



AGENDA
Dodge County Board of Adjustment
Thursday, November 10, 2022 – 7:00 PM
Administration Building
Room 1H & 1I
127 East Oak Street, Juneau, Wisconsin 53039

The following business will be brought before the Board of Adjustment for initiation, discussion, deliberation, and possible formal action subject to the rules of the Board of Adjustment, which may be inspected in the office of the County Clerk.

1. Call meeting to order;
2. Roll Call and Non-Committee Member County Board Attendance;
3. Confirm compliance with open meeting law and public hearing notice requirements;
4. Approval of the Minutes of the November 10, 2022 meeting;
5. Inform public in attendance of hearing procedures;
6. PUBLIC HEARING – 7:00 P.M.

Adam Kuehn for a variance to allow the construction of a 40' x 60' barn where said barn does not comply Subsection 5.1.1 and Table 5.1.1-1 of the County Land Use Code, which 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 required highway setback at this location is 67 feet from the road right-of-way of County Road M. As proposed, the barn will begin at approximately 50 feet and 8 inches from the road right-of-way or approximately 16 feet and 4 inches within the required highway setback lines and therefore prohibited by the code. The site is located in part of NE ¼, SW ¼, Section 27, T11N, R15E, Town of Oak Grove, Dodge County, Wisconsin the site address being N5402 County Road M.

A copy of the proposed petition is available for review in the County Land Resources and Parks Department between the hours of 8:00 a.m. and 4:30 p.m., Monday-Friday (920-386-3700).

PUBLIC HEARING – 7:15 P.M.

Garriety Construction for a variance to allow the construction of a 45'x26' home addition and attached garage. Where said addition does not comply with Subsection 5.1.1 and Table 5.1.1-1 of the Dodge County Land Use Code which 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 greatest required highway setback at this location is 67 feet from the road right of way of Cty Rd H. As proposed, the addition to the home will be 56.5' from the right of way or approximately 10.5' feet within the required highway setback lines and therefore prohibited by the Code. The site is located in part of the NE ¼, NW ¼, Section 21, T13N, R17E, Town of Lomira, Dodge County, Wisconsin the site address being W1587 County Road H.

A copy of the proposed petition is available for review in the County Land Resources and Parks Department between the hours of 8:00 a.m. and 4:30 p.m., Monday-Friday (920-386-3700).

7. REVISIT – 7:30 P.M.

Steve Martin for a request to REVISIT the previously TABLED variance application. Said variance application was to the terms of the Dodge County Land Use Code Subsection 5.1.1 and Table 5.1-1 which refers to the distance that all buildings and other structures are required to be setback from all roads. On a Town road, the required setback is 75 feet from center line or 42 feet from road right of way, whichever is the greater distance of the two. According to County records, the required setback at this location is 42 feet from road right of way of Oak Road. As proposed, to allow the construction of a detached accessory structure (Shed), where said shed will be located 18.25 feet from the road right of way of Oak Road. As proposed the shed will be located 23.75 feet within the required setback, thus not compliant with the code provisions. The site is located in part of NW ¼, of the SE ¼, Section 31, T09N, R17E, Town of Ashippun, Dodge County, Wisconsin the site address being N302 Lincoln Rd.

A copy of the proposed petition is available for review in the County Land Resources and Parks Department between the hours of 8:00 a.m. and 4:30 p.m., Monday-Friday (920-386-3700).

Future Meeting Schedule

1. Thursday, December 8, 2022 • 9:30 a.m. • 3rd Floor Land Resources and Parks Conference Room • Administration Building • Juneau, Wisconsin – On Site Inspections
2. Thursday, December 15, 2022 • 7:00 p.m. • 1st Floor, Rooms 1H/1I • Administration Building • Juneau, Wisconsin – Public Hearings

Adjourn

It is possible that individual members of other governing bodies of the County government may attend the above meeting to listen, gather information and comment. Such attendance may constitute a meeting of other governing bodies pursuant to *State ex rel. Badke v. Vill. Bd. of Vill. Of Greendale*, 173 Wis2d 553, 578-74, 494 N.W. 2d 408 (1993). No action will be taken by any other governmental body except by the governing body noticed in the caption above.

Any person wishing to attend whom, because of a disability, requires special accommodation, should contact the Dodge County Clerk's Office at 920-386-3600, at least 24 hours before the scheduled meeting time so appropriate arrangements can be made. The building entrance, which is accessible by a person with a disability, is located on the east side of the building off Miller Street.

Land Resources and Parks Department Staff Report

County Variance Application No. 2022-0838
County Land Use Permit Application No. 2022-0830
Filing Date: October 6, 2022
Hearing Date: November 10, 2022

Applicant (Agent):

Adam Kuehn
N5402 County Road M
Juneau, WI 53039

Owner:

Same

Location

PIN#: 034-1115-2731-001

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

County Jurisdiction

The County has 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

An application for a variance request was submitted by the appellant with a request to the terms of the highway setback provisions of the Dodge County Land Use Code to allow construction of a 40'x60' barn. Where said accessory structure will be located 16 feet and 4 inches within the required highway setback lines of County Road M and therefore prohibited by the code.

Features

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

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

The property is presently being used for residential use;

The physical features of this approximate 1.85 acre lot include a rolling topography with slopes ranging from 6 to 12%. The parcel contains a residence with a detached garage;

The general character of the surrounding land use consists of agricultural lands with scattered residences along County Road M;

According to County records, the State owns approximately 43.67' to 46.29' of road right-of-way at this location. Therefore, the required highway setback at this location is 110.67' – 113.29' feet from the centerline of County Road M.

The property includes the following nonconforming structure / structures / use:

- Single-family dwelling within hwy setback

The property has been the subject of a prior appeal / variance described as:

- Variance for extending front porch within hwy setback and expanding a legally non-conforming structure- BOA Approved Variance 2017-0221

On October 4th, 2022 an application for a County Land Use Permit was made by the appellant in order they be allowed to construct a 40'x60' barn;

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

Subsection 5.2.3 and Table 5.1-1 of the County Land Use Code refers to the distances that all accessory 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 State owns approximately 43.67' to 46.29' of road right-of-way at this location. Therefore, the required highway setback at this location is 110.67' – 113.29' feet from the centerline of County Road M. As proposed, the barn will begin at approximately 50 feet and 8 inches from the road right-of-way or approximately 16 feet and 4 inches within the required highway setback lines and therefore prohibited by the code.

The appellant is requesting an area variance to Section 5.2.3 and Table 5.1-1 of the code;

Town Recommendation:

Approve;

- Conditions:

Deny:

-

No Recommendation

No response from Town – 30-days elapsed;

Purpose Statement

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

Staff Advisory:

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

The staff believes that the appellant is requesting an area variance to Section 5.2.3 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 unique to the property and if granted, the variance would not be contrary to the public interest.

It is the staff's position that the request does not meet all three criteria that is necessary to grant a variance in this case.

It is the staff's position that in this case, there are no conditions that are unique to this property that suggest a variance be granted. It is the staff's position that the appellant has reasonable options available to comply with the hwy setback provisions of the ordinance and therefore the Code is not unnecessarily burdensome in this case and does not create a hardship. 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 Variance Application No. 2022-0838
County Land Use Permit Application No. 2022-0830
Filing Date: October 6, 2022
Hearing Date: November 10, 2022

Applicant (Agent):
Adam Kuehn
N5402 County Road M
Juneau, WI 53039

Owner:
Same

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

County Jurisdiction
The County has 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
An application for a variance request was submitted by the appellant with a request to the terms of the highway setback provisions of the Dodge County Land Use Code to allow construction of a 40'x60' barn. Where said accessory structure will be located 16 feet and 4 inches within the required highway setback lines of County Road M and therefore prohibited by the code.

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

The appellants request to Subsection 5.2.3 and Table 5.1-1 of the Code are "area" variances.

(Yes / No) _____

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

(Yes / No) _____

Are the highway setback provisions of the Code unnecessarily burdensome in this case, thereby creating a hardship?

(Yes / No)

Explain: _____

Does the appellant have other options available to construct a 40'x60' barn 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 requests?

(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?

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

Motion by _____ to (approve / deny) the variance to the highway setback requirements of the code based upon the previously mentioned findings and conditions.

Motion second _____

Vote

Vacant	<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
Vacant	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Rodney Justman	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Ed Premo (1 st Alternate)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Sharon Schumann (2 nd Alternate)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
William Nass	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present

Motion (Carried / Denied)

ORDER AND DETERMINATION

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

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

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

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

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

Dodge County Board of Adjustment

Signed _____ Attest _____
Chairperson Secretary

Dated: _____

Filed: _____



Dodge County

Land Resources and Parks Department

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

October 18, 2022

Adam Keuhn
N5402 County Road M
Juneau, WI 53039

RE: Determination of Application Completeness
Variance Application: #2022-0838
Property location: NE ¼, SW ¼, Section 27, T11N, R15E, Town of Oak Grove, Dodge County, Wisconsin the site address being N5402 County Road M.

Dear Adam Keuhn;

The Dodge County Land Resources and Parks Department has received your Variance application to allow construct a 40'x60' barn on the property described above. Where the proposed construction does NOT meet the requirements of the Dodge County Land Use code Subsection 5.2.3 and Table 5.1-which refer to the distances that all buildings and other structures are required to be setback from all roads. On October 11, 2022, the Department has determined that your Variance application is complete. This application will be forwarded to the Dodge County Board of Adjustment for review at a public hearing on Thursday, November 10, 2022 at 7:00 P.M. or shortly thereafter on the First Floor (Meeting Rooms 1H and 1I) of the Administration Building, Juneau, Wisconsin. You and other interested parties may appear in person or may be represented by an agent or attorney. If you or your agent can not attend the hearing, please contact the Land Resources and Parks Department to discuss your options.

Please Note: The Board of Adjustment members will be conducting an on-site visit on November 3, 2022 to review the site and the proposed construction project. Please make sure that the proposed construction project is staked out so that the Board can review your proposal. Your attendance during the on-site visit is not required.

If you have any questions regarding this matter, please feel free to contact our office.

