

DODGE COUNTY BOARD OF ADJUSTMENT MINUTES
May 17, 2018

The Dodge County Board of Adjustment met on this 17th day of May, 2018 at 6:45 p.m., in Rooms 1H and 1I on the 1st 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: Harold Hicks, William Nass and Sharon Schumann. Larry Dogs and Jon Schoenike will meet the Board on site. Members excused were 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 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 March 15, 2018 meeting were reviewed by the Board.

Motion by Harold Hicks to approve the minutes as written.

Second by Sharon Schumann Vote: 3-0 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:

- **Gault Properties LLC** – Located in part of the SW ¼ of the SW ¼, Section 33, Town of Rubicon, the site address being W1970 Adams Road.

Following the On-site visits, the Board reconvened the meeting of the Dodge County Board of Adjustment at 7:45 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 of the Dodge County Board of Adjustment back to order.

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

Chairman Nass noted that a quorum is present.

The staff explained the hearing procedures to those in attendance;

PUBLIC HEARING

Gault Properties LLC – Request for a variance to the terms of the setback provisions of the Dodge County Land Use Code to allow the construction of a milking center barn addition where said addition will be located approximately 11 feet within the required side yard setback lines. The site is located in part of the SW ¼ of the SW ¼, Section 33, Town of Rubicon, the site address being W1970 Adams Road.

Motion by Jon Schoenike to approve the variance request to allow the construction of a milking center barn addition where said addition will be located approximately 11.5 feet within the required side yard setback lines as proposed.

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

Motion by Jon Schoenike to adjourn the meeting.

Second by Sharon Schumann 8:08 P.M.

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 ID# (Variance Request): 2018-0273

County ID# (LUP): 2018-0272

Filing Date: May 8, 2018

Hearing Date: June 21, 2018

Appellant (Agent):

Preferred Builders of Watertown Ltd.
N2170 County Road E
Watertown, WI 53098

Owner:

David and Joann Matheus
N5175 Sinissippi Pt. Road
Juneau, WI 53039

Location

PIN# 022-1116-3114-016

Lot 2 Arrowhead Beach, located in part of the SE ¼ of the NE ¼, Section 31, T11N, R16E, Town of Hubbard, Dodge County, Wisconsin the site address being N5175 Sinissippi Point Road.

Variance/Appeal Request:

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 a detached garage where said garage will be located approximately 42 feet within the required setback from Sinissippi Road.

County Jurisdiction

The County has jurisdiction over this site as the Town of Hubbard has adopted the County's Highway Setback Overlay District regulations. The County also has shoreland jurisdiction over this site as the site is located within 1000 feet of Lake Sinissippi.

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 May 8, 2018, an application for a County Land Use Permit was made by the appellant in order they be allowed to construct a 24' X 32' detached garage on this site. This permit was denied by the County Land Use Administrator for the following reason:

Subsection 4.6.4.A and Table 5.1.2-2 of the Land Use Code refer to the required setbacks from public roads, streets and highways, within the Highway Setback Overlay District. For the specific section of Sinissippi Point Road along which the above noted project is to take place, the required setback is 75 feet from the centerline or 42 feet from the road right-of-way, whichever distance is greater. According to County records, the required setback at this location is approximately 84' from the centerline of Sinissippi Point Road. As proposed, the detached garage will be located approximately 41.3' feet from the centerline or approximately 42.7' within the required setback, thus not in compliance the Code provisions.

The appellant is requesting an area variance to Subsection 4.6.4.A and Table 5.1.2-2 of the Land Use Code 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 construction site is located within the County's Highway Setback Overlay District jurisdiction as the Town of Hubbard has adopted the County's Highway Setback provision of the Code and the proposed project is located within 200' of the centerline of Sinissippi Point Road.

The County also has shoreland jurisdiction over this site as the site is located within 1000 feet of Lake Sinissippi.

The property is presently being used for residential use.

The physical features of this approximate 0.43-acre lot includes a steep sloping topography towards the lake with slopes ranging from 18 to 30%. The parcel contains a residence, deck and boathouse.

The staff notes that the Sinissippi Point Road is not centered within the road right-of-way at this location thereby creating a required building setback of approximately 84' from the centerline of the existing pavement at this location.

The general character of the surrounding land use consists of seasonal and year round residences along the shoreline of Lake Sinissippi.

Town Recommendation: No response from Town as of June 14, 2018

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.

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 Subsection 4.6.4.A and Table 5.1.2-2 of the Land Use Code 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 Board should determine if the location of the proposed shed will create a safety hazard for people entering or exiting the driveway or when using the road. The Board should also consider the costs to the Town and the public of having to purchase this structure in the future if this structure would need to be removed for highway improvement or relocation projects.

If the Board can make the findings that are necessary in order to grant a variance in this case, the staff recommends the following condition of approval in order to save the tax payers the cost of having to purchase this non-conforming structure in the future if this structure needs to be removed for highway improvement or relocation projects:

1. A variance agreement shall be required to be recorded with the Register of Deeds Office in the amount of the proposed construction project prior to the approval of the land use permit.

Dodge County Board of Adjustment Decision

County ID# (Variance Request): 2018-0273

County ID# (LUP): 2018-0272

Filing Date: May 8, 2018

Hearing Date: June 21, 2018

Appellant (Agent):

Preferred Builders of Watertown Ltd.

N2170 County Road E

Watertown, WI 53098

Owner:

David and Joann Matheus

N5175 Sinissippi Pt. Road

Juneau, WI 53039

Location

PIN# 022-1116-3114-016

Lot 2 Arrowhead Beach, located in part of the SE ¼ of the NE ¼, Section 31, T11N, R16E, Town of Hubbard, Dodge County, Wisconsin the site address being N5175 Sinissippi Point Road.

Variance/Appeal Request:

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 a detached garage where said garage will be located approximately 42 feet within the required setback from Sinissippi Road.

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 4.6.4.A 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 provisions of the code?

(Yes / No) _____

Are the highway setback 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 garage on this lot?

(Yes / No)

Explain _____

What hardship exists if the variance is denied?

Explain _____

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

Explain _____

Has the Town of Hubbard Town Board provided a recommendation? (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?

