

Notice is hereby given that a public hearing will be held by the **Dodge County Board of Adjustment** on Thursday, November 9, 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 **JASON DYKSTRA agent for ANTHONY SIEBERT** - for a variance to the terms of the setback provisions of the Dodge County Land Use Code. As proposed, the aforementioned project is to be located 33 feet from the Road Right of Way or 52 feet from physical center Chief Kuno Trail, or 8 feet within the greatest required setback and therefore prohibited by the code.

The proposal also, requests a variance to the minimum setback for a dwelling or other principal structure to a side lot line. In this case the proposed structure will be located .5 feet within the required setbacks. And therefore prohibited by the code.

Also, these requests are inconsistent with the existing non-conforming structure regulations of the Land Use Code. And therefore prohibited by the Code.

The applicant is also requesting a variance to the terms water setback provisions of the Shoreland Protection Ordinance. The project will be 73 feet from the Ordinary High Water Mark of a navigable waters or 2 feet within the required setback of a navigable body of water (Fox Lake) without mitigation as required under subsection 13.0. And therefore, prohibited by the code.

The site located in part of the NW 1/4 SW 1/4, Section 23, T13N, R13E, Town of Fox Lake, Dodge County, Wisconsin. (Address being N10643 Chief Kuno Trail)

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 November 8, 2023.

Dated October 5, 2023

Dodge County Board of Adjustment
By William Nass, Chairman

Land Resources and Parks Department

Staff Report

County Variance Application No. 2023-0836
County Land Use Permit Application No. 2023-0713
Filing Date: September 28, 2023
Hearing Date: November 9, 2023

Applicant (Agent):

Jason Dykstra
N1395 CTH O
Markesan WI 53946

Owner:

Anthony Siebert
N10643 Chief Kuno Trail
Fox Lake WI 53933

Location

PIN#: 018-1313-2332-001

Property Location: The site located in part of the NW 1/4 SW 1/4, Section 23, T13N, R13E, Town of Fox Lake, Dodge County, Wisconsin. (Address being N10643 Chief Kuno Trail)

Appellants Request

An application for a variance request was submitted by the appellant with a request for a variance to the terms of the setback provisions of the Dodge County Land Use Code to allow construction of a Principle Structure (dwelling and attached garage) within the required sideyard, highway and water setback requirements. This proposed new dwelling and attached garage will replace an existing non-conforming dwelling on the property.

As proposed, the dwelling and garage is to be located 33 feet from the Road Right of Way or 52 feet from physical center of Chief Kuno Trail, or 8 feet within the greatest required setback and therefore prohibited by the code.

The proposal also requests a variance to the minimum setback for a dwelling or other principal structure to a side lot line. In this case the proposed structure will be located 7.5 feet from side lot line where an 8 foot setback is required. Thus the structure will be located .5 feet within the required setbacks and therefore prohibited by the code.

The applicant is also requesting a variance to water setback provisions of the Shoreland Protection Ordinance. The new dwelling and garage will be 73 feet from the Ordinary High Water Mark of a navigable watersbody (Fox Lake) or 2 feet within the required setback without mitigation as required under subsection 13.0. And therefore, prohibited by the code.

Also, these requests are inconsistent with the existing non-conforming structure regulations of the Land Use Code and Shoreland Protection Ordinance, and therefore prohibited by the Code.

Review Criteria

Land Use Code

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.

Shoreland Protection

Subsections 14.7(1) through 14.7(7) of the Dodge County Shoreland Protection Ordinance details the procedural matters and the approval criteria for the variance process. The Board shall hold a public hearing on each variance application, and following the public hearing, act to approve, approve with conditions, or deny the variance based upon the approval criteria of Section 14.7(6).

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 Fox Lake has adopted the County's Land Use Code. The property is located within the R-1 Single Family Residential 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 (Fox Lake).

The property is located within the R-1 Single Family Residential zoning district;

The property is presently being used for residential use;

The physical features of this approximate .505 acre lot include a gently sloping topography with slopes ranging from 0 to 6%. The parcel contains a residence;

The general character of the surrounding land use consists of residential shoreland;

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

- Single-family dwelling within Highway setback, sideyard setbacks and Shoreland setbacks.

