

DODGE COUNTY BOARD OF ADJUSTMENT MINUTES
September 12, 2019

The Dodge County Board of Adjustment met on this 12th day of September, 2019 at 9:30 a.m. in Room 302, Land Resources and Parks Conference Room, on the third floor of the Administration Building, 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, Jon Schoenike and Sharon Schumann. Members excused were Larry Dogs, and Edward Premo (Alternate 1).

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

Non-Committee Member County Board Attendance: None

Chairman Nass noted that a quorum is present.

The Chairman asked the staff to confirm compliance with the open meeting laws. Mr. Giebel noted that the meeting was properly noticed in accord with the open meeting law in accord with the statute and code requirements.

The minutes from the August 15, 2019 meeting were reviewed by the Board.

Motion by Sharon Schumann to approve the minutes as written.

Second by Harold Hicks Vote: 4-0 Motion carried.

Chairman Nass requested Joseph Giebel of the Land Resources & Parks Department to accompany the Board on the following on-site inspections and to attend the Public Hearings on September 19, 2019.

The Board viewed the following sites for facts to be presented at a future public hearing:

- 1) **Doug Ewers** – Located in part of the SW ¼ of the SE ¼, Section 12, Town of Fox Lake, the site address being W9875 Dunn Road.
- 2) **RJ Construction, agent for John Wolter** – Located in part of the SW ¼ of the NW ¼, Section 21, Town of Oak Grove, the site address being W6450 County Road W.
- 3) **Bradley and Lisa Mayer** - Lot 23, Arrowhead Shores Subdivision, located in part of the NE ¼ of the SW ¼, Section 31, Town of Hubbard, the site address being N5032 Arrowhead Court.
- 4) **Wendell Kuehl** – Located in part of the NW ¼ of the NW ¼, Section 31, Town of Lebanon, the site address being W5197 County Road R.

Motion by order of the Chair to adjourn the meeting. Motion carried. 12:00 AM

Respectfully Submitted,

William Nass, Chairman

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. 2019-0696

County Land Use Permit Application No. 2019-0622

Filing Date: August 14, 2019

Hearing Date: September 19, 2019

Owner / Appellant:

Douglas L Ewers Living Trust

Betty Miller Living Trust

W9875 Dunn RD

Fox Lake, WI 53933

Location

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

PIN#: 018-1213-1243-003

Property Location: Part of the SW ¼ of the SE ¼, Section 12, Town of Fox Lake, the site address being W9875 Dunn Road.

County Jurisdiction

The County has Zoning Jurisdiction over this site as the Town of Fox Lake has adopted the County's Land Use Code. The site is also located within the County's Shoreland Jurisdiction.

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

A variance request was submitted by the appellant with a request to the terms of the setback provisions of the Dodge County Land Use Code to allow the construction of an approximate 22' X 24' detached accessory building on this lot where said structure will be located approximately 6' from the dwelling or 4' within the required setback.

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 Single-Family Residential use and has been so used continuously since September 9, 2015.

The physical features of this approximate 0.79 acre lot include a gently sloping topography with slopes ranging from 2-6%. The parcel contains a Single-family Residence and Boathouse;

The general character of the surrounding land use consists of seasonal and year round residential structures along the shoreline of Fox Lake.

The property has been the subject of a prior variance request described as follows:

- On April 29, 1990, a variance request was denied to allow a deck addition to be constructed within the required water setback line.

On July 31, 2019, an application for a County Land Use Permit was made by the appellant in order they be allowed to construct an approximate 22' X 24' detached accessory structure on said lot.

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

Per Section 5.2.4 of the Code, the minimum setback between an accessory structure and a dwelling or other principal structure shall be 10 feet. As proposed, the accessory structure will be located approximately 6' from the dwelling or 4' within the required setback line and therefore prohibited by the Code.

According to the appellant, the proposed size and location of the shed was chosen by the appellant in order to meet the required water setback provisions of the Code.

The appellant is requesting an area variance to Section 5.2.4 of the code;

Town Recommendation:

- No Recommendation received as of September 12, 2019

Purpose Statement

The side yard 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.

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 5.2.4 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 notes that the proposed location of the shed allows the appellant to comply with the water setback provisions of the Code. The staff also notes that the proposed shed will be located within the required 10' side yard setback requirement between the house and an accessory building which may increase the fire hazard rating of the dwelling and the shed. However, it is the staff's position that the increase in fire hazard can be mitigated under the Uniform Dwelling Code by using certain fire rated design and construction materials when shed is constructed, thereby meeting the intent of the Code.

If the Board can make the required findings in order to grant the variance request, the staff recommends the following condition of approval:

1. Architecturally designed plans shall be submitted to the Department documenting the required fire protection designs implemented in the design of the shed.

Dodge County Board of Adjustment Decision

County Variance Application No. 2019-0696
County Land Use Permit Application No. 2019-0622
Filing Date: August 14, 2019
Hearing Date: September 19, 2019

Owner / Appellant:
Douglas L Ewers Living Trust
Betty Miller Living Trust
W9875 Dunn RD
Fox Lake, WI 53933

Location

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Property Location: Part of the SW ¼ of the SE ¼, Section 12, Town of Fox Lake, the site address being W9875 Dunn Road.

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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

A variance request was submitted by the appellant with a request to the terms of the setback provisions of the Dodge County Land Use Code to allow the construction of an approximate 22' X 24' detached accessory building on this lot where said structure will be located approximately 6' from the dwelling or 4' within the required setback.

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 5.2.4 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 side yard setback provisions of the code?

(Yes / No) _____

Are the side yard 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 shed 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 _____

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

(Yes/No)

Does the Board believe that the appellant's variance request meets the criteria that is necessary in order to grant the variance request?

(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?

- Architecturally designed plans shall be submitted to the Department documenting the required fire protection designs implemented in the design of the shed.
- This structure shall not be used for human habitation or overnight accommodations;
- 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. 190696	Issue Date:
Application Date: 8/14/19	Receipt #: 998828

Variance Application

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

Names and Mailing Addresses	Property Description														
Applicant (Agent) Doug Ewers	Parcel Identification Number (PIN) 018-1213-1243-003														
Street Address W9875 Dunn Rd	Town Fox Lake														
City • State • Zip Code Fox Lake WI 53933	<table border="1"> <tr> <td>¼</td> <td>¼</td> <td>Section</td> <td>T</td> <td>N</td> <td>R</td> <td>E</td> </tr> <tr> <td>SW</td> <td>SE</td> <td>12</td> <td>12</td> <td></td> <td>13</td> <td></td> </tr> </table>	¼	¼	Section	T	N	R	E	SW	SE	12	12		13	
¼	¼	Section	T	N	R	E									
SW	SE	12	12		13										
Property Owner (If different from applicant)	Subdivision or CSM #														
Street Address	Site Address W9875 Dunn RD.														
City • State • Zip Code	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No														

Present property use:

Single Family Residential

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):

5.2.4 Detached accessory structures shall not be closer than 10 feet to the principal structure

Variance Requested:

Requesting 6 foot setback principal to accessory

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?

Code setback is unnecessary because the structure will be single story, therefore allowing 75 foot water setback

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

Distance to water keeping from complying with code

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. can medigate the structure with Linexproost

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

Last house on deadend road, will not affect.

CERTIFICATE

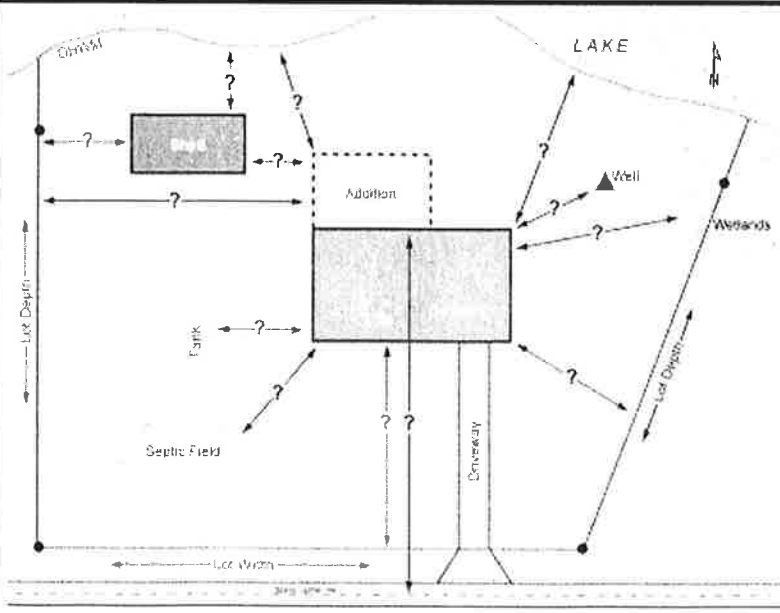
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and 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: Doug [Signature] Date: AUG. 14 - 2019

Daytime Contact Number (608) 216 - 5208

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)

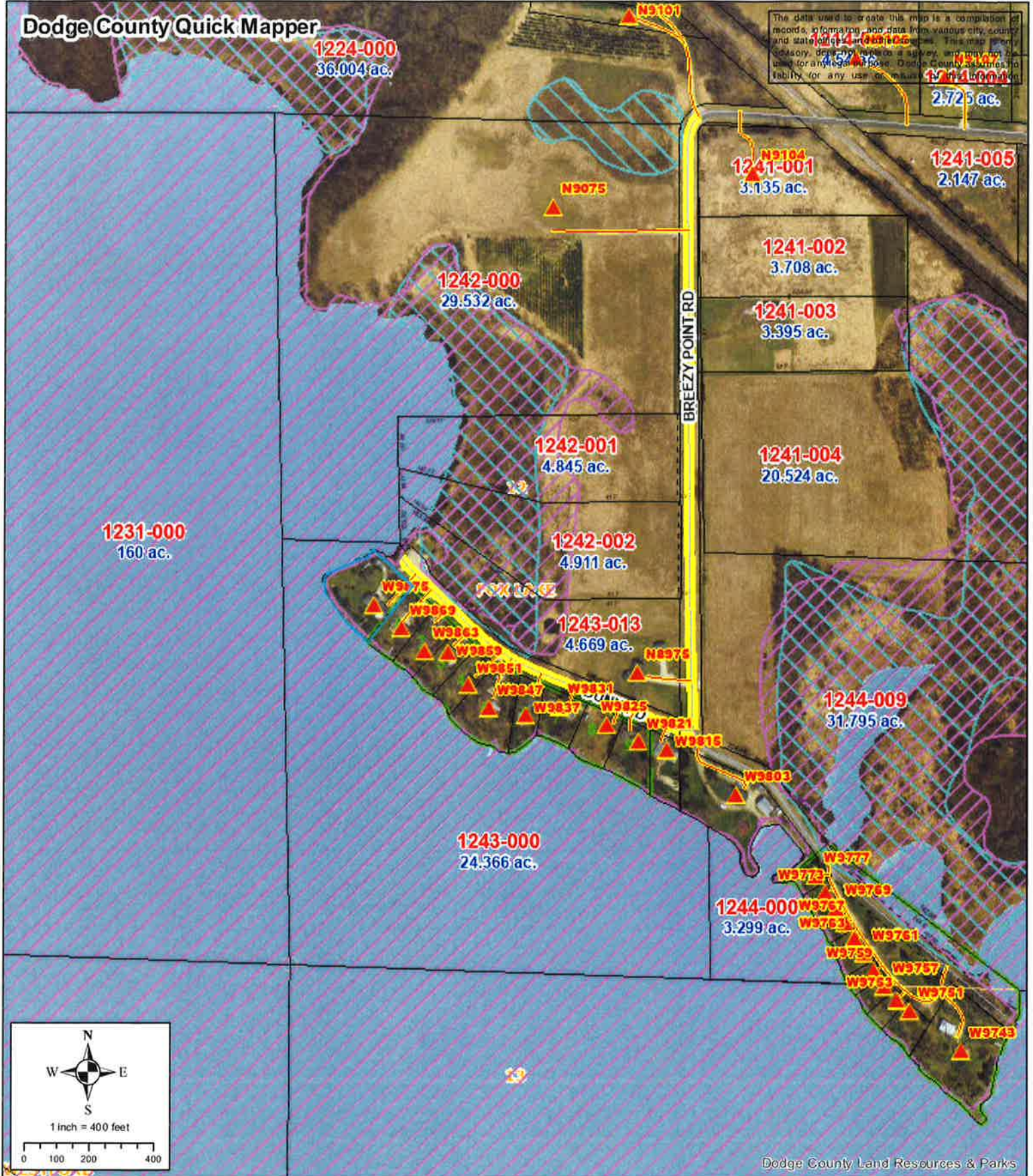
The data used to create this map is a compilation of records, forms, and data from various city, county, and state offices and other sources. This data is advisory, does not replace a survey, and may not be used for legal purposes. Dodge County assumes no liability for any use or misuse of this information.



General	WI Historical Society	Floodplain / Wetland	County Zoning
Urbanized Roads	Historic Structures	FEMA Floodplain/Storage/Dam Shadow	Planned Unit Development
Soils	Archaeological Sites	DNR Wetland Areas/Points	Hartford Extraterritorial
Airport Ordinance 3-Mile Buffer	Survey Areas	Shoreland Zoning	General Agricultural
Sewer Service Areas	Non-Metallic Mining	Shoreland Zoning Buffer	Prime Agricultural
Highly Developed Shoreline	Active Mining Area	Lakes/Ponds/Sloughs	One Family Residential
Elevation Contours	Approved Mining Area	Rivers/Streams/Creeks	Two Family Residential
	Mine Property Boundaries		Multi-Family Residential
			General Commercial
			Extensive Commercial
			Light Industrial
			Industrial
			Waterbody
			ROW/City/Village

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 agencies. This map is not a survey, and the user assumes liability for any use of this information.



