

**DODGE COUNTY BOARD OF ADJUSTMENT MINUTES**  
**May 18, 2017**

The Dodge County Board of Adjustment met on this 18th day of May at 6:15 P.M., in Rooms 1H and 1I on the 1<sup>st</sup> Floor of the Administration Building, 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, Randy Grebel, Harold Hicks, William Nass and Jon Schoenike. Members excused were Edward Premo (Alternate 1) and Sharon Schumann (Alternate 2).

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 laws and the public hearing notice requirements. Mr. Giebel noted 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 required mailing notices were sent in accord with the statute and code requirements.

The agenda was reviewed by the Board.

The minutes from the April 20, 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.

Chairman Nass requested Mr. Giebel of the Land Resources & Parks Department to accompany the Board on the on-site inspections.

The meeting was adjourned to allow the Board to conduct on-site visits of the following sites for facts to be presented at a future public hearing:

- **Adam Kuehn** - NE ¼ of the SW ¼, Section 27, Town of Oak Grove, the site address being N5402 County Road M;

Following the On-site visits, the Board reconvened the meeting of the Dodge County Board of Adjustment at 7:00 P.M. in Rooms 1H and 1I located on the first floor of the Administration Building, located at 127 East Oak Street, Juneau, Wisconsin to hold the public hearings.

Chairman Nass called the meeting back to order.

Roll Call was taken.

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

Chairman Nass noted that a quorum is present.

The staff explained the hearing procedures to those in attendance;

PUBLIC HEARING

**Adam Kuehn** – Request for a variance to the terms of the highway setback provisions of the Dodge County Land Use Code to allow for the construction of a porch on said lot where said porch will be located approximately 14.5 feet within the required highway setback lines of County Road M and where said addition is considered by the County as an expansion of a legal existing non-conforming structure. The site is located in part of the NE ¼ of the SW ¼, Section 27, Town of Oak Grove, the site address being N5402 County Road M.

Motion by Jon Schoenike to approve the variance request to the highway setback and non-conforming structure provisions of the Dodge County Land Use Code as proposed.

Second by Randy Grebel      Vote: 5-0      Motion carried.

Motion by Randy Grebel to adjourn the meeting.

Second by Jon Schoenike

Motion carried.

Respectfully submitted,

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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. 2017-0317**  
**County Land Use Permit Application No. 2017-0227**

**Appellant / Owner:**

St. Lukes Evangelical Lutheran Church  
W2169 South Avenue  
Lomira, WI 53048

**Filing Date: May 13, 2017**  
**Hearing Date: June 15, 2017**

**Location**

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

PIN# 030-1317-3011-017

Property Location: Outlots 2 and 3, Assessors Plat #1 of the Village of Knowles being located in part of the NE ¼ of the NE ¼, Section 30, Town of Lomira, the site address being W2169 South Ave.

**County Jurisdiction**

The County has Zoning Jurisdiction over this site as the Town of Lomira 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 13, 2017, an application for a County Land Use Permit was made by the appellant in order they be allowed to construct an approximate 18' X 10' front steps along the north side of the church 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 Town Road, such as South Avenue, the required street setback is 75 feet from its centerline or 42 feet from its right of way, whichever is the greatest distance of the two. According to County records, the required road setback at this location is 75 feet from the centerline of South Avenue. According to the application, the front steps will begin approximately 38 feet from the centerline of South Avenue or 37 feet within the 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 church as a lawful existing non-conforming structure as the church is located within the highway setback lines of South Avenue and the church was in existence prior to the adoption of the Code. The County considers the proposed replacement front steps located within the highway setback lines of South Avenue 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 R-1 Single Family Residential zoning district;

The property is presently being used for Religious Institution use;

The physical features of this approximate 1.81-acre lot include a moderately sloping topography with slopes ranging from 0 to 18%. The parcel contains a church and cemetery;

The general character of the surrounding land use consists of residential use with scattered industrial, commercial and agricultural uses throughout the Village of Knowles;

The property includes the following nonconforming structure:

- The existing church is located within the highway setback lines of South Avenue. The church was in existence prior to the adoption of the Land Use Code by the Town of Lomira. The existing landing and steps are located approximately 33' from the centerline of South Avenue.

**Town Recommendation:**  No Recommendation submitted as of June 1, 2017.

## **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 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 existing landing and steps are currently located 33' from the centerline of the road and the replacement landing and steps will be located approximately 38' from the centerline of the road, thereby increasing the setback approximately 6 feet. The staff also notes that the steps will be oriented so that the people will exit the church towards the parking lot rather than towards the road.

