



**Zoning Board of Appeals  
Thursday, July 22, 2021 at 6:00 p.m.**

**Village Hall, 235 Hickory Street, Pewaukee, WI 53072**

1. Call to Order and Roll Call
2. Approval of Minutes
  - a. May 6, 2021
3. Public Hearing
  - a. To consider a Request of Jon Howe and Gregory Howe as applicants and property owners, to construct a new 468 square foot (13' x 36') garage addition onto the east wall of the existing residential building located at 762 W. Wisconsin Avenue, which addition (like the existing residence) will be located within the designated (FF) Flood Fringe District. In contrast to the Code standard of no allowance of modification or addition of nonconforming structures in the Flood Fringe district.
4. New Business
  - a. Discussion and Possible Action to consider a Request of Jon Howe and Gregory Howe as applicants and property owners, to construct a new 468 square foot (13' x 36') garage addition onto the east wall of the existing residential building located at 762 W. Wisconsin Avenue, which addition (like the existing residence) will be located within the designated (FF) Flood Fringe District. In contrast to the Code standard of no allowance of modification or addition of nonconforming structures in the Flood Fringe district.
  - b. Discussion and Possible Action to Determine Future Meeting Date (if needed).
5. Adjournment

All interested parties please note: Section 40.137 of the Village Code states “The concurring vote of four (4) members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of any such administrative official or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter or to effect any variation there from. The grounds of every such determination shall be stated.”

**Note:** Notice is hereby given that a quorum of a Village Committee and/or Commission may be present at the Zoning Board of Appeals meeting, and if so, this meeting shall be considered an informational meeting of that Committee or Commission and no formal action of that Committee or Commission shall occur. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. To request such assistance, contact the Village Clerk at 262-691-5660.

Dated: July 16, 2021  
Casandra Smith – Village Clerk



## 5/6/2021 Zoning Board Meeting

### Meeting Minutes

#### VILLAGE OF PEWAUKEE ZONING BOARD OF APPEALS May 6, 2021

**DRAFT - DRAFT - DRAFT**

#### 1. Call to Order and Roll Call

Clerk Smith called the meeting to order at approximately 7:00 p.m.

Roll Call was taken with the following present: Kristine Tawil, Susan Seagrist, Paul Evert, Susan Seagrist and Theresa Opie. Douglas Joers, Leah Wank and Patricia Stonger were excused.

Also Present: Mark Blum, Village Attorney; Mary Censky, Village Planner and Cassie Smith, Village Clerk.

Clerk Smith asked the board for recommendations for acting as chairperson.

Kristine Tawil offered to Act as the Chairperson for the May 6, 2021, Zoning Board of Appeals meeting.

**Opie moved, seconded by Evert to approve Kristine Tawil as the Acting Chair for the May 6th, 2021 Zoning Board of Appeals Meeting.**

**Motion carried 4-0.**

#### 2. Approval of Minutes

##### a. October 22, 2020

**Tawil moved, seconded by Seagrist to approve the October 22, 2020 minutes of the Zoning Board of Appeals meeting as presented.**

**Motion carried 3-0-1; Evert abstained.**

#### 3. Public Hearing

**a. To consider a Request of Jeff and Suzi Ellington, as applicants and property owners, to construct a new home with an attached garage structure at 433 Park Avenue which exceeds the 30 % Maximum Building Coverage Ratio as set forth in Section 40.210.5.2 of the Village Code.**

Planner Censky stated that the applicant's lot is on Park Ave and with an existing home and detached garage where the applicant would like to tear down the existing structures and replace them with a new home and attached garage. The current plans for the new buildings would put the footprint coverage of all the buildings and the associated impervious surfaces over the open space limit for this property. Planner Censky showed the staff memo and map provided by the applicant on the screen and went over the lot specifics stating the lot is 5,246 sq. ft. in area and 30% of that would equal 1,573 sq.ft. The proposed home and attached garage have an area footprint of 1,816 sq.ft which is in excess of the permitted building coverage area ratio according to the zoning code. Censky showed the map.

Attorney Blum clarified that the lot is .14 acres which is one of the smallest lots in the Village; Censky confirmed. Tawil stated that exceptions have already been made for the setbacks on this property. Planner Censky stated that is true, setbacks have been approved for the side yard and

street yard setbacks. Attorney Blum referred to the Villages code as listed on the staff memo provided by Planner Censky and he referred to the 3 findings needed to approve a request which includes:

- 1) Are the restriction on the property unnecessarily burdensome preventing from using the property for its permitted purpose?
- 2) Do physical limitations prevent compliance with the ordinance standards?
- 3) Could the applicant's request have a negative impact on surrounding lands?

Mr. Ellington was sworn in by Village Attorney Mark Blum.

**Jeff Ellington @ 433 Park Ave** - Mr. Ellington stated that he has been in Pewaukee for 25 years and bought the current property which they have been living in for the past 6 months. The .14 acre lot includes a portion of the road. His request includes a 2,486 sq. ft. home with an attached garage. The Plan Commission has approved a 1' variance to the side lot and a 13' setback variance from the road. The unnecessary hardship is due to this property being one of the smallest lots in the R-5 zoning district and with the current setbacks, they would not be able to build within the current code standards. The property is narrow and slopes about 15' from the road to the lake so building options are limited. Safety will be improved with the new building due to the garage being setback further so that the current blind spot is eliminated. Ellington stated that the neighbors are in favor due to the safety hazard of the current garage.

Mrs. Ellington was sworn in by Village Attorney Mark Blum.

**Suzi Ellington @ 433 Park Ave** - Mrs. Ellington added that she witnessed 3 significant problems due to backing out of the driveway.

**Jeff Ellington @ 433 Park Ave** - Mr. Ellington added that the garage will be square with the street and not angled with the oncoming traffic. The setback of the proposed new building will be 13' from the road which will give plenty of room to get out of the drive safely. Mr. Ellington responded to Attorney Blum, that without this variance he can't build the structure that solves the issue. Mr. Ellington stated that they have a modest structure for this lot and have modified it as best they can. They would not build the structure without the variance approval.

**Lara Rossi with Aspire Homes** was sworn in by Village Attorney, Mark Blum.

Ms. Rossi stated that she is the Ellingtons builder and stated that no negative feedback has been given by any neighbor. The owners completed a new survey showing the more accurate square footage calculations of the property and due to the restrictions on the first floor at 1,000 sq. ft. and the 576 sq. ft of garage space; those minimum restrictions would not be obtainable on the new home or on the current lot.

Mr. Ellington responded to Planner Censky stating that the proposed building will increase the impervious space by 15.9%. Planner Censky stated that the nature of the lake lots is the more impervious space that can be garnered is the better.

**Dave Adams, the applicant's architect with Aspire Homes** was sworn in by the Village Attorney, Mark Blum.

Mr. Adams stated that the property has quite a slope. The connection of the garage and the house requires extra space especially due to the elevator and stairway transitions.

Attorney Blum read the information given into the record:

- 1) A drawing of the north elevation
- 2) A second elevation drawing
- 3) Plat of survey from 1983
- 4) Plat of survey from 2/5/2021
- 5) Updated plat of survey with surface calculations
- 6) The staff report prepared by the Village Planner
- 7) Applicant write-up dated March 21, 2021

Tawil closed the public hearing at 6:40 p.m.

#### 4. New Business

**a. Discussion and Possible Action to consider a Request of Jeff and Suzi Ellington, as applicants and property owners, to construct a new home with attached garage structure at 433 Park Avenue which exceeds the 30 % Maximum Building Coverage Ratio as set forth in Section 40.210.5.2 of the Village Code.**

Attorney Blum reiterated the findings that are needed.

1) Are the restriction on the property unnecessarily burdensome preventing from using the property for its permitted purpose?

2) Do physical limitations prevent compliance with the ordinance standards?

3) Could the applicant's request have a negative impact on surrounding lands?

Tawil stated that based on the testimony given and documentation given all findings have been met. Seagrist stated that based on the size of the lot, how narrow the lot is, and the issue with the lot line being in the middle of the street adds to the undue hardship to the building of a home. Based on the lot size and the safety concerns regarding the lot she does believe there is a hardship in building the structure. Opie agrees and believes it is a safety concern and the lot size is an unnecessary hardship. Evert stated that the lots were plotted way too small so he agrees with all said.

