



Wauwatosa, WI

Board of Zoning Appeals

Meeting Agenda

7725 W. North Avenue
Wauwatosa, WI 53213

Thursday, April 23, 2026

6:00 PM

Zoom Only:
<https://us02web.zoom.us/j/89325102239>,
Meeting ID: 893 2510 2239

Regular Meeting

VIRTUAL MEETING INFORMATION

Members of the public may observe and participate in the meeting via Zoom only 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

APPROVAL OF MINUTES

NEW BUSINESS

The Board may convene in closed session regarding this item pursuant to Wis. Stat. §19.85 (1)(g), for purposes of deliberating after a quasi-judicial hearing or to confer with their legal counsel. The Board may reconvene into open session to consider any action discussed in closed session and/or the balance of the agenda.

1. Request by David Morgan for fence code exceptions for a front yard fence located at 1909 N. 68th Street [26-0449](#)
2. Request by Michael Davis, Insite Landscape Design, for front and side street setback variances for a Veterans Memorial Plaza located at the corner of Milwaukee Avenue and Harwood Avenue. [26-0706](#)

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 #: 26-0449

Agenda Date: 4/23/2026

Agenda #: 1.

Request by David Morgan for fence code exceptions for a front yard fence located at 1909 N. 68th Street

Submitted by:

Andy Krause

Department:

Development

A. Background

The applicant is requesting three code exceptions for a proposed four-foot fence to be constructed in the front yard. While the house faces 68th Street, Hillcrest Drive is considered the front of the lot. There is an existing fence that is grandfathered and not subject to current regulations or this application; only the additional fencing is subject to the exception request and fence regulations.

Proposed fence

Three exceptions are requested:

1. Maximum height. The proposed fence is four feet tall.
2. Setback. The proposed fence will be constructed on the west lot line.
3. Length of Fencing. The additional fencing is approximately 52 linear feet.

Allowed by City code

Under 15.28.030A., fences located in the front yard in residential districts cannot:

1. Exceed three feet in height.
2. Setback less than 3 feet from the side lot line
3. Extend more than 20% of the lot width in total length. The lot width is 57.32 feet. A maximum of 11.46 feet of fencing is allowed by code (20% of 57.32 feet).

Application information is attached.

B. Recommendation

Under the exception provisions, the applicant must demonstrate to the Board that a hardship exists created by conforming to the fence regulations. The Board should consider all of the following, making findings that each of these factors applies in favor of granting the exception:

1. Whether strict application of the code would create a hardship to the property owner;
2. Whether the hardship results from conditions which are unique to the property, or unusual in comparison to the properties to which the code is generally applicable; and
3. Whether the application of the exception will be consistent with the intent of the ordinance and not impair public safety.



1" = 33'

City of Wauwatosa

City of Wauwatosa



1909 N. 68th Street
Wauwatosa, Wisconsin
Board of Zoning Appeals
City of Wauwatosa

Dear Members of the Board:

On behalf of my wife and myself, we respectfully request that the Board of Zoning Appeals approve our application to replace and modestly extend the existing fence on our property located at 1909 N. 68th Street.

- We have included the following materials for your review:
- Photographs of the current lot showing the existing vinyl fence
- Images of the proposed white cedar picket fence design
- An aerial view of the property
- A survey identifying the existing fence location and proposed extensions
- An email of support from our neighbor to the west along Hillcrest

The existing fence was originally approved through a variance granted in 1996 and has remained in that approved location since that time. Our proposal removes the current vinyl fencing and replaces it with a four-foot white cedar picket fence that is more consistent with the historic character of the neighborhood.

In addition, we are requesting approval for modest extensions that complete the enclosure of the yard. On the west side of the property, we propose extending the fence to the property line and connecting it to the southwest corner of our home. Along the front yard, the fence will remain in its current location, and we propose closing the open gap by connecting the existing end post to the southeast corner of our home. Importantly, no new fencing is proposed along any roadway frontage.

Unnecessary Hardship / Unique Property Conditions

The hardship arises from the unique configuration and layout of our lot and home. The yard area technically classified as the “front yard” functions as the only practical and usable yard space on the property. The area technically considered the “backyard,” located to the north, functions more as a narrow side yard and does not provide meaningful or usable outdoor space. Similarly, the portion of the property between our home and the neighboring property along Hillcrest functions as a side yard and is limited in width.

Because of this configuration, the only functional and usable yard area is the space technically designated as the front yard, though in practical terms it operates more like a side yard relative to how the home is oriented and used. The physical layout of the home and lot does not offer reasonable alternative locations where a fence could be installed to enclose usable yard space while strictly complying with the ordinance. Without relief, the property is effectively deprived of the ability to enclose its only functional yard area in a manner consistent with typical residential use.

Hardship Not Self-Created

The conditions giving rise to this request were not created by us. The lot configuration, street orientation, and prior fence placement approved by variance predate our ownership. We are not seeking to intensify the use of the property, but rather to improve and modestly adjust an existing condition.

No Detriment to the Public Interest

The proposed fence will not obstruct visibility or impact roadway safety, as no additional fencing is proposed along street frontages. The requested extensions primarily close gaps between the existing fence line and the home. Additionally, our adjacent neighbor has provided written support for the proposal, demonstrating that the request is not detrimental to neighboring properties.