It is the staff's position that the Board will be able to make the findings necessary in order to grant this variance request.

## Dodge County Board of Adjustment Decision

**County Variance Application No. 2017-0317**  
**County Land Use Permit Application No. 2017-0227**

**Appellant / Owner:**

St. Lukes Evangelical Lutheran Church  
W2169 South Avenue  
Lomira, WI 53048

**Filing Date: May 13, 2017**  
**Hearing Date: June 15, 2017**

**Location**

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

PIN# 030-1317-3011-017

Property Location: Outlots 2 and 3, Assessors Plat #1 of the Village of Knowles being located in part of the NE ¼ of the NE ¼, Section 30, Town of Lomira, the site address being W2169 South Ave.

**County Jurisdiction**

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

**Appellants Request**

On April 13, 2017, an application for a County Land Use Permit was made by the appellant in order they be allowed to construct an approximate 18' X 10' front steps along the north side of the church 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 Town Road, such as South Avenue, the required street setback is 75 feet from its centerline or 42 feet from its right of way, whichever is the greatest distance of the two. According to County records, the required road setback at this location is 75 feet from the centerline of South Avenue. According to the application, the front steps will begin approximately 38 feet from the centerline of South Avenue or 37 feet within the 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 church as a lawful existing non-conforming structure as the church is located within the highway setback lines of South Avenue and the church was in existence prior to the adoption of the Code. The County considers the proposed replacement front steps located within the highway setback lines of South Avenue 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:

**The appellants request to Subsection 5.1.2.E, 10.3.2 and Table 5.1.2-2 of the Code is 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 and 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 landing and steps 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) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Does the Board believe that the variance request meets all of the criteria in Section 2.3.12.E of the Code?**

(Yes/No)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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?**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 <sup>st</sup> Alternate)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Sharon Schumann (2 <sup>nd</sup> 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

τ THIS AREA FOR OFFICE USE ONLY τ	
Activity No. <b>170317</b>	Issue Date:
Application Date: <b>5-15-17</b>	Receipt #: <b>895899</b>

## Variance Application

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

Names and Mailing Addresses	Property Description														
Applicant (Agent) <b>St Luke's Evangelical Lutheran Church</b>	Parcel Identification Number (PIN) <b>030-1317-3011-017</b>														
Street Address <b>W2169 South Ave</b>	Town <b>Lomira</b>														
City • State • Zip Code <b>Lomira WI 53048</b>	<table border="1"> <tr> <td>1/4</td> <td>1/4</td> <td>Section</td> <td>T</td> <td>N</td> <td>R</td> <td>E</td> </tr> <tr> <td><b>NE</b></td> <td><b>NE</b></td> <td><b>30</b></td> <td><b>13</b></td> <td><b>17</b></td> <td></td> <td></td> </tr> </table>	1/4	1/4	Section	T	N	R	E	<b>NE</b>	<b>NE</b>	<b>30</b>	<b>13</b>	<b>17</b>		
1/4	1/4	Section	T	N	R	E									
<b>NE</b>	<b>NE</b>	<b>30</b>	<b>13</b>	<b>17</b>											
Property Owner (If different from applicant)	Subdivision or CSM #														
Street Address	Site Address <b>W2169 South Ave Lomira WI 53048</b>														
City • State • Zip Code	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No														

Present property use:

**Church Congregation**

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

**None to my knowledge**

Describe all nonconforming structures and uses on this property:

**The church is located within the required setback.**

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

**Highway setback Subsection 5.1.2.F and Table 5.1.2-2  
Town road setback is 75ft**

Variance Requested:

**Steps to be rebuilt approximately 40ft from the center line**

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?

**The old steps to the front door of the church need to be replaced. We cannot move the primary entrance to the church.**

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

The church was built in 1913 and is within the setback allowance. Approval of this variance will allow us to move the steps away from the 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?

Yes. The existing steps are cracking and will become dangerous for use. We need safe access to the primary entrance of our church from the parking lot instead of directly off the roadway.

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

It will be safer for the public. Not only will they have good steps but our proposal actually moves them further away from the road.