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			Industrial
			Waterbody
			ROW/City/Village

Land Use Permit

Dodge County Land Resources and Parks Department
 127 East Oak Street
 Juneau, WI 53039-1329
 (920) 386-3700 x2
 www.co.dodge.wi.us/landresources

This Area For Office Use Only

COUNTY ID NO.

190622

Permit Expiration Date

Receipt No.

Application Date

Sanitary Permit

498774
 7-31-19

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.) DOUG EWERS		Parcel Identification Number (PIN) 018-1213-1243-003				
Street Address W9875 DUNN RD.		Town FOX LAKE	T 12	N 13	R 13	E
City • State • Zip Code FOX LAKE WI, 53933		SW ^{1/4} SW	SE ^{1/4} SE	Section 12	Acreage 49	Lot (Block)
Property Owner Same as applicant		Subdivision or CSM (Volume/Page/Lot)				
Street Address		Address Of Property (DO NOT include City/State/Zip Code) W9875				
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"/> 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

(CHECK ALL THAT APPLY)

*** (Building plans are required for new/replacement Homes) ***

- | | | | |
|--------------------------------|-----------------------------------|---|--|
| <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) |

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

Other _____

Width 24 23' **D.L.E.**
 Length 24
 Total Area 576 SF
 Total Stories 1
 Height (To roof peak) 14 FT

Additional Project Information

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

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

Estimated Cost (w/Labor) \$ 19,780

◆ ◆ ◆ CLEARLY MARK/FLAG/STAKE-OUT THE CORNERS OF YOUR PROJECT & PROPERTY LINES ◆ ◆ ◆

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.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) DOUG EWERS Daytime Contact Phone (608) 216 - 5208

Signature Doug Ewers Date 7-31-2019 Call for pickup No Yes

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		=	2268	5a
		x		=		5b
		x		=		5c
		x		=		5d
6 Deck.....	16	x	20	=	320	6a
		x		=		6b
7 Patio (area).....	18	x	20	=	360	7a
		x		=		7b
8 Porch.....		x		=		8a
		x		=		8b
9 Garage.....		x		=		9a
		x		=		9b
10 Shed.....	15	x	30	=	450	10a
		x		=		10b
		x		=		10c
11 Sidewalk/Stairway (area).....	14	x	24	=	336	11a
	28	x	3	=	84	11b
12 Driveway (area).....		x		=		12a
		x		=	3959	12b
13 Compacted parking area.....		x		=		13a
		x		=		13b
14 Other.....	12	x	23	=	276	14a
	18	x	6	=	108	14b

#5 see ATTACHED Sheet 4C

975 = 45 SF - 11B

15 Add lines 5 thru 14. This is your PreConstruction (Existing) Impervious Surface Area..... 8206 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		=	2268	18a
.....		x		=		18b
.....		x		=		18c
.....		x		=		18d
.....		x		=		18e
.....		x		=		18f
19 Deck.....		x		=	320	19a
.....		x		=		19b
.....		x		=		19c
.....		x		=		19d
20 Patio (area).....		x		=	360	20a
.....		x		=		20b
.....		x		=		20c
21 Porch.....		x		=		21a
.....		x		=		21b
.....		x		=		21c
22 Garage.....	22	x	24	=	528	22a
.....		x		=		22b
.....		x		=		22c
23 Shed.....		x		=	450	23a
.....		x		=		23b
.....		x		=		23c
.....		x		=		23d
.....		x		=		23e
24 Sidewalk/Stairway (area).....		x		=	336	24a
.....		x		=	84	24b
.....		x		=		24c
25 Driveway (area).....		x		=	3959	25a
.....		x		=		25b
.....		x		=		25c
26 Compacted parking area.....		x		=		26a
.....		x		=		26b
.....		x		=		26c
27 Other.....		x		=	276	27a
.....		x		=	108	27b
.....		x		=	45	27c
.....		x		=		27d

Depth down
AUG. 14-19

28 Add lines 18 thru 27. This is your PostConstruction (New & Existing) Impervious Surface Area..... **8734** 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.

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.)	.79	31	
32 Area of your property (in square feet) Multiply line 31 by 43,560.	34412.4	32	
33 Multiply line 28 by 100	873400	33	
34 Divide line 33 by line 32. This is your PERCENT IMPERVIOUS SURFACE ⇔ ⇔ ⇔		25.4%	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.

REVISION

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

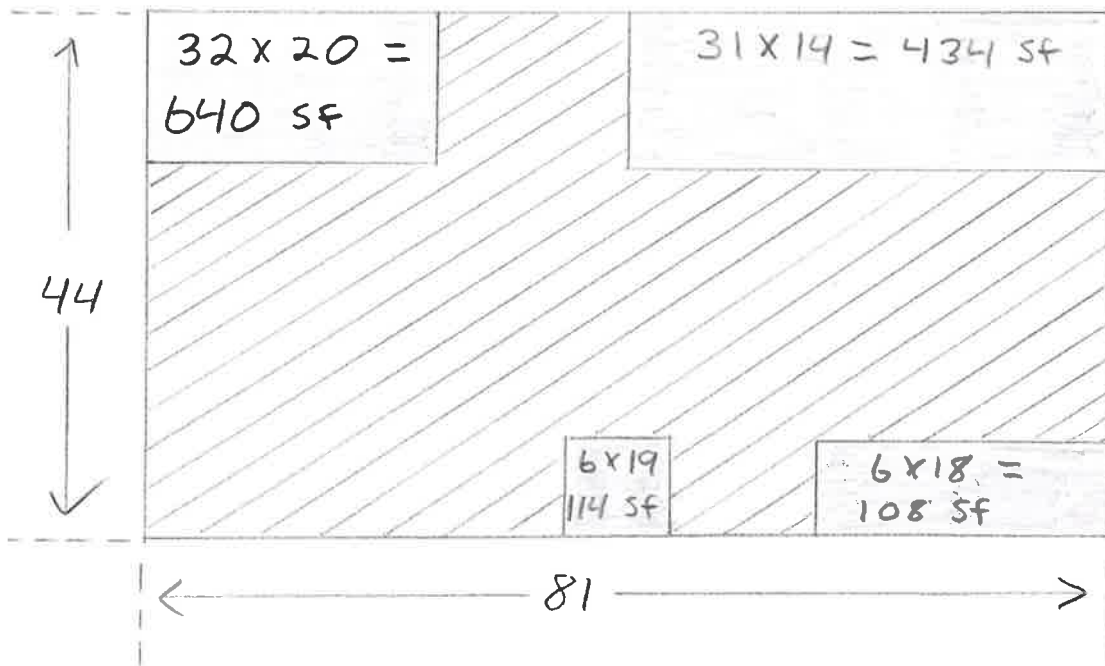
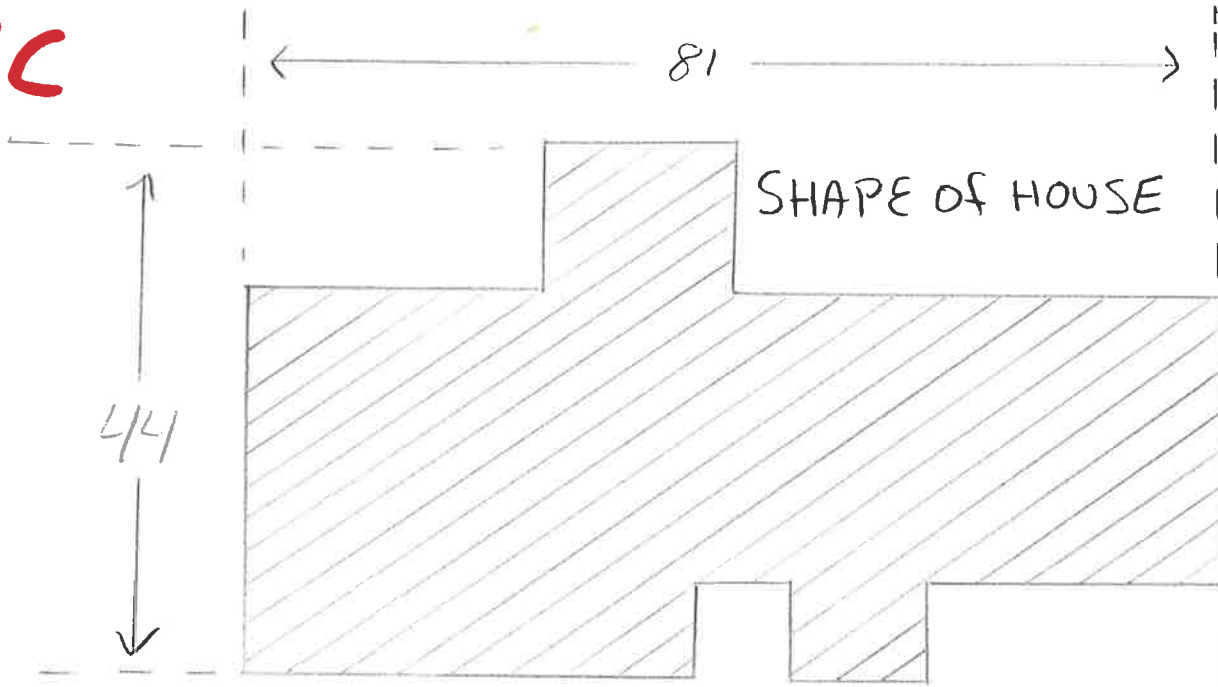
42. Unfortunately, your project exceeds the maximum amount (percent) of impervious surface area allowed by the Dodge County Shoreland Ordinance and thus your Land Use Permit **Cannot Be Issued** by this department as proposed. Please contact our office to discuss your options regarding this matter [See 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>Doug Ewers</u>	Daytime Phone (<u>608</u>) <u>216</u> - <u>5208</u>
Signature of person completing this form <u>Doug Ewers</u>	Date <u>AUG. 14 - 19</u>

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

4C



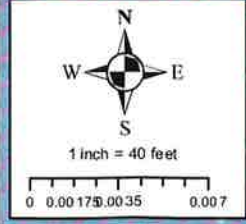
SHADED PARTS GRASS or other,
will subtract from 81×44 .

$$640 + 434 + 114 + 108 = 1296$$

$$\begin{array}{r} 81 \times 44 = 3564 \\ - 1296 - \text{shaded PART} \\ \hline 2268 - \text{SF of house} \end{array}$$

1242-000
29.532 ac.

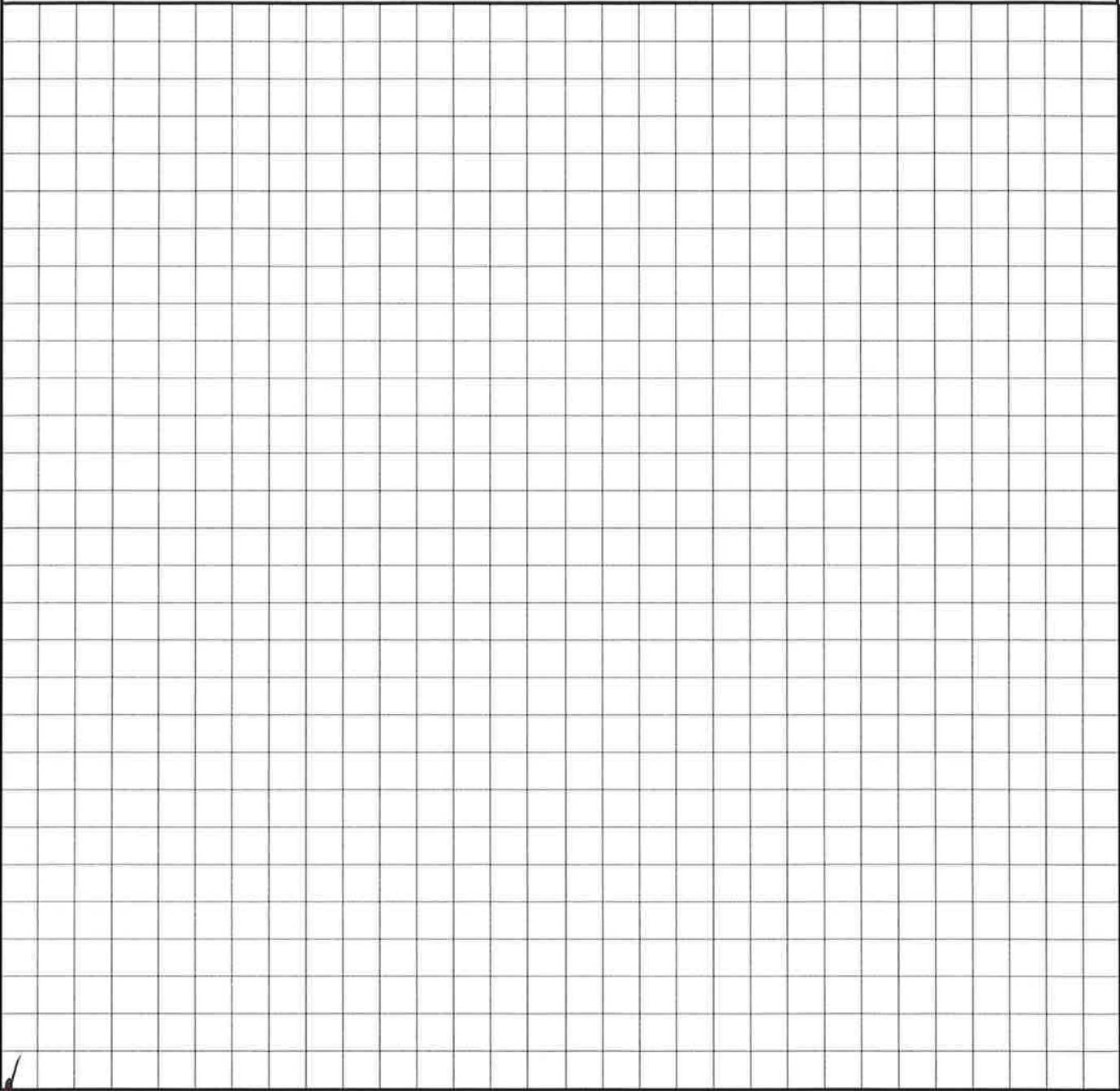
The data used to create this map is from various city, county and state offices, and other sources. It is for informational purposes only and does not constitute a survey. Dodge County assumes no liability for any use or misuse of this information.



