

JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

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

PUBLIC HEARING BEGINS AT **1:00 P.M.** ON THURSDAY, DECEMBER 14, 2017 IN ROOM 205, JEFFERSON COUNTY COURTHOUSE

CALL TO ORDER FOR BOARD MEMBERS IS AT 8:30 A.M. IN COURTHOUSE ROOM 203, PRIOR TO THE HEARING

SITE INSPECTION FOR BOARD MEMBERS LEAVES AT 8:45 A.M. FROM COURTHOUSE ROOM 203, PRIOR TO THE HEARING

1. Call to Order-Room 203 at 8:30 a.m.

Meeting called to order @ 8:30 a.m. by Weis

2. Roll Call (Establish a Quorum)

Members present: Weis, Hoeft, Carroll

Members absent: -----

Staff: Matt Zangl, Laurie Miller

3. Certification of Compliance with Open Meetings Law

Hoeft acknowledged publication. Staff also presented proof of publication.

4. Approval of the Agenda

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

5. Approval of October 12, 2017 Meeting Minutes

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

6. Communications and Public Comment

Hoefl asked that Act 67 be put on the next agenda for discussion. Zangl provided a memo to the Board regarding Act 67.

There was a discussion on the 20% slope for access and building on a lot request which was on the Planning & Zoning Committee's agenda.

Staff noted there are no variance petitions for January 2018; therefore, there will be no meeting.

7. Site Inspections – Beginning at 8:45 a.m. and Leaving from Room 203

V1623-17 – Dennis F Zehren, W5714 West Rd, Town of Watertown

V1620-17 – Fred & Cindy Gremmels, N6772 Shorewood Hills Rd, Town of Lake Mills

V1622-17 – James Bussey Trust, Lake Dr, Town of Sumner

V1621-17 – Richard Schauer, W1378 South Shore Dr, Town of Palmyra

V1619-17 – Neal D Heggie, W3334 Gruennert St, Town of Jefferson

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

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

Members present: Weis, Hoefl, Carroll

Members absent: ----

Staff: Matt Zangl, Laurie Miller, Patricia Cicero – Land & Water Conservation Department

9. Explanation of Process by Board of Adjustment Chair

The following was read into the record by Weis:

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, December 14, 2017 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:

V1619-17 – Neal D Heggie: Variance from Sec. 11.07(d) of the Jefferson County Zoning Ordinance to allow porch reconstruction and enlargement at less than the required minimum setback to the road right-of-way and centerline. The property is in the Town of Jefferson on PIN 014-0615-0314-033 (0.46 Ac), at **W3334 Gruennert St.** and is zoned Community.

Neal Heggie, W3334 Gruennert Street, presented his petition. Candace Heggie, W3334 Gruennert Street, was also present. Mr. Heggie stated the variance was for the front porch. The house was built in 1958 and had an existing porch which was 4'x7' on a slab. Because of water damage, they tore the porch off. The new porch is a little bigger at 7'x11'. It will be an open porch with a roof. It is 3' deeper than the original porch.

Candace Heggie, W3334 Grunnert Street, was in favor. There were no questions or comments in opposition of the petition. There was a town response in the file approving the petition which was read into the record by Weis.

Zangl gave staff report. He stated that there are no permits on file for the house. The house was built in 1958 per the petitioner. What they are proposing is too close to the road. They could have replaced what they had, but they chose to increase the square footage. All the homes are in align therefore setback averaging would not work, so this needs a variance. Zangl gave the required setbacks per ordinance at 85' to the centerline and 50' from the ROW. The setbacks they are proposing are 56' to the centerline, and 35' to the ROW, which as the petitioner stated, is 3' closer than what was previously there. The town board approved the petition.

Weis asked if there was no other access into the house other than through the garage. The petitioner stated yes. Weis asked if new construction of the porch was concrete.

Carroll asked the petitioner about the roof – how far does it extend over the concrete pad. The petitioner stated it was 7' just to cover the pad. Carroll asked about an overhang. The petitioner stated there could possibly be another 6" added. Zangl noted the variance would be from the closest part of the structure including the overhang. The petitioner stated then it would then be another 6". Hoeft asked if there was any other door except through the garage. The petitioner stated no. Carroll asked if there were no rear or side exits. The petitioner stated there was a rear exit with a patio.