On August 21, 2023, an application for a County Land Use Permit was made by the appellant in order they be allowed to reconstruct a legal existing non-conforming structure (Dwelling) on an existing foundation, where the new dwelling will be larger than existing.

This permit (2023-0713) was denied by the County Land Use Administrator for the following reason:

Land Use Code

Subsection 5.1.1 and Table 5.1-1 of the code which refers to the distances that all buildings and other structures are required to be setback from public roads/streets/highways. For the specific section of Town Road Chief Kuno Trail along the east side of the lot, along which the above noted project is to take place, the required setback from the road right-of-way lot line is 27 feet or 60 feet from centerline. As proposed, the new Dwelling and attached garage, is to be located 52 feet from center line or 8 feet within the required setback, thus not in compliance the Code provisions.

Section 5.1.2 of the Code requires a dwelling to be located a minimum 8' from the side lot line. As proposed, the dwelling with the attached garage will be located approximately 7.5' from the side lot line or .5' within the required setback and therefore prohibited by the Code.

It must also be noted that any change to an existing non-conforming structure must comply with 10.3.2.B. of the Dodge County Land Use Code, which states;

10.3.2.B. Rebuilding, Additions and Modifications

No new basements, additional stories, lateral expansion or accessory construction outside of the perimeter of 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;

Shoreland Protection Ordinance

Section 6.1 of the Shoreland Protection Ordinance refers to the shoreland setback distances that all structures are to be set back from the ordinary high water mark Ordinary High Water Mark (O.H.W.M.) of a Navigable Body of water. According to this provision, unless exempt under 6.1, or reduced under 6.2, a setback of 75 feet from the OHWM of any navigable waters to the nearest part of a building or structure shall be required for all buildings and structures. As proposed, the existing dwelling and proposed new dwelling with garage will be located 73 feet from the OHWM of Fox Lake or 2 feet within the minimum required 75 and therefore prohibited by the Ordinance.

It must be noted per both the Dodge County Land Use Code and Dodge County Shoreland Protection Ordinance, once the existing structure is removed the Non-conforming structure can only be replaced within its existing 3 dimension building space. If a proposal is to remove and enlarge an existing non-conforming structure, its legal existing Non-conforming status is lost. And therefore the project does not comply with this section code.

On September 28, 2023, a variance application was submitted by the appellant with a request for a variance to the setback requirements of both the Dodge County Land Use Code and Dodge County Shoreland Protection Ordinance.

The appellant is requesting an area variance to 5.1.1 and Table 5.1-1 of the Highway setbacks, 5.1.2 of the side yard setbacks of the Land Use Code and 6.1 of the Shoreland Protection 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.

The County's Side Yard provisions of the 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, conserving property values and may in particular cases promote a variety of aesthetic and psychological values as well as ecological and environmental interests.

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

The purpose and intent of the Non-conforming structure and use provisions of the 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.

Land Use Code

The staff believes that the appellant is requesting an area variance to 5.1.1 and Table 5.1-1 of the Highway setbacks, 5.1.2 of the side yard setbacks of the Land Use Code and 6.1 of the Shoreland Protection 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 and if the location of the proposed structure will create a safety hazard for people entering or exiting the driveway or when using the road. The Board should also consider the costs to the Town and the public of having to purchase this structure in the future if this structure would need to be removed for highway improvement or relocation projects.

Shoreland Protection Ordinance

The purpose of the water setback provisions of the Code are to require a uniform setback distance from the water in order to preserve the public interest in shorelands and navigable waters of the State and every property owner that has frontage on a body of water is required to comply with this uniform water setback requirement. In this case, the required water setback for Principle Structure is 75 feet to the O.H.W.M. per 6.1 Structure Setback of the Dodge County Shoreland Protection Ordinance.

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

It is the staff's position that the request does not meet any or all three criteria that is necessary to grant a variance to the water setback provisions of the ordinance in this case. It is the staff's position that ignoring the required water setback provisions of the Code and allowing the construction It is also the staff's position that the Ordinance is not unnecessarily burdensome in this case as the appellant has other reasonable options to design and construct a structure in compliance with the Ordinance provisions.

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 and the variance request should be denied.

