

JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

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

PUBLIC HEARING BEGINS AT **1:00 P.M.** ON THURSDAY, MAY 8, 2014 IN ROOM 205, JEFFERSON COUNTY COURTHOUSE

CALL TO ORDER FOR BOARD MEMBERS IS AT 9:45 A.M. IN COURTHOUSE ROOM 203, PRIOR TO THE HEARING

SITE INSPECTION FOR BOARD MEMBERS LEAVES AT 10:00 A.M. FROM COURTHOUSE ROOM 203, PRIOR TO THE HEARING

1. Call to Order-Room 203 at 9:45 a.m.

Meeting called to order @ 9:45 a.m. by Hoeft

2. Roll Call

Members present: Hoeft, Carroll

Members absent: Weis

Staff: Laurie Miller, Michelle Staff

3. Certification of Compliance with Open Meetings Law Requirements

Hoeft acknowledged publication. Staff also presented proof of publication.

4. Review of Agenda

Carroll made motion, seconded by Hoeft, motion carried 2-0 to approve the review of the agenda.

5. Approval of April 10, 2014 Meeting Minutes

Hoeft made motion, seconded by Carroll, motion carried 2-0 to approve the April 10, 2014 meeting minutes, and noted that the meeting minutes are available on audio.

6. Communications

The Board received a copy of:

- The Jefferson County Zoning Ordinance #11 (Amended date of March 11, 2014)
- A copy of Rules for Reimbursement of Expenses

7. Site Inspections – Beginning at 10:00 a.m. and Leaving from Room 203

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

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

Members present: Hoeft, Carroll, Weis

Members absent: ----

Staff: Laurie Miller, Michelle Staff, Rob Klotz

9. Explanation of Process by Board of Adjustment Chair

The following was read into the record by Carroll:

***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, May 8, 2014 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; decisions shall be rendered after public hearing on the following:

V1416-14 – Thomas & Jill Jensen: Clarification and reconsideration of a variance request to add a detached garage, which exists at less than the required centerline and right-of way setbacks, to a residence. This addition will be at less than 50% expansion under the Zoning Ordinance permit section, Section 11.10(e)(5)(a)(b), and less than 50% footprint under the non-conforming section, 11.09. Also, clarification of decision made April 10, 2014 regarding the option of a 35-foot buffer without the proposed restoration plan. The property is at **W9419 Ripley Road** in the Town of Oakland, on PIN 022-0613-0712-000 (0.5 Acre) in a Residential R-1 zone.

The Board was provided with a handout by Rob Klotz. Klotz commented on the series of previous variances granted. At this time, the petitioners were asking for clarification that if they decide to do the 35' buffer, would they also be required to put in their restoration shoreland plan. Secondly, there was also another variance request that was overlooked. In November of last year, a permit was issued for the non-conforming house to have modifications that would not exceed 50% EAV. Therefore, it did not kick in the buffer requirement. The plan was that they would do the work on the house which was at about 36%. That leaves them 14% remaining to add on without that ordinance section kicking in that would require the 35' buffer. Since that time, the Jensen' revisited their architect and engineer and verified that the foundation was adequate to do this addition, and they have reduced the addition down to where adding the garage to the house will eat up the remaining, but it will be less than 12%-14%. So under the ordinance, they would be less than 50% EAV where the ordinance would require the buffer to be installed. The previous variance was approved where the intent was to tear the whole building town. Now they are intending on using the existing structure and stay less than 50% EAV. An action then would be needed to act on the addition of the existing garage with the same footprint and no expansion to the existing home with the plan that they do not exceed 50% EAV which would not require the restoration.

Klotz went on to explain the changes in the ordinance in the non-conforming section. The permit that was issued was before those changes occurred. He also stated that the NR115 shoreland regulations have been revised and waiting for approval. In January, this could all change again.