**Evert moved, seconded by Opie to approve the variance request for 433 Park Ave as requested due to the comments made by the Board in their discussion along with the following conditions:**

1) There were no adverse comments were made about the application

2) The physical limitation due to the lot being one of the smallest lots in the R-5 zoning district

3) The change in the topography that requires the adjustment to the design of the structure which increases the footprint to construct a residence

4) The safety of the garage in relation to the proximity to the street

**Motion carried 4-0.**

Attorney Blum informed the standard provision is to utilizing the granting of the variance within 12 months from the approval.

**b. Discussion and Possible Action to Determine Future Meeting Date (if needed).**

No action taken.

## **5. Adjournment**

**Evert moved, seconded by Seagrist to adjourn the May 6, 2021, Regular Zoning Board of Appeals meeting at approximately 6:56 p.m.**

**Motion carried on roll call vote 4-0.**

Respectfully Submitted,

Cassandra Smith  
Village Clerk



## ZONING BOARD OF APPEALS INFORMATION

If you wish to apply for a variance, you must appear before the Zoning Board of Appeals. The Zoning Board of Appeals meets on the third (3<sup>rd</sup>) Thursday of the month at 7:00 p.m. if the Board has an appeal application to act upon.

Along with a completed application, the following must be submitted to the Village Clerk's Office at the Village Hall three (3) weeks and two (2) days preceding the meeting date:

1. Seven (7) copies of a letter explaining the specific variance(s) that you are requesting. The letter must explain: the variance requested, what special conditions exist which will cause practical difficulty or unnecessary hardship if the variance requested is not granted, why the variance being requested is not contradictory to the public interest and will not endanger public safety and welfare, and why the variance requested will be in accord with the spirit of the zoning ordinance.
2. Seven (7) copies of a site plan (survey) showing the location and size of the property, existing improvements, abutting properties and improvements and the requested change or addition. Photos are highly recommended.
3. A memorandum from the building inspector describing what part of your plans does not meet the Building Code.
4. The fee of \$150.00. This fee is non-refundable and is necessary for the processing of your application and the public hearing regardless of the outcome.

### PROCESS

Note: Full information on this process is published in the ordinances of the Village of Pewaukee, Section 40.131 (available at Village Hall) and further information is found in Wisconsin Statute Section 62.23(7)(e). It is your responsibility to be aware of all requirements stated therein.

After submission of a complete application as noted above, the Village will call a meeting of the Zoning Board of Appeals. You will be notified of the date and time of the meeting as soon as it has been scheduled.

The Lake Country Reporter, at the Village's request, will publish notice of the public hearing to be held before the Zoning Board of Appeals and notice of that hearing will also be sent to all property owners within 300 feet of the property for which the variance is requested.

***Variations are not granted routinely. The application for a variance must clearly show the Zoning Board of Appeals that the three Wisconsin State Statutory Standards that govern granting a variance will be met.***

1. **Unnecessary Hardship:** A situation where, in the absence of a variance, an owner can make no feasible use of the property. A variance is not warranted if the physical character of the property allows a landowner to build or develop in compliance with the zoning ordinance.

**The hardship or difficulty must be peculiar to the zoning parcel in question and different from that of other parcels, not which affects all parcels similarly.**

Generally, hardships arise because of some unique property limitation of a parcel or because the property was created before the passage of the zoning ordinance and is not economically suitable for a permitted use, or will not accommodate a structure of reasonable design for a permitted use, if all area, yard and setback requirements are observed.

**Loss of profit or pecuniary hardship is not in and of itself grounds for a variance.**

**Self-imposed hardship is not grounds for a variance.** Reductions resulting from the sale of portions of a property that reduce the remainder below buildable size or cut off existing access to a public right-of-way, or deed restriction imposed by the owner's predecessor in title are generally considered to be self-imposed hardships.

**The hardship cannot be one that would have existed in the absence of a Zoning Ordinance.** Sometimes, a legitimate hardship results from the interaction of the provisions of the zoning ordinance with other actions or regulations adopted by public authorities.

2. **Unique Property Limitations:** Unique physical characteristics of the property, not the desires of or conditions personal to the applicant must prevent the applicant from developing in compliance with the zoning ordinance. These features may be a wetland, soil type, parcel shape, or steep slope that limits the reasonable use of the property.
3. **Protection of the Public Interest:** Granting of a variance must not harm the public interest. The public interest includes the interests of the public at large, not just that of nearby property owners. Lack of local opposition does not in itself mean that a variance will not harm the public interest.

The Board may act upon your request immediately or may take up to thirty (30) days to notify you of their action. You will receive a written notice of the Board's decision.



**APPLICATION FOR ZONING BOARD OF APPEALS**

Address or Tax Key Number of Property Involved: PWV 0894-953  
762 W. Wisconsin Ave. Pewaukee, WI 53072

Current Owner of Property: Name: Gregory Howe

Applicant, if Different: Name: Jon Howe

Address: 762 W. Wisconsin Ave.  
Pewaukee, WI 53072

Phone: 262.719.7834

email jonhowemusicc@gmail.com

Current Zoning of the Property: R-6

What is the specific section of the Village Code that you are requesting variance(s) from?

40.388(c) directs to 40.390 (Nonconforming Uses) as existing residence is non conforming structure in the Flood Fringe (FF) district.  
40.390(a)(1) applies to additions and 40.390(c)(2) is applicable. Compliance with 40.390(c)(1) would result in an unnecessary hardship.  
40.391(3) provides for board of adjustment/appeals to hear and decide on a request for variance

(Staff can assist you in answering this question)

Owner's Signature: 

Date: 6/14/21

Applicant's Signature, if Different From Owner: \_\_\_\_\_

Date: \_\_\_\_\_

## Summary of proposed garage addition at 762 W. Wisconsin Avenue

- Current 1-family residence is a permitted use within the Village of Pewaukee R-6 zoning district.
- Property is within the Floodfringe District within the Village of Pewaukee
- Base flood elevation is 860.00'
- According to registered surveyor prepared elevation certificate:
  - o Existing residence basement (and equipment servicing building) elevation is 852.57'
  - o Existing residence first floor elevation is 861.37'
  - o Existing grade at existing residence foundation varies from 859.23 to 860.70'

40.388(c)(1)d. allows the existing street, sewer and driveway to remain at their current elevations below the regional/base flood elevation of 860.00 if:

The municipality has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure by wheeled vehicles during a regional flood event.

40.388(c)(5) requires stored flammable (or explosive or injurious to property) materials to be stored at or above the flood protection elevation (860.00 plus 2 = 862.00 feet).

Because the existing building has floor elevations below the 'flood protection elevation' (2 feet above regional/base flood elevation), the existing residence is a nonconforming use – and therefore may meet 40.390 (Nonconforming Uses) in lieu of 40.388 (Floodfringe district) requirements.

40.390(a)(1) applies to additions to any structure which is in nonconformity with 40.388 ordinance provisions for new construction where the structure was an existing lawful use prior to adoption of 40.388 requirements. Additions to nonconforming structures within the floodfringe district are not allowed except where 40.390(c)(2) is applicable.

40.390(c)(2) allows for additions that will not include human habitation (i.e. a garage) and will not be associated with a high flood damage potential where the Board of adjustment/appeals chooses to grant a variance for floor elevations below the flood protection elevation (862.00') if the proposed addition meets the following criteria:

- a. No floor (of addition) to be below regional/base flood elevation (860.00);
- b. Human lives are not endangered (beyond that of existing nonconforming structure/residence)
- c. No public facilities (i.e. water or sewer) to be installed
- d. Flood depth (at addition) will not exceed 2 feet (i.e. 862.00 not more than 2 feet above proposed floor elevation of 861.00 to 861.37 feet)
- e. Flood velocities will not exceed 2 feet/second (no flowing flood waters at this site)
- f. Structure not to be used for storage of materials listed in 40.388(c)(5) – see above for storage of select materials at an elevation at or above flood protection elevation of 862.00 feet.

40.391(3) establishes the Board of adjustment/appeals and gives them the power to hear and decide upon application for a variance.