### CERTIFICATE

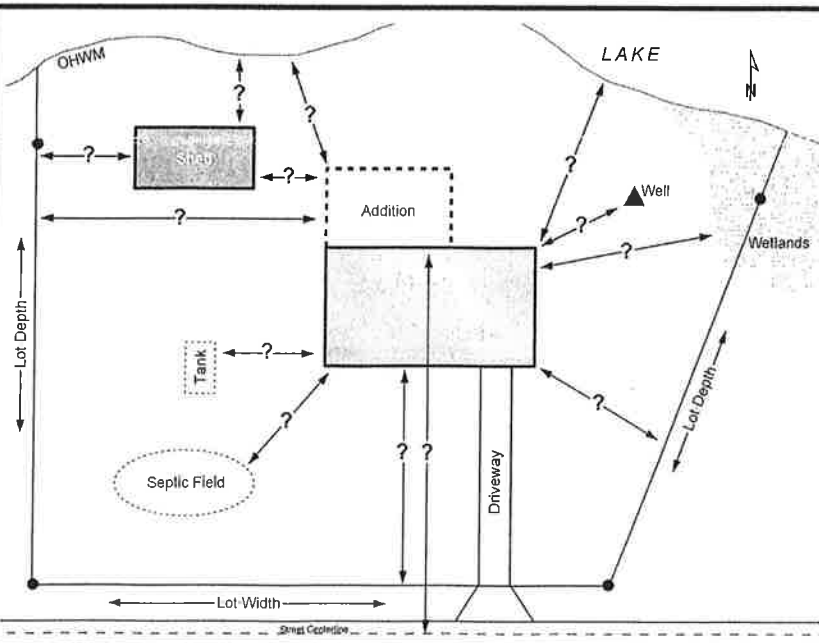
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and 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: Andrew S. Kaufman, President Date: 5/11/17