Consistency with the Intent of the Zoning Code

The purpose of fencing regulations is to preserve neighborhood character, maintain safety, and ensure reasonable open space. Replacing a vinyl fence with a traditional four-foot white cedar picket fence enhances the aesthetic

quality of the property and better aligns with the historic character of the neighborhood. The modest extension maintains the spirit and intent of the zoning code while allowing reasonable residential enclosure.

We respectfully submit that this request satisfies the required criteria for a variance and represents a thoughtful and appropriate improvement to the property. We appreciate the Board's time and careful consideration of our application and are happy to provide any additional information the Board may require.

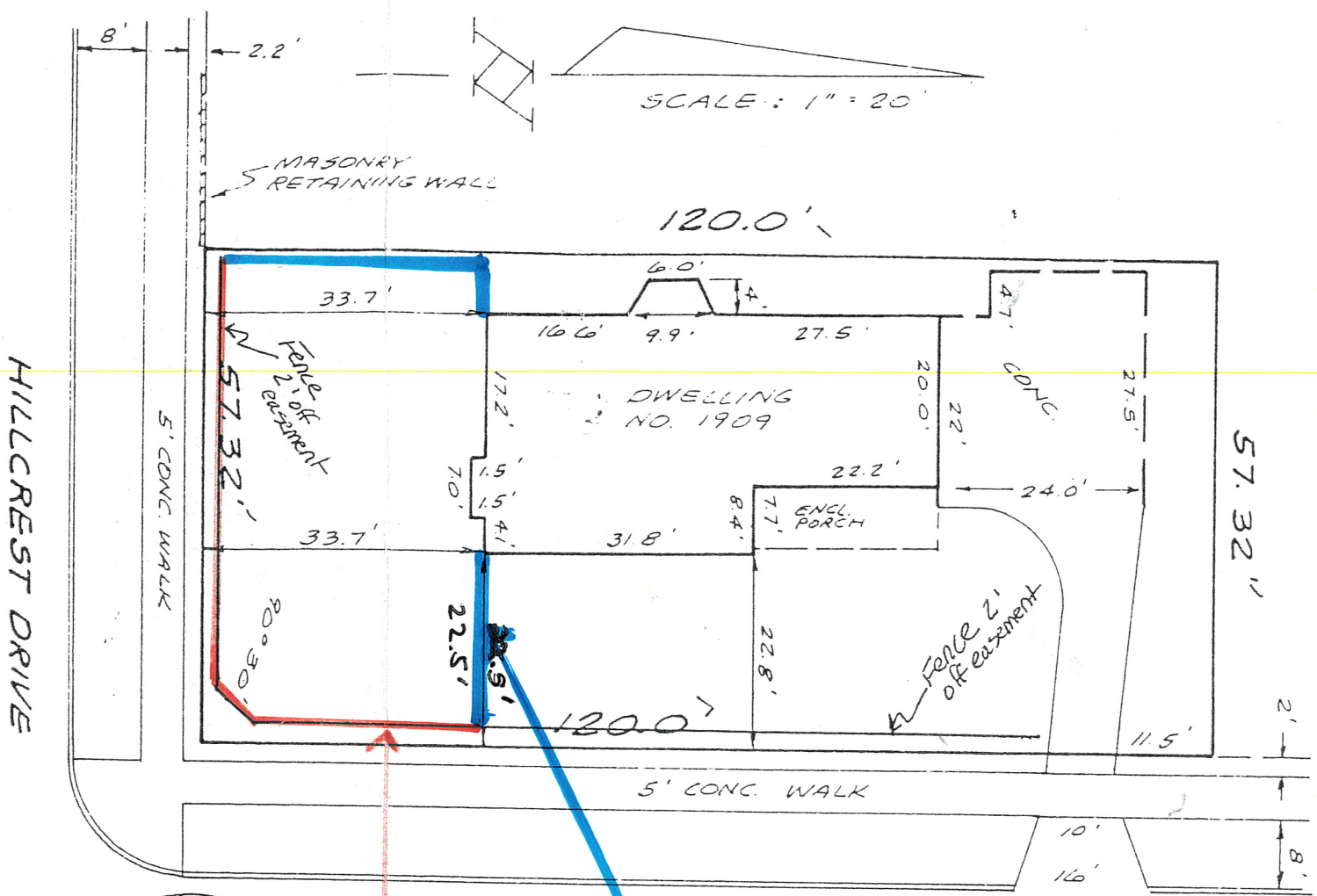
Sincerely,

David and Heather Morgan

PLAT OF SURVEY

Lot 8, in Block 5, in Browns Subdivision in the Northwest 1/4 and Southwest 1/4 in Section 22, Town 7 North, Range 21 East, in the City of Wauwatosa, Milwaukee County, State of Wisconsin.

Located at: 1909 North 68th Street, Wauwatosa



N. 68TH. ST.

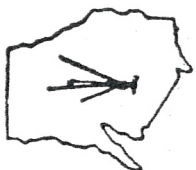
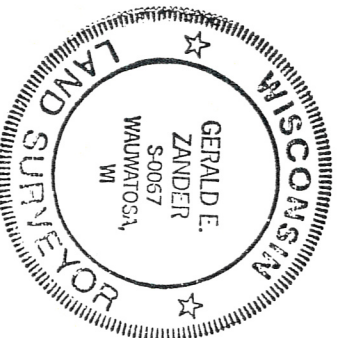
HILLCREST DRIVE

Existing fence approved in 1996

New fence encloses yard



RMF
8-1-96



WINDY HILL LAND SURVEYORS, LTD.
1000 W. WISCONSIN ST., SUITE 100
WAUWATOSA, WI 53213
TEL: 778-4333 FAX: 778-4334

Chris & Susan Bradley
1909 North 68th Street
Wauwatosa, WI 53213

344-51150 Date July 22, 1996

NOT ORIGINAL COPY
Gerald E. Zander
44

Aerial View



New fence design



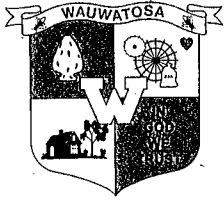
New fence design



Picture of Existing Fence
Corner of Hillcrest and 68th
Fence has been in place for over 20 years.