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

τ THIS AREA FOR OFFICE USE ONLY τ	
Activity No. 220838	Issue Date:
Application Date: 10-10-2022	Receipt #: 5798-0014

Variance Application

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

Names and Mailing Addresses	Property Description														
Applicant (Agent) <i>Adam Kuehn</i>	Parcel Identification Number (PIN) <i>034-1115-2731-001</i>														
Street Address <i>N5402 County Rd M</i>	Town <i>Oak Grove</i>														
City • State • Zip Code <i>Juneau WI 53039</i>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 12.5%; text-align: center;">¼</td> <td style="width: 12.5%; text-align: center;">¼</td> <td style="width: 12.5%; text-align: center;">Section</td> <td style="width: 12.5%; text-align: center;">T</td> <td style="width: 12.5%; text-align: center;">N</td> <td style="width: 12.5%; text-align: center;">R</td> <td style="width: 12.5%; text-align: center;">E</td> </tr> <tr> <td style="text-align: center;"><i>NE</i></td> <td style="text-align: center;"><i>SW</i></td> <td style="text-align: center;"><i>27</i></td> <td style="text-align: center;"><i>11</i></td> <td></td> <td style="text-align: center;"><i>15</i></td> <td></td> </tr> </table>	¼	¼	Section	T	N	R	E	<i>NE</i>	<i>SW</i>	<i>27</i>	<i>11</i>		<i>15</i>	
¼	¼	Section	T	N	R	E									
<i>NE</i>	<i>SW</i>	<i>27</i>	<i>11</i>		<i>15</i>										
Property Owner (If different from applicant)	Subdivision or CSM #														
Street Address	Site Address <i>N5402 County Rd M</i>														
City • State • Zip Code	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No														
Present property use: <i>Single Family Residential</i>															
List any prior variances that have been granted or denied for this property: <i>Variance was granted for addition to front of house (westside)</i>															
Describe all nonconforming structures and uses on this property: <i>House</i>															
List the terms of the Land Use Code for which you are requesting a variance (section # and code provision requirements): <i>5.2.3 Highway Setback Provisions</i>															
Variance Requested: <i>To build shed where existing barn was located. Barn was removed due to storm damage</i>															
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? <i>Slop of property towards south and east, would cost \$15-20K of site prep to be in compliance of land use code. Mature trees would have to be removed.</i>															

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

The downward slope of property to south and east.

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

Yes. The burden of not using the existing stems from the steep slope of the East side of the property. There will be extra cost of site prep \$15-20K and loss of mature trees.

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

There would be no affect because we would be rebuilding in the same foot print of barn.

CERTIFICATE

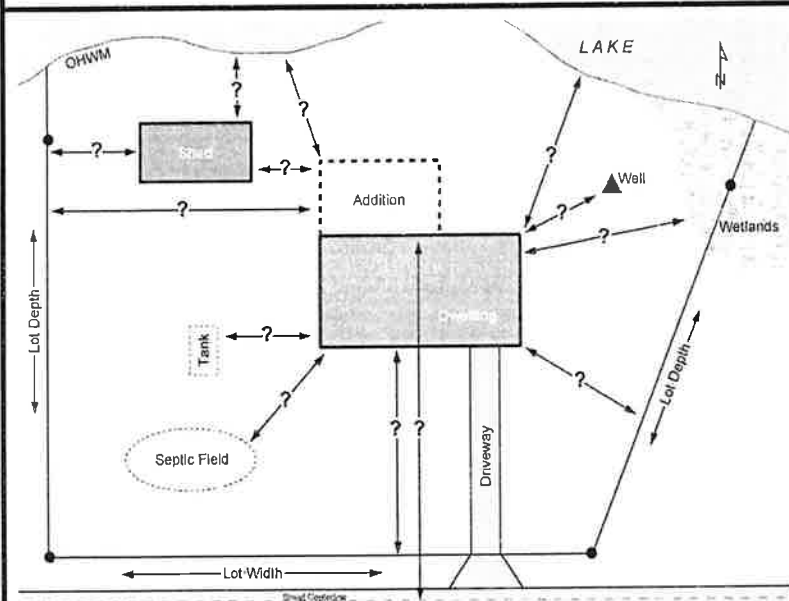
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and 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: Adolph Date: 10-6-22

Daytime Contact Number (920) 210 - 0159

SITE PLANS AND BUILDING PLANS

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



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

Distances must be shown from the project to:

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

North lot depth

175'

234'

159'

Garage

House

Well

Driveway

151'

septic

101'

106'

105'

69'

pond

110'

93'

224'

East Lot width

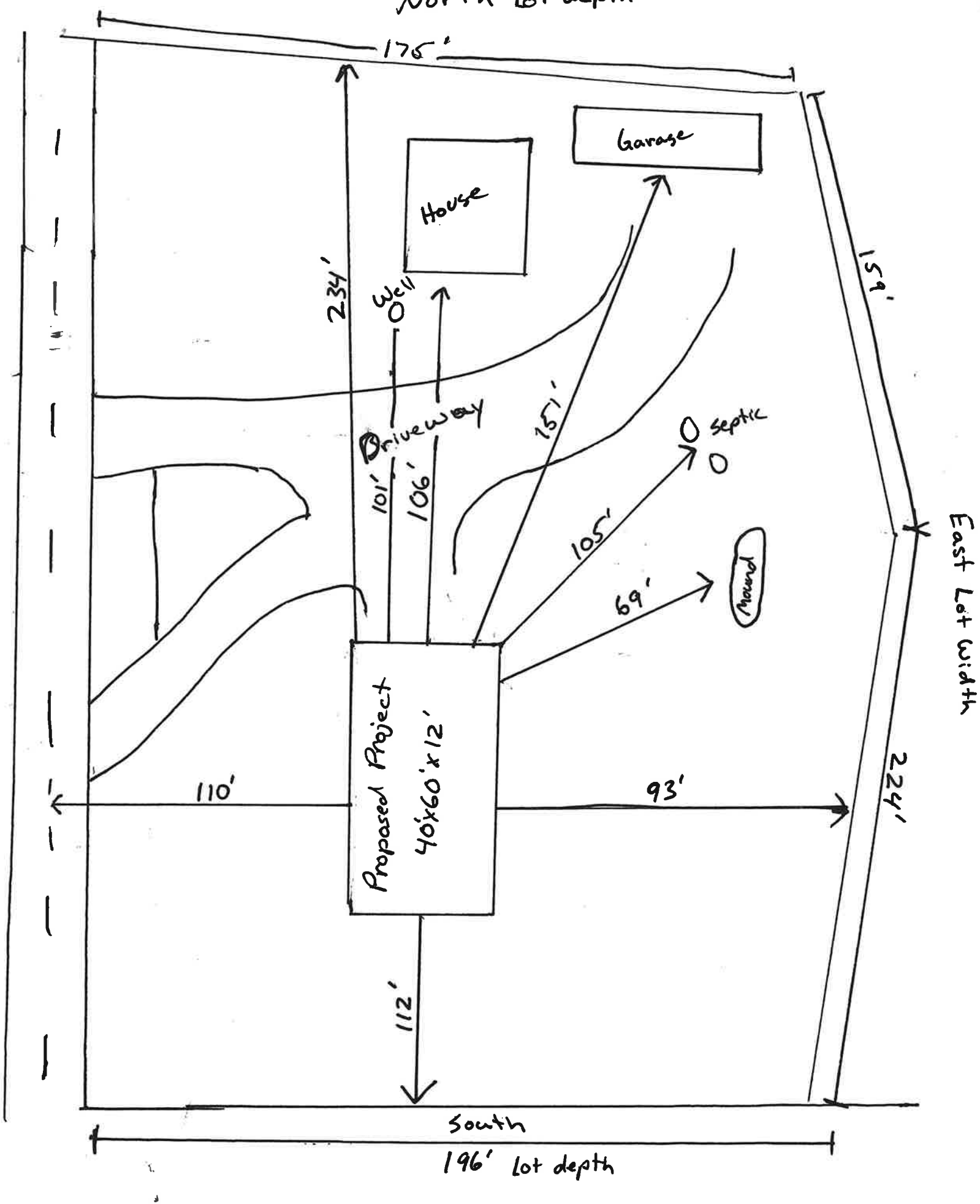
Proposed Project

40'x60'x12'

112'

South

196' lot depth





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

October 6th, 2022

Adam Keuhn
N5402 County Road M
Juneau, WI 53039

COPY

RE: Notice of Permit Refusal- County ID #2022-0830
PIN# 034-1115-2731-001

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

Dear Mr. Keuhn:

Your application for a permit to construct a 40'x60' barn on the property described above is hereby denied for failure to comply with the following sections of the Dodge County Codes:

Land Use Code Provisions:

Subsection 5.2.3 and Table 5.1-1 of the County Land Use Code refer to the distances that all buildings and other structures are required to be setback from all roads. On a County Road, the required setback is 100 feet from its centerline or 67 feet from its right of way, whichever is the greatest distance of the two. According to County records, the required highway setback at this location is 67 feet from the road right-of-way of County Road M. As proposed, the barn will begin at approximately 50 feet and 8 inches from the road right-of-way or approximately 16 feet and 4 inches within the required highway setback lines and therefore prohibited by the code.

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

A variance request was filed on October 6, 2022 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,

Morgan Wisth
Land Use/Sanitation Specialist

**NEW FRONTIER
LAND SURVEYING, LLC**

P.O. BOX 576 - BEAVER DAM, WI 53916-0576
PHONE: (920)865-3904 FAX: (920)865-3905

PLAT OF SURVEY

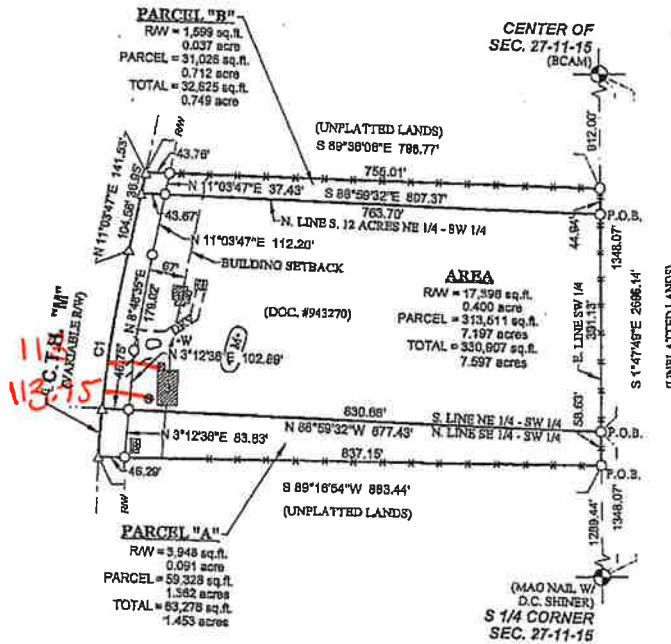
PART OF THE EAST 1/2 OF THE SW 1/4 OF SECTION 27, T. 11N., R. 15E.,
TOWN OF OAK GROVE, DODGE COUNTY, WISCONSIN.

