JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

Janet Sayre Hoeft, Chair; Dale Weis, Vice-Chair; Don Carroll, Secretary; Paul Hynek, First Alternate; Lloyd Zastrow, Second Alternate

PUBLIC HEARING BEGINS AT **1:00 P.M.** ON THURSDAY, MAY 8, 2014 IN ROOM 205, JEFFERSON COUNTY COURTHOUSE

<u>CALL TO ORDER FOR BOARD MEMBERS</u> IS AT 9:45 A.M. IN COURTHOUSE ROOM 203, PRIOR TO THE HEARING

<u>SITE INSPECTION FOR BOARD MEMBERS</u> LEAVES AT 10:00 A.M. FROM COURTHOUSE ROOM 203, PRIOR TO THE HEARING

1. Call to Order-Room 203 at 9:45 a.m.

Meeting called to order @ 9:45 a.m. by Hoeft

2. Roll Call

Members present: Hoeft, Carroll

Members absent: Weis

Staff: Laurie Miller, Michelle Staff

3. Certification of Compliance with Open Meetings Law Requirements

Hoeft acknowledged publication. Staff also presented proof of publication.

4. Review of Agenda

Carroll made motion, seconded by Hoeft, motion carried 2-0 to approve the review of the agenda.

5. Approval of April 10, 2014 Meeting Minutes

Hoeft made motion, seconded by Carroll, motion carried 2-0 to approve the April 10, 2014 meeting minutes, and noted that the meeting minutes are available on audio.

6. Communications

The Board received a copy of:

- The Jefferson County Zoning Ordinance #11 (Amended date of March 11, 2014
- A copy of Rules for Reimbursement of Expenses

7. Site Inspections – Beginning at 10:00 a.m. and Leaving from Room 203

8. Public Hearing – Beginning at 1:00 p.m. in Room 205

Meeting called to order @ 1:00 p.m. by Hoeft

Members present: Hoeft, Carroll, Weis

Members absent: ----

Staff: Laurie Miller, Michelle Staff, Rob Klotz

9. Explanation of Process by Board of Adjustment Chair

The following was read into the record by Carroll:

NOTICE OF PUBLIC HEARING JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

NOTICE IS HEREBY GIVEN that the Jefferson County Zoning Board of Adjustment will conduct a public hearing at 1:00 p.m. on Thursday, May 8, 2014 in Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin. Matters to be heard are applications for variance from terms of the Jefferson County Zoning Ordinance. No variance may be granted which would have the effect of allowing in any district a use not permitted in that district. No variance may be granted which would have the effect of allowing a use of land or property which would violate state laws or administrative rules. Subject to the above limitations, variances may be granted where strict enforcement of the terms of the ordinance results in an unnecessary hardship and where a variance in the standards will allow the spirit of the ordinance to be observed, substantial justice to be accomplished and the public interest not violated. Based upon the findings of fact, the Board of Adjustment must conclude that: 1) Unnecessary hardship is present in that a literal enforcement of the terms of the ordinance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome; 2) The hardship is due to unique physical limitations of the property rather than circumstances of the applicant; 3) The variance will not be contrary to the public interest as expressed by the purpose and intent of the zoning ordinance. PETITIONERS, OR THEIR REPRESENTATIVES, SHALL BE

PRESENT. There may be site inspections prior to public hearing which any interested parties may attend; decisions shall be rendered after public hearing on the following:

<u>V1416-14 – Thomas & Jill Jensen:</u> Clarification and reconsideration of a variance request to add a detached garage, which exists at less than the required centerline and right-of way setbacks, to a residence. This addition will be at less than 50% expansion under the Zoning Ordinance permit section, Section 11.10(e)(5)(a)(b), and less than 50% footprint under the non-conforming section, 11.09. Also, clarification of decision made April 10, 2014 regarding the option of a 35-foot buffer without the proposed restoration plan. The property is at **W9419 Ripley Road** in the Town of Oakland, on PIN 022-0613-0712-000 (0.5 Acre) in a Residential R-1 zone.

The Board was provided with a handout by Rob Klotz. Klotz commented on the series of previous variances granted. At this time, the petitioners were asking for clarification that if they decide to do the 35' buffer, would they also be required to put in their restoration shoreland plan. Secondly, there was also another variance request that was overlooked. In November of last year, a permit was issued for the nonconforming house to have modifications that would not exceed 50% EAV. Therefore, it did not kick in the buffer requirement. The plan was that they would do the work on the house which was at about 36%. That leaves them 14% remaining to add on without that ordinance section kicking in that would require the 35' buffer. Since that time, the Jensen' revisited their architect and engineer and verified that the foundation was adequate to do this addition, and they have reduced the addition down to where adding the garage to the house will eat up the remaining, but it will be less than 12%-14%. So under the ordinance, they would be less than 50% EAV where the ordinance would require the buffer to be installed. The previous variance was approved where the intent was to tear the whole building town. Now they are intending on using the existing structure and stay less than 50% EAV. An action then would be needed to act on the addition of the existing garage with the same footprint and no expansion to the existing home with the plan that they do not exceed 50% EAV which would not require the restoration.