CITY OF WAUWATOSA
Safety & Buildings Division
P.O. Box 13068 - 7725 W. North Avenue
Wauwatosa, Wisconsin 53213

Telephone 414-479-8907
Building Inspection
Electrical Inspection
Plumbing Inspection
Property Maintenance
FAX 414-471-8414

DECISION OF THE BOARD OF ZONING APPEALS

September 18, 1996

Christopher & Suzanne Bradley
1909 N. 68th Street
Wauwatosa, WI 53213

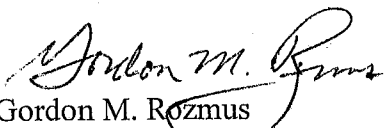
Re: Request by Christopher and Suzanne Bradley for a variance at 1909 N. 68th Street in the AA Single Family Residence District to permit a fence in the front and side yard with a height of up to 3.5 feet, whereas the height restriction is 3 feet.

Dear Mr. & Mrs. Bradley:

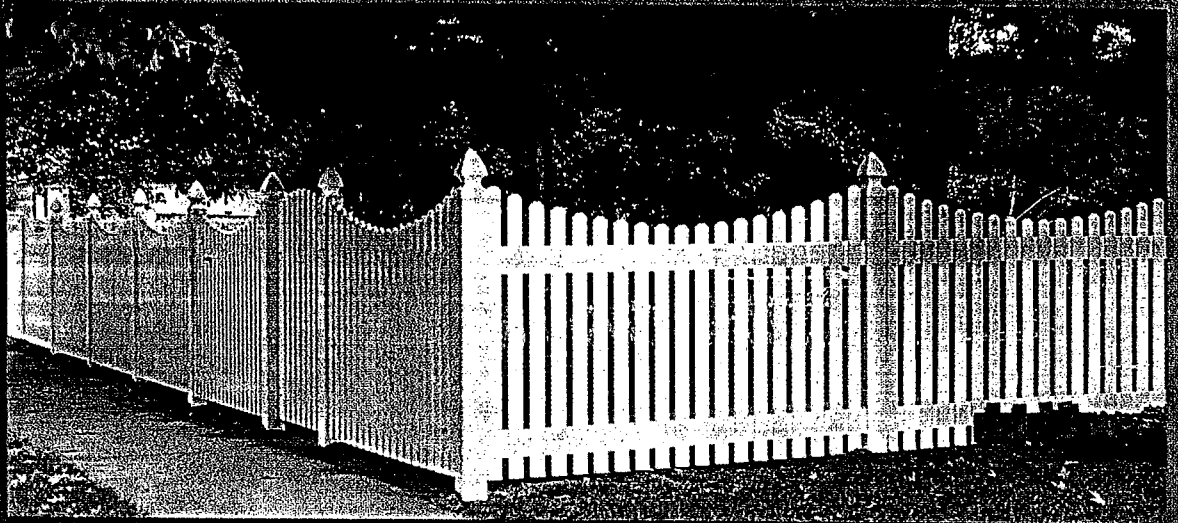
With regard to subject application as referred to above, and a public hearing, before our Board of Zoning appeals on August 22, 1996, the following is the decision of said board:

To approve a variance to permit a fence in the front and side yard setback with a height up to 3.5 feet in that the variance will not create a special detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this ordinance or to the public interests.

Sincerely,


Gordon M. Rozmus
Director of Community Development

rm



↑
High point
is 3½'

