

DODGE COUNTY BOARD OF ADJUSTMENT MINUTES
April 20, 2017

The Dodge County Board of Adjustment met on this 20th day of April at 7:00 p.m., on the 1st Floor of the Administration Building, in Rooms 1H and 1I, located at 127 East Oak Street, Juneau, Wisconsin.

Chairman William Nass called the meeting of the Dodge County Board of Adjustment to order.

Roll Call was taken.

Members present were as follows: Larry Dogs, Harold Hicks, William Nass, Jon Schoenike, and Sharon Schumann (Alternate 2). Members excused were Randy Grebel and Edward Premo (Alternate 1).

Chairman Nass noted that a quorum is present.

Joseph Giebel of the Land Resources and Parks Department was in attendance at the request of the chairman;

The Chairman asked the staff to confirm compliance with the open meeting law and public hearing notice requirements for the hearings before the Board.

Mr. Giebel indicated that the meeting was properly noticed in accord with the open meeting law and noted that each of the public hearings listed on the agenda received a class two notice and the mailing notices were sent in accord with the statute and code requirements.

The agenda was reviewed by the Board.

The minutes from the April 13, 2017 meeting were reviewed by the Board.

Motion by Harold Hicks to approve the minutes as written.

Second by Jon Schoenike Vote: 5-0 Motion carried.

The staff explained the hearing procedures to those in attendance;

The Chairman read the public hearing notice for the first public hearing.

PUBLIC HEARING

Chad and Jessica Weinberger – Request for a variance to the terms of the Highway Setback Overlay District provisions of the Dodge County Land Use Code to allow the construction of an attached garage on this lot where said garage will be located 4 ½ feet within the required setback from Bayview Road. The site is located in part of the NW ¼ of the SW ¼, Section 27, Town of Williamstown, the site address being N7872 Bayview Road.

Motion by Jon Schoenike to approve the variance request to allow the construction of an attached garage on this lot where said garage will be located 4 ½ feet within the required setback from Bayview Road subject to the following conditions:

1. The appellant shall sign and record a variance agreement with the Dodge County Register of Deeds Office for the garage addition prior to the issuance of the County Land Use permit for this construction.

Second by Larry Dogs Vote: 5-0 Motion carried.

PUBLIC HEARING

Evergreen Property Management, agent for Nancy Lindenberg – Request for a variance to the terms of the water setback provisions of the Dodge County Shoreland Protection Ordinance to allow the construction of a 5' X 37' raised planting bed where said structure is located 28 feet within the required water setback lines of Fox Lake. The property is described as Lot 6 of the unrecorded plat of Van Roo Lands located in part of the NW ¼ of the SW ¼, Section 23, T13N, R13E, Town of Fox Lake, the site address being N10683 Chief Kuno Trail.

Motion by Larry Dogs to deny a variance to the terms of the water setback provisions of the Dodge County Shoreland Protection Ordinance to allow the construction of a 5' X 37' raised planting bed where said structure is located 28 feet within the required water setback lines of Fox Lake.

The Board found that:

1. There are no physical limitations that are unique to this property that prevents the appellant from complying with the Ordinance requirements.
2. The water setback requirements of the Ordinance are not unnecessarily burdensome in this case as the appellant has other reasonable options to comply with the setback.
3. The proposed project will be harmful to the public interests.
4. The variance request does not meet the criterial in Section 14.7(6) of the Ordinance.

Second by Harold Hicks Vote: 5-0 Motion carried.

PUBLIC HEARING

Jaclyn Pieper – Request for a variance to the terms of the highway setback provisions of the Dodge County Land Use Code to allow the construction of a deck where said deck will be located 5 feet within the required road setback from West Street and where said deck is considered by the County as expansion of a non-conforming structure. The site is known as Lots 7 and 8, Block 4, Plat of Lebanon, in part of the SE ¼ of the SW ¼, Section 8, Town of Lebanon, the site address being W4701 Greendale Street.

Motion by Harold Hicks to allow the construction of a deck where said deck will be located 5 feet within the required road setback from West Street and where said deck is considered by the County as expansion of a non-conforming structure subject to the following condition:

1. This deck shall perpetually remain an open deck and shall not be screened or enclosed in any manner in order to create a screen porch or other room addition.

Second by Jon Schoenike Vote: 5-0 Motion carried.

PUBLIC HEARING

Roche Farmland LLC – Request for a variance to the terms of the highway setback provisions of the Dodge County Land Use Code to allow the replacement of two grain bins on this site where one grain bin will be located approximately 15 feet within the required highway setback lines of STH 16/60. The site is located in part of the NW ¼ of the NW ¼, Section 23, Town of Elba, the site address being W10785 State Road 16/60.

Motion by Harold Hicks to approve the variance request to allow the replacement of two grain bins on this site where one grain bin will be located approximately 15 feet within the required highway setback lines of STH 16/60 subject to the following conditions:

1. The appellant shall sign and record a variance agreement with the Dodge County Register of Deeds Office for the grain bin that is to be located within the required highway setback lines prior to the issuance of the County Land Use permit for this construction

Second by Sharon Schumann Vote: 5-0 Motion carried.

Motion by Larry Dogs to adjourn the meeting.

Second by Jon Schoenike

Motion carried.

Respectfully submitted,

Larry Dogs, Secretary

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting.

Land Resources and Parks Department Staff Report

County Variance Application No. 2017-0221
County Land Use Permit Application No. 2017-0202

Applicant / Owner:

Adam and Stacey Kuehn
N5402 County Road M
Juneau, WI 53039

Filing Date: April 12, 2017
Hearing Date: May 18, 2017

Location

The appellant is the owner of the following described property which is the subject of the appeal:

PIN# 034-1115-2731-001
NE ¼, SW ¼, Section 27, T11N, R15E, Town of Oak Grove, Dodge County, Wisconsin the site address being
N5402 County Road M

County Jurisdiction

The County has Zoning Jurisdiction over this site as the Town of Oak Grove has adopted the County's Land Use Code.

Review Criteria

Subsections 2.3.12.A through 2.3.12.G of the Dodge County Land Use Code details procedural matters and the approval criteria for the variance process. The Board shall hold a public hearing on each variance application, and following the public hearing, act to approve, approve with conditions, or deny the variance based upon the approval criteria of Section 2.3.12.E.