- 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
Sharon Schumann	<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
Vacant (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. 180273	Issue Date:
Application Date: 5-8-18	Receipt #: 4010

Variance Application

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

Names and Mailing Addresses		Property Description			
Applicant (Agent) David Mathews / JoAnn Mathews		Parcel Identification Number (PIN) 022-1116-3114-016			
Street Address N5175 Smissippi Point Rd		Town 022-Town of Hubbard			
City • State • Zip Code Juneau, WI 53039		¼ SE	¼ NE	Section 31	T 11 N R 16 E
Property Owner (If different from applicant)		Subdivision or CSM #			
Street Address		Site Address N5175 Smissippi Point Rd			
City • State • Zip Code		Is this property connected to public sewer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Hubbard Sanitary #2			

Present property use:

Primary residence - as of July 1, 2018

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

None

Describe all nonconforming structures and uses on this property:

None

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

Front set back

Variance Requested:

Set back

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?

See attached request addendum

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

See attached request addendum

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?

see attached request addendum

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

see attached request addendum

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

[Handwritten signatures]

Date:

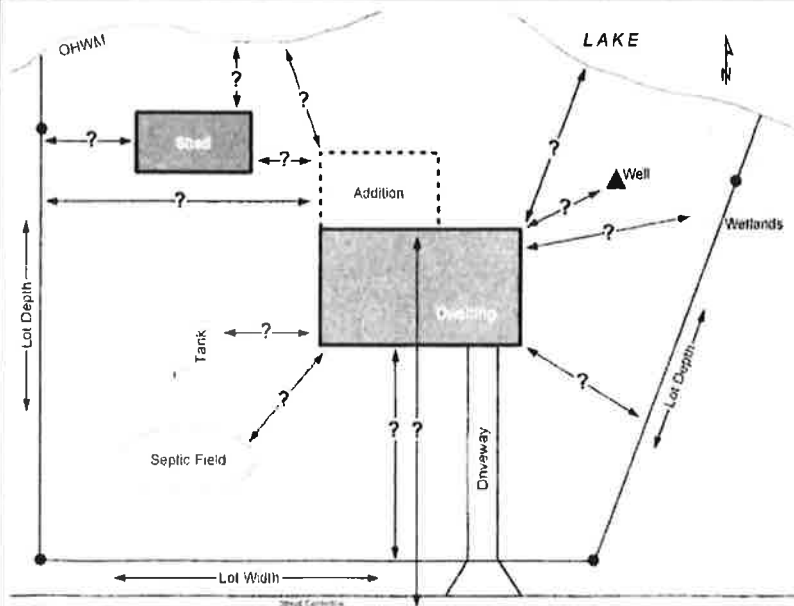
5/7/2018

Daytime Contact Number

(262) 951-8447

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:

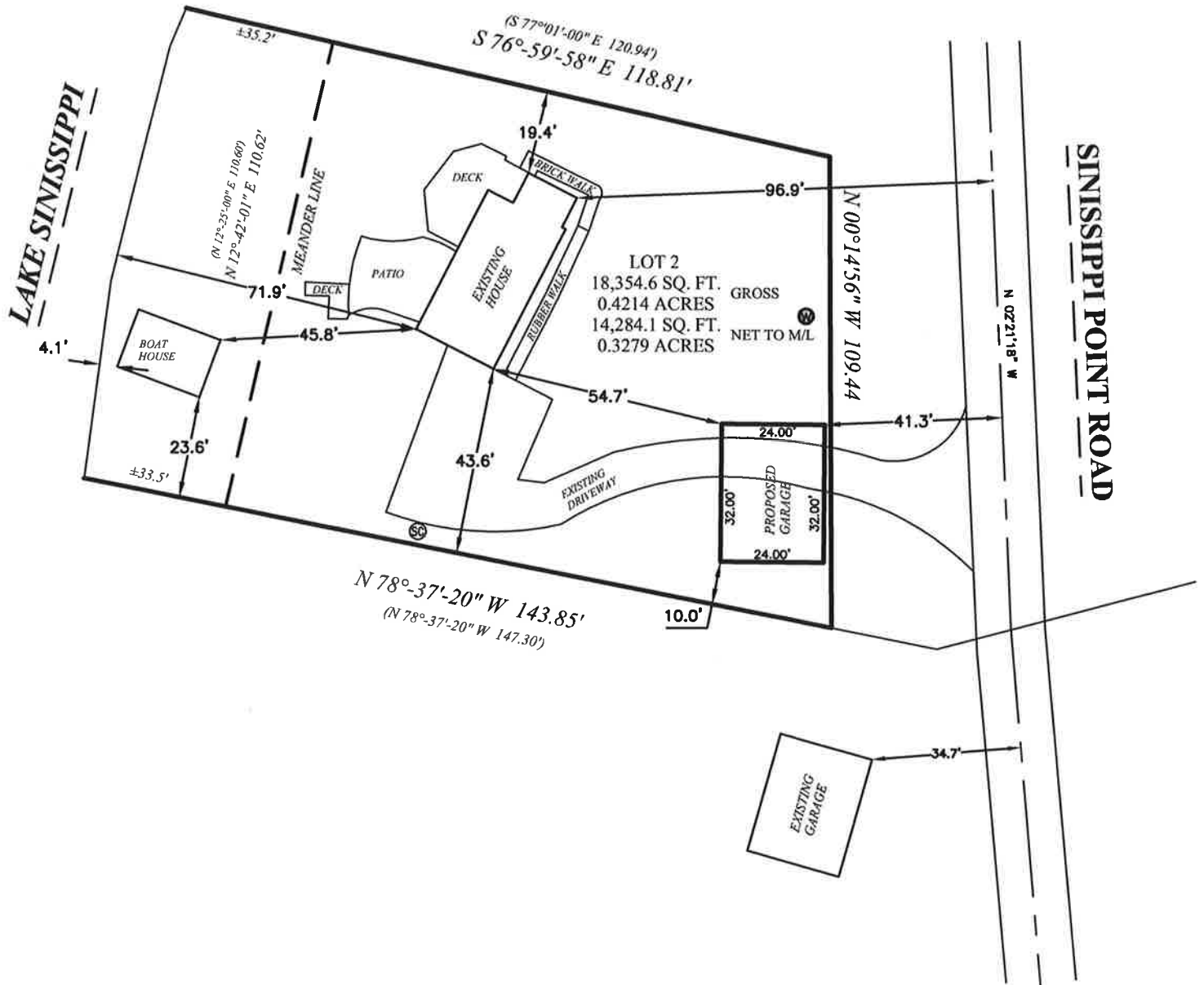
- Lot lines
- Road right-of-ways & centerline
- Water bodies Ordinary High Water Mark (O.H.W.M.)
- Septic & holding tanks
- Soil absorption systems
- Nearby structures (within 50 feet)