A variance may be granted if:

- a. Literal enforcement will cause unnecessary hardship;

- b. Hardship is due to adoption of floodplain ordinance and unique property conditions not common to adjacent properties;
- c. Variance is not contrary to public interest; and
- d. Variance is consistent with:
  - 1. Protect life, health and property;
  - 2. Minimize expenditures of public funds for flood control projects;
  - 3. Minimize rescue and relief efforts undertaken by expense of taxpayers;
  - 4. Minimize business interruptions and other economic disruptions;
  - 5. Minimize damage to public facilities in the floodplain;
  - 6. Minimize the occurrence of future flood blight areas in the flood plain;
  - 7. Discourage the victimization of unwary land and homebuyers;
  - 8. Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
  - 9. Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside the floodplain.

and to qualify under FEMA regulations meet:

- a. Variance shall no cause increase in regional/base flood elevation;
- b. Variance granted for lots less than one half acre ( $1/2$  of  $43,560 \text{ ft}^2 = 21,780 \text{ ft}^2$ ) and are contiguous to existing structures below the RFE (BFE); and
- c. Variances shall only be granted upon showing good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risk to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to purpose of ordinance

and variance shall not:

- a. Grant or extend or increase any use prohibited in the (R-6) zoning district;
- b. Be granted for hardship based solely on economic gain or loss;
- c. Be granted for a hardship which is self-created;
- d. Damage the rights of property values of other persons in the area;
- e. Allow actions without the amendments to this division or required flood map(s) in 40.392(a); and
- f. Allow any alteration of and historic structure, including its use, which would preclude its continued designation as an historic structure

and when is a floodplain variance:

Board shall notify applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25 per \$100 of coverage. A copy of such notice shall be maintained with the variance record.

# ELEVATION CERTIFICATE

**Important:** Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name Gregory Howe				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 762 W. Wisconsin Avenue				Company NAIC Number:	
City Pewaukee		State Wisconsin		ZIP Code 53072	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) Tax Key: PWV 0894953    NW 1/4 8-7-19					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.)    Residential					
A5. Latitude/Longitude: Lat. <u>43.089440</u> Long. <u>-88.278805</u> Horizontal Datum: <input checked="" type="checkbox"/> NAD 1927 <input type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>2A</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) _____ sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A8.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage _____ sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A9.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number Pewaukee, Village of    550489			B2. County Name Waukesha		B3. State Wisconsin
B4. Map/Panel Number 55133C0184	B5. Suffix G	B6. FIRM Index Date 11-05-2014	B7. FIRM Panel Effective/ Revised Date 11-05-2014	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 860.00 ft
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

**ELEVATION CERTIFICATE**

OMB No. 1660-0008  
Expiration Date: November 30, 2018

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 762 W. Wisconsin Avenue			Policy Number:
City Pewaukee	State Wisconsin	ZIP Code 53072	Company NAIC Number

**SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)**

C1. Building elevations are based on:  Construction Drawings\*  Building Under Construction\*  Finished Construction  
\*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: North 1/4 corner 8-7-19 Vertical Datum: 864.28 ft

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929  NAVD 1988  Other/Source: \_\_\_\_\_

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

- |  |               |  |                                 |
|--|---------------|--|---------------------------------|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor)  | <u>852.57</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| b) Top of the next higher floor  | <u>861.37</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only)  | <u>N/A</u>    | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |
| d) Attached garage (top of slab)   | <u>N/A</u>    | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) | <u>852.57</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG)   | <u>859.23</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG)  | <u>860.70</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support                               | <u>N/A</u>    | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |

**SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION**

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor?  Yes  No  Check here if attachments:

Certifier's Name Marc Passarelli	License Number S-2817
Title Professional Land Surveyor	
Company Name Surveying Associates, Inc.	
Address 2554 N. 100th St.	
City Wauwatosa	State Wisconsin
	ZIP Code 53226

**Place  
Seal  
Here**

Signature *Marc Passarelli* Date 11-12-2018 Telephone (414) 257-2212 Ext. na

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)  
Furnace, hot water heater.

# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expiration Date: November 30, 2018

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 762 W. Wisconsin Avenue			Policy Number:
City Pewaukee	State Wisconsin	ZIP Code 53072	Company NAIC Number

## SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_  feet  meters  above or  below the HAG.
- b) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_  feet  meters  above or  below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E3. Attached garage (top of slab) is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?  Yes  No  Unknown. The local official must certify this information in Section G.

## SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner or Owner's Authorized Representative's Name

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_ Telephone \_\_\_\_\_

Comments

Check here if attachments.

# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expiration Date: November 30, 2018

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 762 W. Wisconsin Avenue			Policy Number:
City Pewaukee	State Wisconsin	ZIP Code 53072	Company NAIC Number

## SECTION G – COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.

- G1.  The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.  A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3.  The following information (Items G4–G10) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate of Compliance/Occupancy Issued
-------------------	------------------------	---

- G7. This permit has been issued for:      New Construction    Substantial Improvement
- G8. Elevation of as-built lowest floor (including basement) of the building: \_\_\_\_\_  feet  meters Datum \_\_\_\_\_
- G9. BFE or (in Zone AO) depth of flooding at the building site: \_\_\_\_\_  feet  meters Datum \_\_\_\_\_
- G10. Community's design flood elevation: \_\_\_\_\_  feet  meters Datum \_\_\_\_\_

Local Official's Name	Title
-----------------------	-------

Community Name	Telephone
----------------	-----------

Signature	Date
-----------	------

Comments (including type of equipment and location, per C2(e), if applicable)

Check here if attachments.

## BUILDING PHOTOGRAPHS

See Instructions for Item A6.

OMB No. 1660-0008  
Expiration Date: November 30, 2018

### ELEVATION CERTIFICATE

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 762 W. Wisconsin Avenue			Policy Number:
City Pewaukee	State Wisconsin	ZIP Code 53072	Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.



Photo One

Photo One Caption Front view

Clear Photo One

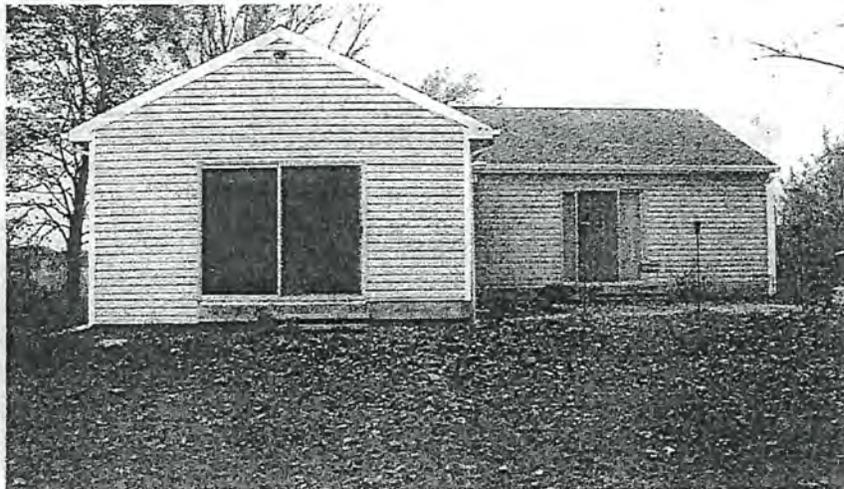


Photo Two

Photo Two Caption Rear view

Clear Photo Two

**ELEVATION CERTIFICATE**

**BUILDING PHOTOGRAPHS**

Continuation Page

OMB No. 1660-0008  
Expiration Date: November 30, 2018

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 762 W. Wisconsin Avenue			Policy Number:
City Pewaukee	State Wisconsin	ZIP Code . 53072	Company NAIC Number

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.

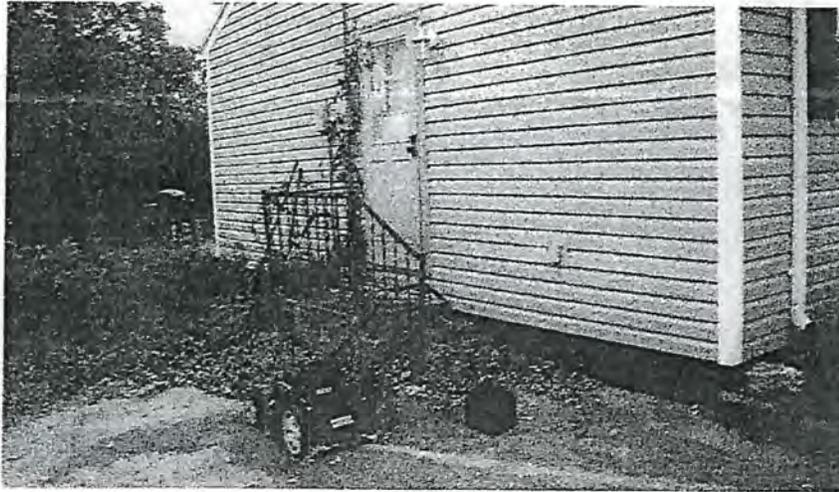


Photo Three

Photo Three Caption Left side view

Clear Photo Three



Photo Four

Photo Four Caption Right side view

Clear Photo Four

**SURVEYING ASSOCIATES, INC.**  
 MEMBER OF WISCONSIN SOCIETY OF LAND SURVEYORS  
 & NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS

sai@wi.lrr.com  
 2554 N. 100TH STREET  
 P.O. BOX 26596  
 WAUWATOSA, WISCONSIN 53226  
 (414) 257-2212 FAX: (414) 257-2443  
 MARC C. PASSARELLI P.L.S.

