



# City of West Allis

## Meeting Agenda

### Board of Appeals

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Wednesday, December 4, 2024

5:30 PM

City Hall, Room 128  
7525 W. Greenfield Ave.

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#### REGULAR MEETING

*NOTICE IS HEREBY GIVEN that the Board of Appeals of the City of West Allis will conduct a hearing regarding request for variance to the City of West Allis Municipal Code, in meeting Room 128, West Allis City Hall, 7525 W. Greenfield Avenue, West Allis, Wisconsin, on Wednesday, December 4, 2024, at 5:30 P.M., or as soon thereafter as the matter may be heard, on the following. Regarding any appeal hereafter listed, any interested person(s) may express an opinion by calling (414)302-8466 or in writing prior to the meeting by sending communications to [planning@westalliswi.gov](mailto:planning@westalliswi.gov) or Board of Appeals, c/o Planning & Zoning, 7525 West Greenfield Avenue, West Allis, WI 53214. For further information, call (414)302 8466. (Notice is posted in the "Daily Reporter" weekly newspaper and mailed to property owners within 100 feet of each listed property.)*

#### A. CALL TO ORDER

#### B. ROLL CALL

#### C. APPROVAL OF MINUTES

1. [24-0661](#) Approval of Draft Minutes from November 15, 2023

**Attachments:** [Draft Minutes of November 15, 2023](#)

#### D. MATTERS FOR DISCUSSION/ACTION

2. [24-0675](#) Appeal by Sarah Morgan for an Area Variance to Sec. 19.41 of the zoning code to appeal a 25 ft. rear setback and a 5 ft. side setback requirement for an addition to the principal building at 8530 W. Cleveland Ave. (Tax Key No. 487-0259-000)

**Attachments:** [PH Notice - Morgan](#)  
[BOA Staff Review of 8530 W Cleveland Ave](#)

#### E. ADJOURNMENT



All meetings of the Board of Appeals are public meetings. In order for the general public to make comments at the committee meetings, the individual(s) must be scheduled (as an appearance) with the chair of the committee or the appropriate staff contact; otherwise, the meeting of the committee is a working session for the committee itself, and discussion by those in attendance is limited to committee members, the mayor, other alderpersons, staff and others that may be a party to the matter being discussed.

**NOTICE OF POSSIBLE QUORUM**

It is possible that members of, and possibly a quorum of, members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

**NON-DISCRIMINATION STATEMENT**

The City of West Allis does not discriminate against individuals on the basis of race, color, religion, age, marital or veterans' status, sex, national origin, disability or any other legally protected status in the admission or access to, or treatment or employment in, its services, programs or activities.

**AMERICANS WITH DISABILITIES ACT NOTICE**

Upon reasonable notice the City will furnish appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in and to enjoy the benefits of a service, program or activity provided by the City.

**LIMITED ENGLISH PROFICIENCY STATEMENT**

It is the policy of the City of West Allis to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits.



# City of West Allis

## Meeting Minutes

### Board of Appeals

Wednesday, November 15, 2023

5:30 PM

City Hall, Room 128  
7525 W. Greenfield Ave.

#### REGULAR MEETING (draft minutes)

#### A. CALL TO ORDER

*The meeting was called to order at 5:30 p.m.*

#### B. ROLL CALL

**Present** 4 - Brian Keller, Michael Pranghofer, Paul Budiach, Marissa Nowling  
**Excused** 1 - William Johnson

#### Others Attending

Property owner and Applicant, Jesse Ponyicsanyi  
Landlord, Ken Bartels, owner of 2073 S. 92 St.

#### Staff

Steve Schaer, AICP, Manager of Planning and Zoning  
Jack Kovnesky, Planner

#### C. APPROVAL OF MINUTES

1. [23-0675](#) Approval of Draft Minutes from July 27, 2023

**Attachments:** [Draft Minutes of 7-27-23](#)

Budiach moved to approve this matter, Nowling seconded, motion carried.

#### D. MATTERS FOR DISCUSSION/ACTION

2. [23-0677](#) Property Address: 2079 S. 92 St.  
Tax Key: 479-0171-000

Appeal by Jesse Ponyicsanyi, property owner, for a proposed mixed-use variance to section 19.32.

**Attachments:** [2079 S 92 St \(Appeal\) UseVariance](#)

*Recommendation: Approval of an appeal by Jesse Ponyicsanyi, property owner, for a proposed mixed-use variance to section 19.32, at 2079 S. 92 St. (Tax Key No. 479-0171-000) being subject to the following: (a) necessary permits and licensing toward obtaining business occupancy; (b) use variance allows permitted "neighborhood retail" and "neighborhood service" uses within C-2 commercial (section 19.32) of the zoning code; (c) maintain existing 300-sf commercial floor area (no expansion of the space).*

Nowling moved to approve this matter, Budiach seconded, motion carried.

