

LEGAL NOTICE FOR:

BOARD OF ADJUSTMENT

Hearing No. 1

Notice is hereby given that a public hearing will be held by the **Dodge County Board of Adjustment** on Thursday, August 17, 2023 at 7:00 P.M. or shortly thereafter on the First Floor (Meeting Rooms 1H and 1I) of the Dodge County Administration Building, Juneau, Wisconsin on the appeal of **John S. Henry III agent for Duane and Kathleen Foulkes Revocable Trust** for a variance to the terms of the subdivision provisions of the Dodge County Land Use Code to allow the creation of a new lot/parcel with a sewage dispersal system which must utilize a holding tank due to the site not having suitable soils for an approved sanitation disposal system other than a holding tank and thus not in compliance with the Code.

The site is located in Part of the SE ¼ of the NW ¼, Section 28, Town of Beaver Dam, Dodge County, Wisconsin.

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).

All persons interested are invited to attend and be heard. Written comments may be submitted to the Dodge County Land Resources and Parks Department at 127 E Oak Street, Juneau, WI 53039 or by e-mail to tochs@co.dodge.wi.us no later than August 16, 2023.

Dated July 19, 2023

Dodge County Board of Adjustment
By William Nass, Chairman

Land Resources and Parks Department Staff Report

County Variance Application No. 2023-0526

County Minor Land Division Letter of Intent Application No. 2023-0157

Filing Date: June 30, 2023

Hearing Date: August 17, 2023

Applicant (Agent):

JOHN S. HENRY
W8769 NIBLICK RD
BEAVER DAM WI 53916

Owner:

DUANE & KATHLEEN FOULKES REVOCABLE TRUST CREATED DECEMBER 14 2020
1412 HIAWATHA DR
BEAVER DAM WI 53916

Location

PIN# 004-1214-2824-000

The site is located in part of the SE ¼ of the NW ¼, Section 28, Town of Beaver Dam, Dodge County, Wisconsin.

County Jurisdiction

The County has land division jurisdiction over this site as the subdivision provisions of the County Land Use Code apply to all land divisions in Dodge County except those lands within the incorporated municipalities.

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.

Land Use Code Provisions:

7.7.2.A.1 No division of land shall be approved by the Committee or the Land Use Administrator unless or until an approved method of sanitary sewage disposal, other than a holding tank, is available for the lots within that subdivision or land division. Sewage disposal facilities that are provided for all lots within a Major Subdivision by a community or centralized sewage disposal system, and efficient expansion of existing service areas, are encouraged.

Appellants Request

The appellant is requesting a variance to the terms of the subdivision provisions of the Dodge County Land Use Code, Section 7.7.2.A.1, to allow the creation of a new lot/parcel with a sewage dispersal system which must utilize a holding tank due to the site not having suitable soils for an approved sanitation disposal system other than a holding tank, and thus not in compliance with the Code.

On April 14, 2023 an application for a Minor Land Division (#2023-0157) was approved by the Land Use Administrator subject to 8 conditions. In accord with condition #8 of the conditional approval: "Soil tests are required for the 1.7-acre lot and the lot shall contain sufficient soil to accommodate an approved method of

sanitary sewage disposal other than a holding tank in accord with Subsection 7.7.2.A.1. The soil test locations shall be shown on the certified survey map.”

Based upon the results of the preliminary soil test conducted on this lot, the proposed lot does not contain sufficient soils in which to install a septic system on this lot other than a holding tank because the site has been previously disturbed (filled). Since no type of system other than a holding tank can be installed on this lot, Section 7.7.2.A.1 of the Land Use Code prohibits the creation of the new lot.

The appellant is requesting an area variance to Section 7.7.2.A.1 of the code;

Features

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

The applicant owns an approximate 31.6-acre parcel at this location within the Town of Beaver Dam. Approximately 14.3-acres are located along the north side of a parcel owned by the City of Beaver Dam and approximately 17.3-acres is located south of the parcel owned by the City of Beaver Dam. The 14.3-acre and the 17.3-acre parcels are considered legal existing lots of record by the County.