Appellants Request

On April 6, 2017, an application for a County Land Use Permit was made by the appellant in order they be allowed to construct an approximate 5' X 20' porch replacement along the west side of the residence at this location.

This permit was denied by the County Land Use Administrator for the following reason:

Subsection 5.1.2.E and Table 5.1.2-2 of the Dodge County Land Use Code refers to the distances that all buildings and other structures are required to be setback from all streets and highways. On a County Trunk Highway, such as County Road M, the required setback is 100 feet from its centerline or 67 feet from its right of way, whichever is the greatest distance of the two. According to County records, the required highway setback at this location is 113 feet from the centerline of County Road M. As proposed, the addition will begin at approximately 98.51 feet from the centerline or approximately 14.49 feet within the required highway setback lines and therefore prohibited by the code.

Subsection 10.3.2 of the Code allows additions and enlargements to existing nonconforming structures so long as they do not increase the extent of the nonconformity. In this case, the County considers the residence as a lawful existing non-conforming structure as the residence is located within the highway setback line of County Road M and the residence was in existence prior to the adoption of the Code. The County considers the porch replacement located within the highway setback line of County Road M as an expansion of the nonconforming structure and therefore prohibited by the Code.

The appellant is requesting an area variance to Section 5.1.2.E, 10.3.2 and Table 5.1.2-2 of the code;

Features

The features of the proposed construction and property that relate to the granting or denial of the appeal are as follows:

The property is located within the A-1 Prime Agricultural zoning district;

The property is presently being used for residential use;

The physical features of this approximate 9.05-acre lot include a moderately sloping topography with slopes ranging from 6 to 12%. The parcel contains a residence, a shed and a stave silo;

The general character of the surrounding land use consists of agricultural use with scattered residents;

The existing residence is located within the highway setback line of County Road M. The residence was in existence prior to the adoption of the Land Use Code by the Town of Oak Grove.

Town Recommendation: No Recommendation submitted.

Purpose Statement

The highway setback provisions of the County Land Use Code promote a variety of public purposes such as providing for light and air, fire protection, traffic safety, prevention of overcrowding, solving drainage problems, protecting the appearance and character of the neighborhood and for conserving property values. The highway setback provisions also provide for a uniform setback for all structures along all roads within the County in order to provide safe visibility while entering or exiting a site and to save tax payers of Dodge County from having to purchase non-conforming structures located within the highway setback lines, when those structures need to be removed for highway improvement or relocation projects.

The purpose and intent of the nonconforming structure and use provisions of the Land Use Code is generally to allow uses, structures and lots that came into existence legally in conformance with then applicable requirements to continue to exist and be put to productive use, but to bring as many aspects of such situations into compliance with existing regulations as is reasonably possible. The regulations are intended to recognize the interests of property owners in continuing to use their property, promote reuse and rehabilitation of existing buildings and to place reasonable limits on the expansion and alteration of nonconformities that have the potential to adversely affect surrounding properties or the community as a whole.

Staff Advisory:

This staff advisory is only advice to the Dodge County Board of Adjustment. The Board may or may not consider the advice of the staff and decision making authority is vested in the Board only.

The staff believes that the appellant is requesting an area variance to Section 5.1.2.E, 10.3.2 and Table 5.1.2-2 of the code;

The staff points out that the Board does not have summary power to ignore ordinance provisions or objectives. The burden also falls on the appellant to convincingly demonstrate to this Board that a literal enforcement of the Land Use Code regulations would result in an unnecessary hardship, that the hardship is due to special conditions unique to the property and if granted, the variance would not be contrary to the public interest.

The staff points out that the purpose of the non-conforming structure provisions of the code is to recognize the interests of property owners in continuing to use their property, to promote reuse and rehabilitation of existing buildings and to place reasonable limits on the expansion and alteration of a nonconforming structure so long as the expansion does not increase the extent of the nonconformity or create a safety hazard for the public. The staff points out that the residence and porch were in existence well before the adoption of the highway setback provisions of the Code. In this case, the code allows the appellant to replace the porch with a porch of the same size and in the same location without a variance. The appellant is proposing to replace the porch with a larger porch which will be located closer to the road than the original porch, therefore resulting in the residence becoming more nonconforming to the highway setback requirements of the code than the existing porch which would be inconsistent with this provision of the Code.

It is the staff's position that there are no conditions that are unique to this property that would prevent the appellant from complying with the highway setback provisions of the Code as the code will allow the appellant to construct a replacement porch of the same size and at the same location as the existing porch without a variance.

It is therefore the staff's position that the Board will not be able to make the findings necessary in order to approve a variance to the highway setback provisions of the Code for the replacement porch as the appellant has other options for a complying structure and therefore recommends denial.

Dodge County Board of Adjustment Decision

County Variance Application No. 2017-0221

County Land Use Permit Application No. 2017-0202

Applicant / Owner:

Adam and Stacey Kuehn
N5402 County Road M
Juneau, WI 53039

Filing Date: April 12, 2017

Hearing Date: May 18, 2017

Location

The appellant is the owner of the following described property which is the subject of the appeal:

PIN# 034-1115-2731-001

NE ¼, SW ¼, Section 27, T11N, R15E, Town of Oak Grove, Dodge County, Wisconsin the site address being N5402 County Road M

County Jurisdiction

The County has Zoning Jurisdiction over this site as the Town of Oak Grove has adopted the County's Land Use Code.

Review Criteria

Subsections 2.3.12.A through 2.3.12.G of the Dodge County Land Use Code details procedural matters and the approval criteria for the variance process. The Board shall hold a public hearing on each variance application, and following the public hearing, act to approve, approve with conditions, or deny the variance based upon the approval criteria of Section 2.3.12.E.

Appellants Request

On April 6, 2017, an application for a County Land Use Permit was made by the appellant in order they be allowed to construct an approximate 5' X 20' porch replacement along the west side of the residence at this location.