General	WI Historical Society	Floodplain / Wetland	County Zoning
Urbanized Roads	Historic Structures	FEMA Floodplain/Storage/Dam Shadow	Planned Unit Development
Soils	Archaeological Sites	DNR Wetland Areas/Points	Hartford Extraterritorial
Airport Ordinance 3-Mile Buffer	Survey Areas	Shoreland Zoning	General Agricultural
Sewer Service Areas	Non-Metallic Mining	Shoreland Zoning Buffer	Prime Agricultural
Highly Developed Shoreline	Active Mining Area	Lakes/Ponds/Sloughs	One Family Residential
Elevation Contours	Approved Mining Area	Rivers/Streams/Creeks	Two Family Residential
	Mine Property Boundaries		Multi-Family Residential
			General Commercial
			Extensive Commercial
			Light Industrial
			Industrial
			Waterbody
			ROW/City/Village

REVISION

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:
8/12/19 LUI PERFORMED PROPOSED STRUCTURE 68' FROM HIGHWAY
2/9/19 PLAN REVISE 22' WIDE 6' SETBACK TO PARALLEL
BOA APPLIED FOR SETBACK TO PARALLEL

<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied	Land Resources and Parks Department	Date

**Land Resources and Parks Department
Staff Report**

County Variance Application No. 2019-0645
County Land Use Permit Application No. 2019-0644
Filing Date: August 02, 2019
Hearing Date: September 19, 2019

Applicant / Owner:

Wendell Kuell
N586 Wren Road
Watertown, WI 53098

Location

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

PIN#: 026-0916-3122-000

Being part of the NW ¼ of the NW ¼ in Section 31, T09N, R16E, Township of Lebanon, the site address being W5197 County Road R.

County Jurisdiction

The County has Zoning Jurisdiction over this site as the Town of Lebanon 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 August 02, 2019, an application for a Variance request was submitted by the appellant with a request to allow the placement of a Sign on this site where said Sign will be located approximately 56 feet 8 inches from the centerline of County Road R or approximately 53 feet 4 inches within the required road setback.

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 Agricultural and Residential Use.

The physical features of this approximate 32.44-acre lot include a rolling topography with slopes ranging from 0 to 12%.

Land Use, Site: Agricultural with Residential

Land Use, Area: Agricultural with scattered residences along County Road R

Designated Archaeological Site: Yes No

The property includes the following legal existing nonconforming structures:

- The existing residence is located within the required Highway Setback Line.

On August 02, 2019, an application for a County Land Use Permit was made by the appellant in order they be allowed to place an approximate 8' X 4' Sign on this lot.

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

Subsection 8.9.4.F of the County Land Use Code refers to the Sign Location for all Signs in Towns that have adopted County Zoning. Subsection 8.9.4.F states that no sign permitted under this section shall be located in, on or above a public road right-of-way or navigable body of water, except for Official Public Signs. Any sign or sign supports constructed of concrete, mortar or stone shall comply with the minimum highway and road setback distances listed in Table 5.1-1;

Table 5.1-1 of the County Land Use Code refers 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 road Right-of-Way at the location described above is 43 feet from the centerline of County Road R, making the required highway setback at this location of 110 feet from the centerline of County Road R. As proposed, the Sign will begin at approximately 56 feet 8 inches from the centerline or approximately 53 feet 4 inches within the required highway setback lines and therefore prohibited by the code.

The appellant is requesting a Variance to Sections 8.9.4.F and Table 5.1-1 of the Code.

County Highway Recommendation:

- The Highway Department has no concerns with this proposal. It is located behind the Clear Zone for this highway. Peter Thompson, Assistant Commissioner.

Town Recommendation:

- No Recommendation Submitted as of September 12, 2019

Purpose Statement

The highway and front yard 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 a Variance to Section 8.9.4.F and Table 5.1-1 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 that are unique to the property and if granted, the Variance would not be contrary to the public interest.

It is the staff's position that there are no conditions that are unique to this property that would prevent the appellant from locating a sign in compliance with the Land Use Code setback requirements. It is the staff's position that there are other reasonable areas on this lot where the sign can be located in compliance with the highway setback requirements.

It is the staff's position that that the Board will not be unable to make the findings that are necessary in order to grant the requested Variance in this case as the appellant has other options for a complying location for the placement of a sign in compliance with the highway setback provisions of the code and therefore the Variance request should be denied as proposed.

Dodge County Board of Adjustment Decision

County Variance Application No. 2019-0645
County Land Use Permit Application No. 2019-0644
Filing Date: August 02, 2019
Hearing Date: September 19, 2019

Applicant / Owner:

Wendell Kuell
N586 Wren Road
Watertown, WI 53098

Location

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

PIN#: 026-0916-3122-000
Being part of the NW ¼ of the NW ¼ in Section 31, T09N, R16E, Township of Lebanon, the site address being W5197 County Road R.

County Jurisdiction

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

Appellants Request

On August 02, 2019, an application for a Variance request was submitted by the appellant with a request to allow the placement of a Sign on this site where said Sign will be located approximately 56 feet 8 inches from the centerline of County Road R or approximately 53 feet 4 inches within the required road setback.

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 8.9.4 and Table 5.1-1 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 for signs?

(Yes / No) _____

Does the appellant have other reasonable options available to construct a sign in compliance with the highway setback provisions of the code on this lot?

(Yes / No)

Explain _____

Is this project harmful in any way to the public health, safety, morals or the welfare of the community?
(Yes/No)

Explain _____

Does the Board believe that strict compliance with the highway setback provisions of the Code would render conformity with the Code unnecessarily burdensome?

(Yes / No)

Explain: _____

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?

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

(Yes/No)

Does the Board believe that the appellant's variance request meets the criteria that is necessary in order to grant the variance request?

(Yes/No)

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 _____ Chairperson Attest _____ 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. 190645	Issue Date:
Application Date: 08/02/2011	Receipt #: 998787

Variance Application

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

Names and Mailing Addresses		Property Description			
Applicant (Agent) Wendell Kuehl	Parcel Identification Number (PIN) 026--0916--3122-000				
Street Address N 586 Wren Rd	Town Lebanon				
City • State • Zip Code Watertown, WI 53098	Subdivision or CSM #	Section 31	T 09	N 16	R 16
Property Owner (If different from applicant) Wendell and Gail Kuehl	Subdivision or CSM #				
Street Address N 586 Wren Rd	Site Address W 5197 County Road R				
City • State • Zip Code Watertown, WI 53098	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Present property use: AG. - RESIDENTIAL					
List any prior variances that have been granted or denied for this property: NONE					
Describe all nonconforming structures and uses on this property: HOUSE					
List the terms of the Land Use Code for which you are requesting a variance (section # and code provision requirements): S.9.4.F SIGN LOCATION					
Variance Requested: REDUCED SET BACK FOR STONE SIGN					
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? WOULDN'T SEE SIGN IF REQUIRED SET BACK IS MET					

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

TREE LOCATION AND SEPTIC LOCATION

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 - WOULDN'T SEE SIGN IF SET BACK IS MET

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

NEIGHBORS WILL NOT BE EFFECTED

CERTIFICATE

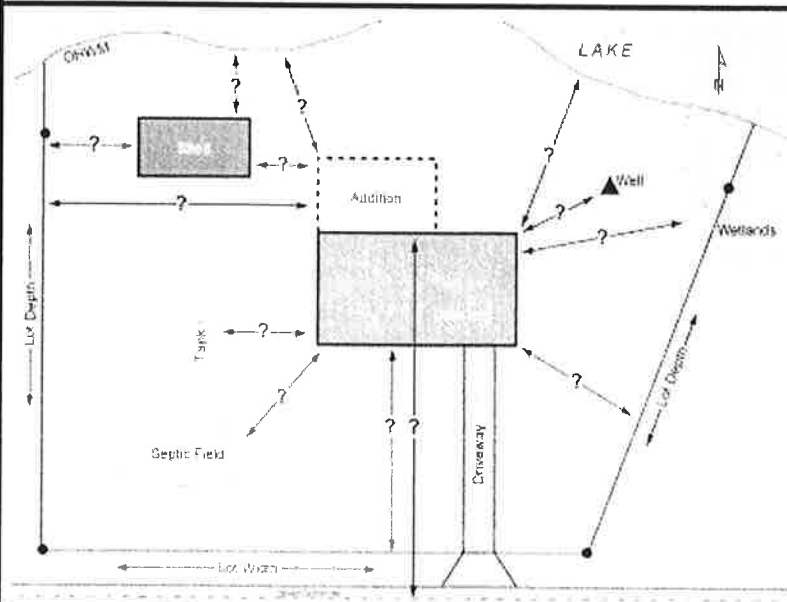
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and 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: Herbald Kroll Date: 7-19-2019

Daytime Contact Number (920) 925 - 3424

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)

Land Use Permit

Dodge County Land Resources and Parks Department
 127 East Oak Street
 Juneau, WI 53039-1329
 (920) 386-3700 x2
 www.co.dodge.wi.us/landresources

This Area For Office Use Only

COUNTY ID No. 190644	Receipt No. 998787
Permit Expiration Date	Application Date 08/02/2019
	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.) Wendell Kuehl		Parcel Identification Number (PIN) 026-0916-3122-000				
Street Address N586 WRem Rd		Town LEBANON	T 09	N 16	R 16	E
City • State • Zip Code Watertown, WI 53098		NW ^{1/4}	NW ^{1/4}	Section 31	Acreage 32.44	Lot (Block)
Property Owner: <input type="checkbox"/> Same as applicant Wendell and Gail Kuehl		Subdivision or CSM (Volume/Page/Lot)				
Street Address N586 WRem Rd		Address Of Property (DO NOT include City/State/Zip Code) W5197 COUNTY ROAD R				
City • State • Zip Code Watertown, WI 53098		Is this property connected to public sewer? <input 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 checked="" 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 _____		<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

(CHECK ALL THAT APPLY)

*** (Building plans are required for new/replacement Homes) ***

<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 checked="" 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 CEMENT BASE - MARBLE SIGN - BRICK PILLARS ON END

Width 5' Additional Project Information ONE SIDED SIGN

Length 6' LIGHTING WILL BE LESS THAN 750 CD/M2

Total Area 30 sq. ft.

Total Stories _____

Height (To roof peak) _____

Estimated Cost (w/Labor) \$ Donated

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

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

◆ ◆ ◆ CLEARLY MARK/FLAG/STAKE-OUT THE CORNERS OF YOUR PROJECT & PROPERTY LINES ◆ ◆ ◆

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.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?

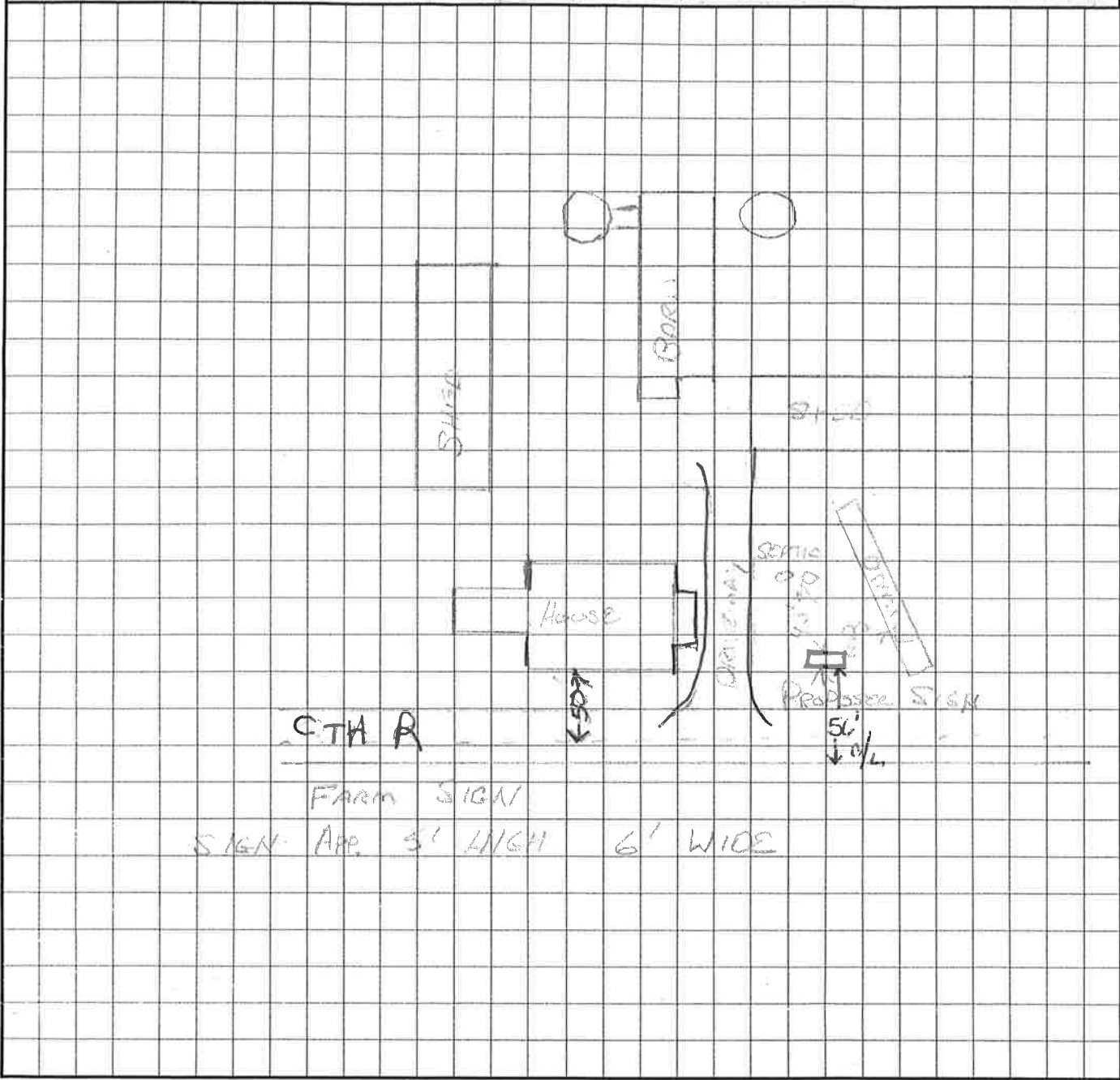
- NO ⇒ Sign and date application below.
- YES ⇒ A County CONDITIONAL USE PERMIT (CUP) may [also] be needed. Contact this office for assistance regarding the CUP process. Sign and date application below.