Variance to Land Use Code Request

- 1) What **unnecessary hardship** is present that prohibits your compliance with terms of the Land Use Code? We are proposing a new garage at street level, which would then have a gradual walkway which will go down to the house. The house is situated in the midway part of the property. Building a garage next to the house would be at the bottom of a very steep hill. The drive down the steep hill is difficult to clean of snow during the winter time. As this home will be our primary residence, the winter months of snow and freezing ice present a significant risk in our well-being when we need to have snow/ice removal from the drive.
- 2) What unique features of this property prevent you from complying with the terms of the Land Use Code? The property has a 41.3 FT setback from the center line of Sinissippi Point Road. The additional setback starts at our property, and continues to the end of Sinissippi Point. Based on the slope of the hill, moving the garage further down the hill would create a maintenance hazard of an extended drive way in the winter months. The garage needs to be built at the lot line facing the road, so the drive way is level for maintenance in the winter time.
- 3) 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? This house will be our primary residence. As this will be our home in retirement, and as we age, the current slope of the drive will become too much of a hazard to clean in the winter months as we age. We may be forced out from December through March.
- 4) How would the interest of the public or neighbors be affected by granting or denying this variance? The granting or denying of this variance would have no negative interest on the neighbors (they probably do not even realize the road right of way extends further than theirs).

FOR LOT 2 OF ARROWHEAD BEACH, BEING A PART OF THE SW 1/4 AND SE 1/4
OF THE NORTHEAST QUARTER OF SECTION 31, TOWN 11 NORTH, RANGE 16 EAST,
TOWN OF HUBBARD, DODGE COUNTY, WISCONSIN.

ESTIMATED HARD SURFACE AREAS: 4,575.8 SQ. FT.
ESTIMATED % USE OF TOTAL LOT AREA: 24.93%
ESTIMATED % OF REMAINING OPEN SPACE: 75.07%
LOT AREA: 18,356.6 SQ. FT.
HOUSE AREA: 831.5 SQ. FT.
BOAT HOUSE AREA: 288.9 SQ. FT.
PATIO AREA: 357.4 SQ. FT.
DECK AREA: 368.1 SQ. FT.
BRICK WALK AREA: 86.7 SQ. FT.
RUBBER WALK AREA: 116.0 SQ. FT.
DRIVE AREA TO R-O-W: 1759.2 SQ. FT.
PROPOSED GARAGE AREA: 768.0 SQ. FT.



BEARINGS ARE REFERENCED TO THE EAST LINE OF LOT 2 SHOWN HEREON, AS FOUND MONUMENTED, WHICH IS ASSUMED TO BEAR N 10°-59'-17" W.



County of Wisconsin }
County of Jefferson } SS.

I, Scott D. Thomas, L.P.L.S., do hereby certify that I have made this survey and that the information as shown on the above Plat of Survey is a true and correct representation thereof. Lots are drawn from subdivision plats/C.S.M.s; unplatted lands from recorded deeds/surveys. Boundary survey plats reflect field-located information; consult a title attorney to discover all the legal encumbrances attached to any property.

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.

180272

Receipt No.

4011

Application Date

5-8-18

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.) PREPARED BUILDERS OF WATERLOO, Ltd.		Parcel Identification Number (PIN) 022-1116-3114-016			
Street Address N2170 COUNTY RD E		Town HUBBARD	T	N	R E
City • State • Zip Code WATERLOO, WI 53098		SW 1/4 SE	NE 1/4 NE	Section 31	Acreage .421
Property Owner <input type="checkbox"/> Same as applicant DAVE MATHEWS		Subdivision or CSM (Volume/Page/Lot) ARROWHEAD BEACH			
Street Address N5175 MISSISSIPPI PT. RD		Address Of Property (DO NOT include City/State/Zip Code) N5175 MISSISSIPPI PT. ROAD			
City • State • Zip Code JUNEAU, WI 53039		Is this property connected to public sewer? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Is property located within a sanitary district/accessible to public sewer? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
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					
<input checked="" type="checkbox"/> NEW STRUCTURE/CONSTRUCTION <input 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 checked="" 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 _____					
Width <u>32'</u>		Additional Project Information			
Length <u>24'</u>		Home Addition: Total number of bedrooms? Before _____ After _____			
Total Area <u>768'</u>		Barn Information: Will it house any animals? If yes, complete Animal Units Worksheet.			
Total Stories <u>1</u>		Sign Information: <input type="checkbox"/> Single-Sided <input type="checkbox"/> Double-Sided			
Height (To roof peak) <u>15'</u>		<input type="checkbox"/> Located On-Premise <input type="checkbox"/> Located Off-Premise			
Estimated Cost (w/Labor) \$ <u>110,000</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 ◆◆◆					
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](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?