This permit was denied by the County Land Use Administrator for the following reason:

Subsection 5.1.2.E and Table 5.1.2-2 of the Dodge County Land Use Code refers to the distances that all buildings and other structures are required to be setback from all streets and highways. On a County Trunk Highway, such as County Road M, the required setback is 100 feet from its centerline or 67 feet from its right of way, whichever is the greatest distance of the two. According to County records, the required highway setback at this location is 113 feet from the centerline of County Road M. As proposed, the addition will begin at approximately 98.51 feet from the centerline or approximately 14.49 feet within the required highway setback lines and therefore prohibited by the code.

Subsection 10.3.2 of the Code allows additions and enlargements to existing nonconforming structures so long as they do not increase the extent of the nonconformity. In this case, the County considers the residence as a lawful existing non-conforming structure as the residence is located within the highway setback line of County Road M and the residence was in existence prior to the adoption of the Code. The County considers the porch replacement located within the highway setback line of County Road M as an expansion of the nonconforming structure and therefore prohibited by the Code.

The appellant is requesting an area variance to Section 5.1.2.E, 10.3.2 and Table 5.1.2-2 of the code;

CONCLUSIONS OF LAW

Based on the facts presented in the application and at the public hearing the Board concludes that:

Is the appellants request to Sections 5.1.2.E, 10.3.2 and Table 5.1.2-2 of the Code an "area" variance?

(Yes / No) _____

Is there a physical limitation that is unique to this property that prevents the appellant from complying with the highway setback and non-conforming structure provisions of the code?

(Yes / No) _____

Are the highway setback or the non-conforming structure provisions of the Code unnecessarily burdensome in this case, thereby creating a hardship?

(Yes / No) _____
Explain: _____

Does the appellant have other options available to construct a complying replacement porch on this lot?

(Yes / No) _____
Explain _____

Is this project harmful in any way to the public's interests? (Yes/No)

Explain _____

Does the Board have sufficient information to make a decision on this request?

(Yes/No) _____

Was the Board able to make the findings listed above that are necessary in order to grant a variance in this case?

Yes – A variance can be granted.
No – A variance should not be granted.

If the Board can make the findings necessary in order to grant the variance request in this case, are any conditions of approval necessary in this case to mitigate any potential adverse impacts that result from this proposed development project?

- The appellant shall sign and record a variance agreement with the Dodge County Register of Deeds prior to the issuance of the County Land Use Permit for this construction;
- Others

Motion by _____ to (approve / deny) the variance requested based upon the previously mentioned findings and conditions.

Motion second _____

Vote

| | | | | |
|---|------------------------------|-----------------------------|----------------------------------|--------------------------------------|
| Harold Hicks | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Jon Schoenike | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Randy Grebel | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Larry Dogs | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Ed Premo (1 st Alternate) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Sharon Schumann (2 nd Alternate) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| William Nass | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |

Motion (Carried / Denied)

ORDER AND DETERMINATION

On the basis of the above findings of fact, conclusions of law and the record in this matter the board

- Granted the variance request as proposed;
- Granted the variance request by the appellant subject to the conditions listed above;
- Denied the variance request as proposed;
- The Land Use Administrator is directed to issue a land use permit incorporating the decision of this Board.

Expiration of Approval Any order issued by the Board requiring a Zoning official to issue a permit shall become void after one year unless the applicant or appellant shall have filed an application for such permit with the Zoning official within such time, provided, that the time may be extended when so specified by the Board.

Revocation. This order may be revoked by the Board after notice and opportunity to be heard for violation of any of the conditions imposed.

Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action in certiorari in the circuit court for this county within 30 days after the date of filing of this decision. The municipality assumes no liability for and makes no warranty as to reliance on this decision if construction is commenced prior to expiration of this 30-day period.

Dodge County Board of Adjustment

Signed _____ Attest _____
Chairperson Secretary

Dated: _____

Filed: _____



**DODGE COUNTY LAND RESOURCES
AND PARKS DEPARTMENT**
127 E. Oak Street • Juneau, WI 53039
PHONE: (920) 386-3700 • FAX: (920) 386-3979
E-MAIL: landresources@co.dodge.wi.us

| THIS AREA FOR OFFICE USE ONLY | |
|---------------------------------|----------------------|
| Activity No. 170221 | Issue Date: |
| Application Date: 01/11/2017 | Receipt #: 895805 |

Variance Application

Application Fee: \$450 (After the Fact Application Fee: \$900)

| Names and Mailing Addresses | Property Description | | | | | | | |
|--|---|----------------------|----------------|----------------------|----------------|---|----------------|---|
| Applicant (Agent) <i>Adam Kuehn</i> | Parcel Identification Number (PIN) <i>03411152731001</i> | | | | | | | |
| Street Address <i>N5402 County Rd M</i> | Town <i>Oak Grove</i> | | | | | | | |
| City • State • Zip Code <i>Juneau, WI 53039</i> | <table border="1"> <tr> <td>NE</td> <td>SW</td> <td>Section <i>27</i></td> <td>T <i>11</i></td> <td>N</td> <td>R <i>15</i></td> <td>E</td> </tr> </table> | NE | SW | Section <i>27</i> | T <i>11</i> | N | R <i>15</i> | E |
| NE | SW | Section <i>27</i> | T <i>11</i> | N | R <i>15</i> | E | | |
| Property Owner (if different from applicant) | Subdivision or CSM # | | | | | | | |
| Street Address | Site Address <i>N5402 County Rd M</i> | | | | | | | |
| City • State • Zip Code | Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | | | | | |

Present property use:

Private Residence

List any prior variances that have been granted or denied for this property:

None

Describe all nonconforming structures and uses on this property:

House living quarters / Barn Storage

List the terms of the Land Use Code for which you are requesting a variance (section # and code provision requirements):

*land use code chapter 5 ~~5.3.2~~ Hwy Setback ~~code~~
land use code chapter 10.3.2 Expanding legal existing non conforming
Structure*

Variance Requested:

For porch extension

Address the following variance criteria described in the application materials. (Attach additional sheets if necessary):

What unnecessary hardship is present that prohibits your compliance with the terms of the Land Use Code?

Dwelling is in Rite of way of Road

What unique features of this property prevent you from complying with the terms of the Land Use Code?

Dwelling is in Rite of Way of Road

Will denial of the variance request prevent you from using this property for a permitted purpose or render conformity with the Code unnecessarily burdensome? Why?

NO

How would the interest of the public or neighbors be affected by granting or denying this variance?