Klotz went on to explain the changes in the ordinance in the non-conforming section. The permit that was issued was before those changes occurred. He also stated that the NR115 shoreland regulations have been revised and waiting for approval. In January, this could all change again.

Carroll asked for clarification that when they came in last month they were asking for a new structure and now were asking for a reconstruction/addition. Klotz explained that the variance was for adding the garage to the home which sits too close to the road. It is the same variance as last time except that last time, they were going to rebuild, and now they are asking to reconstruct and stay less than 50% EAV.

Jill Jensen explained that they preferred not to install the buffer. She briefly explained the history of their project, provided a new plan to the Board for reconstruction, and explained their request. She also stated that there was soil testing done showing that it was native soils and that it's sand and clay. Jensen further explained the utilization of the garage and to construct above it which was better aesthetically. The roof at the highest point would be 29'. She felt the hardship was due to a conforming lot, but the garage is too close to the road which encroaches. Jensen also explained the neighboring properties and how they differ from their property. If they were able to build over the garage, they would still install the permeable pavers and a drainage system to deal with some of the runoff.

Hoeft questioned staff on the height requirement. Klotz stated the maximum would be 35'. Carroll questioned the sewer easement. Jensen stated that the sewer runs through there. Weis asked for clarification on the two requests. Jensen explained.

There were no questions or comments in favor or opposition of the petition. There was a letter in the file from the DNR which Hoeft read into the record. There was also a town response in the file of approval, and was read into the record by Hoeft.

Carroll questioned staff on clarification if less than 50% EAV and if the current permit is complied with, petitioners would not have to meet the 35' buffer requirements. Staff stated that yes, according to the ordinance.

V1417-14 – SB Homes, LLC/Siloam Methodist Church & Cemetery Property: Variance from Sec. 11.06(a)2 to sanction placement of a sign in the vision clearance triangle of CTH CI and CTH Z on PIN 024-0516-0111-002 (1.37 Acres). The site is at W104 CTH CI in the Town of Palmyra, in an A-1, Exclusive Agricultural zone.

Gary Edzel from Stonebrook Homes presented the petition. He stated the location of the church has limited restrictions. They want to place the sign at a 45 degree angle from the church which he felt was the only place because of the restrictions. He has contacted the Jefferson County Highway Department, and they were able to slide the sign back another 3'. He stated that town was also in favor. He presented the Board with a copy of what the sign would look like and a site plan.

There were no questions or comments in favor or opposition of the petition. There was a response from the town in the file which was read into the record by Hoeft. Hoeft also read into the record a response from the Jefferson County Highway Department (Russ Cooper).

Staff report was given by Staff. She explained the vision clearance triangle and the location of the existing church. Staff questioned Edzel on the proposed location. He

stated that it was at 13', but was now at 10', and that there was a banner there currently. Staff questioned this location. Edzel explained.

Hoeft questioned Staff if this was because it was more than 2' high. Staff explained it was higher than that because of visibility of the sign. Edzel confirmed. Staff questioned if the church had a sign there before. Edzel stated that all that was there was what is there now.

Weis questioned the proposed sign location and structure of the sign. Edzel explained. Carroll questioned the handicap parking site and the vision on the highways with the proposed sign. Edzel explained.

Edzel approached the Board at the table to explain the location of the sign based on the site plan. There was a discussion with Edzel and the Board on the location of the sign and visibility. Edzel also explained the 3 criteria needed for the variance.

<u>V1418-14 – Joyce A Hintz:</u> Variance from Sec. 11.07(b)1 to sanction a 3.6 foot side yard setback for an addition permitted at 5.01 foot setback in 2006. The minimum setback allowed by ordinance and by the permit issued is 5 feet. This is on PIN 026-0616-1712-007 (0.260 Acre) at **N4058 Vista Road** in the Town of Sullivan, in a Residential R-1 zone.

Joyce Hintz presented the petition. She presented a packet of information to the Board and explained the history of the property. They bought the home as a builders spec home, and was not aware the workshop constructed was too close to the lot line. They also want to add a second story addition above the workshop.

There were no questions or comments in favor of the petition. The neighbor, Larry Watkins, had concerns of water runoff onto his property and the encroachment. He presented pictures to the Board and explained the water runoff issues onto his property and the water management he would have to do.

There was a response in the file from the town which was read into the record by Carroll.

