.79 feet to a point; thence Northerly 109.99 feet to the place of beginning, all in Block 1, in Ravina Park, in the North East 1/4 of Section 9, Township 7 North, Range 22 East, in the Village of Shorewood, Milwaukee County, Wisconsin



E. MENLO AVE.



Proposed slab

"I have surveyed the above-described property, and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all structures thereon, fences, apparent easements, roadways and visible encroachments.

This survey is made for the exclusive use of the present owners of the property; also those who purchase, mortgage, or guarantee the title thereto, within one year from date hereof, and as to them I warrant the accuracy of said survey and map.

Prepared For John Movroydis  
at Brown Deer, Wisconsin this 8th Day of August 1977



THIS IS AN ORIGINAL PRINT ONLY  
IF SEAL IS IMPRINTED IN RED  
26 - 1701-03



September 7, 2016

Mr. James J. Curro  
2520 E. Stratford Ct.  
Shorewood, WI 53211

Dear Mr. Curro,

Your building permit application for the paving of a rear yard parking area at property 1701-03 E. Menlo Blvd. has been respectfully denied per Village Codes 535-9 F. (4) and 535-47 A. (4) (b). Your application was submitted September 7, 2016.

The property is located in the R-6 Zoning District; Village code section 535-9-F (4) Site Restrictions states: "Driveways shall not be constructed unless they lead to a garage" and Village code section 535-47 A. (4) (b) Schedule of requirements states: " Two-family dwellings: one space in an approved garage per dwelling unit" requiring a Two-family dwelling to have a two car garage and allows up to a two-car parking slab.

There is no record of a garage ever having been constructed at 1701-03 E. Menlo making it existing non-conforming. The building permit application for the parking area has been denied due to the driveway not leading to a garage.

You do have the right to appeal this decision, or provide new plans for the replacement of the driveway to include the construction of a garage. (See attached Board of Appeals Application).

I may be reached at 414-847-2643 should you have any questions.

Respectfully,

Justin Burris  
Building Inspector  
Planning & Development Department  
3930 N. Murray Ave.  
Shorewood, WI 53211



# APPLICATION FOR BUILDING PERMIT

Village of Shorewood  
Planning & Development Department  
3930 N. Murray Avenue, Shorewood, WI 53211  
Phone (414) 847-2640 Facsimile (414) 847-2648  
www.villageofshorewood.org

### TYPE OF WORK: CHECK ONE

- Addition
- Fence/Wall
- Garage/Shed
- Alteration/Finish
- Deck/Patio
- Pool/Hot Tub
- Roof
- Driveway
- Concrete work (front stoop, other)
- Demolition
- Renovation
- Other, explain \_\_\_\_\_

Final inspection is required when work is completed.  
Forms inspections are required before concrete pours.  
Rough inspections may be required, please ask.

| OFFICE USE ONLY         |                             |
|-------------------------|-----------------------------|
| PERMIT # <u>16-1720</u> | FEE: <u>\$60.00</u>         |
| APPROVAL DATE _____     | PLAN REVIEW \$45 <u>Y</u> N |

|   |  |
|---|--|
| Job Address <u>1701-03 Menlo</u>                | Building Type (circle) SF <u>(DUP)</u> MULTI COMM CONDO PUBLIC |
| <b>Owner's Information</b>                      | <b>Contractor's Information</b>                                |
| Name <u>ELIZABETH SHARP</u>                     | Name <u>Jim's Home Improvement</u>                             |
| Address <u>2520 E. STRATFORD CT</u>             | Address <u>2520 E. STRATFORD CT</u>                            |
| City/State/Zip <u>SHOREWOOD, WI 53211</u>       | City/State/Zip <u>SHOREWOOD, WI 53211</u>                      |
| Phone <u>414-704-1301</u>                       | Phone <u>414-704-6767</u>                                      |
| EMAIL _____                                     | EMAIL <u>JimmyCurro@gmail.com</u>                              |
| DC # _____                                      | DCQ# _____   |
| Cautionary Statement (if applicable) N <u>Y</u> | LEAD CERTIFIC. SAFE RENOVATOR LIC. # _____                     |

**Describe work in detail (include floor levels or where work is being done)**

INSTALL CONCRETE FLATWORK IN REAR OF THE HOUSE, APPROX 800 SQ FT FOR PARKING AT 1701/1703 E. MENLO BLVD

**Estimated Cost of Job \$** 2000.00 *Permit voided 4 months from issuance if no work started or if building operations cease for more 4 months. Call to request extension.*

|  |                                |
|--|--------------------------------|
| Is this part of an Occupancy permit correction request? <u>(N)</u> Y | If Yes, Permit # _____         |
| Is this part of a Non-Compliance Statement? N <u>(Y)</u>             | If Yes, Permit # <u>151625</u> |
| Are plans, sketches or drawings attached?                            | <u>(YES)</u> NO NA             |
| Is a certified plot plan or survey attached?                         | <u>(YES)</u> NO NA             |
| Have your plans been approved by the Department of Commerce?         | YES <u>(NO)</u> NA             |

### OFFICE USE ONLY - Conditions of Approval

|  |     |    |               |
|--|-----|----|---------------|
| Design Review Board Approval Needed (circle one) | YES | NO | Approval Date |
|--|-----|----|---------------|

James J. Curro  
Signature of Owner/ Architect/ Contractor (circle one)

JAMES J. CURRO  
Print Name

9-7-16  
Date

Triple fees shall be chargeable to all applicants hereunder who fail to obtain a permit before work has been started. No further permits shall be issued to any applicant who owes fees to the Village or who failed to comply with any lawful orders of the Village inspector. It is agreed and understood that all work shall be done in accordance with the state of Wisconsin's applicable codes and ordinances of the Village of Shorewood.

NOTE: COMMERCIAL BUILDING OR LARGE SCALE REMODEL OR ALTERATION WORK WILL BE SUBJECT TO A PLAN EXAMINATION FEE.  
NOTE: COMMERCIAL BUILDING REMODEL OR ALTERATION WORK WILL BE REQUIRED TO SUBMIT AN APPLICATION TO THE FIRE DEPT.

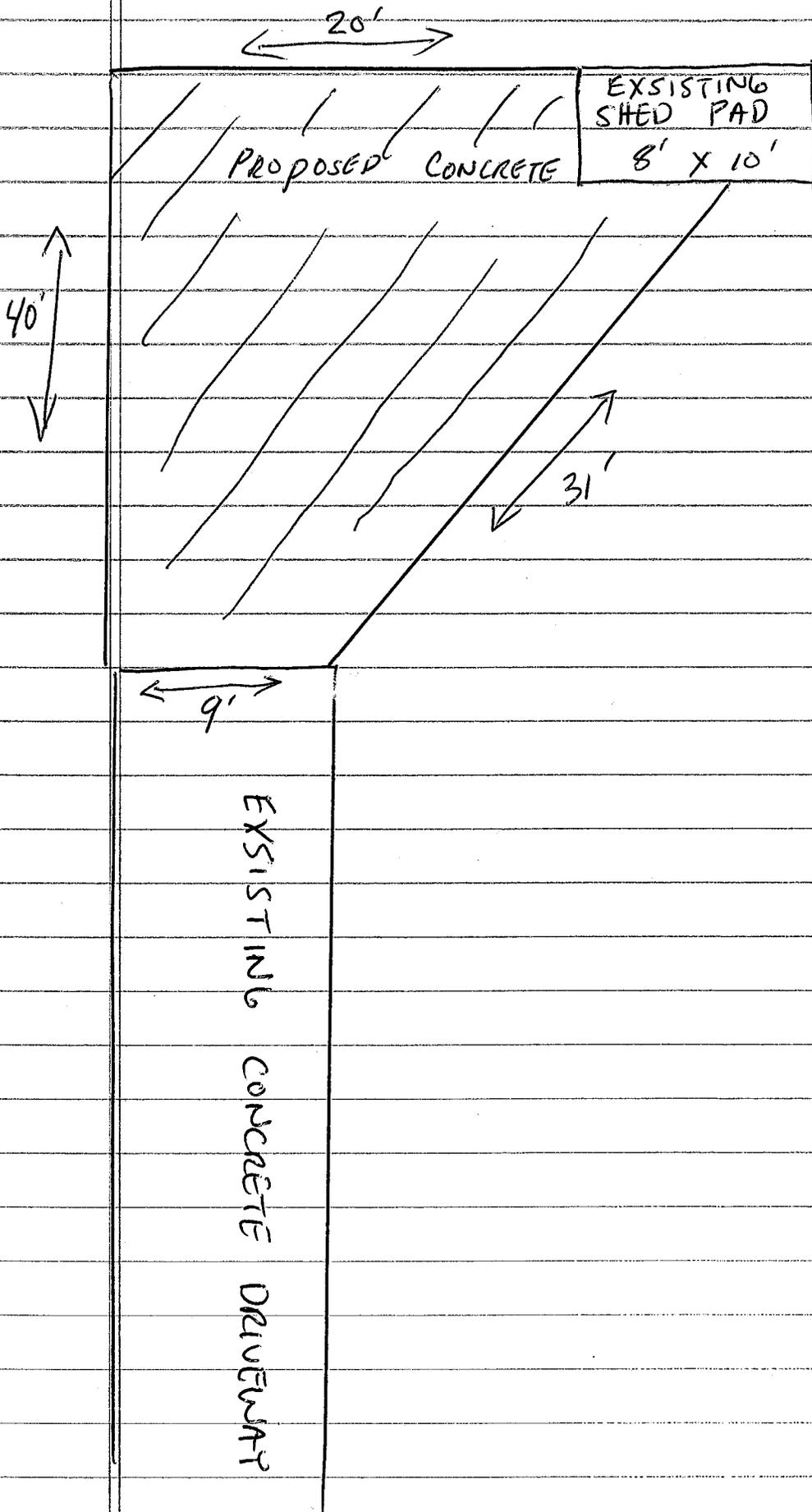
Electrical Contractor \_\_\_\_\_

Plumbing Contractor \_\_\_\_\_

Heating Contractor \_\_\_\_\_

|   |                |
|---|----------------|
| Missed Appointment                          | \$30.00        |
| Failure to Call in Final Inspection         | \$50.00        |
| \$9.00 per \$1,000 of estimated cost of job |                |
| Commercial NEW construction                 | \$0.25/SQ. FT. |
| \$60.00 minimum fee                         |                |