Dodge County Board of Adjustment Decision

County Variance Application No. 2023-0836
County Land Use Permit Application No. 2023-0713
Filing Date: September 28, 2023
Hearing Date: November 9, 2023

Applicant (Agent):

Jason Dykstra
N1395 CTH O
Markesan WI 53946

Owner:

Anthony Siebert
N10643 Chief Kuno Trail
Fox Lake WI 53933

Location

PIN#: 018-1313-2332-001

Property Location: The site located in part of the NW 1/4 SW 1/4, Section 23, T13N, R13E, Town of Fox Lake, Dodge County, Wisconsin. (Address being N10643 Chief Kuno Trail)

Appellants Request

An application for a variance request was submitted by the appellant with a request for a variance to the terms of the setback provisions of the Dodge County Land Use Code to allow construction of a Principle Structure (dwelling and attached garage) within the required sideyard, highway and water setback requirements. This proposed new dwelling and attached garage will replace an existing non-conforming dwelling on the property.

As proposed, the dwelling and garage is to be located 33 feet from the Road Right of Way or 52 feet from physical center of Chief Kuno Trail, or 8 feet within the greatest required setback and therefore prohibited per Subsection 5.1.1 and Table 5.1-1 by the code.

The proposal also requests a variance to the minimum setback for a dwelling or other principal structure to a side lot line. In this case the proposed structure will be located 7.5 feet from side lot line where an 8 foot setback is required. Thus the structure will be located .5 feet within the required setbacks and therefore prohibited per Section 5.1.2 by the code.

The applicant is also requesting a variance to water setback provisions of the Shoreland Protection Ordinance. The new dwelling and garage will be 73 feet from the Ordinary High Water Mark of a navigable watersbody (Fox Lake) or 2 feet within the required setback without mitigation as required under subsection 13.0. And therefore, per Section 6.1 prohibited by the code.

CONCLUSIONS OF LAW

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

Highway Setbacks

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 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

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

Side Yard Setbacks

The appellants request to Subsection 5.2.4 of the Code is an "area" variance.

(Yes / No) _____

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

(Yes / No) _____

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

(Yes / No) _____
Explain: _____

Does the appellant have other options available to construct a single family dwelling and attached garage on this lot in compliance with the code?

(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?

- Architecturally designed plans for the garage shall be submitted to the Department documenting the required fire protection materials exist between the residence and the garage.
- Others

Motion by _____ to (approve / deny) the variance to the side yard setback requirements of the code 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
Brad Kufalks (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.

Ordinary High Water Mark Setback

The appellants request to Subsections Sections 6.1 of the Ordinance are “area” variances.

(Yes / No) _____

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

(Yes / No)

Explain _____

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

(Yes / No)

Explain _____

Does the appellant have other options available to construct a home and attached garage in compliance with the water setback lines as requirements of the Ordinance?

(Yes / No)

Explain _____

What hardship exists if the variance is denied?

Explain _____

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

Explain _____

4) **If the Board can make the findings necessary in order to grant the variance request in this case, are any conditions of approval necessary in this case to mitigate any potential adverse impacts that result from this proposed development project?**

- The applicant shall submit a mitigation plan in compliance with Section 13 of the Ordinance for the applicable water setback variance request for review and approval by the Land Use Administrator prior to the issuance of the County Land Use Permit.
- The applicant shall submit a mitigation plan in compliance with Section 13 of the Ordinance for the applicable impervious surface area request for review and approval by the Land Use Administrator prior to the issuance of the County Land Use Permit.
- Others

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

(Yes/No)

6) **Does the Board believe that the variance request to the water setback requirements of the Ordinance meets all of the criteria in Section 14.76 of the County Shoreland Protection Ordinance?**

Section 14.7(6) Approval criteria

1. That literal enforcement of the provisions of the ordinance will result in an unnecessary hardship on the applicant,
2. That the hardship is due to special conditions that are unique to the property, and
3. That the variance is not contrary to the public interest.

