

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 JANUARY 8, 2015 IN ROOM 205,
JEFFERSON COUNTY COURTHOUSE

CALL TO ORDER FOR BOARD MEMBERS IS AT 10:30 A.M. IN COURTHOUSE
ROOM 203, PRIOR TO THE HEARING

SITE INSPECTION FOR BOARD MEMBERS LEAVES AT 10:45 A.M. FROM
COURTHOUSE ROOM 203, PRIOR TO THE HEARING

1. Call to Order-Room 203 at 10:30 a.m.

Meeting called to order @ 10:33 a.m. by Hoeft

2. Roll Call

Members present: Carroll, Hoeft

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 December 11, 2014 Meeting Minutes

Carroll made motion, seconded by Hoeft, motion carried 2-0 to approve the December 11, 2014 meeting minutes.

6. Communications – None handed out. Staff noted that the county has signed up for WISLine which is held every second Wednesday of the month which the Board can attend. A copy of the topics/agendas will be provided to the Board.

Hoeft noted that she will not be able to attend the April 2015 hearing.

Weis present @10:40 for site inspections.

7. Site Inspections – Beginning at 10:45 a.m. and Leaving from Room 203

V1438-15 – Allison Schuenke/Donald & Beth Schuenke & Allison Schuenke

Property, **W8148 Elm Point Road**, Town of Lake Mills

V1439-15 – Steve Seyer/Stephen Seyer & Elizabeth Laing Property, **W8635 STH 106**, Town of Sumner

The Board was provided with a copy of the WISLine schedule/agenda.

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

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

Members present: Carroll, Hoeft, Weis

Members absent: --

Staff: Laurie Miller, Michelle Staff

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, January 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; decisions shall be rendered after public hearing on the following:

V1438-15 – Allison Schuenke/Donald & Beth Schuenke & Allison Schuenke Property: Variance from Sec. 11.04(f)1. of the Jefferson County Zoning Ordinance to exceed the maximum 30% lot coverage by principal and accessory structures allowed in a Residential R-1 zone. Variance from Section 11.09(e) to allow reduction of the side yard setback for a non-conforming lot. The property is at **W8148 Elm Point Road** in the Town of Lake Mills on PIN 018-0713-1544-011 (0.14 Acre)

Staff provided the Board with information on the petition. She explained the history of the property. The request includes 1) to legalize the structure and to add an addition, and 2) with the addition and remodeling, the lot coverage exceeds 30%.

Allison Schuenke explained the petition. They connected the garage to the house in 1980 which is too close to the lot line, and would like to legalize the addition. They also want to add a bathroom on the first floor that is handicap accessible. The lot coverage requirement is 30%. With the addition it would be at 31.7%.

Hoelt asked staff to explain handicap accessibility. Staff explained.

There were no questions or comments in favor or opposition of the petition. There was a town decision in the file approving the request as filed which was read into the record by Carroll.

Staff gave additional information in her staff report. She explained the petitioner's request and variance requirements. She asked the petitioner if the addition/remodel would look the same as the existing. Petitioner stated it would. Staff questioned if the structure had been tested to withstand a second story addition. Petitioner state it was. Staff also questioned the remodeling. Petitioner explained. Staff stated the existing lot coverage including the cottage and the shed would be at 31.7%.

Hoelt asked for confirmation that the lot coverage included shed. Staff stated yes. Hoelt asked Staff if they did not keep the shed, would they need the variance. Staff stated that if not for the shed, they would not need the variance. Carroll questioned Staff on the legal non-conforming structure. Staff explained. Carroll commented on the three criteria needed for the variance, the 1980 permit, and the existing shed. Carroll asked the petitioner if she would be willing to remove the shed. Petitioner stated that she would be willing, but they only have a one car garage, not two. The shed houses stuff for the lake and lake usage. She stated her parents would not be willing to take down the shed.

Weis questioned the porch. Petitioner stated they were not going to replace the porch. Hoeft asked the petitioner if handicap access was what drives this project. Petitioner stated yes. There was a discussion on the handicap access/use. Staff explained the two variance requests and asked the petitioner about a shoreline buffer. Petitioner stated she will be willing to do some plantings.

There was further discussion on the shed on the property and its removal. Weis reviewed the survey in the file and the placement of the shed. The petitioner noted that she would be willing to move the shed.

V1439-15 – Steve Seyer/Stephen Seyer & Elizabeth Laing Property: Variance from Sec. 11.03((d)1. to allow creation of a lot for recreational purposes without frontage on and access to a public road. The site is near **W8635 STH 106** in the Town of Sumner, on PINs 028-0513-0914-000 (40 Acres), 028-0513-0911-000 (30 Acres) and 028-0513-1024-000 (206.7 Acres) in an A-1 Exclusive Agricultural zone.

Steve Seyer presented his petition. He wants to sell a portion of the property and is proposing an easement at less than 66'. He felt 20' was adequate for the hunters and farmers to cross.

Carroll questioned Staff on frontage on the road. Staff explained the requirements and the easement. The petitioner stated that all that was being sold was in the floodplain. Weis questioned staff on the zoning of the property. Staff stated it was A-1 and questioned the petitioner on the hunting land and any need for buildings. Petitioner stated the pheasant farm was done and there were two duck clubs out there. Hoeft questioned if they could put in duck blinds. The petitioner stated that they are floating blinds. Carroll questioned the access to the parcel. The petitioner explained. Carroll questioned the hash marks on the map in the file. Staff and the petitioner noted that those were lands not owned by the petitioner.

There were no questions or comments in favor or opposition of the petition. There was a town response in the file in favor of the petition which was read into the record by Carroll.

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

11. Adjourn

Weis made motion, seconded by Carroll, motion carried 3-0 to adjourn @ 2:32 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.

JEFFERSON 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 Zoning Department upon request.

A handwritten signature in cursive script, reading "David S. Canell", followed by the date "02/12/15". The signature and date are written above a horizontal line.

Secretary

Date