There would ~~not be~~ ^{no} ~~effect~~ effect on the public or neighbors due to this variance being granted or denied

CERTIFICATE

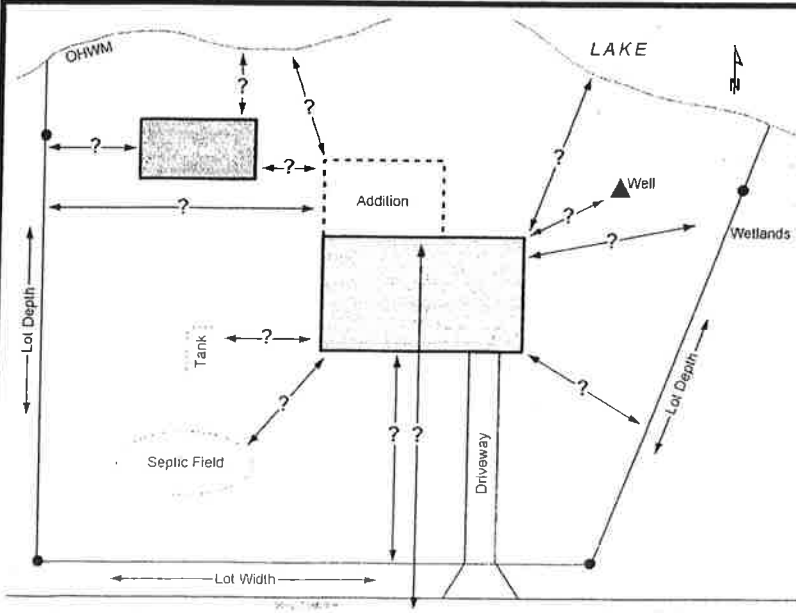
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and members of the Dodge County Board of Adjustment to enter the above described property for purposes of obtaining information pertinent to my application/appeal/variance request.

Signature of owner or authorized agent: [Signature] Date: 4-11-17

Daytime Contact Number (920) 210 - 0159

SITE PLANS AND BUILDING PLANS

All applications must be accompanied by a site plan. Figure 1 below is an example of an acceptable plan.



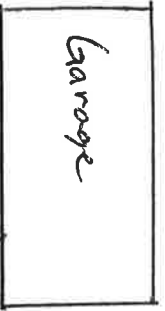
- Site plans must be drawn to scale and/or all dimensions given, such as:
 - Location and dimensions of the project
 - Location and dimensions of existing structures
 - Dimensions of the property
 - Location and names of abutting roads, lakes & Streams
 - North arrow
 - Owner's name

Distances must be shown from the project to:

- Lot lines
- Road right-of-ways & centerline
- Water bodies Ordinary High Water Mark (O.H.W.M.)
- Septic & holding tanks
- Soil absorption systems
- Nearby structures (within 50 feet)

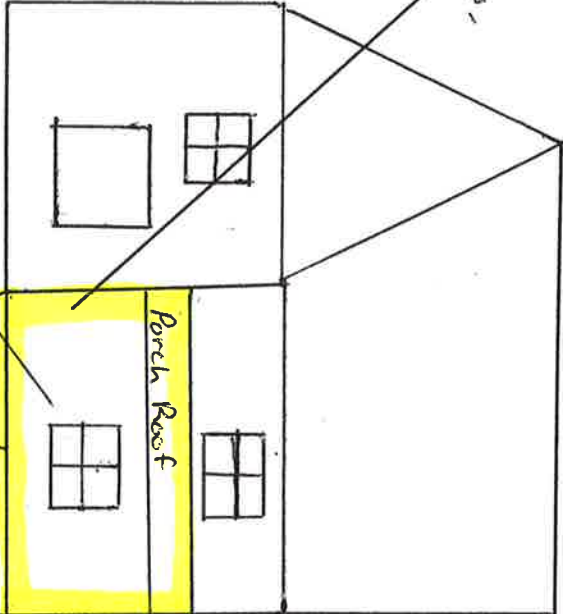
North Property Line

East Property Line



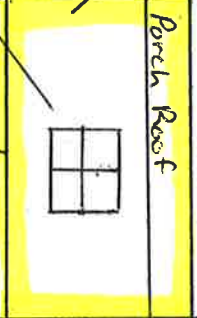
78'

200'



Proposed Project

102'

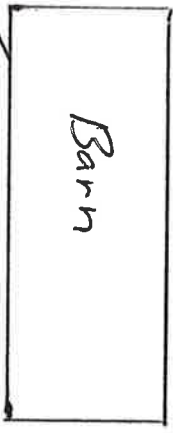


770'

123'



102'



264'

South Property Line

The data used to create this map is a compilation of records, information, and data from various city, county and state offices, and other sources. This map is only advisory, does not replace a survey, and may not be used for any legal purpose. Dodge County assumes no liability for any use or misuse of this information



| | | |
|---|---|---|
| <p>General</p> <ul style="list-style-type: none"> Urbanized Roads Soils Airport Ordinance 3-Mile Buffer Sewer Service Areas Elevation Contours (2' & 10') <p>WI Historical Society</p> <ul style="list-style-type: none"> Historic Structures Archaeological Sites Survey Areas | <p>Floodplain/Wetland</p> <ul style="list-style-type: none"> Floodplain (May 19th 2014) Flood Storage Areas (2014) DNR Wetland (2006) DNR Wetland Points (2006) <p>Shoreland Zoning</p> <ul style="list-style-type: none"> Lake/Pond/Slough Buffer Lakes/Ponds/Sloughs Rivers/Streams/Creeks Horicon Marsh (860' Contour) | <p>COUNTY ZONING</p> <ul style="list-style-type: none"> PLANNED UNIT DEVELOPMENT HARTFORD EXTRATERRITORIAL GENERAL AGRICULTURAL PRIME AGRICULTURAL ONE FAMILY RESIDENTIAL TWO FAMILY RESIDENTIAL MULTI-FAMILY RESIDENTIAL GENERAL COMMERCIAL EXTENSIVE COMMERCIAL LIGHT INDUSTRIAL INDUSTRIAL CITY OR VILLAGE RIGHT OF WAY WATERBODY |
|---|---|---|