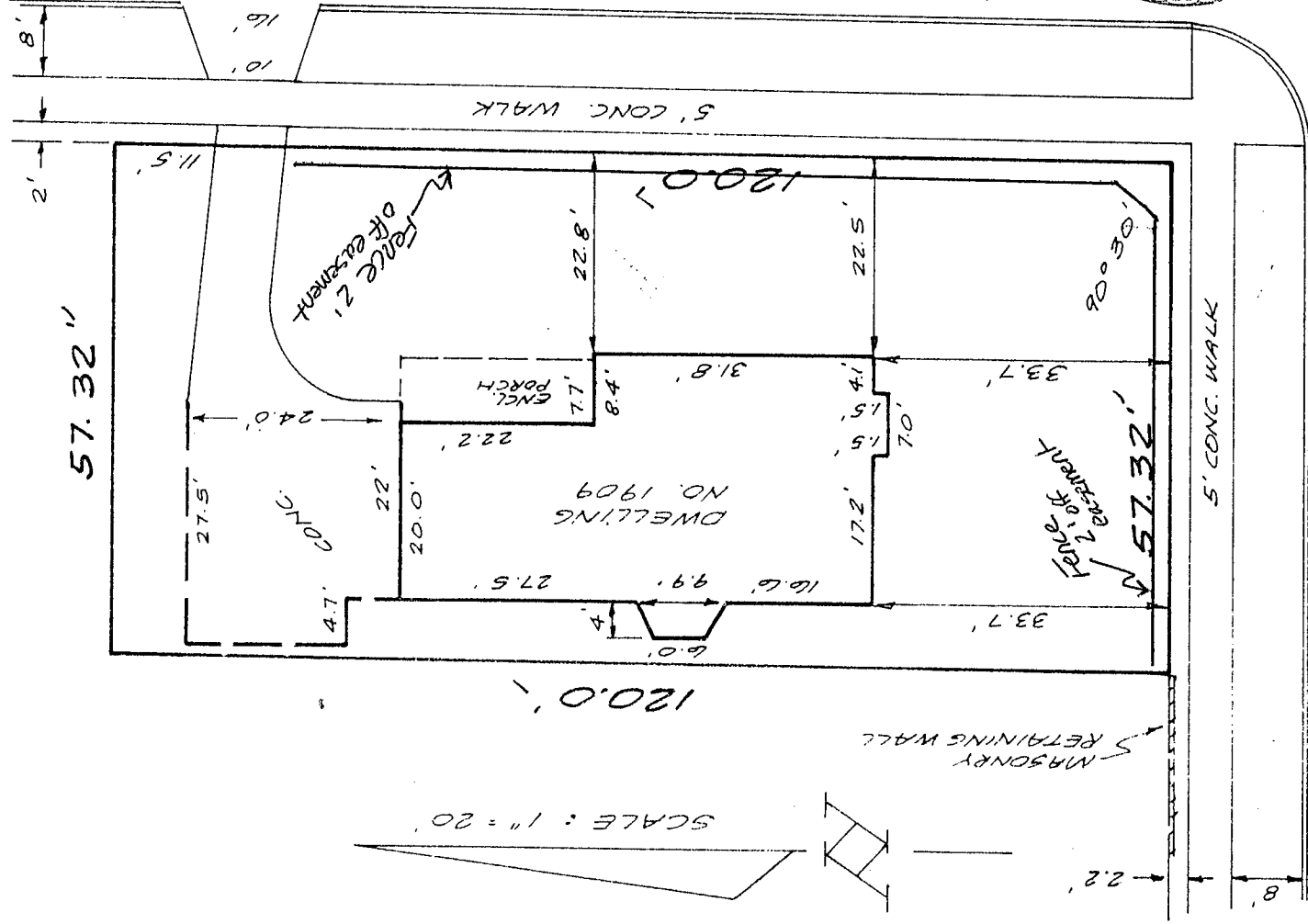
↑
low point
is 3'



PLAT OF SURVEY

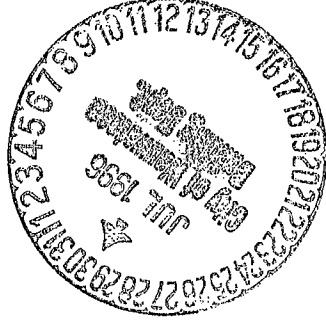
Lot 8, in Block 5, in Browns Subdivision in the Northwest 1/4 and Southwest 1/4 in Section 22, Town 7 North, Range 21 East, in the City of Wauwatosa, Milwaukee County, State of Wisconsin.

Located at: 1909 North 68th Street, Wauwatosa

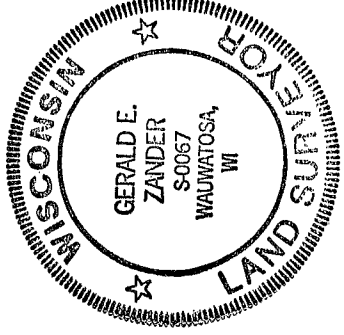


N. 68TH. ST.

HILLCREST DRIVE



RmE
8-1-96



NOTICE: THIS SURVEY IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT A GUARANTEE OF ACCURACY. THE SURVEYOR HAS CONDUCTED A REASONABLE INVESTIGATION OF THE FACTS AND HAS FOUND NO EVIDENCE OF FRAUD OR NEGLIGENT MISFEASANCE. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE SURVEYOR'S LIABILITY IS LIMITED TO THE AMOUNT OF THE FEE PAID FOR THIS SURVEY.



WING MIDLAND SURVEYORS LTD
1000 WEST 10TH STREET
MILWAUKEE, WI 53233
TEL: 414-353-4500
FAX: 414-353-4501

For
Chris & Susan Bradley
1909 North 68th Street
Wauwatosa, WI 53213

NOT ORIGINAL UNLESS SEALED IN RED INK

Date July 22, 1996

No 344-51150

Sur

44

From: [David Morgan](#)
To: [David Morgan](#)
Subject: Fwd: Fence project
Date: Friday, February 13, 2026 8:11:01 AM

 EXTERNAL MESSAGE – Think Before You Click

----- Forwarded message -----

From: Heather Morgan <heather.morganrose@gmail.com>
Date: Tue, Feb 10, 2026 at 12:02 PM
Subject: Re: Fence project
To: David Morgan <dmorgan9295@gmail.com>

Mary,

Thank you so much!! We really appreciate it. Looking forward to seeing you out gardening in the spring.

