



Wauwatosa, WI

Community Affairs Committee

Meeting Agenda - Final

7725 W. North Avenue
Wauwatosa, WI 53213

Tuesday, April 9, 2024

7:30 PM

Council Chambers and Zoom:
<https://servetosa.zoom.us/j/82923188685>,
Meeting ID: 829 2318 8685

Regular Meeting

HYBRID MEETING INFORMATION

Members of the public may observe and participate in the meeting in-person or via Zoom at the link above. To access the Zoom meeting via phone, call 1-312-626-6799 and enter the Meeting ID.

CALL TO ORDER

ROLL CALL

ORDINANCES FOR ADOPTION CONSIDERATION

1. Ordinance Amending the Official Zoning Map of the City of Wauwatosa from R1-6 District to R2 District for a portion of land at 1357 N. 71st Street and from R2 District to R1-6 District for a portion of land at 1412 St. Charles Street

[24-0236](#)

Recommendation: Introduced on March 19, 2024 for adoption consideration

ADJOURNMENT

NOTICE TO PERSONS WITH A DISABILITY

Persons with a disability who need assistance to participate in this meeting should call the City Clerk's office at (414) 479-8917 or send an email to tclerk@wauwatosa.net, with as much advance notice as possible.



Staff Report

File #: 24-0236

Agenda Date: 4/9/2024

Agenda #: 1.

Ordinance Amending the Official Zoning Map of the City of Wauwatosa from R1-6 District to R2 District for a portion of land at 1357 N. 71st Street and from R2 District to R1-6 District for a portion of land at 1412 St. Charles Street

The Common Council of the City of Wauwatosa ordains as follows:

Part 1. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect a Zoning Map Amendment from R1-6 District to R2 District for a portion of land at 1357 N. 71st Street and from R2 District to R1-6 District for a portion of land at 1412 St. Charles Street:

1357 N. 71st Street - THAT PART OF LOT 11 IN STICKNEY'S SUBDIVISION NO.3 IN THE SOUTHWEST 1/4 OF SECTION 22, IN TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 11; THENCE NORTH 89°04'32" WEST, 122.60 FEET, ALONG THE NORTH LINE OF SAID LOT 11 TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 89°04'32" WEST, 35.40 ALONG SAID NORTH LINE TO A FOUND CHISELED X IN CONCRETE AT THE NORTHWEST CORNER OF SAID LOT 11; THENCE SOUTH 19°51'32" EAST, 81.65 FEET, ALONG THE WEST LINE OF SAID LOT 11; THENCE SOUTH 81°46'17" EAST, 4.13 FEET; THENCE NORTH 2°39'41" EAST, 76.89 FEET, TO THE POINT OF BEGINNING. CONTAINING 1,509 SQUARE FEET, MORE OR LESS

1412 St. Charles Street - THAT PART OF LOT 12 IN STICKNEY'S SUBDIVISION NO.3 IN THE SOUTHWEST 1/4 OF SECTION 22, IN TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 11 IN SAID STICKNEY'S SUBDIVISION NO.3; THENCE NORTH 89°04'32" WEST, 158.00 FEET, ALONG THE NORTH LINE OF SAID LOT 11 TO A FOUND CHISELED X IN CONCRETE AT THE NORTHWEST CORNER OF SAID LOT 11; THENCE SOUTH 19°51'32" EAST, 81.65 FEET, ALONG THE EAST LINE OF SAID LOT 12 TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 19°51'32" EAST, 15.14 FEET, ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID LOT 12; THENCE NORTH 82°14'32" WEST, 8.78 FEET, ALONG SAID SOUTH LINE; THENCE NORTH 10°00'21" EAST, 13.44 FEET; THENCE SOUTH 81°46'17" EAST, 1.23 FEET, TO THE POINT OF BEGINNING. CONTAINING 67 SQUARE FEET, MORE OR LESS

Part II. The City Administrator is hereby directed to change the Official Zoning Map of the City of Wauwatosa to conform to the provisions of the Ordinance, and said Map is declared amended accordingly.

Part III. This ordinance shall take effect on and after its date of publication and subject to approval and recording of the lot line adjustment.