CURVE DATA

Curve	Delta Angle	Radius	Arc	Chord	Chord Bearing
PARCEL "A"	9°15'40"	2316.82	374.93	374.52	N 6°25'57"E
DOC. #943270	2°03'17"	2316.82	85.21	85.21	N 2°51'16"E
	7°08'23"	2316.82	289.72	293.53	N 7°29'05"E

AGENT

Gary W. Dornfeld
N5402 C.T.H. "M"
Juneau, WI 53039



DUPLICATE ORIGINAL

Dated this 17th day of July, 2009.

Mark R. Tomashek 17 July '09
Mark R. Tomashek WI RLS No. S-2340
New Frontier Land Surveying, LLC
at Beaver Dam, Wisconsin

COPY OF ORIGINAL only if stamped in RED.
New Frontier Land Surveying is NOT liable for
reproduced non-certified copies



**NEW FRONTIER
LAND SURVEYING, LLC**

P.O. BOX 578 - BEAVER DAM, WI 53916-0578
PHONE: (920)885-3904 FAX: (920)885-3905

DESCRIPTIONS

DEEDED DESCRIPTION:

Part of the NE 1/4 of the SW 1/4 of Section 27, T. 11N., R. 16E., Town of Oak Grove, Dodge County, Wisconsin being more particularly described as follows:

Commencing at the South 1/4 corner of said Section 27; thence N.1°47'49"W. along the east line of the SW 1/4, 1348.07 feet to the south line of the NE 1/4 of the SW 1/4, the southeast corner of a parcel described in Document No. 943270 and the Point of Beginning; thence N.88°59'32"W. along said south line, 877.43 feet to the southwest corner of said parcel described in Document No. 943270 and the centerline of C.T.H. "M"; thence 289.72 feet along an arc of a curve to the right, along said centerline, said curve having a radius of 2319.62 feet and a chord which bears N.7°29'05"E. 289.63 feet; thence N.11°03'47"E. continuing along said centerline, 104.58 feet to the north line of the south 12 acres of the NE 1/4 of the SW 1/4 and the northwest corner of said parcel described in Document No. 943270; thence S.88°59'32"E. along said north line, 807.37 feet to the east line of the SW 1/4 and the northeast corner of said parcel described in Document No. 943270; thence S.1°47'49"E. along said east line, 391.13 feet to the Point of Beginning.

Said parcel contains 7.597 acres or 330,907 square feet, more or less.

PARCEL "A":

Part of the SE 1/4 of the SW 1/4 of Section 27, T. 11N., R. 16E., Town of Oak Grove, Dodge County, Wisconsin being more particularly described as follows:

Commencing at the South 1/4 corner of said Section 27; thence N.1°47'49"W. along the east line of the SW 1/4, 1289.44 feet to the Point of Beginning; thence S.89°16'54"W., 883.44 feet to the centerline of C.T.H. "M"; thence 85.21 feet along an arc of a curve to the right, along said centerline, said curve having a radius of 2319.62 feet and a chord which bears N.2°51'16"E. 85.21 feet to the north line of the SE 1/4 of the SW 1/4 and the southwest corner of a parcel described in Document No. 943270; thence S.88°59'32"E. along said north line, 877.43 feet to the east line of the SW 1/4 and the southeast corner of said parcel described in Document No. 943270; thence S.1°47'49"E. along said east line, 58.63 feet to the Point of Beginning.

Said parcel contains 1.453 acres or 63,278 square feet, more or less.

PARCEL "B":

Part of the NE 1/4 of the SW 1/4 of Section 27, T. 11N., R. 16E., Town of Oak Grove, Dodge County, Wisconsin being more particularly described as follows:

Commencing at the South 1/4 corner of said Section 27; thence N.1°47'49"W. along the east line of the SW 1/4, 1348.07 feet to the south line of the NE 1/4 of the SW 1/4; thence continuing N.1°47'49"W. along said east line, 391.13 feet to the north line of the south 12 acres of the NE 1/4 of the SW 1/4, the northeast corner of a parcel described in Document No. 943270 and the Point of Beginning; thence N.88°59'32"W. along said north line, 807.37 feet to the northwest corner of said parcel described in Document No. 943270 and the centerline of C.T.H. "M"; thence N.11°03'47"E. along said centerline, 36.95 feet; thence S.89°38'08"E., 798.77 feet to the east line of the SW 1/4; thence S.1°47'49"E., 44.94 feet to the Point of Beginning.

Said parcel contains 0.749 acre or 32,826 square feet, more or less.

I, Mark R. Tomashek, Registered Land Surveyor of the State of Wisconsin, do hereby certify that by the order of Gary W. Dorfeld, agent, that I have made a survey of the described property according to official records and that this map is true and correct to the best of my knowledge and belief.

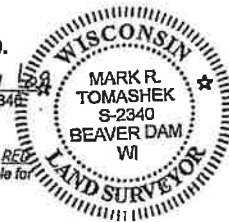
DUPLICATE ORIGINAL

Dated this 17th day of July, 2009.

Mark R. Tomashek 17 July 2009

Mark R. Tomashek WI RLS No. S-2340
New Frontier Land Surveying, LLC
at Beaver Dam, Wisconsin

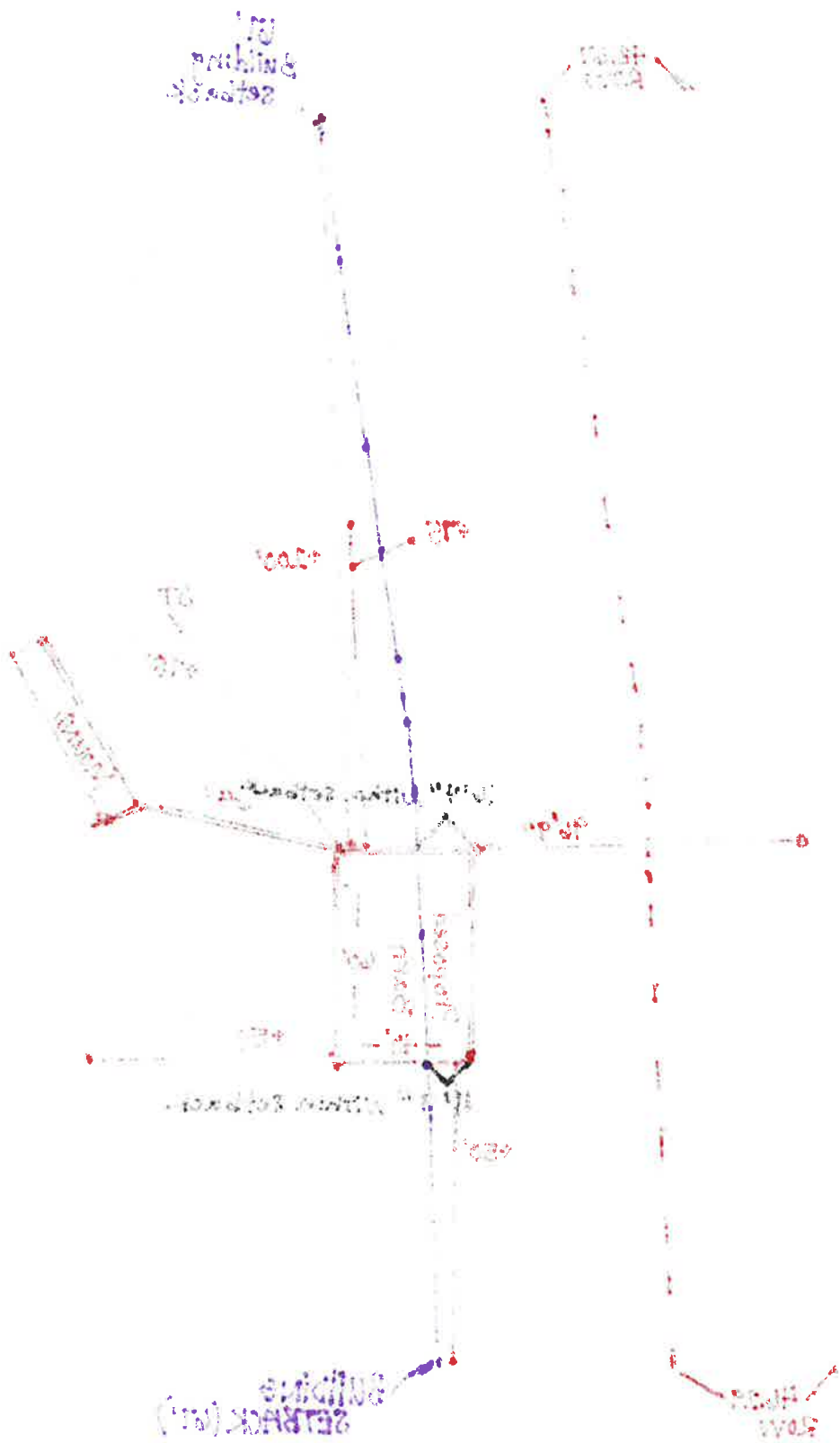
COPY OF ORIGINAL *only if stamped in RED*
New Frontier Land Surveying is *NOT* liable for
reproduced non-certified copies



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
--	--	--	---	---



Land Use Permit

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

This Area For Office Use Only

COUNTY ID No.

220830

Receipt No.