Daytime Contact Number (920) 904 - 0027

### SITE PLANS AND BUILDING PLANS

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

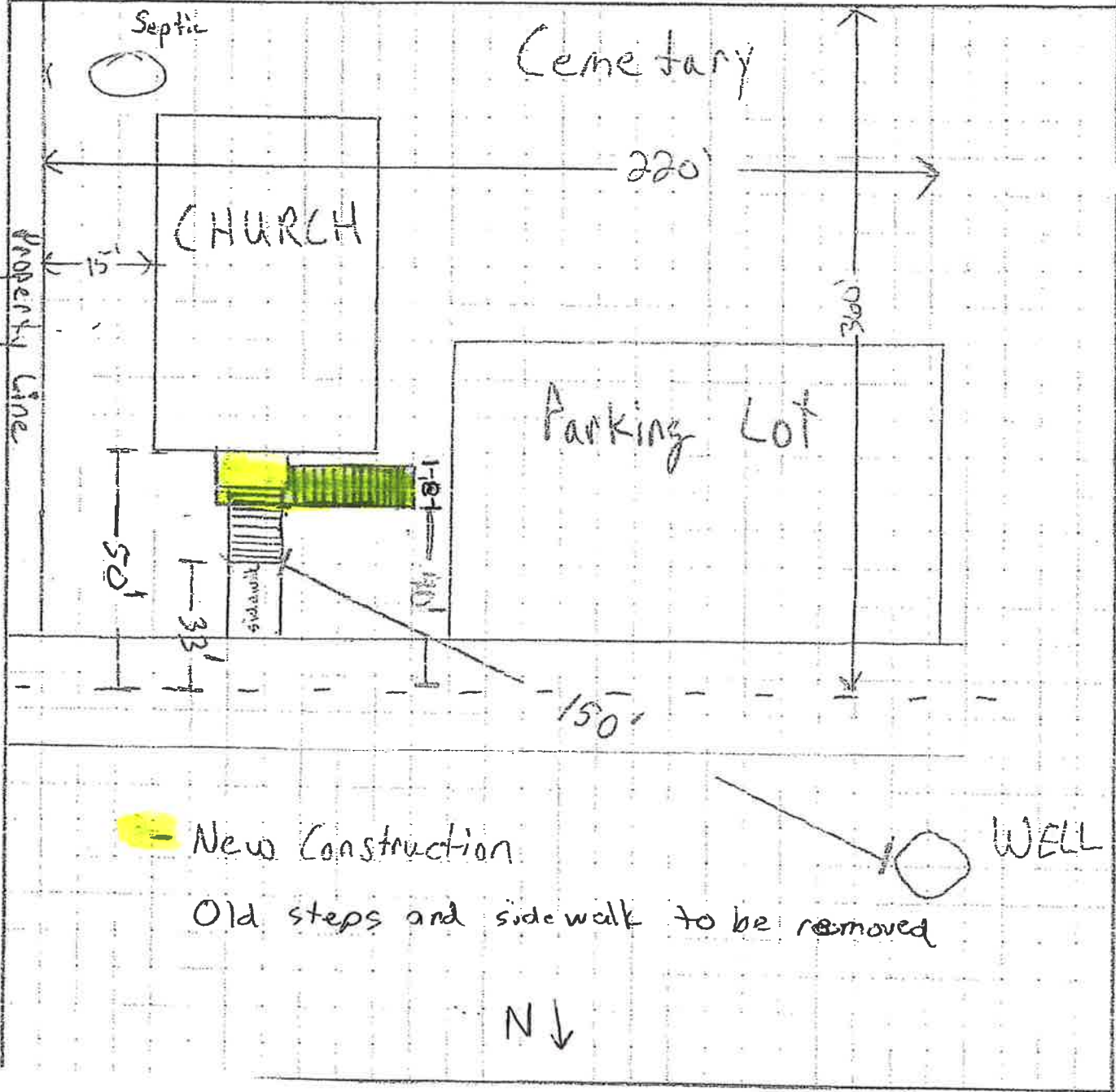



Site plans must be drawn to scale and/or all dimensions given, such as:  
Location and dimensions of the project  
Location and dimensions of existing structures  
Dimensions of the property  
Location and names of abutting roads, lakes & Streams  
North arrow  
Owner's name

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)

SITE PLAN (SKETCH)



 New Construction

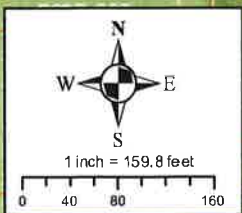
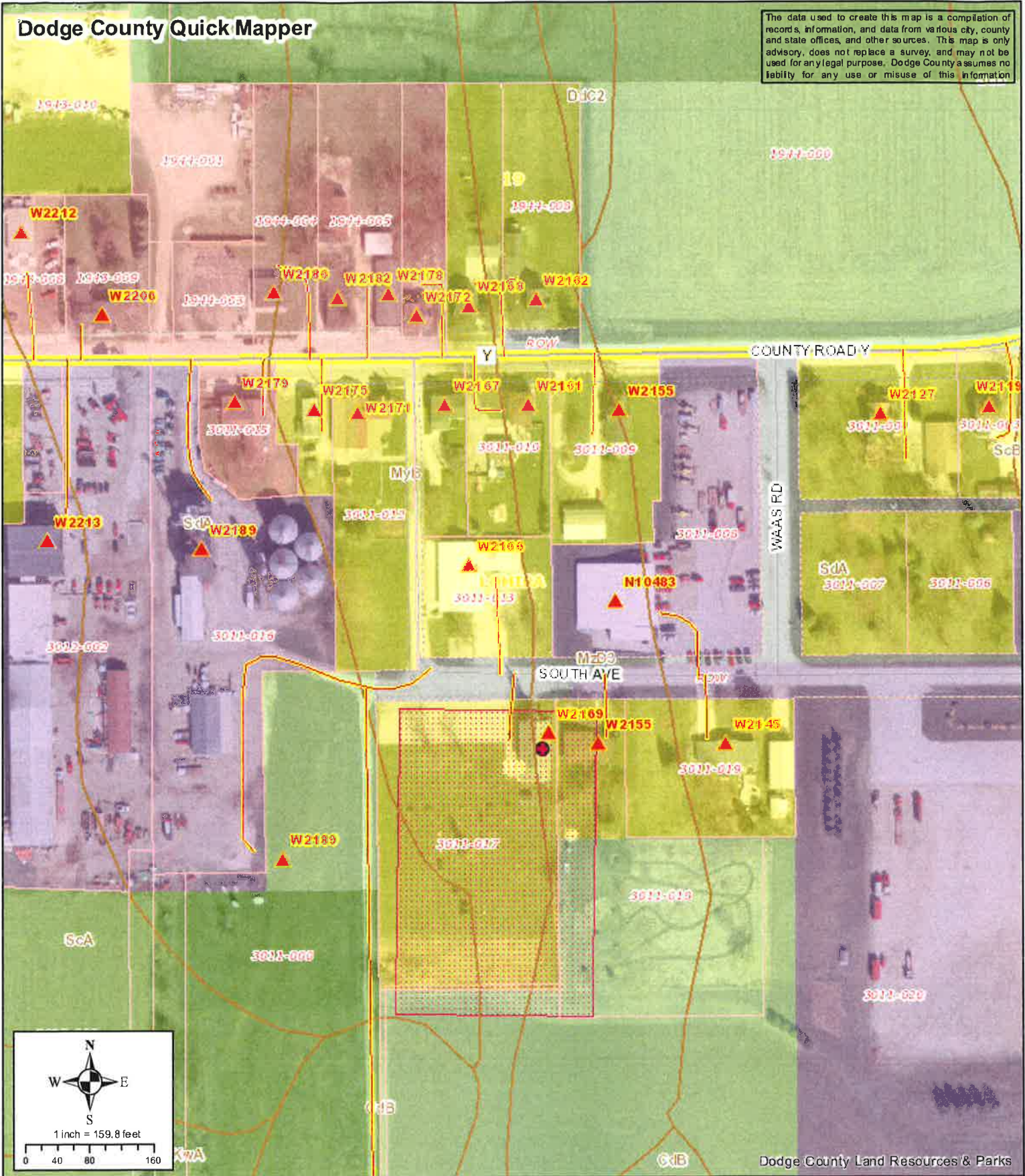
Old steps and sidewalk to be removed