(Yes/No)

Water Setback Request:

Motion by _____ to (approve / deny) the variance request to the water setback lines 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
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William Nass	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present

Motion (Carried / Denied)

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 5, 2023

Jason Dykstra
N1395 CTH O
Markesan WI 53946

Anthony Siebert
718 Haven Place
Linden NJ 07036

RE: Determination of Application Completeness
Variance Application: #2023-0836
Site Location: NW 1/4 SW 1/4, Section 23, T13N, R13E,
Township of Fox Lake, Dodge County, Wisconsin
PIN# 018-1313-2332-001

Dear Jason Dykstra;

The Dodge County Land Resources and Parks Department has received your Variance application to allow the construction of a single-family dwelling on an existing foundation. On October 5, 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, November 9, 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 November 7, 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. Ochs
Senior Land Use / Sanitary Specialist
tochs@co.dodge.wi.us
(920) 386-3270
Dodge County
Land Resources and Parks

Notice is hereby given that a public hearing will be held by the **Dodge County Board of Adjustment** on Thursday, November 9, 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 **JASON DYKSTRA agent for ANTHONY SIEBERT** - for a variance to the terms of the setback provisions of the Dodge County Land Use Code. As proposed, the aforementioned project is to be located 33 feet from the Road Right of Way or 52 feet from physical center Chief Kuno Trail, or 8 feet within the greatest required setback and therefore prohibited by the code.

The proposal also, requests a variance to the minimum setback for a dwelling or other principal structure to a side lot line. In this case the proposed structure will be located .5 feet within the required setbacks. And therefore prohibited by the code.

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The site located in part of the NW 1/4 SW 1/4, Section 23, T13N, R13E, Town of Fox Lake, Dodge County, Wisconsin. (Address being N10643 Chief Kuno Trail)

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 November 8, 2023.

Dated October 5, 2023

Dodge County Board of Adjustment
By William Nass, Chairman



**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. 230836	Issue Date:
Application Date: 9-28-2023	Receipt #: B111-0018

Variance Application

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

Names and Mailing Addresses	Property Description														
Applicant (Agent) Jason Dykstra	Parcel Identification Number (PIN) 018-1313-2332-001														
Street Address N1395 County Road O	Town Fox Lake														
City • State • Zip Code Markesan, WI 53946	<table border="1"> <tr> <td>1/4</td> <td>1/4</td> <td>Section</td> <td>T</td> <td>N</td> <td>R</td> <td>E</td> </tr> <tr> <td>NW 1/4</td> <td>SW 1/4</td> <td>Section 23</td> <td>T13N</td> <td></td> <td>R13E</td> <td></td> </tr> </table>	1/4	1/4	Section	T	N	R	E	NW 1/4	SW 1/4	Section 23	T13N		R13E	
1/4	1/4	Section	T	N	R	E									
NW 1/4	SW 1/4	Section 23	T13N		R13E										
Property Owner (If different from applicant) Anthony Siebert	Subdivision or CSM # LOT 1 BLK 1 VAN ROO LANDS SUB ALSO THAT PT OF GL 3 AS DESC IN V261 P308 (A/K/A LOT 21 UNRECORDED PLAT OF VAN ROO LANDS)														
Street Address 718 Haven Place	Site Address N. 10643 Chief Kuno Trail, Fox Lake WI 53933														
City • State • Zip Code Linden, NJ 07036	Is this property connected to public sewer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No														

Present property use:
Cottage / House

List any prior variances that have been granted or denied for this property:
None granted to date

Describe all nonconforming structures and uses on this property:

PERMANENT 7.5' FROM SIDE YARD LOT LINE
ATTACHED DECK 73' FROM O.H.W.M.
ATTACHED GARAGE 52' FROM CENTER LINE OF ROAD

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

huc:
5.1.1 TABLE 5.1-1 52' FROM 4 REQUIRED 60'
5.1.2 SIDE YARD SETBACK 7.5' REQUIRED 8'
SPO 6.1 ORDINARY HIGH WATER MARK SETBACK 73' REQUIRED 75'
13.0 O.H.W.M. MITIGATION REQUIRED 35' → 75' FROM O.H.W.M.

Variance Requested:

Requesting to maintain the existing setback along neighbors lot line, the building was in compliance when originally built. We would plan to maintain the existing distance to lake side where the deck is today and along the road side to maintain the existing setback to road for the house where the deck is today. Looking to have the width of the garage be 7' wider.

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?