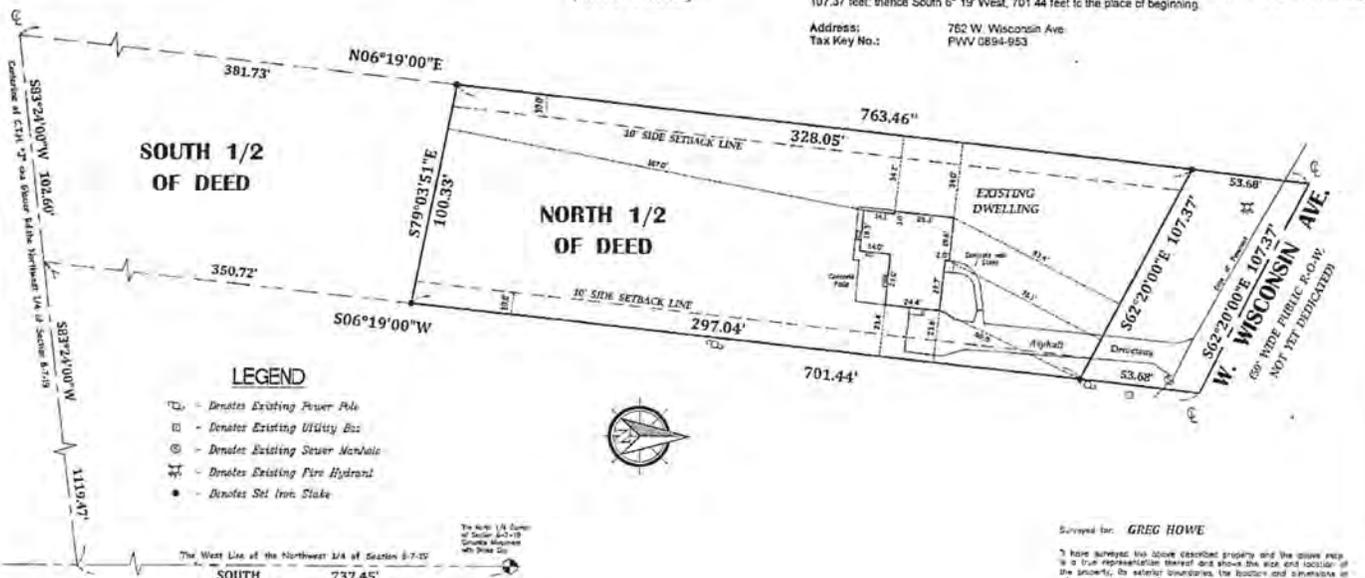
**AREA OF PROPERTY**

SS, S23 S<sub>4</sub> PL / 0.8407 Acre  
 (B-B-B Inclusive)  
 S1, S25 S<sub>4</sub> PL / 0.7175 Acre  
 (R-O-W Exclusive)

**PLAT OF SURVEY**

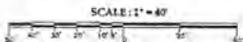
The North 1/4 of the following described premises: All that part of the Northwest 1/4 of Section 8, Township 7 North, Range 19 East, in the Village of Pewaukee, Waukesha County, Wisconsin, bounded and described as follows: Commencing at the North 1/4 corner of said Section 8; thence South along the North 1/4 line of said Section, 737.45 feet to the center line of County Trunk Highway "J"; thence South 83° 24' West along said center line, 1119.47 feet to the place of beginning of the parcel hereinafter described; thence continuing South 83° 24' West along the center line of County Trunk Highway "J", 102.60 feet; thence North 6° 19' East, 765.46 feet to the center line of Federal Highway No. 16; thence South 61° 29' East along said center line, 107.37 feet; thence South 6° 19' West, 701.44 feet to the place of beginning.

Address: 762 W. Wisconsin Ave.  
 Tax Key No.: FWW 0894-953



**LEGEND**

- ⊕ - Denotes Existing Power Pole
- ⊞ - Denotes Existing Utility Box
- ⊙ - Denotes Existing Sewer Manhole
- ⊕ - Denotes Existing Fire Hydrant
- - Denotes Set Iron Stake



Surveyed for: **GREG HOWE**

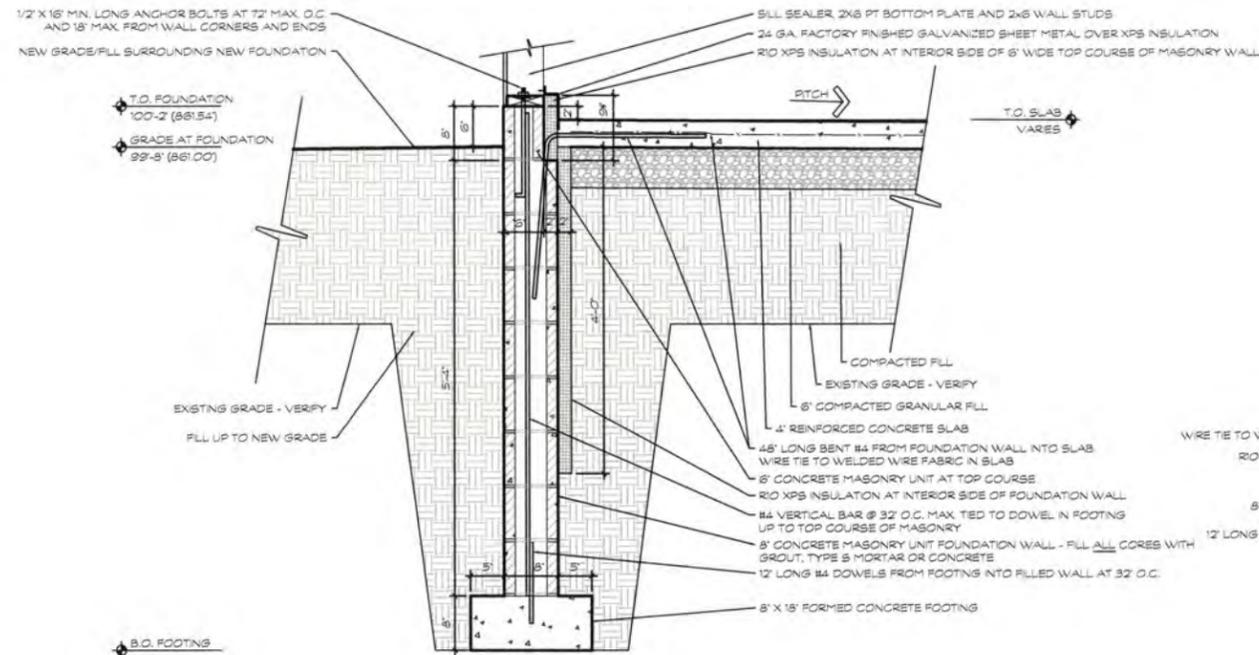
I have surveyed the above described property and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all structures thereon, fences, special easements and roadways and other appurtenances, if any.  
 This survey is made for the exclusive use of the present owners of the property and does not bind any future purchaser, mortgagee or grantee of the land therein within one (1) year from date hereof, and as to them I warrant the accuracy of said survey map.

NOTE: THIS IS NOT AN ORIGINAL SURVEY UNLESS THE SEAL IS RED.