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) Wendell Kuehn Daytime Contact Phone (720) 925-3424
Signature Wendell Kuehn Date 8-2-2019 Call for pickup No Yes

SITE PLAN (SKETCH)



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

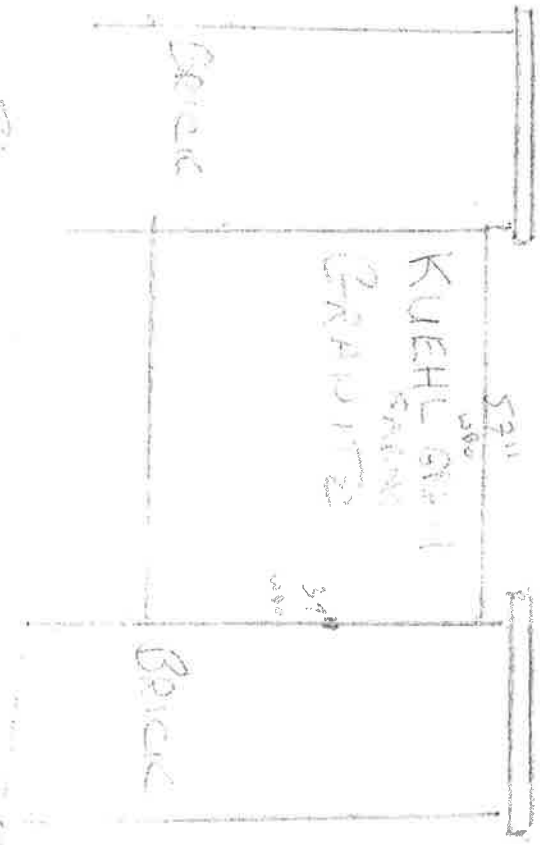
BOA ID No.	BOA Appeal Date	BOA P/H Date	BOA Decision Date	BOA Decision
				<input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied

Notes/Stipulations:

<input type="checkbox"/> Approved <input type="checkbox"/> Denied	Land Resources and Parks Department	Date
---	-------------------------------------	------

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

1.50" thick sign
face plate 300



FACE PLATE
(BURIED IN-GROUND)



7' 11" 1/2



4' 11" 1/2



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. 190702	Issue Date:
Application Date: 8/15/19	Receipt #: 998828

Variance Application

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

Names and Mailing Addresses	Property Description														
Applicant (Agent) RYAN JONES RT CONSTRUCTION	Parcel Identification Number (PIN) 034-1115-2123-002														
Street Address 1409 S THIRD ST	Town Oak Grove														
City • State • Zip Code WATER TOWN WI 53094	<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>SW</td> <td>NW</td> <td>21</td> <td>11</td> <td></td> <td></td> <td>15</td> </tr> </table>	1/4	1/4	Section	T	N	R	E	SW	NW	21	11			15
1/4	1/4	Section	T	N	R	E									
SW	NW	21	11			15									
Property Owner (If different from applicant) JOHN WOLTER	Subdivision or CSM #														
Street Address W6450 CTY RD W	Site Address														
City • State • Zip Code JUNEAU WI 53039	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No														

Present property use:

RESIDENTIAL

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):

5.2.4 DETACHED STRUCTURE TOO CLOSE TO HOUSE THE MINIMUM SETBACK BETWEEN AN ACCESSORY STRUCTURE AND ADJACENT DWELLING SHALL BE 10 FEET.

Variance Requested:

I WOULD USE FIRE ROCK WALLS FACING THE HOUSE IN QUESTION TO COMPLY WITH FIRE CODES IN ORDER TO BUILD WITHIN 10 FT OF HOUSE.

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?

EXISTING ADDITION IS FALLING OFF THE STRUCTURE, NEEDS TO BE BROUGHT TO CODE. WE WANT TO SQUARE OFF THE HOUSE TO GIVE BETTER ENTRY POINT FOR FUTURE WHEEL CHAIR

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

House and shed are already existing - can't meet setback requirement with new proposed addition.

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?

STRONGLY CHANGES THE DESIGN AND GOALS OF THE ADDITION

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

WOULD NOT AFFECT ANY NEIGHBORS

CERTIFICATE

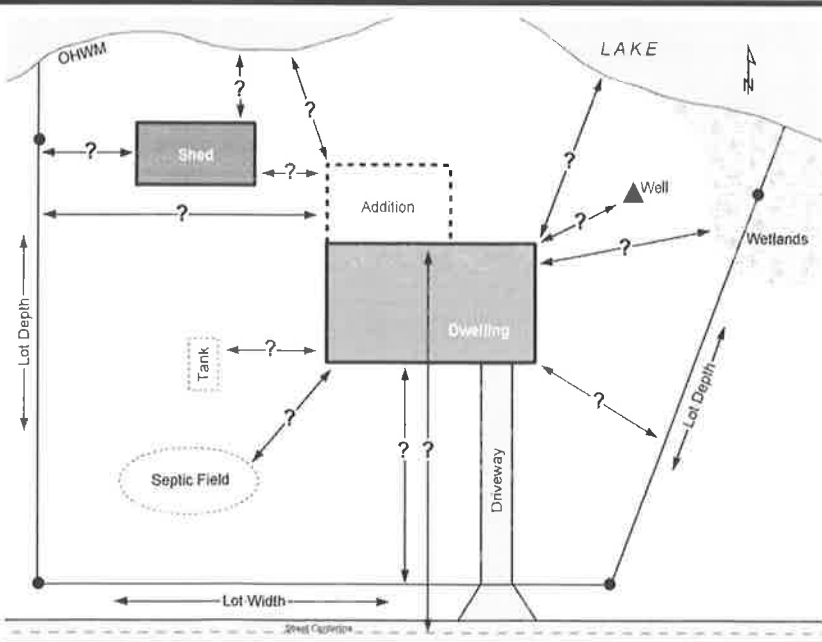
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and 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: 8-15-19

Daytime Contact Number (920) 988 - 7026

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)



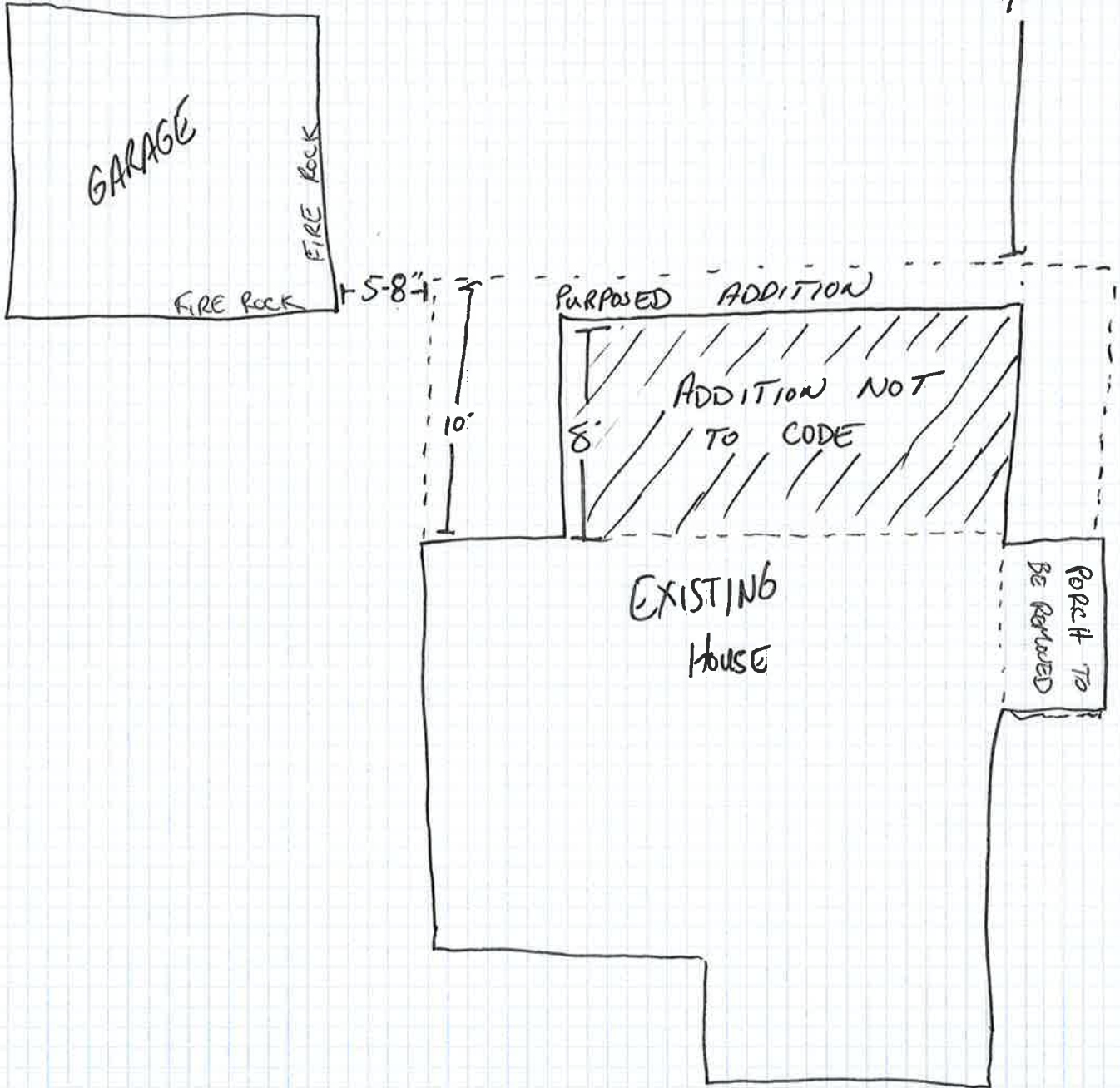
Job Name: _____

Date: _____

Address: _____

Phone #: _____

Email: _____



Land Use Permit

Dodge County Land Resources and Parks Department
 127 East Oak Street
 Juneau, WI 53039-1329
 (920) 386-3700 x2
 www.co.dodge.wi.us/landresources

COUNTY ID No.

190607

Receipt No.

998757

Application Date

7-25-19

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.) RS CONSTRUCTION + REMODELING		Parcel Identification Numl 034-1115-2123-002				
Street Address 1409 S THIRD ST		Town Oak Grove	T 11	N 15	R 15	E
City • State • Zip Code WATERTOWN WI 53094		1/4	1/4	Section 21	Acreage	Lot (Block)
Property Owner JOHN WOLTER		Subdivision or CSM (Volume/Page/Lot)				
Street Address W6450 CTR RD W		Address Of Property (DO NOT Include City/State/Zip Code) W6450 County Road W				
City • State • Zip Code JUNEAU, WI 53039		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"/> 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

(CHECK ALL THAT APPLY)

*** (Building plans are required for new/replacement Homes) ***

- NEW STRUCTURE/CONSTRUCTION REPLACEMENT OF EXISTING 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 checked="" 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 12
 Length 44'
 Total Area _____
 Total Stories _____
 Height (To roof peak) 14'

Additional Project Information

- Home Addition: Total number of bedrooms? Before SAME After _____
- 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

Estimated Cost (w/Labor) \$ 80,000

◆ ◆ ◆ CLEARLY MARK/FLAG/STAKE-OUT THE CORNERS OF YOUR PROJECT & PROPERTY LINES ◆ ◆ ◆

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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

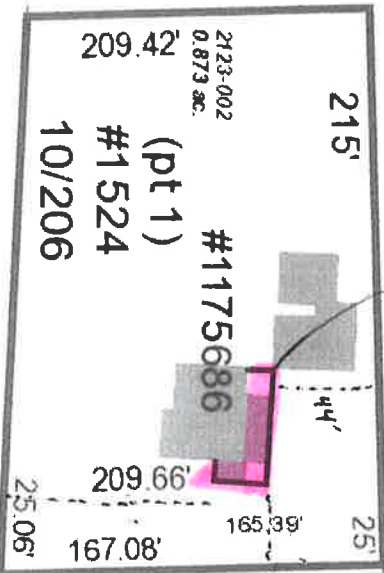
I, the undersigned, hereby apply for a Land Use Permit and certify that all the information both above and attached is true and correct to the best of my knowledge. I affirm that all work performed will be done in accordance with the Dodge County Land Use Ordinance and with all other applicable laws 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) RYAN JONES Daytime Contact Phone (920) 988 - 7026

Signature [Signature] Date 7-22-19 Call for pickup No Yes

2123-000
14.829 ac.

2124-000
17.24 ac.



FIRE BARRIER
IF
TBD
NEEDED

ROAD SPACING

W6472

W6428

2123-001
1.009 ac.

