

# ***JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT***

*Dale Weis, Chair; Janet Sayre Hoeft, Joanne Larson*

**THE BOARD OF ADJUSTMENT WILL MEET ON THURSDAY, APRIL 13, 2023 AT 10:15 A.M.** Members of the public may attend Via Zoom Videoconference **OR** at the Jefferson County Highway Department Committee Room, 1425 S Wisconsin Dr, Jefferson, WI

**THE BOARD OF ADJUSTMENT WILL LEAVE FOR SITE INSPECTIONS AT 10:30 A.M.**

**PETITIONERS OR THEIR REPRESENTATIVES MUST BE IN ATTENDANCE FOR THE PUBLIC HEARING AT 1:00 P.M.** PETITIONERS AND OTHER MEMBERS OF THE PUBLIC MAY ATTEND THE MEETING VIRTUALLY BY FOLLOWING THESE INSTRUCTIONS IF THEY CHOOSE NOT TO ATTEND IN PERSON:

Register in advance for this meeting:

<https://us06web.zoom.us/j/88432018141?pwd=RjNkakh5YnROYzd5UDBOMXNEY05HUT09>

Meeting ID 884 3201 8141

Passcode Zoning

After registering, you will receive a confirmation email containing information about joining the

**1. Call to Order-Highway Department Committee Room, 10:15 a.m.**

Meeting called to order at 10:19 a.m. by Hoeft

**2. Roll Call (Establish a Quorum)**

Members present: Hoeft, Larson, Weis

Members absent: ---

Staff: Brett Scherer

**3. Certification of Compliance with Open Meetings Law**

Scherer acknowledged publication and provided proof.

**4. Approval of the Agenda**

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

**5. Approval of March 9, 2023, Meeting Minutes**

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

**6. Communications - None**

**7. Public Comment - None**

**8. Site Inspections—Beginning at 10:30 a.m. & Leaving from Hwy Dept Committee Room**

V1719-23 – Alvin Brook, **W2692 US Hwy 18**, PIN 014-0615-0113-002, Town of Jefferson

V1717-23 – Matthew & Keara Harris, **W1198 Concord Center Dr**, PIN 006-0716-1532-003, Town of Concord

V1718-23 – Daniel Berg, **W340 Per Ln**, PIN 012-0816-3634-001, Town of Ixonia

**9. Public Hearing Beginning at 1:00 p.m. in Hwy Dept Committee Room**

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

Members present: Weis, Hoeft, Larson

Members absent: ----

Staff: Matt Zangl, Brett Scherer, Sarah Elsner

**10. Explanation of Process by Committee 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, April 13, 2023 in the Jefferson County Highway Department Committee Room, 1425 S Wisconsin Drive, 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:

**V1717-23 – Matthew & Keara Harris:** Variance from Sec. 11.07(d)2 and 11.09(c) of the Jefferson County Zoning Ordinance to allow replacement of the single-family home at **W1198 Concord Center Dr** at less than the required setbacks to the road right-of-way and centerline. The site is on PIN 006-0716-1532-003 (0.5 ac) in the Town of Concord in a Community zone.

Keara Harris (W1204 Concord Center Drive) appeared by Zoom and presented the petition. They want to rebuild the existing home on the foundation that is there. The house is currently not livable. They also want to put a garage on the property.

Weis asked if they were tearing the structure down and starting over. The petitioner stated they were, but they were not removing the foundation. Weis asked what the setbacks are off the road. The petitioner stated she did not know. Hoeft stated the file indicated there was a 50' setback from the ROW and they want 7'6". The required centerline setback is 85' and they are asking for around 40'. Weis asked for the location of the well and septic. The petitioner stated the septic is behind the house and was last inspected in the fall of 2022. They were told that if the septic needed to be replaced, it would probably have to be a holding tank. If they moved the house back further, there would be no room left on the lot to replace the septic. The well is at the front of the house. Weis asked where the garage slab was. The petitioner stated it was hidden by the trees but putting up a new garage should not have any problem with the setbacks. Elsnor confirmed that the variance was for the home and not the garage.