1701 / 1703 E. MENLO BLVD



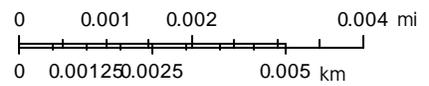
# 1701 Menlo



October 5, 2016

1:141

Address Numbers

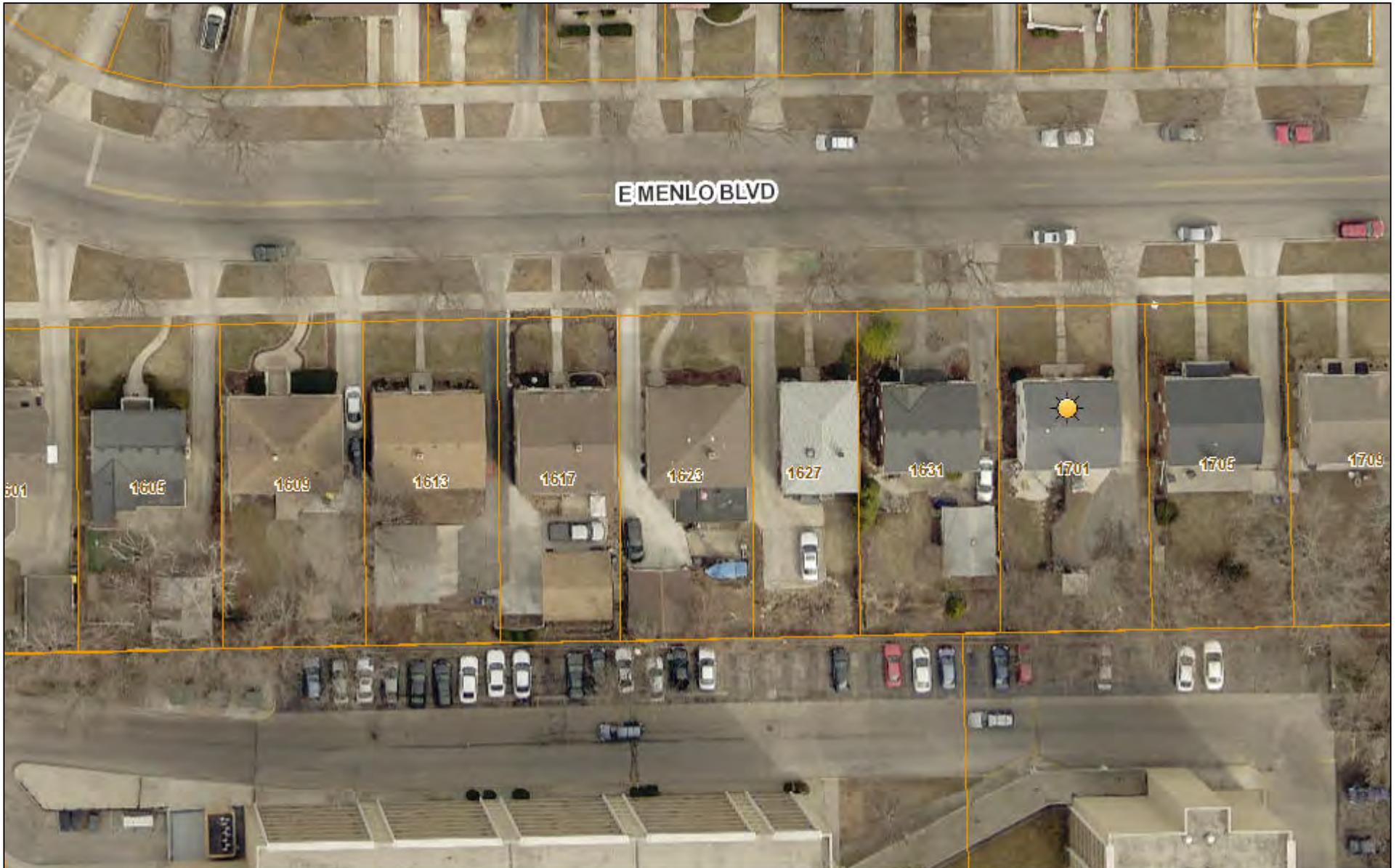


 Parcels

Streets

Milwaukee County Land Information Office

# 1701 Menlo

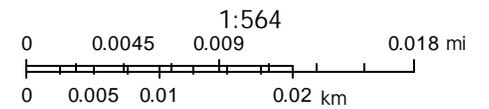


October 5, 2016

Address Numbers

 Parcels

Streets



Milwaukee County Land Information Office







1627-29 E. Menlo Blvd



1609 E. Menlo Blvd rear yard

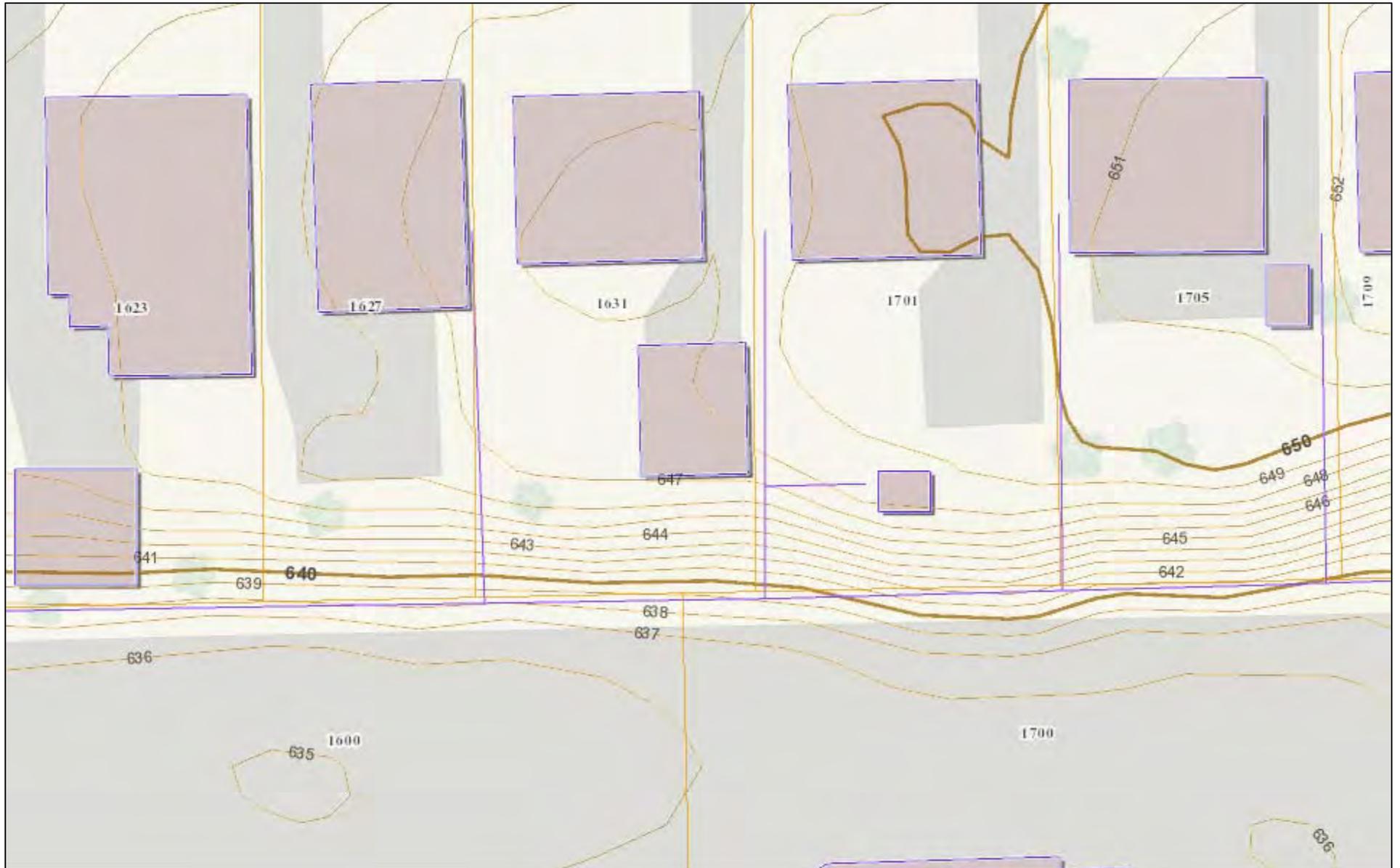


1709-11 E. Menlo Blvd rear yard



1705-07 E. Menlo Blvd rear yard

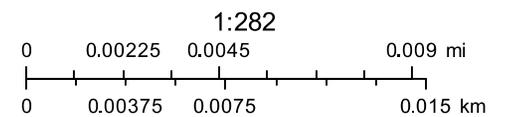




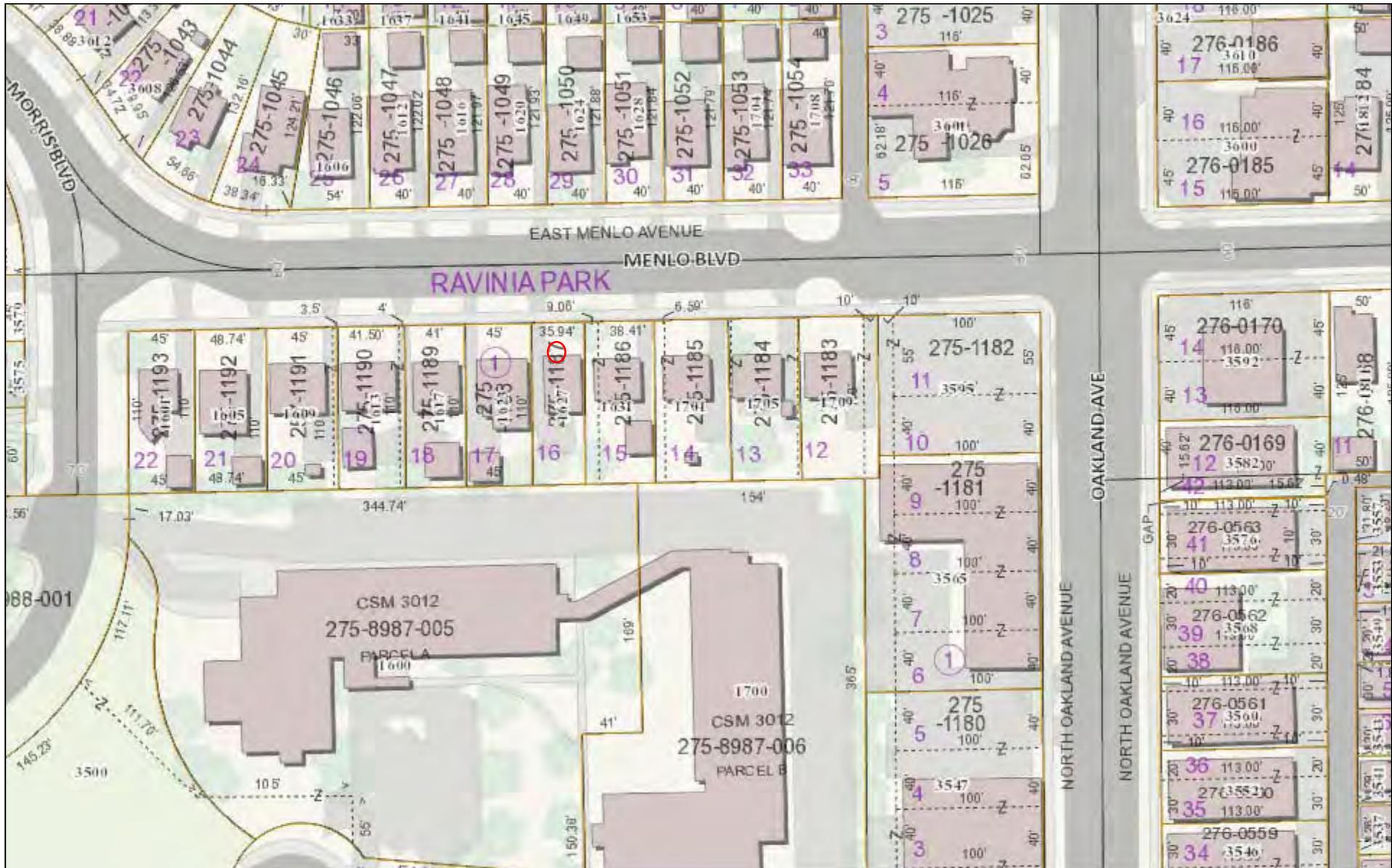
April 19, 2016

Address Numbers

Parcels



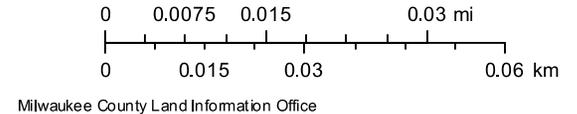
Milwaukee County Land Information Office



April 19, 2016

1:1,128

- |                 |                           |              |  |                 |
|-----------------|---------------------------|--------------|--|-----------------|
| Address Numbers | <b>Taxparcel Boundary</b> | <b>ROW</b>   | <b>Carto Line</b>                        | --- Easement    |
| Parcels         | ParcelLine                | Right of Way | Extended Tie Line, Hook, or PT           | - MeanderLine   |
| Road Labels     | ExtParcelLine             | Railway      | Dimension, Identification, or Note Arrow | █ CivilDivision |
|                 |                           |              | ... TieLine                              |                 |



Milwaukee County Land Information Office

Village of Shorewood, WI  
Thursday, October 6, 2016

## Chapter 535. Zoning

### Article III. General Provisions

#### § 535-9. Site restrictions.

- A. Unsuitable land. No land shall be used or structure erected where the land is held unsuitable for such use or structure by the Planning and Development Department by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, unfavorable topography, low percolation rate or bearing strength, erosion susceptibility, or any other feature likely to be harmful to the health, safety, prosperity, aesthetics and general welfare of this community.
- B. Lots. All lots shall abut upon a public street, and each lot shall have a minimum frontage of 40 feet except as otherwise provided in this chapter.
- C. Buildable lot. No lot shall be considered a buildable lot if it abuts a public street dedicated to only a portion of its proposed width and located on that side thereof from which the required dedication has not been secured.
- D. Building on divided or replatted lot. It shall be unlawful for any person, firm or corporation to erect any building or structure on a lot divided or replatted in violation of the area and frontage requirements of the district where located, except as provided under § **535-22** of this chapter.
- E. Principal structures. All principal structures shall be located on a lot, and only one principal structure shall be located, erected, or moved onto a lot unless otherwise provided in this chapter.
- F. Decks, patios and driveways.
- (1) No deck, patio, or driveway shall be constructed unless a Village building permit is applied for and issued by the Village in accordance with the requirements of the Village Code.
  - (2) Decks shall not be located in the front yard or the side or rear setback of a lot, and patios shall not be located in the side or rear setback of a lot.
  - (3) Patios may be located in the front yard or street side yard only when constructed within the following parameters:  
[Amended 2-16-2016 by Ord. No. 2059]
    - (a) No more than 30% of any front yard or street side yard may be covered by a patio.
    - (b) One entire side of a patio must be directly adjacent to the principal structure of the lot.
    - (c) Front yard patios and street side yard patios shall not be more than three feet from the property front yard and street side yard lot line.
    - (d) A scale drawing of the proposed layout of a new front yard or street side yard patio must be completed, along with a list of proposed materials to be used in construction, all of which shall be submitted to the Design Review Board for review and approval. All materials must be of high quality, such as cut stone, Lannon or blue stone, or decorative concrete. In addition the stone surface shall be screened from public view by natural vegetation. No fences shall serve as the primary screening materials.
  - (4) Driveways shall not be constructed unless they lead to a garage, except that circular driveways may be located in the front yard, provided that there is a garage or a garage is being constructed on the lot contemporaneously and provided that:
    - (a) An applicant for a permit to construct a circular driveway must submit a sketch of the proposed layout and landscape screening in addition to any other information that the Building Inspector or the Design Review Board may reasonably require in order to comply with this section;
    - (b) The design and materials used are aesthetically compatible with the surrounding neighborhood;
    - (c) The width of the lot at the front property line is at least 60 feet to allow for an adequate turning radius;
    - (d) There is landscaping necessary to adequately screen it from street view that does not impair the vision triangle; and

- (e) The plans, including the landscaping, have been reviewed and approved by the Design Review Board.
- (5) Newly constructed or reconstructed driveways shall have a minimum width of eight feet. In cases of reconstruction of driveways the Building Inspector may waive the minimum width where it is not practically possible to reconstruct an existing driveway to that width, but the reconstructed driveway may not be narrower than it was prior to reconstruction.
- G. At least 30% of each lot shall be planted with grass, shrubs, trees or other forms of vegetation.
- H. River shorelands.  
[Added 10-23-2006 by Ord. No. 1917]
  - (1) Findings of fact. Uncontrolled use of the shorelands and pollution of the navigable waters in the Village of Shorewood would adversely affect the public health, safety, convenience, and general welfare and impair the tax base.
  - (2) Purpose. For the purpose of promoting the public health, safety, convenience and welfare, this Subsection **H** has been established to:
    - (a) Further the maintenance of safe and healthful conditions and prevent and control water pollution through:
      - [1] Limiting structures to those areas where soil and geological conditions will provide a safe foundation.
      - [2] Controlling filling and grading to prevent serious soil erosion problems.
    - (b) Protect spawning grounds, fish and aquatic life through:
      - [1] Preserving wetlands and other fish and aquatic habitat.
      - [2] Regulating pollution sources.
      - [3] Controlling shoreline alterations.
      - [4] Reducing effluent and controlling nutrients.
    - (c) Control placement of structures and activities through:
      - [1] Prohibiting certain activities detrimental to the shoreland area.
      - [2] Regulating building setbacks from the river.
    - (d) Preserve shore cover and natural beauty through:
      - [1] Restricting the removal of natural shoreland cover.
      - [2] Preventing shoreline encroachment by structures.
      - [3] Controlling shoreland excavation and other earthmoving activities.
  - (3) Areas to be regulated.
    - (a) Areas regulated by this Subsection **H** shall include all the lands (referred to herein as "shorelands") in the Village of Shorewood which are located within the described boundaries:
      - [1] South of Capitol Drive. The Milwaukee County Park System Trail to the east, East Capitol Drive to the north, the ordinary high-water mark of Milwaukee River to the west, and Village limits to the south.
      - [2] North of Capitol Drive. Estabrook Parkway Road, Village limits to the north, the ordinary high-water mark of Milwaukee River to the west, and East Capitol Drive to the south.
    - (b) The area regulated by this Subsection **H**, generally described herein, is shown on a map dated October 1, 2006, that is maintained and available for inspection at the Village Hall. This map shall be known as the "Shoreland Zoning Map." "Ordinary high-water mark" means the point on the bank or shore up to which the presence and action of surface water are so continuous as to leave a distinctive mark, such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.
  - (4) Compliance. The use of any land or water, the size, shape and placement of lots, the use, size, type and location of structures on lots, the installation and maintenance of water supply and waste disposal facilities, the filling, grading, or dredging of any lands, the cutting of shoreland vegetation, and the subdivision of lots shall be in full compliance with the terms of this Subsection **H** and other applicable local, state or federal regulations. Buildings, signs and other structures shall require a permit unless otherwise expressly excluded by a provision of this Subsection **H**. Property owners and their agents or lessees, including builders and contractors, are responsible for compliance with the terms of this Subsection **H**.
  - (5) Permit.
    - (a) Persons and entities seeking a permit under this Subsection **H** shall submit an application on a form