Heather

On Tue, Feb 10, 2026 at 12:00 PM Heather Morgan <heather.morganrose@gmail.com> wrote:

----- Forwarded message -----

From: <mpboelk@gmail.com>
Date: Tue, Feb 10, 2026 at 11:03 AM
Subject: Fence project
To: <Heather.morganrose@gmail.com>

Hi Heather,

Here is my fence letter. Feel free to share with the appropriate members of the City of Wauwatosa staff.

Mary

To whom it may concern,

I am writing to express my support for the fence project being proposed by the Morgan's at [1909 N. 68th Street](#) in Wauwatosa. They are next door neighbors and have been quite forthcoming in sharing their ideas regarding building a fence, including proposed materials and esthetics.

I think the fence will not only enhance their property but the neighborhood as a whole.

Thank you for considering my opinion in this matter.

Sincerely,

Mary P. Boelk
6812 Hillcrest Drive
Wauwatosa, WI 53213

Sent from my iPad



Staff Report

File #: 26-0706

Agenda Date: 4/23/2026

Agenda #: 2.

Request by Michael Davis, Insite Landscape Design, for front and side street setback variances for a Veterans Memorial Plaza located at the corner of Milwaukee Avenue and Harwood Avenue.

Submitted by:

Art Piñon

Department:

Development

A. Background

The applicant is requesting two (2) variances related to front and side yard setbacks for a proposed veterans memorial plaza located at the western corner of Milwaukee Avenue and Harwood Avenue in the Neighborhood Residential (NR) Zone. The subject site is a triangular lot with frontage on two streets and is primarily surrounded by residential development.

Both variance requests are needed to accommodate two semi-circular pergolas that are part of the proposed memorial plaza. All other components of the memorial, including flagpoles, landscaping, and hardscape elements, comply with City Code. Setbacks for structures in the NR zone are regulated under WMC 24.02.030. A summary of the requested variances is provided below:

Variance 1 - Front Yard Setback (Pergolas extending beyond setback along Harwood Avenue):

Required: 25 feet

Proposed: 0 feet

Variance 2 - Side Yard Setback (Pergolas extending beyond setback along Milwaukee Avenue):

Required: 15 feet

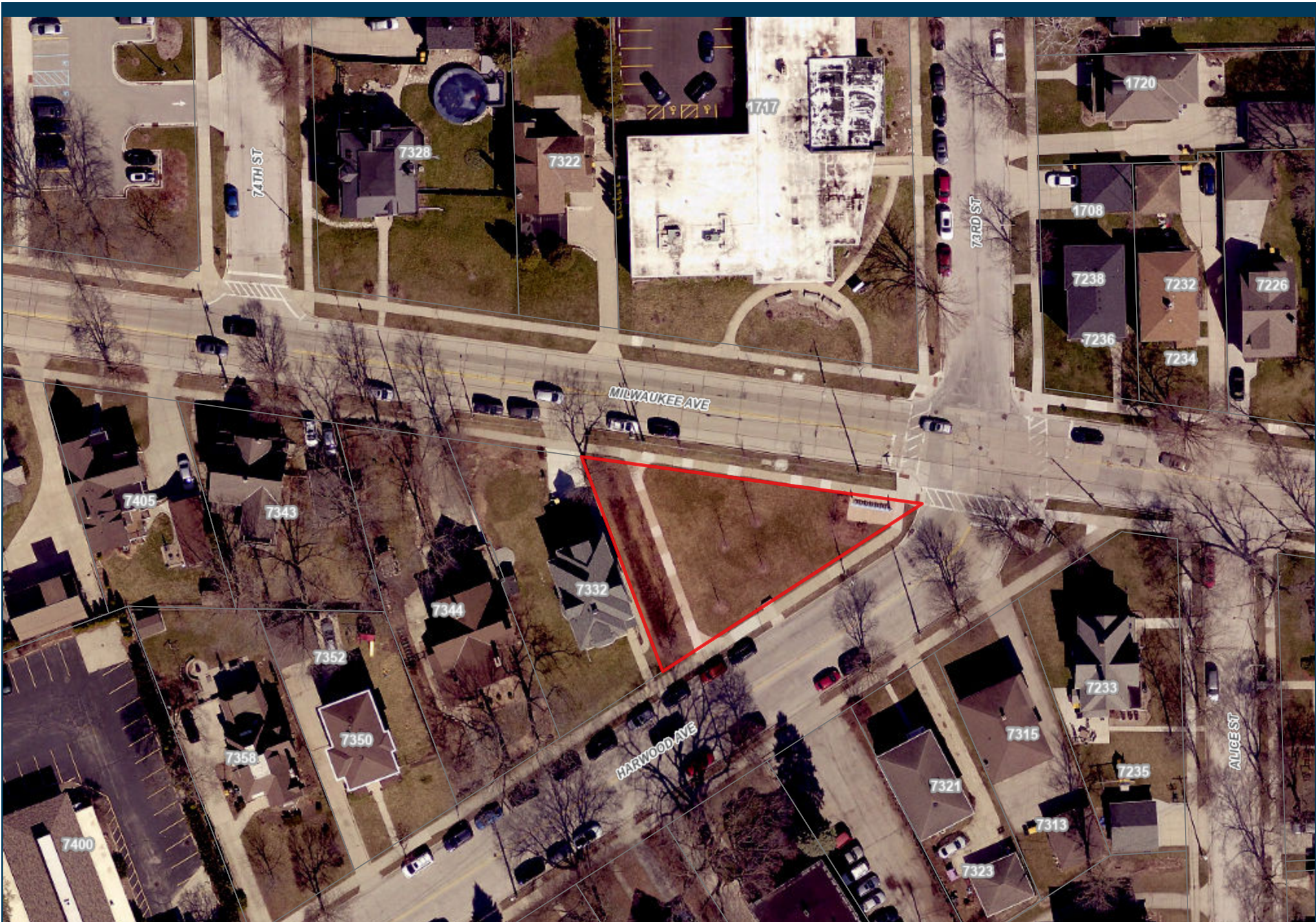
Proposed: 0 feet

A justification letter addressing the required approval criteria, site plan, and conceptual renderings are attached.