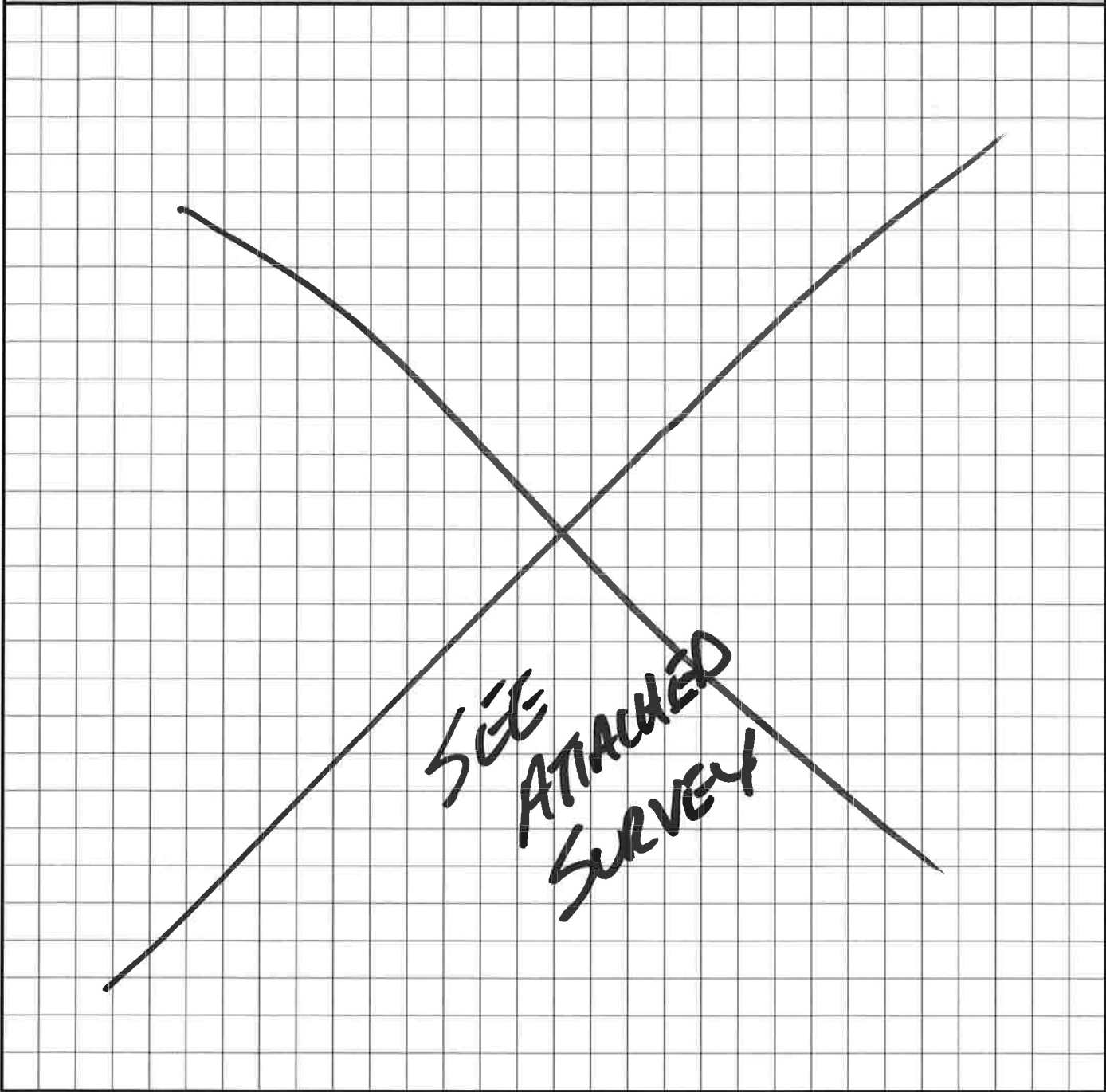
- NO ⇒ Sign and date application below.
- YES ⇒ A County CONDITIONAL USE PERMIT (CUP) may [also] be needed. Contact this office for assistance regarding the CUP process. Sign and date application below.

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) Jessie M Jones Daytime Contact Phone (920) 539 - 9539
Signature [Signature] Date 5/8/18 Call for pickup No Yes

SITE PLAN (SKETCH)



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

BOA ID No. 18-0273	BOA Appeal Date 5/8/18	BOA P/H Date	BOA Decision Date	BOA Decision <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
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Notes/Stipulations:

5/10/18 Drop-off located within highway setback lines.