- provided and with the information and certifications as described in this Subsection **H**.
- (b) The applicant shall reimburse the Village for all of the Village's costs and expenses, including professional and attorney fees, as may be incurred in reviewing the application.
  - (c) If the permit application is disapproved, the Village shall detail in writing all deficiencies or reasons for disapproval.
  - (6) Interpretation. In their interpretation and application, the provisions of this Subsection **H** shall be held to be minimum requirements and shall be liberally construed in favor of the Village of Shorewood and shall not be deemed a limitation or repeal of any other powers granted by Wisconsin Statutes.
  - (7) Certification by a professional engineer. Within the area regulated by this Subsection **H**, a registered professional engineer hired by the owner of the lot shall certify to the Village that any grading or earthmoving, construction of footings, buildings or structures, the methods of construction and the materials used therein are adequate from an engineering standpoint so as not to:
    - (a) Adversely affect the slope stability of the bluff;
    - (b) Increase the runoff of water on the surface of the bluff;
    - (c) Create or add to a problem of erosion on the shoreland or bluff; or
    - (d) Adversely affect the structural integrity of any structure located on adjoining or adjacent lots.
  - (8) Setbacks.
    - (a) All setbacks are measured on a horizontal plane from the roof overhang and any cantilevered portions of the structure at the point of the structure that is nearest to the ordinary high-water mark or bluffline. Except as may be allowed under Subsection **H(8)(c)** and **(d)**, all buildings and structures shall be set back the greater of:
      - [1] Twenty feet measured horizontally to the east from the bluffline;
      - [2] Seventy-five feet as measured horizontally from the ordinary high-water mark; or
      - [3] Such distance as to not adversely impact the stability of the bluff slope; sufficient distance from the bluff area as to prevent injury or damage to adjacent property; and sufficient distance from the bluff area to provide for the natural runoff of surface water or provide for an approved drainage according to applicable law.
    - (b) The bluffline is defined as the line along the top of the bluff where the slope riverward is 12% or more as measured horizontally for a distance of not more than 50 feet or less than 25 feet. Portions of the bluffline defined herein have been surveyed and marked on the Shoreland Zoning Map dated October 1, 2006.
    - (c) Conditional use permit application. Property owners and their agents and lessees, including builders and contractors, must apply for and obtain a conditional use permit under the procedures established in Article **V** of this chapter before commencing activities within the area between the river ordinary high-water mark and the setbacks described within Subsection **H(8)(a)**, including:
      - [1] Filling, excavation, alteration or modification of the land or modification to grade.
      - [2] Removal of vegetation as described in Subsection **H(9)** and **(11)**.
      - [3] Temporary access uses when these described areas may be affected by construction or other activities in the adjacent area.
      - [4] Construction of any building or structures.
    - (d) Conditional use permit consideration. In considering an application for conditional use permit, the Plan Commission shall follow the process for review and approval established in § **535-25**, taking into account the purposes of this Subsection **H** as described in Subsection **H(2)** and those standards contained in § **535-25C** as may be applicable.
  - (9) Shoreline cutting. Tree and shrubbery cutting is prohibited without a conditional use permit in the area bound by the ordinary high-water mark of the Milwaukee River and the bluffline described within Subsection **H(8)(b)** or, in those portions where there is no bluffline, in the area 75 feet inward from the ordinary high-water mark.
    - (a) The cutting of dead, diseased, or dying trees or shrubbery shall be subject to Village approval.
    - (b) Natural shrubbery shall be preserved as far as practicable and, where removed, it shall be replaced with other native vegetation that is equally effective in minimizing runoff, preventing erosion and preserving natural beauty.
    - (c) The removal of vegetation requires an application for a conditional use permit where the following information shall be provided:

- [1] Existing vegetation with a tree inventory of all trees larger than four-inch diameter at breast height;
  - [2] Identification of any species on the Wisconsin Department of Natural Resources' Natural Heritage Inventory Working List;
  - [3] Proposed cutting and vegetation removal; and
  - [4] Proposed maintenance, landscaping and replanting plan.
- (10) Shoreline grading. Any grading, excavation or filling in the area bound by the ordinary high-water mark of the Milwaukee River and the setbacks described within Subsection **H(8)(a)** is prohibited without a conditional use permit.
- (11) Grading inland of the bluffline. Any grading within the area regulated by this Subsection **H** but inland of the bluffline described within Subsection **H(8)(b)** shall require a permit and approval. In addition to the requirements of Chapter **250**, Article **I**, Construction Site Erosion Control, of the Village Code the following conditions shall be met:
- (a) The smallest amount of bare ground shall be exposed for as short a time as feasible.
  - (b) Temporary ground cover (such as mulch or jute netting) shall be used and permanent vegetative cover shall be established.
  - (c) Diversion berms or bales, silting basins, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.
  - (d) Bare ground shall be stabilized according to accepted engineering standards.
  - (e) Grading shall comply with the County Floodplain Zoning Ordinance and shall not restrict a floodway or destroy the flood storage capacity of a floodplain.<sup>[1]</sup>
    - [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
  - (f) Grading shall comply with state and federal regulations pertaining to adverse impacts on wetlands.
- I. Commercial outdoor lighting standards.  
[Added 2-16-2016 by Ord. No. 2060]
- (1) Purpose and intent. The purpose of this subsection is to provide for adequate and safe lighting and limit light spillover and glare onto adjacent properties and public streets.
  - (2) Applicability. Except as set forth in this subsection, all outdoor lighting installed or any interior lighting fixture that projects light outside the structure in the commercial districts after the effective date of this subsection shall comply with the requirements of this subsection.
  - (3) Permits and approval process.
    - (a) Installation or modification of any outdoor light fixture in commercial districts shall require an electrical permit.
    - (b) On all developments or projects requiring site plan approval, all exterior light fixtures shall be depicted and described on said site plan, required prior to development of a property or project, or on a separate lighting plan submitted with the site plan.
    - (c) A photometric plot plan, indicating the location of all lighting fixtures proposed, mounting and/or installation height in feet, and overall illumination levels (in footcandles) all around the site and at property lines.
    - (d) The Planning Director and Design Review Board must review and approve all lighting plans.
  - (4) General requirements.
    - (a) Light fixtures shall be selected with care to ensure that they are appropriately scaled in relation to their setting and to ensure that they are of a style that is compatible with the character of their immediate environment.
    - (b) Luminaires shall be aimed, shielded, or relocated so as to minimize glare. All light fixtures shall be located, aimed or shielded so as to eliminate stray light trespassing across property boundaries.
    - (c) All luminaires mounted or recessed into the lower surface of service station canopies shall be shielded and utilize flat lenses.
    - (d) The maximum allowable light spillover to an adjacent property shall be two average footcandles, measured across three photometric points.
    - (e) Illumination of uses shall be in accordance with Illuminating Engineering Society of North America (IES) standards.
  - (5) Light color. Correlated color temperature of any outdoor light source shall not exceed 4,000 Kelvins within the commercial districts unless the light fixture is fully shielded, preventing glare.

Village of Shorewood, WI  
Thursday, October 6, 2016

## Chapter 535. Zoning

### Article IX. Off-Street Parking

#### § 535-47. Schedule of requirements.

A. Dwelling and lodging uses.

[Amended 10-23-2006 by Ord. No. 1917]

- (1) Apartment hotels, hotels, motels and private clubs: one parking space per room or suite of rooms comprising a lodging unit, plus such additional spaces as may be required herein for affiliated uses, such as restaurant and bar facilities, meeting rooms and retail sales areas.
- (2) Multifamily dwelling units in B-1 through B-4 Districts: 1.75 parking spaces per dwelling unit.
  - (a) A minimum of 50% of parking in the B-4 District shall be underground or in an enclosed parking facility.
  - (b) All required parking for multifamily dwelling units, except guest parking, shall be provided in an approved garage, except in the B-4 District.
- (3) Multifamily dwelling units in all Residence Districts R-1 through R-10:
  - (a) Efficiency and one-bedroom units: one parking space per dwelling unit.
  - (b) Two-bedroom dwelling units: 1.25 parking spaces per dwelling unit.
  - (c) Three- or more bedroom units: 1 1/2 parking spaces per dwelling unit.
  - (d) In addition to the above requirements: one parking space per 10 units for guest parking and servicing the facility.
  - (e) All required parking for multifamily dwelling units, except guest parking, shall be provided in an approved garage.
- (4) One- and two-family dwellings:
  - (a) Single-family dwellings: there shall be a minimum of one parking space in an approved garage.
  - (b) Two-family dwellings: one parking space in an approved garage per dwelling unit.
  - (c) No vehicle except an automobile may be parked in the front setback or between adjacent residences when the parking area parallels an existing residence on the adjoining property. In addition, on corner lots, no vehicle except an automobile may be parked within the front setback of the property where located nor within the front setback of any adjacent property.

B. Schools, institutions, auditoriums and other places of assembly.

- (1) Auditoriums, gymnasiums, stadiums, grandstands, meeting halls, exhibition halls and said categories as accessory uses to schools, churches and other institutional establishments:
  - (a) One parking space for every five seats or for each 90 linear inches of seating space in the main auditorium or assembly hall.
  - (b) When such facilities for public assembly are accessory to a school, church or other institution, and when approved by the Planning and Development Department, the required number of parking spaces may be reduced by the number of spaces provided as herein required for the applicable school, church or other institution.
- (2) Churches: one parking space for every six seats or for each 108 linear inches of seating space.
- (3) Hospitals: one parking space for each four beds, plus one parking space for each staff or visiting doctor, plus one parking space for each four employees.
- (4) Libraries, museums, art galleries and aquariums: one parking space for every 500 square feet of floor area.
- (5) Nursing homes: one parking space for every six beds, plus one parking space for every four employees, based on the maximum number of employees present at any one period during the day or night on the premises.
- (6) Schools.
  - (a) Colleges, universities, junior colleges, high schools and other institutions for higher learning: one parking space for every seven students, based upon the maximum number of students that can be accommodated in accordance with designed capacity, and

October 5, 2016



To: Board of Appeals- Meeting October 11, 2016  
Cc: Nathan Bayer  
From: Ericka Lang, Planning Director

RE: Board of Appeals – 4324 N. Woodburn St.

The Village received a Board of Appeals application on August 30, 2016 from property owner Douglas Eiring, appealing the decision of the building inspector that denied a building application to construct a new two-car detached garage that exceeds the allowable maximum size of 10% of the lot.

The property is located in the R-6 Zoning District; Village zoning code section 535-19F(6) allows up to 10% of the lot for an accessory structure in that district.

The lot is 40 feet wide and 124.15 feet deep, totaling 4,963 Sqft. Ten percent of the lot is 493 Sqft. The proposed garage is 576 Sqft – 83 Sqft feet above what is allowed. A minimum garage size for two cars is 400 Sqft.

Materials provided:

1. BOA application and plans
2. Building application
3. Survey
4. Pictures
5. Denial letter



# BOARD OF APPEALS APPLICATION

Village of Shorewood  
Planning & Development Department  
3930 N. Murray Avenue, Shorewood, WI 53211  
Phone (414) 847-2640 Facsimile (414) 847-2648  
[www.villageofshorewood.org](http://www.villageofshorewood.org)

21319

The Board of Appeals has the authority to grant exceptions, variances or review appeals regarding Village official code interpretations. A *Variance* allows dimensional variations for items within the zoning code. Use variances are prohibited. *Special Exceptions* are granted for allowed uses when certain conditions must be met.

| OFFICE USE ONLY             |               |
|-----------------------------|---------------|
| PERMIT # 16-1680            | FEE: \$150.00 |
| DATE RECEIVED: 8-30-16      |               |
| SCHEDULED MEETING: 10-11-16 |               |
| TAX KEY #                   |               |

| Property Address 4324 Woodburn                           |                |                                |  |
|--|----------------|--------------------------------|--|
| Owner's Information                                      |                | Applicant Information          |  |
| Name Douglas Eiring                                      | Name SAME      | Contractor?                    | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| Address 4324 N. Woodburn St                              | Address        |                                |  |
| City/State/Zip Shorewood, WI 53211                       | City/State/Zip |                                |  |
| Phone # 414-962-0297 Alt #                               | Phone #        |                                | Alt #  |
| Email douglaura@sbglobal.net                             | Email          |                                |  |
| Check if prefer Board of Appeals Meeting Agenda Emailed: |                | <input type="checkbox"/> OWNER | <input type="checkbox"/> APPLICANT                       |

I/We are requesting a: (refer to guidelines for explanation)

- variance
- special exception
- appeal to interpretation to allow

Describe in detail the reason you are applying for a Board of Appeals application:

Initial garage layout was denied

**MATERIALS REQUIRED WHEN APPEAL IS PROPERTY-BASED (FIVE COLOR COPIES OF EACH) :**

- Picture – Of front of property taken from street curb
- Picture(s) – Of property area in question
- Property survey marked with appropriate dimensions

## Variance Granting Criteria

1. Describe how the hardship is due to physical limitations (lot shape, lot size, grade, drainage, neighboring uses, access, etc.) of the property rather than the circumstances of the appellant (economic, family, personal, and physical [other than certified disability] hardships are not considered, nor are the nature, condition or configuration of structures or improvements on the property):

My wife has a certified disability per her doctor. She has a disabled parking pass and a letter to verify such fact. In order to exit + enter the cars she needs to have them fully open. This necessitates a wider garage.