The 14.3-acre lot is a vacant lot. Approximately 12.3-acres along the west side of the 14.3-acre lot is designated as a wetland and is also designated as a floodplain. The remaining approximately 1.7-acres of the lot along the east side of the lot is not designated as a wetland or floodplain. The applicant intends to create a 1.7-acre lot along the east side of the property for commercial development and the remaining 12.3-acres along the west side of the property will remain in open space recreational use. Based upon the results of the soil tests conducted on this lot, the proposed 1.7-acre lot is a filled site. The 1.7-acre lot does not contain sufficient soils in which to install a septic system on this lot other than a holding tank because of the fill placed on this lot. Construction on the 12.3-acre lot is also prohibited by the County Codes at the site designated as a wetland and is located within a floodplain.

Topography of the site is rolling with slopes ranging from 6-12% .

The general character of the surrounding land use consists of agricultural lands to the south, wetlands to the north and mixed residential and city (Industrial) to the east.;

The property has not been the subject of a prior appeal or variance and the property does not contain a nonconforming structure or use.

Purpose Statement

The purpose of land division provisions of the Land Use Code is to regulate and control the division of land in Dodge County, except those lands within incorporated municipalities, in order to promote the public health, safety, morals, prosperity, aesthetics and general welfare of the County. It is the specific intent of this chapter to regulate the division of land so as to:

7.1.2.A Obtain the wise use, conservation, protection, and proper development of the County's soil, water, wetland, woodland, and wildlife resources and attain a proper adjustment of land use and development to the supporting and sustaining natural resource base.

7.1.2.H Facilitate adequate provision for housing, transportation, water, sewerage, schools, parks, playgrounds, and other public requirements.

7.1.2.M Restrict building sites on floodplains, wetlands, areas covered by poor soils or in other areas poorly suited for development;

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 7.7.2.A.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 intent of Section 7.7.2.A.1 of the Dodge County Land Use code is to prohibit the creation of a new lot where the only method of sanitary sewage disposal that is available on the proposed lot is a holding tank. The County has found that holding tanks are generally abused, not well maintained, require holding tank agreements and are generally more expensive for the property owner in the long run.

The staff notes that the land use code and the sanitary ordinance provisions will allow for the installation of a holding tank on the existing 14.3-acre, as it currently exists, as this lot is an existing lot of record and the codes allow for the installation of a holding tank on an existing lot of record as a last resort. The staff also notes that Section 7.7.2.A.1 of the Land Use Code will not allow for the division of the 14.3-acre lot into smaller lots as there is insufficient soils on the 14.3-acre lot that are compliant for a septic system other than a holding tank.

It is the staff's position that to allow the division of the 14.3-acre lot into two new smaller lots where the new lot is only suitable for a holding tank would be contrary to the purpose and spirit of the code and therefore recommends denial of the variance request. It is also the staff's position that the applicant has a reasonable option to construct a structure on the existing 14.3-acre lot and to install a holding tank on the existing 14.3-acre lot without dividing the property and without a variance.

If the Board can make the findings necessary in order to grant a variance request in this case, the staff recommends the following conditions of approval:

1. The owner shall contract with a licensed plumber to design and obtain the required sanitary permit approvals for the proposed holding tank prior to the installation of the holding tank.
2. The owner shall, pursuant to s. SPS 383.54(2) have a water meter installed. The water meter shall be installed by a plumber authorized by the State to conduct such installations, with said installation complying with State regulations and manufacturers specifications. The owner shall be financially responsible for the purchase, installation, maintenance and repair of the water meter, and agrees to allow the County to enter the above described property, as needed, to read and/or inspect the water meter.
3. The owner, except as provided by s. 281.48 (d), Stats, shall contract with a person who is licensed under Ch. NR 113, Wis. Adm. Code, to have the holding tank serviced and to file a copy of the contract or the owner's registration with the County. The owner further shall file a copy of any changes to the servicing contract, or a copy of a new servicing contract, with the County within 10 days from the date of change to the servicing contract.
4. The owner shall contract with a person licensed under Ch. NR 113, Wis. Adm. Code, who shall submit to the County on a semiannual basis a report in accordance with SPS 383.55 Wis. Adm. Code, for the servicing of the holding tank. In the case of licensing under s. 281.48(d) Stats, the owner shall submit the report to the County. The County may enter upon the property to investigate the condition of the holding tank when pumping reports and/or meter readings may indicate that the holding tank is not being properly maintained.
5. These conditions shall remain in effect until the County certifies that the property is served by either a municipal sewer or a POWTS system that complies with SPS 383, Wis. Adm. Code.