Carroll asked for clarification that when they came in last month they were asking for a new structure and now were asking for a reconstruction/addition. Klotz explained that the variance was for adding the garage to the home which sits too close to the road. It is the same variance as last time except that last time, they were going to rebuild, and now they are asking to reconstruct and stay less than 50% EAV.

Jill Jensen explained that they preferred not to install the buffer. She briefly explained the history of their project, provided a new plan to the Board for reconstruction, and explained their request. She also stated that there was soil testing done showing that it was native soils and that it's sand and clay. Jensen further explained the utilization of the garage and to construct above it which was better aesthetically. The roof at the highest point would be 29'. She felt the hardship was due to a conforming lot, but the garage is too close to the road which encroaches. Jensen also explained the neighboring properties and how they differ from their property. If they were able to build over the garage, they would still install the permeable pavers and a drainage system to deal with some of the runoff.

Hoeft questioned staff on the height requirement. Klotz stated the maximum would be 35'. Carroll questioned the sewer easement. Jensen stated that the sewer runs through there. Weis asked for clarification on the two requests. Jensen explained.

There were no questions or comments in favor or opposition of the petition. There was a letter in the file from the DNR which Hoeft read into the record. There was also a town response in the file of approval, and was read into the record by Hoeft.

Carroll questioned staff on clarification if less than 50% EAV and if the current permit is complied with, petitioners would not have to meet the 35' buffer requirements. Staff stated that yes, according to the ordinance.

V1417-14 – SB Homes, LLC/Siloam Methodist Church & Cemetery Property:

Variance from Sec. 11.06(a)2 to sanction placement of a sign in the vision clearance triangle of CTH CI and CTH Z on PIN 024-0516-0111-002 (1.37 Acres). The site is at **W104 CTH CI** in the Town of Palmyra, in an A-1, Exclusive Agricultural zone.

Gary Edzel from Stonebrook Homes presented the petition. He stated the location of the church has limited restrictions. They want to place the sign at a 45 degree angle from the church which he felt was the only place because of the restrictions. He has contacted the Jefferson County Highway Department, and they were able to slide the sign back another 3'. He stated that town was also in favor. He presented the Board with a copy of what the sign would look like and a site plan.

There were no questions or comments in favor or opposition of the petition. There was a response from the town in the file which was read into the record by Hoeft. Hoeft also read into the record a response from the Jefferson County Highway Department (Russ Cooper).

Staff report was given by Staff. She explained the vision clearance triangle and the location of the existing church. Staff questioned Edzel on the proposed location. He

stated that it was at 13', but was now at 10', and that there was a banner there currently. Staff questioned this location. Edzel explained.

Hoelt questioned Staff if this was because it was more than 2' high. Staff explained it was higher than that because of visibility of the sign. Edzel confirmed. Staff questioned if the church had a sign there before. Edzel stated that all that was there was what is there now.

Weis questioned the proposed sign location and structure of the sign. Edzel explained. Carroll questioned the handicap parking site and the vision on the highways with the proposed sign. Edzel explained.

Edzel approached the Board at the table to explain the location of the sign based on the site plan. There was a discussion with Edzel and the Board on the location of the sign and visibility. Edzel also explained the 3 criteria needed for the variance.

V1418-14 – Joyce A Hintz: Variance from Sec. 11.07(b)1 to sanction a 3.6 foot side yard setback for an addition permitted at 5.01 foot setback in 2006. The minimum setback allowed by ordinance and by the permit issued is 5 feet. This is on PIN 026-0616-1712-007 (0.260 Acre) at **N4058 Vista Road** in the Town of Sullivan, in a Residential R-1 zone.

Joyce Hintz presented the petition. She presented a packet of information to the Board and explained the history of the property. They bought the home as a builders spec home, and was not aware the workshop constructed was too close to the lot line. They also want to add a second story addition above the workshop.

There were no questions or comments in favor of the petition. The neighbor, Larry Watkins, had concerns of water runoff onto his property and the encroachment. He presented pictures to the Board and explained the water runoff issues onto his property and the water management he would have to do.

