

JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

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

PUBLIC HEARING BEGINS AT **1:00 P.M.** ON THURSDAY, OCTOBER 8, 2015 IN ROOM 205, JEFFERSON COUNTY COURTHOUSE

CALL TO ORDER FOR BOARD MEMBERS IS AT 9:30 A.M. IN COURTHOUSE ROOM 203, PRIOR TO THE HEARING

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

1. Call to Order-Room 203 at 9:30 a.m.

Meeting called to order @ 9:31 a.m. by Weis

2. Roll Call (Establish a Quorum)

Member present: Weis, Carroll, Hoeft

Members absent: -----

Staff: Michelle Staff

3. Certification of Compliance with Open Meetings Law Requirements

Hoeft acknowledged publication. Staff also presented proof of publication.

4. Approval of the Agenda

Carroll made motion, seconded by Hoeft, motion carried 3-0 on a voice vote to approve the agenda.

5. Approval of September 10, 2015 Meeting Minutes

Carroll made motion, seconded by Hoeft, motion carried 3-0 on a voice vote to approve the September 10, 2015 meeting minutes.

6. Communications and Public Comment

Staff updated the Board on the changes to the shoreland regulations. She stated that after the WCCA Conference, there will be more information.

7. Request for Corporation Counsel to Address the Board Regarding Temporarily Allowing Two Dwellings on a Property While One is Under Construction

Blair Ward, Corporation Counsel, addressed the Board. He gave the Board options that were available to deal with this issue such as an ordinance amendment, conditional use permit or variance. There was further discussion.

It was agreed this would be put on next month's agenda for Ward to do more research.

- 8. Site Inspections – Beginning at 10:00 a.m. and Leaving from Room 203**
V1474-15 – Patrick & Colleen Janssen, **N4266 Poplar Ave**, Town of Oakland
V1473-15 – Robert & Catherine Trevallee, **Porter Dr**, Town of Oakland
V1472-15 – Michael F Pitsch, **W9540 Punsel Rd**, Town of Oakland
V1471-15 – Robert & Ann Osborne, **N7061 North Shore Rd**, Town of Lake Mills

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

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

Members present: Weis, Carroll, Hoeft

Members absent: -----

Staff: Michelle Staff, Laurie Miller

10. Explanation of Process by Board of Adjustment Chair

The following was read into the record by Hoeft:

***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, October 8, 2015 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; discussion and possible action shall be occur after public hearing on the following:

V1471-15 – Robert & Ann Osborne: Variance from Sections 11.04(f)5 and 11.07(d)2 of the Jefferson County Zoning Ordinance to sanction an existing 24'6" X 33' structure at less than the required minimum setbacks to side yard, road right-of-way and road centerline. The property is at **N7061 North Shore Road** in the Town of Lake Mills on PIN 018-0713-0231-003 (0.8 Acre) and is in an A-T, Agricultural Transition zone.

Robert Osborne presented his petition. He stated that they build the detached garage 18 years ago, and then later on, added a carport. He noted that the Lake Mills building inspector told him there were no permits required in the spring of 1997 from the Town of Lake Mills. He did not obtain the permits, but would like to get the permits to bring this into compliance. There are asking for a variance to the lot line and the North Shore Road ROW and centerline setback. He stated he could move the carport portion to match the back of the garage with a 5' setback. He explained they were located on the side of a hill and the placement of the well, septic, and drain field made it difficult to find a good location for the structure. It would not be practical to locate it in the back yard. At the time, they did not realize that the property line was at such an angle.

There were no questions or comments in favor of the petition. Scott Daubert, neighbor to the north, had questions/concerns. He questioned that if the variance would be granted, how would this affect his property if it was rezoned in the future? Weis noted that his letter was in the file, and that it would be read into the record and Staff could explain.

There was a town response in the file, which was read into the record by Hoeft, approving the petition. Hoeft also read into the record the letter of concern from the Dauberts into the record.

Staff report was given by Staff. She explained that this was constructed without permits. A letter was sent to the owners, and they submitted a site plan, but did not meet the setbacks. The property is zoned A-T. Staff explained the A-T zone. Staff gave the setbacks for the existing structure and what setbacks are required by ordinance. She noted the garage has been on the property for some time, but does not know how long the carport has been there. Staff noted the total square footage included the garage with a loft and a carport.

