

JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

Dale Weis, Chair; Janet Sayre Hoeft, Vice-Chair; Aari Roberts, Secretary

PUBLIC HEARING BEGINS AT 1:00 P.M. ON WEDNESDAY, NOVEMBER 20, 2019 IN ROOM 205, JEFFERSON COUNTY COURTHOUSE

CALL TO ORDER FOR BOARD MEMBERS IS AT 10:00 A.M. IN COURTHOUSE ROOM 203, PRIOR TO THE HEARING

SITE INSPECTION FOR BOARD MEMBERS LEAVES AT 10:15 A.M. FROM COURTHOUSE ROOM 203, PRIOR TO THE HEARING

1. Call to Order-Room 203 at 10:00 a.m.

The meeting was called to order at 10:00 a.m. by Hoeft.

2. Roll Call (Establish a Quorum)

Members present: Hoeft and Roberts

Members absent: Weis

Staff: Lindsey Schreiner, Matt Zangl, and Sarah Higgins

3. Certification of Compliance with Open Meetings Law

Hoeft acknowledged publication. Staff also presented proof of publication.

4. Election of Officers

Hoeft made motion, seconded by Roberts
motion carried 2-0 to elect Weis as **chairperson**.

Hoeft made motion, seconded by Roberts
motion carried 2-0 to elect Roberts as **vice-chair**.

Hoeft made motion, seconded by Roberts
motion carried 2-0 to elect Hoeft as **secretary**.

5. Approval of the Agenda

Roberts made motion, seconded by Hoeft
motion carried 2-0 to approve the agenda.

6. Approval of September 12, 2109 Meeting Minutes

Roberts made motion, seconded by Hoeft
motion carried 2-0 to approve the meeting minutes

7. Communications

Discussed upcoming Zoning Board of Adjustment and Appeals Workshop.

8. Public Comment

None.

9. Site Inspections – Beginning at 10:15 a.m. and Leaving from Room 203

V1656-19–Richard Klopccic, W1314 South Shore Dr, PIN 024-0516-23733-001

V1657-19 - Robert P Schneeberg, W7496 Manske Rd, PIN 030-0813-3613-001

V1655-19 – Larry Griebenow , N4516 Wahl Ln, PIN 022-0613-0644-059

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

The meeting was called to order at 1:03 p.m. by Hoeft.

Members present: Hoeft and Roberts

Members absent: Weis

Staff: Lindsey Schreiner, Matt Zangl, and Sarah Higgins

11. 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 Wednesday, November 20, 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 1) strict compliance with the zoning ordinance would unreasonably prevent the petitioner from using the property for a permitted purpose, or 2) would render conformity with the zoning ordinance unnecessarily burdensome. A petitioner for a USE VARIANCE bears the burden of proving that 3) 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:

V1655-19 – Larry Griebenow: Variance from Sec. 11.09(e)2 of the Jefferson County Zoning Ordinance to allow a deck addition to a non-conforming structure at less than the required road setbacks. This is on a substandard lot at **N4516 Wahl Ln**, Town of Oakland, on PIN 022-0613-0644-059 (0.91 Acres) in a Residential R-1 zone.

Petitioner (or representative): Larry Griebenow (412 Sandra Street, Kingston, IL 60145) explained that they built the deck because tree roots would make it complicated to pour a patio. They needed something in their yard to make it safer for their elderly parents to walk on and enjoy the yard. The deck has made the yard safer. He went on to explain that his fence would block visibility of the deck and not inhibit anyone's ability to enjoy their property. Griebenow claimed that hardly any other properties in that area meet the 25 ft. setback and some houses even go over the property lines. The property has no backyard. The deck is already built because he applied for the permit and was under the impression that the permit was issued.

In favor: None.

Opposed: None.

Town response: Approved 10/17/19.

Staff report: Given by Zangl and in the file. Zangl touched on impervious surface calculations because the lot is within 300 feet of the lake.