Carroll questioned Mr. Watkins on when he purchased his property. Mr. Watkins stated that it was October of 2013. Hoeft commented that this variance was for 1.5' and questioned Mr. Watkins if 1.5' would make any difference. Carroll commented on the 3 criteria used for a variance request. Hintz explained that there would be rain gutters and they would trench the pipes in to deal with the runoff, and explained the culvert that crosses the road. She also submitted pictures to the Board. Weis asked petitioner for clarification on where the culvert crosses the road. Mr. Watkins explained the culverts.

Hoeft questioned Staff on the height and setback requirements. Staff explained the requirements.

Staff gave staff report and explained the history of the property. This is a substandard lot which have substandard setbacks of 5' from the overhang. In 2006, they did get a permit. A site inspection was done to verify the shoreline setback, but the side setback was not looked at because the site plan from the builder showed they met the setbacks. The problem was when the addition was put on too close to the lot line, not when the house was built. She questioned the petitioner if the setback was from the overhang or the foundation. Hintz said there was no overhang. Staff also questioned the addition and roof. Hintz explained the roof would be in the opposite direction, and explained the addition.

Carroll commented on the survey submitted and the permits issued. Mr. Watkins commented on the setback and no inspection. Staff explained. Staff questioned the petitioner if they could move the new addition to the 5' setback. Mrs. Hintz explained they would be building on to the existing. Hoeft questioned the petitioner on what was on the other side of the house. Hintz stated there was another house. There was further discussion on the setback requirements and the need for a variance.

There was a response from the town in the file which was read into the record by Carroll.

<u>V1419-14 – Roseann Pendleton:</u> Variance from Sec. 11.04(f)8 to allow temporary use of an existing home while a new home is under construction, thereby temporarily allowing two homes on the property at **N4959 CTH D**. This is in an Agricultural/Rural Residential A-3 zone in the Town of Farmington, on PIN 008-0715-3534-000 (3 Acres).

Carol Pendleton presented the petition. They wanted to live in the duplex while they constructed the new duplex so they didn't have to relocate 2 households.

There were no questions or comments in favor or opposition of the petition. Don Reese from the town was present and stated the town board approved this petition. Carroll also noted there was a response in the file from the town.

Hoeft questioned the ordinance on the time limit. Staff explained that when a permit is obtained, it is good for 2 years. The town is stating that they wanted 1 year from the date of occupancy. The problem in the past is that the houses were not being torn down. Reese explained that they would want to tear down the old house based on the location.

Staff noted that the petitioners did get a conditional use for the duplex and that the septic currently there is sized correctly. The new structure meets the setbacks.

Carroll questioned how many dwelling units there were. Pendleton stated there were 2.

<u>V1420-14 – Glen Schilder:</u> Variance from Sec. 11.04(f)8 to allow new home construction at 5 feet from a property line. The site is at **N5185 CTH D** in the Town of Farmington on PIN 008-0715-3524-002 (1.06 Acre) and is in an A-3, Agricultural/Rural Residential zone.

Glen Schilder presented his petition. He explained that he wants a 5' setback, that it's a flag lot, and there's not enough square footage left for a home site. He owns the adjacent property, which could not be sold separately except to another adjacent lot owner.

Hoeft questioned the flag lot. Staff explained there is a 66' access to back to the lot, and a 20' setback is required. Schilder explained that he purchased the lot, and did not create it. One acre is usually enough to build, but because of the 66' access, it made the lot smaller. He went on to explain the location of the septic.

There were no questions or comments in favor or opposition of the petition. Don Reese from the town stated the town approved this petition with a 2-1 vote.

Staff gave staff report. The lot was created in 2004, and was purchased as an A-3 lot with a 20' setback. She explained the 2 memorandums in the file from Bruce Haukom (former Planning & Zoning Director) responding to reconfiguration of the lot. When the lot was created, it met the required size requirements which would allow a building site with the 20' setback, and soil test for a mound system. There are other options.

Schilder explained his site plan and the problems with moving it to the north and east because of the mound location and slope. Staff questioned the petitioner on the size and design of the house. The petitioner stated it was 2,100 square feet and that it's a ranch floor plan.

Weis questioned the petitioner on the number of bedrooms. The petitioner stated it would be 3-4. Weis also questioned the petitioner on moving the house to the north. Schilder explained the location of the septic. Weis explained other possibilities with the septic to the petitioner so the house could be moved further north. Carroll commented that the petitioner has other options. There was a discussion at the table with the petitioner and the Board regarding what was being proposed, and other

options. Weis pointed out the septic could be reconfigured and what the setbacks were for the septic.

<u>V1421-14 – Ohne & Karen Raasch:</u> Variance from Sec. 11.03(d)1 and 15.04 (c) for a certified survey map, which states "All lots shall front on and have access to a public road for a minimum distance of at least 66 feet." The site is on PINs 030-0813-3531-000 (40 Acres) and 030-0813-3534-000 (40 Acres) in the Town of Waterloo, near **N7399 North Shore Road** in an A-1, Exclusive Agricultural zone.