Dodge County Board of Adjustment Decision

County Variance Application No. 2023-0526
County Minor Land Division Letter of Intent Application No. 2023-0157
Filing Date: June 30, 2023
Hearing Date: August 17, 2023

Applicant (Agent):
JOHN S. HENRY
W8769 NIBLICK RD
BEAVER DAM WI 53916

Owner:
DUANE & KATHLEEN FOULKES REVOCABLE TRUST CREATED DECEMBER 14 2020
1412 HIAWATHA DR
BEAVER DAM WI 53916

Location
PIN# 004-1214-2824-000

The site is located in Part of the SE ¼ of the NW ¼, Section 28, Town of Beaver Dam, Dodge County, Wisconsin.

Appellants Request
The appellant is requesting a variance to the terms of the subdivision provisions of the Dodge County Land Use Code section 7.7.2.A.1, to allow the creation of a new lot/parcel with a sewage dispersal system which must utilize a holding tank due to the site not having suitable soils for an approved sanitation disposal system other than a holding tank, and thus not in compliance with 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 Subsections 7.7.2.A.1 of the Dodge County Land Use Code is an “area” variance.

(Yes / No) _____

1) **Is there a physical limitation that is unique to this property that prevents the appellant from installing a septic system other than a holding tank on this lot?**

(Yes / No)

If yes, what is the physical limitation that prevents the appellant from installing septic system on this lot other than a holding tank?

2) **Does the Board believe that the land division requirement of the Code that prevents the creation of a new lot at this location is unnecessarily burdensome in this case, thereby creating a hardship?**

(Yes / No)

If no, the variance request would not meet all of the criteria in Section 2.3.12.E of the Code that are required to approve a variance and therefore the request should be denied.

If yes, how is the Code unnecessarily burdensome in this case, thereby creating a hardship?

3) **Is this project harmful in any way to the safety or general welfare of the appellant, the public or the adjacent neighbors?**

Yes/No)

Explain _____

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

(Yes/No)

5) **Does the Board believe that the variance request meets all of the criteria in Section 2.3.12.E of the County Land Use Code?**

(Yes/No)

6) **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?**

- Not Applicable.
- No conditions are required;
- The following conditions are required:
 - The owner shall contract with a licensed plumber to design and obtain the required sanitary permit approvals for the proposed holding tank prior to the installation of the holding tank.
 - The owner shall, pursuant to s. SPS 383.54(2) have a water meter installed. The water meter shall be installed by a plumber authorized by the State to conduct such installations, with said installation complying with State regulations and manufacturers specifications. The owner shall be financially responsible for the purchase, installation, maintenance and repair of the water meter, and agrees to allow the County to enter the above described property, as needed, to read and/or inspect the water meter.
 - The owner, except as provided by s. 281.48 (d), Stats, shall contract with a person who is licensed under Ch. NR 113, Wis. Adm. Code, to have the holding tank serviced and to file a copy of the contract or the owner's registration with the County. The owner further shall file a copy of any changes to the servicing contract, or a copy of a new servicing contract, with the County within 10 days from the date of change to the servicing contract.
 - The owner shall contract with a person licensed under Ch. NR 113, Wis. Adm. Code, who shall submit to the County on a semiannual basis a report in accordance with SPS 383.55 Wis. Adm. Code, for the servicing of the holding tank. In the case of licensing under s. 281.48(d) Stats, the owner shall submit the report to the County. The County may enter upon the property to investigate the condition of the holding tank when pumping reports and/or meter readings may indicate that the holding tank is not being properly maintained.
 - These conditions shall remain in effect until the County certifies that the property is served by either a municipal sewer or a POWTS system that complies with SPS 383, Wis. Adm. Code.
 - Others