B. Recommendation

The standard four criteria should be applied to make the determination for the requested variances:

1. Exceptional circumstances do exist pertaining to this lot.
2. That a variance is necessary for the preservation and enjoyment of the property rights possessed by other properties in the district and vicinity.
3. That the variance will not create special detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this or to the public interests.
4. That the difficulty or hardship was not created by the property owner.



Veterans Memorial Plaza

City of
Wauwatosa



March 26, 2026

Mr. Art Piñon
Principal Planner
Planning Division
7725 W. North Avenue
Wauwatosa, WI 53213

RE: Request for variance from the setbacks along both Milwaukee Avenue and Harwood Avenue in the City of Wauwatosa

Project No.: L23-025

Dear Mr. Pinon:

The following is a brief project description and a written statement addressing the variance criteria for presentation to the City of Wauwatosa Board of Zoning Appeals

The purpose is to create a Veterans Memorial Plaza that will honor all Veterans regardless of when they served (war or peace), what branch of the military service or what component (active, Reserves, or National Guard) to serve as a physical reminder of the service to our country by everyday citizens

The memorial would consist of the following:

1) A black granite monument, about 7 feet in height with the following inscription on the front of the monument:

*In Honor and Memory of all the
Men and Women
Who Served in the Armed Forces of the
United States of America to preserve
Our Freedom*

2) Encircling the monument will be 7 flagpoles: with the National Colors with POW Flag below on a 35-foot flagpole and (6) 25-foot flagpoles with the flags of the service branches (Army, Marines, Navy, Air Force, Space Force and Coast Guard)

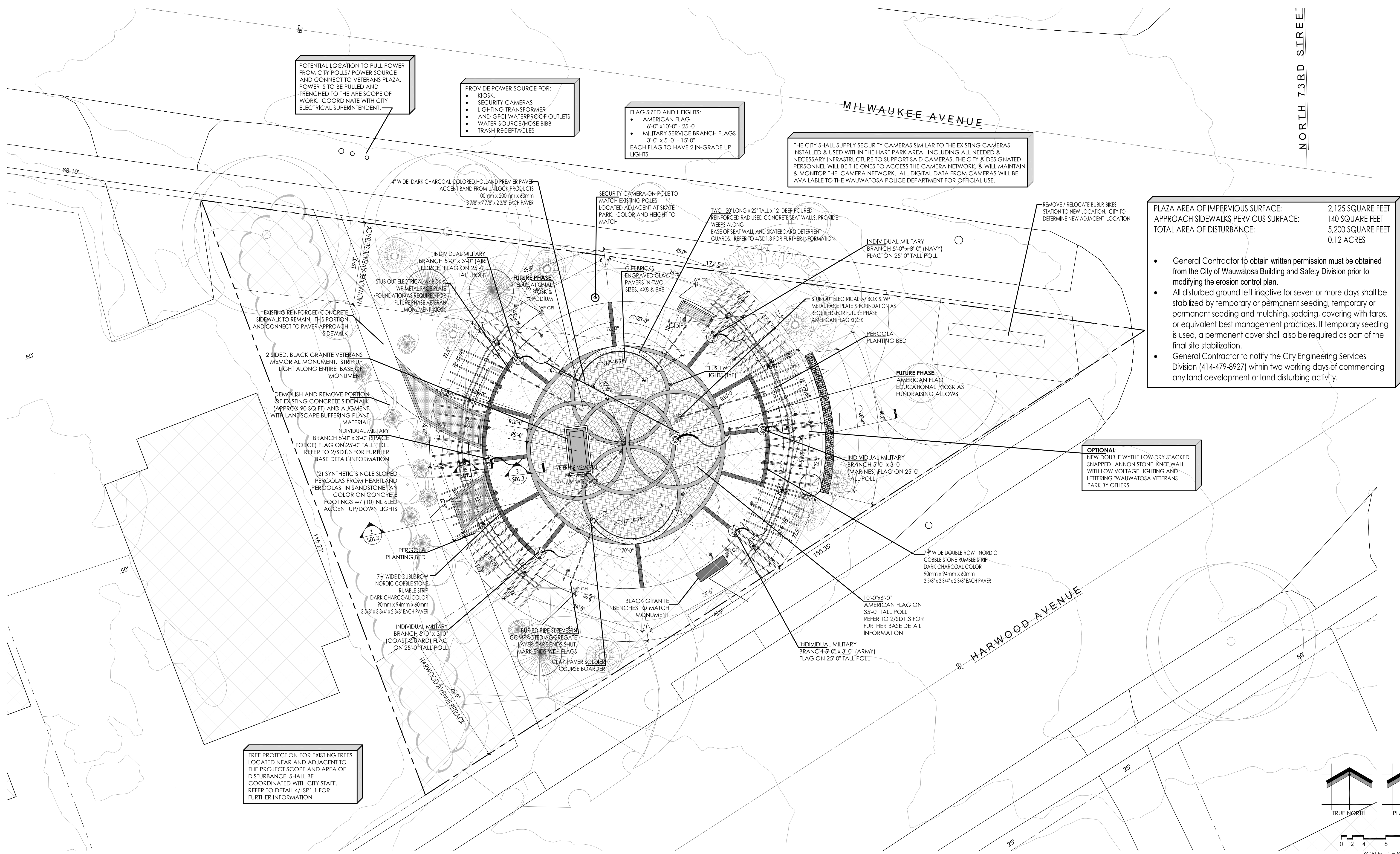
3) The plaza is 56'-0" in diameter and is a series of concentric circles and arcs with memorial walkway. The walkways are made up of personalized, engraved bricks to honor Veterans, family members, or friends who have served our country. The plaza has been modified/reduced from its original design to better fit on the site.