Weis asked Staff to explain future zoning. Staff explained. Hoeft asked the petitioner if the structure could be brought into compliance. The petitioner explained that he could angle the carport to match the garage and meet a 5' setback. Weis asked the petitioner about the retaining wall and if he had constructed it. The petitioner stated that it was his retaining wall and does not believe it goes over the property line. Weis asked the petitioner how he had determined the setback. The petitioner stated that he used a tape measure and measured to the stakes in the ground. Weis asked the petitioner if he was confident that the retaining wall was not on the neighbor's property. The petitioner stated that he was confident of that, and if it wasn't, he would definitely move it. Weis noted that the Board needed to look at it as if this was a new application. Hoeft questioned the petitioner on obtaining a survey. The petitioner stated that he could get a survey.

Carroll commented that there was no documentation provided that the retaining wall was on the property, and questioned Mr. Daubert's concerns. Mr. Daubert explained. Carroll made comment that they do not know exactly where the structure is. Staff made clarification on township permit requirements versus Jefferson County permit requirements. Weis asked Mr. Daubert if the retaining wall was encroaching on the lot line. Mr. Daubert stated that the retaining wall was on his (Osborne's property), but there are other materials such as gravel that have been placed over the lot line. Weis noted that the lot line was on a severe angle. There was a discussion on the lot line. Weis also commented on the physical features of the property.

V1472-15 – Michael F. Pitsch: Variance from Section 11.04(f)6 to reduce the minimum rear yard setback required in an A-1, Exclusive Agricultural zone for an attached garage at **W9540 Punsel Road**. The property is in the Town of Oakland on PIN 022-0613-1931-001 (6.069 Acres)

Michael Pitsch presented his petition. He stated that he was asking for the variance to allow a single car, attached garage behind the house, and noted that it was permitted use of the property. The 20' setback would put the garage up tight against the house eliminating the rear decking, and they would also have move the well and air

conditioning. This home was built in 1974 prior to the creating of the zoning ordinance #11. It was built on the family farm and was built into the hill without any thought to a setback. The existing attached garage only allows for 1 car. There is no other location where the garage could be attached to the house. He felt there was no detriment to the public interest, and the addition would add to the usability and value of the property.

There were no questions or comments in favor or opposition of the petitioner. There was a response from the town in the file which was read into the record by Hoeft denying the petition. Hoeft read 2 letters from the file into the record, one from Sean Poole and the other from Richard Schroeder, who were both in support of the petition.

Staff report was given by Staff. She stated that they were proposing to attach the garage to the rear of the house with a carport attached to that. She noted the proposed and required setbacks. There was a survey of the property which should be in the file. This is a 6.069 acre parcel. It was built in the early 1970's. There is an attached garage which looks like a two-car garage and detached structure on the property. The detached structure has an addition without permits, and there was also an addition to the house without permits.

Staff asked the petitioner why they wanted this location. There are other locations on the property. Or, why not propose another detached structure, or, add onto the east side of the house and add onto to the existing structure? The petitioner explained the existing attached garage is a single car garage. The house is a reversed, raised ranch with the rear of the house being at ground level. Coming in the existing garage requires going up a flight of 15 stairs. The garage proposed at the back of the house would be at ground level with ground level entrance to the house with a breezeway. Adding onto the existing attached garage, which sits under the house, would create roof issues and they would have to eliminate the deck. This area is quite hilly which wouldn't solve the current issue. They want to enter the home without going up 15 steps.

Carroll noted that there are alternatives, and that all that was presented was personal preference and for personal convenience. They have garages. He asked the petitioner what it is about the land. The petitioner explained that the house was sited on the land prior to the 1975 ordinance. This property was part of a 260 acre family farm where they weren't concerned about placement, and the home was sited in its location into the hill. Even though they are asking for a 5' setback, there is a natural setback of 13' with the trees. They want the garage with ground level entrance. He further explained.

Weis asked the petitioner if the setback was from the overhang or the foundation. The petitioner stated it was from the overhang. Weis asked the petitioner how he determined the lot line setback. The petitioner stated the four corners are staked and the previous owner put in steel fence posts as markers in line with those corner stakes. Weis noted they were not put in by a surveyor. The petitioner stated they were placed by the previous owner. Weis asked when this parcel was split off from the rest of the farm. The petitioner thought it was a few years before the house was built.

Carroll asked Staff for confirmation that this was split off before the house was built. Staff confirmed. The original lot was a 10 acre lot and then it got re-divided, and that survey should be in the file for the Board's review. Staff asked the petitioner when he bought the property. The petitioner stated it was in 2012, and it got split just prior to that.