V1620-17 – Fred & Cindy Gremmels: Variance from Sec. 11.10(f)1 of the Jefferson County Zoning Ordinance to allow a retaining wall at 60 feet, 7 inches from Rock Lake, which is less than the minimum required shoreland setback. The site is on PIN 018-0713-1014-009 (0.3 Acre) at **N6772 Shorewood Hills Rd**, Town of Lake Mills and is zoned Residential R-1.

Petitioner (or representative):

Fred & Cindy Gremmels, N6772 Shorewood Hills Road, were present. Mr. Gremmels stated that they inherited a challenging landscaping issue. The main issue is that the retaining wall is failing which was at 75' setback to the lake. Matt (Zangl) and Patricia (Cicero) came out to the site to view the landscaping issue and gave some suggestions on what he needed to do to correct the situation. They have hired Kelly Greenscaping. From the opinions of three landscapers, the only way to reconstruct the retaining wall is with a 2-tier system. The variance for 61' to the OHWM would be for the lower part of the tier. If they did only 1-tier, it would be at the end of the driveway which is 10' away from the failing retaining wall which would compromise the driveway. He has submitted a landscaping plan, and asked his landscaper to work with Matt and make contact with Patricia regarding the plan. The plan includes native grasses near the shoreline.

Cindy Gremmels, N6772 Shorewood Hills Road, was in favor. There were no questions or comments in opposition of the petition. There was a town response in the file approving the petition which was read into the record by Weis.

Zangl gave staff report. He referenced Sec. 11.10(f)1 of the ordinance and noted that there is a 75' setback to the high water mark requirement which includes retaining walls. In November of 2015, the house was placed on the lot with a retaining wall at 75' – permits were issued which a copy can be found in the file. Thereafter, there was clear-cutting in most of that section of the lot and all that was left were stumps. Zangl & Cicero were on site and noted the retaining wall was falling over. To fix it properly, because of the slope, they are proposing a second tier which is encroaching into that setback of 75' at 60'7" from the OHWM. DNR was noticed, but no response was received by them. A shoreland planting plan will be needed which

should be taken down to Cicero for review. They have been in contact with Kelly Greenscaping to provide an adequate planting plan.

Cicero stated this was a difficult site and felt there should be a requirement to have a shoreland restoration plan which would meet the state standards. This would mean they would have a viewing/access corridor with native plantings. There are a good amount of trees down there, but no understory. There is a slope which would be prone to erosion. There was no active erosion when they were out on site, but the plantings would prevent any erosion to protect the water quality of the lake in the future. Regarding the plan submitted, there would need to be a square footage area of the plantings and the number of plants that need to be native so she can figure out the density standards. Zangl stated that could be a condition if the Board would approve the petition to improve the planting/restoration plan for that area. Other than the retaining wall and the planting plan, on a zoning's position, everything else looks good. There is a walkway/path, but the planting plan still needs some work.

Hoelt noted that the state legislature is doing some changes and she asked if they could even require or recommend such a plan. Zangl explained. Cicero stated that prior to all the changes, she attended a workshop with the state regarding required shoreland restoration, and through a variance, you can.

Weis commented about being consistent with shoreland restoration requirements. This is a unique physical limitation, so a restoration plan should be in order. Carroll asked the petitioner if he fully understand what has been discussed and the requirements. The petitioner stated he didn't know if he fully understood it, but that he would meet with Cicero to go over what will exactly be needed. Zangl stated all has been discussed as to what was needed, it just needs further detail. Cicero stated it was hard to read. He is not required to have it in hand right now, but if approved and the Board requires the shoreland restoration, they would need to provide it. Zangl noted that before the permit was issued (permit for the retaining wall and plantings) they will need more detail of the planting plan so it meets the ordinance requirements. Cicero will review to assure it meets those requirements. The petitioner stated he would get them a better copy of the planting plant. Zangl stated he would be in contact with the landscaper as well. Cicero further explained the shoreland restoration standards.