Approved Denied

Land Resources and Parks Department

Joseph Gabriel

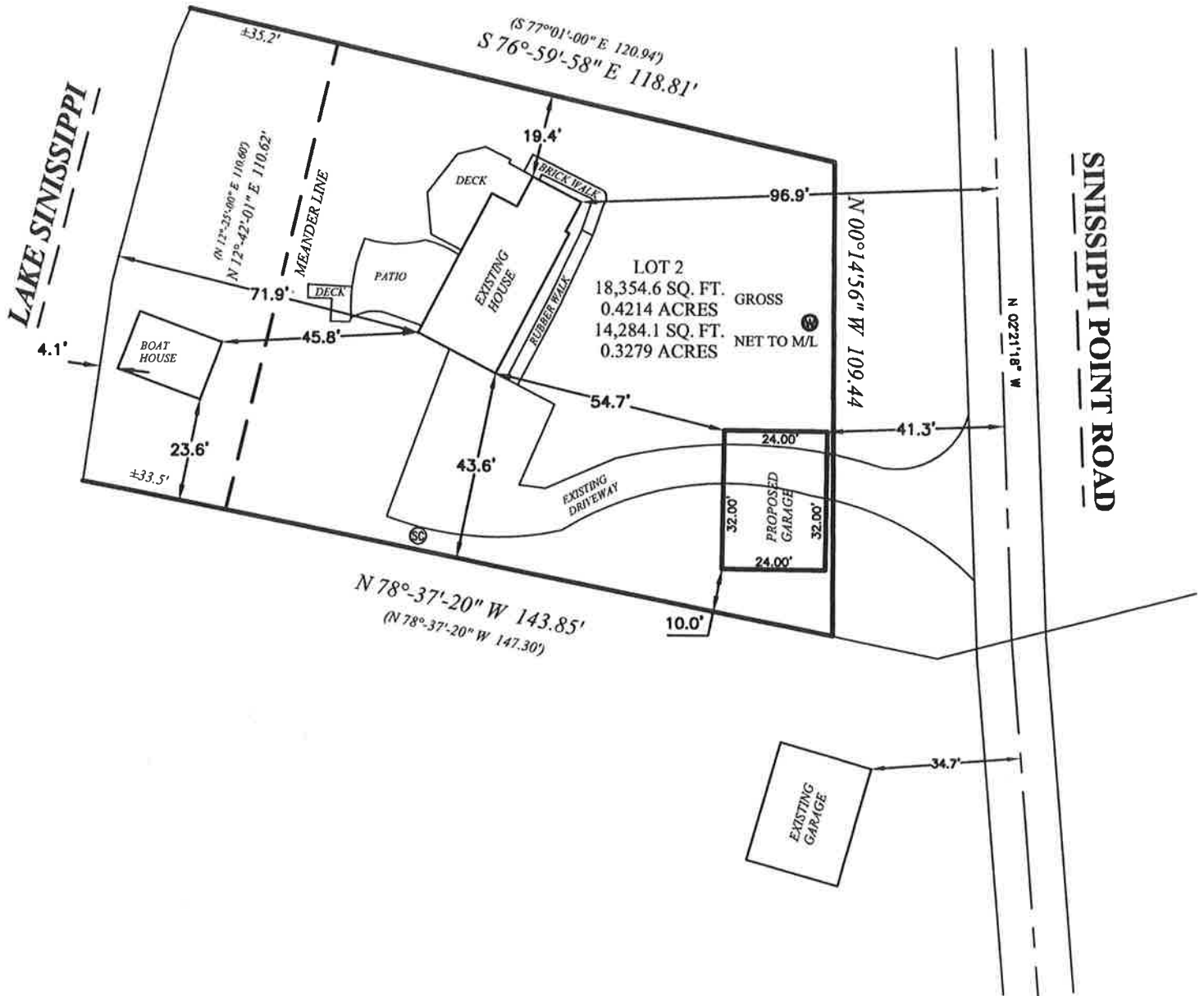
Date

5/11/18

Please use only blue or black ink to complete the application and site plan (sketch) — **DO NOT USE PENCIL**

FOR LOT 2 OF ARROWHEAD BEACH, BEING A PART OF THE SW 1/4 AND SE 1/4 OF THE NORTHEAST QUARTER OF SECTION 31, TOWN 11 NORTH, RANGE 16 EAST, TOWN OF HUBBARD, DODGE COUNTY, WISCONSIN.

ESTIMATED HARD SURFACE AREAS: 4,575.8 SQ. FT.
 ESTIMATED % USE OF TOTAL LOT AREA: 24.93%
 ESTIMATED % OF REMAINING OPEN SPACE: 75.07%
 LOT AREA: 18,356.6 SQ. FT.
 HOUSE AREA: 831.5 SQ. FT.
 BOAT HOUSE AREA: 288.9 SQ. FT.
 PATIO AREA: 357.4 SQ. FT.
 DECK AREA: 368.1 SQ. FT.
 BRICK WALK AREA: 86.7 SQ. FT.
 RUBBER WALK AREA: 116.0 SQ. FT.
 DRIVE AREA TO R-O-W: 1759.2 SQ. FT.
 PROPOSED GARAGE AREA: 768.0 SQ. FT.



County of Wisconsin }
 County of Jefferson } SS.

I, Scott D. Thomas, L.P.L.S., do hereby certify that I have made this survey and that the information as shown on the above Plat of Survey is a true and correct representation thereof. Lots are drawn from subdivision plats/C.S.M.s; unplatted lands from recorded deeds/surveys. Boundary survey plats reflect field-located information; consult a title attorney to discover all the legal encumbrances attached to any property.

BEARINGS ARE REFERENCED TO THE EAST LINE OF LOT 2 SHOWN HEREON, AS FOUND MONUMENTED, WHICH IS ASSUMED TO BEAR N 10°-59'-17" W.



WORKSHEET NO. 1 - IMPERVIOUS SURFACE AREA CALCULATION

These impervious surface area calculations are required per Section 9.0 of the County Shoreland Ordinance. The County impervious surface standards apply to the construction, reconstruction, expansion, replacement or relocation of **ANY** impervious surface on a riparian lot or parcel and any non-riparian lot or parcel that is located entirely within 300 feet of the ordinary highwater mark of any navigable lake, pond, flowage or waterway. An impervious surface is an area that releases, as runoff, all or a majority of the precipitation that falls on it. Under the County's Shoreland Ordinance, an **IMPERVIOUS SURFACE (AREA)** includes all of the following:

- All Buildings/Structures (homes/garages/sheds/etc.)
- Patios constructed with pavers/stone/concrete/blacktop/etc.
- Driveways, Sidewalks, Walkways and Stairways constructed with wood/stone/pavers/gravel/concrete/blacktop/etc.
- Compacted Parking Areas
- Decks and Porches (covered and uncovered)

plus private road surfaces not specifically listed in the Shoreland Ordinance and any other surface/material that is determined by the County Land Use Administrator to be impervious. An impervious surface (area) **excludes** grassed and/or other vegetated areas, frozen soil, public road surfaces and certain private roads or other surfaces that are specifically listed as exempted in the Ordinance.

To complete this worksheet you will need to provide the dimensions and area calculations for **ALL** impervious surfaces (see description below) on your lot that are located (or to be located) within 300 feet of the ordinary highwater mark (edge of the water) of a navigable lake, pond, flowage or waterway. If additional space is required, please attach separate sheet(s) with the applicable dimensions and area calculations shown.

- 1 Is any part of your property located within 300 feet of the "water" (i.e., a lake, river or other navigable waterway/waterbody)?
 NO, go to line 43. YES, go to line 2.

- 2 Will any part of your proposed construction (impervious surface) project be located within 300 feet of the water?
 NO, go to line 43. YES, go to line 3.

- 3 Is your property a vacant, undeveloped lot (i.e., no existing impervious surfaces present)?
 NO, go to line 4. YES, enter "0" (zero) on line 15, then go to line 17.

- 4 Complete **Table 1: PreConstruction (Existing) Shoreland Impervious Surface Area** (lines 5 thru 15) calculations below.