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

Staff report was given by Elsnor. The property is zoned Community and is a .5-acre lot. They are requesting to replace the existing home on the same foundation. The home that is currently there is a non-conforming structure. The required setback to the side lot line is 10'. They are proposing a setback of 9'. The required setback to the ROW is 50' and they are proposing a 7'6" setback. The required setback from the centerline of the road is 85' and they are proposing an approximate 40' setback. There was a variance previously approved in 1989 for a home addition in excess of 50% of a non-conforming structure. The land use permit for that addition was on file and there is a sanitary permit on file from 1972.

Weis asked what the septic was sized for. Elsnor noted it was in the file. Zangl stated it was sized for a 2-bedroom home. Weis asked the petitioner how many bedrooms they would be proposing for the new home. The petitioner stated it would be the same as it is now.

Hoefl noted that when they filed the application, it mentions a storage building. Elsner stated that the variance is to rebuild the single-family home on the existing foundation which did not meet the required road and side yard setbacks. Zangl asked if they plan on building a garage. The petitioner stated it is something they would like to do in the future. It should not have anything to do with a variance, and they would get the permits when they decide to build it.

There was discussion and comments regarding the condition of the current septic.

There was a town response in the file in favor of the petition which was read into the record by Weis.

Weis commented that Concord Center Drive is a low traffic road so the safety issue for a house that close to the road is hopefully not an issue. This is replacing the home, so the residence has been there. The petitioner stated there are other homes along the road that are as close or even closer.

**V1718-23 – Daniel Berg:** Variance from Sec. 11.07(d)2 of the Jefferson County Zoning Ordinance to allow a shed addition at less than the required setback to the road right-of-way and centerline. The site is at **W340 Per Lane** in an A-1 Agricultural zone on PIN 012-0816-3634-001 (14.494 ac), Town of Ixonia.

Daniel Berg (W1098 W River Drive) presented his petition. He stated that he was looking to extend the existing pole barn for equipment storage into the lawn area. This is all zoned A-1 and on a dead-end road. He owns the surrounding land and across the road. He is proposing this plan so he does not take up any agricultural land for the building. He will be encroaching about 5' into the ROW setback.

Weis asked the reason for the specific size of the expansion he was proposing. The petitioner stated it measures out for the equipment and he would like to keep everything inside. Zangl asked if there was a way he could put on the addition and meet the setback. The petitioner stated that for agricultural purposes, he would not be able to get the equipment in it.

Weis asked if the well and septic were in any way in conflict with the proposed addition. The petitioner stated the well is 42' from the building and the septic tank is 58' away. The drain field is even further than that.

Weis asked what the hardship was. The petitioner stated that he did not want to take up any of the farmland. Weis asked if it would be practical to add on to either end. The petitioner stated the cost would double. There is a different grade to the north and the water flows away from the building on that end. Zangl questioned the size of the addition being 40'x54'. The petitioner stated that was correct. Zangl confirmed with the petitioner that he could not put the addition on the back of the building because it would take up some agricultural land. The petitioner stated that was correct. He wants to preserve as much farmland as possible.

Larson asked if they owned the farm at the end of the road. The petitioner stated they do. Larson asked if there was a site located there that they could put a building up. The petitioner stated it was all wetlands. Larson noted that he owned a lot of land along Per Lane and ask if he any intentions of splitting up the land for a residential lot creating more traffic on the road. The petitioner stated no. Larson asked if it was going to look like the existing building. The petitioner stated it would look like the existing building. He further explained. Zangl asked with the reduced setback, would he have enough room to back equipment in. The petitioner stated yes and further explained.

There was a town response in the file in favor of the petition which was read into the record by Weis.

Staff report was given by Elsner. The property is zoned A-1, and it is a 14.9-acre parcel. The variance request is to reduce the road setbacks from 11.07(d) of the Jefferson County Zoning Ordinance. The required setback from the ROW is 50'. He is proposing a setback of 47'. The required centerline setback is 85', and they are proposing a setback of 67'. There is a land use permit from 1991 for the existing shed. The proposed addition to the shed is 40'x54' and 16' in height. There is also a land use permit on file for the home that was built in 1993 and there is a septic permit on file from 1993.

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

**V1719-23 – Alvin Brook:** Variance from Sec. 11.04(f)6 of the Jefferson County Zoning Ordinance to allow reduced setback from the rear property line in an A-1 Agricultural zone. The site is at **W2692 US Highway 18** in the Town of Jefferson on PIN 014-0615-0113-002 (0.45 ac).