5198-0004

Application Date

10-4-2022

Permit Expiration Date

Sanitary Permit

PERMIT APPLICATION FEE: \$50 plus \$2 per \$1,000 cost of the project (Payable to: Dodge County) **CITY OF JUNEAU** (\$25 or After the Fact/\$50)
 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.) Adam Kuehn	Parcel Identification Number (PIN) 034-1115-2731-001
Street Address NS402 County Rd M	Town Oak Grove
City • State • Zip Code Juneau WI 53039	T N R E 11 15
Property Owner <input checked="" type="checkbox"/> Same as applicant	1/4 1/4 Section Acreage Lot (Block) NE SW 27 1.853
Street Address	Subdivision or CSM (Volume/Page/Lot)
City • State • Zip Code	Address Of Property (DO NOT include City/State/Zip Code) NS402 County Rd M
	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 type="checkbox"/> No <input type="checkbox"/> Yes
CURRENT USE OF PROPERTY	PROPOSED USE OF PROPERTY
<input type="checkbox"/> Vacant Land <input checked="" type="checkbox"/> Single-Family Residential <input type="checkbox"/> Working Farm <input type="checkbox"/> Two-Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Business • Industrial • Commercial • (Use other below to describe) Other _____	<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"/> NEW STRUCTURE/CONSTRUCTION <input checked="" type="checkbox"/> REPLACEMENT OF EXISTING <input type="checkbox"/> ADDITION TO AN EXISTING	
<input type="checkbox"/> Pool <input type="checkbox"/> Porch <input type="checkbox"/> Driveway <input type="checkbox"/> Deck <input type="checkbox"/> Fence <input type="checkbox"/> Boathouse <input type="checkbox"/> Patio <input type="checkbox"/> Riprap <input type="checkbox"/> Attached Garage <input type="checkbox"/> Shed <input type="checkbox"/> Gazebo <input type="checkbox"/> Detached Garage <input type="checkbox"/> Home <input type="checkbox"/> Sidewalk <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 checked="" 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>40'</u> Length <u>60'</u> Total Area <u>2,400</u> Total Stories <u>1</u> Height (To roof peak) <u>17'</u> Estimated Cost (w/Labor) \$ <u>30,000</u>	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: <input type="checkbox"/> Single-Sided <input type="checkbox"/> Double-Sided <input type="checkbox"/> Located On-Premise <input type="checkbox"/> Located Off-Premise <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.	

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.

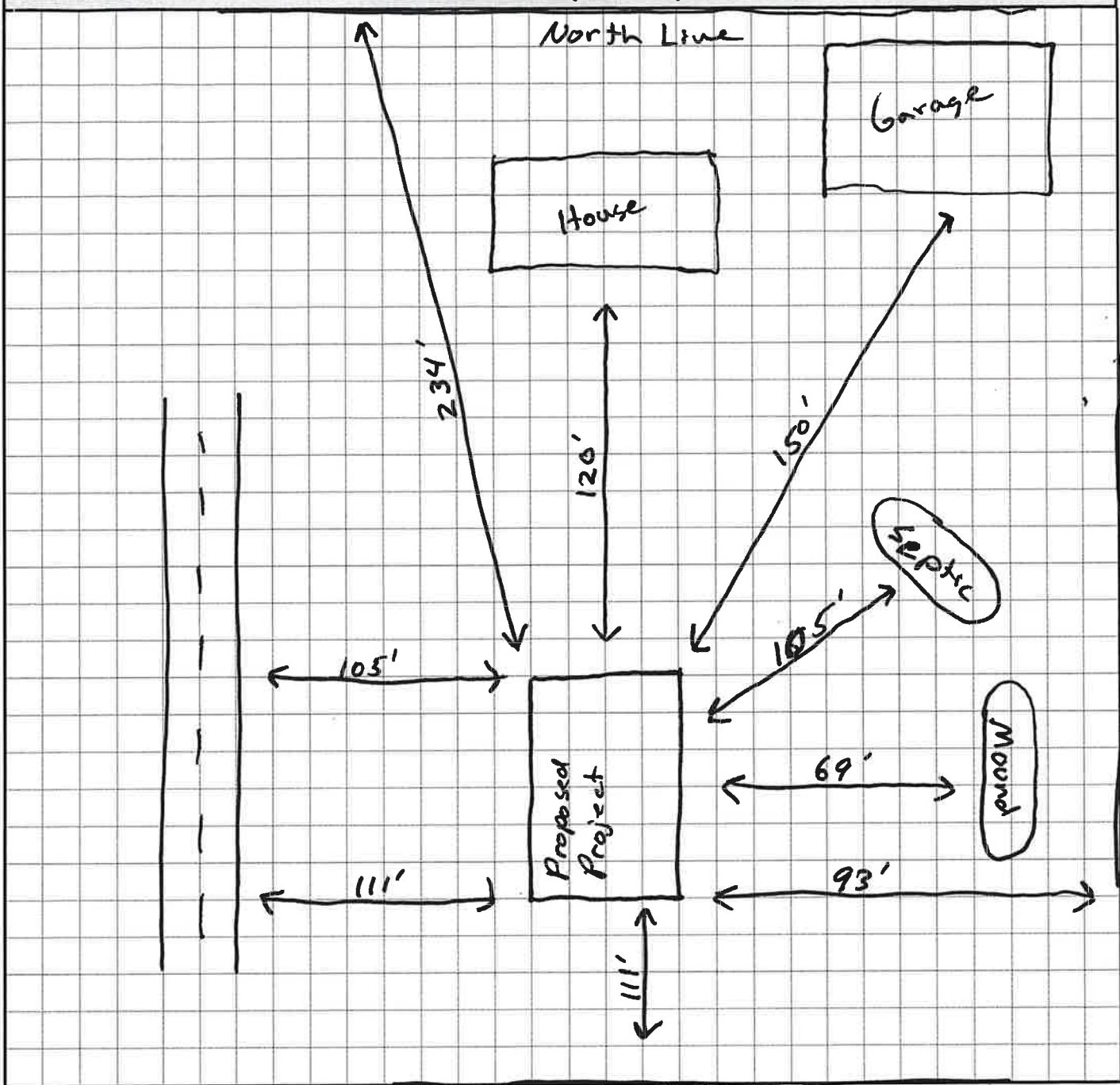
CERTIFICATE & CONTACT INFORMATION

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) Adam Kuehn Daytime Contact Phone (920) 210-0159 or Email: _____

Signature  Date 10-5-22 Call for pickup No Yes

SITE PLAN (SKETCH)



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

BOA ID No. 1022-0838	BOA Appeal Date 10/6/22	BOA P/H Date 11/10/22	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**

APPLICATION FORM COMPLETION TIPS

Property Identification Number (PIN): The PIN can be found in the upper right-hand corner of the tax bill for the property. Alternatively, the PIN can also be found using the Land Records Search Tool located on the Dodge County Website (www.co.dodge.wi.us) or by contacting the County Property Description Office (920) 386-3770 (propertydescription@co.dodge.wi.us).

Riprap & Ag Ditch Cleanout Projects: Additional supplemental forms/information may also be required.

Barn Projects: Depending upon the number of animals, an "Animal Units Worksheet" may also be required.

Wireless Communication Facility Category 2 Collocation Projects: – Submit two copies of detailed design specifications of the tower and supporting equipment which includes a side view illustration of the proposed tower showing the overall tower height and the proposed antennae locations.

The Application must be signed and dated to be valid. Application will not be processed without payment of the required fee.

Property Line Location Markers: The property owner is responsible to clearly mark the boundary lines and the boundary corners adjacent to where the proposed construction will take place. Markings shall be clearly visible and accurate prior to, as well as at, the time of inspection. This may be by means of the property owner marking the boundary line(s) and the boundary corner(s) themselves or having the boundary line and boundary corners surveyed and marked by a professional. If the location of the property line(s) marked by the property owner or his/her agent is not consistent with the location of the property line(s) shown on public records or if there is a disagreement by any of the parties involved about the location of the boundary line(s), the Department may require the property line(s) to be surveyed by a registered land surveyor at the owner's expense.

Building Plans: Building plans are a graphical representation of what a building will look like after construction. Building plans shall include all proposed construction including all proposed attachments or extensions from the main structure including decks, platforms, landings, patios, attached garages, porches, lean-to structures and overhangs greater than 2 feet in width, etc.

SITE PLAN (SKETCH) COMPLETION TIPS

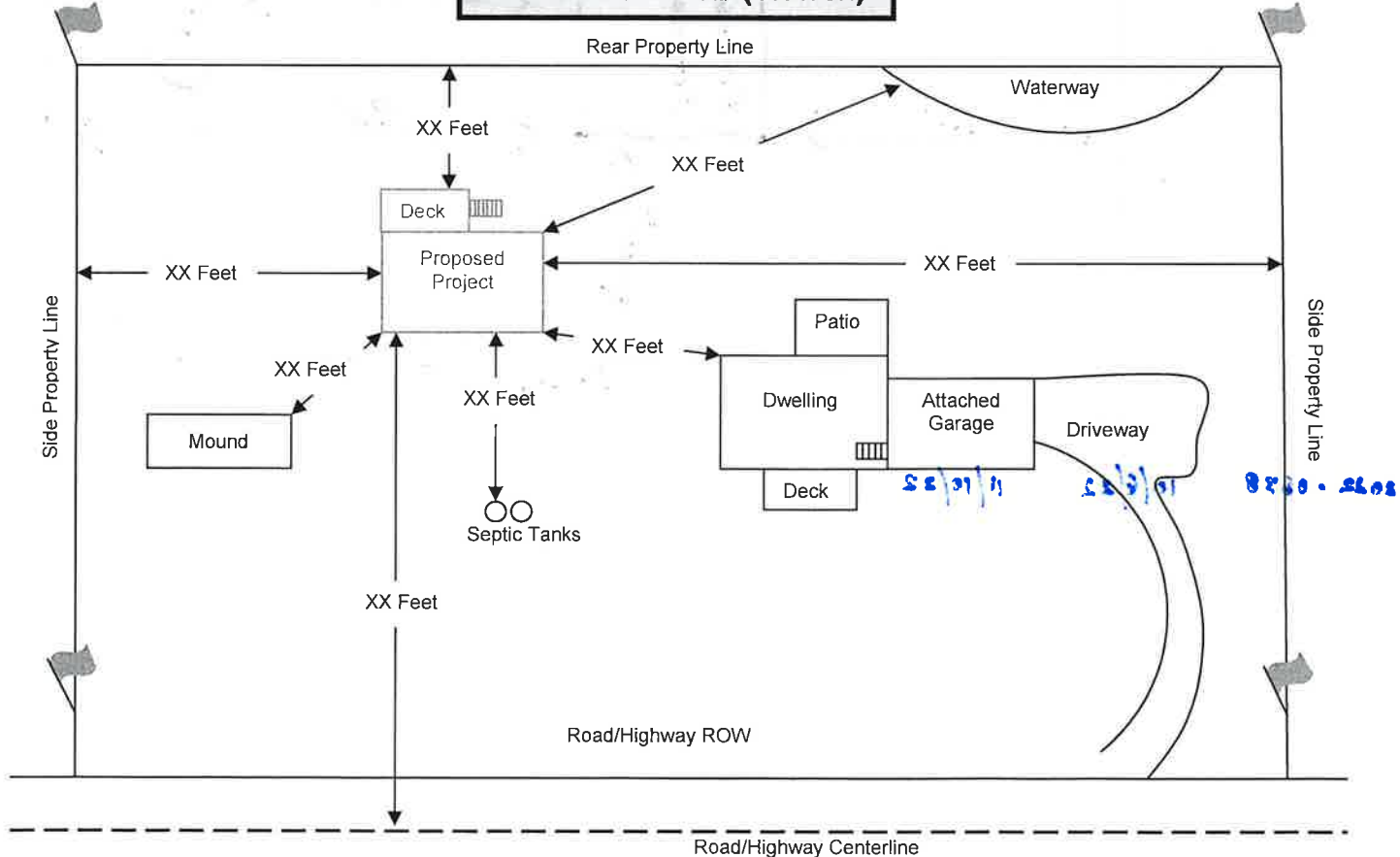
ALL applications must be accompanied by a site plan (sketch). You may use an aerial photo which can be obtained by using the Dodge County Web mapping tool at <http://dodgecovi.wgxtreme.com/>, the attached (blank) site plan or supply your own.