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

Motion second _____

Vote

Mark Othmer	<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
Russell Kottke	<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
Larry Bischoff (1 st Alternate)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Vacant (2 nd Alternate)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
William Nass	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present

Motion (Carried / Denied)

ORDER AND DETERMINATION

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

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

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

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

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

Dodge County Board of Adjustment

Signed _____ Attest _____
Chairperson Secretary

Dated: _____

Filed: _____



Dodge County

Land Resources and Parks Department

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

July 19, 2023

JOHN S. HENRY
W8769 NIBLICK RD
BEAVER DAM WI 53916

DUANE & KATHLEEN FOULKES REVOCABLE TRUST CREATED DECEMBER 14 2020
1412 HIAWATHA DR
BEAVER DAM WI 53916

RE: Determination of Application Completeness

Variance Application: #2023-0526

Property location: SE ¼ of the NW ¼, Section 28, T12N, R14E, Town of Beaver Dam, the site address being State Highway 33.

Dear John S. Henry;

The Dodge County Land Resources and Parks Department has received your Variance application to allow the creation of a lot or parcel which does not meet the requirements of an approved method of sanitary sewage disposal, other than a holding tank is available. On July 19, 2023, 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, August 17, 2023 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 August 17, 2023 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. Tochs
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. 230526	Issue Date:
Application Date: 6/30/2023	Receipt #: 7482-0018

Variance Application

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

Names and Mailing Addresses	Property Description							
Applicant (Agent) John S. Henry III	Parcel Identification Number (PIN) 004-1214-2824-000							
Street Address W8769 Niblick Rd	Town Beaver Dam							
City • State • Zip Code Beaver Dam WI 53916	<table border="1" style="width: 100%; text-align: center;"> <tr> <td>SE ¹/₄</td> <td>NE ¹/₄</td> <td>Section 28</td> <td>T 12</td> <td>N</td> <td>R 14</td> <td>E</td> </tr> </table>	SE ¹ / ₄	NE ¹ / ₄	Section 28	T 12	N	R 14	E
SE ¹ / ₄	NE ¹ / ₄	Section 28	T 12	N	R 14	E		
Property Owner (If different from applicant) Foulkes Revocable Trust (Diane Foulkes)	Subdivision or CSM #							
Street Address 1412 Hiawatha Dr	Site Address							
City • State • Zip Code Beaver Dam WI 53916	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							

Present property use:

vacant

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

NONE

Describe all nonconforming structures and uses on this property:

NONE

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

7.7.2 Sanitary Sewage Disposal Systems

No division of land shall be approved unless an approved method of sanitary sewage disposal, other than a holding tank, is available for the lots.

Variance Requested:

Variance to allow a holding tank due to failed perc test.

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?

Property failed perc test. Can't construct any building on the lot.

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

Failed perc test.

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. A bathroom is a necessity.

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

It should not be affected.