There was a response in the file from the town which was read into the record by Carroll.

Carroll questioned Mr. Watkins on when he purchased his property. Mr. Watkins stated that it was October of 2013. Hoelt commented that this variance was for 1.5' and questioned Mr. Watkins if 1.5' would make any difference. Carroll commented on the 3 criteria used for a variance request. Hintz explained that there would be rain gutters and they would trench the pipes in to deal with the runoff, and explained the culvert that crosses the road. She also submitted pictures to the Board. Weis asked petitioner for clarification on where the culvert crosses the road. Mr. Watkins explained the culverts.

Hoelt questioned Staff on the height and setback requirements. Staff explained the requirements.

Staff gave staff report and explained the history of the property. This is a substandard lot which have substandard setbacks of 5' from the overhang. In 2006, they did get a permit. A site inspection was done to verify the shoreline setback, but the side setback was not looked at because the site plan from the builder showed they met the setbacks. The problem was when the addition was put on too close to the lot line, not when the house was built. She questioned the petitioner if the setback was from the overhang or the foundation. Hintz said there was no overhang. Staff also questioned the addition and roof. Hintz explained the roof would be in the opposite direction, and explained the addition.

Carroll commented on the survey submitted and the permits issued. Mr. Watkins commented on the setback and no inspection. Staff explained. Staff questioned the petitioner if they could move the new addition to the 5' setback. Mrs. Hintz explained they would be building on to the existing. Hoelt questioned the petitioner on what was on the other side of the house. Hintz stated there was another house. There was further discussion on the setback requirements and the need for a variance.

There was a response from the town in the file which was read into the record by Carroll.

V1419-14 – Roseann Pendleton: Variance from Sec. 11.04(f)8 to allow temporary use of an existing home while a new home is under construction, thereby temporarily allowing two homes on the property at **N4959 CTH D**. This is in an Agricultural/Rural Residential A-3 zone in the Town of Farmington, on PIN 008-0715-3534-000 (3 Acres).

Carol Pendleton presented the petition. They wanted to live in the duplex while they constructed the new duplex so they didn't have to relocate 2 households.

There were no questions or comments in favor or opposition of the petition. Don Reese from the town was present and stated the town board approved this petition. Carroll also noted there was a response in the file from the town.

Hoelt questioned the ordinance on the time limit. Staff explained that when a permit is obtained, it is good for 2 years. The town is stating that they wanted 1 year from the date of occupancy. The problem in the past is that the houses were not being torn down. Reese explained that they would want to tear down the old house based on the location.

Staff noted that the petitioners did get a conditional use for the duplex and that the septic currently there is sized correctly. The new structure meets the setbacks.

Carroll questioned how many dwelling units there were. Pendleton stated there were 2.

V1420-14 – Glen Schilder: Variance from Sec. 11.04(f)8 to allow new home construction at 5 feet from a property line. The site is at **N5185 CTH D** in the Town of Farmington on PIN 008-0715-3524-002 (1.06 Acre) and is in an A-3, Agricultural/Rural Residential zone.

Glen Schilder presented his petition. He explained that he wants a 5' setback, that it's a flag lot, and there's not enough square footage left for a home site. He owns the adjacent property, which could not be sold separately except to another adjacent lot owner.

Hoelt questioned the flag lot. Staff explained there is a 66' access to back to the lot, and a 20' setback is required. Schilder explained that he purchased the lot, and did not create it. One acre is usually enough to build, but because of the 66' access, it made the lot smaller. He went on to explain the location of the septic.

There were no questions or comments in favor or opposition of the petition. Don Reese from the town stated the town approved this petition with a 2-1 vote.

Staff gave staff report. The lot was created in 2004, and was purchased as an A-3 lot with a 20' setback. She explained the 2 memorandums in the file from Bruce Haukom (former Planning & Zoning Director) responding to reconfiguration of the lot. When the lot was created, it met the required size requirements which would allow a building site with the 20' setback, and soil test for a mound system. There are other options.