Where applicable, the site plan must show the setback or distance (either scaled or dimensioned) of the proposed project from such items as:

- ✓ Side and Rear Lot/Property Line(s)
- ✓ Abutting Road/Highway Centerline(s)
- ✓ Nearby Lakes and/or Creeks/Streams . . .
- ✓ Nearest Adjacent Structure/Building on Lot
- ✓ Septic/Holding Tank and/or Pump Chamber
- ✓ Septic System Absorption Area (Mound, Trench, Drainline, etc.)

NOTE: Generally, setbacks (distances) greater than 200 feet can be estimated. Missing, ambiguous, imprecise or inaccurate information will result in delay in the review and/or issuance of the permit application.

EXAMPLE SITE PLAN (SKETCH)



Adam & Stacey Kuehn

Town of Lomira, Sec. 27

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.

2724-001
LEPPLE DAIRY FARMS INC
37.1 ac.

2721-004
LEPPLE DAIRY FARMS INC

2731-000
LEPPLE DAIRY FARMS INC
22.5 ac.

2731-002
SENSIENT FLAVORS INC
4.1 ac.

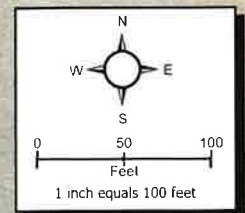
COUNTY ROAD M

A. & S. KUEHN

2731-001
KUEHN
1.9 ac.

2734-000
SENSIENT FLAVORS INC
9 ac.

2734-002
NEHLS BROTHERS FARMS LTD
18.8 ac.



Land Resources and Parks Department Staff Report

County Variance Application No. 2022-0842
County Land Use Permit Application No. 2022-0841
Filing Date: October 7th, 2022
Hearing Date: November 10th, 2022

Applicant (Agent):

Garriety Construction
W1587 County Road H
Lomira, WI 53048

Owner:

Michael & Linda Garriety
W1587 County Road H
Lomira, WI 53048

Location

PIN#: 030-1317-2121-001

Property Location: NE ¼, NW ¼, Section 21, T13N, R17E, Town of Lomira, Dodge County, Wisconsin the site address being W1587 County Road H

County Jurisdiction

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

Review Criteria

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

Appellants Request

An application for a variance request was submitted by the appellant with a request to allow the construction of a home addition and attached garage on this site where said addition is located approximately 10.5 feet within the required highway setback of Cty Rd H and where said addition is considered by the County as an expansion of a non-conforming structure.

Features

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

The County has Zoning Jurisdiction over this site as the Town of Lomira has adopted the County's Land Use Code. The property is located within the A-1 Prime Agricultural zoning district;

The County has Shoreland Jurisdiction over this site as the site is located within 1000 feet of the Ordinary High Water Mark of a navigable body of water (pond).

The County has Floodplain jurisdiction over this site as the site or portions of the site are designated as floodplains on the maps listed in Section 1.5(2)a of the Dodge County Floodplain Zoning Ordinance. A portion of the property is designated as a floodplain, however, the proposed addition will be located outside of the floodplain per the application.

The property is presently being used for residential use;

The physical features of this approximate 30 acre lot include a rolling topography with slopes ranging from 0 to 3%. The parcel contains a residence and two accessory structures;

The general character of the surrounding land use consists of agricultural lands with scattered residences and farms along Cty Rd H;

The residence is listed by the County as a legal existing non-conforming structure as the residence is located within the highway setback lines of Cty Rd H, and the residence was constructed prior to the adoption of the Dodge County Land Use Code by the Town of Lomira.

According to County Records, the State owns approximately 33 feet of road right-of-way at this location. Therefore, the required highway setback at this location for all structures would be 100 feet from the centerline of Cty Rd H.

On October 7th an application for a County Land Use Permit was made by the appellant in order they be allowed to construct a home addition and attached garage on the south side of the residence on this site;

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

Subsection 5.1 and Table 5.1 -1 of the Land Use Code refer to the required setbacks from public roads, streets and highways under the Dodge County Land Use Code. For the specific section of Cty Road H along which the above noted project is to take place, the required setback is 100 feet from the centerline or 67 feet from the road right-of-way, whichever distance is greater. According to the County records, the state owns approximately 33' of road right-of-way at this location. Therefore, the required setback for any construction at this location is 100' from the centerline of Cty Rd H. As proposed, the home addition will be located approximately 89.5' feet from the centerline of Cty Rd H or approximately 10.5' within the required setback, therefore not in compliance the Code provisions and therefore prohibited by the Code.

Subsection 10.3.1 of the Code states: "Lawfully existing nonconforming structures existing at the time of the adoption or amendment of this Code may be continued, although their size or location does not conform with the provisions of this Code." Subsection 10.3.2.B states: "No new basements, additional stories, lateral expansion or accessory construction outside of the perimeter of the existing structure or building, except as allowed under this subsection, shall be permitted unless the proposed construction complies with all applicable provisions of this code."

In this case, the County considers the residence as a lawful existing non-conforming structure as it is presently located within the required setback lines and said structure was in existence prior to the adoption of the County Land Use Code. The proposed home addition will extend laterally beyond the existing footprint of the nonconforming structure and the proposed home addition will be located within the required highway setback line and therefore is prohibited by the Code.

The appellant is requesting an area variance to Section 5.1, Table 5.1-1 & 10.3.1 of the code;

Town Recommendation:

Approve;

- Conditions:

Deny:

-

No Recommendation

No response from Town – 30-days elapsed;

Purpose Statement

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

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

Staff Advisory:

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

The staff believes that the appellant is requesting an area variance to Section 5.1.1, Table 5.1-1 and 10.3.1 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 unique to the property and if granted, the variance would not be contrary to the public interest.

The Board should determine if the highway setback provisions of the code are unnecessarily burdensome in this case. The Board should also consider the costs to the Town and the public of having to purchase this structure in the future if this structure would need to be removed for highway improvement or relocation projects.

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

1. A variance agreement shall be required to be recorded with the Register of Deeds Office in the amount of the proposed construction project prior to the approval of the land use permit.
2. Documentation shall be submitted to our department that identifies the exact location of the current septic system by a certified plumber to verify compliance of the minimum setback from the proposed addition, or a new sanitary permit shall be submitted to replace the septic system in a different location.

Dodge County Board of Adjustment Decision

County Variance Application No. 2022-0842
County Land Use Permit Application No. 2022-0841
Filing Date: October 7th, 2022
Hearing Date: November 10th, 2022

Applicant (Agent):
Garriety Construction
W1587 County Road H
Lomira, WI 53048

Owner:
Michael & Linda Garriety
W1587 County Road H
Lomira, WI 53048

Location
PIN#: 030-1317-2121-001
Property Location: NE ¼, NW ¼, Section 21, T13N, R17E, Town of Lomira, Dodge County, Wisconsin the site address being W1587 County Road H

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

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

Appellants Request
An application for a variance request was submitted by the appellant with a request to allow the construction of a home addition and attached garage on this site where said addition is located approximately 10.5 feet within the required highway setback of Cty Rd H and where said addition is considered by the County as an expansion of a non-conforming structure.

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

The appellants request to Subsection 5.1.1 and Table 5.1-1 of the Code are "area" variances.
(Yes / No) _____

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

(Yes / No) _____

Are the highway setback provisions of the Code unnecessarily burdensome in this case, thereby creating a hardship?

(Yes / No) _____
Explain: _____

Does the appellant have other options available to construct a home addition and attached garage on this lot?

(Yes / No) _____
Explain _____

What hardship exists if the variance is denied?

Explain _____

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

Explain _____

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 requests?

(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?

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

Motion by _____ to (approve / deny) the variance to the highway setback requirements of the code based upon the previously mentioned findings and conditions.

Motion second _____

Vote

Vacant	<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
Vacant	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Rodney Justman	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Ed Premo (1 st Alternate)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Sharon Schumann (2 nd Alternate)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
William Nass	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present

Motion (Carried / Denied)

ORDER AND DETERMINATION

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

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

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

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

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

Dodge County Board of Adjustment

Signed _____ Attest _____
Chairperson Secretary

Dated: _____

Filed: _____



Dodge County

Land Resources and Parks Department

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

October 18, 2022

Garriety Construction
W1587 County Road H
Lomira, WI 53048

RE: Determination of Application Completeness
Variance Application: #2022-0842
Property location: NE ¼, NW ¼, Section 21, T13N, R17E, Town of Lomira, Dodge County,
Wisconsin the site address being W1587 County Road H

Dear Garriety Construction;

The Dodge County Land Resources and Parks Department has received your Variance application to allow construct a 45'x26' home addition and attached garage on the property described above. Where the proposed construction does NOT meet the requirements of the Dodge County Land Use Code Subsection 5.1.1 and Table 5.1.1-1 of the Code which refers to the distances that all buildings and other structures are required to be setback from all roads. On October 13, 2022, the Department has determined that your Variance application is complete. This application will be forwarded to the Dodge County Board of Adjustment for review at a public hearing on Thursday, November 10, 2022 at 7:15 P.M. or shortly thereafter on the First Floor (Meeting Rooms 1H and 1I) of the Administration Building, Juneau, Wisconsin. You and other interested parties may appear in person or may be represented by an agent or attorney. If you or your agent can not attend the hearing, please contact the Land Resources and Parks Department to discuss your options.

