



**8. Site Inspections – Beginning at 11:00 a.m. and Leaving from Room 203**

V1650-19 – Steve and Rachel Weber, W7486 Manske Road, Town of Waterloo

V1649-19 – John and Pamela Reich, 398 Sandy Beach Rd, Town of Lake Mills

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

Meeting called to order @ \_\_\_\_\_ p.m. by \_\_\_\_\_

Members present:

Members absent:

Staff:

**10. Explanation of Process by Board of Adjustment Chair**

The following was read into the record by:

***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, July 11, 2019 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. An AREA VARIANCE is a modification to a dimensional, physical, locational requirement such as the setback, frontage, height, bulk, or density restriction for a structure that is granted by the board of adjustment. A USE VARIANCE is an authorization by the board of adjustment to allow the use of land for a purpose that is otherwise not allowed or is prohibited by the applicable zoning ordinance. 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, a petitioner for an AREA VARIANCE bears the burden of proving “unnecessary hardship,” by demonstrating that strict compliance with the zoning ordinance would unreasonably prevent the petitioner from using the property for a permitted purpose, or would render conformity with the zoning ordinance unnecessarily burdensome. A petitioner for a USE VARIANCE bears the burden of proving that strict compliance with the zoning ordinance would leave the property owner with no reasonable use of the property in the absence of a variance. Variances may be granted to allow the spirit of the

ordinance to be observed, substantial justice to be accomplished and the public interest not violated. **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 may occur after public hearing on the following:

**V1649-19 – John and Pamela Reich:** Variance from Sec. 11.04(f)1, 11.07(d)2, 11.09, 11.10(f)1 and 11.10(k) of the Jefferson County Zoning Ordinance to allow reconstruction of an existing non-conforming home while maintaining the existing 33-foot setback to the ordinary high water mark. The site is in the Town of Lake Mills on PIN 018-0713-2321-017 (0.28 Acre), and located at **398 Sandy Beach Road** in a Residential R-1 zone.

Petitioner (or representative):

In favor:

Opposed:

Town response:

Staff report:

Board questions:

**V1650-19 – Steven and Rachel Weber:** Variance from Sec. 11.04(f)6, 11.07(d)2 of the Jefferson County Zoning Ordinance to allow detached garage placement at less than the required setback to Manske Road. The site is at **W7486 Manske Road** in the Town of Waterloo, on PIN 030-0183-3613-000 (1.303 Acres) in an A-1, Exclusive Agricultural zone.

Petitioner (or representative):

In favor:

Opposed:

Town response:

Staff report:

Board questions:

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

**12. Adjourn**

motion carried                      made motion, seconded by  
   on a voice vote to adjourn @                      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 at the Jefferson County Courthouse in 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](http://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](http://www.jeffersoncountywi.gov)

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Secretary

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Date



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

**FINDINGS OF FACT**

PETITION NO.: 2019 V1649

HEARING DATE: 07-11-2019

APPLICANT: John A & Pamela J Reich

PROPERTY OWNER: SAME

PARCEL (PIN) #: 018-0713-2321-017 (398 Sandy Beach Road)

TOWNSHIP: Lake Mills

INTENT OF PETITIONER: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THE APPLICANT REQUESTS A VARIANCE FROM SECTION \_\_\_\_\_ 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:

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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 A USE OF LAND OR PROPERTY WHICH WOULD VIOLATE STATE LAWS OR ADMINISTRATIVE RULES: \_\_\_\_\_  
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- B. SUBJECT TO THE ABOVE LIMITATIONS, AREA VARIANCES MAY BE GRANTED WHERE STRICT COMPLIANCE WITH THE ZONING ORDINANCE RESULTS IN AN UNNECESSARY HARDSHIP WHICH WOULD UNREASONABLY PREVENT THE PETITIONER FROM USING THE PROPERTY FOR A PERMITTED PURPOSE, OR WOULD RENDER CONFORMITY WITH THE ZONING ORDINANCE UNNECESSARILY BURDENSOME, AND WILL ALLOW THE SPIRIT OF THE ORDINANCE TO BE OBSERVED, SUBSTANTIAL JUSTICE TO BE ACCOMPLISHED, AND THE PUBLIC INTEREST NOT VIOLATED.
- C. SUBJECT TO THE ABOVE LIMITATIONS, USE VARIANCES MAY BE GRANTED WHERE STRICT COMPLIANCE WITH THE ZONING ORDINANCE WOULD LEAVE THE PROPERTY OWNER WITH NO REASONABLE USE OF THE PROPERTY IN THE ABSENCE OF A VARIANCE AND WILL ALLOW THE SPIRIT OF THE ORDINANCE TO BE OBSERVED, SUBSTANTIAL JUSTICE TO BE ACCOMPLISHED, AND THE PUBLIC INTEREST NOT VIOLATED.