928/945

929/410

ROW
0 ac.

COUNTY ROAD W

N
928/939

928/941

928/943

33'

0 50 100 2123-006
3.221 ac.
1.50H

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

2123-006
3.25 ac.

2123-007
3.27 ac.

2134-000
58.792 ac.



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

August 9, 2019

RJ Construction & Remodeling
1409 S Third St.
Watertown WI 53094

COPY

RE: Permit Denial Notification

Site Location: SW 1/4 NW 1/4, Section 21, T09N, R16E,
Township of Oak Grove, Dodge County, Wisconsin
PIN# 034-1115-2123-002
Activity #: 2019-0607

Dear RJ Construction & Remodeling:

Your application for a land use permit to construct an addition to a single family dwelling on the property described above is being denied for the following reason:

5.2.3H)5)c)

Detached accessory structures shall not be closer than 10 feet to the principal structure, shall not exceed 20 feet in height, and shall not be closer than 3 feet to any lot line or 5 feet to any alley line.

Therefore, the County is unable to issue a permit for this proposed project unless the application is revised to meet the 10' setback to principle. You have the right to appeal the decision of the Land Use Administrator to the Board of Adjustment (application enclosed).

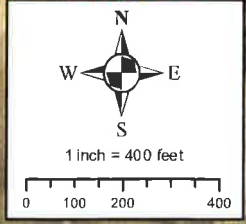
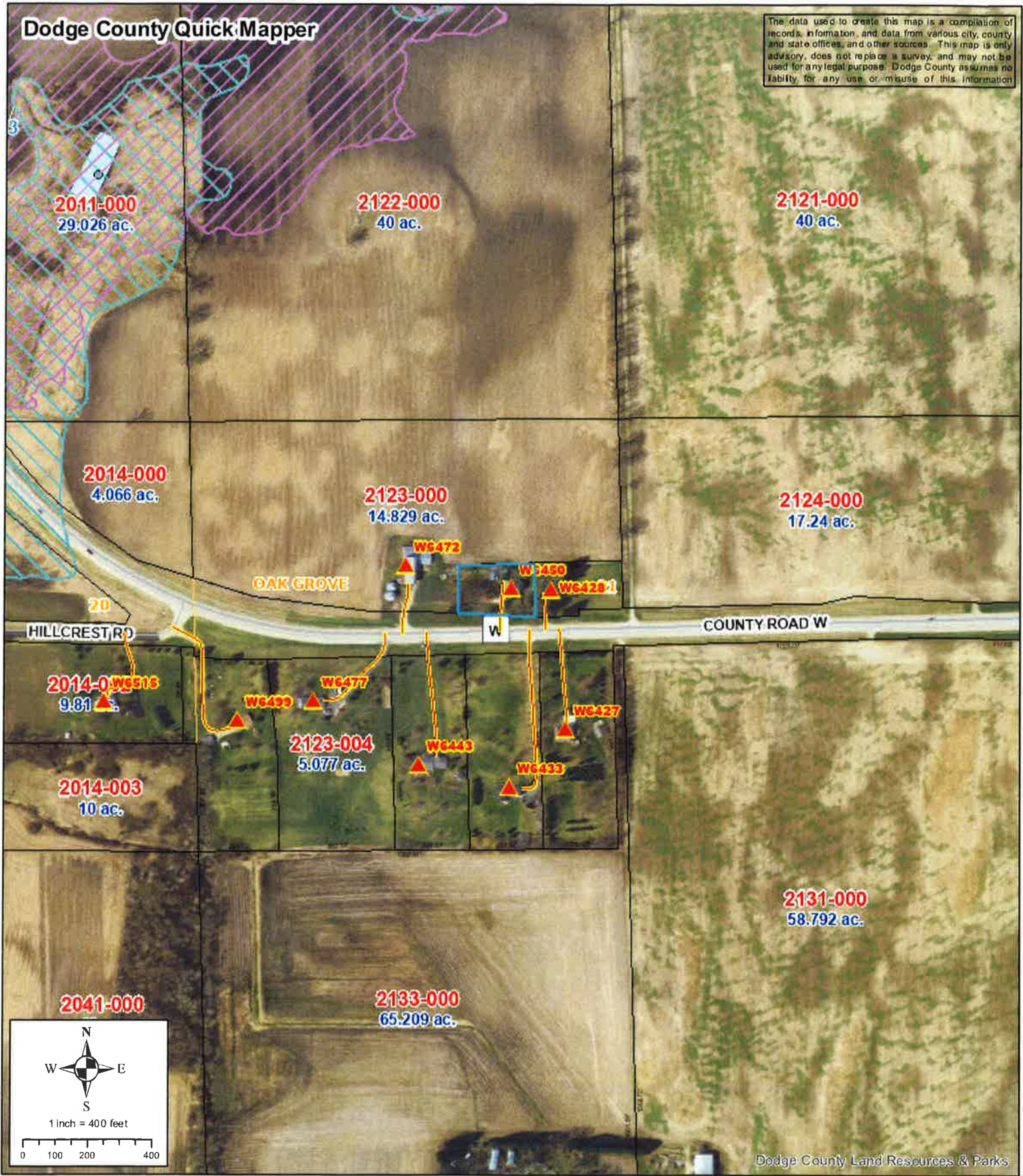
Please note, the exact location of the addition was not properly staked at the time of inspection. Please locate the corners of the proposed addition as well as the property corners. If you have any questions, feel free to give me a call.

Sincerely,

Terry R. Ochs
Senior Land Use / Sanitary Specialist
tochs@co.dodge.wi.us
(920) 386-3270
Dodge County
Land Resources and Parks

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

General Urbanized Roads Soils Airport Ordinance 3-Mile Buffer Sewer Service Areas Highly Developed Shoreline Elevation Contours	WI Historical Society Historic Structures Archaeological Sites Survey Areas Non-Metallic Mining Active Mining Area Approved Mining Area Mine Property Boundaries	Floodplain / Wetland FEMA Floodplain/Storage/Dam Shadow DNR Wetland Areas/Points Shoreland Zoning Shoreland Zoning Buffer Lakes/Ponds/Sloughs Rivers/Streams/Creeks	County Zoning 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 Waterbody ROW/City/Village
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Date: 8/15/2019

Land Resources and Parks Department Staff Report

County ID# (Variance Request): 2019-0702

County ID# (LUP): 2019-0607

Filing Date: August 15, 2019

Hearing Date: September 19, 2019

Appellant (Agent):

RJ Construction
1409 S. Third Street
Watertown, WI 53039

Owner:

John and Debra Wolter
W6450 County Road W
Juneau, WI 53039

Location:

PIN#: 034-1115-2123-002

Property Location: Part of the SW ¼ of the NW ¼, Section 21, Town of Oak Grove, the site address being W6450 County Road W.

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

Request for a variance to the terms of the setback provisions of the Dodge County Land Use Code to allow the construction of a dwelling addition where said addition will be located approximately 5.5 feet from a detached accessory building or 4.5 feet within the required setback.

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 0.873 acre lot include a nearly level topography with slopes ranging from 0 to 3%. The parcel contains a residence and detached accessory buildings.

The general character of the surrounding land use consists of agriculture with scattered residences along County Road W.

The existing uncovered porch area along the northwest corner of the existing residence on this lot is located approximately 6 feet from the detached garage. The proposed dwelling addition will extend approximately 1 foot further to the north of the existing foundation and the existing uncovered porch area will be converted into an enclosed mud room. According to the applicant, the new home addition will be constructed using fire rock walls facing the detached garage in order to comply with the required fire codes.

On July 25, 2019, an application for a County Land Use Permit was made by the appellant in order they be allowed to construct an approximate 12' X 44' X 20' L-shaped dwelling addition along the north and east side of the house. This permit was denied by the County Land Use Administrator for the following reason:

Section 5.2.4 of the Code requires a minimum setback of 10 feet between an accessory structure and a dwelling. As proposed, the replacement dwelling addition will be approximately 5.5 feet from an accessory structure or 4.5 feet within the required setback and therefore prohibited by the Code.

The appellant is requesting an area variance to Section 5.2.4 of the code;

Town Recommendation:

No Recommendation has been submitted as of September 12, 2019

Purpose Statement

The side yard 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.

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.

It is the staff's position that the appellant is requesting an area variance to Section 5.2.4 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 that are unique to the property and if granted, the variance would not be contrary to the public interest.

The staff notes that the proposed replacement dwelling addition will be located within the required 10' side yard setback requirement between the house and an accessory building which may increase the fire hazard rating of the structure but which can be mitigated under the Uniform Dwelling Code by using certain fire rated construction materials when the dwelling addition is rebuilt.

It is the staff's position that the appellant has reasonable options available to design the replacement dwelling addition to comply with the setback provisions of the code.

It is the staff's position that that the Board will be unable to make the findings that are necessary in order to grant the requested variance in this case as the appellant has other options for a better complying replacement dwelling and therefore the variance request should be denied as proposed.

Dodge County Board of Adjustment Decision

County ID# (Variance Request): 2019-0702

County ID# (LUP): 2019-0607

Filing Date: August 15, 2019

Hearing Date: September 19, 2019

Appellant (Agent):

RJ Construction
1409 S. Third Street
Watertown, WI 53039

Owner:

John and Debra Wolter
W6450 County Road W
Juneau, WI 53039

Location:

PIN#: 034-1115-2123-002

Property Location: Part of the SW ¼ of the NW ¼, Section 21, Town of Oak Grove, the site address being W6450 County Road W.

County Jurisdiction

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

Appellants Request

Request for a variance to the terms of the setback provisions of the Dodge County Land Use Code to allow the construction of a dwelling addition where said addition will be located approximately 5.5 feet from a detached accessory building or 4.5 feet within the required setback.

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 5.2.4 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 side yard setback provisions of the code?

(Yes / No) _____

Are the side yard 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 dwelling addition 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 _____

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

(Yes/No)

Does the Board believe that the appellant's variance request meets the criteria that is necessary in order to grant the variance request?

(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 dwelling addition shall be constructed in accord with the applicable fire and building codes.
- 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: dplanning@co.dodge.wi.us

τ THIS AREA FOR OFFICE USE ONLY τ	
Activity No. 190745	Issue Date:
Application Date: 8/21/2019	Receipt #: 998865

Variance Application

Application fee: \$300.00

Names and Mailing Addresses		Property Description						
Applicant (Agent) BRAD + LISA MAYER		Parcel Identification Number (PIN) 022-1116-3131-025						
Street Address 3115 WESTERN AVE		Town HUBBARD						
City • State • Zip Code JACKSON WI 53037		¼	¼	Section	T	N	R	E
Property Owner (If different from applicant) SAME		Subdivision or CSM #						
Street Address		Site Address N 5032 ARROWHEAD CT						
City • State • Zip Code		Is this property connected to public sewer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						

Present property use:

RESIDENTIAL

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

NONE

Describe all nonconforming structures and uses on this property:

HOUSE - TO WATER SETBACK

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

~~**5.2.7 OF DODGE COUNTY LAND USE CODE**~~

6.1 Dodge County Shoreland Ordinance - WATER setback

Variance Requested:

NATURAL STONE PATIO + WALKWAY TO DRIVEWAY *within* required water setback lines.

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

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

THE HOUSE WAS BUILT CLOSE TO THE LAKE - NO OPTION TO MEET THE 75' SETBACK FROM THE WATER'S EDGE

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

THE HOUSE WAS BUILT CLOSE TO THE LAKE - NO OPTION TO MEET THE 75' SETBACK FROM THE WATER'S EDGE.

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?

IT WOULDN'T ALLOW US TO HAVE A PLACE TO SIT OUTSIDE OF OUR COTTAGE (HOUSE) + PLACE PATIO FURNITURE

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

THE NEIGHBOR'S SHOULD HAVE NO REAL IMPACT BY GRANTING THE VARIANCE

CERTIFICATE

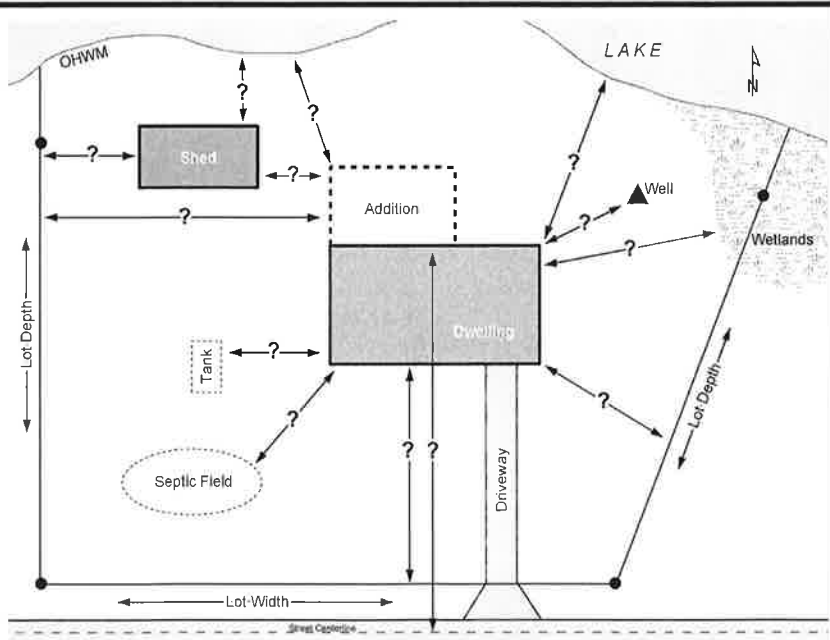
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and 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.