Karen Raasch explained the petition. She stated the property was purchased in 2009, and that it is now in a Wetland Reserve Program which now needs the easement to get to it.

There were no questions or comments in favor or opposition of the petition. Staff report was given by Staff. She questioned the petitioner if this was going to be sold separately. Petitioner stated that they wanted to have the option to be able to sell it and further explained the lands and their request for easement. Staff further explained. Staff explained she has had contact with NRCS regarding the easement. She questioned the petitioner why this was in the middle of the property and why they chose this configuration. The petitioner explained. There was a discussion on whether this was be sold or not and the need for an easement and survey because they do have road frontage to the property.

Weis questioned the zoning of the property. Staff stated it was zoned A-1. Carroll suggested they may want to table this application for more information to clarify the petitioner's intent for the property. Staff & petitioner left the hearing to discuss.

10. Decisions on Above Petitions (see following pages & files)

11. Adjourn

Weis made motion, seconded by Hoeft, motion carried 3-0 to adjourn @ 4:33 p.m.

If you have questions regarding these variances, please contact the Zoning Department at 920-674-7113 or 920-674-8638. Variance files referenced on this hearing notice may be viewed in Courthouse Room 201 between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday, excluding holidays. Materials covering other agenda items can be found at www.jeffersoncountywi.gov.

The Board may discuss and/or take action on any item specifically listed on the agenda.

JEFFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 at least 24 hours prior to the meeting so appropriate arrangements can be made.

A digital recording of the meeting will be available in the Zonin	g Department upon request.
Secretary	Date

PETITION NO.:	2014 V1416
HEARING DATE:	05-08-2014
APPLICANT:	Thomas C. & Jill S. Jensen
PROPERTY OWNER:_	SAME
PARCEL (PIN #):	022-0613-0712-000
TOWNSHIP:	Oakland
	NER: Clarification and reconsideration of a variance request to which exists at less than the required centerline and right of way
	QUESTS A VARIANCE FROM SECTION <u>11.09 and</u> E JEFFERSON COUNTY ZONING ORDINANCE.
RELATE TO THE GRA	HE PROPOSED CONSTRUCTION AND PROPERTY WHICH ANT OR DENIAL OF THE VARIANCE APPLICATION ARE: e asking for clarifications on the decision made April 10, 2014.
	IONS BASED ON SITE INSPECTIONS: Site inspections
conducted. Obse	rved property layout & location.
FACTS PRESENTED A	T PUBLIC HEARING: See tape, minutes & file.
	DECISION STANDARDS
	IAY BE GRANTED WHICH WOULD HAVE THE EFFECT OF NY DISTRICT A USE NOT PERMITTED IN THAT DISTRICT
ALLOWING A US	IAY BE GRANTED WHICH WOULD HAVE THE EFFECT OF E OF LAND OR PROPERTY WHICH WOULD VIOLATE STATE ISTRATIVE RULES:

C. SUBJECT TO THE ABOVE LIMITATIONS, VARIANCES MAY BE GRANTED WHERE STRICT ENFORCEMENT OF THE TERMS OF THE ORDINANCE RESULTS IN AN UNNECESSARY HARDSHIP & WHERE A VARIANCE IN THE STANDARDS WILL ALLOW THE SPIRIT OF THE ORDINANCE TO BE OBSERVED, SUBSTANTIAL JUSTICE TO BE ACCOMPLISHED, & THE PUBLIC INTEREST NOT VIOLATED.

**TO ANSWER JENSEN'S QUESTION THAT IF THEY DECIDE TO DO THE FULL 35 FT BUFFER, ARE THEY STILL REQUIRED TO PUT IN THEIR SHORELAND PLAN?

The Board concluded that the petitioner would be required to do a 35' shoreline buffer if over the 50% EAV. If the full 35' shoreline buffer is done, no additional landscape features are required. The petitioner also has the option to do the 25' buffer plus 10' permeable surface with the additional landscape features as per previous variance granted.

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	BASED ON THE FINDINGS OF FACT, THE BOARD CONCLUDES THAT:
1.	UNNECESSARY HARDSHIP IS PRESENT IN THAT A LITERAL ENFORCEMENT
	OF THE TERMS OF THE ZONING ORDINANCE WOULD UNREASONABLY
	PREVENT THE OWNER FROM USING THE PROPERTY FOR A PERMITTED
	PURPOSE OR WOULD RENDER CONFORMITY WITH SUCH RESTRICTIONS
	UNNECESSARILY BURDENSOME BECAUSE it is a hardship to not be able to
	improve the structure. They already have a permit to address the existing structure
	modification. The existing road and public property restrict any other option.
2.	THE HARDSHIP IS DUE TO UNIQUE PHYSICAL LIMITATIONS OF THE
	PROPERTY RATHER THAN THE CIRCUMSTANCES OF THE APPLICANT
	BECAUSE when the garage is attached, different setbacks apply. The road encroaches
	on the structure – it is not where it was proposed to be platted. Also because of the
	lot size, existing structures and lakefront ordinances.
3.	THE VARIANCE WILL NOT BE CONTRARY TO THE PUBLIC INTEREST AS
	EXPRESSED BY THE PURPOSE AND INTENT OF THE ZONING ORDINANCE
	BECAUSE the structure is not changing and will not use up any more land. The foot-
	print is the same, and will not be contrary to public interest. It is an improvement
	to the current and adjacent properties.
/A	RIANCE MAY BE GRANTED IF ALL THESE CONDITIONS ARE MET*
CIS	SION: THE REQUESTED VARIANCE IS GRANTED.