By: Plan Commission

Recommendation: Introduced on March 19, 2024 for adoption consideration



Staff Report

Agenda Date: 4/9/2024

Request by Nick and Leah Cerwin and Thomas and Cory McFall for a Zoning Map Amendment from R1-6 District to R2 District for a portion of land at 1357 N. 71st Street and from R2 District to R1-6 District for a portion of land at 1412 St. Charles Street

A. Background/Options

The applicants are proposing the following zoning map amendment:

- Rezone 1,509 square feet of land at 1357 N. 71st Street from R1-6 District to R2 District.
- Rezone 67 square feet of land at 1412 St. Charles Street from R2 District to R1-6 District.

The zoning map amendment is being requested due to a lot line adjustment proposal between the two properties that have different zoning designations. 1412 St. Charles Street is zoned R2 and 1357 N. 71st Street is zoned R1-6. The creation of split-zoned properties is prohibited per City Code. Therefore, the applicants are requesting the rezone so that the zoning district boundary aligns with the proposed property lines.

Plan Commission recommended approval 6-0 at the February 12 meeting. The required public hearing was held before the Common Council on March 19, 2024 with one applicant speaking in favor of the proposal.

Attached to this report is the applicant's request with a survey showing the areas subject to the zoning map amendment.

B. Staff Comments

Planning/Zoning Division: The lot line adjustment has been reviewed and approval is pending the zoning change. Fifty-seven (57) public notification letters related to the project were sent per City regulations.

Building Division: No issues.

City Clerk's Office: No issues.

Assessor's Office: No issues.

Public Works Department: No issues.

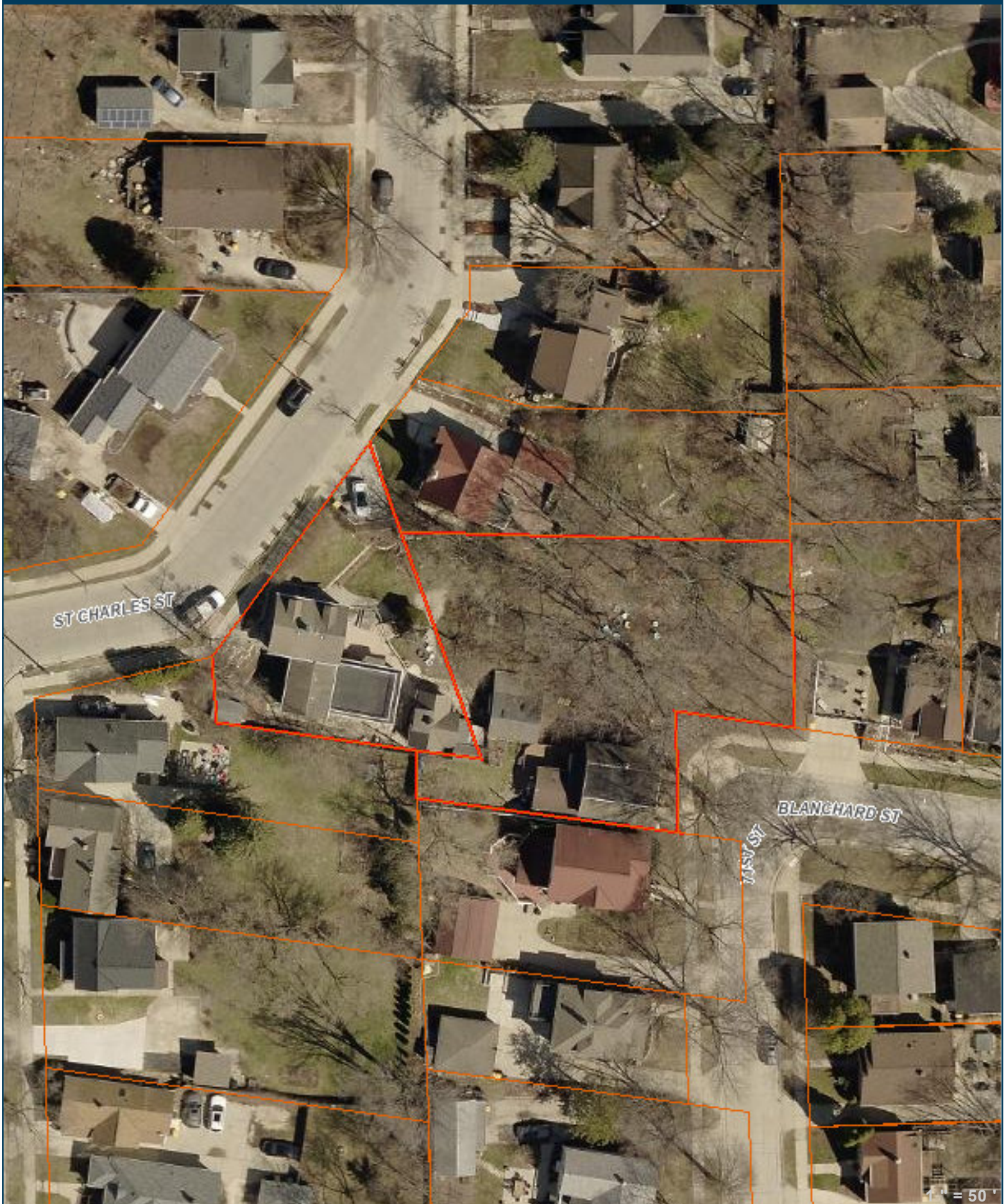
Fire Department: No issues.