Dodge County

Land Resources and Parks Department

COPY

127 East Oak Street · Juneau, WI 53039-1329
PHONE: (920) 386-3700 · FAX: (920) 386-3979
EMAIL: landresources@co.dodge.wi.us

April 17, 2017

Adam Kuehn
N5402 County Road M
Juneau, WI 53039

RE: Notice of Permit Refusal
PIN# 034-1115-2731-001

Location: NE ¼, SW ¼, Section 27, T11N, R15E, Town of Oak Grove, Dodge County, Wisconsin the site address being N5402 County Road M

Dear Adam Kuehn:

Your application for a permit to construct a replacement porch on the property described above is hereby denied for failure to comply with the following sections of the Dodge County Codes:

Highway Setback Provisions of the Land Use Code:

Subsection 5.1.2.E and Table 5.1.2-2 of the County Land Use Code refer to the distances that all buildings and other structures are required to be setback from all roads. On a County Road, the required setback is 100 feet from its centerline or 67 feet from its right of way, whichever is the greatest distance of the two. According to County records, the required highway setback at this location is 113 feet from the centerline of County Road M. As proposed, the addition will begin at approximately 98.51 feet from the centerline or approximately 14.49 feet within the required highway setback lines and therefore prohibited by the code.

Subsection 10.3.2 of the Code allows additions and enlargements to existing nonconforming structures so long as they do not increase the extent of the nonconformity. Additions and enlargements are required to conform to the required provisions of this code. In this case, the County considers the appellant's residence as a lawful existing non-conforming structure as it is presently located within the highway setback lines and the County believes that said structure was in existence prior to the adoption of the County Code. The proposed porch replacement project, which will be located within the highway setback lines, enlarges the extent of the nonconforming structure and therefore is prohibited by the Code.

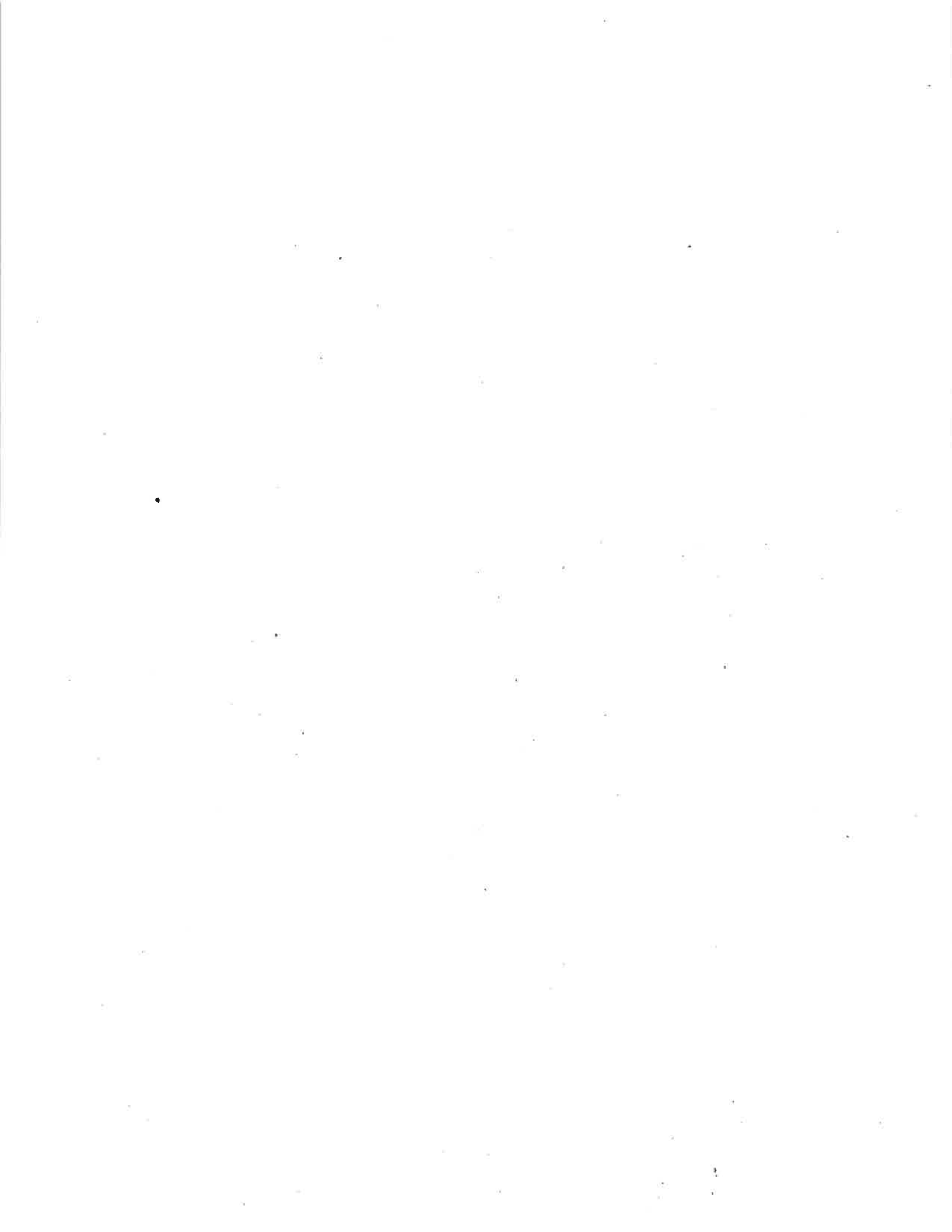
Therefore, the County is unable to issue a permit for your proposed construction projects unless the construction is modified so as to comply with the highway setback provisions of the code or unless a variance is granted to allow the structure to be located within the highway setback line of the code.

According to our records, a variance request was filed on April 12, 2017 and has been forwarded to the Board of Adjustment for scheduling of an on-site inspection and a public hearing. If you have any questions, feel free to give me a call.

You have the right to appeal this decision to the Board of Adjustment. Such appeals shall be filed with the Land Resources and Parks Department within 30 days after the date of written notice of the decision or order of the review and decision making body. If you have any questions, feel free to give me a call.