Schilder explained his site plan and the problems with moving it to the north and east because of the mound location and slope. Staff questioned the petitioner on the size and design of the house. The petitioner stated it was 2,100 square feet and that it's a ranch floor plan.

Weis questioned the petitioner on the number of bedrooms. The petitioner stated it would be 3-4. Weis also questioned the petitioner on moving the house to the north. Schilder explained the location of the septic. Weis explained other possibilities with the septic to the petitioner so the house could be moved further north. Carroll commented that the petitioner has other options. There was a discussion at the table with the petitioner and the Board regarding what was being proposed, and other

options. Weis pointed out the septic could be reconfigured and what the setbacks were for the septic.

V1421-14 – Ohne & Karen Raasch: Variance from Sec. 11.03(d)1 and 15.04 (c) for a certified survey map, which states “All lots shall front on and have access to a public road for a minimum distance of at least 66 feet.” The site is on PINs 030-0813-3531-000 (40 Acres) and 030-0813-3534-000 (40 Acres) in the Town of Waterloo, near **N7399 North Shore Road** in an A-1, Exclusive Agricultural zone.

Karen Raasch explained the petition. She stated the property was purchased in 2009, and that it is now in a Wetland Reserve Program which now needs the easement to get to it.

There were no questions or comments in favor or opposition of the petition. Staff report was given by Staff. She questioned the petitioner if this was going to be sold separately. Petitioner stated that they wanted to have the option to be able to sell it and further explained the lands and their request for easement. Staff further explained. Staff explained she has had contact with NRCS regarding the easement. She questioned the petitioner why this was in the middle of the property and why they chose this configuration. The petitioner explained. There was a discussion on whether this was to be sold or not and the need for an easement and survey because they do have road frontage to the property.

Weis questioned the zoning of the property. Staff stated it was zoned A-1. Carroll suggested they may want to table this application for more information to clarify the petitioner’s intent for the property. Staff & petitioner left the hearing to discuss.

10. Decisions on Above Petitions (see following pages & files)

11. Adjourn

Weis made motion, seconded by Hoeft, motion carried 3-0 to adjourn @ 4:33 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.

The Board may discuss and/or take action on any item specifically listed on the agenda.

JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

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.

Secretary

Date

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

FINDINGS OF FACT

PETITION NO.: 2014 V1416
HEARING DATE: 05-08-2014

APPLICANT: Thomas C. & Jill S. Jensen

PROPERTY OWNER: SAME

PARCEL (PIN #): 022-0613-0712-000

TOWNSHIP: Oakland

INTENT OF PETITIONER: Clarification and reconsideration of a variance request to add a detached garage, which exists at less than the required centerline and right of way setbacks.

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.09 and 11.10(e)(5)(a)(b) 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:
The petitioners are asking for clarifications on the decision made April 10, 2014.

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 IN ANY DISTRICT A USE NOT PERMITTED IN THAT DISTRICT _____
- B. 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: _____

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

FINDINGS OF FACT

PETITION NO.: 2014 V1417
HEARING DATE: 05-08-2014

APPLICANT: SB Homes LLC

PROPERTY OWNER: Siloam Methodist Epis Church & Cemetery

PARCEL (PIN #): 024-0516-0111-002

TOWNSHIP: Palmyra

INTENT OF PETITIONER: To erect a sign within the vision triangle of CTH CI and CTH Z

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.06(a)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:

The property is 1.37 acres and is located on the corner of CTH Z and CTH CI. The church has owned the property since 1894. The church would like to erect a sign 13 feet from the church towards the intersection of CTH Z and CTH CI. Section 11.06(a)2 of the Jefferson County Zoning Ordinance states that no object over two and one-half (2 1/2 feet) in height above the road beds shall be allowed if it obstructs the view across the triangle.

Zoning Department did receive comments from the County Highway Department. The comments are in the file.