Health Department: No issues.

Police Department: No issues.

C. Recommendation

Staff recommends approval subject to approval of the lot line adjustment.

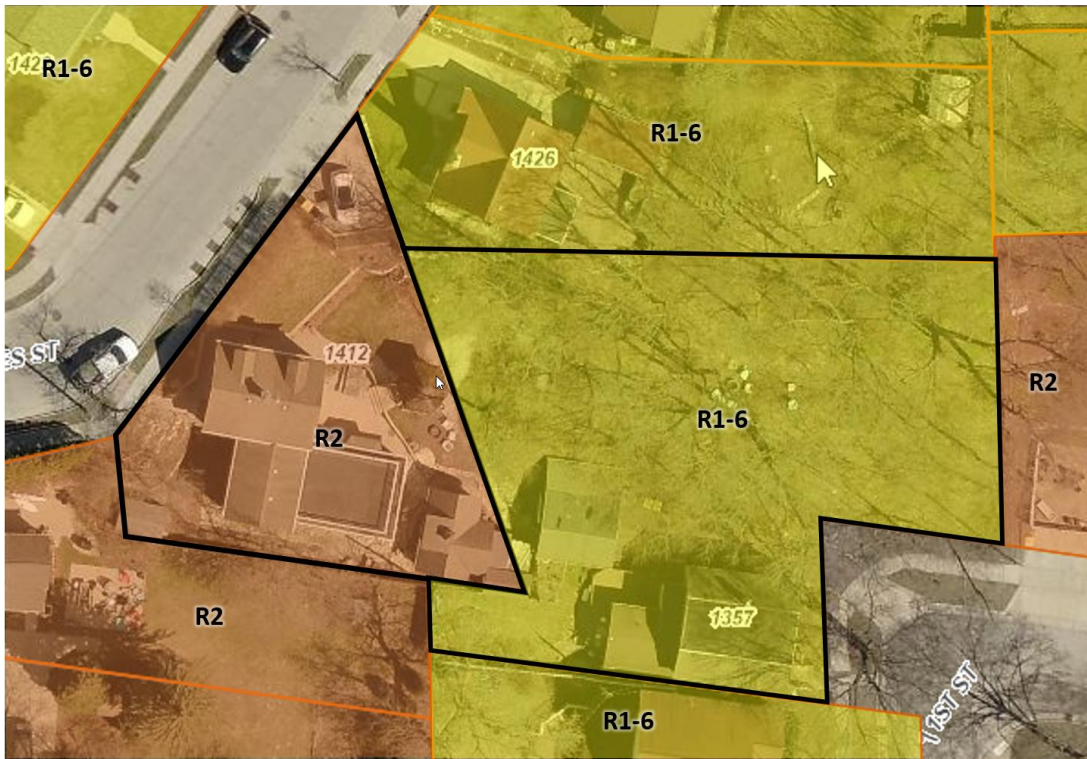


Title

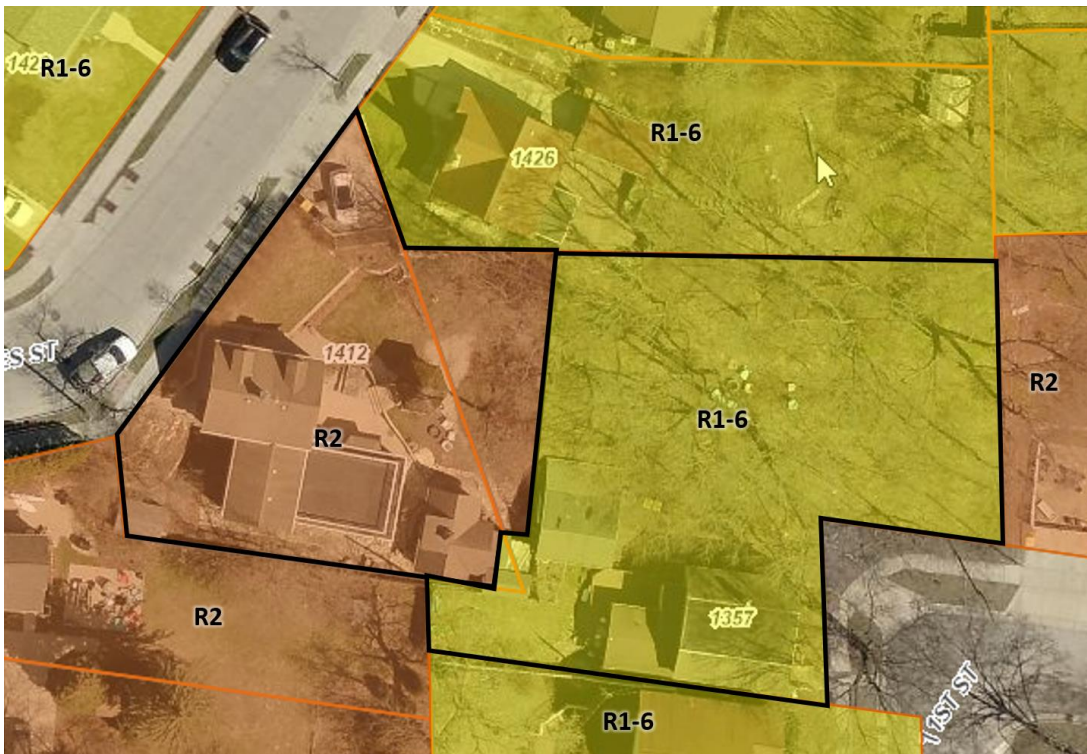
City of
Wauwatosa



Existing Zoning



Proposed Zoning



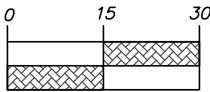
PLAT OF SURVEY

OWNERS: PART OF LOT 11
NICHOLAS S. CERWIN
LEAH F. CERWIN
1357 N. 71st STREET
WAUWATOSA, WI 53123

OWNERS: PART OF LOT 12
CORY McFALL, MD
THOMAS McFALL PhD
1412 St. CHARLES STREET
WAUWATOSA, WI 53213

LEGEND

- 3/4" CAPPED IRON ROD FOUND, OR AS NOTED.
- 3/4"x18" REBAR WEIGHING 1.13 LBS/FOOT SET.
- FENCE



ST. CHARLES ST.

LEGAL DESCRIPTION – CERWIN
LOT 11 IN STICKNEY'S SUBDIVISION NO. 3, IN THE SOUTHWEST 1/4 OF SECTION 22, IN TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, EXCEPTING THE SOUTH 30.40 FEET OF THE EAST 50.20 FEET THEREOF.