V1621-17 – Richard Schauer: Variance from Sec. 11.03(f)2 of the Jefferson County Zoning Ordinance to allow an accessory structure in an R-1 zone without the principal use. The site is across from **W1378 South Shore Dr** in the Town of Palmyra, on PIN 024-0516-3311-004 (0.289 Ac).

Richard Schauer, W1378 South Shore Drive, presented his petition. Gary Etzel, contractor, was also present. He stated there is a 1 ½ car block structure there currently, and they want to replace it with a 3-car garage with a loft for storage. The neighbors are in favor of the project.

Etzel stated they are trying to keep the garage in one corner so that in the future, it could be built on. With the existing building, it has been difficult to shield all the stuff he wants to keep inside and still keep the lot pleasing. They are replacing an existing building.

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 Weis.

Zangl gave staff report. He stated that the property is zoned R-1. The principal use in that zone is a single family home. They are asking for an accessory structure without the principal structure. They have a lot across the street with a house. The building is exceeding 15' in height. They received a conditional use approval on November 27, 2017. They now just need the variance to allow the accessory structure without the principal structure.

Weis asked if the proposed building would be in the footprint of the existing. The petitioner stated yes. Weis asked about the tank on the property that they saw on their site visit. The petitioner stated it looked like at one time there was a well on the property and hasn't been used for 50 years. This is on public sewer with a manhole. Weis noted that if this was for public sewer, the petitioner should be aware that there's probably an easement which they cannot encroach upon. Hoeft asked Zangl if it was possible for them to build on the lot in the future. Zangl stated yes and asked the petitioner if they had a time frame when it would be built on. The petitioner stated no, not at this time.

Carroll stated that by replacing the accessory structure with a loft, the loft sometimes becomes a residence. There was possibility of sewer easement – is it shown on the plan. Etzel stated that he has not seen the cover on site. The petitioner stated it was set near the road, and if there was an easement, it would probably be within a foot from the road. Carroll asked if there was a survey that would show any other potential easements on the property. The petitioner stated that he did not have a survey at this time. Zangl asked if the cover was on the property line, to the left, or was it on the neighbor's property and was it an old drywell or septic. There was further discussion. Etzel stated that if it was on the property, it would be abandoned. Weis asked if the lot stakes have been located. Etzel stated they have, on the back corner. The petitioner stated the cover was not on his lot. It is the neighbor's well.

Weis asked if they would be opposed to getting a survey as a condition so there is no question. The petitioner stated they would get a survey.

V1622-17 – James Bussey Trust: Variance from Sec. 11.04(f)1 of the Jefferson County Zoning Ordinance to reduce the minimum lot width required in a Residential R-1 zone. The site is in the Town of Sumner, PIN 028-0513-1943-034 (1.09 Ac) on **Lake Dr.**

Paula from Best Realty, 5 W Round Street, presented the petition. She stated that the lots are larger than most lots in the area. The parcel was originally comprised of 6 smaller lots. They are trying to maximize the lots. Most of the lots are 80' wide, but along the road, the lot width drops below the 80' requirement.

Bonnie Collins, Best Realty, was in favor. There were no questions or comments in opposition of the petition. There was a town response in the file in favor of the petition which was read into the record by Weis.

Zangl gave staff report. He noted that there have been some new legislative changes. As per the preliminary survey, the lots don't meet the 80' lot widths so they would need the variance. He referred to the Murr Case in St. Croix County with the substandard lots which went all the way to the Supreme Court. Shortly thereafter, the legislators introduced an assembly bill to take away the ability for counties to regulate. Because the bill was pending at the time the petitioners applied, they decided to continue on with the variance. On November 29th, the governor signed the bill which now allows substandard lots in the same ownership be sold individually, and cannot be regulated by any municipality. With this new law, they could now go ahead with selling the original 5 lots individually which are only at 40' in width, and build a house on each one.