Alvin Brook (W2692 US Highway 18) presented his petition. He wants to build a detached, 3-car garage. There are no outbuildings currently which is a hardship because he has no place for storage. There is only a temporary, tarped storage area. There are no neighbors to the north, and no neighbors to the east that can build. There is no other location to put the garage.

Weis asked for the dimensions of the garage. The petitioner stated he is proposing a 32'x30' building. He did look at putting on an attached garage, but there are water and plumbing lines in that area. Weis noted that the well was to the east approximately 30' from the house, and the septic location was discussed.

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

Staff report was given by Elsner. The property is zone A-1 and a .45-acre lot. The request is for a reduced setback from the rear lot line and road setbacks to the proposed detached garage. The required setback from the rear lot line is 20' and is being proposed at 5' 6" and the setback requirement to the ROW is 70' and they are proposing a 68' 7" setback. The required centerline

setback is 140' and they are proposing a setback of 96'. There is a land use permit on file from 2018 for some structural alterations and repairs to the home, and there is a sanitary permit on file from 1969.

There was a town response in the file in favor of the petition which was read into the record by Weis.

Weis asked if there was any attempt to contact DNR. Hoeft noted that they were a neighbor and should have been noticed, but they have not responded.

Larson asked if the petitioner had done the measurements that were shown on the map. The petitioner stated yes. Larson asked for confirmation that he did not have a surveyor do the measurements. The petitioner stated he used a CAD program to get the measurements.

**11. Discussion and Possible Action on Above Petitions at 1:45 p.m. (See files & following pages)**

**12. Adjourn**

Weis made motion, seconded by Hoeft, motion carried 3-0 on a voice vote to adjourn @ 2:18 p.m.

**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)

DECISION OF THE ZONING BOARD OF ADJUSTMENT  
JEFFERSON COUNTY, WISCONSIN

**COPY**

**FINDINGS OF FACT**

PETITION NO.: 2023 V1717  
HEARING DATE: 04-13-2023

APPLICANT: Matt & Keara Harris

PROPERTY OWNER: Matthew J & Keara M Harris

PARCEL (PIN) #: 006-0716-1532-003 (W1198 Concord Center Drive)

TOWNSHIP: Concord

INTENT OF PETITIONER: Rebuild a single-family home on the existing foundation which does not meet the required road & side yard setbacks.

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.07(d)2 & 11.09(c) 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 zoned C, Community (0.500-Ac)

-Replacing existing home on same foundation

-Existing home is non-conforming structure

-Required setback for side lot line = 10'

-Proposed setback from side lot line = 9'

-Required setback from road right-of-way = 50'

-Proposed setback from right-of-way = 7'6"

-Required setback from road centerline = 85'

-Proposed setback from centerline = ~40'

-V383-1989 for home for addition in excess of 50% to a non-conforming structure

-LU Permit #26689 (1989) for 200 sq. ft. addition to home

-Sanitary permit #1965 - 1972

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

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



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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: \_\_\_\_\_
- 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** 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 (AREA VARIANCE) OR STRICT COMPLIANCE WITH THE ZONING ORDINANCE WOULD LEAVE THE PROPERTY OWNER WITH NO REASONABLE USE OF THE PROPERTY (USE VARIANCE) BECAUSE Hoelt: They wish to build new on an old foundation with the same number of bedrooms. To do otherwise would be unnecessarily burdensome. Larson: The lot is for residential purposes and zoned Community. The current structure is in poor condition. Weis: It would be a hardship to not be able to rebuild a house.
2. THE HARDSHIP OR NO REASONABLE USE **IS** DUE TO UNIQUE PHYSICAL LIMITATIONS OF THE PROPERTY RATHER THAN THE CIRCUMSTANCES OF THE APPLICANT BECAUSE Hoelt: Concord Center Drive is where it is. Larson: Hardship is due to the size of the lot & setbacks, the current placement of the home and the placement of the well and septic. Weis: It is the lot that creates the hardship. There is slope elevation differences & soil types that create complications. The lot is established and dates back.
3. THE VARIANCE **WILL NOT** BE CONTRARY TO THE PUBLIC INTEREST AS EXPRESSED BY THE PURPOSE AND INTENT OF THE ZONING ORDINANCE BECAUSE Hoelt: There is no vision problem from the driveway. Downtown Concord is used to structures close to the road. Larson: Many other structures are in close proximity to the road as well as this property. Weis: There is no more of an issue to public safety because it is consistent with other structures in the immediate area.

