

JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

Dale Weis, Chair; Joann Larson; Steven Masche

THE BOARD OF ADJUSTMENT WILL MEET ON THURSDAY, December 12, 2024, AT 10:15 A.M. Members of the public may attend at the Jefferson County Courthouse, 311 S Center Ave, Jefferson, WI, Room C1021. THE BOARD OF ADJUSTMENT WILL LEAVE FOR SITE INSPECTIONS AT 10:30 A.M.

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 meeting

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:

1. **Call to Order – 10:15 a.m. Room C1021 of the Jefferson County Courthouse**
Meeting called to order at 10:15 a.m. by Weis
2. **Roll Call (Establish a Quorum)**
Members present: Weis, Larson, Masche
Staff: Sarah Elsner, Haley Nielsen
3. **Certification of Compliance with Open Meetings Law**
Staff presented proof of publication.
4. **Approval of the Agenda**
Larson made motion, seconded by Masche, 3-0.
5. **Approval of September 12, 2024, Meeting Minutes**
Larson made motion, seconded by Masche, 3-0.
6. **Communications**
None.
7. **Public Comment - None**
8. **Site Inspection** – Beginning at 10:30 a.m. and Leaving from Room C1021 of the Jefferson County Courthouse, 311 S Center Ave, Jefferson, WI
 - **V1757-24 –James Thoma (T&H Builders)/James & Tammy Roth**, W3111 Fairview Drive, Town of Jefferson – PIN 014-0615-0221-017
 - **V1756-24 -Adam Schuett & Marsha Pempek**, N3560 County Road D, Town of Hebron PIN 010-0615-2313-001
 - **V1751-24 – Steven Ganser**, N511 Haight Road, Town of Koshkonong, PIN 016-0513-2644-016

9. **Public Hearing Beginning at 1:00 p.m., Jefferson County Courthouse Room C1049**

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

Members present: Weis, Larson, Masche

Staff: Sarah Elsner, Haley Nielsen

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, , at the Jefferson County Courthouse Room C1021, Jefferson, Wisconsin. Matters to be heard are applications for variance from terms of the Jefferson County Zoning Ordinance and Floodplain 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:

V1756-24 Adam J Schuett & Marsha J Pempek: Variance from Sec. 11.07(d)2 of the Jefferson County Zoning Ordinance to allow the placement of a detached garage at a reduced road setback at **N3560 County Road D** on parcel 010-0615-2313-001, Town of Hebron.

PETITIONER: Requests to build a detached garage next to the driveway, there is currently a building there. Would like to tear down the existing building and rebuild with a larger building. The proposed building is moved 15’ back from the original structure. The existing building could not be repurposed. The septic system is located to the north.

Larson: Size of original structure doesn’t seem as provided by the petitioner. The petitioner explained that the site plan was from the previous sanitary permit, was not certain about accuracy of that document.

Weiss: Setback to overhang? The petitioner responded yes. Why can't you push the building further East? The petitioner explained that there is a gas line located in that area.

IN FAVOR: None.

OPPOSED: None.

REBUTTAL: None.

STAFF: Nielsen read staff report, and in file. Nielsen asked petitioner, why the setback couldn't be met? The petitioner explained that it would then be right on the driveway, vehicles would not be able to make the turn into the structure.

TOWN: In favor 3-0 with no conditions.

V1757-24 James S Thoma-T&H Builders: Allow a second accessory structure without the principal structure in an R-2 zone at **W3111 Fairview Drive** on parcel 014-0615-0221-017, Town of Jefferson, owned by James P & Tammy S Roth. This variance is from Sec. 11.03(h) of the Jefferson County Zoning Ordinance.

PETITIONER: James Thoma N4815 Parkview Drive. There is currently an existing small portable structure in the rear of property. It is falling down, and the owner would like to replace it with a new setback that would meet setbacks.

Weiss: Septic or well on the property? No well. Septic from neighboring property on lot, petitioner explained the circumstances surrounding this. Is there room to build a residence here in the future? Yes, room in middle of the lot, using the best of the space for property to put detached building in rear corner of the lot as requested.

IN FAVOR: None.

OPPOSED: None.

REBUTTAL: None.

STAFF: Nielsen read staff report. Asked about the use of existing accessory structure on property and proposed use of new structure. Personal use/woodworking shop.

TOWN: In favor 5-0 with no conditions.

V1751-24 Steven Ganser: Variance from Sec. 11.10(f)(1) of the Jefferson County Zoning Ordinance to allow a second accessory structure within 75' from the ordinary high-water mark. The property is located at **N511 Haight Road** in the Town of Koshkonong on parcel 016-0513-2644-016.

PETITIONER: Steven Ganser N511 Haight Road. There is an existing shed and deck on the property. Would like to move shed onto deck.

IN FAVOR: None.

OPPOSED: None.

REBUTTAL: None.

STAFF: Nielsen read staff report. Asked if the shed could be placed across the road. Petitioner explain it would not be a convenient location as the items stored in the shed are related to usage of waterfront.

DNR COMMENT: DNR is opposed to granting variance. Correspondence in file.

TOWN: In favor, 4-0 with no conditions.

11. Discussion and Possible Action on Above Petitions (See also following pages & files)

12. Adjourn

Larson made motion, seconded by Masche, motion carried 3-0 on a voice vote to adjourn @ 2:15 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