Hoeft read into the record the Town Plan Commission and Town Board meeting minutes. The petitioner made comment on the town meeting minutes as read. Hoeft also read into the record a letter from Harry Schroeder in support of this petition. Staff noted that even though the current ordinance was in effect in 1975, there has been county zoning since 1935. She also noted that there was a permit for the home construction and detached structure. Copies are in the file. Staff further explained the reasons for a 20' setback buffer from the farming operation and residential use. Hoeft questioned the use of the red pole building. The petitioner explained the building is used to maintain and support the farm land. He said it was a tree farming operation. The petitioner further stated that the trees are on his property and would not be cut down. He further explained his reasons for the petition. Hoeft questioned the depth of the garage. The petitioner explained that it was 14' in width and 18' in length. Staff stated that this house is approximately 35' from the lot line, so he would be starting within the setback and going out to a 5' setback. Weis asked the petitioner if the garage would attached directly up to the house. The petitioner explained that there would be a breezeway between. There was a discussion on the location of the proposed garage and breezeway and lot lines. Weis asked if the separation between the house and the proposed garage could be reduced. The petitioner stated that it would be possible. Weis asked the petitioner if he could make 10' work from the property line rather than 5'. The petitioner said that he would have to work it out with his contractor but felt that it could be possible. There was further discussion.

V1473-15 – Robert & Catherine Trevallee: Variance from Section 11.04(f)1 and 11.07(d)2 to reduce the minimum road right-of-way and road centerline setback for new home construction in a Residential R-1 zone on **Porter Drive**, Town of Oakland, on PIN 022-0613-0743-080 (0.242 Acre)

Catherine Trevalle presented the petition noting that they had purchased the property in 2015 for a retirement home. Tim Bare, builder, was also present. The petitioner stated that there were letters submitted from the neighbors supporting the petition. Tim Bare stated that it wasn't platted for their proposed setbacks, and that it's on a corner lot. Most properties in the area are at a reduced setback. The original request was modified by the town board. They have an agreement with the town board on adjustment to the setbacks. There was a discussion on the setbacks, and what the town board had recommended in their approval.

There was a town response in the file approving this petition with noted setback restrictions which was read into the record by Weis. Weis read minutes from the town meeting that were in the file into the record. There was further discussion on the town setback recommendation as per their decision. Staff noted that this was just a town recommendation, and stated that she could call the town clerk for clarification on the setbacks. Tim Bare had felt that the setbacks recommended by the town were both the same.

Staff report was given by Staff. She noted that this is zoned R-1 and that it's a conforming lot and meets all lot requirements. This lot that was created in 2006 was part of a larger lot. She gave setback requirements. Staff noted that this request was for a residence with an attached garage, and noted that the road is not centered in the ROW which was widened. She asked the petitioner if the stakeout of the house was flagged. Tim Bare stated yes. Carroll asked if the flags that were placed were according to the site plan. Tim Bare stated they were. Staff left to contact the town for verification of their setback recommendation.

In favor was Greg Anderson, neighbor across the street and to the east of this property. There were no questions or comments in opposition of the petition.

Hoeft read into the record a statement signed by five neighbors in support of the petition. Hoeft commented that there were not a lot of options. Mrs. Trevallee stated that they wanted a small retirement home. Carroll commented that this was a unique situation and he felt it met all the tests required for variance.

Carroll made motion, seconded by Hoeft to table this discussion for Staff to contact the town regarding the recommended setbacks as part of their decision. Motion carried 3-0 on a voice vote.

After the Board heard the Janssen petition, the Board re-addressed the Trevallee petition. According to Staff, the town had stated that the setbacks to the roads were supposed to be the same. The town clerk will e-mail a modification to their decision reflecting that. Peggy Bare presented the Board with an updated site plan showing the same setbacks to the roads.

V1474-15 – Patrick & Colleen Janssen: Variance from Section 11.04(f)1 and 11.07(d)2 to reduce the minimum road right-of-way and road centerline setback for a porch at **N4266 Poplar Avenue** in the Town of Oakland. This is on PIN 022-0613-0842-003 (0.542 Acre) in a Residential R-1 zone.

Colleen Janssen presented her petition. She stated the property is located on the corner of Poplar Avenue and Ripley Road. They have had the structure lifted and moved back to meet the setback. They were now asking for an additional 3' for a sitting porch.

There were no questions or comments in favor or opposition of the petition. There was a town response in the file approving the petition with the condition that the setback be no closer than the existing garage which was read into the record by Hoeft. Hoeft asked the petitioner if they would meet that condition. The petitioner stated yes.

Staff report was given by Staff. A permit was issued to elevate and move the house back to meet the setbacks. It is a conforming lot. She explained setback requirements. There was a survey in the file before they moved the house back, and a survey once they moved it. They were approved with that permit for a 6' porch, but are now asking for 9'. This house has existing for a long time. The garage was also permitted at the time. They are asking for a 3' variance. The petitioner noted that the surveyor was on site when the house was moved.