How the Board wants to proceed is up the Board. It is a fairly new law and hard to interpret. Zangl felt that if they were creating new lots, then they would still need the variance. They could sell the lots from the original boundary lines or sell 2 lots. They are asking to create 3 new lots from 71' to 78' in width which do not meet the 80' requirement.

There was a discussion with Zangl and Weis regarding lots before they were combined and with the new law requirements on how they can now separate the lots. Hoelt stated she did not want to create substandard lots and asked why they were now asking for a variance. Zangl stated that this variance was in process before the legislative change. Paula (petitioner) explained the new division of the lots. Zangl asked her if they were the same lot lines or different. Paul stated there were new lot lines. Zangl then stated they would need the variance because they are creating new lot lines. Weis stated that there has to be unique physical limitations to the property

which he didn't see, and noted that no financial circumstances are taken into consideration when making their decision.

Zangl noted that other than the lot width, they are meeting all the other requirements. Weis stated they needed to be consistent on their decisions. Carroll commented on the group of lots and their request and felt that this request was based on financial matters as opposed to achieving their main goal which is 80' width or larger. Paula commented this would be the best use of the land. Carroll commented that this was for the creation of non-conforming lots which there are problems with that now.

Zangl stated that one way to look at this would be to consider if this was a hardship to have them create 80' lots when no one else in that area has 80' lots. Paula noted they have shown the area does not have 80' lots. They could sell the lots as they were, but thought by doing the split this way, they were making it more conforming.

Weis noted that they do have other options. Zangl stated they went with this route to make the lots similar in size. Hoeft asked staff what would happen if the Board did nothing. Zangl stated that they could divide them on the lot lines. There was further discussion on how the lots could be split.

V1623-17 – Dennis F Zehren: Variance from Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance to sanction a second home in an A-3, Agricultural/Rural Residential zone at **W5714 West Rd.** This Town of Watertown property is on PIN 032-0814-0314-001 (4.985 Ac).

Attorney Charlie Eggert presented the petition representing Dennis (Zehren), the former owner of the property who is now living in an auxiliary building on the property, and who was also present. His nephew, Eric and his family now own the property. The variance is being proposed to allow the auxiliary building which has been there as far back as 1988 and used as a residence when Dennis first purchased the property. When wanting to upgrade the septic system, they found that this was a non-compliant building. They want to bring this into compliance. He stated he had photos from the 1980's that this was being used as a second home. Zangl noted that we would get copies of the photos before the petitioners left so we would have them for the file.

Carroll asked staff when these buildings were constructed. Zangl referenced 11.04(f)8 A-3 regulations which lists the principal use as a single family dwelling. This was zoned A-3 in 1977. A-3 zoned lots cannot be further divided. If it was zoned A-1, the solution to this would be to rezone into two lots. Zehren stated there was a 1981 application/permit showing when it was constructed which showed the property being zoned A-1. The township didn't have any record of an inspection, and he further explained.

There was a town decision in the file approving the petition which was read into the record by Weis.

Carroll made comment to determine when the structure was used as a residence. Zehren stated that when they purchased the property in 1988, it was already like this with two homes. Eggert stated the rule of burdensome is that this has been this way for over 30 years, and when he purchased the property, it was being used for that purpose. It has always been taxed and assessed as two homes.

There were no questions or comments in favor or opposition of the petition.

Zangl noted that if this was granted, they would need to complete the septic, and obtain a separate fire number and a conversion permit.

Weis asked if this was being served by a separate septic. Zehren stated that it was with 2 separate tanks. They will be combining the two home septic into one mound system. Carroll asked if the building meets all the requirements for safety. Zangl stated that it would be through the conversion permit and the town building inspector can do an inspection. Weis asked Zehren if it was acceptable to him if this would be for him only, and then converted back when he was no longer living there. Dennis stated that it is now in his nephew's name and could not answer that. Eggert noted that they will be sticking money into the structure for improvements.

10. Discussion and Possible Action on Above Petitions (see files & following pages)

11. Adjourn

Carroll made motion, seconded by Hoefft, motion carried 3-0 on a voice vote to adjourn @ 3:25 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.