**TABLE 1
PRECONSTRUCTION (EXISTING) SHORELAND IMPERVIOUS SURFACE AREA**

- Calculate **ONLY** for the impervious surface areas of your property that are located "*Within the Shoreland*" of your lot.
NOTE: The "Shoreland" area of your property encompasses all of the land area from the water's edge to a point 300 feet landward.
- **DO NOT** include impervious surface areas that are located "*Outside of the Shoreland*" (i.e., **More than 300 feet from the water**).

Existing Structure or Surface	Width (ft.)	x	Length (ft.)	=	Area (sq. ft.)	
5 House..... (or other principal structure)...		x		=	831.5	5a
.....		x		=		5b
.....		x		=		5c
.....		x		=		5d
6 Deck.....		x		=	348.1	6a
.....		x		=		6b
7 Patio (area).....		x		=	357.4	7a
.....		x		=		7b
8 Porch.....		x		=		8a
.....		x		=		8b
9 Garage.....		x		=		9a
.....		x		=		9b
10 Shed... (BOAT HOUSE)		x		=	288.9	10a
.....		x		=		10b
.....		x		=		10c
11 Sidewalk/Stairway (area)... (BRICK)		x		=	86.7	11a
..... (RUBBER)		x		=	114.0	11b
12 Driveway (area).....		x		=	1759.2	12a
.....		x		=		12b
13 Compacted parking area.....		x		=		13a
.....		x		=		13b
14 Other.....		x		=		14a
.....		x		=		14b

15 Add lines 5 thru 14. This is your **PreConstruction (Existing) Impervious Surface Area**..... 3807.8 15

16 **Required PreConstruction Site Plan:** Attach, to this worksheet, a site plan of your property (either dimensioned or drawn to scale) showing the preconstruction impervious surface areas listed in Table 1 above. Label this set of plans **PreConstruction Impervious Surface Area**.

WORKSHEET NO. 1 (PAGE 2)

17 Complete Table 2: PostConstruction (New & Existing) Shoreland Impervious Surface Area (lines 18 thru 28) calculations below.

**TABLE 2
POSTCONSTRUCTION (NEW & EXISTING) SHORELAND IMPERVIOUS SURFACE AREA**

- Calculate **ONLY** for the impervious surface areas of your property that are located "Within the Shoreland" of your lot.
NOTE: The "Shoreland" area of your property encompasses **all** of the **land area** from the water's edge to a point 300 feet landward.
- **DO NOT** include impervious surface areas that are located "Outside of the Shoreland" (i.e., **More than 300 feet from the water**).
- For a totally new structure or surface (e.g., house, deck, patio, etc.) or for an addition to an existing structure or surface, you must enter/calculate the new width, length and area values for that particular structure/surface or addition in their applicable columns below

New & Existing Structure or Surface	Width (ft.)	x	Length (ft.)	=	Area (sq. ft.)	
18 House..... (or other principal structure)...		x		=	831.5	18a
.....		x		=		18b
.....		x		=		18c
.....		x		=		18d
.....		x		=		18e
.....		x		=		18f
19 Deck.....		x		=	368.1	19a
.....		x		=		19b
.....		x		=		19c
.....		x		=		19d
20 Patio (area).....		x		=	357.4	20a
.....		x		=		20b
.....		x		=		20c
21 Porch.....		x		=		21a
.....		x		=		21b
.....		x		=		21c
22 Garage (NEW - PERMITTED)		x		=	768.0	22a
.....		x		=		22b
.....		x		=		22c
23 Shed (BOAT HOUSE)		x		=	288.9	23a
.....		x		=		23b
.....		x		=		23c
.....		x		=		23d
.....		x		=		23e
24 Sidewalk/Stairway (area).....		x		=	0	24a
..... NONE - REMOVED		x		=		24b
.....		x		=		24c
25 Driveway (area).....		x		=	0	25a
..... NONE - REMOVED		x		=		25b
..... AND PLANTED		x		=		25c
26 Compacted parking area.....		x		=		26a
.....		x		=		26b
.....		x		=		26c
27 Other.....		x		=		27a
.....		x		=		27b
.....		x		=		27c
.....		x		=		27d

28 Add lines 18 thru 27. This is your **PostConstruction** (New & Existing) Impervious Surface Area..... **2613.9** 28

29 **Required PostConstruction Site Plan:** Attach, to this worksheet, a site plan of your property (either dimensioned or drawn to scale) showing the postconstruction impervious surface areas listed in Table 2 above. Label this set of plans **PostConstruction** Impervious Surface Area.

⇒ ⇒ ⇒ **PROCEED TO PAGE 3** ⇒ ⇒ ⇒

WORKSHEET NO. 1 (PAGE 3)

30 Compare line 28 to line 15.
 If Line 28 is less than or equal to line 15, go to line 40.
 If line 28 is greater than line 15, go to line 31.

31 Enter the acreage of your property (If you unsure of the acreage of your property, please contact the Land Resources and Parks Department for assistance.)		31	
32 Area of your property (in square feet) Multiply line 31 by 43,560.		32	
33 Multiply line 28 by 100		33	
34 Divide line 33 by line 32. This is your PERCENT IMPERIOUS SURFACE ⇒ ⇒ ⇒			34

Round to nearest whole number

Go to line 35

35. Is your lot located within an area designated as a highly developed shoreline? (If you are unsure if your lot is located within an area designated as a highly developed shoreline, please contact the Land Resources and Parks Department for assistance.)

Yes – go to line 36

No – go to line 39

Don't know – Contact the Land Resources and Parks Department for assistance (920) 386-3700

36. If the use of the property is for residential use, go to line 37.
 If the use of the property is for commercial or industrial use, go to line 38.

37. LINE 34 IS LESS THAN OR EQUAL TO 30% - Go to line 40.
 LINE 34 IS GREATER THAN 30% BUT LESS THAN OR EQUAL TO 40% - Go to line 41.
 LINE 34 IS GREATER THAN 40% - Go to line 42.

38. LINE 34 IS LESS THAN OR EQUAL TO 40% - Go to line 40.
 LINE 34 IS GREATER THAN 40% BUT LESS THAN OR EQUAL TO 60% - Go to line 41.
 LINE 34 IS GREATER THAN 60% - Go to line 42.