Appellant Ben May Date 8/21/19

Daytime Contact Number (414) 349 - 6989

SITE PLANS AND BUILDING PLANS

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

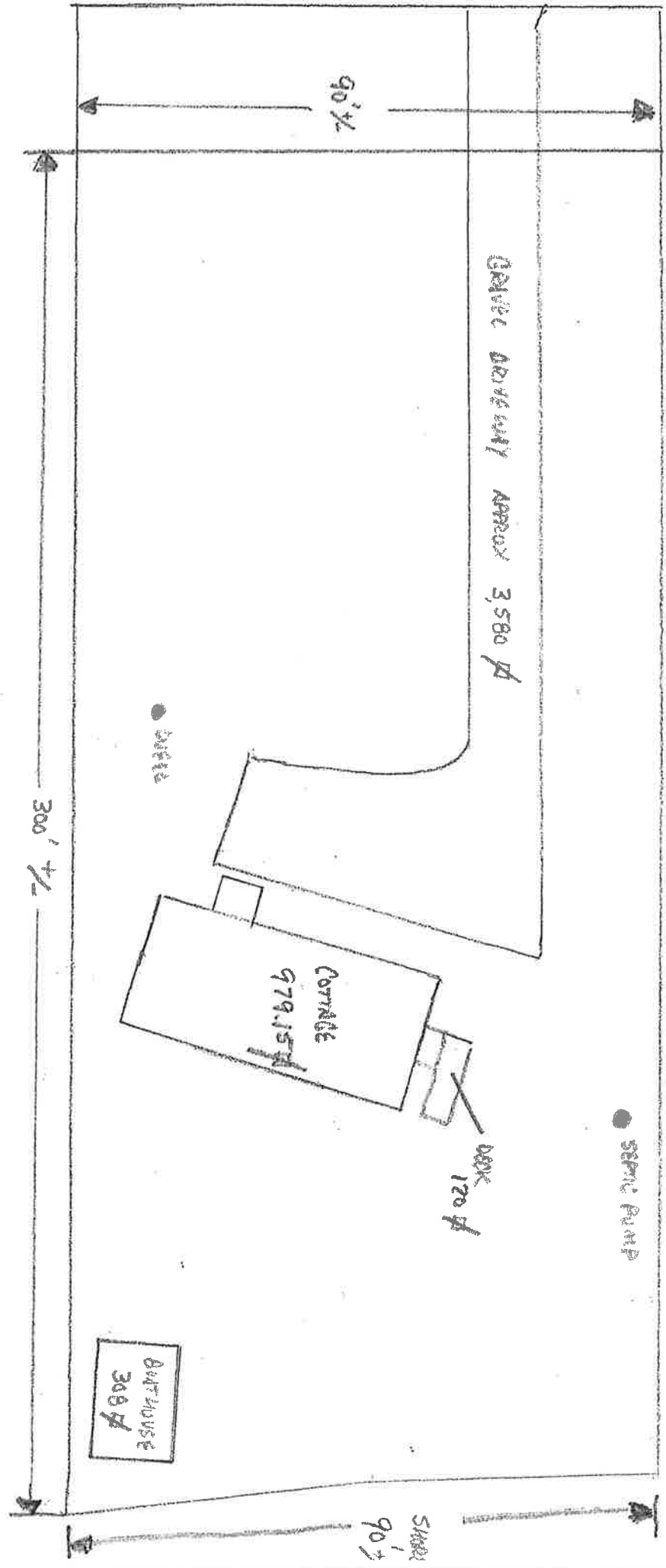


- Site plans must be drawn to scale and/or all dimensions given, such as:
- Location and dimensions of the project
 - Location and dimensions of existing structures
 - Dimensions of the property
 - Location and names of abutting roads, lakes & Streams
 - North arrow
 - Owner's name

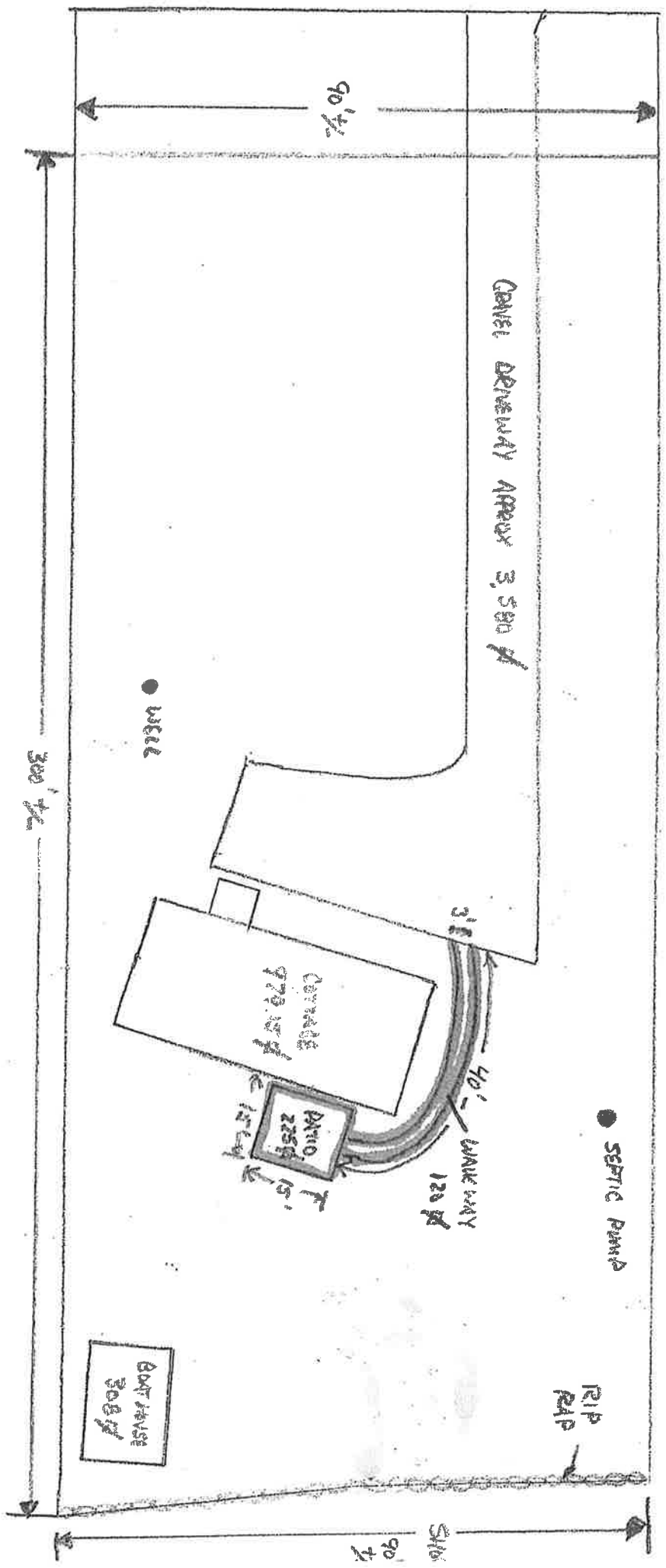
Distances must be shown from the project to:

- 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)

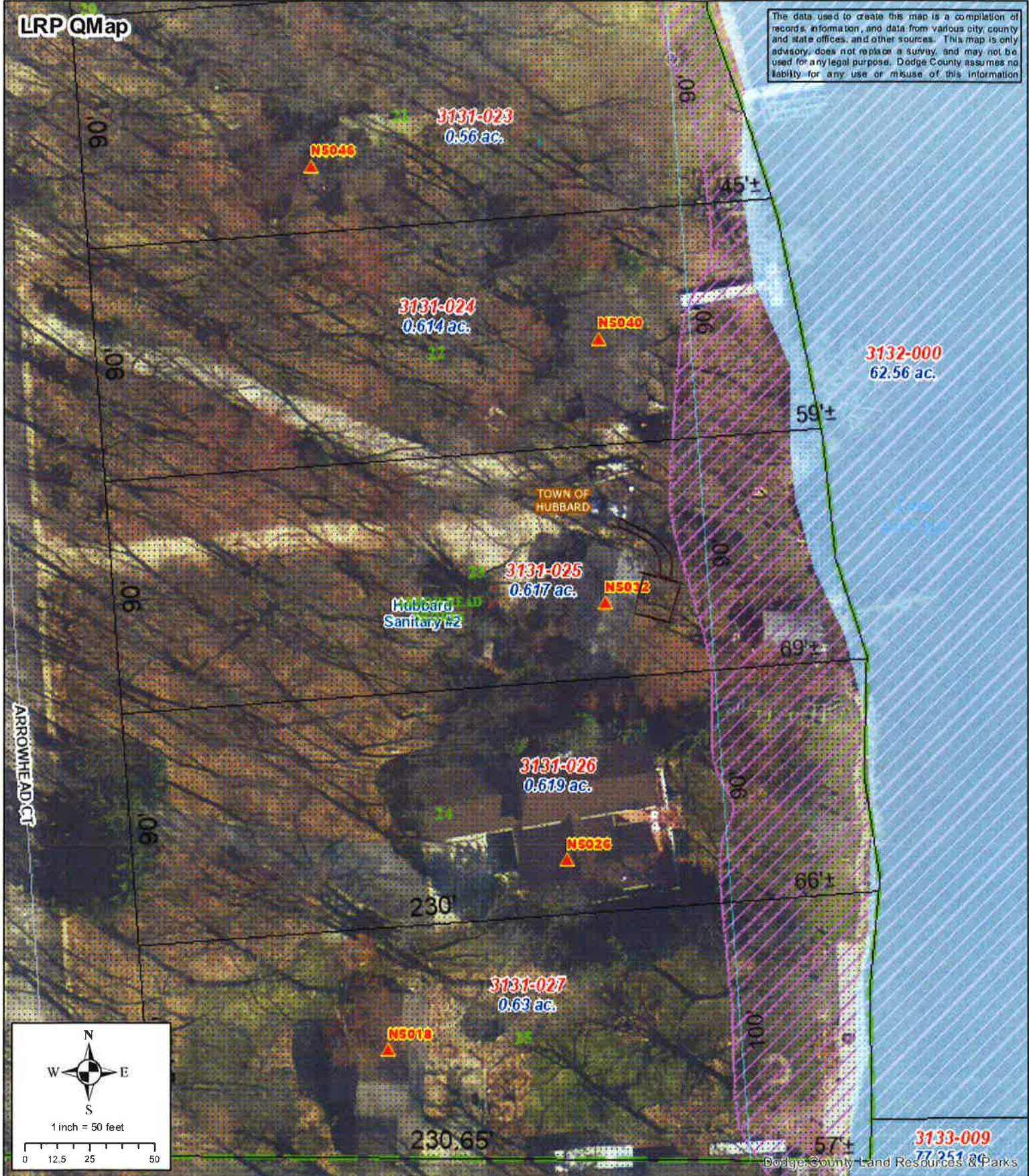
PRE-CONSTRUCTION SITE PLAN - NOT TO SCALE



POST - CONSTRUCTION SITE PLAN - NOT TO SCALE



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 Highly Developed Shoreline Elevation Contours 	<p>WI Historical Society</p> <ul style="list-style-type: none"> Historic Structures Archaeological Sites Survey Areas <p>Non-Metallic Mining</p> <ul style="list-style-type: none"> Active Mining Area Approved Mining Area Mine Property Boundaries 	<p>Floodplain / Wetland</p> <ul style="list-style-type: none"> FEMA Floodplain/Storage/Dam Shadow DNR Wetland Areas/Points <p>Shoreland Zoning</p> <ul style="list-style-type: none"> Shoreland Zoning Buffer Lakes/Ponds/Sloughs Rivers/Streams/Creeks 	<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 	<ul style="list-style-type: none"> General Commercial Extensive Commercial Light Industrial Industrial Waterbody ROW/City/Village
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Land Use Permit

Dodge County Land Resources and Parks Department
 127 East Oak Street
 Juneau, WI 53039-1329
 (920) 386-3700 x2
 www.co.dodge.wi.us/landresources

This Area For Office Use Only

COUNTY ID No. 190746	Receipt No. 998840
Permit Expiration Date	Application Date 8-16-19
	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

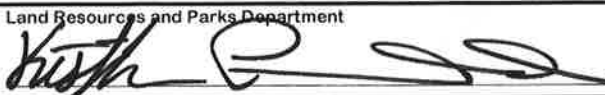
NAMES & MAILING ADDRESSES		PROPERTY INFORMATION				
Applicant/Agent/Contractor (if Contractor: Please Include State Certification No.) BRAD + LISA MAYER		Parcel Identification Number (PIN) 022-1116-3131-025				
Street Address 3115 WESTERN AVE		Town HUBBARD	T 11	N 16	R 16	E
City • State • Zip Code JACKSON WI 53037		1/4	1/4	Section 31	Acreage .62	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) N5032 ARROWHEAD CT				
City • State • Zip Code		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						
(CHECK ALL THAT APPLY)						
*** (Building plans are required for new/replacement Homes) ***						
<input type="checkbox"/> Pool <input type="checkbox"/> Deck <input checked="" type="checkbox"/> Patio <input type="checkbox"/> Shed <input type="checkbox"/> Home						
<input type="checkbox"/> Porch <input type="checkbox"/> Fence <input type="checkbox"/> Riprap <input type="checkbox"/> Gazebo <input type="checkbox"/> Sidewalk						
<input type="checkbox"/> Driveway <input type="checkbox"/> Boathouse <input type="checkbox"/> Attached Garage <input type="checkbox"/> Detached Garage <input type="checkbox"/> Ag Ditch Cleanout						
<input type="checkbox"/> Field Tile Installation <input type="checkbox"/> Pond (Less than 2 acres in size) <input type="checkbox"/> Sign (Complete additional project information below) <input type="checkbox"/> Barn (Complete additional project information below) <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>15'</u>		Additional Project Information				
Length <u>15'</u>		Home Addition: Total number of bedrooms? Before _____ After _____				
Total Area <u>225 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) \$ _____		<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				
◆ ◆ ◆ CLEARLY MARK/FLAG/STAKE-OUT THE CORNERS OF YOUR PROJECT & PROPERTY LINES ◆ ◆ ◆						
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.						