Additional information on Zoning can be found at www.jeffersoncountywi.gov

Secretary

Date

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

FINDINGS OF FACT

PETITION NO.: 2017 V1619
HEARING DATE: 12-14-2017

APPLICANT: Neal D Heggie

PROPERTY OWNER: Neal D & Candace C Heggie

PARCEL (PIN #): 014-0615-0314-033 W3334 Gruennert St

TOWNSHIP: Jefferson

INTENT OF PETITIONER: Enlarge an existing porch to be 56' from the CL and 35' from the ROW of Gruennert St

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.07(d) 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:

- No permits on file for the house (built in 1958 per owner)
- Porch will be 3' closer to road than existing porch
- Road setbacks are 85' from CL, 50' from ROW
- Petition is for 56' from CL and 35' from ROW
- Lot is standard in size
- Town approval from November 6, 2017

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.: 2017 V1620
HEARING DATE: 12-14-2017

APPLICANT: Frederick C & Cynthia K Gremmels

PROPERTY OWNER: SAME

PARCEL (PIN #): 018-0713-1014-009 N6772 Shorewood Hills Rd

TOWNSHIP: Lake Mills

INTENT OF PETITIONER: Construct a retaining wall 60' 7" from the OHWM

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.10(f)1 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:

- Section 11.10(f)1: setback of 75' from OHWM for all structures
- “structure” includes retaining walls
- Permit #61016 issued 11-24-15
- 2015 VIO060 for illegal shoreland cutting
- Existing retaining wall at 75' from OHWM was built when house was built
 - Wall was not constructed properly and is compromised
 - To properly fix wall, contractor is proposing two walls that encroach into setback
- Town approval November 14, 2017
- DNR Noticed
- Shoreland planting will also require a permit and approval from LWCD

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.: 2017 V1621
HEARING DATE: 12-14-2017

APPLICANT: Gary Etzel

PROPERTY OWNER: Richard M Schauer

PARCEL (PIN #): 024-0516-3311-004 Near W1371 South Shore Dr

TOWNSHIP: Palmyra

INTENT OF PETITIONER: To build an accessory structure without the principal use in a R-1 district

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.03(f)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:

- Property is zoned R-1, where the principal use is residential
- Petitioner is requesting to build an accessory structure without the principal
- Petitioner owns a parcel located across the street at W1378 with a house and garage
- Section 11.03(f)2
- Replacing existing structure with new structure 1,000 sq. ft., 25' tall
- Conditional Use 1934-17 granted 11-27-2017
- Town approval October 13, 2017

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.: 2017 V1622

HEARING DATE: 12-14-2017

APPLICANT: Paula Carrier

PROPERTY OWNER: James R Bussey Trust

PARCEL (PIN #): 028-0513-1943-034

TOWNSHIP: Sumner

INTENT OF PETITIONER: Create 3 substandard lots along Lake Drive

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.04(f)1 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:

-Section 11.04(f)1 – R-1 minimum lot size is 80 x 80 x 8,000 sq. ft.

-Proposed lots range from 71' to 81' in width (see Preliminary CSM)

-Act 67 signed 11-27-2017

-substandard lots can be sold separately

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.: 2017 V1623
HEARING DATE: 12-14-2017

APPLICANT: Dennis F Zehren

PROPERTY OWNER: Eric P & Kristin M Zehren

PARCEL (PIN #): 032-0814-0314-001 W5714 West Road

TOWNSHIP: Watertown

INTENT OF PETITIONER: Request to sanction an existing, second house
located at W5714 West Rd

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.04(f)8 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:

-Section 11.04(f)8 A-3 zoning controls: Principal use – Single Family Dwelling

-Property rezoned from A-1 to A-3 in 1977 R188A

-Dennis Zehren purchased property on Land Contract from Grabow in 1988

-Permit #13766 issued 4-13-1982 for a detached garage in that location

-Permit 3997 and 6355 for mobile home and mobile home replacement

-Prior owners indicate the living quarters were creating in 1982 and used since then

-If still zoned A-1, they could rezone the property to A-3, but once zoned A-3 it
cannot be further divided

-IF granted, conditioned upon sanitary permit, conversion permit, fire number

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

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