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.: 2014 V1418

HEARING DATE: 05-08-2014

APPLICANT: Joyce A. Hintz

PROPERTY OWNER: Joyce A. Hintz Trust

PARCEL (PIN #): 026-0616-1712-007

TOWNSHIP: Sullivan

INTENT OF PETITIONER: To sanction a 3.6 feet side setback for an addition permitted in 2006. In addition, the owners would like to put a 2nd story addition onto the addition that is 3.6 feet from the side lot line.

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

In 2004, a Zoning/Land Use Permit was issued for a new residence on a non-conforming lot meeting non-conforming setback as provided in 11.07(b)1. The residence was built meeting all non-conforming setbacks. In 2006, the petitioner obtained a Zoning/Land Use Permit for an addition and decks for the residence. The north side of the property was a utility room addition and the decks were on the lake side. Staff was on site to measure proposed setbacks for the decks facing the lake side but not for side setbacks.

In 2013, the adjacent neighbor to the north had their property surveyed for the placement of new residence. On that survey, it indicated that the Hintz's addition was 3.6 feet from the north property rather than the required setback of 5 feet. When discussing the situation with the petitioner's, it was noted that they also plan to construct a 2nd story addition to the said addition that is only 3.6 feet from the lot line. This petitioner is asking to sanction the existing placement of the residence at 3.6 feet from the north lot line and in the future, construct a 408 sq. ft. 2nd story addition to this structure.

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.: 2014 V1419
HEARING DATE: 05-08-2014

APPLICANT: Roseann M. Pendleton

PROPERTY OWNER: SAME

PARCEL (PIN #): 008-0715-3534-000

TOWNSHIP: Farmington

INTENT OF PETITIONER: To allow temporary use of an existing home while a new home is under construction, thereby temporarily allowing two homes on the property at N4959 CTH D.

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:

The petitioner is proposing to construct a new duplex and continue to live in the old duplex while the new duplex is under construction. The property received a condition use permit on June 6, 2005 to allow a duplex on this property. The petitioner has indicated that when the new duplex is completed, they would remove the old duplex as soon as possible. According to the site plan submitted the new duplex would meet all applicable setbacks.

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.: 2014 V1420
HEARING DATE: 05-08-2014

APPLICANT: Glen Schilder

PROPERTY OWNER: SAME

PARCEL (PIN #): 008-0715-3524-002

TOWNSHIP: Farmington

INTENT OF PETITIONER: To allow new home construction at 5 feet from a property line. The site is at N5185 CTH D in the Town of Farmington

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:

In 2004, this 1 acre A-3 lot was created by Certified Survey Map. The petitioner purchased the A-3 lot in 2005. At the time of creation of the lot, all applicable setbacks apply as they do today. A memo dated September 28, 2005 to the petitioner from Bruce Haukom, Director of Planning and Zoning at the time, outlines the possibilities of enlarging the proposed lot. On December 17, 2007, Bruce Haukom, Director of Planning and Zoning, wrote a letter in response to the petitioner's request to modify this A-3 lot. A copy of the memo is in the file. At the building site, the petitioner has a 182 feet x 110 feet area to build a new residence.

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.: 2014 V1421
HEARING DATE: 05-08-2014

APPLICANT: Ohne L. & Karen. L. Raasch

PROPERTY OWNER: SAME

PARCEL (PIN #): 030-0813-3531-000 & 030-0813-3534-000

TOWNSHIP: Waterloo

INTENT OF PETITIONER: To create a 64.7 acre lot without frontage and access to a public road.

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.03(d)1 and 15.04(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:

The petitioner currently has 202.42 acres of continuous A-1 Agricultural zoned land. The petitioner would like to create a 64.7 acre lot to be separate and saleable without frontage or access to a public road. The petitioner is proposing an easement to access the proposed landlocked lands. The 64.7 acre proposed lot is in the NRCS Wetland Reserve Program. What is the width of the proposed easement? Have the petitioner's talked to NRCS about the proposal?

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

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