N ↓



# Dodge County Quick Mapper

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

<b>General</b> Urbanized Roads Soils Airport Ordinance 3-Mile Buffer Sewer Service Areas Elevation Contours (2' & 10') <b>WI Historical Society</b> Historic Structures Archaeological Sites Survey Areas	<b>Floodplain/Wetland</b> Floodplain (May 19th 2014) Flood Storage Areas (2014) DNR Wetland (2006) DNR Wetland Points (2006) <b>Shoreland Zoning</b> Lake/Pond/Slough Buffer Lakes/Ponds/Sloughs Rivers/Streams/Creeks Horicon Marsh (860' Contour)	<b>COUNTY ZONING</b> 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
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Date: 5/16/2017



# Dodge County

## Land Resources and Parks Department

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

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April 27, 2017

St. Lukes Evangelical Lutheran Church  
W2169 South Avenue  
Lomira, WI 53048

RE: Notice of Permit Refusal  
PIN# 030-1317-3011-017

Location: NE ¼, NE ¼, Section 30, T13N, R17E, Town of Lomira, Dodge County, Wisconsin the site address being W2169 South Avenue

Dear St. Lukes Evangelical Lutheran Church:

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

Highway Setback Overlay 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 Town Road, the required setback is 75 feet from its centerline or 42 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 75 feet from the centerline of South Avenue. As proposed, the addition will begin at approximately 38 feet from the centerline or approximately 37 feet within the required highway setback line and therefore 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.

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

74-

### This Area For Office Use Only

COUNTY ID No.

170227

Receipt No.

895813

Application Date

4-13-17

Permit Expiration Date

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.) <u>St. Lukes Evangelical Lutheran Church</u>		Parcel Identification Number (PIN) <u>030-1317-3011-017</u>				
Street Address <u>W2169 South Ave</u>		Town <u>Lomira</u>	T <u>13</u>	N <u>17</u>	R <u>17</u>	E
City • State • Zip Code <u>(Knowles) Lomira WI 53048</u>		NE <sup>1/4</sup> <u>NE</u>	NE <sup>1/4</sup> <u>NE</u>	Section <u>30</u>	Acreage	Lot (Block)
Property Owner <input checked="" type="checkbox"/> Same as applicant		Subdivision or CSM (Volume/Page/Lot)				
Street Address		Address Of Property (DO NOT include City/State/Zip Code)				
City • State • Zip Code		Is this property connected to public sewer? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Is property located within a sanitary district/accessible to public sewer? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				
CURRENT USE OF PROPERTY		PROPOSED USE OF PROPERTY				
<input type="checkbox"/> Vacant Land <input type="checkbox"/> Single-Family Residential <input type="checkbox"/> Working Farm <input type="checkbox"/> Two-Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Business • Industrial • Commercial • (Use other below to describe) Other <u>Church Congregation</u>		<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						
<input type="checkbox"/> NEW STRUCTURE/CONSTRUCTION <input checked="" type="checkbox"/> REPLACEMENT OF EXISTING <input type="checkbox"/> ADDITION TO AN EXISTING						
<input type="checkbox"/> Pool <input 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)						
<input type="checkbox"/> Filling, Grading, Ditching, Dredging, Lagooning, and/or Excavating- Contact this office for assistance with determining type of permit needed Other <u>Front Steps</u>						
Width <u>10'</u>		<b>Additional Project Information</b>				
Length <u>18'</u>		Home Addition: Total number of bedrooms? Before _____ After _____				
Total Area <u>180 sq ft</u>		Barn Information: Will it house any animals? If yes, complete Animal Units Worksheet.				
Total Stories _____		Sign Information: <input type="checkbox"/> Single-Sided <input type="checkbox"/> Double-Sided				
Height (To roof peak) _____		<input type="checkbox"/> Located On-Premise <input type="checkbox"/> Located Off-Premise				
Estimated Cost (w/Labor) \$ <u>12,000.00</u>		<input type="checkbox"/> Wall <input type="checkbox"/> Ground <input type="checkbox"/> Directional    Other _____				
Will it be lighted and/or have moving/flashing parts? <input type="checkbox"/> No <input type="checkbox"/> Yes						
◆◆◆ PLEASE REMEMBER TO CLEARLY MARK/FLAG/STAKE-OUT THE CORNERS OF YOUR PROJECT ◆◆◆						
<b>DNR NOTICE:</b> 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.gov/government/departments-e-m/land-resources-and-parks/zoning-permits-and-ordinance/land-use-permit>