To maintain the existing setback along neighbors lot line would allow the use of the existing foundation / crawl space. This foundation is still in excellent condition and to have it demolished would be a large cost with minimal difference to the condition of the existing location. The request of using the house in portions of the deck would maintain the existing footprint as today, and would not encroach towards the lake and maintain distance equal/or further off the water when compared to the neighbors.

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

This plot has road way along two sides and the lake along the third side, this greatly limits the build-able area. Although this is a half acre lot there is no other room to build but as requested.

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?

A denial would mean we would need to tear up a perfectly good foundation, this would probably cause us not to do this improvement. Similarly for the bump outs to the deck area that is existing today and garage area.

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

There would be no change / effect on the public and neighbors. The foundation would be in the same location as it is today. Overall increase in tax to benefit the public.

CERTIFICATE

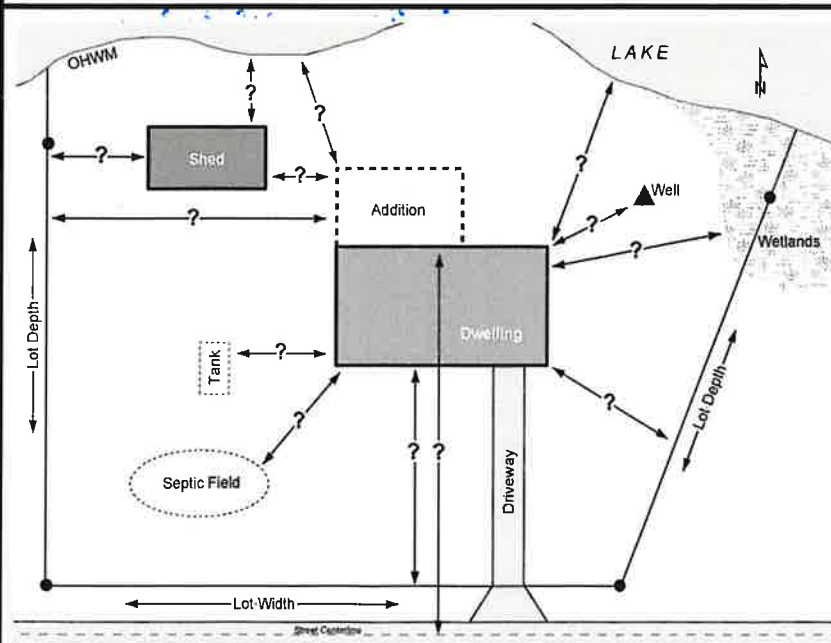
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and 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:  Date: Sept 25, 2023

Daytime Contact Number (262) 389-7215

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 3, 2023

Anthony Siebert
N10643 Chief Kuno Trail
Fox Lake WI 53933

RE: Land Use Permit Denial Notification
Site Location: NW 1/4 SW 1/4, Section 23, T13N, R13E,
Township of Fox Lake, Dodge County, Wisconsin
PIN# 018-1313-2332-001
Activity # 2023-0713

Dear Anthony Siebert:

Your application for a permit to construct a single family dwelling on the property mentioned above is hereby denied for failure to comply with the following sections of the Dodge County Land Use Code: and Shoreland Protection Ordinance:

DODGE COUNTY LAND USE CODE

Subsection 5.1.1 and Table 5.1-1 of the Code refers to the distances that all buildings and other structures are required to be setback from public roads/streets/highways. For the specific section of Town Road Chief Kuno Trail along the east side of your lot for which the above noted project is to take place, the required setback from the road right-of-way lot line is 27 feet or 60 feet from centerline. As proposed, the aforementioned project is to be located 33 feet from the Road Right of Way or 52 feet from physical center Chief Kuno Trail, or 8 feet within the greatest required setback and therefore prohibited by the code.

Subsection 5.1.2 of the Code refers to the distances minimum setback for a dwelling or other principal structure to a side lot line is 8 feet. In this case the proposed structure will be located 7.5 feet from the side lot line to the north or .5 feet within the required setbacks. And therefore prohibited by the code.