*A V

DECISION:	THE REQUESTED V	ARIANCE IS	GRANTED.		
MOTION:	Weis	SECOND:	Hoeft	VOTE: 3-0	
CONDITION	NS OF APPROVAL/D	ENIAL:			
SIGNED:				DATE:	05-08-2014
	CHA	IRPERSON			

PETITION NO.:	2014 V1417
HEARING DATE:	05-08-2014
APPLICANT:	SB Homes LLC
PROPERTY OWNER:	Siloam Methodist Epis Church & Cemetery
PARCEL (PIN #):	024-0516-0111-002
TARCEL (FIIV #).	024-0310-0111-002
TOWNSHIP:	Palmyra
INTENT OF PETITION CTH Z	NER:To erect a sign within the vision triangle of CTH CI and
-	UESTS A VARIANCE FROM SECTION11.06(a)2
OF THE JEFFERSON C	OUNTY ZONING ORDINANCE.
RELATE TO THE GRAM	HE PROPOSED CONSTRUCTION AND PROPERTY WHICH
	7 acres and is located on the corner of CTH Z and CTH CI. The
	perty since 1894. The church would like to erect a sign 13 feet from
	tersection of CTH Z and CTH CI. Section 11.06(a)2 of the
	Ordinance states that no object over two and one-half (2 1/2 feet)
	needs shall be allowed if it obstructs the view across the triangle. In the did receive comments from the County Highway Department.
The comments are in the	
The comments are in the	uic.
FACTS OR OBSERVATI	ONS BASED ON SITE INSPECTIONS: Site inspections
	ved property layout & location.
	* * * *
FACTS PRESENTED AT	T PUBLIC HEARING: See tape, minutes & file.
	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2

A.		VARIANCE MAY DWING IN ANY							
В.	ALLO	VARIANCE MAY DWING A USE (S OR ADMINIS	OF LAN	D OR PROPI	ERTY WI	HICH W			
C.	WHE RESU STAN SUBS	ECT TO THE ACRE STRICT EN ULTS IN AN UN NDARDS WILL STANTIAL JUST LATED.	NFORCE NNECES ALLOW	EMENT OF T SSARY HARD THE SPIRIT	THE TER SHIP & T OF TH	RMS OF WHER E ORD	THE OR E A VARIA NANCE	DINA ANCI I'O Bi	NCE E IN THE E OBSERVED,
	BASE	ED ON THE FI	NDING	S OF FACT, T	THE BOA	ARD CC	NCLUDE	ES TH	AT:
4.	OF T PREV PURI	IECESSARY HAT TERMS OF VENT THE OW POSE OR WOU IECESSARILY In the property.	THE Z NER FI LD REN	ONING ORE ROM USING IDER CONF	DINANC THE PR ORMITY	E <mark>WOU</mark> OPERT WITH	LD UNRE Y FOR A SUCH RE	EASO PERN ESTRI	NABLY MITTED ICTIONS
5.	PRO	HARDSHIP IS PERTY RATHE AUSE	ER THAN	N THE CIRC	UMSTAN	ICES O	F THE A	PPLIC	CANT
6.	EXPI		IE PURF are stop s	OSE AND IN signs at the interest	NTENT (tersection	OF THE	E ZONINO e placeme	G ORI	DINANCE
A VA	RIAN	CE MAY BE GR	ANTED	IF ALL THE	ESE CON	DITIO	NS ARE M	<u> 1ET</u>	
DECI	SION:	THE REQUES	STED VA	ARIANCE IS	GRANTE	ED.			
MOTI	ON:	Hoeft		SECOND:	Weis		VOTE: 2	2-0	
NOTE	E: Carr	oll abstained fro	m vote.						
CONI	OITIO	NS OF APPROV	AL/DE	NIAL:					
SIGNI	E D:			RPERSON			_DATE:		05-08-2014