CERTIFICATE

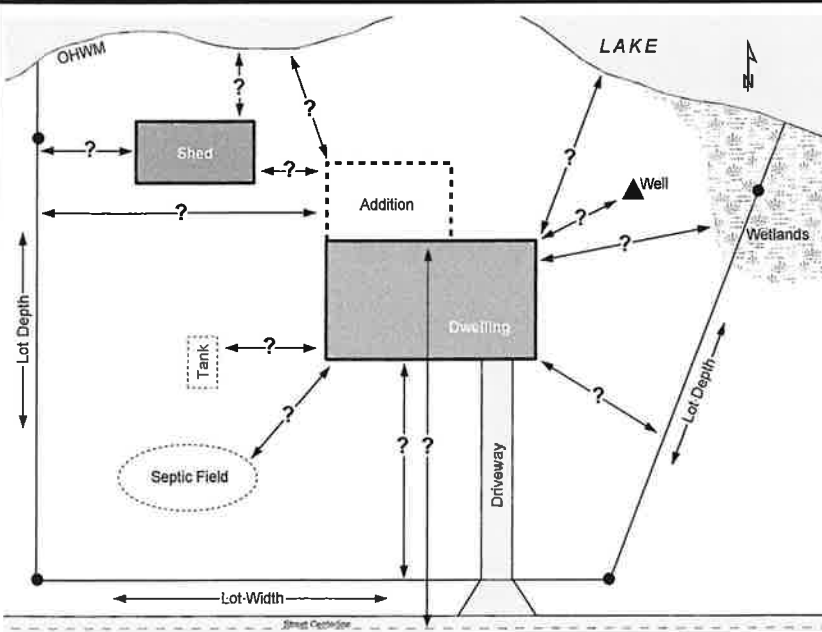
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and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

Signature of owner or authorized agent: *[Signature]* Date: *6-29-2023*

Daytime Contact Number (*920*) *210* - *3435* *[Circle]* *bigjohns@charter.net*

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

April 14, 2023

New Frontier Land Surveying
P.O. Box 576
Beaver Dam, WI 53916

RE: Notice of Action / Filing of Decision
County Minor Land Division Application 2023-0157
Owner: Duane and Kathleen Foulkes Revocable Trust
PIN# 004-1214-2824-000
Property Location: Part of the SE ¼ of the NW ¼, Section 28, Town of Beaver Dam

Dear New Frontier Land Surveying:

On April 14, 2023, the review of your Minor Land Division request as agent for Duane and Kathleen Foulkes Revocable Trust was completed. On the basis of the evidence presented in the application the land division request to create an approximate 1.7-acre and a 12.3-acre lot has been approved subject to the following conditions:

1. A 2-lot certified survey map is submitted and approved for these lots;
2. The lots shall meet the lot width requirements of the Code;
3. Approval for access to STH 33 is received from the State Department of Transportation prior to the approval of the certified survey map. The access locations shall be shown on the survey;
4. Approval is obtained from the Town of Beaver Dam and the City of Beaver Dam prior to the approval of the CSM;
5. The following highway/road setback line shall be shown on the certified survey map:
 - Urbanized Road: 60 feet from the centerline or 27 feet from the road right-of-way, whichever distance is greater;
6. The certified survey map shall contain the floodplain boundary, as designated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) dated April 19, 2010;
7. The certified survey map shall contain the wetland boundary, as designated on the Wetlands Inventory Maps published by the Wisconsin Department of Natural Resources Bureau of Water Regulation and Zoning, dated September 19, 1994;
8. Soil tests are required for the 1.7-acre lot and the lot shall contain sufficient soil to accommodate an approved method of sanitary sewage disposal other than a holding tank in accord with Subsection 7.7.2.A.1. The soil test locations shall be shown on the certified survey map;

Waivers:

- Lot line angles.
- Soil tests for the 12+acre remnant lot.

You may proceed with the submission of a 2-lot certified survey map to the Dodge County Land

Resources and Parks Department that has been prepared in accordance with Subsection 2.3.9 F of the Dodge County Land Use Code. A final certified survey fee of \$130.00 will be required at the time the survey is submitted for approval. There will also be an additional recording fee to record the certified survey map. Please note any specified conditions in the resolution which must be complied with in order to gain final approval of the certified survey map.

Expiration of Approval: This decision shall assure final approval of the certified survey map and the land division request if the certified survey map is submitted by the expiration date and the certified survey map is substantially the same plan and all of the conditions of approval for this division are met.