2. Describe how unnecessary hardship exists because compliance is unreasonably burdensome. The hardship must be unique to the property and cannot be self-created. see above.

3. Describe how you think the granting of this variance would **not** harm public interest such as public safety, the environment, property values, etc.:

It would increase the property value. Increase of size of garage would not impede neighbors view, sunlight, or airflow.

**OFFICE USE ONLY – Findings of the Board of Appeals after consideration of the criteria**

Reason for Application:

Applicant's Appeal Ruling

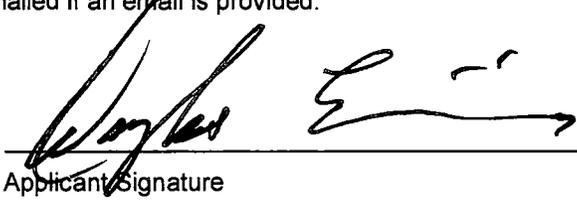
APPROVED

NOT APPROVED

Reason for Ruling:

\* Please verify with the Planning and Development Department prior to placement on the Board of Appeals Agenda whether site plans or other documentation are required.

\* A copy of the Board of Appeals Meeting Agenda will be mailed to the applicant/contractor unless otherwise indicated or emailed if an email is provided.



Applicant Signature



August 3, 2016

Douglas Eiring  
4324 N. Woodburn St.  
Shorewood, WI 53211

To whom it concerns:

The building application for the construction of a new 24' x 24' detached garage at property 4324 N. Woodburn St. has been respectfully denied per Village Code 535-19. Your application was submitted August 2, 2016.

The property is located in the R-6 Zoning District; Village code section 535-19-F (6) allows up to 10% of the lot for an accessory structure in that district.

The lot is 4,963 sq. ft. which would allow for a garage no greater than 496 sq. ft. The proposed garage is 576 sq. ft. The building permit application is denied because the proposed garage exceeds the maximum allowable 10% of the lot.

You do have the right to appeal, or provide new plans for the garage with a reduced square footage may be submitted, (see attached Board of Appeals Application).

I may be reached at 414-847-2643 should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Justin Burris". The signature is written in a cursive, flowing style.

Justin Burris  
Building Inspector  
Planning & Development Department  
3930 N. Murray Ave.  
Shorewood, WI 53211

Cc: JD Griffiths Company Inc.

# PLAT OF SURVEY

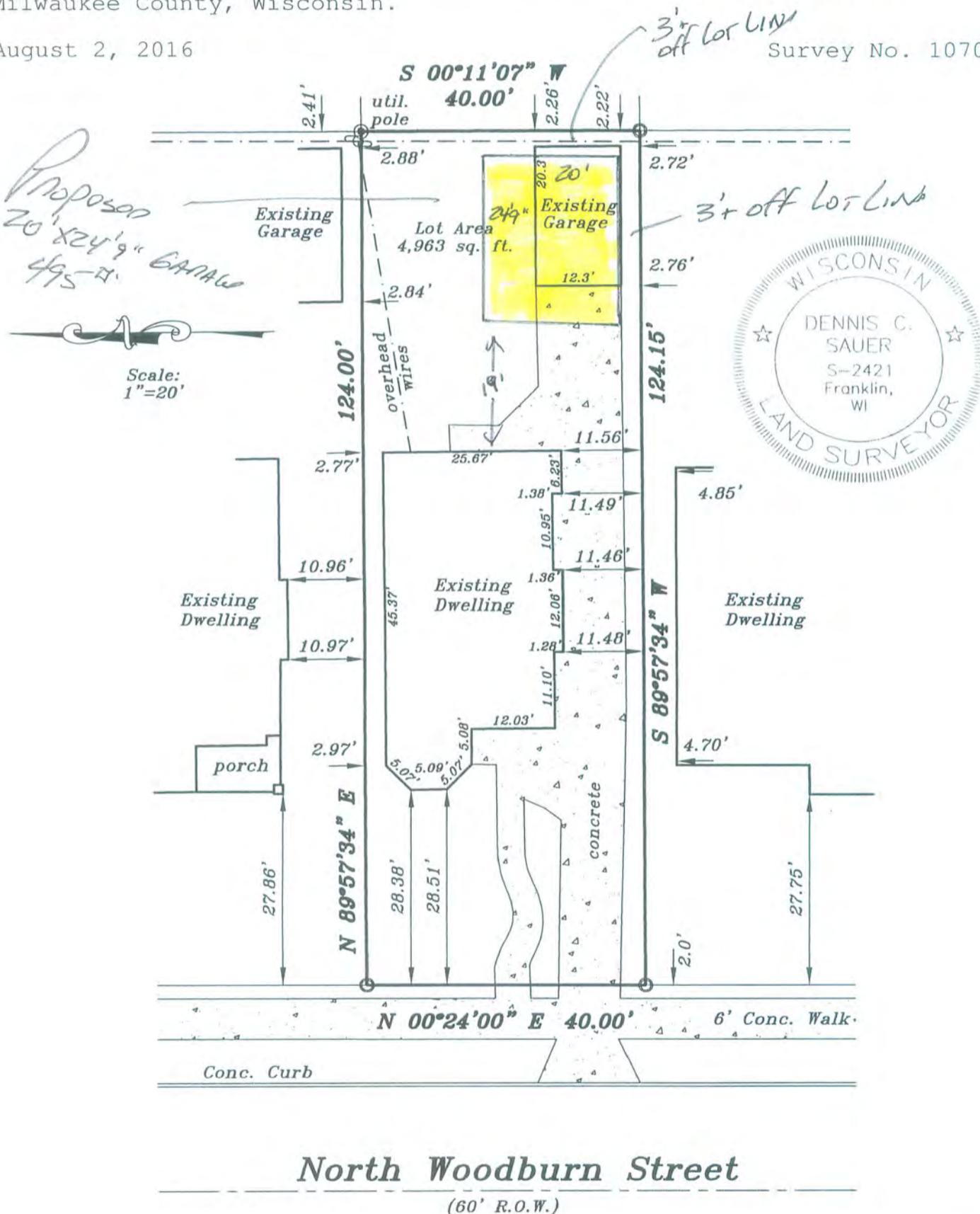
**LOCATION:** 4324 North Woodburn Street, Shorewood, Wisconsin

**LEGAL DESCRIPTION:**

Lot 8 in Block 10, in **SHOREWOOD PARK**, being a Subdivision of the West 40 Acres, of East 80 Acres South 130 Acres, of Southeast 1/4 of Section 4, Township 7 North, Range 22 East, in the Village of Shorewood, Milwaukee County, Wisconsin.

August 2, 2016

Survey No. 107072



**METROPOLITAN SURVEY SERVICE, INC.**  
PROFESSIONAL LAND SURVEYORS AND CIVIL ENGINEERS  
9415 West Forest Home Avenue, Suite 202  
Hales Corners, Wisconsin 53130  
PH. (414) 529-5380 FAX (414) 529-9787  
email address: survey@metropolitansurvey.com

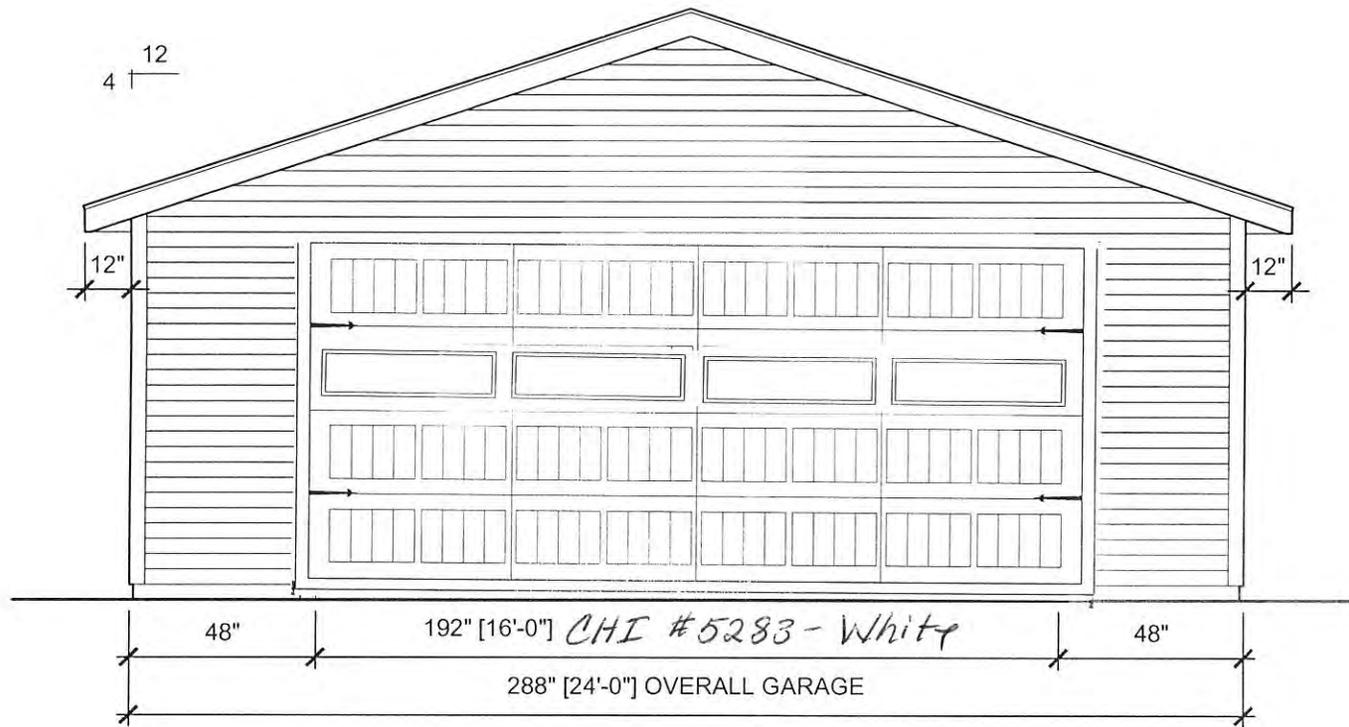
I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY. ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENT, 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.