PETITION NO.:	2014 V1418	
HEARING DATE:	05-08-2014	
APPLICANT:	Joyce A. Hintz	
PROPERTY OWNER:	Joyce A. Hintz Trust	
PARCEL (PIN #):	026-0616-1712-007	
TOWNSHIP:	Sullivan	
INTENT OF PETITION	IER· To sanction a 3	6 feet side setback for an addition
	· · · · · · · · · · · · · · · · · · ·	te to put a 2 nd story addition onto the
addition that is 3.6 feet fro		e to put a 2 story addition onto the
addition that is 5.0 feet in	in the side for line.	
THE APPLICANT REQ	JESTS A VARIANCE FR	OM SECTION 11.07(b)1
OF THE JEFFERSON C		
THE FEATURES OF TH	IE PROPOSED CONSTI	RUCTION AND PROPERTY WHICH
RELATE TO THE GRAN	NT OR DENIAL OF THE	E VARIANCE APPLICATION ARE:
In 2004, a Zoning/	Land Use Permit was issu	ed for a new residence on a non-
conforming lot meeting no	on-conforming setback as	provided in 11.07(b)1. The residence
e e	<u> </u>	2006, the petitioner obtained a
Zoning/Land Use Permit	for an addition and decks	for the residence. The north side of the
property was a utility roon	n addition and the decks y	were on the lake side. Staff was on site to
measure proposed setbacl	s for the decks facing the	lake side but not for side setbacks.
In 2013, the adjaces	nt neighbor to the north h	ad their property surveyed for the
placement of new residence	ce. On that survey, it indic	cated that the Hintz's addition was 3.6
feet from the north proper	ty rather than the required	d setback of 5 feet. When discussing the
situation with the petition	er's, it was noted that they	also plan to construct a 2 nd story
-	•	n the lot line. This petitioner is asking to
	•	3.6 feet from the north lot line and in the
future, construct a 408 sq.		
FACTS OR OBSERVATI	ONS BASED ON SITE I	NSPECTIONS: Site inspections
conducted. Observ	ved property layout & loca	ition.
FACTS PRESENTED AT	'PUBLIC HEARING:	See tape, minutes & file.

A. NO VARIANCE MAY BE GRANTED WHICH WOULD HAVE THE EFFEC ALLOWING IN ANY DISTRICT A USE NOT PERMITTED IN THAT DIST							
В.	ALLO	OWING A	USE OF LA		ERTY WHIC	D HAVE THE EICH WOULD VIOI	
C.	WHE RESU STAN SUBS	ERE STRIC ULTS IN A NDARDS W	T ENFORO N UNNEC VILL ALLO	CEMENT OF T ESSARY HARD W THE SPIRIT	THE TERMS SHIP & WH TOF THE C	CES MAY BE GR S OF THE ORDIN HERE A VARIAN ORDINANCE TO & THE PUBLIC I	NANCE CE IN THE
	BASE	ED ON TH	E FINDIN	GS OF FACT, T	HE BOARI	CONCLUDES 7	ГНАТ:
7.	OF T PREV PURI	HE TERM VENT THI POSE OR V IECESSAR	IS OF THE E OWNER WOULD RE ILY BURD vertically.	ZONING ORD FROM USING ENDER CONFO ENSOME BEC	DINANCE WITHE PROPORMITY WITH AUSEit_	Γ A LITERAL EN OULD UNREAS ERTY FOR A PE ITH SUCH REST limits the ability to tructure/addition	ONABLY RMITTED RICTIONS increase the
8.	PRO	PERTY RA AUSE <u>i</u> evidence	THER TH. t is a substant showing th	AN THE CIRC ndard lot & has	UMSTANCI reduced side	IMITATIONS OF THE APPIES OF THE APPIES LOT SET SET SET SET SET SET SET SET SET SE	LICANT ere is documented
9.	EXP	RESSED B AUSE <u>t</u>	Y THE PUI he footprint	RPOSE AND IN	NTENT OF would not b	HE PUBLIC INTI THE ZONING O e changing and wi	RDINANCE
A VA	RIAN	CE MAY B	E GRANTE	D IF ALL THE	SE CONDI	TIONS ARE MET	[
DECI	SION:	THE REC	QUESTED V	VARIANCE IS	GRANTED.		
MOT	ION:	Carroll		SECOND:	Hoeft	VOTE: 3-0	
CON	DITIO	NS OF API	PROVAL/D	ENIAL:			
SIGN	ED:		СНА	IRPERSON		DATE:	05-08-2014

