

JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

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

PUBLIC HEARING BEGINS AT **1:00 P.M.** ON THURSDAY, OCTOBER 10, 2013 IN ROOM 205, JEFFERSON COUNTY COURTHOUSE

CALL TO ORDER FOR BOARD MEMBERS IS AT 11:00 A.M. IN COURTHOUSE ROOM 203, PRIOR TO THE HEARING

SITE INSPECTION FOR BOARD MEMBERS LEAVES AT 11:15 A.M. FROM COURTHOUSE ROOM 203, PRIOR TO THE HEARING

1. Call to Order-Room 203 at 11:00 a.m.

Meeting called to order @ 11:00 a.m. by Carroll

2. Roll Call

Members present: Carroll, Zastrow, Hoeft

Members absent: Weis

Staff: Laurie Miller, Michelle Staff

3. Certification of Compliance with Open Meetings Law Requirements

Hoeft acknowledged publication. Staff also provided proof of publication

4. Election of Officers

Zastrow made motion, seconded by Carroll, motion carried 3-0 to elect Hoeft as chair.

Hoeft made motion, seconded by Carroll, motion carried 3-0 to elect Weis as vice-chair.

Hoeft made motion, seconded by Zastrow, motion carried 3-0 to elect Carroll as secretary.

5. Review of Agenda

Carroll made motion, seconded by Zastrow, motion carried 3-0 to approve the review of the agenda.

6. Approval of September 12, 2013 Meeting Minutes

Carroll made motion, seconded by Zastrow, motion carried 2-0 to approve the September 12, 2013 meeting minutes.

NOTE: Hoeft abstained from vote – was not present at this meeting

7. Communications

Hoeft was provided with a copy of the WisLine Series Training packet from May 15, 2013.

There was a discussion on non-conforming structures. There will be an upcoming meeting on October 28, 2013 at 8:30 in which the Board of Adjustment is invited to attend this Planning & Zoning Committee meeting to review Act 170. They will be sent an agenda.

8. Site Inspections – Beginning at 11:15 a.m. and Leaving from Room 203

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

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

Members present: Carroll, Zastrow, Hoeft

Members absent: Weis

Staff: Laurie Miller, Michelle Staff

10. 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, October 10, 2013 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 inspection prior to public hearing which any interested parties may attend; a decision shall be rendered after public hearing on the following:

V1412-13 – Luke Purucker: Variance from Sections 11.04(f)7 and 11.03(g) of the Jefferson County Zoning Ordinance to sanction existing sheds in an existing Residential R-2 zone for a proposed zoning amendment to A-2, Agricultural and Rural Business with conditional use permit for storage of non-farm equipment/contractor's storage. The minimum side lot setback in an A-2 zone is 20 feet. The property is at N2610/N2612 Curtis Mill Road in the Town of Koshkonong, on PIN 016-0614-3532-008 (2.569 Acres).

Luke Purucker presented his petition and explained his request.

There were no questions or comments in favor or opposition of the petition. There was a town response in the file approving the petition which was read into the record by Carroll.

Staff report was given by Staff. Staff questioned the petitioner that if the buildings would have to be rebuilt, would he be willing to meet the setbacks. Petitioner agreed to meet setbacks.

Rob Klotz explained the previous A-2 requirements versus the A-2 setback requirements now, and noted that the buildings and lot line exists now.

Carroll questioned the placement of the structures. Klotz explained. Carroll also questioned the petitioner if he would be O.K. if a condition be placed that if the

buildings needed to be replaced, he would meet current zoning requirements. Carroll also questioned the easement. Petition explained.

11. Decisions on Above Petitions (See following pages & files)

12. Adjourn

Carroll made motion, seconded by Zastrow, motion carried 3-0 to adjourn @ 1:26 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.: 2013 V1412
HEARING DATE: 10-10-2013

APPLICANT: Luke Purucker

PROPERTY OWNER: Luke Purucker & Rachel Quinn

PARCEL (PIN #): 016-0614-3532-008

TOWNSHIP: Koshkonong

INTENT OF PETITIONER: To sanction existing sheds in existing R-2 Zone for zoning amendment to A-2 with Conditional Use Permit for storage of non-farm equipment-contractors storage. The minimum side lot in A-2 is 20 feet.

THE APPLICANT REQUESTS A VARIANCE FROM SECTIONS 11.04(f)7 & 11.03(g) 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:

Currently, the property is zoned R-2 which allows residential detached accessory buildings to be 3 feet from the lot line. The property was rezoned to R-2 in 1976, and the current lot was configured in 1993. The petitioner is proposing to rezone the property from A-1 to A-2 with a conditional use permit for the storage of non-farm equipment. The accessory structures are 3 feet from the side setback as required by the R-2 zone whereas the minimum side setback are 20 feet in the A-2 zone.

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

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