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 8.

**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**

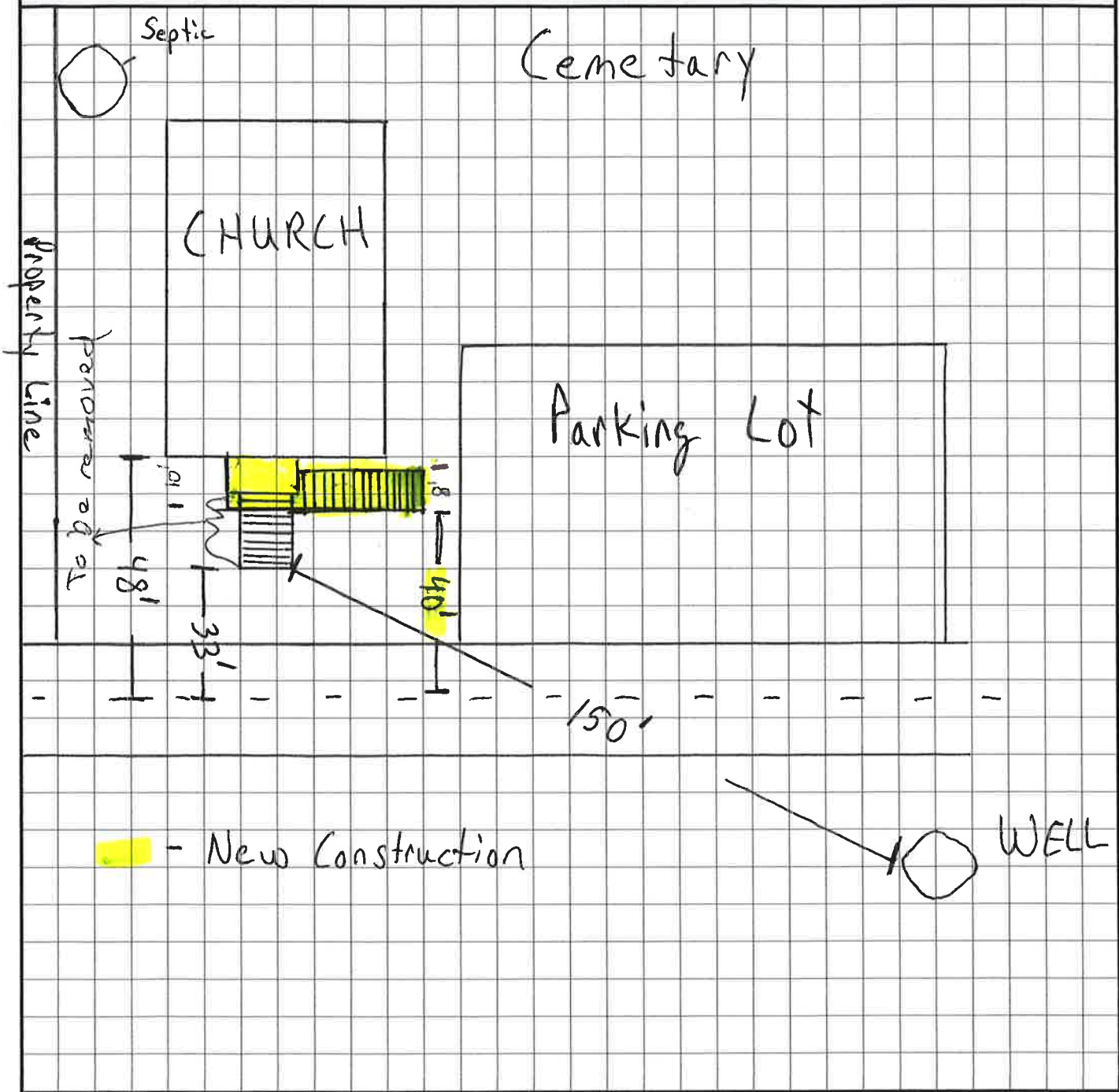
I, the undersigned, hereby apply for a Land Use Permit and certify that all the information both above and attached is true and correct to the best of my knowledge. I affirm that all work performed will be done in accordance with the Dodge County Land Use Ordinance and with all other applicable laws 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) Andrew Schraufnager Daytime Contact Phone (920) 904 - 0027