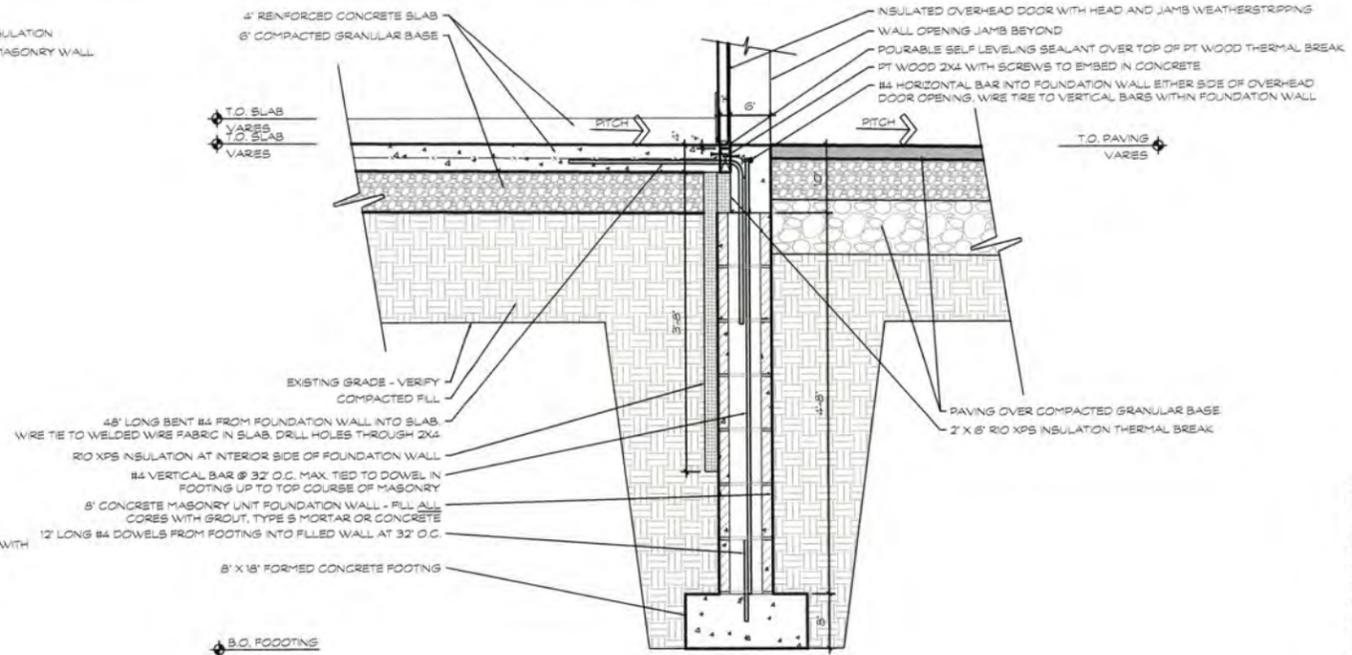
*Marc Passarelli* 10/15/2018 NAS/DAG 11/17/2018 MCP 85296  
 WISCONSIN REGISTERED LAND SURVEYOR FIELD BOOK DATE FIELD WORK BY DATE SURVEYED DRAWN BY JOB NUMBER

**W. WISCONSIN AVE.**  
 60' WIDE PUBLIC R.O.-W.  
 NOT YET DEDICATED

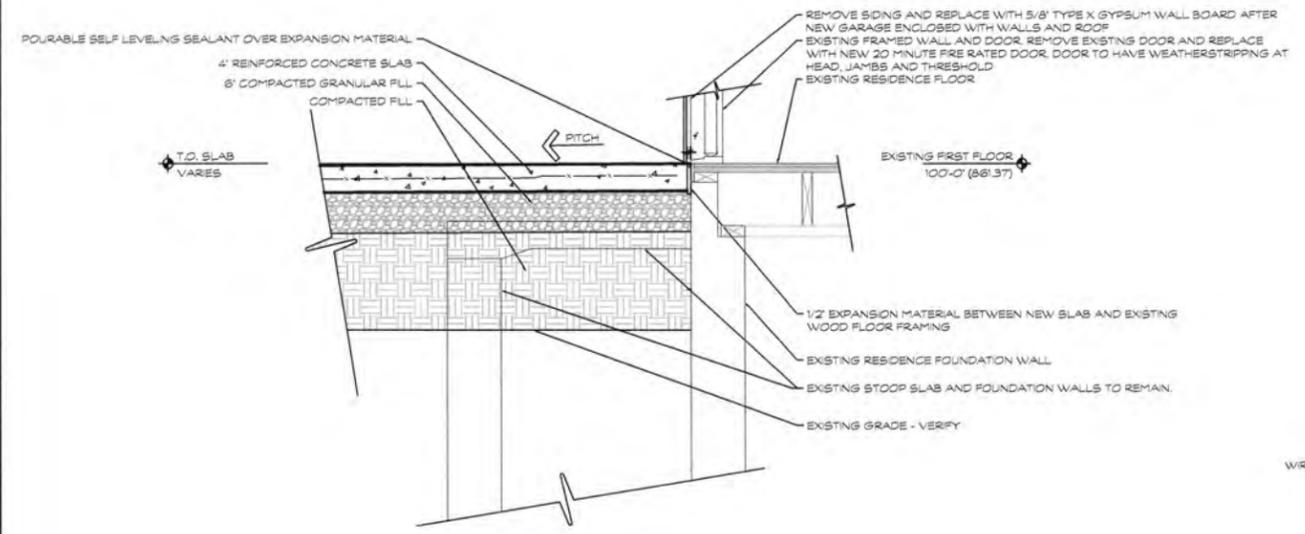




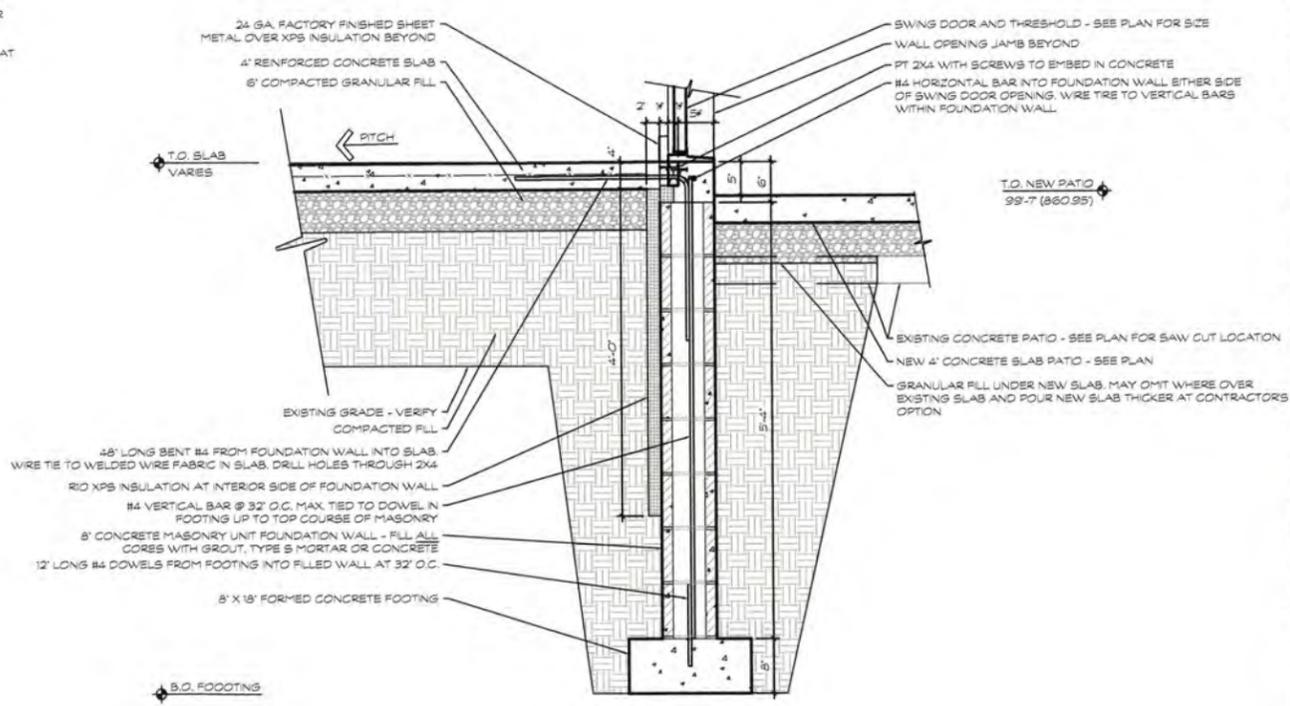
2



1



4



3

FOR OWNER AND AUTHORITIES  
HAVING JURISDICTION REVIEW AND  
APPROVAL ONLY, NOT FOR  
BUILDING PERMIT OR CONSTRUCTION

THIS NOTE WILL BE REMOVED FOLLOWING VILLAGE WRITTEN APPROVAL  
OF VARIANCE REQUEST AND OWNERS CURRENT PAYMENT FOR  
SERVICES IN ACCORDANCE WITH SIGNED AGREEMENT

1	FOUNDATION DETAILS	SHEET NO.
A-2	SCALE: 1" = 1'-0"	A-2
		OF 3 SHEETS

DRAWINGS FOR OWNER/CLIENT AND AUTHORITY HAVING JURISDICTION REVIEW AND VARIANCE REQUEST ONLY, NOT FOR BUILDING PERMIT OR CONSTRUCTION