SHORELAND PROTECTION ORDINANCE

Subsection 6.1 **SHORELAND SETBACK** (NR115.05(1)(b)1.) Unless exempt under 6.1(1), or reduced under 6.2, a setback of 75 feet from the OHWM of any navigable waters to the nearest part of a building or structure shall be required for all buildings and structures. As proposed your project will be 73 feet from the Ordinary High Water Mark of a navigable waters (Fox Lake). And therefore, prohibited by the code

Please note the Shoreland Protection Ordinance allows for "Mitigation for Principle Structure which maybe located closer than 75 feet to the O.H.W.M. per subsection 13.

*13.0 **MITIGATION** (s. 59.692(1v), Stats, NR 115.05 (1)(e)3., (g)5., (g)6.) When the County issues a Land Use Permit requiring mitigation under sections 6.1(1)(b)4, 9.5(3) 11.3(4), 11.5(5) the property owner must submit a complete Land Use Permit application, that is reviewed and approved by the County. The application shall include the following:*

(1) A site plan that describes the proposed mitigation measures:

- (a) *The site plan shall be designed and implemented to restore natural functions lost through development and human activities;*
- (b) *The mitigation measures shall be proportional in scope to the impacts on water quality, near-shore aquatic habitat, upland wildlife habitat and natural scenic beauty.*
- (2) *An implementation schedule and enforceable obligation on the property owner to establish and maintain the mitigation measures.*
 - (a) *The enforceable obligations shall be evidenced by an instrument recorded in the office of the Register of Deeds prior to issuance of the Land Use Permit.*

13.1 MITIGATION PURPOSE *To offer alternatives for a property owner who desires to make improvements to a parcel located within the shoreland area, and said improvements may be nonconforming in regards to any of the following categories:*

(1) *Mitigation Categories:*

- a. *Expansion or relocation within the setback (Per Sections 11.3-11.5);*
- b. *Impervious surface (Per Section 9.5).*

13.2 MITIGATION REQUIREMENTS *All mitigation categories must have a total of **4 points** or more per category.*

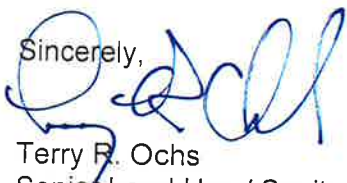
13.3 MITIGATION OPTIONS

- (1) **Expansion or relocation of principal structure located between 35 feet and 75 feet from the O.H.W.M. and less than 35 feet in height. (As required under Sections 11.3 – 11.5)**
 - (a) *Restoration of native primary vegetative buffer to county vegetative buffer standards per Section 7.2 (4 points);*
 - (b) *Removal of all nonconforming accessory structures (2 points);*
 - (c) *Removal of all seawalls, bulkheads and, artificial beaches. (1 point);*
 - (d) *Reduce impervious surfaces to less than 15 percent of lot coverage (1 point for every 5 percent reduction)*
 - (e) *Stormwater management practices (e.g., rain gardens, water diversions of overland flow) (1 point/practice);*
 - (f) *Structure in which project is to take place must utilize exterior natural or earth tone colors excluding trim (1 point);*
 - (g) *Relocate access and viewing corridor to include an existing boathouse (1 point).*

Therefore, the County is unable to issue a permit for this proposed dwelling construction. You have the right to appeal the decision of the Land Use Administrator to the Dodge County Board of Adjustment and that such application for a variance has been received and processed.

If you have any questions, feel free to contact the Dodge County Planning and Development office at (920) 386-3700.

Sincerely,



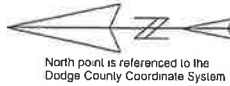
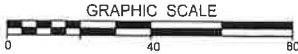
Terry R. Ochs
Senior Land Use / Sanitary Specialist
tochs@co.dodge.wi.us
(920) 386-3270
Dodge County
Land Resources and Parks

SITE SURVEY

A SURVEY OF LOT 1, BLOCK 1 OF VAN ROO LANDS SUBDIVISION AND A PARCEL OF LAND BEING PART OF GOVERNMENT LOT 3, ALL LOCATED IN A PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWN 13 NORTH, RANGE 13 EAST, TOWN OF FOX LAKE, DODGE COUNTY, WISCONSIN.