4) Adjacent to the ring of service branch flags are two semi-circular single sloped pergolas that pay tribute to and honor the flags and pavers, giving the plaza a bit more sense of space and this takes some queues from the national memorial in Arlington.

- Exceptional circumstances exist pertaining to the property at the intersection of Milwaukee and Harwood Avenues due to its small triangular shape. This Wauwatosa Village vacant parcel was selected by the Wauwatosa Veterans Memorial Committee after it was recommended by Wauwatosa City officials. Even though it is in a residential area it is near the entrance into the Village commercial district and is near Wauwatosa East High School (1 block away) and Lincoln Elementary School (2 blocks away). The pergolas will add a vertical presence and framework with their height and distinctive visibleness' to the memorial that honors it.
- The lot itself is of substandard triangular shape and size consisting of 8,723 square feet overall. When the area for the two required streetyard setbacks along both Milwaukee and Harwood Avenues is subtracted, one is left with a very small & narrow triangular buildable area of only 3,456 sq ft. There is no much room for a building footprint on this site. The request for variance for the two setbacks along Milwaukee Avenue of 15'-0" and Harwood Avenue of 25'-0" is necessary to accommodate the Memorial design and should not interfere or cause hardship with property rights comparable to those of other properties in the district and vicinity. The memorial plaza will augment the area and add to enjoyment of the adjacent property owners. The way the property is configured and the way the memorial will be positioned the memorial will be harmonious with the surrounding and accommodate the placing the Memorial at his site.
- The variance will not create a substantial detriment to adjacent properties, nor will it materially impair or conflict with the purpose and intent of the ordinance or the public interest. In fact, the placement of the Veterans Memorial will enhance the property and be a nice amenity for the area and gateway to Tosa Village.
- The difficulty or hardship was not created by the property owner (and petitioners – that is us, the city is the property owner). Due to the flooding last August, the Memorial's site in Hart Park was deemed to be an issue. The site at the intersection of Milwaukee and Harwood Avenues has been deemed a suitable location that will enhance the neighborhood and serve as a suitable recognition for those who sacrificed a portion of their lives serving the United States of America.

Respectfully,

Michael C. Davis



POTENTIAL LOCATION TO PULL POWER FROM CITY POLLS/ POWER SOURCE AND CONNECT TO VETERANS PLAZA. POWER IS TO BE PULLED AND TRENCHED TO THE ARE SCOPE OF WORK. COORDINATE WITH CITY ELECTRICAL SUPERINTENDENT.

PROVIDE POWER SOURCE FOR:

- KIOSK
- SECURITY CAMERAS
- LIGHTING TRANSFORMER
- AND GFCI WATERPROOF OUTLETS
- WATER SOURCE/HOSE BIBB
- TRASH RECEPTACLES

FLAG SIZED AND HEIGHTS:

- AMERICAN FLAG 6'-0" x 10'-0" - 25'-0"
- MILITARY SERVICE BRANCH FLAGS 3'-0" x 5'-0" - 15'-0"

EACH FLAG TO HAVE 2 IN-GRADE UP LIGHTS

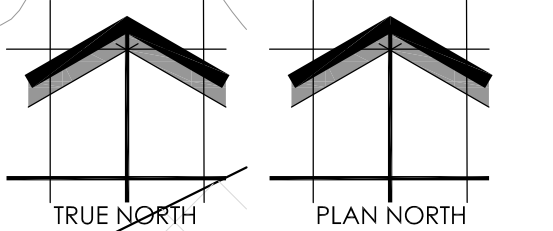
THE CITY SHALL SUPPLY SECURITY CAMERAS SIMILAR TO THE EXISTING CAMERAS INSTALLED & USED WITHIN THE HART PARK AREA. INCLUDING ALL NEEDED & NECESSARY INFRASTRUCTURE TO SUPPORT SAID CAMERAS. THE CITY & DESIGNATED PERSONNEL WILL BE THE ONES TO ACCESS THE CAMERA NETWORK, & WILL MAINTAIN & MONITOR THE CAMERA NETWORK. ALL DIGITAL DATA FROM CAMERAS WILL BE AVAILABLE TO THE WAUWATOSA POLICE DEPARTMENT FOR OFFICIAL USE.