Best,

Wade B. Osterholz
Dodge County
Land Use/Sanitarian Specialist



Land Use Permit

Dodge County Land Resources and Parks Department
 127 East Oak Street
 Juneau, WI 53039-1329
 (920) 386-3700
 www.co.dodge.wi.us/landresources

This Area For Office Use Only

| | |
|--------------------------------|----------------------------|
| COUNTY ID No. 170202 | Receipt No. 895789 |
| Permit Expiration Date | Application Date 4/6/17 |
| | Sanitary Permit |

PERMIT APPLICATION FEE: \$50 plus \$2 per \$1,000 cost of the project (Payable to: Dodge County)

Note: After the fact (i.e., Applying for permit after construction has already started) application fee: \$100 plus \$4 per \$1,000 cost of project

| NAMES & MAILING ADDRESSES | | PROPERTY INFORMATION | | | | |
|---|--|---|---------|---------------|---------|-------------|
| Applicant/Agent/Contractor (If Contractor: Please Include State Certification No.) | | Parcel Identification Number (PIN) 0341152731001 | | | | |
| Street Address | | Town Oak Grove | T 11 | N 15 | R 15 | E |
| City • State • Zip Code | | NE 1/4 | SW 1/4 | Section 27 | Acreage | Lot (Block) |
| Property Owner Adam Kuehn | | <input checked="" type="checkbox"/> Same as applicant | | | | |
| Street Address N5402 County Rd M | | Subdivision or CSM (Volume/Page/Lot) | | | | |
| City • State • Zip Code Juneau, WI 53039 | | Address Of Property (DO NOT include City/State/Zip Code) N5402 County Rd M | | | | |
| CURRENT USE OF PROPERTY | | PROPOSED USE OF PROPERTY | | | | |
| <input type="checkbox"/> Vacant Land <input type="checkbox"/> Working Farm <input type="checkbox"/> Business • Industrial • Commercial • (Use other below to describe) Other _____ | | <input checked="" type="checkbox"/> Same As Current Use (No Change) <input type="checkbox"/> Single-Family Residential <input type="checkbox"/> Two-Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Business • Industrial • Commercial • (Use other below to describe) Other _____ | | | | |

PROPOSED CONSTRUCTION PROJECT

NEW STRUCTURE/CONSTRUCTION REPLACEMENT OF EXISTING ADDITION TO AN EXISTING

| | | | |
|--------------------------------|---|--|--|
| <input type="checkbox"/> Pool | <input checked="" type="checkbox"/> Porch | <input type="checkbox"/> Driveway | <input type="checkbox"/> Field Tile Installation |
| <input type="checkbox"/> Deck | <input type="checkbox"/> Fence | <input type="checkbox"/> Boathouse | <input type="checkbox"/> Pond (Less than 2 acres in size) |
| <input type="checkbox"/> Patio | <input type="checkbox"/> Riprap | <input type="checkbox"/> Attached Garage | <input type="checkbox"/> Sign (Complete additional project information below) |
| <input type="checkbox"/> Shed | <input type="checkbox"/> Gazebo | <input type="checkbox"/> Detached Garage | <input type="checkbox"/> Barn (Complete additional project information below) |
| <input type="checkbox"/> Home | <input type="checkbox"/> Sidewalk | <input type="checkbox"/> Ag Ditch Cleanout | <input type="checkbox"/> Home Addition (Complete additional project information below) |

Filling, Grading, Ditching, Dredging, Lagooning, and/or Excavating - Contact this office for assistance with determining type of permit needed

Other _____

Width 5'

Length 20' N 4-11-17

Total Area 100 sq ft 4-11-17

Total Stories 1

Height (To roof peak) 12'

Estimated Cost (w/Labor) \$ 1000.00

Additional Project Information

Home Addition: Total number of bedrooms? Before 3 After 3

Barn Information: Will it house any animals? If yes, complete Animal Units Worksheet.

Sign Information: Single-Sided Double-Sided

Located On-Premise Located Off-Premise

Wall Ground Directional Other _____

Will it be lighted and/or have moving/flashing parts? No Yes

◆ ◆ ◆ PLEASE REMEMBER TO CLEARLY MARK/FLAG/STAKE-OUT THE CORNERS OF YOUR PROJECT ◆ ◆ ◆

DNR NOTICE: You are responsible for complying with State and Federal laws concerning construction on or near wetlands, lakes and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources Wetlands Identification Web Page (www.dnr.state.wi.us) or contact a Department of Natural Resources Service Center.

End Of Page 1

Application Continued On Page 2 ⇨

PAGE 2 — SUPPLEMENTAL INFORMATION AND ADDITIONAL REQUIREMENTS

NOTE: Your County Land Use Permit will be withheld and will not be processed without the completion and submittal of the required worksheet(s) to this office for departmental review and approval. Worksheets can be found at <http://www.co.dodge.wi.us/index.aspx?page=192>

Is your project located within 1000 feet of a lake, pond or flowage, within 300 feet of the ordinary highwater mark (edge of the water) of a navigable waterway stream or creek or within a wetland or a floodplain? If you are uncertain, please contact this office for assistance.

- YES ⇒ Go to question 1.
- NO ⇒ Go to question 4.

1. Does your project involve construction, reconstruction, expansion, replacement or relocation of any impervious surfaces on your lot (see description below) that are located within 300 feet of the ordinary highwater mark (edge of the water) of a navigable lake, pond, flowage or waterway?

An impervious surface is defined as an area that releases as runoff all or a majority of the precipitation that falls on it. The following "surfaces" are considered "impervious" under this Ordinance: (building) rooftops; concrete/blacktop/gravel driveways and parking surfaces; sidewalks; covered/uncovered decks; patio surfaces constructed with pavers/concrete/blacktop/flagstone; private road surfaces not specifically listed in the Ordinance or any other material and any other surface that is determined by the Land Use Administrator to be impervious. An impervious surface excludes frozen soil, public road surfaces and certain private roads that are specifically listed in the Ordinance.

- YES ⇒ You will need to complete and submit WORKSHEET NO 1 (IMPERVIOUS SURFACE AREA CALCULATION) to this office for departmental review and approval. Go to question 2.
- NO ⇒ Go to question 2.

2. Will any part of your project be located less than 35 feet from the ordinary highwater mark (edge of the water) of a navigable lake, pond, flowage or waterway? (NOTE: If your project involves either a boathouse or riprapping — Go to line 3)

- NO ⇒ Go to question 3.
- YES ⇒ Your project CAN NOT BE APPROVED as proposed — Contact this office for assistance. Go to question 3.