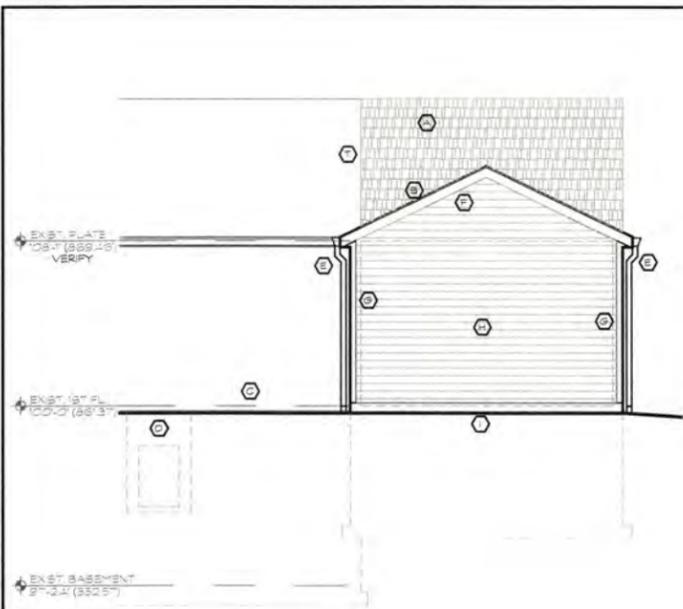
PROPOSED ATTACHED GARAGE ADDITION FOR  
**JON HOWE**  
 762 W. WISCONSIN AVENUE  
 VILLAGE OF PEWAUKEE, WISCONSIN, 53072

**JOSEPH ZIMMER ARCHITECT**  
 ARCHITECT  
 BUILDING CODE CONSULTATION  
 FUTURE DESIGN  
 PASSIVE HOUSE CONSULTATION  
 415 WISCONSIN STREET, SUITE 105  
 LAKE GENEVA, WI 53147-2116  
 PHONE: 262-275-9091  
 WWW.JOSEPHZIMMERARCHITECT.COM

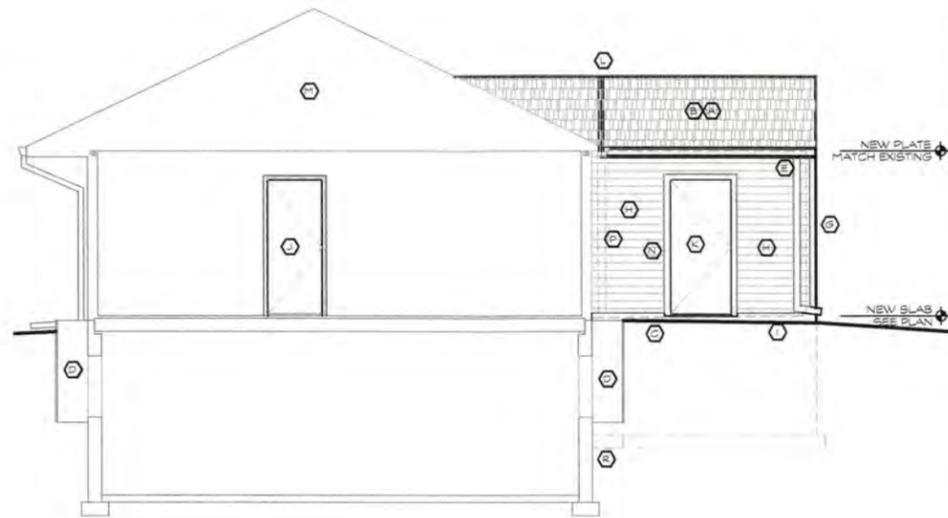
PROJECT NO.  
2018  
 PHASE OF SERVICE  
Constr. Doc. 100%  
 © COPYRIGHT per  
JCZ Terms and Conditions  
and US Code Title 17  
 DATE  
6/4/2021  
 SHEET NO.  
A-2  
 OF 3 SHEETS

DRAWINGS SHALL NOT BE REPRODUCED WITHOUT WRITTEN CONSENT FROM JCZ. DOCUMENTS SHALL NOT BE ALTERED OR MODIFIED AS AUTHORSHIP AND COPYRIGHT REMAINS OWNED BY JOSEPH C. ZIMMER

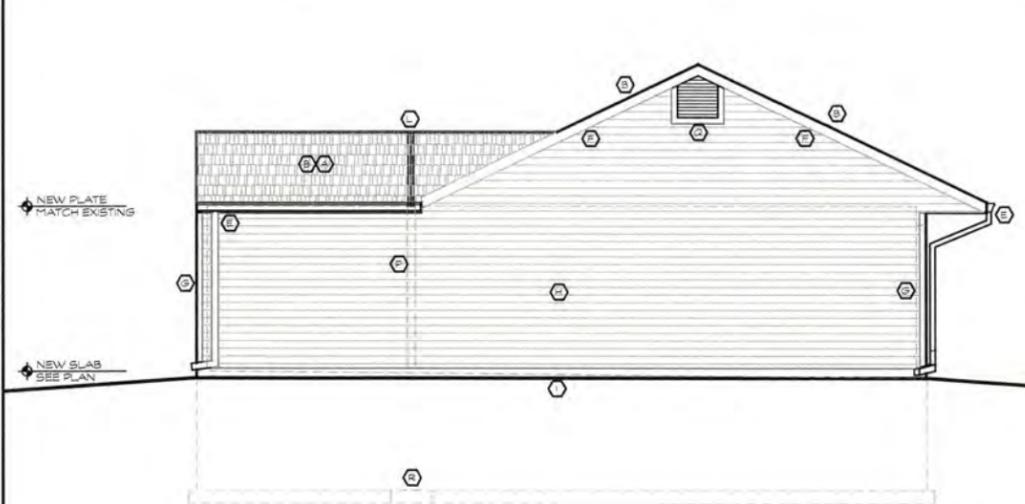
DATE	DESCRIPTION
XXXX	XXXX



SOUTH



EXISTING SECTION, PARTIAL WEST



EAST

- ELEVATION KEY NOTES:**
- A. NEW ROOFING SHINGLES TO MATCH EXISTING.
  - B. NEW ROOF TRUSS SLOPE TO MATCH EXISTING.
  - C. NEW CONCRETE PATIO - SEE SHEET A-1.
  - D. EXISTING BASEMENT WINDOW WELL.
  - E. NEW GUTTERS & DOWNSPOUTS TO MATCH EXISTING.
  - F. NEW FASCIA TO MATCH EXISTING.
  - G. NEW OUTSIDE CORNER TRIM TO MATCH EXISTING.
  - H. NEW SIDING TO MATCH EXISTING.
  - I. EXPOSED NEW CONCRETE MASONRY FOUNDATION.
  - J. REPLACE EXISTING DOOR WITH NEW RATED DOOR.
  - K. NEW EXTERIOR DOOR - GLASS OPTIONAL.
  - L. GIRDER TRUSS - SEE PLAN.
  - M. EXISTING ROOF TRUSSES - VERIFY SHAPE.
  - N. NEW TRIM AROUND DOOR TO MATCH EXISTING.
  - P. STUDS UNDER GIRDER TRUSS - SEE PLAN.
  - Q. ATTIC VENT TO MATCH EXISTING.
  - R. LARGER SPREAD FOOTING - SEE FOUNDATION PLAN.
  - S. NEW DRIVEWAY PAVING - SEE PLANS.
  - T. TOOTH NEW SHINGLES AND SIDING INTO EXISTING IF PROFILE AND COLOR OF NEW AND EXISTING MAKE THAT POSSIBLE.

FOR OWNER AND AUTHORITIES HAVING JURISDICTION REVIEW AND APPROVAL ONLY, NOT FOR BUILDING PERMIT OR CONSTRUCTION

THIS NOTE WILL BE REMOVED FOLLOWING VILLAGE WRITTEN APPROVAL OF VARIANCE REQUEST AND OWNER'S CURRENT PAYMENT FOR SERVICES IN ACCORDANCE WITH SIGNED AGREEMENT

2 ELEVATIONS
A-3 SCALE: 1/4" = 1'-0"

**WOOD (2X DIMENSIONAL) NOTES**

THE DESIGN, FABRICATION AND CONSTRUCTION OF WOOD FRAMING SHALL CONFORM TO THE REQUIREMENTS OF THE CURRENT ADOPTED EDITION OF AREA AND NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION & ELEMENT OR LRP M.N.J. FOR ENGINEERED WOOD CONSTRUCTION & SUPPORT.