**E. ADJOURNMENT**

*There being no further business, a motion was made by Nowling, seconded by Budiac to adjourn at 5:52 p.m.*



All meetings of the {bdName} are public meetings. In order for the general public to make comments at the committee meetings, the individual(s) must be scheduled (as an appearance) with the chair of the committee or the appropriate staff contact; otherwise, the meeting of the committee is a working session for the committee itself, and discussion by those in attendance is limited to committee members, the mayor, other alderpersons, staff and others that may be a party to the matter being discussed.

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**CITY OF WEST ALLIS  
NOTICE OF PUBLIC HEARING  
December 4, 2024 at 5:30PM**

«MailingName1»  
«MailingName2»  
«MailingAddress1»  
«MailingCSZ»

**NOTICE IS HEREBY GIVEN** that the Board of Appeals of the City of West Allis will conduct a Public Hearing on December 4, 2024 at 5:30PM, or soon thereafter in Room 128 at West Allis City Hall, 7525 W. Greenfield Avenue, West Allis, Wisconsin on the following:

**Appeal by Sarah Morgan for an Area Variance to Sec. 19.41 of the zoning code to appeal a 25 ft. rear setback and a 5 ft. side setback requirement for an addition to the principal building at 8530 W. Cleveland Ave. (Tax Key No. 487-0259-000)**

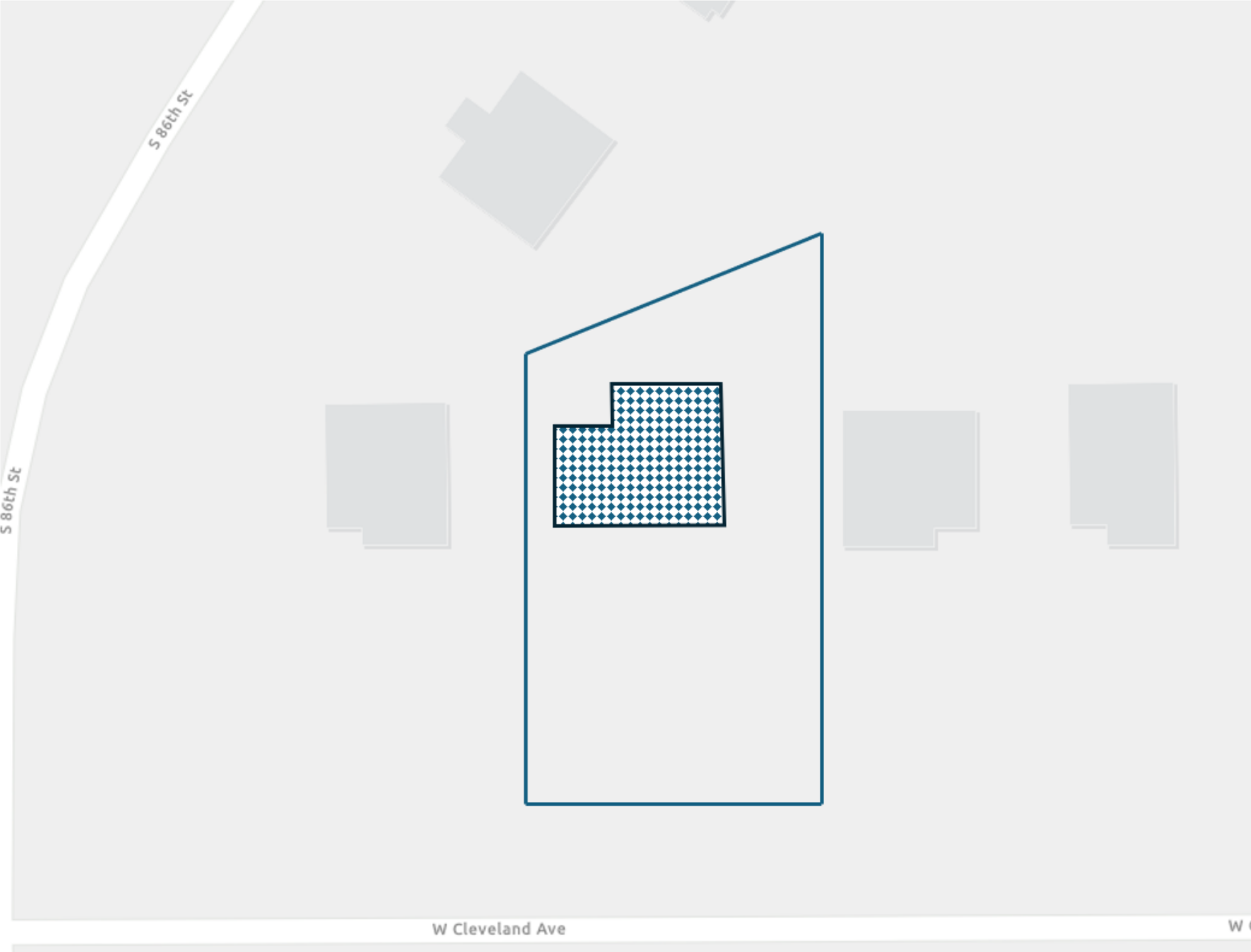
Additional project information, comments, questions or concerns can be addressed by emailing [planning@westalliswi.gov](mailto:planning@westalliswi.gov) or calling 414.302.8460. You may express your opinion prior to the meeting in writing by emailing [clerk@westalliswi.gov](mailto:clerk@westalliswi.gov), or in person at the public hearing at the above date, time and location.