Board Questions: Roberts asked what the size of the deck is. Griebenow answered that the deck is 18 x 20. Roberts made the point that if he would reduce the deck to 8 x 20, the deck would be permitted without a variance. Roberts asked if they have considered any other options. Griebenow responded that this would be their option.

V1656-19 – Richard Kloplic: Variance from Sec. 11.10(k) of the Jefferson County Zoning Ordinance to allow an addition to a non-conforming shoreland home at **W1314 South Shore Dr**, Town of Palmyra. The site is on PIN 024-0516-2733-001 (0.501 Acre) in a Residential R-1 zone.

Petitioner (or representative): Mark Udvari-Solner (2631 University Ave, Suite 104, Madison, WI 53705) represented the Kloplic family. The property has been in the family for 85 years. They are requesting this addition to make a safer and more comfortable access point into the home. The representative went on to explain that it would be a 1-story addition of 380 square feet and serve also as a transition room. The proposed addition is setback even further than the existing home from the OHWM. The house was built prior to the Zoning Ordinance. Their main desire is to keep access to home away from water. They plan to also improve existing sidewalk down to home for safety as well.

In favor: Jim Hannes (W1306 S Shore Drive, Palmyra, WI 53156) emailed a letter of support. See in file.

Opposed: None.

Town response: Approved 10/14/2019.

Staff report: Given by Zangl and in the file. There was discussion that the home was originally a boat house and then was converted to a home prior to the current Zoning Ordinance. Zangl asked if they have considered mitigation for the increase in impervious surface percentage. Udvari-Solner answered yes they are in support of it, but have not created any set plans yet.

Board Questions: Roberts asked if the addition will meet side yard setbacks. Udvari-Solner answered that it will. Roberts questioned if the whole home is going to be remodeled. Udvari-Solner informed the committee that the house would also be resided and new windows would be installed. Roberts asked if any neighbors requested screening. Udvari-Solner answered no they have not. Windows will be kept facing the lake for privacy. Hoeft asked Udvari-Solner to address the three conditions. Udvari-Solner answered that the hardship is the safety of access and that the addition makes a better transition into the home. The 75 ft. setback limits options. The addition would actually improve public use and safety.

V1657-19 – Robert P Schneeberg: Variance from Sec. 11.04(f)6 and 11.07(d)2 of the Jefferson County Zoning Ordinance to sanction an existing detached garage at less than the required County Road G right-of-way setback. The site is in an A-1 Agricultural zone at **W7496 Manske Rd**, Town of Waterloo, on PIN 030-0813-3613-001 (0.708 Acre).

Petitioner (or representative): Robert Schneeberg explained that in 2015 they had hired a contractor to build a detached garage on their property. The property owners were told by the contractor that the proper permits were obtained. There was a permit issued by the Town of Waterloo for the detached garage. Schneeberg went on to explain that this is the only spot on the land where the garage could be placed due to size of lot, septic location, and topography. It is 115 feet from the centerline of County Road G. Mrs. Schneeberg provided a letter of support from their neighbor. When they came into the Zoning Department this past summer to obtain a permit for a proposed deck that is when they found out that their garage has no permit on file.

In favor: Steven Weber (W7486 Manske Road, Lake Mills, WI 53551) wrote a letter of support. See in file.

Opposed: None.

Town response: Approved 9/11/2019.

Staff report: Given by Zangl and in the file.

Board Questions: Roberts asked if the owners have talked to the county highway department or Town to see if they could purchase a portion of the right-of-way in order to meet the setback. Schneeberg answered that yes they have approached the Town, but were told that the Town was not interested in selling the land.

12. Discussion and Possible Action on Above Petitions (see also the following pages and files)

13. Adjourn

Hoeft made motion, seconded by Roberts
motion carried 2-0 to adjourn at 2:19 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.

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

Minutes prepared by: *Lindsey Schreiner*
Zoning/On-Site Waste Management Technician
Jefferson County Planning and Zoning Department

Janet Szymanski

SECRETARY

4.21.2020

DATE