Signature Andrew Schraufnager Date 4/12/17 Call for pickup  No  Yes



# SITE PLAN (SKETCH)



See Attached Site Plan (Sketch)

### THIS AREA FOR OFFICE USE ONLY

BOA ID No.	BOA Appeal Date	BOA P/H Date	BOA Decision Date	BOA Decision
				<input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied

**Notes/Stipulations:**

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<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied	Land Resources and Parks Department <i>Wade B. Ostroff</i>	Date 09/27/2017
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# DODGE COUNTY INSPECTION SHEET

Property Owner <b>ST. LUKES CHURCH</b>	County ID No. <b>2017-0227</b>
Site Address <b>W2169 SOUTH AVE</b>	PIN <b>030-1317-3011-017</b>
Project <b>FRONT STEPS</b>	

ZONING	ANIMAL UNITS	ROAD/HIGHWAY (1)	ROAD/HIGHWAY (2)	SETBACKS	LOT COVERAGE AREA
<b>R1</b>		<input checked="" type="checkbox"/> Town <input type="checkbox"/> County <input type="checkbox"/> US/State <input type="checkbox"/> Urbanized ROW <u>26</u> <input type="checkbox"/> 33	<input type="checkbox"/> Town <input type="checkbox"/> County <input type="checkbox"/> US/State <input type="checkbox"/> Urbanized ROW _____ <input type="checkbox"/> 33	Front (1) <u>c/l</u> <u>38</u> Front (2) _____ Side (1) <u>w</u> <u>+100</u> Side (2) <u>E</u> <u>19</u> Rear <u>+300</u> OHWM _____ Structure <u>Attached</u> Septic Tank _____ Septic Field _____	Existing _____ Proposed _____ Total (E+P) _____ Tot. Lot Area _____ % Coverage _____
<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	ROW Setback <input type="checkbox"/> 27 <input checked="" type="checkbox"/> 42 <input type="checkbox"/> 67 <input type="checkbox"/> 200 Centerline Setback <input type="checkbox"/> 60 <input checked="" type="checkbox"/> 75 <input type="checkbox"/> 100 <input type="checkbox"/> Other _____	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 _____		

04/18/2017: Onsite Inspection

CUP 2007-0230 brought church use into compliance with LUC in R1 Zoned District

LUC 5.1.2.E & Table 5.1.2-2

LUC 5.2.3.H.3.a: need not apply as the proposed front steps is attached to an existing legal nonconforming structure. And the steps project 10' into the street yard whereas LUC 5.2.3.H.3.a allows for 6' projection into any yard.

See Attached Site Plan (Sketch) & Aerial for scaled drawing

Notes:

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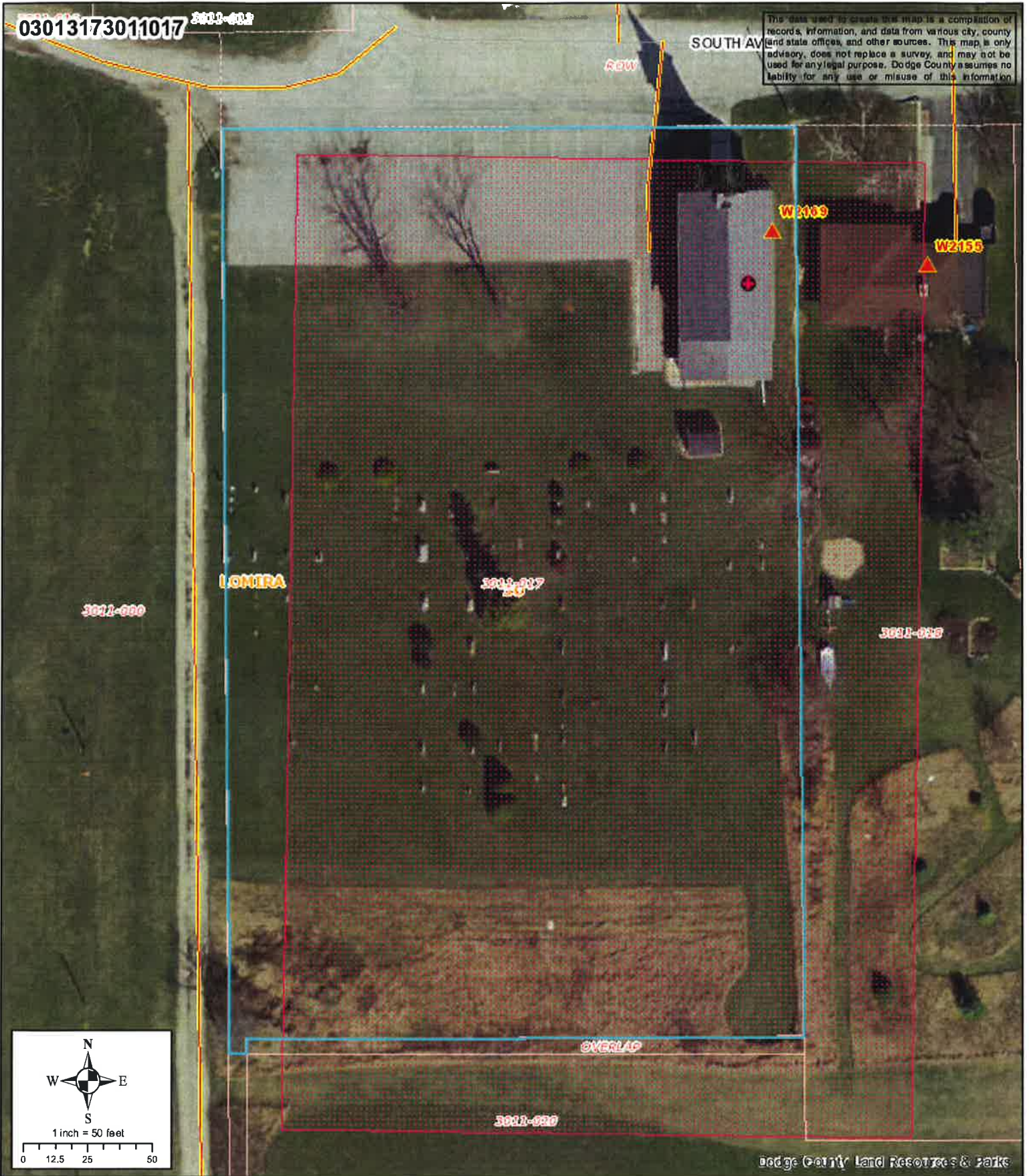
<input type="checkbox"/> Compliant <input checked="" type="checkbox"/> Noncompliant	<input type="checkbox"/> Violation <input type="checkbox"/> Incomplete <input type="checkbox"/> Reinspection Needed	<input type="checkbox"/> Joe Giebel <input type="checkbox"/> Terry Ochs <input checked="" type="checkbox"/> Wade Osterholz <input type="checkbox"/> Other	Date <u>04/18/2017</u>
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WBO



03013173011017 3011-017

This 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



General	Floodplain/Wetland	COUNTY ZONING	
Urbanized Roads	Floodplain (May 19th 2014)	PLANNED UNIT DEVELOPMENT	GENERAL COMMERCIAL
Soils	Flood Storage Areas (2014)	HARTFORD EXTRATERRITORIAL	EXTENSIVE COMMERCIAL
Airport Ordinance 3-Mile Buffer	DNR Wetland (2006)	GENERAL AGRICULTURAL	LIGHT INDUSTRIAL
Sewer Service Areas	DNR Wetland Points (2006)	PRIME AGRICULTURAL	INDUSTRIAL
Elevation Contours (2' & 10')		ONE FAMILY RESIDENTIAL	CITY OR VILLAGE
<u>WI Historical Society</u>	<u>Shoreland Zoning</u>	TWO FAMILY RESIDENTIAL	RIGHT OF WAY
Historic Structures	Lake/Pond/Slough Buffer	MULTI-FAMILY RESIDENTIAL	WATERBODY
Archaeological Sites	Lakes/Ponds/Sloughs	<b>PROPOSED PROJECT</b>	
Survey Areas	Rivers/Streams/Creeks		
	Horicon Marsh (860' Contour)		

Date: 4/27/2017