- ⊙ — Denotes Iron Pipe Found
- — Denotes Iron Pipe Set

SIGNED

*Dennis C. Sauer*



1

**ELEVATION:**

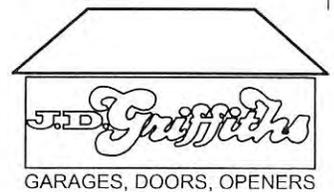
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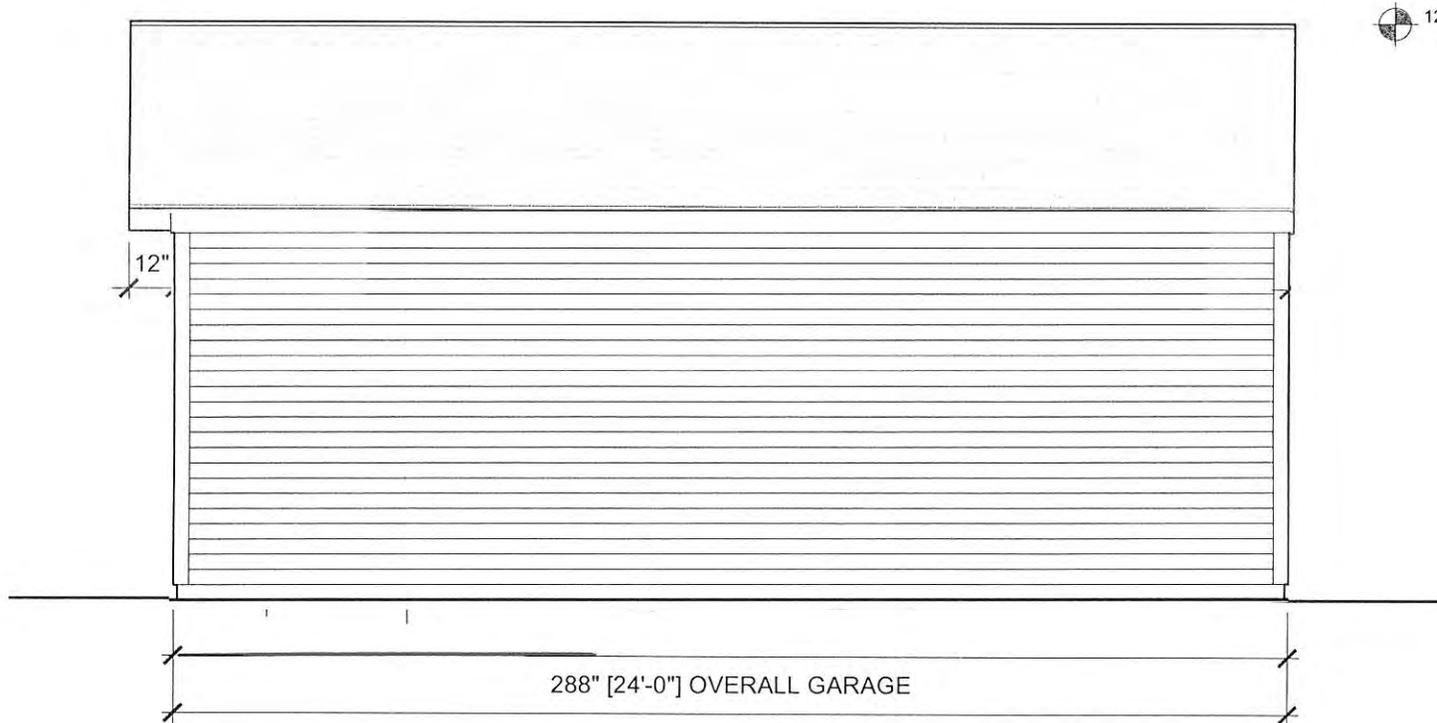
*Revised*

DATE: 8/31/16

PAGE: 1 of 5

*Douglas Eiring - 4324 N. Woodburn St*





1

ELEVATION:

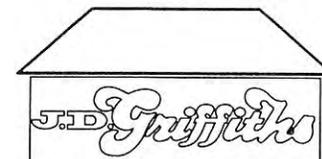
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Douglas Eiring - 4324 N. Woodburn Street

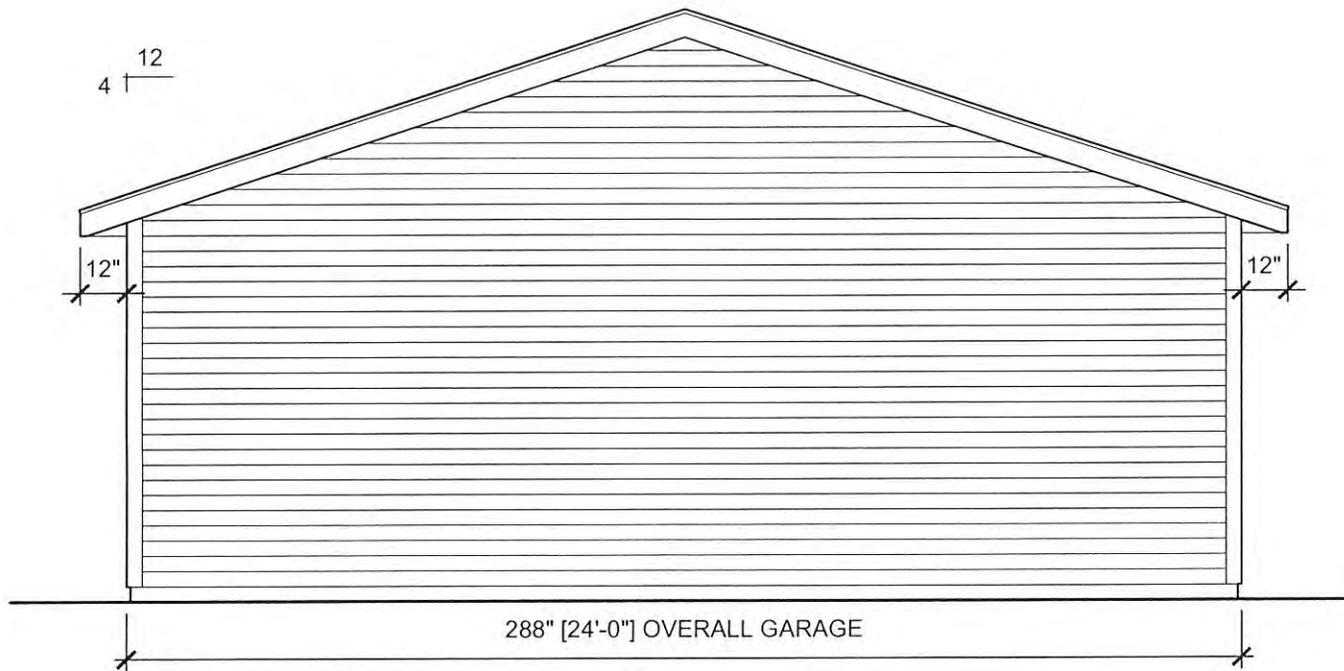
Revised

DATE: 8/31/16

PAGE: 2 of 5



GARAGES, DOORS, OPENERS



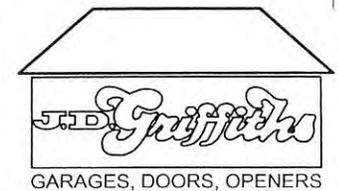
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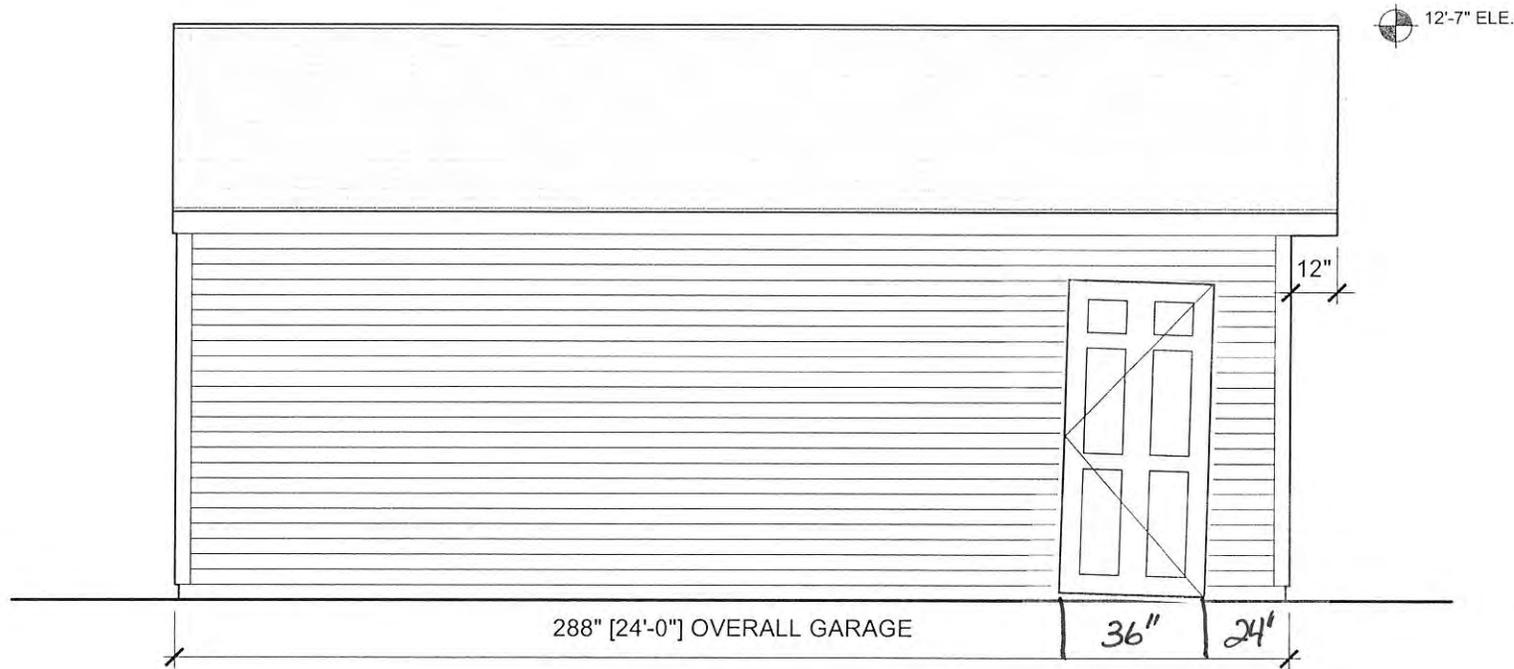
ELEVATION:

Scale: 1/4"=12"

Douglas Eiring - 4324 N. Woodburn Street

Revised  
DATE: 8/31/16  
PAGE: 3 of 5





1

**ELEVATION:**

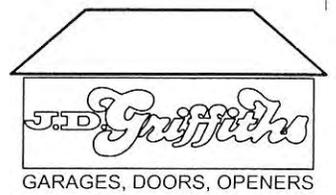
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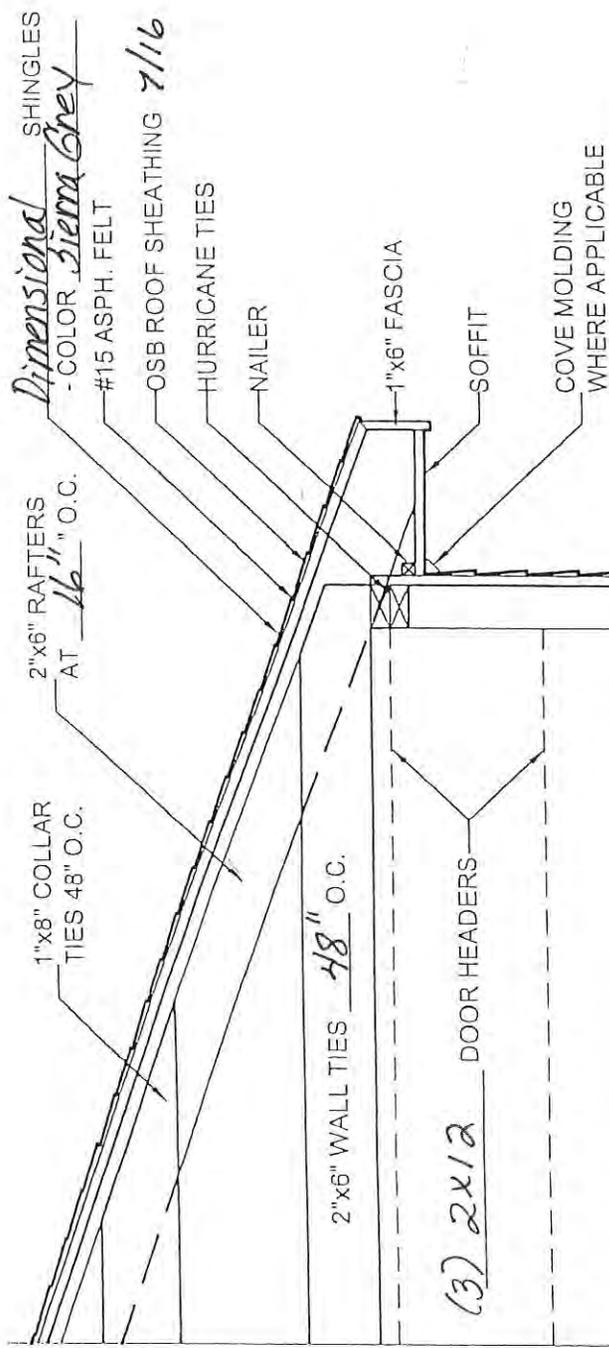
*Douglas Eiring - 4324 N. Woodburn St.*

*Revised*

DATE: *8/31/16*

PAGE: *4 of 5*





NEW GARAGE FOR:

OWNER: Douglas Eiring

ADDRESS: 4324 N. Woodburn St.

PHONE #: 414-962-0297

GARAGE SIZE: 24' x 24'

SALES REP.: Bob Griffiths

STYLE: Cable

NOTES:

NOTE: 4" SLAB SLOPED TO FRONT

4" CONCRETE SLAB W/4" CURB

6"x6"x10" MESH

**1** TYPICAL SECTION:  
Scale: 3/4" = 12"

GENERAL SPECIFICATION:

EACH JOB HAS DIFFERENT DETAILS DEPENDING ON THE CONTRACT WITH EACH CUSTOMER. DETAIL SECTION SHOWN IS TYPICAL.

Revised

DATE: 8/21/2016

PAGE 5 OF 5

RESIDENCE

Douglas Eiring



# 4324 Woodburn

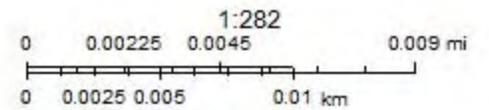


October 5, 2016

Address Numbers

 Parcels

Streets



Milwaukee County Land Information Office



# APPLICATION FOR BUILDING PERMIT

Village of Shorewood  
Planning & Development Department  
3930 N. Murray Avenue, Shorewood, WI 53211  
Phone (414) 847-2640 Facsimile (414) 847-2648  
www.villageofshorewood.org

27108

\*\*\*FINAL INSPECTION IS REQUIRED WHEN WORK IS COMPLETED.  
\*\*\*FORMS INSPECTIONS ARE REQUIRED BEFORE ALL CONCRETE POURS. ROUGH INSPECTIONS MAY BE REQUIRED, PLEASE ASK.

| OFFICE USE ONLY               |  |
|-------------------------------|--|
| PERMIT # <u>16-1484</u>       | FEE: <u>180 + 60 = \$240</u><br>PLAN REVIEW \$45 Y N |
| APPROVAL DATE: <u>8.19.16</u> | <u>OB</u>  |
| Property Tax Key #            |  |

| Job Address: 4324 N. WOODBURN STREET | Building Type: Single Family       |
|--------------------------------------|------------------------------------|
| Owner's Information                  | Contractor's Information           |
| Name DOUGLAS EIRING                  | Name JD GRIFFITHS COMPANY, INC.    |
| Address 4324 N. WOODBURN STREET      | Address 8401 W. CALUMET ROAD       |
| City/State/Zip SHOREWOOD, WI 53211   | City/State/Zip MILWAUKEE, WI 53224 |
| Phone 414-962-0297                   | Phone 414-362-7222                 |
| Email                                | Email                              |
|                                      | DC # 12107                         |
|                                      | DCQ # 12108                        |

\*\*\*Cautionary Statement: see page two (REQUIRED when Homeowner is applying for permit)

**Describe work in detail (include floor levels of where work is being done)**

RAZE EXISTING 12X20 DETACHED GARAGE/BUILD NEW 20 x 24.9 detached Bubble Garage

**Estimated Cost of Job \$** 20,000

|  |                                       |                                       |   |
|--|---------------------------------------|---------------------------------------|---|
| Is this part of an Occupancy permit correction request?      | <input checked="" type="checkbox"/> N | <input type="checkbox"/> Y            | If Yes, Permit #                        |
| Is this part of a Non-Compliance Statement?                  | <input checked="" type="checkbox"/> N | <input type="checkbox"/> Y            | If Yes, Permit #                        |
| Are plans, sketches or drawings attached?                    | <input type="checkbox"/> N            | <input checked="" type="checkbox"/> Y | N/A                                     |
| Is a certified plot plan or survey attached?                 | <input type="checkbox"/> N            | <input checked="" type="checkbox"/> Y | N/A                                     |
| Have your plans been approved by the Department of Commerce? | <input type="checkbox"/> N            | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N/A |

Permit voided four months from date issued if no work has been started or if building operations cease for more than four months. Call to request an extension.

**OFFICE USE ONLY – Conditions of Approval**

|                                     |                              |                             |               |
|-------------------------------------|------------------------------|-----------------------------|---------------|
| Design Review Board Approval Needed | <input type="checkbox"/> YES | <input type="checkbox"/> NO | Approval Date |
|-------------------------------------|------------------------------|-----------------------------|---------------|

Frank Griffiths / JD Griffiths Company 8/19/16  
Signature of Owner/Architect/Contractor Date

Triple fees shall be chargeable to all applicants hereunder who fail to obtain a permit before work has been started. No further permits shall be issued to any applicant who owes fees to the Village or who failed to comply with any lawful orders of the Village inspector. It is agreed and understood that all work shall be done in accordance with the state of Wisconsin's applicable codes and ordinances of the Village of Shorewood.

NOTE: COMMERCIAL BUILDING OR LARGE SCALE REMODEL OR ALTERATION WORK WILL BE SUBJECT TO A PLAN EXAMINATION FEE.  
NOTE: COMMERCIAL BUILDING REMODEL OR ALTERATION WORK WILL BE REQUIRED TO SUBMIT AN APPLICATION TO THE FIRE DEPT.

|   |                |
|---|----------------|
| Missed Appointment                          | \$30.00        |
| Failure to Call in Final Inspection         | \$50.00        |
| \$9.00 per \$1,000 of estimated cost of job |                |
| Commercial NEW construction                 | \$0.25/SQ. FT. |
| \$60.00 minimum fee                         |                |

## Chapter 535. Zoning

### Article IV. Zoning Districts

#### § 535-19. Residence districts.

Zones R-1 through R-10 serve the fully developed residential districts within the Village. Their primary intent is to maintain the particular character of each residential area, mainly with respect to building bulk, setback, and land coverage. As needed, additional measures are stated where topography restricts land usage.