39. LINE 34 IS LESS THAN OR EQUAL TO 15% - Go to line 40.
 LINE 34 IS GREATER THAN 15% BUT LESS THAN OR EQUAL TO 30% - Go to line 41.
 LINE 34 IS GREATER THAN 30% - Go to line 42.

40. Your proposed project complies with the impervious surface standards of the Dodge County Shoreland Ordinance – Go to line 43

41 Your County Land Use Permit cannot be issued by this department **Until** the property owner develops, submits, agrees to and records a County –approved **Mitigation Plan** that meets the standards set forth in Section 13.0 of the Dodge County Shoreland Ordinance. **You also need to submit/complete Worksheet No. 2 (Mitigation Options Calculation) to this office for departmental review and approval.**

Go to line 43

42. Unfortunately, your project exceeds the maximum amount (percent) of impervious surface area allowed by the Dodge County Shoreland Ordinance and thus your Land Use Permit **Cannot Be Issued** by this department as proposed. Please contact our office to discuss your options regarding this matter [See office contact information below].

Go to line 43

43. Sign and date this form and submit this form along with your Land Use Permit application (and any other applicable worksheet to the Dodge County Land Resources and Parks Department for review and approval.

Person completing this form (Print) <u>JASON M. JONES</u>	Daytime Phone (<u>920</u>) <u>539</u> - <u>9539</u>
Signature of person completing this form <u>[Signature]</u>	Date <u>5/8/18</u>

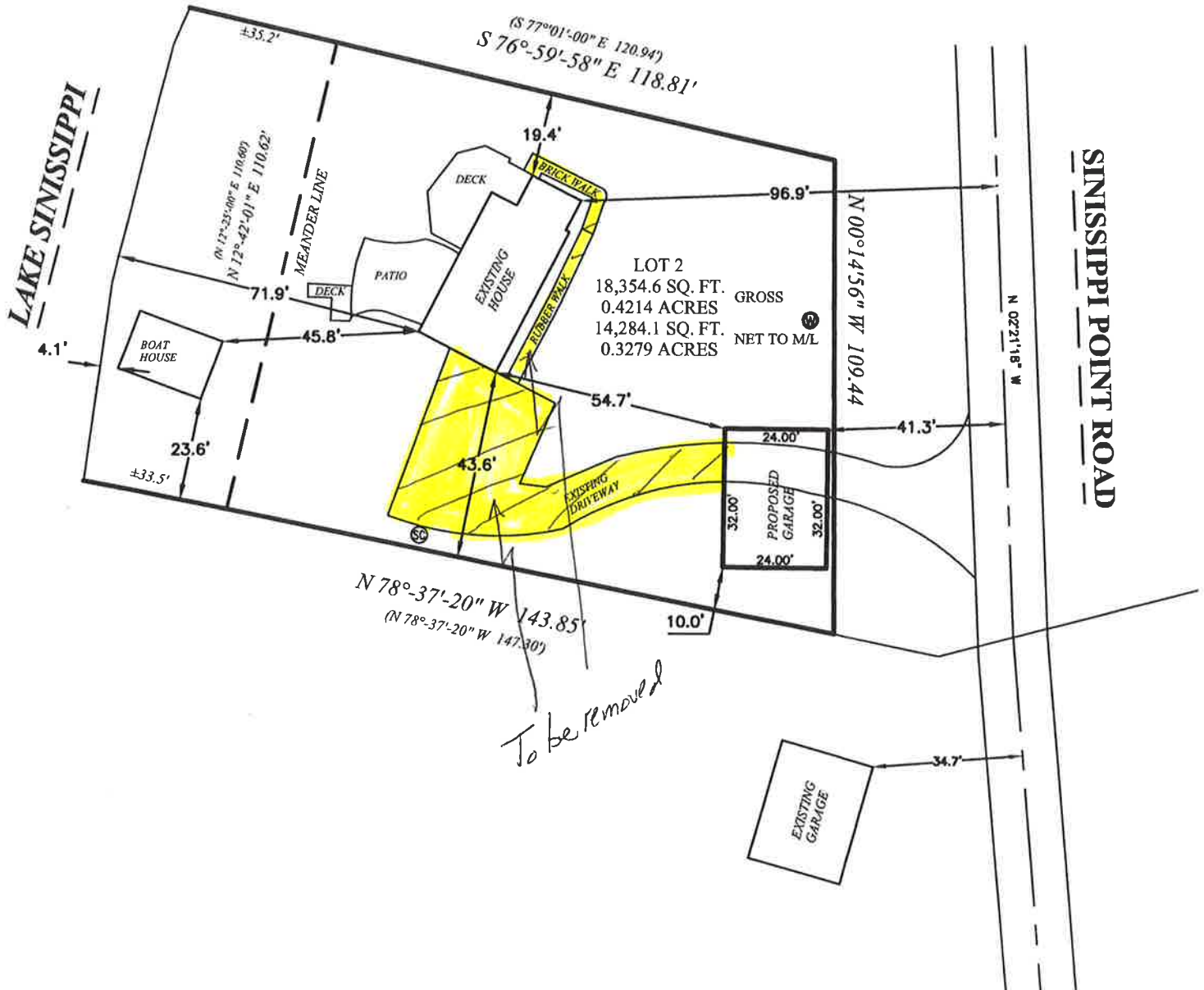
NOTE: THIS FORM/WORKSHEET IS SUBJECT TO REVIEW AND APPROVAL BY THE DODGE COUNTY LAND RESOURCES AND PARKS DEPARTMENT.

DODGE COUNTY LAND RESOURCES AND PARKS DEPARTMENT, 127 EAST OAK STREET, JUNEAU, WI 53039-1329
 WEBSITE: WWW.CO.DODGE.WI.US
 EMAIL: LANDRESOURCES@CO.DODGE.WI.US
 PHONE: (920) 386-3700 (MONDAY-FRIDAY 8:00AM TO 4:30PM)

FOR LOT 2 OF ARROWHEAD BEACH, BEING A PART OF THE SW 1/4 AND SE 1/4 OF THE NORTHEAST QUARTER OF SECTION 31, TOWN 11 NORTH, RANGE 16 EAST, TOWN OF HUBBARD, DODGE COUNTY, WISCONSIN.