2. FABRICATION AND ERECTION OF WOOD FRAMING SHALL CONFORM TO AREA AND NATIONAL DESIGN SPECIFICATION FOR CONVENTIONAL WOOD FRAME CONSTRUCTION, UNLESS OTHERWISE NOTED.

3. LUMBER MATERIAL SPECIFICATIONS

2x4 & 2x6 PRE-CUT STUDS	ST.G. GRADE S.P.F. (N.G.S.A.)
2x4	STANDARD GRADE S.P.F. (N.G.S.A.)
2x6	STANDARD GRADE S.P.F. (N.G.S.A.)
PT. 2x4 & 2x6	PT. 2x4 & 2x6
PT. 2x4 & 2x6	PT. 2x4 & 2x6
PT. 2x4 & 2x6	PT. 2x4 & 2x6
PT. 2x4 & 2x6	PT. 2x4 & 2x6

4. ENGINEERED WOOD MATERIAL SPECIFICATIONS

LVL	TRUSSTRAND 132 (TRUS JOIST)
PSL	TRUSSTRAND 132 (TRUS JOIST)
LSL/RSB	TRUSSTRAND 132 (TRUS JOIST)
GULLAM	TRUSSTRAND 132 (TRUS JOIST)

5. WALL SHEATHING

BRACED PANEL WOOD SHEATHING	1/2" NOMINAL APA RATED SHEATHING 3216 EXPOSURE 1
UNBRACED PANEL WOOD SHEATHING	1/2" THICK OSB PER PLAN AND SPECIFICATIONS
UNBRACED WOOD SHEATHING	EXTERIOR POLYURETHANE SHEATHING THICKNESS AS NOTED

6. BLOCK PARTITIONING

APA RATED STUD WALL OR 2x4 C.G. EXPOSURE 1 TEST PANELS, GULFED AND FASTENED PER SCHEDULE UNCL.

7. ROOF SHEATHING

1/2" APA RATED SHEATHING 3216 EXPOSURE 1 OVER STRUCTURAL MEMBERS AT 24" O.C. AND 1/2" APA RATED SHEATHING 3216 EXPOSURE 1 OVER STRUCTURAL MEMBERS AT 24" O.C. PROVIDE 1/2" WOOD CLIPS AT 24" O.C. UNLESS TEST RESULTS OR BLOCKING IS PROVIDED.

8. TYPICAL STUD WALL FRAMING UP TO 10' IN HEIGHT OR 8' HIGH WALLS TO BE NOTED ON PLANS

A. EXTERIOR WALLS	2x4 OR 2x6 @ 24" O.C. MAX
1. SUPPORTING ROOF-CELING AND ONE FLOOR	2x4 @ 16" O.C. OR 2x6 @ 24" O.C.
2. SUPPORTING ROOF-CELING AND TWO FLOORS	2x4 @ 16" O.C.
B. INTERIOR BEAMS W/ WALLS	2x4 OR 2x6 @ 24" O.C.
1. SUPPORTING ROOF-CELING AND FLOORS	SAME AS EXTERIOR WALLS
2. SUPPORTING ONE FLOOR ONLY	2x4 OR 2x6 @ 24" O.C.
3. SUPPORTING TWO FLOORS ONLY	2x4 @ 16" O.C. OR 2x6 @ 24" O.C.
C. INTERIOR NON-VACUUM BEARING WALLS	2x4 OR 2x6 @ 24" O.C.

9. ALL BRICES IN TOP PLATE MUST BE CENTERED OVER STUD AND BRACED AS MIN.

10. PROVIDE ONE JACK STUD AND ONE KING STUD @ HEAVY SPANS LESS THAN 8' L.N.O. PROVIDE TWO JACK STUDS AND STUDS FOR SPANS 8' TO 7' FOR WALLS TALLER THAN 10' OR OPENINGS WIDER THAN 8' SHALL BE NOTED ON PLANS.

11. ALL WOOD SILL PLATES AND OTHER WOOD MEMBERS IN CONTACT WITH CONCRETE OR MASONRY THAT IS ON OR IN CONTACT WITH SOIL SHALL BE PRESURE TREATED FOR ROT AND TERMITE PROTECTION.

12. 10-IN SILL BEAMER SHALL BE INSTALLED BETWEEN ALL VERTICAL WALLS INCLUDING GARAGE WALLS AND TOP OF FOUNDATION TO PROTECT AGAINST AIR INFILTRATION.

13. INTERIOR BEARING WALLS IN WHICH VAC DUCTS, OR PLUMBING MECHANICAL/ELECTRICAL PIPES MUST PASS THROUGH SHALL NOT HAVE TOP AND BOTTOM PLATE CUT OUT ENTIRELY. FRAME WITH 2x6 WHERE DUCTED.

14. PROVIDE CODE APPROVED METAL JOIST HANGERS WHERE RAFTER OR JOISTS DO NOT BEAR ON PLATES BEAMS OR LEDGES.

15. PROVIDE BRACES FOR ALL TRUSSES AND JOISTS AT 8'-0" O.C. MAX. UNLESS APPROVED OTHERWISE BY GOVERNING AUTHORITIES OR TRUSS JOIST MANUFACTURER. DOUBLE JOISTS UNDER ALL PARTITIONS PARALLEL TO FLOOR JOIST BRAN BRACE JOISTS AT 12" CENTERS UNDER ALL BATH TUBS AND LAUNDRY TRAYS UNLESS OTHERWISE NOTED.

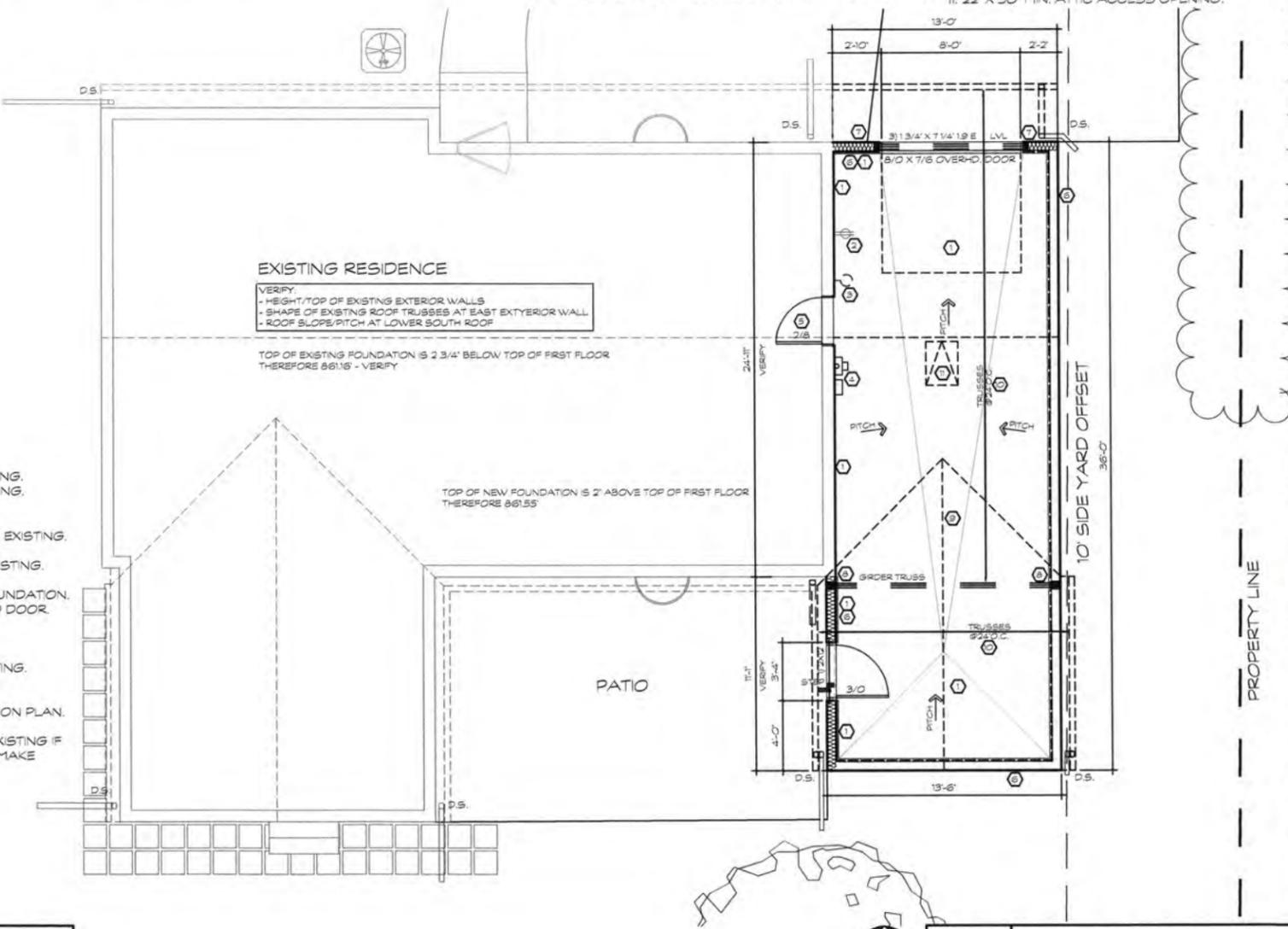
16. PROVIDE 2" NOMINAL WOOD TRUS STOPPING TO CUT OFF ALL CONCEALED DRAFT OPENINGS BETWEEN FLOORS AND ATTIC PER APPLICABLE CODES.