- A. R-1 Lake Drive Residence District No. 1.
- (1) Principal use: one-family dwellings.
  - (2) Conditional uses: see Article **V**.
  - (3) Lot:
    - (a) Width, minimum: 100 feet (on North Lake Drive).
    - (b) Area, minimum: 24,000 square feet.
  - (4) Building:
    - (a) Area, minimum: 1,200 square feet.
    - (b) Height, maximum: 30 feet.
  - (5) Setback:
    - (a) Front, minimum: 100 feet.
    - (b) Side, minimum: 10 feet.
    - (c) Rear: see specific requirements for bluff areas which follow hereafter.
  - (6) Lot coverage, maximum: 30% of land area for principal structure plus up to 10% for accessory structure.
  - (7) Additional requirements.
    - (a) All land between the water's edge of Lake Michigan and elevation 680 feet mean sea level shall not be included as part of the required land area under § **535-22C(2)** of this chapter.
    - (b) The rear setback shall be at least such distance as to ensure the stabilization of the bluff area; sufficient distance from the bluff area as to prevent injury or damage to adjacent property; and sufficient distance from the bluff area to provide for the natural runoff of surface and percolating water or provide for an approved drainage according to applicable law.
    - (c) A registered professional engineer hired by the owner of the lot shall certify to the Village that the footings and method of constructing any building or structure and the materials used therein are adequate from an engineering standpoint so as not to adversely disturb the natural runoff of surface and percolating water or create or add to a problem of erosion on the bank of the lake bluff and shall not adversely affect the structural integrity of any structure located on adjoining or adjacent lots.
- B. R-2 Lake Drive Residence District No. 2.
- (1) Principal use: one-family dwellings.
  - (2) Conditional uses: see Article **V**.
  - (3) Lot:
    - (a) Width, minimum: 60 feet (on North Lake Drive).
    - (b) Area, minimum: 8,000 square feet.
  - (4) Building:

- (a) Area, minimum: 1,200 square feet.
  - (b) Height, maximum: 30 feet.
  - (5) Setback:
    - (a) Front, minimum: 50 feet or the average of existing setbacks on the west side of North Lake Drive as established between the two closest intersecting streets, whichever is less.
    - (b) Side:
      - [1] Interior, minimum: five feet.
      - [2] Street: 18% of the width of the lot but not less than 20 feet.
    - (c) Rear, minimum: five feet.
  - (6) Lot coverage, maximum: 30% of lot for principal structure on interior lot; 40% of lot for principal structure on corner lot; plus up to 10% for accessory structure.
- C. R-3 Lake Drive Residence District No. 3.
- (1) Principal use: one-family dwellings.
  - (2) Conditional uses: see Article **V**.
  - (3) Lot:
    - (a) Width, minimum: 60 feet (on North Lake Drive).
    - (b) Area, minimum: 8,000 square feet.
  - (4) Building:
    - (a) Area, minimum: 1,200 square feet.
    - (b) Height, maximum: 30 feet.
  - (5) Setback:
    - (a) Front, minimum: 40 feet or the average of existing setbacks on the west side of North Lake Drive as established between the two closest intersecting streets, whichever is less.
    - (b) Side:
      - [1] Interior, minimum: five feet.
      - [2] Street: 16% of the width of the lot but not less than 15 feet.
    - (c) Rear, minimum: five feet.
  - (6) Lot coverage, maximum: 30% of lot for principal structure on interior lot; 40% of lot for principal structure on corner lot; plus up to 10% for accessory structure.
- D. R-4 Lake Drive Residence District No. 4.
- (1) Principal use: one-family dwellings.
  - (2) Conditional uses: see Article **V**.
  - (3) Lot:
    - (a) Width, minimum: 60 feet.
    - (b) Area, minimum: 18,000 square feet.
  - (4) Building:
    - (a) Area, minimum: 1,200 square feet.
    - (b) Height, maximum: 30 feet.
  - (5) Setback:
    - (a) Front, minimum: 25 feet or the average of existing setbacks on the east side of North Lake Drive as established between the two closest intersecting streets extended, whichever is greater.
    - (b) Side, minimum: five feet.
    - (c) Rear: see specific requirements for bluff area which follow hereafter.

- (6) Lot coverage, maximum: 30% of lot for principal structure, plus up to 10% for accessory structure.
  - (7) Additional requirements.
    - (a) All land between the water's edge of Lake Michigan and elevation 680.00 feet mean sea level shall not be included as part of the required land area under § **535-22C(2)** of this chapter.
    - (b) The rear setback shall be at least such distance as to ensure the stabilization of the bluff area; sufficient distance from the bluff area as to prevent injury or damage to adjacent property; and sufficient distance from the bluff area to provide for the natural runoff of surface and percolating water or provide for an approved drainage according to applicable law.
    - (c) A registered professional engineer hired by the owner of the lot shall certify to the Village that the footings and method of constructing any building or structure and the materials used therein are adequate from an engineering standpoint so as not to adversely disturb the natural runoff of surface and percolating water or create or add to a problem of erosion on the bank of the lake bluff and shall not adversely affect the structural integrity of any structure located on adjoining or adjacent lots.
- E. R-5 Single-Family Residence District No. 1.
- (1) Principal use: one-family dwellings.
  - (2) Conditional uses: see Article **V**.
  - (3) Lot:
    - (a) Width, minimum: 50 feet.
    - (b) Area, minimum: 6,000 square feet.
  - (4) Building:
    - (a) Area, minimum: 1,200 square feet.
    - (b) Height, maximum: 30 feet.
  - (5) Setback:
    - (a) Front, minimum: 25 feet or the average of existing setbacks on the side of the street where the property is located between the two closest intersecting streets, whichever is greater.
    - (b) Rear, minimum: three feet.
    - (c) Side:
      - [1] Interior, minimum: three feet.
      - [2] Street side: 25% of the width of the lot but not less than 10 feet, provided that the buildable width of the lot shall not be less than 20 feet.
  - (6) Lot coverage, maximum: 30% of lot for principal structure on interior lot; 40% of lot for principal structure on corner lot; plus up to 10% for accessory structure.
- F. R-6 One- and Two-Family Residence District No. 1.
- (1) Principal use: one- and two-family dwellings.
  - (2) Conditional uses: see Article **V**.
  - (3) Lot:
    - (a) Width, minimum: 40 feet.
    - (b) Area, minimum: 4,500 square feet.
  - (4) Building:
    - (a) Area, minimum:
      - [1] Single-family: 1,200 square feet.
      - [2] Two-family: 900 square feet per dwelling unit.
    - (b) Height, maximum: 30 feet.
  - (5) Setback:
    - (a) Front, minimum: 25 feet or the average of existing setbacks on the side of the street where the property is located, between the two closest intersecting streets, whichever is greater.

- (b) Rear, minimum: three feet.
  - (c) Side:
    - [1] Interior, minimum: three feet.
    - [2] Street side: 25% of the width of the lot but not less than 10 feet, provided that the buildable width of the lot shall be not less than 20 feet.
  - (6) Lot coverage, maximum: 30% of lot for principal structure on interior lot; 40% of lot for principal structure on corner lot; plus up to 10% for accessory structure.
  - (7) Additional requirements. It shall be unlawful to construct a two-family dwelling on any vacant lot upon which no prior dwelling has been constructed or on a lot previously occupied by a single-family dwelling in this district.
- G. R-7 Townhouse Residence District.
- (1) Principal use: one-family dwelling units.
  - (2) Conditional uses: see Article **V**.
  - (3) Lot:
    - (a) Width, minimum: 20 feet per dwelling unit.
    - (b) Area, minimum: 2,000 square feet per dwelling unit and 25,000 square feet per townhouse development.
  - (4) Building:
    - (a) Area, minimum: 1,200 square feet per dwelling unit.
    - (b) Height, maximum: 30 feet.
  - (5) Setback:
    - (a) Front, minimum: 15 feet.
    - (b) Rear, minimum: three feet.
    - (c) Side, minimum: six feet (applies to exterior wall of end dwelling unit measured to property line).
  - (6) Lot coverage, maximum: 40% of lot for principal structure plus 10% for accessory structure on interior lot; 50% for principal structure plus 10% for accessory structure on corner lot.
- H. R-8 Estabrook Homes Residential District.
- (1) Principal and accessory uses. In the residential area in this district, no building or premises shall be used and no building or structure shall be erected, altered or maintained which is arranged for, intended or designed to be used except for multiple-dwelling units not to exceed two stories in height, and with a garage or garages constructed in connection with and part of the plan of the multiple housing project, and which shall provide sufficient storage space for not less than one automobile for each family residing in such multiple dwelling or dwellings; such garage or garages shall be constructed underground, shall be of fireproof material and shall be adequately ventilated and lighted.
  - (2) Conditional uses. Within this district, a recreational clubhouse may be constructed, erected and maintained upon approval of the Village Plan Commission, subject to the following conditions:
    - (a) Written rules and regulations governing the use of the recreational clubhouse shall be posted at all times by the owner, in a conspicuous location, upon or within the recreational clubhouse.
    - (b) The use of the recreational clubhouse shall be limited to the residents of this district and their guests.
    - (c) A security system subject to the approval of the Village's Planning and Development Department shall be provided which shall be so designed as to prevent a child of tender years (under 10 years of age) from obtaining unsupervised access to the swimming pool area of the recreational clubhouse.
    - (d) The conditional use granted hereunder shall be subject to periodic review by the Plan Commission; the initial review shall take place within one year of original approval. Subsequent reviews shall occur at such times thereafter as the Plan Commission shall determine.
  - (3) Lot area, minimum: 2,000 square feet per family.
  - (4) Building:
    - (a) Area, minimum: see § 225-7F(2)(a), (b) and (c) of the Village Code.
    - (b) Height, maximum: 30 feet.
  - (5) Setback:

- (a) Front, minimum: 15 feet.
  - (b) Rear, minimum: 30 feet between buildings.
  - (c) Side yards. There shall be a minimum distance between such multiple-dwelling buildings of not less than 30 feet; provided, however, that a minimum distance between a recreational clubhouse and all other buildings or structures shall be no less than 20 feet.
- I. R-9 Apartment House District No. 1.
- (1) Principal use: multifamily dwellings (three dwelling units or more).
  - (2) Conditional uses: see Article **V**.
  - (3) Lot area: not less than 600 square feet per dwelling unit.
  - (4) Building:
    - (a) Area: see § 225-7F(2)(a), (b) and (c) of the Village Code.
    - (b) Height, maximum: 40 feet.
  - (5) Setback:
    - (a) Front, minimum: 15 feet.
    - (b) Rear: 20% of depth of lot, but not less than 20 feet for interior lot or 15 feet for corner lot.
    - (c) Side:
      - [1] Interior: 10% of width of lot but not less than five feet. For buildings more than 2 1/2 stories in height, each side yard shall be increased one additional foot in width for each story above the second floor.
      - [2] Street side: a twelve-foot setback shall be required on all corner lots.
- J. R-10 Apartment House District No. 2.
- (1) Principal uses: multifamily dwellings (three dwellings or more).
  - (2) Conditional uses: see Article **V**.
  - (3) Building:
    - (a) Area: see § 535-7F(2)(a), (b) and (c) of the Village Code.
    - (b) Height, maximum: 40 feet.
  - (4) Setback:
    - (a) Front, minimum: 15 feet.
    - (b) Rear: 20% of depth of lot but not less than 20 feet for interior lot or 15 feet for corner lot.
    - (c) Side:
      - [1] Interior: 10% of width of lot but not less than five feet. For buildings more than 2 1/2 stories in height, each side yard shall be increased one additional foot in width for each story above the second floor.
      - [2] Street side: a twelve-foot setback shall be required on all corner lots.