Please Note: The Board of Adjustment members will be conducting an on-site visit on November 3, 2022 to review the site and the proposed construction project. Please make sure that the proposed construction project is staked out so that the Board can review your proposal. Your attendance during the on-site visit is not required.

If you have any questions regarding this matter, please feel free to contact our office.

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 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. 220842	Issue Date:
Application Date: 10-7-22	Receipt #: CC

Variance Application

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

Names and Mailing Addresses		Property Description					
Applicant (Agent) Mike • Linda Garnety	Parcel Identification Number (PIN) 030-1317-2121-001						
Street Address W1587 Cty Rd H	Town Lomira						
City • State • Zip Code Lomira WI 53048	NE ¹ / ₄ NW ¹ / ₄ Section NE NW 21	T	N	R	E		
Property Owner (if different from applicant)	Subdivision or CSM #	13	17				
Street Address	Site Address W1587 County Rd H						
City • State • Zip Code	Is this property connected to public sewer? <input type="checkbox"/> Yes <input type="checkbox"/> No						
Present property use: Single Family Residence							
List any prior variances that have been granted or denied for this property: None							
Describe all nonconforming structures and uses on this property: House							
List the terms of the Land Use Code for which you are requesting a variance (section # and code provision requirements): Section 5.1.1 Highway Set back for Principal Structure							
Variance Requested: Upgrade home with attached garage and more living space for the family.							
Address the following variance criteria described in the application materials. (Attach additional sheets if necessary):							
What unnecessary hardship is present that prohibits your compliance with the terms of the Land Use Code? The variance will not negatively impact any neighbor nor will it alter the essential character of the land.							

550845

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

We do not have any unique features of our property that would prevent us from complying with the terms of the Land Use 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?

No. Denial of variance would not prevent us from using this property

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

Our neighbors would not be affected by granting this variance

CERTIFICATE

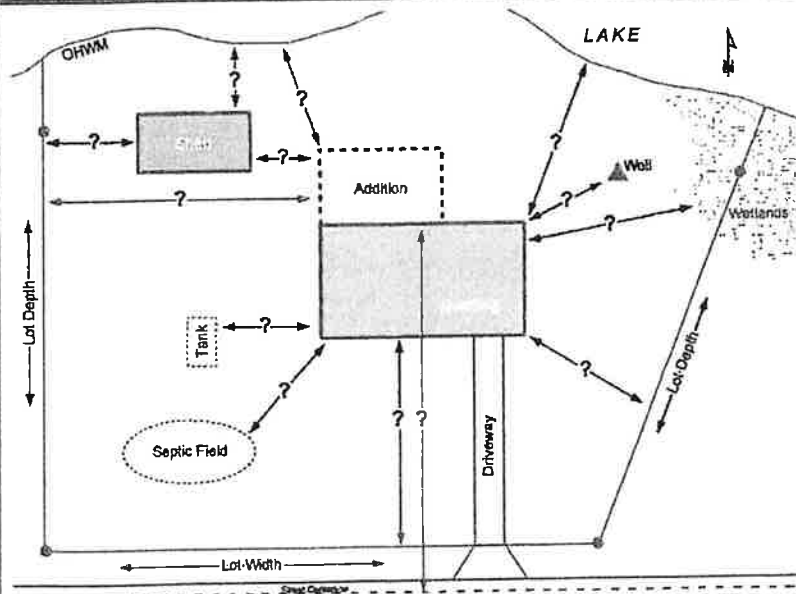
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and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

Signature of owner or authorized agent: Michael Janetz Date: 10-7-22

Daytime Contact Number (920) 948-2771

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)



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

October 12th, 2022

Garriety Construction
W1587 County Road H
Lomira, WI 53048

COPY

RE: Notice of Permit Refusal- County ID #2022-0841
PIN# 030-1317-2121-001

Location: NE ¼, NW ¼, Section 21, T13N, R17E, Town of Lomira, Dodge County, Wisconsin
the site address being W1587 County Road H.

Dear Mr. Garriety:

Your application for a permit to construct a 45'x26' home addition and attached garage on the property described above is hereby denied for failure to comply with the following sections of the Dodge County Codes:

Land Use Code Provisions:

Subsection 5.1.1 and Table 5.1.1-1 of the Code which 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 greatest required highway setback at this location is 67 feet from the road right of way of Cty Rd H. As proposed, the addition to the home will be 56.5' from the right of way or approximately 10.5' feet within the required highway setback lines and therefore prohibited by the Code.

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

A variance request was filed on October 7, 2022 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,

Morgan Wisth
Land Use/Sanitation Specialist

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 for informational purposes and is not a survey, and may not be used for any other purpose. Dodge County assumes no liability for any use or misuse of this information.



Dodge County Land Resources & Parks

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 Buffer	General Agricultural
Sewer Service Areas	<u>Non-Metallic Mining</u>	Lakes/Ponds/Sloughs	Prime Agricultural
Highly Developed Shoreline	Active Mining Area	Rivers/Streams/Creeks	One Family Residential
Elevation Contours	Approved Mining Area		Two Family Residential
	Mine Property Boundaries		Multi-Family Residential
			General Commercial
			Extensive Commercial
			Light Industrial
			Industrial
			Waterbody
			ROW/City/Village



Land Use Permit

330.00!

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

This Area For Office Use Only

COUNTY ID No. 220841	Receipt No. 5798-0015
Permit Expiration Date	Application Date 10-7-2022
	Sanitary Permit

PERMIT APPLICATION FEE: \$50 plus \$2 per \$1,000 cost of the project (Payable to: Dodge County) CITY OF JUNEAU (\$25 or After the Fact/\$50)
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.) Garrity Const.	Parcel Identification Number (PIN) 030-1317-2121-001
Street Address W1587 Hwy H	Town Lomira
City • State • Zip Code Lomira WI 53048	T 13 N 17 E
Property Owner <input checked="" type="checkbox"/> Same as applicant	Section NE 1/4 NW 1/4 21
Street Address	Acres 30.00
City • State • Zip Code	Lot (Block)
	Subdivision or CSM (Volume/Page/Lot)
	Address Of Property (DO NOT include 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 _____
<input checked="" type="checkbox"/> Single-Family Residential	
<input type="checkbox"/> Two-Family	
<input type="checkbox"/> Multi-Family	

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"/> REPLACEMENT OF EXISTING | <input checked="" type="checkbox"/> ADDITION TO AN EXISTING |
| <input type="checkbox"/> Deck | <input type="checkbox"/> Fence | <input type="checkbox"/> Boathouse | <input type="checkbox"/> Field Tile Installation | |
| <input type="checkbox"/> Patio | <input type="checkbox"/> Riprap | <input checked="" type="checkbox"/> Attached Garage | <input type="checkbox"/> Pond (Less than 2 acres in size) | |
| <input type="checkbox"/> Shed | <input type="checkbox"/> Gazebo | <input type="checkbox"/> Detached Garage | <input type="checkbox"/> Sign (Complete additional project information below) | |
| <input checked="" type="checkbox"/> Home Addition | <input type="checkbox"/> Sidewalk | <input type="checkbox"/> Ag Ditch Cleanout | <input type="checkbox"/> Barn (Complete additional project information below) | |
| <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 45'

Length 26'

Total Area 1170

Total Stories 1

Height (To roof peak) 18'

Estimated Cost (w/Labor) \$ 140,000

Additional Project Information

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

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

Sign Information: Single-Sided Double-Sided

Located On-Premise Located Off-Premise

Wall Ground Directional Other _____

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

◆ ◆ ◆ 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.

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?

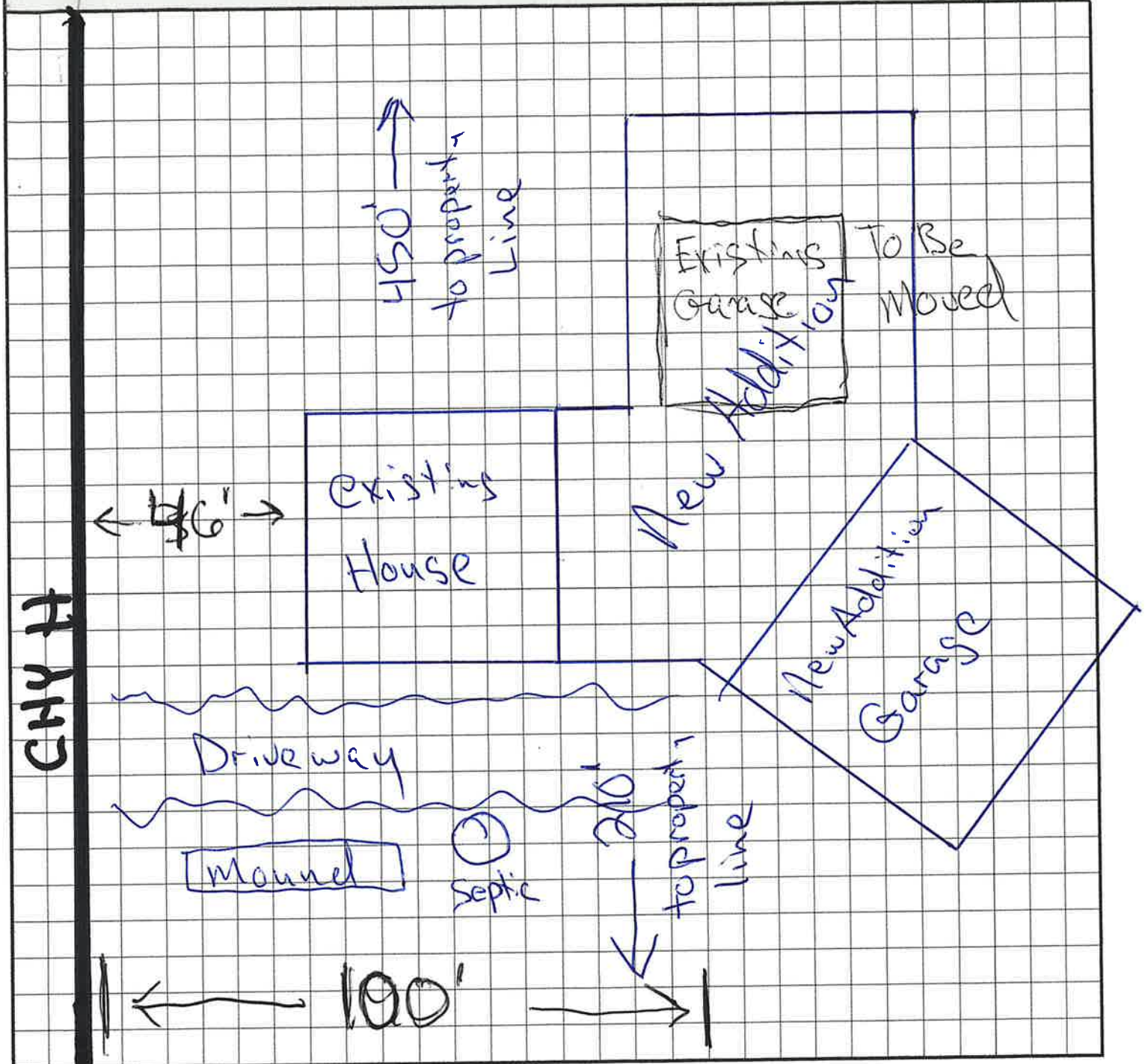
- NO ⇒ Sign and date application below.
 YES ⇒ A County **CONDITIONAL USE PERMIT (CUP)** may [also] be needed. Contact this office for assistance regarding the CUP process. Sign and date application below.

