

Findings Required to Grant Variance for Shiely Project

15275 Red Fox Lane

- 1.) **Preservation of Intent** – Our proposal does deviate from the approved standards/regulations for this district, **HOWEVER**, it should be noted that code would allow us to maintain the current impervious surface coverage if we kept to the current home and landscaping footprints (40% coverage). Changes to the footprints are being proposed to update the home/landscape, but the changes are minor and will ultimately **REDUCE IMPERVIOUS SURFACE FROM WHAT IT IS CURRENTLY (36.3%)**.
- 2.) **Exceptional Circumstances** – There **ARE** exceptional circumstances that apply to this property. As mentioned in the summary attached to the application, the current impervious surface for this lot equals 40.03%. Maximum allowable impervious surface per current code is 30%. In terms of square footage this is a difference of 2,009.1 square feet. Based on this differential, it is simply impossible to get this property into compliance with a remodel/renovation and still have it be functional and aesthetically pleasing. In order to get this property into compliance, radical changes such as removing part of the house or installing a driveway less than 8' wide and not having a front walkway to the front door would have to be implemented. These are not reasonable/realistic options. I've worked on dozens of projects in Elm Grove over the years and have not encountered this issue before. It is definitely an anomaly.
- 3.) **Economic Hardship and Self-Imposed Hardship** – **DO NOT** apply in this situation
- 4.) **Preservation of Property Rights** – This variance **IS** necessary to preserve the right of the homeowners to remodel their home and landscaping. Neighboring properties would have the ability to remodel based on calculations obtained from Waukesha County GIS website. The Shiely's should have the same right especially if this impervious surface issue was not caused by them.
- 5.) **Absence of Detriment**- Detriment **WILL NOT** be created for neighboring properties with the approval of this variance.