PETITION NO.:	2014 V1419
HEARING DATE:	05-08-2014
APPLICANT:	Roseann M. Pendleton
PROPERTY OWNER:	SAME
PARCEL (PIN #):	008-0715-3534-000
17RCEL (1114 #):	000-0713-3334-000
TOWNSHIP:	Farmington
ΙΝΙΨΈΝΙΨ ΔΕ ΒΕΨΙΨΙΔΝΙΙ	7D. 7T. 11. (2000)
INTENT OF PETITIONI	<u> </u>
N4959 CTH D.	, thereby temporarily allowing two homes on the property at
N4959 CIH D.	
THE ADDITION TO PROTE	ESTS A VARIANCE FROM SECTION11.04(f)8 OF THE
JEFFERSON COUNTY Z	
JETTERSON COUNTY Z	ONING ORDINANCE.
THE FEATURES OF TH	E PROPOSED CONSTRUCTION AND PROPERTY WHICH
	T OR DENIAL OF THE VARIANCE APPLICATION ARE:
	posing to construct a new duplex and continue to live in the old
	ex in under construction. The property received a condition use
	low a duplex on this property. The petitioner has indicated that
	npleted, they would remove the old duplex as soon as possible.
	ubmitted the new duplex would meet all applicable setbacks.
According to the site plan s	ubilitied the new duplex would meet an applicable setbacks.
FACTS OR OBSERVATION	ONS BASED ON SITE INSPECTIONS: Site inspections
	ed property layout & location.
conducted. Observe	sa property layout & location.
FACTS PRESENTED AT	PUBLIC HEARING: See tape, minutes & file.
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A.						USE N					FECT OF DISTRICT
В.	ALLC	WING	A USE	OF LAI	ND OR	PROPE	ERTY W	HICH		VIOL	FFECT OF ATE STATE
C.	WHE RESU STAN SUBS	RE STE LTS IN DARD	RICT EN I AN UN S WILL AL JUS	NFORC NNECI ALLOV	ESSARY W THE	T OF T HARD SPIRIT	HE TE SHIP & OF TI	ERMS O	INANC	RDIN RIANC E TO I	
	BASE	D ON	THE FI	NDIN	GS OF F	ACT, T	HE BO	OARD C	ONCLUI	DES T	НАТ:
1.	OF T PREV PURI	HE TE ENT T POSE O ECESS	RMS OF THE OW R WOU ARILY	FTHE : NER I LD RE BURDE	ZONIN FROM U NDER (G ORD JSING ' CONFO E BEC	INAN THE P DRMIT AUSE _	CE WOUROPER Y WITH it is a	J <mark>LD</mark> UNI TY FOR I SUCH I	REAS(A PEI REST)	FORCEMENT ONABLY RMITTED RICTIONS we out of the
2.	PROI	PERTY	RATHE	ER THA	N THE	CIRC	U MST	NCES (ITATION OF THE lences on	APPL	ICANT
3.	EXPE	RESSEC AUSE	BY TE	IE PUR should l	POSE A	ND IN	TENT	OF TH	E ZONI	NG O	CREST AS RDINANCE d structure is
									ONS ARE	E MET	<u>'*</u>
			EQUES	STED V	ARIAN						
MOT]		Weis			SECO		Hoef		VOTE		
CONI		NS OF A	APPROV	AL: O	ld duple	x to be	remove	d within	one year	from	occupancy of the
									DATE	•	05-08-2014
1.					IRPERS	ON					-

PETITION NO.:	2014 V1420	
HEARING DATE:	05-08-2014	
APPLICANT:	Glen Schilder	
PROPERTY OWNER:	SAME	
PARCEL (PIN #):	008-0715-3524-002	
TOWNSHIP:	Farmington	
		me construction at 5 feet from a
property line. The site is a	t N5185 CTH D in the Tox	wn of Farmington
-	UESTS A VARIANCE FR	
OF THE JEFFERSON C	OUNTY ZONING ORDI	NANCE.
RELATE TO THE GRAN	NT OR DENIAL OF THE	RUCTION AND PROPERTY WHICH E VARIANCE APPLICATION ARE: tified Survey Map. The petitioner
		n of the lot, all applicable setbacks
-		, 2005 to the petitioner from Bruce
	-	ne, outlines the possibilities of
		Bruce Haukom, Director of Planning
and Zoning, wrote a letter	in response to the petition	ner's request to modify this A-3 lot. A
		the petitioner has a 182 feet x 110 feet
area to build a new resider	nce.	
_		
_		
		NORDOTIONIO CL.
		NSPECTIONS: Site inspections
conducted. Observ	ved property layout & locar	tion.
EACTS DRESENTED AT	T DIJRI IC HEARING.	See tape, minutes & file.
I MOIS I KESENTED AI	. I ODLIC HEARING;	oce tape, illimites & life.