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} BEING REMOVED AS PART OF CONSTRUCTION



State of Wisconsin }
 County of Jefferson } SS.

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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

May 11, 2018

Dave Matheus
N5175 Sinissippi Pt. Rd
Juneau, WI 53039

RE: Notice of Permit Refusal
PIN# 022-1116-3114-016

Location: Lot 2 Arrowhead Beach, located in part of the SE ¼ of the NE ¼, Section 31, T11N, R16E, Town of Hubbard, Dodge County, Wisconsin the site address being N5175 Sinissippi Point Road.

Dear Mr. Matheus:

Your application for a permit to construct a detached garage 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 4.6.4.A and Table 5.1.2-2 of the Land Use Code refer to the required setbacks from public roads, streets and highways, within the Highway Setback Overlay District. For the specific section of Sinissippi Point Road along which the above noted project is to take place, the required setback is 75 feet from the centerline or 42 feet from the road right-of-way, whichever distance is greater. According to County records, the required setback at this location is approximately 84' from the centerline of Sinissippi Point Road. As proposed, the aforementioned project is to be located approximately 41.3' feet from the centerline or approximately 42.7' within the required setback, thus not in compliance the Code provisions.

Therefore, the County is unable to issue a permit for your proposed construction project unless the construction is modified so as to comply with the code provisions mentioned above or unless a variance is granted to the highway setback standards 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.

According to County Records, a variance request was filed on May 8, 2018 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.

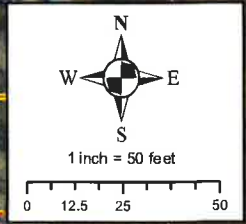
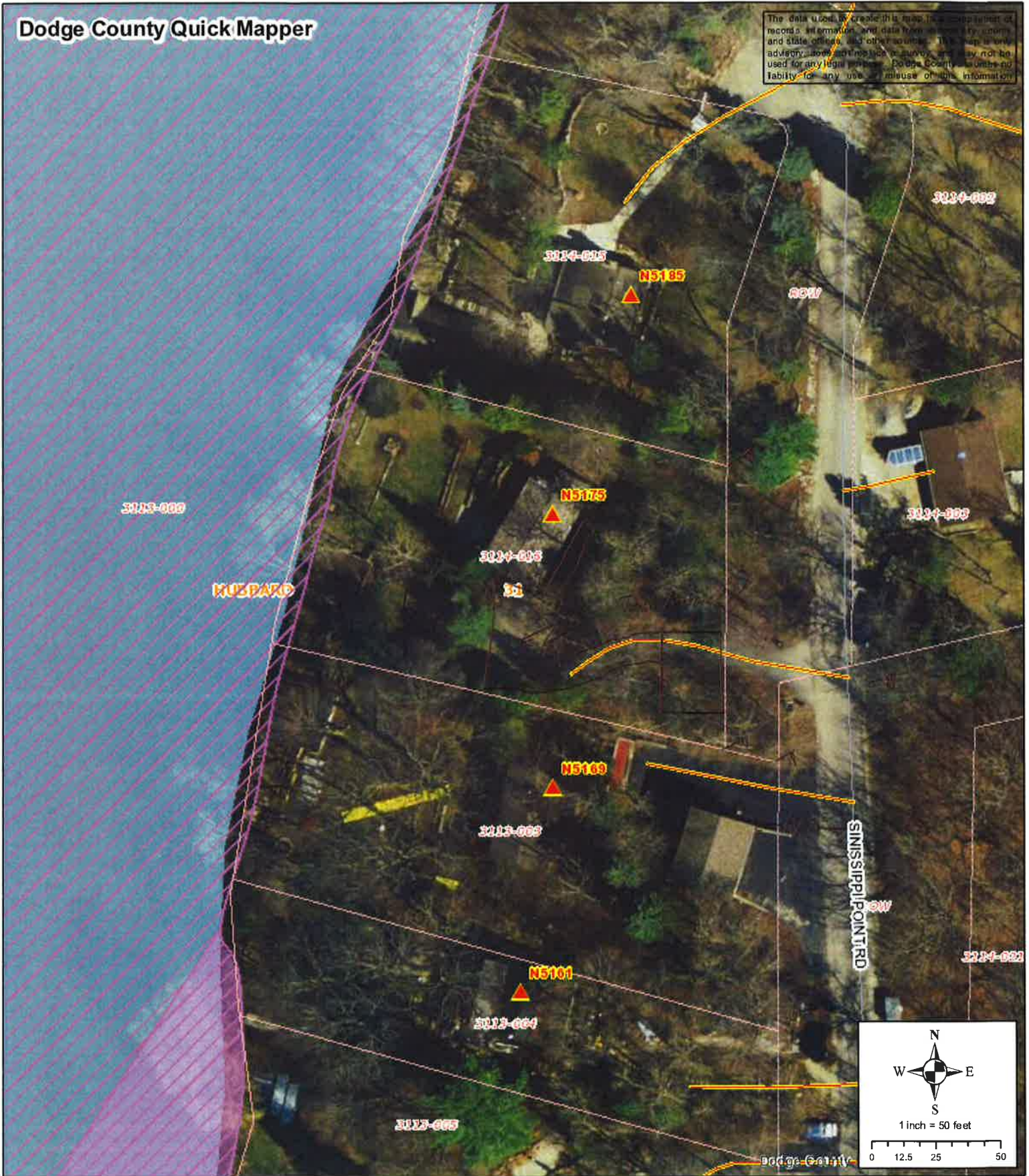
Sincerely,

Joseph Giebel
Manager – Code Administration

cc: Preferred Buildings of Watertown LTD.

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 and does not constitute a survey and may not be used for any legal purposes. 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
WI Historical Society	Shoreland Zoning	TWO FAMILY RESIDENTIAL	RIGHT OF WAY
Historic Structures	Lake/Pond/Slough Buffer	MULTI-FAMILY RESIDENTIAL	WATERBODY
Archaeological Sites	Lakes/Ponds/Sloughs		
Survey Areas	Rivers/Streams/Creeks		
	Horicon Marsh (860' Contour)		