LEGEND

- 3/4" Iron Rebar Found
- 1-1/2" Iron Pipe Found
- 1" Iron Pipe Found
- △ Masonry Nail Set
- 3/4" X 18" Iron Rod Set weighing 1.5 lbs/ft
- 1"x18" Iron Pipe Set weighing 1.13 lbs/ft
- ✱ Chiseled Cross Set
- ⊠ Stone Monument Found
- ⊙ Dodge County Survey Monument as shown
- ⊙ Well



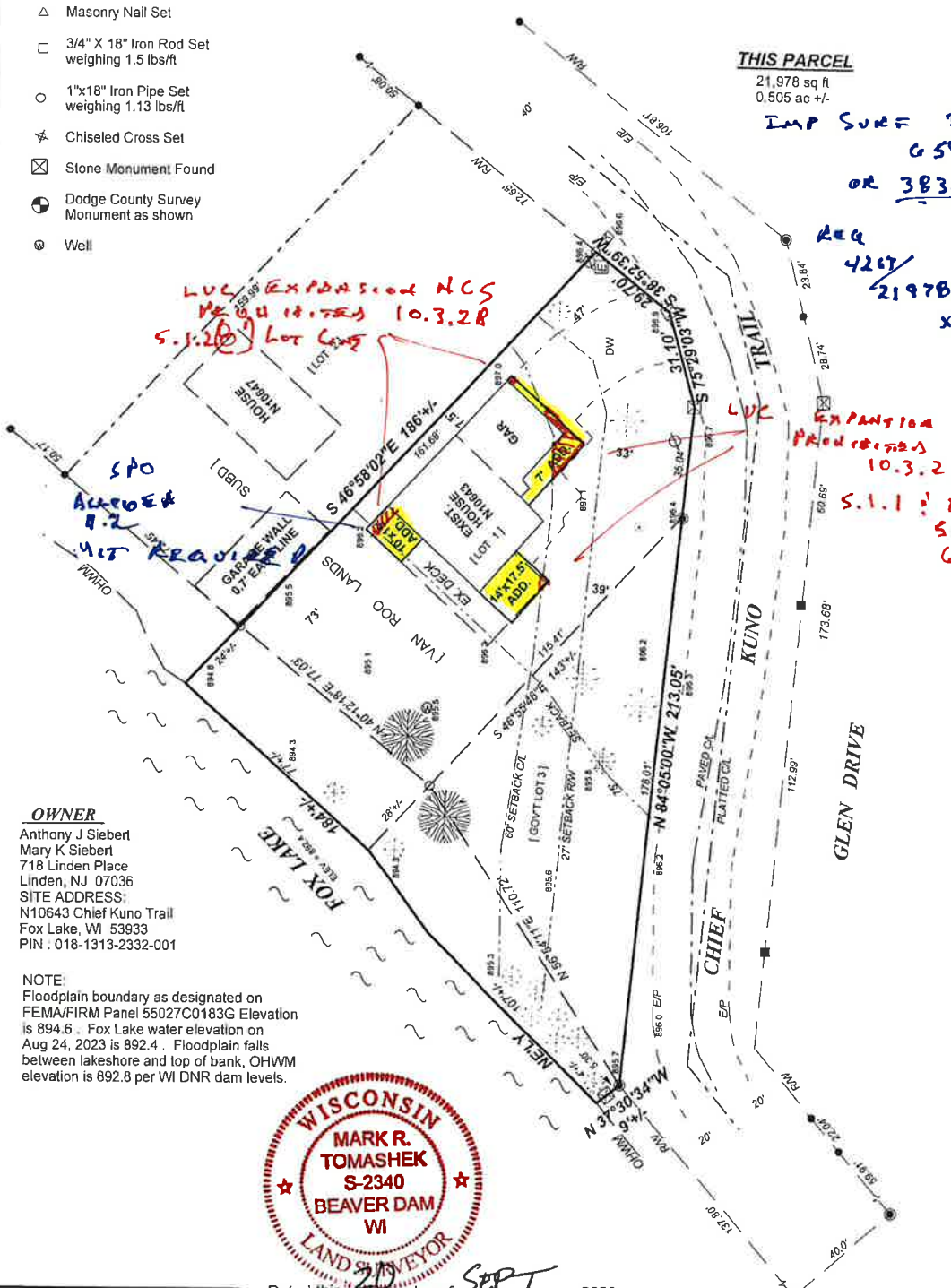
THIS PARCEL

21,978 sq ft
0.505 ac +/-

*IMP SURF 30%
6593 1942
OR 3832 1915
REQ
4267 / 21978 x 100 = 19.4%*

*LUC EXPANSION NCS
REQ 10.3.2B
S.1.2B Lot Cont*

*LUC EXPANSION NCS
PROVISIONS
10.3.2B
S.1.1 1/2 T2345
S.1-1
60' E*



OWNER

Anthony J Siebert
Mary K Siebert
718 Linden Place
Linden, NJ 07036
SITE ADDRESS:
N10643 Chief Kuno Trail
Fox Lake, WI 53933
PIN : 018-1313-2332-001

NOTE:
Floodplain boundary as designated on FEMA/FIRM Panel 55027C0183G Elevation is 894.6 . Fox Lake water elevation on Aug 24, 2023 is 892.4 . Floodplain falls between lakeshore and top of bank, OHWM elevation is 892.8 per WI DNR dam levels.



Dated this 20 day of SEPT. 2023

Mark R. Tomashek
Mark R Tomashek WI RLS S-2340
at Beaver Dam, Wisconsin

New Frontier Land Surveying
P.O. Box 576 - Beaver Dam, WI 53916
p(920)296-3904 f(920)885-3905
newfrontier@powercom.net

NOTE No title commitment of results of a title search were furnished to New Frontier Land Surveying pertaining to this survey. This Survey may not reflect easements of record, encumbrances, restrictions, ownership title evidence or other facts that an accurate and current title search may disclose.

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. 230713	Receipt No. 1882-00010
	Application Date 8-21-2023
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.) Anthony Siebert	Parcel Identification Number (PIN) 018-1313-2332-001
Street Address N10643 Chief Kuno Trail	Town Fox Lake
City • State • Zip Code Fox Lake WI 53933	T 13 N 13 E
Property Owner <input checked="" type="checkbox"/> Same as applicant	1/4 1/4 Section 23 Acreage 0.506 Lot (Block)
Street Address	Subdivision or CSM (Volume/Page/Lot) <small>LOT 1 BLK 1 VAN ROO LANDS SUB AL SO THAT PT OF GL 3 AS DESC IN V261 P308 (AKA LOT 21 UNRECORDED PLAT OF VAN ROO LANDS)</small>
