

MEMORANDUM

To: City of Whitewater Zoning Board of Appeals

From: Allison Schwark, Zoning Administrator

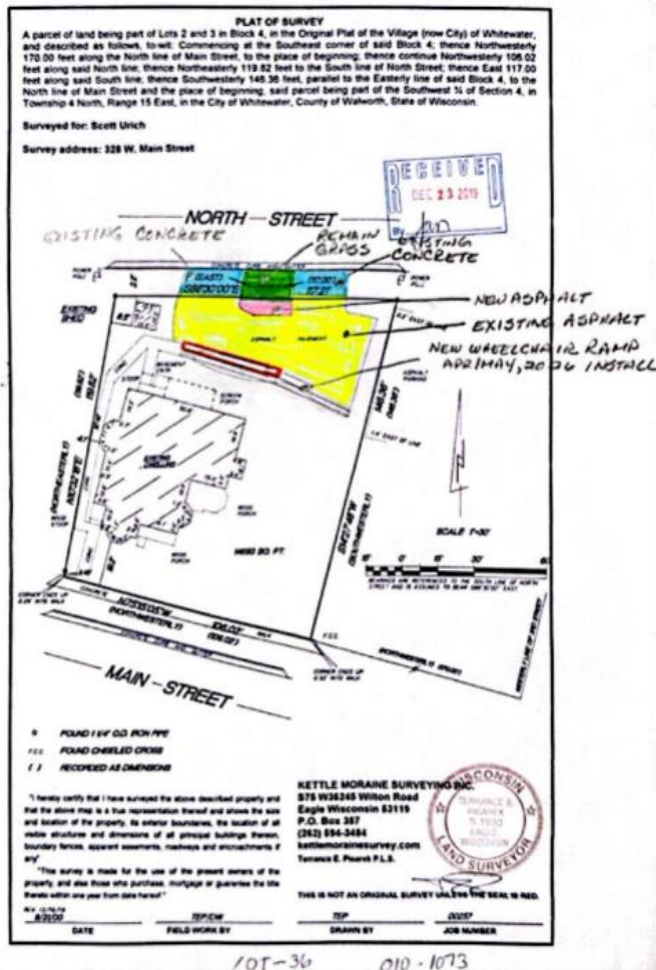
Date: May 28, 2026

Re: Variance Request

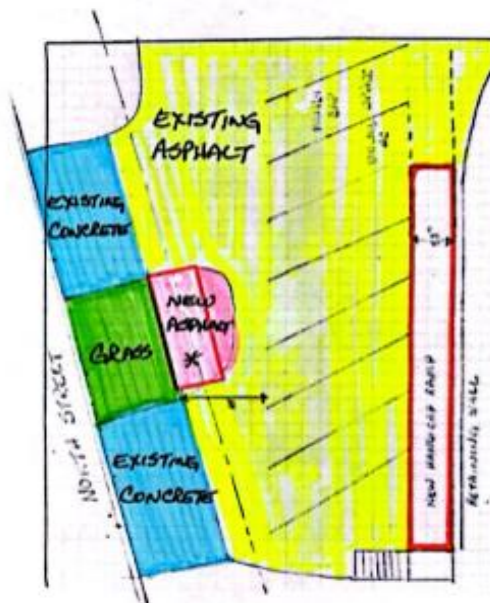
Summary of Request	
Requested Approvals:	Variance request for expanding parking lot beyond code-enforced 3ft minimum distance from property line.
Location:	328 W. Main St (/OT 00036)
Current Land Use:	Central Business
Proposed Land Use:	NA
Current Zoning:	PCD Planned Community Development
Proposed Zoning:	N/A
Future Land Use, Comprehensive Plan	Central Business

Staff Review

Applicant is requesting a variance to allow the expansion of a parking lot into a portion of the grass area on the property. The request is associated with the recent approval and planned construction of a wheelchair ramp, which will occupy approximately six feet of the existing asphalt parking lot. With this, maneuvering space within the parking lot will be reduced. To address this, the applicant proposes to convert a portion of the grass area into asphalt. This proposal would require a variance of zoning code requiring a 3ft offset between parking lots and property lines.



Hamilton House
Wheelchair Ramp in Parking lot
 328 W. Main St ~ Whitewater, WI
 Kari Barbar 336-488-4186



* DEBATE IS RED
 RECTANGLE OF
 NEW ASPHALT

Per Section 19.51.040 (C):

"No driveway may be closer than three feet to an abutting property line, except where two adjacent lots have a common driveway then the three-foot minimum distance shall not apply. Common, shared, and cross-access driveways between adjacent lots are permitted, provided that such driveways are established by recorded easement that may not be removed except by approval of the city or as otherwise permitted by law (such as nonconforming use or prescriptive easements)."

Per Section 19.72.080:

No variance to the provisions of this title shall be granted by the board unless it finds beyond a reasonable doubt that all of the following facts and conditions exist, and so indicates in the minutes of its proceedings:

- A. The particular physical surroundings, shape, or topographical conditions of the specific property involved would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out;
- B. The conditions upon which the application for a variance is based would not be applicable generally to other property within the same zoning classification;
- C. The purpose of the variance is not based exclusively upon a desire for economic or other material gain by the applicant or owner;
- D. The hardship is not one that is self-created;
- E. The proposed variance will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhoods;
- F. The proposed variance will not have the effect of permitting a use which is not otherwise permitted in the district;

Decision and Final Action