SITE PLAN (SKETCH)

8/22/19 KP - not stated

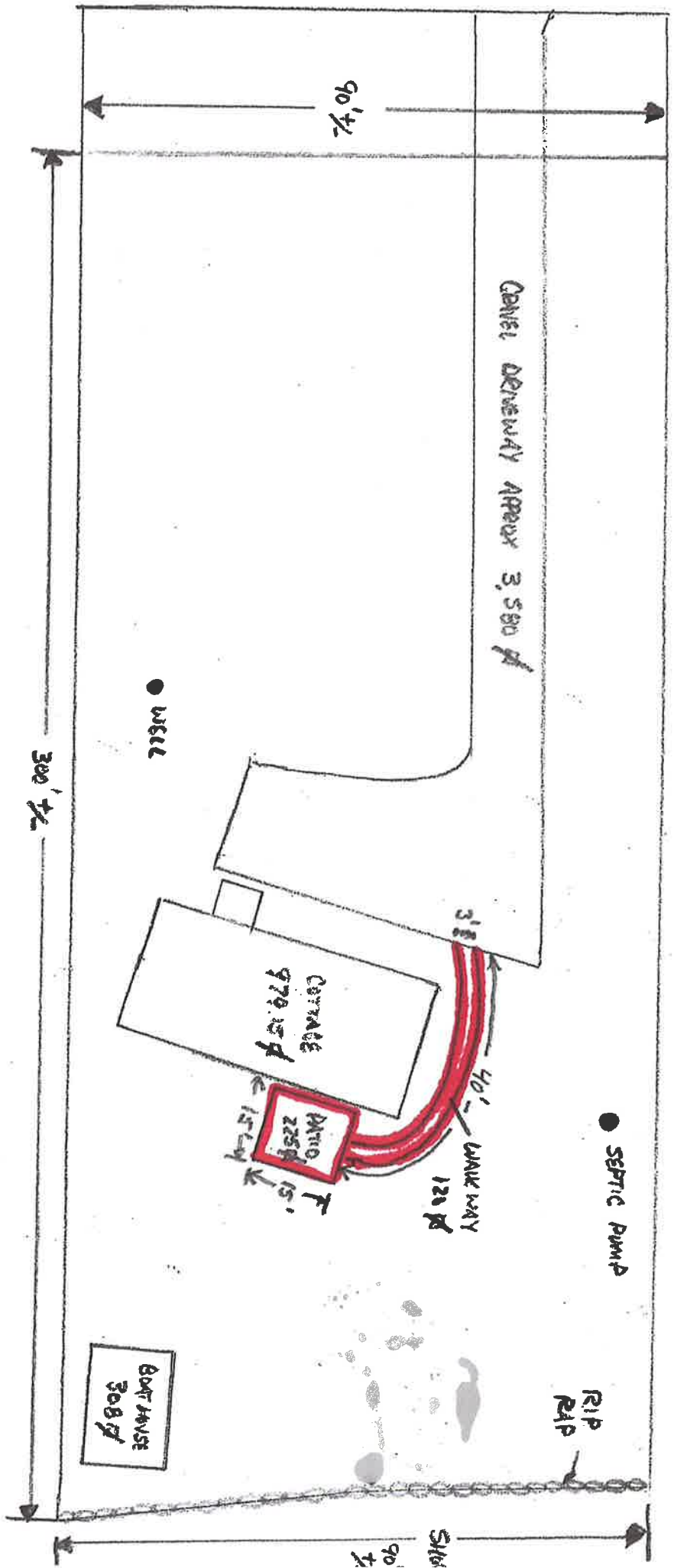
See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

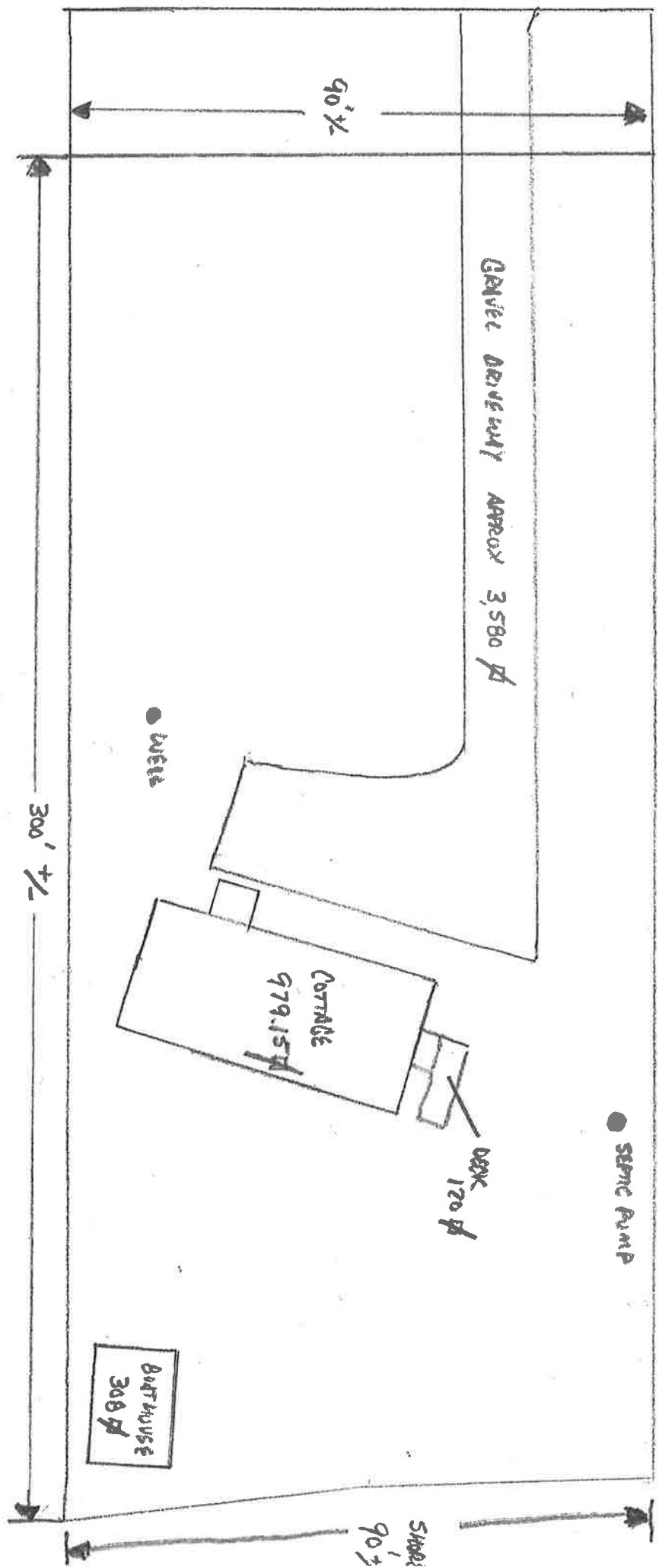
BOA ID No.	BOA Appeal Date	BOA P/H Date	BOA Decision Date	BOA Decision
				<input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
Notes/Stipulations: 8/21/2019 KP < 75' do OTHWM, Denied - VAR required RE: 19-0745				
<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied			Land Resources and Parks Department 	Date 8/27/2019

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

POST - CONSTRUCTION SITE PLAN - NOT TO SCALE



PRE - CONSTRUCTION SITE PLAN - NOT TO SCALE





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

August 27, 2019

Brad & Lisa Mayer
3115 Western Ave
Jackson, WI 53037

COPY

RE: Notice of Permit Refusal
PIN# 022-1116-3131-025

Location: NE ¼, SW ¼, Section 31, T11N, R15E, Town of Hubbard, Dodge County, Wisconsin
the site address being N5032 Arrowhead Court.

Dear Brad and Lisa:

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

Section 6.1 of the Shoreland Protection Ordinance requires all structures to be located a minimum of seventy-five (75) feet from the ordinary highwater mark of any navigable waterway unless exempt under S. 6.1(1) or reduced under S. 6.2 of the Ordinance. As proposed, the patio will be located 50' 6" from the ordinary high water mark of the waterway and therefore is prohibited by the Ordinance.

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 code provisions mentioned above or unless a variance is granted to the current standards of the code. A variance application form has been enclosed for your review.

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.

A variance request was filed on 8/21/2019 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,

Kristopher Pasewald
Land Use Sanitation Specialist

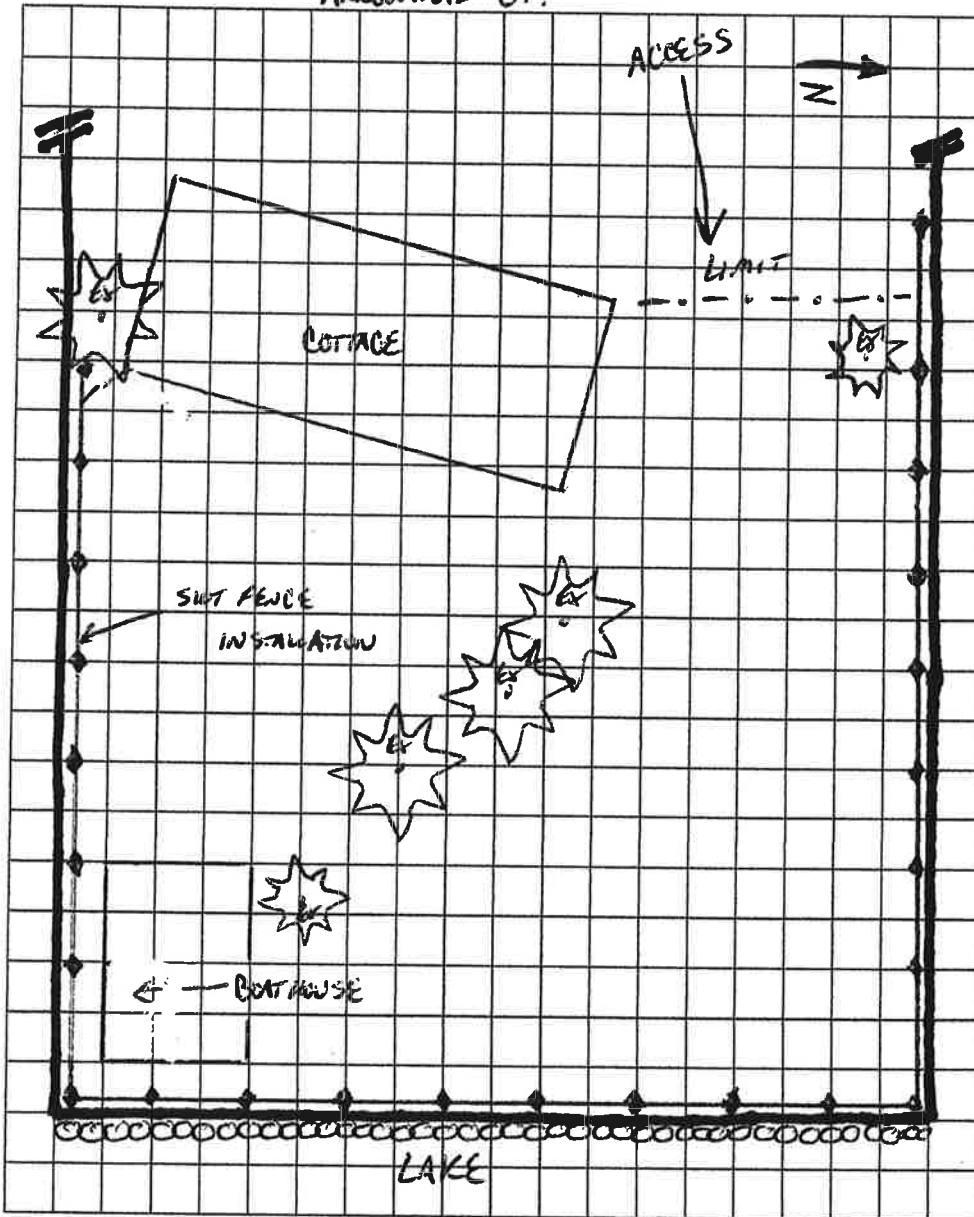
Worksheet No. 06 Erosion Control Plan Contents

According to Chapter 7 of the Dodge County Land Use Code, a soil erosion control plan needs to be submitted and approved prior to beginning construction or land disturbing activity of any kind in those areas where the soil erosion control provisions of the Land Use Code are enforced. This erosion control plan worksheet is provided to assist you in meeting this requirement.

Instructions:

1. Complete this plan by filling in the requested information, completing the site diagram and marking the appropriate boxes on the inside of this form. Give consideration to potential erosion that may occur before, during, and after grading.
2. Submit this erosion control plan along with the applicable Dodge County Land Use Permit application and the applicable fees to Dodge County Land Resources and Parks Department, Administration Building, 127 East Oak Street, Juneau, WI 53039 for review and approval.

ARROWHEAD CT.



**EROSION CONTROL PLAN
LEGEND**

- Property Line
- Existing overland flow direction
- Existing Drainageways
- Temporary Diversion
- Finished Drainageways
- Limits of Grading
- Silt Fences
- Straw Bales
- Gravel
- Vegetation Specification
- Tree Preservation
- Stockpiled Soil

Project Location: N 5032 ARROWHEAD CT

Owner: BRAD + LISA MAYER

Builder: SAME

Work Sheet Completed by: BRAD MAYER

Date: 8/12/2019

Scale: 1" = 20'0"

N
(Indicate North)

Management Strategies

Planned

Not Planned

(Indicate management strategy by checking the appropriate box:)

- Temporary stabilization of disturbed areas.
Note: *It is recommended that disturbed areas and soil piles left inactive for extended periods of time be stabilized by seeding (between April 1st and September 15th), or by other cover, such as tarping or mulching.*

- Permanent stabilization of site by re-vegetation or other means as soon as possible (lawn establishment).