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Appeal by Greg Rushing and Sarah Morgan for an Area Variance to Sec. 19.41 to place an attached two-car garage within 14'4" of the rear property lot line, at 8530 W. Lincoln Ave. (Tax Key No. 487-0259-000)



**Legend**

- Parcel
- Structure
- Project Area



**STAFF REPORT**  
**WEST ALLIS BOARD OF APPEALS**  
 Thursday, December 5<sup>th</sup>, 2024, 5:30 PM  
 Room 128 – City Hall – 7525 W. Greenfield Ave.

Watch: <https://www.youtube.com/user/westalliscitychannel>

- Appeal by Sarah Morgan for an Area Variance to Sec. 19.41 of the zoning code to appeal a 25 ft. rear setback and a 5 ft side setback requirement for an addition to the principal building at 8530 W. Cleveland Ave. (Tax Key No. 487-0259-000)**

**Request for area variance:**

Sarah Morgan and Greg Rushing, owners of 8530 W. Cleveland Ave., would like to demolish their existing non-conforming 1-car garage in favor of a constructing a new 725 sq ft, attached 2-car garage east of their lot's principal building.

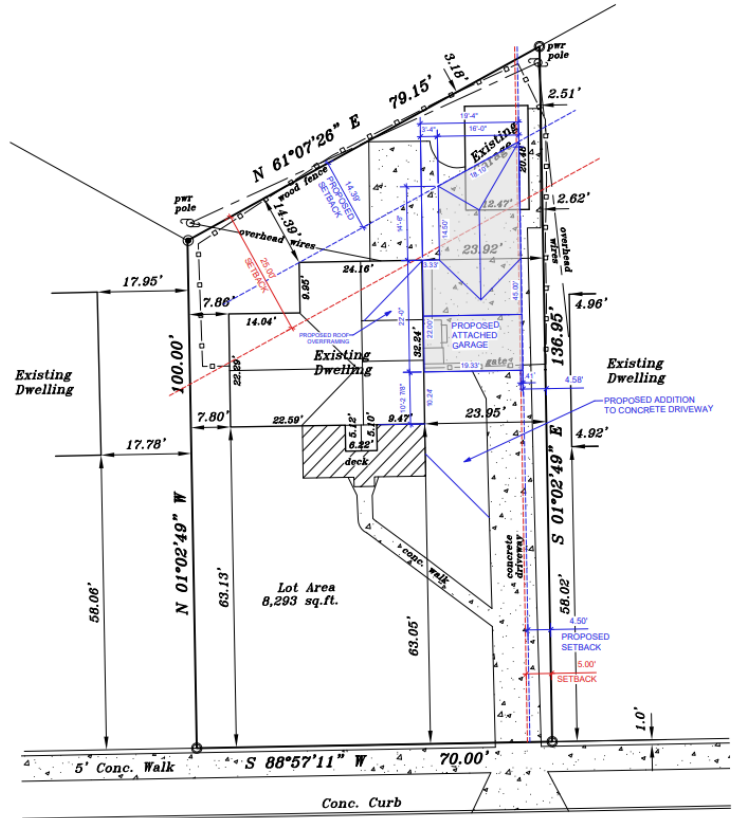
The RA-2 zoning district establishes the following setbacks:

- Rear Setback: 25'
- Side Setback: 5'

The applicant proposes the following setbacks:

- Rear Setback: 14.39'
- Side Setback: 4.58'

The proposed setbacks do not comply with Sec. 19.41 Building Size and Location requirements due to these reduced setbacks.



**Staff Comments:**

Although the proposed setbacks are non-compliant, staff believe that there are adequate considerations to necessitate an area variance for this new structure. The replacement of the non-conforming single-car garage in favor of a 2-car garage is not an unreasonable request, and the rear lot line's angle poses a hardship to the property owners in positioning a detached garage structure entirely. Additionally, the location of the attached garage as proposed is necessary due to the added expense and loss of quality living quarters if the proposed garage were to shift toward the front lot line. The applicants' requests should not pose a detriment to the neighbors north and east of this property, as the proposal improves upon the previous structure's setbacks. Staff note that the applicants have worked diligently, showing several plan iterations to staff to receive feedback prior to requesting this appeal, and that most potential avenues of construction have been thoughtfully considered by the applicants prior to this request.

**Recommendation:** Approval of an appeal by Sarah Morgan for an Area Variance to Sec. 19.41 to appeal a 25 ft. rear setback and a 5 ft side setback requirement for an addition to the principal building at 8530 W. Cleveland Ave. (Tax Key No. 487-0259-000)