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) Mike Garrick Daytime Contact Phone (920) 948-2771 or Email: mike.garrick@gmail.com
Signature Mike Garrick Date 10/7/22 Call for pickup No Yes

SITE PLAN (SKETCH)



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

BOA ID No. 2022-08-12	BOA Appeal Date 10/7/22	BOA P/H Date 11/10/22	BOA Decision Date	BOA Decision <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
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Notes/Stipulations:

<input type="checkbox"/> Approved <input type="checkbox"/> Denied	Land Resources and Parks Department	Date
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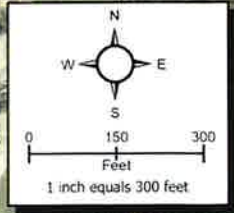
CH 4

1952-53 10/10/52

Michael & Linda Garriety

Town of Lomira, Sec. 21

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.



Land Resources and Parks Department Staff Report

County Variance Application No. 2022-0496

County Land Use Permit Application No. 2022-0429

Filing Date: June 16, 2022

Hearing Date: July 21, 2022

Board of Adjustment Decision Date: NOVEMBER 10, 2022

Applicant / Owner:

Steve Martin
N302 Lincoln Rd
Ixonia, WI 53036

Location

PIN#: 002-0917-3142-000

Property Location: NW ¼, SE ¼, Section 31, T09N, R17E, Town of Ashippun, Dodge County, Wisconsin the site address being N302 Lincoln Rd.

County Jurisdiction

The County has Jurisdiction over this site as the Town of Ashippun 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 July 16, 2022, a request for a variance to the terms of the Highway Setback District provisions of the Dodge County Land Use Code was submitted to allow the construction of a detached accessory structure (36' x 48', Shed), where said shed will be located 18.25 feet from the Town Road Right of Way of Oak Road. As proposed the structure will be 23.75 feet within the required highway setback lines.

On July 21, 2022, the Dodge County Board of Adjustment met to consider the above-mentioned variance request. On the basis of the evidence presented at the hearing on this case, the Board of Adjustment voted to Table (90 Days) the request for a variance for the following reason(s):

Reason for Table:

Other options to reconfigure the parcels and vacate the un-improved Town Road (Oak Road).

This revisit is at the request of the applicant. Staff points out also that the 90 day table has elapsed.

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 5.2.3 and Table 5.1-1 of the Dodge County Land Use Code;

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

The staff points out that the appellants are the owners of the approximate 5.1 acre parcel in Section 31, Town of Ashippun along the south side of Oak Road. Said road dedication was accepted by the Town Board of Ashippun in 1985 when this lot was created and the road dedication was necessary in order for the lot to meet the road frontage provisions of the Code. This portion of the road extension has never been upgraded or installed by the Town or Owner as of this date and access to this lot is by an existing driveway which abuts at the east end of the paved portion of Oak Road to the west. It is the staff's position that the right-of-way exists and is owned by the Town and all structures to be located on this lot are required to be located a minimum of 42 feet from the road right-of-way. It is the staff's position that there are no conditions that are unique to this property that would suggest this variance be granted as the appellant has other options to locate a shed in compliance with the highway setback lines and therefore the variance request should be denied.

3113-000
37.092 ac.

Ashippun
Sanitary

3114-000
71.36 ac.

ated per csm #1796

OAK RD

ROW

18' 3"

66.02'

515'

32' 6"

N302

TOWN OF
ASHEPPUN

(1)

3142-000
5.14 ac.

3143-000
62.2 ac.

435'

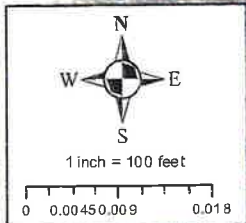
#1796

12/28

435'

515'

3141-000
55.16 ac.



Dodge County Land Resources & Parks

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



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

July 27, 2022

Steve Martin
N302 Lincoln Rd
Ixonia, WI 53036

RE: Notice of Action / Filing of Decision

County application/petition 2022-0496
Property Location: NW ¼, SE ¼, Section 31, T09N, R17E, Town of Ashippun, Dodge County, Wisconsin the site address being N302 Lincoln Rd.

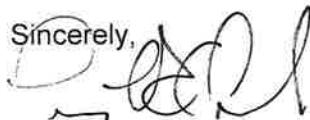
Dear Mr. Martin:

On July 21, 2022, the Dodge County Board of Adjustment met to consider your variance request. On the basis of the evidence presented at the hearing on this case, the Board of Adjustment voted to Table (90 Days) the request for a variance to the terms of the Highway Setback District provisions of the Dodge County Land Use Code was submitted to allow the construction of a detached accessory structure (36' x 48', Shed), where said shed will be located 18.25 feet from the Town Road Right of Way of Oak Road. As proposed the structure will be 23.75 feet within the required highway setback lines.

Reason for Table:

Other options to reconfigure the parcels and vacate the un-improved Town Road (Oak Road).

If you have any concerns or questions regarding this issue please feel free to contact our department at (920) 386-3700.

Sincerely,


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

COPY

Dodge County Board of Adjustment Decision

County Variance Application No. 2022-0496
County Land Use Permit Application No. 2022-0429
Filing Date: June 16, 2022
Hearing Date: July 21, 2022

Applicant / Owner:

Steve Martin
N302 Lincoln Rd
Ixonia, WI 53036

Location

PIN#: 002-0917-3142-000
Property Location: NW ¼, SE ¼, Section 31, T09N, R17E, Town of Ashippun, Dodge County, Wisconsin the site address being N302 Lincoln Rd.

County Jurisdiction

The County has Jurisdiction over this site as the Town of Ashippun 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 July 16, 2022, a request for a variance to the terms of the Highway Setback Overlay District provisions of the Dodge County Land Use Code was submitted to allow the construction of a detached accessory structure (36' x 48', Shed), where said shed will be located 18.25 feet from the Town Road Right of Way of Oak Road. As proposed the structure will be 23.75 feet within the required highway setback lines.

On July 21, 2022, the Dodge County Board of Adjustment met to consider the above-mentioned variance request. On the basis of the evidence presented at the hearing on this case, the Board of Adjustment voted to Table (90 Days) the request for a variance for the following reason(s):

Reason for Table:

Other options to reconfigure the parcels and vacate the un-improved Town Road (Oak Road).

CONCLUSIONS OF LAW

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

The appellants request to Subsections 5.1.1, and Table 5.1-1 of the Code are "area" variances.

(Yes / No) _____

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

(Yes / No) _____

Are the highway setback provisions of the Code unnecessarily burdensome in this case, thereby creating a hardship?

(Yes / No) _____
Explain: _____

Does the appellant have other options available to construct a detached accessory structure (36' x 48', Shed) on this lot in compliance with the highway setback lines?

(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 requests?

(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?

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

Motion by _____ to (approve / deny) the variance request to allow the construction of a detached accessory structure (36' x 48', Shed), where said shed will be located 18.25 feet from the Town Road Right of Way of Oak Road. As proposed the structure will be 23.75 feet within the required highway setback lines, 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
Vacant	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Rodney Justman	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Ed Premo (1 st Alternate)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Sharon Schumann (2 nd Alternate)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
William Nass	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present

Motion (Carried / Denied)

ORDER AND DETERMINATION

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

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

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

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

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

Dodge County Board of Adjustment

Signed _____ Attest _____
Chairperson Secretary

Dated: _____

Filed: _____



Dodge County

Land Resources and Parks Department

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

June 23, 2022

Steve Martin
N302 Lincoln Rd
Ixonia, WI 53036

RE: Determination of Application Completeness
Variance Application: #2022-0496
Property location: NW ¼, SE ¼, Section 31, T09N, R17E, Town of Ashippun, Dodge County, Wisconsin the site address being N302 Lincoln Rd.

Dear Steve Martin;

The Dodge County Land Resources and Parks Department has received your Variance application to allow the construction of a detached accessory structure (36' x 48', Shed). Where said shed will be located 18.25 feet from the Town Road Right of Way of Oak Road. As proposed the structure will be 23.75 feet within the required setback, thus not in compliance with code provisions. On June 23, 2022, the Department has determined that your Variance application is complete. This application will be forwarded to the Dodge County Board of Adjustment for review at a public hearing on Thursday, July 21, 2022 at 7:45 P.M. or shortly thereafter on the First Floor (Meeting Rooms 1H and 1I) of the Administration Building, Juneau, Wisconsin. You and other interested parties may appear in person or may be represented by an agent or attorney. If you or your agent can not attend the hearing, please contact the Land Resources and Parks Department to discuss your options.