ALSO, THE NORTH 1 FOOT OF LOT 1 AND A CERTAIN RESERVED STRIP OF LAND 17.82 FEET NEXT ADJOINING THE NORTH LINE OF LOT 1 IN ROSENTHAL'S SUBDIVISION NO. 1, OF THE SOUTHWEST 1/4 OF SECTION 22, IN TOWNSHIP 7 NORTH, RANGE 21 EAST, ALL IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN.

LEGAL DESCRIPTION – McFALL
LOT 12 EXCEPT THE WEST 75 FEET THEREOF, IN STICKNEY'S SUBDIVISION NO. 3, IN THE SOUTHWEST 1/4 OF SECTION 22, IN TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

PART OF LOT 11
STICKNEY'S
SUBDIVISION NO. 3

PART OF LOT 12
STICKNEY'S
SUBDIVISION NO. 3

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNER OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE OR GUARANTEE THE TITLE THERETO WITHIN 1 YEAR FROM THE DATE HEREON.

I HEREBY CERTIFY THAT 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 DIMENSION OF ALL VISIBLE STRUCTURES THEREON, FENCES, APPARENT EASEMENTS, ROADWAYS AND VISIBLE ENCROACHMENT, IF ANY, AND THAT I HAVE COMPLIED WITH WISCONSIN CHAPTER A-E 7.



JANUARY 5, 2024

PSE

122 Wisconsin Street, West Bend, WI 53095
262.346.7800 kparish@parishse.com

FN: NC-01-23 Date: 01/05/24