This decision expires on April 14, 2024

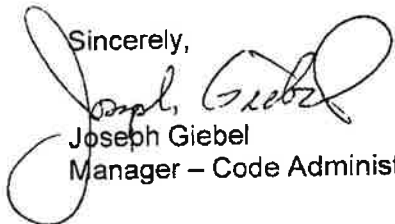
Please check with your local assessor and the County treasurer to determine whether you will be subject to the use-value penalty (2001 WI Act 109, Sec. 74.485). This penalty applies to properties that were assessed as Agricultural use-value as of January 1, 2002 and has changed out of agricultural use after that point in time.

If you have any questions regarding the decision, feel free to contact this office at any time so that we may be of assistance.

Revocation. This approval may be revoked by the Land Use Administrator after notice and opportunity to be heard for violation of any of the conditions imposed.

Appeals. Appeals from the decision of any review and decision-making body may be made by any person aggrieved or their agent, or by an officer, department, board, or bureau of the County, or by any affected town board. Such appeals shall be filed with the Land Resources and Parks Department or the review and decision-making body from whom the appeal is taken within 30-days after the date of written notice of the decision or order of the review and decision-making body. The County 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.

Sincerely,



Joseph Giebel
Manager – Code Administration

Enclosures – Tax Penalties Notice

cc: Duane and Kathleen Foulkes Revocable Trust



SOIL EVALUATION REPORT

In accordance with SPS 385, Wis. Adm. Code

Attach complete site plan on paper not less than 8 1/2 x 11 inches in size. Plan must include, but not limited to vertical and horizontal reference point (BM), direction and percent slope, scale or dimensions, north arrow, and location and distance to nearest road.

Please print all information.

Personal information you provide may be used for secondary purposes (Privacy Law, s. 15.04(1)(m)).

County	Dodge
Parcel I.D.	004-1214-2824-000
Reviewed by	Date

Property Owner John Henry	Property Location Govt. Lot SE 1/4 NW 1/4 S 28 T 12 N R 14 E (or) W
Property Owner's Mailing Address W 8769 Niblick 120	Site Address or CSM and Lot #:
City, State, Zip Beaver Dam WI 53916	Phone Number (920) 210-3435
<input type="checkbox"/> City <input type="checkbox"/> Village <input checked="" type="checkbox"/> Town	Nearest Road Hwy 33

New Construction Use: Residential/Number of bedrooms _____ Code derived design flow rate 130 GPD
 Replacement Public or commercial - Describe: warehouse employees Flood Plan elevation if applicable 1 ft.
 Parent material _____ 1 floor drain
 General comments and recommendations:

Boring # Boring Pit Ground surface elev. _____ ft. Depth to limiting factor _____ in. / elev. _____ ft.

Horizon	Depth In.	Dominant Color Munsell	Redox Description Qu. Az. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	Soil Application Rate	
									GPD/F ²	
									*Eff#1	*Eff#2
NO Suitable Area										

Boring # Boring Pit Ground surface elev. _____ ft. Depth to limiting factor _____ in. / elev. _____ ft.

Horizon	Depth In.	Dominant Color Munsell	Redox Description Qu. Az. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	Soil Application Rate	
									GPD/F ²	
									*Eff#1	*Eff#2

CST Name (Please Print) Brian Wright	Signature 	CST Number 220442
Address PO Box 26 Columbus	Date Evaluation Conducted 6/9/23	Telephone Number 920 623-4517

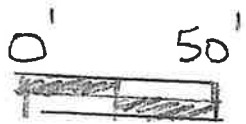
WI 53928 * Effluent #1 = BOD > 30 ≤ 220 mg/L and TSS > 30 ≤ 150 mg/L * Effluent #2 = BOD, ≤ 30 mg/L and TSS ≤ 30 mg/L SBD-8330 (R03/22)