Please Note: The Board of Adjustment members will be conducting an on-site visit on July 14, 2022 to review the site and the proposed construction project. Please make sure that the proposed construction project is staked out so that the Board can review your proposal. Your attendance during the on-site visit is not required.

If you have any questions regarding this matter, please feel free to contact our office.

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 Board of Adjustment Decision

County Variance Application No. 2022-0496
County Land Use Permit Application No. 2022-0429
Filing Date: June 16, 2022
Hearing Date: July 21, 2022

Applicant / Owner:

Steve Martin
N302 Lincoln Rd
Ixonla, WI 53036

Location

PIN#: 002-0917-3142-000
Property Location: NW ¼, SE ¼, Section 31, T09N, R17E, Town of Ashippun, Dodge County, Wisconsin the site address being N302 Lincoln Rd.

County Jurisdiction

The County has Jurisdiction over this site as the Town of Ashippun 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 July 16, 2022, a request for a variance to the terms of the Highway Setback Overlay District provisions of the Dodge County Land Use Code was submitted to allow the construction of a detached accessory structure (36' x 48', Shed), where said shed will be located 18.25 feet from the Town Road Right of Way of Oak Road. As proposed the structure will be 23.75 feet within the required highway 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 Subsections 5.1.1, and Table 5.1-1 of the Code are "area" variances.

(Yes / No) _____
_____ *Y S ✓*

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

(Yes / No) _____

Are the highway setback provisions of the Code unnecessarily burdensome in this case, thereby creating a hardship?

(Yes / No)

Explain: _____

Does the appellant have other options available to construct a detached accessory structure (36' x 48', Shed) on this lot in compliance with the highway setback lines?

(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 requests?

(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?

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

Motion by _____ to (approve / deny) the variance request to allow the construction of a detached accessory structure (36' x 48', Shed), where said shed will be located 18.25 feet from the Town Road Right of Way of Oak Road. As proposed the structure will be 23.75 feet within the required highway setback lines, based upon the previously mentioned findings and conditions.

Motion second _____

Motion by Sharon second by Jon to table for 90 days

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
Vacant	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Rodney Justman	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Ed Premo (1 st Alternate)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Sharon Schumann (2 nd Alternate)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
William Nass	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present

Motion (Carried / Denied)

ORDER AND DETERMINATION

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

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

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

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

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

Dodge County Board of Adjustment

Signed  Attest 
Chairperson Secretary

Dated: 7.21.2022

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

Variance Application

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

THIS AREA FOR OFFICE USE ONLY	
Activity No. 220496	Issue Date:
Application Date: 6-16-2022	Receipt #: 5027-0017

Names and Mailing Addresses		Property Description			
Applicant (Agent) <i>Steve Martin</i>	Parcel Identification Number (PIN) <i>002-0917-3142-000</i>	T	N	R	E
Street Address <i>N302 Lincoln Road</i>	Town <i>Ashippun</i>	1/4	1/4	Section	
City • State • Zip Code <i>IXONIA, WI 53036</i>	NW SE	31	09	17	
Property Owner (if different from applicant)	Subdivision or CSM #				
Street Address	Site Address				
City • State • Zip Code	Is this property connected to public sewer? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Present property use: <i>Residential</i>					
List any prior variances that have been granted or denied for this property: <i>None</i>					
Describe all nonconforming structures and uses on this property: <i>None</i>					
List the terms of the Land Use Code for which you are requesting a variance (section # and code provision requirements): <i>Unnecessary Hardship</i>					
Variance Requested:					
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? <i>Deeded Right-a-way OAK Road</i>					

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

THE SET BACKS

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, this site is close to electric & the house, the land is flat, and it is very convenient.

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

Not at all

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.

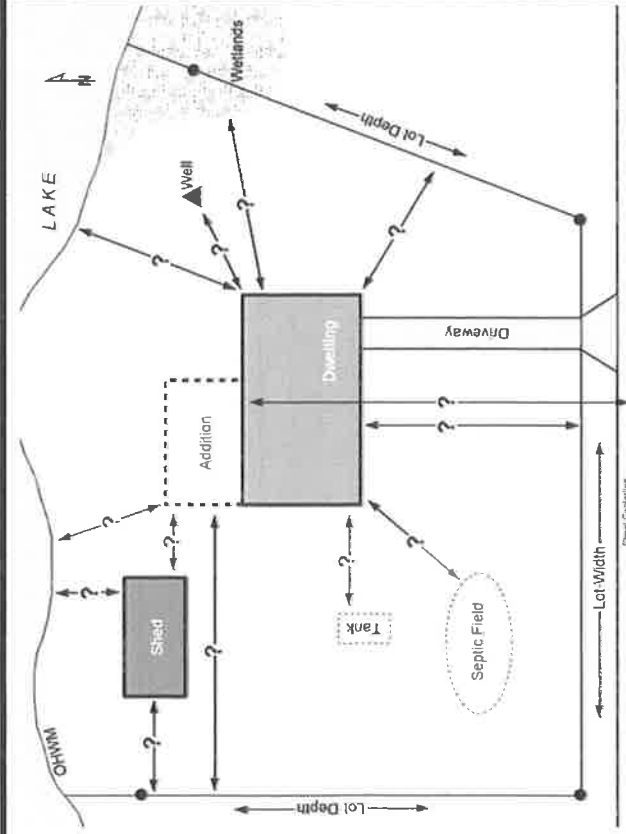
Signature of owner or authorized agent: *HO MUTO*

Date: *6/13/2022*

Daytime Contact Number (*920*) *248* - *0318*

SITE PLANS AND BUILDING PLANS

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



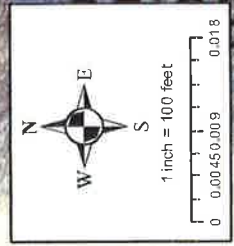
Site plans must be drawn to scale and/or all dimensions given, such as:

- 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)

ated per csm #1796



Dodge County Land Resources & Parks

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
			Waste/body
			ROW/City/Village



6/22/22 MW - ROAD RUNS EAST/WEST



06/22/22 MW



6/22/22 MW

Margaret & Stephen Martin
Town of Ashippun, Sec. 31

3113-000
JAEGER
37.1 ac.

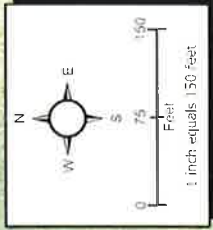
OAK RD



3143-000
BROOKS WJ PROPERTIES LLC
92.2 ac.

3141-000
MARTIN REVOCABLE TRUST
55.2 ac.

This is a computer-generated map. It is not a survey and should not be used for any legal purposes. Do not rely on this information for any use or action.



Ochs, Terry

From: Schmidt, Jennifer
Sent: Wednesday, October 12, 2022 7:35 AM
To: Giebel, Joe; Ochs, Terry
Subject: FW: Martin N302 Lincoln Road, Town of Ashippun

Jennifer A. Schmidt
Sr. Administrative Support Specialist

From: Marge Martin <sprucelanepastures@gmail.com>
Sent: Tuesday, October 11, 2022 4:48 PM
To: Land Resources & Parks <LandResourcesParks@co.dodge.wi.us>
Subject: Martin N302 Lincoln Road, Town of Ashippun

EXTERNAL EMAIL: Verify sender before opening links and attachments.

Please forward this letter to the 5 member panel of the Variance Committee.

Dear committee members,

I am sending this letter because the October meeting was canceled. Please reconsider your tabling of our variance plea. We have had our property surveyed and made into one parcel as you asked us to. This cost us several thousand dollars. Now we have hired an attorney to vacate "OAK ROAD". I would like to point out at this time that "OAK ROAD" goes nowhere. Our neighbors John and Jeanne Griswold had their part of "OAK ROAD" vacated over ten years ago. That vacation cost them nothing, they told us either the county or the town did it. So my question is why are we having to hire an attorney to do this for us? And why are all of you so worried about this road? We feel we are being single out and not treated fairly. All of you gave the gentleman from Oak Grove a variance to build a new shop 16' off of hwy 33. We are out in an open grassy area. No traffic and no people.

At our meeting, Terry had said we could go ahead and get the building site prepped for building, we have done this. Why would he have told us that if this wasn't a go ahead? We have over 10,000 invested in site preparation.

I am pleading with you to please give us the variance at this time, before we have to pay any more attorney fees. This is getting to be very costly and time consuming for really nothing.

Please respond to this letter so that I know you have received it. I had sent an earlier letter and never heard back.

Thank you so much,
Steve and Marge Martin
920-248-1979

DODGE COUNTY BOARD OF ADJUSTMENT MINUTES
November 3, 2022

The Dodge County Board of Adjustment met on this 3rd day of November 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: Rodney Justman, William Nass, Jon Schoenike and Sharon Schumann (Alternate 2). Members excused were, Edward Premo (Alternate 1)

Terry Ochs 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 and the public hearing notice requirements. Mr. Ochs noted that the meeting was properly noticed in accord with the open meeting law in accord with the statute and code requirements.

The agenda was reviewed by the Board;

A request was made to go into closed session to discuss with legal counsel for Dodge County in respect to litigation involving Spring Brook Estates LLC. v. Dodge County Board of Adjustment.

Motion by Rodney Justman to go into closed session.

Second by Sharon Schumann

Vote: 4-0 Motion carried.

Motion by Sharon Schumann to end closed session and move to open session.

Second by Jon Schoenike

Vote: Motion carried.

Chairman Nass requested Mr. Ochs of the Land Resources & Parks Department to accompany the Board on the following on-site inspections and to attend the Public Hearings on November 10, 2022.

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

- 1) **Adam Kuehn**, part of the NE ¼, SW ¼, Section 27, T11N, R15E, Town of Oak Grove, Dodge County, Wisconsin the site address being N5402 County Road M.

- 2) **Garriety Construction**, part of the NE ¼, NW ¼, Section 21, T13N, R17E, Town of Lomira, Dodge County, Wisconsin the site address being W1587 County Road H

Motion by order of the Chair to adjourn the meeting. Motion carried.

Respectfully Submitted,

Jon Schoenike, Secretary

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