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

1. UNNECESSARY HARDSHIP **IS/IS NOT** PRESENT IN THAT A LITERAL ENFORCEMENT OF THE TERMS OF THE ZONING ORDINANCE **WOULD/WOULD NOT** UNREASONABLY PREVENT THE OWNER FROM USING THE PROPERTY FOR A PERMITTED PURPOSE OR WOULD RENDER CONFORMITY WITH SUCH RESTRICTIONS UNNECESSARILY BURDENSOME (AREA VARIANCE) OR STRICT COMPLIANCE WITH THE ZONING ORDINANCE WOULD LEAVE THE PROPERTY OWNER WITH NO REASONABLE USE OF THE PROPERTY (USE VARIANCE) BECAUSE \_\_\_\_\_  
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2. THE HARDSHIP OR NO REASONABLE USE **IS/IS NOT** DUE TO UNIQUE PHYSICAL LIMITATIONS OF THE PROPERTY RATHER THAN THE CIRCUMSTANCES OF THE APPLICANT BECAUSE \_\_\_\_\_  
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3. THE VARIANCE **WILL/WILL NOT** BE CONTRARY TO THE PUBLIC INTEREST AS EXPRESSED BY THE PURPOSE AND INTENT OF THE ZONING ORDINANCE BECAUSE \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\*A VARIANCE MAY BE GRANTED IF ALL THESE CONDITIONS ARE MET\***

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

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_ **VOTE:** \_\_\_\_\_ (voice vote)

**CONDITIONS OF APPROVAL/DENIAL:**

**SIGNED:** \_\_\_\_\_ **DATE:** \_\_\_\_\_ **07-11-2019**  
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.:** 2019 V1650

**HEARING DATE:** 07-11-2019

**APPLICANT:** Steven J Weber

**PROPERTY OWNER:** Steven J & Rachel J Weber

**PARCEL (PIN) #:** 030-0813-3613-000 (W7486 Manske Road)

**TOWNSHIP:** Waterloo

**INTENT OF PETITIONER:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THE APPLICANT REQUESTS A VARIANCE FROM SECTION \_\_\_\_\_ 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:**

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**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 A USE OF LAND OR PROPERTY WHICH WOULD VIOLATE STATE LAWS OR ADMINISTRATIVE RULES: \_\_\_\_\_  
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- B. SUBJECT TO THE ABOVE LIMITATIONS, AREA VARIANCES MAY BE GRANTED WHERE STRICT COMPLIANCE WITH THE ZONING ORDINANCE RESULTS IN AN UNNECESSARY HARDSHIP WHICH WOULD UNREASONABLY PREVENT THE PETITIONER FROM USING THE PROPERTY FOR A PERMITTED PURPOSE, OR WOULD RENDER CONFORMITY WITH THE ZONING ORDINANCE UNNECESSARILY BURDENSOME, AND WILL ALLOW THE SPIRIT OF THE ORDINANCE TO BE OBSERVED, SUBSTANTIAL JUSTICE TO BE ACCOMPLISHED, AND THE PUBLIC INTEREST NOT VIOLATED.
- C. SUBJECT TO THE ABOVE LIMITATIONS, USE VARIANCES MAY BE GRANTED WHERE STRICT COMPLIANCE WITH THE ZONING ORDINANCE WOULD LEAVE THE PROPERTY OWNER WITH NO REASONABLE USE OF THE PROPERTY IN THE ABSENCE OF A VARIANCE AND WILL ALLOW THE SPIRIT OF THE ORDINANCE TO BE OBSERVED, SUBSTANTIAL JUSTICE TO BE ACCOMPLISHED, AND THE PUBLIC INTEREST NOT VIOLATED.

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

- 4. UNNECESSARY HARDSHIP **IS/IS NOT** PRESENT IN THAT A LITERAL ENFORCEMENT OF THE TERMS OF THE ZONING ORDINANCE **WOULD/WOULD NOT** UNREASONABLY PREVENT THE OWNER FROM USING THE PROPERTY FOR A PERMITTED PURPOSE OR WOULD RENDER CONFORMITY WITH SUCH RESTRICTIONS UNNECESSARILY BURDENSOME (AREA VARIANCE) OR STRICT COMPLIANCE WITH THE ZONING ORDINANCE WOULD LEAVE THE PROPERTY OWNER WITH NO REASONABLE USE OF THE PROPERTY (USE VARIANCE) BECAUSE \_\_\_\_\_  
\_\_\_\_\_  
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- 5. THE HARDSHIP OR NO REASONABLE USE **IS/IS NOT** DUE TO UNIQUE PHYSICAL LIMITATIONS OF THE PROPERTY RATHER THAN THE CIRCUMSTANCES OF THE APPLICANT BECAUSE \_\_\_\_\_  
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- 6. THE VARIANCE **WILL/WILL NOT** BE CONTRARY TO THE PUBLIC INTEREST AS EXPRESSED BY THE PURPOSE AND INTENT OF THE ZONING ORDINANCE BECAUSE \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\*A VARIANCE MAY BE GRANTED IF ALL THESE CONDITIONS ARE MET\***

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

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_ **VOTE:** \_\_\_\_\_ (voice vote)

**CONDITIONS OF APPROVAL/DENIAL:**

**SIGNED:** \_\_\_\_\_ **DATE:** \_\_\_\_\_ **07-11-2019**  
CHAIRPERSON

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