Beaver Dam Dodge



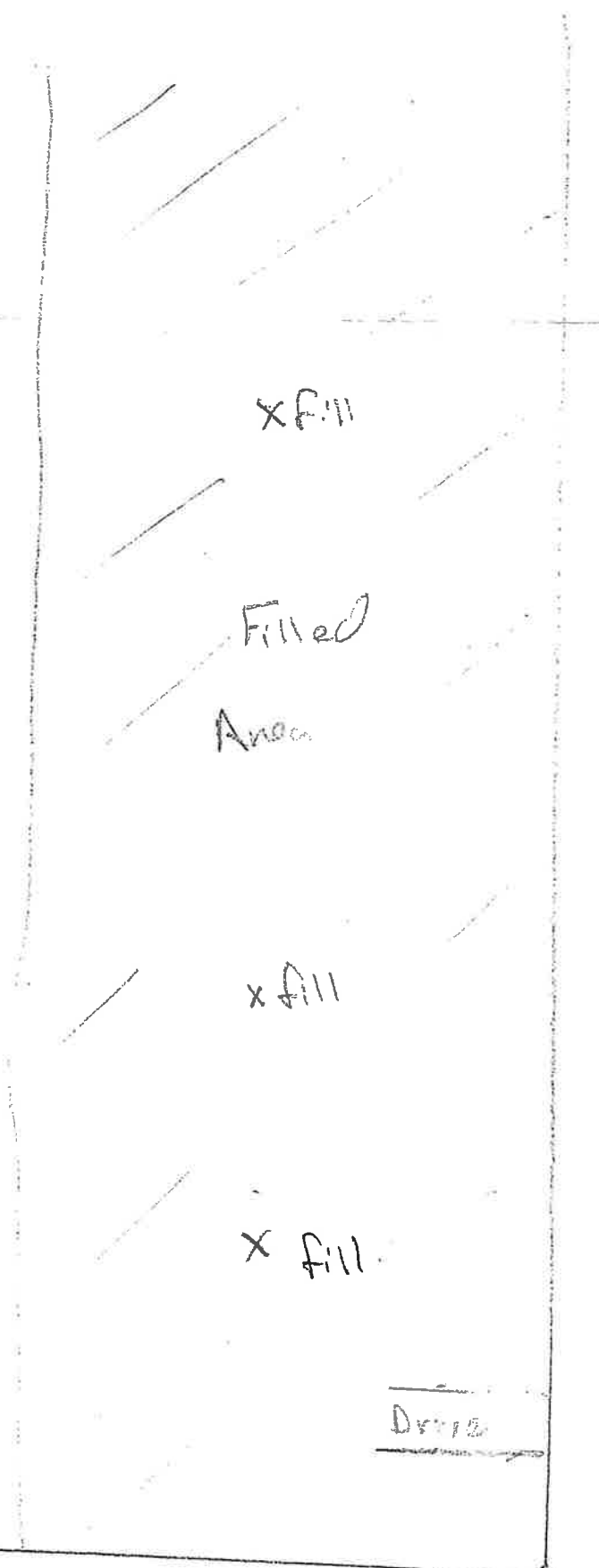
Wet lands



Scale 1" = 50'

Slope →

Base X



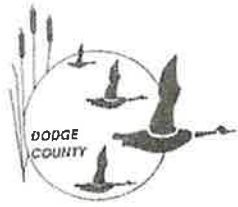
x fill

Filled Area

x fill

x fill

Ditch



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

**MINOR LAND DIVISION
 LETTER OF INTENT FORM**

THIS AREA FOR OFFICE USE ONLY	
Activity No. 230157	Expiration Date
Application Date: 3-8-2023	Receipt #: 6734-0012

Application Fee: \$75 (Non-Refundable)

