

Request for Rear-Yard Setback Variance Due to Unique Physical Limitations of the Property

I respectfully request approval of a variance to reduce the required rear-yard setback from twenty-five (25) feet to nine (9) feet in accordance to section 550-24F(2)(d)[5] of the zoning code to allow for the construction of a deck located approximately ten (10) feet from the rear property line. This request is based entirely on the unique physical limitations of the property and not on circumstances created by the applicant.

Original Builder Grading Plan (Not Constructed)

The original plan provided a rear door exiting directly to grade. Due to the steep slope, this configuration would have required:

- A continuous retaining wall across nearly the entire rear yard
- A sharply angled slope immediately behind the home
- Concentrated stormwater runoff directed toward the neighboring property

This grading approach posed a high risk of erosion and surface water discharge into the adjacent yard during rain events, increasing the likelihood of flooding impacts to neighboring property.

Revised Grading Solution (Implemented)

To reduce slope severity and prevent stormwater concentration:

- The builder lowered the rear elevation of the home
- The slope angle was reduced to allow more natural water dispersion
- The need for extensive retaining walls was minimized

This revision improved drainage performance and reduced adverse impacts to surrounding properties, but resulted in a rear door elevation that now requires a deck for safe and functional access.

Deck Placement Constraints

Due to the limited depth of usable land (a total of 25.9ft):

Placing the deck outside the required **25-foot rear-yard setback** would force construction to be a 9inch landing out of the patio doors.

Requested Setback Adjustment

- Existing rear-yard setback requirement: **25 feet**
- Requested setback: **9 feet**

Deck location: **approximately 10 feet from the rear property line – 5ft from the storm water easement**

This location represents the **only practical and environmentally responsible placement** that:

- Maintains safe access from the home
- Avoids excessive retaining walls

- Preserves improved stormwater flow patterns
- Minimizes grading disturbance
- Prevents runoff impacts to neighboring properties

Hardship Justification

The hardship is caused solely by the **unique physical limitations of the property**, including:

- Natural slope and elevation change
- Drainage flow direction

Limited buildable rear-yard depth of 20.9ft (*excluding 5ft of storm drainage area*)

The hardship is not the result of personal preference.

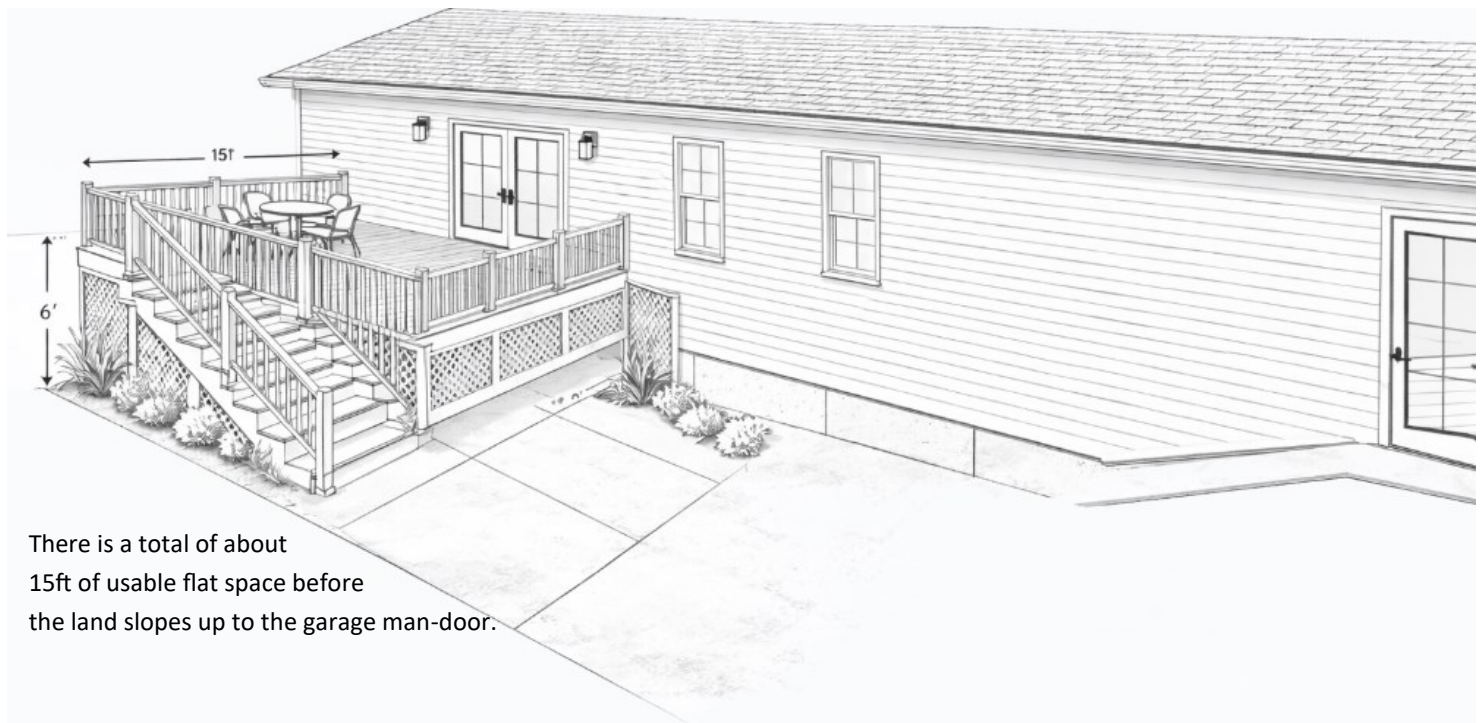
Conclusion

Granting the requested rear-yard setback reduction allows reasonable use of the shallow property while maintaining the intent of zoning regulations, protecting neighboring properties, and avoiding unnecessary environmental and structural impacts.

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Purposed solution: 15' x 14' deck with stairs on the back side leading down to a patio.
This isn't a perfect rendering but just a visual of approximate height/size.



There is a total of about
 15ft of usable flat space before
 the land slopes up to the garage man-door.



The stairs would start at the back and slope
 down across the deck like the image above.

This image was created for a visual but is not
 perfect.

FOR LOT 162 OF GRANDVIEW HEIGHTS ADDITION NO. 5, AND BEING A PART OF THE NE 1/4 OF THE NORTHEAST QUARTER OF SECTION 34, TOWN 9 NORTH, RANGE 15 EAST, CITY OF WATERTOWN, DODGE COUNTY, WISCONSIN.