3. Will any part of your project be located anywhere between 35-75 feet from the ordinary highwater mark (edge of the water) of a navigable lake, pond, flowage or waterway?

- NO ⇒ Go to question 4.
- YES ⇒ You will need to complete and submit WORKSHEET NO. 2 (MITIGATIONS OPTION CALCULATIONS) to this office for departmental review and approval. Go to question 4.

4. Does your project involve riprapping?

- NO ⇒ Go to question 5.
- YES ⇒ You will need to complete and submit WORKSHEET NO 3 (RIPRAP PROJECT SUPPLEMENTAL INFORMATION) to this office for departmental review and approval. Go to question 5.

5. Does your project involve the installation of field drain tile?

- NO ⇒ Go to question 6.
- YES ⇒ You will need to complete and submit WORKSHEET NO. 4 (FIELD DRAIN TILE SUPPLEMENTAL INFORMATION) to this office for departmental review and approval. Go to question 6.

6. Does your project involve cleaning-out, dredging, relocating and/or the construction of an agricultural drainage ditch?

- NO ⇒ Go to question 7.
- YES ⇒ You will need to complete and submit WORKSHEET NO. 5 (AGRICULTURAL DRAINAGE DITCH SUPPLEMENTAL INFORMATION) to this office for departmental review and approval. Go to question 7.

7. Does your project involve the filling, grading or disturbing of more than 2000 square feet of land?

- NO ⇒ Go to question 8.
- YES ⇒ You will need to complete and submit Worksheet No. 6 (Erosion Control Supplemental Information) to this office for departmental review and approval. Go to question 8.

8. Does your project involve the construction or reconstruction of a pond less than 2 acres in size?

- NO ⇒ Go to question 9.
- YES ⇒ You will need to complete and submit WORKSHEET NO. 7 (POND CONSTRUCTION SUPPLEMENTAL INFORMATION) to this office for departmental review and approval. Go to question 9.

9. Does your project involve any filling, grading, dredging, or excavating and/or the construction of a pond ≥ 2 acres within a (mapped) wetland, floodplain and/or navigable waterway?

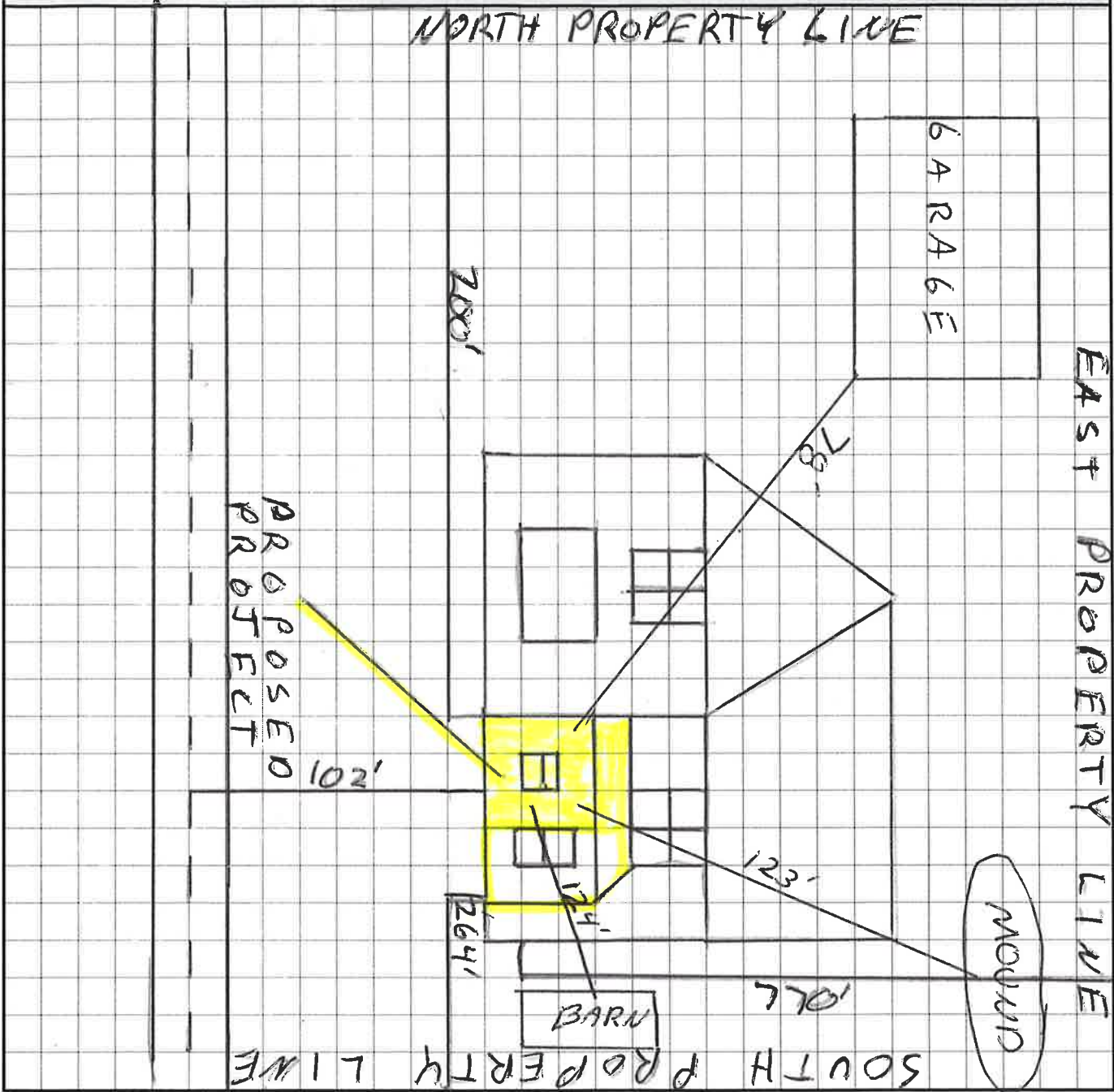
- NO ⇒ Sign and date application below.
- YES ⇒ A County CONDITIONAL USE PERMIT (CUP) may [also] be needed. Contact this office for assistance regarding the CUP process. Sign and date application below.