Α.				E GRANTED WH ISTRICT A USE N			
В.	ALLO	OWING A	A USE OF	E GRANTED WH LAND OR PROPI ATIVE RULES: _	ERTY WHIC	CH WOULD VIOL	
C.	WHE RESU STAN SUBS	ERE STR ULTS IN NDARDS	ICT ENFO AN UNNI WILL ALI	OVE LIMITATION DRCEMENT OF T ECESSARY HARD LOW THE SPIRIT E TO BE ACCOM	THE TERM SHIP & WI TOF THE O	S OF THE ORDIN HERE A VARIAN ORDINANCE TO	NANCE CE IN THE BE OBSERVED,
	BASE	ED ON T	HE FIND	INGS OF FACT, T	THE BOARI	O CONCLUDES T	ТНАТ:
1.	ENFO UNR PERM REST	ORCEM EASON MITTED TRICTIO	ENT OF TABLY PRED PURPOSIONS UNNI	OSHIP IS NOT PRICE TERMS OF TO VENT THE OWN E OR WOULD REECESSARILY BUF	HE ZONIN IER FROM NDER COM RDENSOMI	NG ORDINANCE USING THE PRO NFORMITY WITH E BECAUSE	WOULD NOT DPERTY FOR A H SUCH a structure can
2.	PRO	PERTY I AUSE	RATHER 7	OT DUE TO UNICE THAN THE CIRCE Equest of the petition perty and meet ord	UMSTANC	ES OF THE APPI iis house plan. As	ICANT
3.	EXPI	RESSED	BY THE F	BE CONTRARY PURPOSE AND IN tot be in the public	NTENT OF	THE ZONING O	RDINANCE
A VA	RIAN	CE MAY	BE GRAN	TED IF ALL THE	ESE CONDI	TIONS ARE MET	<u>[</u>
DECI	SION:	THE R	EQUESTE	D VARIANCE IS	DENIED.		
MOTI	ON:	Carrol	1	SECOND:	Weis	VOTE: 3-0	
CONI	OITIO	NS OF A	PPROVAL	/DENIAL:			
SIGN	ED:		C	HAIRPERSON		DATE:	05-08-2014

PETITION NO.:	2014 V1421					
HEARING DATE:	05-08-2014					
APPLICANT:	Ohne L. & Karen. L. Raasch					
PROPERTY OWNER:	SAME					
PARCEL (PIN #):	030-0813-3531-000 & 030-0813-3534-000					
TOWNSHIP:	Waterloo					
INTENT OF PETITION public road.	IER:To create a 64.7 acre lot without frontage and access to a					
	UESTS A VARIANCE FROM SECTION 11.03(d)1 and 15.04(c) OUNTY ZONING ORDINANCE.					
RELATE TO THE GRAN	IE PROPOSED CONSTRUCTION AND PROPERTY WHICH NT OR DENIAL OF THE VARIANCE APPLICATION ARE:					
	ently has 202.42 acres of continuous A-1 Agricultural zoned land.					
	to create a 64.7 acre lot to be separate and saleable without olic road. The petitioner is proposing an easement to access the					
	s. The 64.7 acre proposed lot is in the NRCS Wetland					
	s the width of the proposed easement? Have the petitioner's talked					
to NRCS about the propos	<u> </u>					
	ONS BASED ON SITE INSPECTIONS: Site inspections					
conducted. Observ	ved property layout & location.					
FACTS PRESENTED AT	PUBLIC HEARING: See tape, minutes & file.					

A.		ULD HAVE THE E MITTED IN THAT					
В.	ALLO	OWING A	USE OF LA		PERTY WI	ULD HAVE THE E HICH WOULD VIO	
C.	WHE RESU STAN SUBS	ERE STRI ULTS IN A NDARDS	CT ENFOR AN UNNEC WILL ALLC	CEMENT OF CESSARY HAD OW THE SPIF	FTHE TER RDSHIP & RIT OF THI	ANCES MAY BE GI RMS OF THE ORDI WHERE A VARIAN E ORDINANCE TO D, & THE PUBLIC	NANCE ICE IN THE BE OBSERVED,
	BASE	ED ON TI	HE FINDIN	NGS OF FACT	, THE BOA	ARD CONCLUDES	ТНАТ:
1.	OF T PREV PUR	HE TERI VENT TH POSE OR VECESSAI Which r	MS OF THE IE OWNER WOULD R RILY BURD	E ZONING O FROM USIN ENDER CON DENSOME BI	RDINANC G THE PR FORMITY ECAUSE	HAT A LITERAL ENE WOULD UNREAS OPERTY FOR A PE WITH SUCH REST this is a NRCS Reserved.	SONABLY ERMITTED FRICTIONS erve Program
2.	PRO	PERTY R AUSE	ATHER TH	IAN THE CI	RCUMSTAN	L LIMITATIONS ONCES OF THE APP.	LICANT
3.	EXP	RESSED I AUSE	BY THE PU	RPOSE AND	INTENT (THE PUBLIC INT OF THE ZONING (of a separate parcel v	DRDINANCE
A V	ARIAN	CE MAY I	BE GRANT	ED IF ALL TI	HESE CON	DITIONS ARE ME	<u>T</u>
DEC	ISION:	THE RE	QUESTED	VARIANCE I	S GRANTE	ED.	
MOT	ION:	Weis		SECOND	Carroll	VOTE: 3-0	
CON	DITIO	NS OF AF	PROVAL/1	DENIAL:			
SIGN	ED:		CH	AIRPERSON		DATE:	05-08-2014