PLAZA AREA OF IMPERVIOUS SURFACE:	2,125 SQUARE FEET
APPROACH SIDEWALKS PERVIOUS SURFACE:	140 SQUARE FEET
TOTAL AREA OF DISTURBANCE:	5,200 SQUARE FEET
	0.12 ACRES

- General Contractor to obtain written permission must be obtained from the City of Wauwatosa Building and Safety Division prior to modifying the erosion control plan.
- All disturbed ground left inactive for seven or more days shall be stabilized by temporary or permanent seeding, temporary or permanent seeding and mulching, sodding, covering with tarps, or equivalent best management practices. If temporary seeding is used, a permanent cover shall also be required as part of the final site stabilization.
- General Contractor to notify the City Engineering Services Division (414-479-8927) within two working days of commencing any land development or land disturbing activity.

OPTIONAL:
NEW DOUBLE WYTHE LOW DRY STACKED SNAPPED LANNON STONE KNEE WALL WITH LOW VOLTAGE LIGHTING AND LETTERING "WAUWATOSA VETERANS PARK BY OTHERS"

TREE PROTECTION FOR EXISTING TREES LOCATED NEAR AND ADJACENT TO THE PROJECT SCOPE AND AREA OF DISTURBANCE SHALL BE COORDINATED WITH CITY STAFF. REFER TO DETAIL 4(LSP1.1) FOR FURTHER INFORMATION



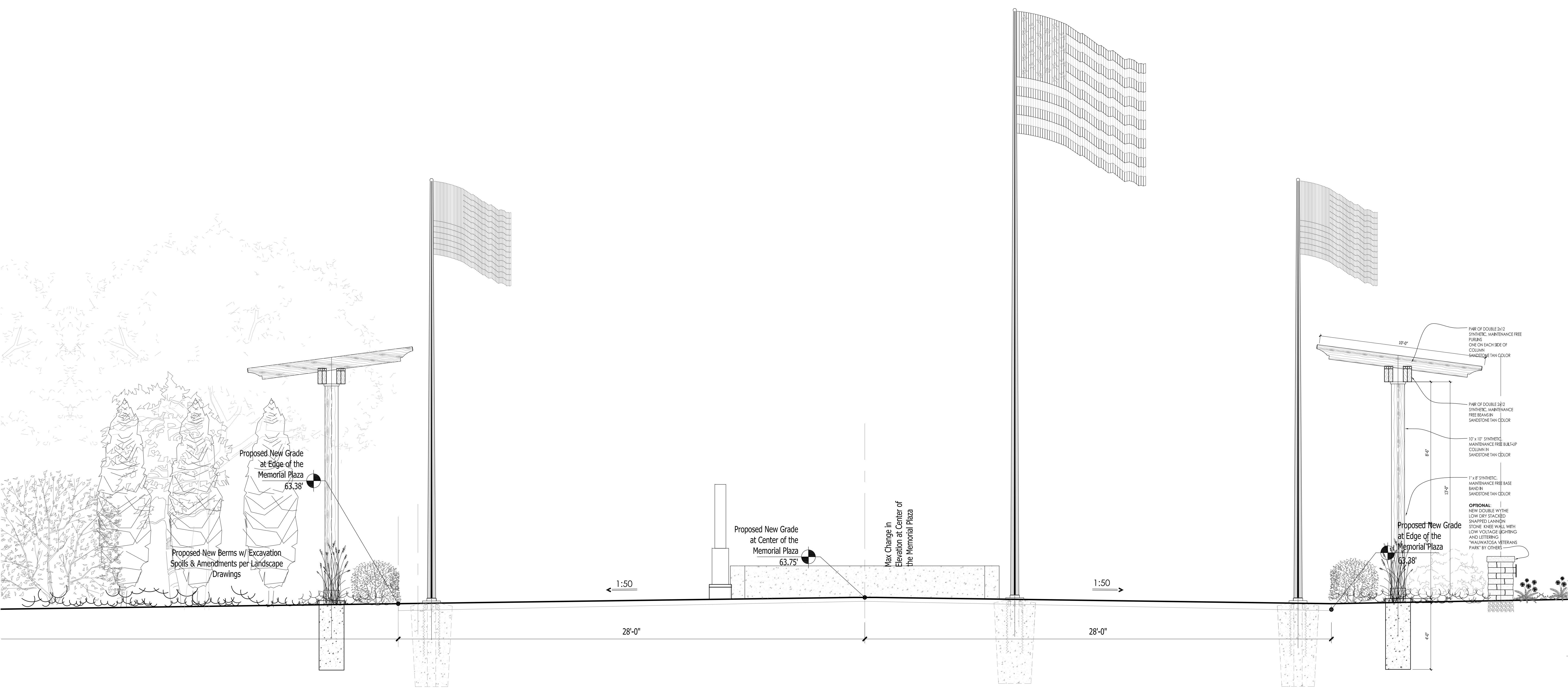
SCALE: 1" = 8'-0"

SHEET NUMBER: SD1.1
03/26/2026
L23-025

WAUWATOSA VETERANS MEMORIAL PLAZA - WAUWATOSA, WI

Proposed Preliminary Wauwatosa Veteran Park Site Plan

Schematic - Not for Construction



INSITE
 LANDSCAPE DESIGN
 Landscape Consulting
 & Master Planning Design Services
 11525 W. North Avenue, Suite 1B
 Wauwatosa, WI 53226
 Tel (414) 476-1204
 www.insitedesigninc.com
 mdavis@insitedesigninc.com

WAUWATOSA VETERANS MEMORIAL PLAZA - WAUWATOSA, WI

Proposed Preliminary Wauwatosa Veteran Park Cross Section

Schematic - Not for Construction