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

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

**MOTION:** Hoelt                      **SECOND:** Larson                      **VOTE:** 3-0

**CONDITIONS OF APPROVAL/DENIAL:**

SIGNED: Dale Hoelt (sm)                      DATE: 04-13-2023  
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

**COPY**

**FINDINGS OF FACT**

PETITION NO.: 2023 V1718  
HEARING DATE: 04-13-2023

APPLICANT: Daniel Berg

PROPERTY OWNER: Daniel Edward & Michelle L Berg

PARCEL (PIN) #: 012-0816-3634-001 (W340 Per Lane)

TOWNSHIP: Ixonia

INTENT OF PETITIONER: Reduce the road setback for a proposed agricultural shed addition.

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 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:

-Property zoned A-1, Exclusive Agricultural (14.49-acres)

-Sec. 11.07(d)

-Required setback from road right-of-way = 50'

-Proposed setback from road right-of-way = 46'

-Required setback from road centerline = 85'

-Proposed setback from road centerline = 67'

-LU permit #30368-91 for ag shed

-Proposed addition to existing ag shed (40' x 54').

-Proposed 16' in height

-LU permit #34122-93 for single-family home with attached garage

-Sanitary Permit #8076 (1993)

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

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

**COPY**

**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: \_\_\_\_\_
- 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** 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 (AREA VARIANCE) OR STRICT COMPLIANCE WITH THE ZONING ORDINANCE WOULD LEAVE THE PROPERTY OWNER WITH NO REASONABLE USE OF THE PROPERTY (USE VARIANCE) BECAUSE Hoeft: What he is requesting is the simplest solution. Larson: Using tillable land for additional ag storage would remove farmland and Jefferson County lends itself to preserving farmland. Weis: It would be unnecessarily burdensome to not be able to build a structure large enough to protect the farmer's equipment.
5. THE HARDSHIP OR NO REASONABLE USE **IS** DUE TO UNIQUE PHYSICAL LIMITATIONS OF THE PROPERTY RATHER THAN THE CIRCUMSTANCES OF THE APPLICANT BECAUSE Hoeft: There is enough room to the north, but it is currently being farmed. It would require more prep work to expand in that direction. Larson: Most of the land adjoining the site is already tilled. Weis: Due to the fact that it is an infrequently travelled road, it could be classified as a Class F roadway to be consistent with the Zoning Ordinance.
6. THE VARIANCE **WILL NOT** BE CONTRARY TO THE PUBLIC INTEREST AS EXPRESSED BY THE PURPOSE AND INTENT OF THE ZONING ORDINANCE BECAUSE Hoeft: The effort is to keep farming the farmland. This will extend into the lawn, but not into the productive farmland. Larson: The road is not travelled by many. Weis: There is no additional threat to public safety other than what exists now.

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

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

**MOTION:** Hoeft                      **SECOND:** Larson                      **VOTE:** 3-0

**CONDITIONS OF APPROVAL/DENIAL:**

SIGNED: Dale Weis (Sm)                      DATE: 04-13-2023  
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

COPY

FINDINGS OF FACT

PETITION NO.: 2023 V1719  
HEARING DATE: 04-13-2023

APPLICANT: Alvin J Brook

PROPERTY OWNER: SAME

PARCEL (PIN) #: 014-0615-0113-002 (W2692 US Highway 18)

TOWNSHIP: Jefferson

INTENT OF PETITIONER: Reduced setbacks for a proposed detached 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:

-Property zoned A-1, Agricultural Exclusive (0.45-Ac)

-Request for reduced setback from rear lot line and road setbacks to proposed detached garage

-Required setback for rear lot line =

-Proposed setback from rear lot line = 5'6"

-Required setback from road right-of-way = 70'

-Proposed setback from right-of-way = 68'7"

-Required setback from road centerline = 140'

-Proposed setback from centerline = ?

-LU permit #62583 – 2018 for structural alterations and repairs to home

-Sanitary permit #260 – 1969

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

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

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

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