Weis questioned if there was room to the rear of the house. The petitioner explained. Staff added that there was a previous variance approval for an ADA ramp which was removed once that person left.

There was a five minute break before decisions at 2:35. The Board reconvened at 2:40 for decisions.

11. Discussion and Possible Action on Above Petitions (See following pages & files)

12. Adjourn

Hoeft made motion, seconded by Weis, motion carried 3-0 on a voice vote to adjourn @ 3:13 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.

JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

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 Zoning Department upon request.

Secretary

Date

**DECISION OF THE ZONING BOARD OF ADJUSTMENT
JEFFERSON COUNTY, WISCONSIN**

FINDINGS OF FACT

PETITION NO.: 2015 V1471
HEARING DATE: 10-08-2015

APPLICANT: Robert H & Ann T Osborne

PROPERTY OWNER: SAME

PARCEL (PIN #): 018-0713-0231-003

TOWNSHIP: Lake Mills

INTENT OF PETITIONER: Variance to sanction an existing 24'6" x 33' structure at less than the required minimum setbacks to the side yard, road right-of-way and road centerline. The property is zoned A-T Agricultural Transition Zone

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.04(f)(5) & 11.07(d)(2) OF THE JEFFERSON COUNTY ZONING ORDINANCE.

THE FEATURES OF THE PROPOSED CONSTRUCTION AND PROPERTY WHICH RELATE TO THE GRANT OR DENIAL OF THE VARIANCE APPLICATION ARE:

Our office received a complaint that a structure was built on the Osborne's property without Zoning/Land Use Permits. Notice was sent to the landowners. The landowners submitted a site plan showing the location of the structure did not meet side setbacks and road setbacks. The landowners applied for a variance from the Board of Adjustment. The property is .80 acres on the corner of North Shore Road. The total square footage of the structure is 812 sq. ft. with approximately half being a car port and the other half being a garage. The structure is 8 inches from the lot line whereas the required setback is 20 feet and 74 feet from the centerline and 46 feet from the right-of-way whereas the required setback is 85 feet from the centerline and 50 feet from the right-of-way.

FACTS OR OBSERVATIONS BASED ON SITE INSPECTIONS: Site inspections conducted. Observed property layout & location.

FACTS PRESENTED AT PUBLIC HEARING: See tape, minutes & file.

**DECISION OF THE ZONING BOARD OF ADJUSTMENT
JEFFERSON COUNTY, WISCONSIN**

FINDINGS OF FACT

PETITION NO.: 2015 V1472
HEARING DATE: 10-08-2015

APPLICANT: Michael F. Pitsch

PROPERTY OWNER: Michael F & Debra A Pitsch

PARCEL (PIN #): 022-0613-1931-001

TOWNSHIP: Oakland

INTENT OF PETITIONER: Variance from Section 11.04(f)6 to reduce minimum yard setback for rear lot line for placement of an attached garage.

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.04(f)6 OF THE JEFFERSON COUNTY ZONING ORDINANCE.

THE FEATURES OF THE PROPOSED CONSTRUCTION AND PROPERTY WHICH RELATE TO THE GRANT OR DENIAL OF THE VARIANCE APPLICATION ARE:

The petitioner is proposing to add a 14' X 18' attached garage to an existing residence on the rear of the residence which would be 5 feet from the rear lot line whereas the required setback is 20 feet. The parcel is 6.069 acres with an existing residence, an attached two car garage built in the early 1970's, and a 2,880 sq foot detached structure.

Why this location? Could add-on to house on south side and/or east side? Another detached structure?

When researching this petition it was found that the previous owner added on to detached garage (2100 sq. ft.) without Zoning/Land Use permits. In addition, it appears after 1996 the house was added onto without Zoning/Land Use Permits.

FACTS OR OBSERVATIONS BASED ON SITE INSPECTIONS: Site inspections conducted. Observed property layout & location.

FACTS PRESENTED AT PUBLIC HEARING: See tape, minutes & file.

DECISION STANDARDS

- A. NO VARIANCE MAY BE GRANTED WHICH WOULD HAVE THE EFFECT OF ALLOWING IN ANY DISTRICT A USE NOT PERMITTED IN THAT DISTRICT _____

- B. 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: _____

- 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.

