

BOARD OF ZONING APPEALS

The Board of Zoning Appeals reviews zoning variance and fence exception requests. Please confirm with staff that you are applying for the correct application if you are unsure.

ZONING VARIANCE

A zoning variance is a special exemption from the City zoning code granted by the Board of Zoning Appeals on a case by case basis. In order to grant a variance, an applicant must show that a unique hardship exists on the property. In Wauwatosa, **all four** of the following criteria must be met for a variance to be granted:

- Exceptional Circumstances do exist pertaining to this lot.
- A variance is necessary for the preservation and enjoyment of the property rights possessed by other properties in the district and vicinity.
- 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 or to the public interests.
- The difficulty or hardship was not created by the property owner.

FENCE EXCEPTION

An exception to residential fence regulations can be granted by the Board of Zoning Appeals if the applicant demonstrates to the Board that a hardship exists created by conforming to the fence regulations based upon the following three factors:

- Whether strict application of the code would create a hardship to the property owner;
- 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
- Whether the application of the exception will be consistent with the intent of the ordinance and not impair public safety.

APPROVAL PROCESS

The approval process typically consists of one meeting. See the meeting schedule on the last page. **You or your representative must attend the Board of Zoning Appeals meeting.**

COST

The application fee is \$375 and is nonrefundable.

SUBMITTAL REQUIREMENTS

Applications must include:

- A project description and
 - For zoning variance— also address the four variance approval criteria listed above.
 - For a fence exception— also address the three criteria for approval listed above.
- A recent and accurate plat of survey of the property showing the proposal.
- Building plans and/or elevations of the proposal.
- Property owner signature authorization if not the applicant.
- Non-refundable application fee.

Submit documents as non-protected PDF files in a reduced file size, if possible.

Contact Development staff for submittal requirements for appealing a Design Review Board decision or an administrative decision.

APPLY

Complete applications, including payment of application fees, must be submitted by an application deadline thru the [Wauwatosa Self Service portal](https://services.wauwatosa.net/EnerGov_prod/SelfService#/home) (https://services.wauwatosa.net/EnerGov_prod/SelfService#/home).

An application for an appeal of a Design Review Board decision or an administrative decision must be made within **ten** days of the decision. An appeal application will be placed on the next available meeting agenda. Planning staff will confirm meeting dates after reviewing the application materials for completeness.

Applying through the portal requires registering for an account and paying by credit card. Please see the [Permits](#) website (or [Wauwatosa.net/permits](https://wauwatosa.net/permits)) for additional information about the portal including registration instructions. Contact Planning staff if you cannot apply thru the portal or pay by credit card.

You should discuss your application with the proper departments well before an application deadline to confirm your application is complete. Application deadlines are necessary to meet applicable legal publication and notification requirements. **Late or incomplete applications will not be placed on an agenda and application fees are non-refundable.**

AFTER APPLYING

City staff review applications after the deadline and will inform you of any comments or concerns. The City also mails notification letters to properties within 100 feet of the subject property for variance and exception applications as well as publishes the agenda in the local newspaper. Public comment at the meeting is permitted. Staff reports are posted to the [meeting portal](https://wauwatosa.net/meeting-portal) (<https://wauwatosa.net/meeting-portal>) about a week before the meeting. **You or your representative must appear at the meeting.**

OTHER NECESSARY PERMITS AND LICENSES

In addition to zoning, the proposed use may require additional City approvals. You should contact other City departments (including but not limited to City Clerk, Health, Building, Engineering, Fire Inspection) to determine if other licenses and permits are required. Most licenses and permits will not be issued until the zoning is approved.

City Clerk: 479-8917

Health: 479-8936

Fire Inspection: 471-8490

Building & Safety: 479-8907

Engineering: 479-8927

BOARD OF ZONING APPEALS

The Board of Zoning Appeals is a five-member, quasi-judicial citizen board, along with two alternates, who are appointed by the Mayor. The Board reviews and approves or denies zoning variance, fence exception, and appeal applications. Meetings generally occur at 6:00 p.m. on the fourth Thursday of the month when an application is submitted.

QUESTIONS

Please contact Planning staff. You are also welcome to discuss your proposal in person Monday - Friday from 8 a.m. to 4:30 p.m. Please call ahead to confirm staff availability.

For more information, visit our website at

www.wauwatosa.net/government/departments/development/board-of-zoning-appeals. Please email Planning staff at tplanning@wauwatosa.net or call (414) 479-8957 with questions or concerns. This informational guide was updated 2/2026.

APPLICATION DEADLINES AND MEETING DATES

Late applications are not accepted.

APPLICATION DEADLINE – 4:30 PM	BOARD OF ZONING APPEALS – 6:00 PM
December 18, 2025	January 22, 2026
January 29, 2026	February 26, 2026
February 26, 2026	March 26, 2026
March 26, 2026	April 23, 2026
April 30, 2026	May 28, 2026
May 28, 2026	June 25, 2026
June 25, 2026	July 23, 2026
July 30, 2026	August 27, 2026
August 27, 2026	September 24, 2026
September 24, 2026	October 22, 2026
November 5, 2026	December 3, 2026

PROPERTY OWNER AUTHORIZATION LETTER EXAMPLE

[INSERT DATE]

City of Wauwatosa
Development Department
7725 W. North Avenue
Wauwatosa, WI 53213

Re: Property Owner Authorization Letter – [INSERT PROJECT ADDRESS]

To whom it may concern,

I, [INSERT PROPERTY OWNER NAME], owner of the property located at [INSERT PROJECT ADDRESS], hereby grant permission for [INSERT APPLICANT NAME] to apply for a [INSERT PERMIT TYPE: I.e. Conditional Use Permit, etc.] for a [INSERT BRIEF DESCRIPTION: I.e. restaurant, child care facility, etc.] at the above-mentioned address.

Sincerely,

[INSERT PROPERTY OWNER NAME & SIGNATURE]