CERTIFICATE & CONTACT INFORMATION

I, the undersigned, hereby apply for a Land Use Permit and certify that all the information both above and attached is true and correct to the best of my knowledge. I affirm that all work performed will be done in accordance with the Dodge County Land Use Ordinance and with all other applicable laws and regulations. I hereby authorize members of the Dodge County Land Resources and Parks Department to enter the above-described property for the purpose of conducting an onsite code inspection(s) and to obtain information pertinent to my application request. Furthermore, I also affirm that I have read and understand the DNR notice regarding construction on or near wetlands, lakes or streams.

Contact Person (Print) Adam Kuehn Daytime Contact Phone (920) 210 - 0159
Signature [Signature] Date 4-6-17 Call for pickup No Yes

SITE PLAN (SKETCH)



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

| | | | | |
|-------------------------|----------------------------|-------------------------|-------------------|--|
| BOA ID No. 2017-0221 | BOA Appeal Date 4/11/17 | BOA P/H Date 5/18/17 | BOA Decision Date | BOA Decision <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied |
|-------------------------|----------------------------|-------------------------|-------------------|--|

Notes/Stipulations:
 within highway setback and expansion of non-conforming structure

| | | |
|--|--|--------------------|
| <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied | Land Resources and Parks Department Wade B. Ostroholz | Date 01/17/2017 |
|--|--|--------------------|

DODGE COUNTY INSPECTION SHEET

| | |
|--|-----------------------------------|
| Property Owner ADAM KUEHN | County ID No. 2017-0202 |
| Site Address N5402 COUNTY ROAD M | PIN 034-1115-2731-001 |

Project: **REPLACEMENT PORCH**

| ZONING | ANIMAL UNITS | ROAD/HIGHWAY (1) | ROAD/HIGHWAY (2) | SETBACKS | LOT COVERAGE AREA |
|---|-------------------------------------|--|---|--|--|
| A2: Airport | | <input type="checkbox"/> Town <input checked="" type="checkbox"/> County <input type="checkbox"/> US/State <input type="checkbox"/> Urbanized ROW 93.67 - 96.29 <input type="checkbox"/> 33 ROW Setback <input type="checkbox"/> 27 <input type="checkbox"/> 42 <input checked="" type="checkbox"/> 67 <input type="checkbox"/> 200 Centerline Setback <input type="checkbox"/> 60 <input type="checkbox"/> 75 <input type="checkbox"/> 100 <input checked="" type="checkbox"/> Other 113 | <input type="checkbox"/> Town <input type="checkbox"/> County <input type="checkbox"/> US/State <input type="checkbox"/> Urbanized ROW _____ <input type="checkbox"/> 33 ROW Setback <input type="checkbox"/> 27 <input type="checkbox"/> 42 <input type="checkbox"/> 67 <input type="checkbox"/> 200 Centerline Setback <input type="checkbox"/> 60 <input type="checkbox"/> 75 <input type="checkbox"/> 100 <input type="checkbox"/> Other _____ | Front (1) c/l <u>90.51</u> Front (2) _____ Side (1) N <u>+100</u> Side (2) S <u>+100</u> Rear <u>+200</u> OHWM <u>-</u> Structure Attached Septic Tank <u>+70</u> Septic Field <u>+100</u> | Existing _____ Proposed _____ Total (E+P) _____ Tot. Lot Area 9.05 acres % Coverage <10 |
| <input type="checkbox"/> BOA <input type="checkbox"/> P&Z <input type="checkbox"/> ETZA <input type="checkbox"/> POWTS <input type="checkbox"/> Sewered | <input type="checkbox"/> After Fact | | | | |

01/13/2017: Onsite Inspection - Road setback of 113 feet is noncompliant
 LUC 5.1.2.E and Table 5.1.2.2
 Airport Zone 5: Maximum Height: 1,071
 Contour Elevation: 920
 Project Elevation: 946

See Attached Site Plan (Sketch) *Aerial for sketch drawing*

Notes:

| | | | |
|--|---|--|---------------------------|
| <input type="checkbox"/> Compliant <input checked="" type="checkbox"/> Noncompliant | <input type="checkbox"/> Violation <input type="checkbox"/> Incomplete <input type="checkbox"/> Reinspection Needed | <input type="checkbox"/> Joe Giebel <input type="checkbox"/> Terry Ochs <input checked="" type="checkbox"/> Wade Osterholz <input type="checkbox"/> Other | Date 01/13/2017 |
|--|---|--|---------------------------|

03411152731001

The data used to create this map is a compilation of records, information, and data from various city, county and state offices, and other sources. This map is only advisory, does not replace a survey, and may not be used for any legal purpose. Dodge County assumes no liability for any use or misuse of this information



Dodge County Land Resources & Parks

| | | | |
|---|---|--|--|
| <p>General</p> <ul style="list-style-type: none"> Urbanized Roads Soils Airport Ordinance 3-Mile Buffer Sewer Service Areas Elevation Contours (2' & 10') <p>WI Historical Society</p> <ul style="list-style-type: none"> Historic Structures Archaeological Sites Survey Areas | <p>Floodplain/Wetland</p> <ul style="list-style-type: none"> Floodplain (May 19th 2014) Flood Storage Areas (2014) DNR Wetland (2006) DNR Wetland Points (2006) <p>Shoreland Zoning</p> <ul style="list-style-type: none"> Lake/Pond/Slough Buffer Lakes/Ponds/Sloughs Rivers/Streams/Creeks Horicon Marsh (860' Contour) | <p>COUNTY ZONING</p> <ul style="list-style-type: none"> PLANNED UNIT DEVELOPMENT HARTFORD EXTRATERRITORIAL GENERAL AGRICULTURAL PRIME AGRICULTURAL ONE FAMILY RESIDENTIAL TWO FAMILY RESIDENTIAL MULTI-FAMILY RESIDENTIAL PROPOSED PROJECT | <ul style="list-style-type: none"> GENERAL COMMERCIAL EXTENSIVE COMMERCIAL LIGHT INDUSTRIAL INDUSTRIAL CITY OR VILLAGE RIGHT OF WAY WATERBODY |
|---|---|--|--|

Date: 4/11/2017