NAMES & MAILING ADDRESSES		PROPERTY DESCRIPTION			
Applicant (Agent) New Frontier Land Surveying		Parcel Identification Number (PIN) 004-1214-2824-000			
Street Address P.O. Box 576		Town BEAVERDAM	T 12	N 14	E
City • State • Zip Code BEAVERDAM, WI 53916		1/4 SE	1/4 NW	Section 28	Acreage of Parent Parcel 14.0
Property Owner (if different from applicant) Duane Foulkes Trust		Subdivision (Name, lot and block) or CSM # (Volume/Page/Lot) N/A			
Street Address 1412 Hiawatha Dr		Site Address Of Property (DO NOT include City/State/Zip Code) 5TH "33" NORTH			
City • State • Zip Code BEAVERDAM, WI 53916		Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
CONTACT PERSON					
Name and daytime phone number (include area code) of a person we can contact if we have any questions about your application.					
Name Mark Tomaszek		Daytime Phone (920) 296 3904			
CURRENT PROPERTY USE			PROPOSED USE		
<input checked="" type="checkbox"/> Vacant Property <input type="checkbox"/> Single Family Residential <input type="checkbox"/> Duplex (Two-Family Residential) <input type="checkbox"/> Multi-Family Residential • Number of residential units: _____ <input type="checkbox"/> Active Working Farm Operation <input checked="" type="checkbox"/> Recreational / Wetlands / Wooded Parcel <input type="checkbox"/> Business / Industrial / Commercial Use (Describe Below) <input type="checkbox"/> Other (Describe Below)			<input checked="" type="checkbox"/> Single Family Residential <input type="checkbox"/> Duplex (Two-family Residential) <input type="checkbox"/> Multi-Family Residential • Number of residential units: _____ <input type="checkbox"/> Agricultural Use Only – No residential structures <input checked="" type="checkbox"/> Open Space Recreational / Wetlands - No residential structures <input checked="" type="checkbox"/> Business / Industrial / Commercial Use (Describe Below) <input type="checkbox"/> Other (Describe Below) John theory to Buy		
A SKETCH PLAN SHOWING THE PROPOSED LAND DIVISION IS REQUIRED TO BE SUBMITTED WITH THIS APPLICATION.					
CERTIFICATE					
I, the undersigned, hereby apply for Minor Land Division approval and certify that all the information both above and attached is true and correct to the best of my knowledge. I hereby authorize members of the Dodge County Land Resources and Parks Department to enter the above-described property for purposes of obtaining information pertinent to my request.					
Signature 		Date 3/1/2023		Daytime Contact Number (920) 296 3904	
OFFICE USE ONLY					
<input type="checkbox"/> CUP Required (App _____)		<input type="checkbox"/> REZONE Required (App _____)		<input type="checkbox"/> Restriction Release Required	
Notes: 4/1/23 approved with conditions					
APPROVED <input type="checkbox"/>		DENIED <input type="checkbox"/>		Date _____	
LAND RESOURCES AND PARKS DEPARTMENT					



750'

(1)
#7494

1230'

REMNANT
1235 AC

1260'

380'

1.7 AC
LOT

150'

250'

380'

1370'

191.58'

99.10'

28.47'

COMMERCIAL DR

(013)
#6376 #6524
43/116 44/150

PEACHY RD
HUBERT DR

⊕ C114 Sec 28

⊕ N114 Sec 28

Duane & Kathleen Foulkes Rev. Trust

Town of Beaver Dam, Sec. 28

PLANNING & ZONING DEPARTMENT
This map is a compilation of maps from various city, county and state offices and other sources. This map is only advisory. Users should consult Dodge County Assessor's Office for the most current information.

2823-000
BEAVER DAM
152.3 ac.

2821-010
SCHMIDT
0.5 ac.

2821-011
STRANGE
0.5 ac.

2821-012
SCHMIDT
0.5 ac.

2821-014
SCHMIDT
0.5 ac.

2824-000
FOULKES REVOCABLE TRUST CREATED DECEMBER 14 2020
31.6 ac.

D. & K. FOULKES REV. TRUST

28

LOT 2

LOT 1

2824-001
BEAVER DAM

2824-000
FOULKES REVOCABLE TRUST CREATED DECEMBER 14 2020
31.6 ac.

2823-000
BEAVER DAM
152.3 ac.

2824-009
LEVTSCHER
1.6 ac.

STARKWEATHER DR

STATE ROAD 33
33