BASED ON THE FINDINGS OF FACT, THE BOARD CONCLUDES THAT:

- 4. 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 would be a hardship not to have a garage that would service the first floor level of the house. He's entitled to a garage.
- 5. THE HARDSHIP **IS** DUE TO UNIQUE PHYSICAL LIMITATIONS OF THE PROPERTY RATHER THAN THE CIRCUMSTANCES OF THE APPLICANT BECAUSE the rear of the house is the only choice that would allow first floor access. The house is built into the hill.
- 6. THE VARIANCE **WILL NOT** BE CONTRARY TO THE PUBLIC INTEREST AS EXPRESSED BY THE PURPOSE AND INTENT OF THE ZONING ORDINANCE BECAUSE a 10' rear setback maintains the intent of the ordinance – a separation of residential & agricultural uses.

A VARIANCE MAY BE GRANTED IF ALL THESE CONDITIONS ARE MET

DECISION: THE REQUESTED VARIANCE IS **GRANTED.**

MOTION: Weis

SECOND: Carroll

VOTE: 3-0 (voice vote)

CONDITIONS OF APPROVAL: The setback is to be 10' from the proposed garage overhang to the lot line. A stakeout survey and verification from a licensed surveyor required. Must obtain all zoning permits.

SIGNED: _____ **DATE:** 10-08-2015
CHAIRPERSON

BOARD DECISIONS MAY BE APPEALED TO CIRCUIT COURT. AUDIO RECORD OF THESE PROCEEDINGS IS AVAILABLE UPON REQUEST.

**DECISION OF THE ZONING BOARD OF ADJUSTMENT
JEFFERSON COUNTY, WISCONSIN**

FINDINGS OF FACT

PETITION NO.: 2015 V1473

HEARING DATE: 10-08-2015

APPLICANT: Robert A & Catherine L Trevallee

PROPERTY OWNER: SAME

PARCEL (PIN #): 022-0613-0743-080

TOWNSHIP: Oakland

INTENT OF PETITIONER: Request for a reduced center line and road right-of-way setback from Porter Drive for a new residence with attached garage.

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.04(f)1 & 11.07(d)2 OF THE JEFFERSON COUNTY ZONING ORDINANCE.

THE FEATURES OF THE PROPOSED CONSTRUCTION AND PROPERTY WHICH RELATE TO THE GRANT OR DENIAL OF THE VARIANCE APPLICATION ARE:

The property is zoned R-1 Residential and is bordered by Porter Drive on two sides. This parcel was created by Certified Survey Map in 2006 where all current setbacks applied when the lot was created. The proposed residence will be placed 24'8" to the right-of-way whereas 30 feet is required and 44' 8" to centerline whereas the required setback is 63 feet. The road right-of-way for Porter Drive is only a 30 feet right-of-way, but the physical road is not centered in the 30 feet. The petitioner is proposing a 1,904 square foot residence with attached garage (1,184 sq. ft. residence & 720 sq. ft. attached garage).

FACTS OR OBSERVATIONS BASED ON SITE INSPECTIONS: Site inspections conducted. Observed property layout & location.

FACTS PRESENTED AT PUBLIC HEARING: See tape, minutes & file.

**DECISION OF THE ZONING BOARD OF ADJUSTMENT
JEFFERSON COUNTY, WISCONSIN**

FINDINGS OF FACT

PETITION NO.: 2015 V1474
HEARING DATE: 10-08-2015

APPLICANT: Colleen Janssen

PROPERTY OWNER: Patrick J & Colleen A Janssen

PARCEL (PIN #): 022-0613-0842-003

TOWNSHIP: Oakland

INTENT OF PETITIONER: To reduce road centerline setback for a proposed porch

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.04(f)1 & 11.07(d)2 OF THE JEFFERSON COUNTY ZONING ORDINANCE.

THE FEATURES OF THE PROPOSED CONSTRUCTION AND PROPERTY WHICH RELATE TO THE GRANT OR DENIAL OF THE VARIANCE APPLICATION ARE:

On July 2, 2015, the petitioner received a Zoning/Land Use Permit to raise an existing residence and move it back to the required setback for remodeling, including additional porches and a 24' x 24' family room addition. The front porch along Poplar Ave was to be 6 feet as to meet centerline setbacks of 63 feet. After the permit was issued the petitioner applied for a variance to extend the front porch another 3 feet. The setback would be 60 feet from the centerline whereas 63 feet is required. A previous variance was granted for this property for an handicap ramp and stoop which was removed once the disabled persons no longer lived in the residence. In addition, the residence was closer to the road than the proposed new location. The petitioner is moving it approximately back 17 feet from the right-of-way to meet road centerline setbacks but now is asking for a reduce setback of 60 feet from the centerline.

FACTS OR OBSERVATIONS BASED ON SITE INSPECTIONS: Site inspections
conducted. Observed property layout & location.

FACTS PRESENTED AT PUBLIC HEARING: See tape, minutes & file.