17. EXTERIOR DECAYS SHALL BE SPACED @ 12" O.C. AT INT. JNG.

18. ALL BUILT-UP STUD COLUMNS MUST BE GULFED AND VALED TO THE FULL LENGTH OF THE COLUMN.

19. PROVIDE SOLID BLOCKING OF SAME FRAMING MATERIAL OR VERTICAL 2x4 BUSH BLOCKING UNDER ALL COLUMN JOINTS.

- PLAN KEY NOTES:**
1. 5/8" TYPE X GYP. BD. ON EXISTING & NEW WALLS & CEILING
  2. EXISTING ELECTRICAL OUTLET TO REMAIN.
  3. REMOVE EXISTING WALL LIGHT - EXTEND WIRING TO NEW LIGHTS AT CEILING AND EXTERIOR OF ADDITION DOORS.
  4. EXISTING ELECTRICAL & CABLE UTILITY SERVICE METER/BOX. REMOVE & RELOCATE OR MODIFY AS REQUIRED.
  5. NEW 20 MINUTE FIRE RATED DOOR.
  6. ALL NEW WALL STUDS TO BE 2X6.
  7. TWO STUDS UNDER HEADER BEARING
  8. THREE STUDS UNDER GIRDER TRUSS
  9. SHAPE TRUSSES TO CROSS GABLE
  10. NEW TRUSSES TO MATCH SHAPE AND SLOPE OF EXISTING - FIELD VERIFY PRIOR TO DESIGN.
  11. 22" X 30" MIN. ATTIC ACCESS OPENING.



1 FLOOR PLAN
A-3 SCALE: 1/4" = 1'-0"

DRAWINGS FOR OWNER/CLIENT AND AUTHORITY HAVING JURISDICTION REVIEW AND VARIANCE REQUEST ONLY, NOT FOR BUILDING PERMIT OR CONSTRUCTION

PROPOSED ATTACHED GARAGE ADDITION FOR

JON HOWE

762 W. WISCONSIN AVENUE

VILLAGE OF PEWAUKEE, WISCONSIN, 53072

ARCHITECT  
JON HOWE  
ARCHITECTURE  
BUILDING CODE CONSULTATION  
PLUMBING DESIGN  
PASSIVE HOUSE CONSULTATION  
455 WELLS STREET, SUITE 100  
LAKE GENEVA, WI 53024-2116  
PHONE: 262-275-4001  
FAX: 262-275-4001  
WWW.JONHOWEARCHITECT.COM

PROJECT NO.  
2018  
PHASE OF SERVICE  
Constr. Doc. 100%  
© COPYRIGHT per  
JCZ Terms and Conditions  
and US Code Title 17  
DATE  
6/4/2021  
SHEET NO.  
A-3  
OF 3 SHEETS

DRAWING/REVISION  
date  
XXXX

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Village of Pewaukee Zoning Board of Appeals  
Engineer's Report for July 22, 2021

**Howe Property**  
**762 W. Wisconsin Ave.**

**Report**

Variance Request: The proposed project is the construction of an attached garage. The entire property is located within the Floodplain Fringe designation on the Village Zoning maps and the FEMA floodplain maps. The Village is the designated agency to regulate floodplain zoning requirements. The variance request is based on language in Section 40.390 (c)(1) which states, "No modifications or additions shall be allowed to a nonconforming structure unless it has been granted a permit or variance by the municipality, and meets the requirements of Sec. 40.388(c)(1), except where Sec. 40.390 (c)(2) is applicable."

Code Requirement Summary

The existing structure is located in the floodplain fringe. Per 40.388 (c), the structure must meet the requirements of Section 40.390 - Nonconforming Uses.

Section 40.390 - Nonconforming Uses, subsection (a)(2)(a) allows structures in the floodplain to remain, but no modifications or additions re allowed unless they comply with the floodplain ordinance.

40.390 (c)(1) of the floodplain ordinance allows additions if the owner is granted a variance and they met the required criteria in 40.388 (c), except where 40.390 (c)(2) is applicable.

40.390 (c)(2) is applicable in this case since it would not be used for human habitation or be associated with a high flood potential.

Criteria Review 40.390 (c)(2)

- a. No floor is allowed below the regional flood elevation for residential or commercial property. (The regional flood elevation is defined as the base flood elevation, which is further defined as the flood having a 1% chance of being equalled or exceeded in any given year, as published by FEMA. The base flood elevation is 860.00; proposed garage floor slab is 861.37)
- b. Human lives are not endangered
- c. Public facilities, such as water or sewer, will not be installed. (no public facilities to be installed)
- d. Flood depths will not exceed 2 feet (Flood depth is below the garage slab)
- e. Flood velocities will not exceed two feet per second (the flood fringe is area outside of the floodway, of where the flow path is located)
- f. The structure will not be used for storage of material described in section 40.388 (c)(6) (note the reference should be (c)(5)), which states that materials that are buoyant, flammable, explosive or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed. (Owner has indicated that materials described will be above the flood protection elevation of 862.00 feet)

### Code Variance Criteria

The applicant must provide evidence to show that all the following criteria are met in order to grant a variance (Code Sec. 40-391):

1. Literal enforcement of the ordinance provisions will cause an unnecessary hardship
2. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots.
3. The variance is not contrary to public interest
4. The variance is consistent with the purpose of the floodplain ordinance (protect life, health, property; minimize expenditures of public funds for flood control projects; minimize rescue and relief efforts undertaken at the expense of the taxpayers; minimize business interruptions; minimize damage to public facilities in the floodplain; discourage the victimization of unwary land and home buyers; prevent increase in flood heights; discourage development in a floodplain if there are alternatives.

Side note: The proposed garage meets the side yard setback of the R-6 zoning district.

Tim Barbeau, Village Consulting Engineer  
July 13, 2021

**PLAT OF SURVEY**

The North 1/2 of the following described premises: All that part of the Northwest 1/4 of Section 8, Township 7 North, Range 19 East, in the Village of Pewaukee, Waukesha County, Wisconsin, bounded and described as follows: Commencing at the North 1/4 corner of said Section 8; thence South along the North 1/4 line of said Section, 737.45 feet to the center line of County Trunk Highway "J"; thence South 83° 24' West along said center line, 1119.47 feet to the place of beginning of the parcel hereinafter described; thence continuing South 83° 24' West along the center line of County Trunk Highway "J", 102.60 feet; thence North 6° 19' East, 763.46 feet to the center line of Federal Highway No. 16; thence South 62° 20' East along said center line, 107.37 feet; thence South 6° 19' West, 701.44 feet to the place of beginning.

Address: 762 W. Wisconsin Ave.  
 Tax Key No.: PWV 0894-953

Ideally adjacent grade at perimeter of entire existing residence would be raised to 860.6 or 861.00' (1 foot above base flood [aka flood protection] elevation). This presumes the top of the existing residence foundation is at not less than 861.1 or 861.5' (it may not be) so that bottom of existing above grade wall sheathing/siding is at least 6" above grade as required by SPS321.10(2)(f) - the WI Uniform Dwelling Code



proposed slab elevation at overhead door (low) 859.6 or 861.00'  
 proposed slab elevation at perimeter of garage (high) 861.37'  
 such that high matches existing first floor of residence, low matches existing highest grade and slab pitches/drains to overhead door

Surveyed for: **GREG HOWE**

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 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; and as to them I warrant the accuracy of said survey map.

*Mark Roswell*  
 WISCONSIN REGISTERED LAND SURVEYOR

10/25/2018  
 FIELD WORK DATE

NAS / DAG  
 FIELD WORK BY

11/12/2018  
 DATE DRAFTED

MCP  
 DRAFTED BY

35396  
 JOB NUMBER