Indicate re-vegetation method: Seed Sod Other

Expected date of permanent re-vegetation: DEC 31 - WEATHER PERMITTING

Re-vegetation responsibility of: Builder Owner / Buyer

Is temporary seeding or mulching planned if site is not seeded by September 15, or sodded by November 1? Yes No

- Use of downspout and / or sump pump outlet extensions.
Note: *It is recommended that flow from downspouts and sump pump outlets be routed through plastic drainage pipe to stable areas such as sod or pavement.*

- Trapping sediment during dewatering operations.
Note: *Sediment-laden discharge water from pumping operations should be ponded behind a sediment barrier until most of the sediment settles out.*

- Proper disposal of building material waste so that pollutants and debris are not carried off-site by wind or water.

Maintenance of erosion control practices.

- Sediment will be removed from behind sediment fences and barriers before it reaches a depth that is equal to half the barrier's height.
- Breaks and gaps in sediment fences and barriers will be repaired immediately. Decomposing straw bales will be replaced (typical bale life is three months).
- All sediment that moves off-site due to construction activity will be cleaned up before the end of the next workday.
- All sediment that moves off-site due to storm events will be cleaned up before the end of the next workday.
- Gravel access drives will be maintained throughout construction.
- All installed erosion control practices will be maintained until the disturbed areas they protect are stabilized.

FOR MORE INFORMATION

For more assistance on plan preparation and plan requirements, refer to Section 7.9 of the Dodge County Land Use Code, and the DNR Wisconsin Construction Site Best Management Technical Standards.

The Dodge County Land Use Code is available through the Dodge County Land Resources and Parks Department, Administration Building, 127 East Oak Street, Juneau, WI 53039, (920) 386-3700 and is available on the Dodge County Website: www.co.dodge.wi.us/landresources/

The DNR Wisconsin Construction Site Best Management Practice technical standards can be downloaded from the internet: dnr.wi.gov/runoff/stormwater

LOCAL ORDINANCES

Check with the town, city or village for any local erosion control ordinances including shoreland zoning requirements. In addition, check with the Department of Natural Resources for additional erosion control and stormwater management plan requirements that may be required at the state or federal level.

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.....	46.33	x	20.25	=	938.0	5a
(or other principal structure)...	6.50	x	6.33	=	42.0	5b
.....		x		=		5c
.....		x		=		5d
6 Deck.....	12.0	x	10.0	=	120.0	6a
.....		x		=		6b
7 Patio (area).....		x		=		7a
.....		x		=		7b
8 Porch.....		x		=		8a
.....		x		=		8b
9 Garage.....		x		=		9a
.....		x		=		9b
10 Shed. (Boat House).....	22.0	x	14.0	=	308.0	10a
.....		x		=		10b
.....		x		=		10c
11 Sidewalk/Stairway (area).....		x		=		11a
.....		x		=		11b
12 Driveway (area).....		x		=		12a
.....		x		=		12b
13 Compacted parking area.....	140.0	x	12.0	=	1,680.0	13a
.....	50.0	x	38.0	=	1,900.0	13b
14 Other.....		x		=		14a
.....		x		=		14b

15 Add lines 5 thru 14. This is your **PreConstruction (Existing) Impervious Surface Area**..... 4,988.0 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.....	46.33	x	20.25	=	938.0	18a
(or other principal structure)...	7.0	x	10.0	=	70.0	18b
.....		x		=		18c
.....		x		=		18d
.....		x		=		18e
.....		x		=		18f
19 Deck.....		x		=		19a
.....		x		=		19b
.....		x		=		19c
.....		x		=		19d
20 Patio (area).....	15.0	x	15.0	=	225.0	20a
.....		x		=		20b
.....		x		=		20c
21 Porch.....		x		=		21a
.....		x		=		21b
.....		x		=		21c
22 Garage.....		x		=		22a
.....		x		=		22b
.....		x		=		22c
23 Shed. (BOATHOUSE).....	22.0	x	14.0	=	308.0	23a
.....		x		=		23b
.....		x		=		23c
.....		x		=		23d
.....		x		=		23e
24 Sidewalk/Stairway (area).....	40.0	x	3.0	=	120.0	24a
.....		x		=		24b
.....		x		=		24c
25 Driveway (area).....		x		=		25a
.....		x		=		25b
.....		x		=		25c
26 Compacted parking area.....	140.0	x	12.0	=	1,680.0	26a
.....	50.0	x	38.0	=	1,900.0	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..... **5241.0** 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.)	.62	31	
32 Area of your property (In square feet) Multiply line 31 by 43,560.	27,007.20	32	
33 Multiply line 28 by 100	52,4100.0	33	
34 Divide line 33 by line 32. This is your PERCENT IMPERVIOUS SURFACE ⇔ ⇔ ⇔			20.0

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>BRAD MAYER</u>	Daytime Phone (<u>414</u>) <u>349</u> - <u>6989</u>
Signature of person completing this form <u>Brad Mayer</u>	Date <u>8/12/2019</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)

DODGE COUNTY INSPECTION SHEET

Property Owner BRAD & LISA MAYER	County ID No. 2019-0746
Site Address N5032 ARROWHEAD CT	PIN 022-1116-3131-025
Project PATIO	

ZONING n/a	ANIMAL UNITS —	County Jurisdiction <input type="checkbox"/> Land Use Code; <input checked="" type="checkbox"/> Shoreland; <input checked="" type="checkbox"/> Wetland; <input checked="" type="checkbox"/> Floodplain; <input checked="" type="checkbox"/> Hwy Setback; <input type="checkbox"/> Airport; <input type="checkbox"/> Sanitary; <input type="checkbox"/> Stormwater Management; <input type="checkbox"/> Erosion Control; <input type="checkbox"/> After the Fact
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ROAD/HIGHWAY (1)	ROAD/HIGHWAY (2)	SETBACKS/ HEIGHT	LOT COVERAGE AREA	IMPERVIOUS SURFACE AREA
<input checked="" type="checkbox"/> Town Arrowhead Ct. <input type="checkbox"/> County <input type="checkbox"/> US/State <input type="checkbox"/> Urbanized ROW <input type="checkbox"/> 33 ROW Setback <input checked="" type="checkbox"/> 27 <input type="checkbox"/> 42 <input type="checkbox"/> 67 <input type="checkbox"/> 200 Centerline Setback <input checked="" type="checkbox"/> 60 <input type="checkbox"/> 75 <input type="checkbox"/> 100 <input type="checkbox"/> Other _____	<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) +100' Front (2) — Side (1) — Side(2) — Rear — OHWM — Structure attached Structure — Septic Tank n/a Septic Field n/a Height n/a	Zoning District: n/a % coverage allowed _____ Existing (sq. ft.) _____ Proposed (sq. ft.) _____ Total lot coverage area (sq. ft.) _____ % Lot Coverage _____	<input checked="" type="checkbox"/> Riparian Lot <input type="checkbox"/> Non-riparian Lot <input type="checkbox"/> Highly Developed Shoreland Existing Imp. Surface (sq. ft.) _____ Final Imp. Surface Area (sq. ft.) _____ Lot Size (sq. ft.) _____ % Imp. Surface area _____

Is the "use" in compliance with the applicable Ordinances? Yes No N/A

Do any Ordinance exemptions apply? Yes No Sections: _____

Are other permits or approvals required? No Yes:

CUP Rezoning Variance POWTS Review POWTS Reconnection State Plan Approvals Stormwater Management Plans
 Erosion Control Plans Lot Restrictions Other _____

<75' to OHWM VAR required
 * Denied ↗

See Attached Site Plan (Sketch)

Notes: **Inspection 8/22/2019 KP - not staked**
8/27/19 KP - staked per plan, VAR required RE: 2019-0746

<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 type="checkbox"/> Wade Osterholz <input checked="" type="checkbox"/> Kris Pasewald <input type="checkbox"/> Other 	Date 8/27/2019
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Land Resources and Parks Department Staff Report

County ID# (Variance Request): 2019-0745

County ID# (LUP): 2019-0746

Filing Date: August 21, 2019

Hearing Date: September 19, 2019

Appellant/Owner (Agent):

Site Address:

Bradley and Lisa Mayer
N5032 Arrowhead Ct
Juneau, WI 53039

Mailing Address:

Bradley and Lisa Mayer
3115 Western Ave
Jackson, WI 53037

Location:

PIN#: 022-1116-3131-025

Property Location: Part of the NE ¼ of the SW ¼, Section 31, Town of Hubbard, the site address being N5032 Arrowhead Court.

County Jurisdiction

The County has Shoreland jurisdiction over this site as the site is located within 1000 feet of the ordinary high water mark of Lake Sinissippi.

Review Criteria

Subsections 14.7(1) through 14.7(7) of the Dodge County Shoreland Protection Ordinance details the 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 14.7(6).

Variance/Appeal Request:

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 15'x15' patio on the site where said patio will located approximately 25' from the required water setback lines.

Features

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

On August 16, 2019, an application for a County Land Use Permit was made by the appellant in order they be allowed to construct an approximate 15' X 15' patio on this site.

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

Section 6.1 of the Shoreland Protection Ordinance requires all structures to be located a minimum of seventy-five (75) feet from the ordinary highwater mark of any navigable waterbody unless exempt under S. 6.1(1) or reduced under S. 6.2 of the Ordinance. As proposed, the patio will be located 50' 6" from the ordinary high water mark of Lake Sinissippi or 24' 6" within the required setback and therefore is prohibited by the Ordinance.

The property is presently being used for residential use and has been so used continuously by the appellants since August 13, 2019;

The physical features of this approximate 0.617-acre lot include a steep sloping topography with slopes ranging from 0 to 18%. The parcel contains a residence and boat house structure.

The general character of the surrounding land use consists of Seasonal and year round residences along the lake shore.

The property includes the following a nonconforming structure:

- The existing residence is located within the water setback lines.

The appellant is requesting an area variance to Section 6.1 of the Shoreland Protection Ordinance;

Purpose Statement

The purpose of the water setback provisions of the Shoreland Protection Ordinance are to enforce a uniform setback that preserves the public interest in shorelands and navigable waters of the State as well as to protect the navigable waters and the public's right therein from degradation and deterioration which results from uncontrolled use and development of the shorelands.

Town Recommendation:	Approve <input type="checkbox"/>	Deny <input type="checkbox"/>	No recommendation submitted <input checked="" type="checkbox"/>
DNR Recommendation:	Approve <input type="checkbox"/>	Deny <input type="checkbox"/>	No recommendation submitted <input checked="" type="checkbox"/>

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 6.1 of the Ordinance.

The purpose of the water setback provisions of the Code are to require a uniform setback distance from the water in order to preserve the public interest in shorelands and navigable waters of the State and every property owner that has frontage on a body of water is required to comply with this uniform water setback requirement. In this case, the required water setback for an accessory structure, such as the proposed patio, for this site is 75' from the ordinary highwater mark of Lake Sinissippi.

The staff points out that the Board does not have summary power to ignore the water setback provisions of the Ordinance and the Board should only grant a variance if the request meets the approval criteria listed in Section 14.7(6) of the Ordinance. The staff also points out that the burden falls on the appellant to convincingly demonstrate to this Board that a literal enforcement of the Shoreland Ordinance regulations would result in an unnecessary hardship, that the hardship is due to special conditions that are unique to the property rather than considerations personal to the property owner, and if granted, that the variance would not be contrary to the public interest.

It is the staff's position that the appellant has other locations on this site where a patio could be constructed in compliance with the water setback requirements. It is also the staff's position that ignoring the required water setback provisions of the Code and allowing the construction of a patio at the proposed location is not consistent with the purpose of the water setback provisions of the Ordinance and the cumulative effect of allowing construction to occur within the required water setback will result in the degradation and deterioration of the waterbody and the shoreland which is not in the best interest of the adjacent land owners, the public or the community.

It is the staff's position that that the Board will be unable to make the findings that are necessary in order to grant a variance in this case and therefore the variance request should be denied.

Dodge County Board of Adjustment Decision

County ID# (Variance Request): 2019-0745

County ID# (LUP): 2019-0746

Filing Date: August 21, 2019

Hearing Date: September 19, 2019

Appellant/Owner (Agent):

Site Address:

Bradley and Lisa Mayer
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Juneau, WI 53039

Mailing Address:

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3115 Western Ave
Jackson, WI 53037

Location:

PIN#: 022-1116-3131-025

Property Location: Part of the NE ¼ of the SW ¼, Section 31, Town of Hubbard, the site address being N5032 Arrowhead Court.

County Jurisdiction

The County has Shoreland Protection Ordinance jurisdiction over this site as the site is located within 1000 feet of the ordinary high water mark of Lake Sinissippi.

Variance/Appeal Request:

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 15'x15 patio on the site where said patio will located approximately 25' from the required water setback lines.

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 6.1 of the Ordinance is an "area" variance.

(Yes / No) _____

1) **What is the physical limitation that is unique to this property that prevents the appellant from complying with the water setback provisions of the code?**

Explain _____

2) **Are the water setback provisions of the Ordinance unnecessarily burdensome in this case, thereby creating a hardship?**

Explain _____

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

(Yes / No)

Explain _____

What hardship exists if the variance is denied?

Explain _____

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

Explain _____

4) **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?**

- This patio shall perpetually remain an open patio and shall not be screened in or enclosed in any manner in order to create a screen porch or other enclosed structure;
- The appellant shall submit a mitigation plan to the Land Resources and Parks Department that meets the standards found in Section 12.
- Others

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

(Yes/No)

6) **Does the Board believe that the appellant's variance request meets the criteria that is necessary in order to grant the variance request?**

(Yes/No)

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 _____ Chairperson Attest _____ Secretary

Dated: _____

Filed: _____