City • State • Zip Code	Address Of Property (DO NOT include City/State/Zip Code) N10643 Chief Kuno Trail
	Is this property connected to public sewer? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Is property located within a sanitary district/accessible to public sewer? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
CURRENT USE OF PROPERTY	PROPOSED USE OF PROPERTY
<input type="checkbox"/> Vacant Land <input 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)

NEW STRUCTURE/CONSTRUCTION REPLACEMENT OF EXISTING ADDITION TO AN EXISTING

<input type="checkbox"/> Pool	<input type="checkbox"/> Porch	<input type="checkbox"/> Driveway	<input type="checkbox"/> Field Tile Installation
<input checked="" type="checkbox"/> Deck	<input type="checkbox"/> Fence	<input type="checkbox"/> Boathouse	<input type="checkbox"/> Pond (Less than 2 acres in size)
<input type="checkbox"/> Patio	<input type="checkbox"/> Riprap	<input checked="" type="checkbox"/> Attached Garage	<input type="checkbox"/> Sign (Complete additional project information below)
<input type="checkbox"/> Shed	<input type="checkbox"/> Gazebo	<input type="checkbox"/> Detached Garage	<input type="checkbox"/> Barn (Complete additional project information below)
<input type="checkbox"/> Home	<input type="checkbox"/> Sidewalk	<input type="checkbox"/> Ag Ditch Cleanout	<input type="checkbox"/> Home Addition (Complete additional project information below)

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

Other _____

Width 51 ft **Additional Project Information**

Length 66 ft Home Addition: Total number of bedrooms? Before 2 After 4

Total Area 2378 sqft Barn Information: Will it house any animals? If yes, complete Animal Units Worksheet.

Total Stories 2 Sign Information: Single-Sided Double-Sided

Height (To roof peak) 25' 1.75" Located On-Premise Located Off-Premise

Estimated Cost (w/Labor) \$ \$620,000 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.

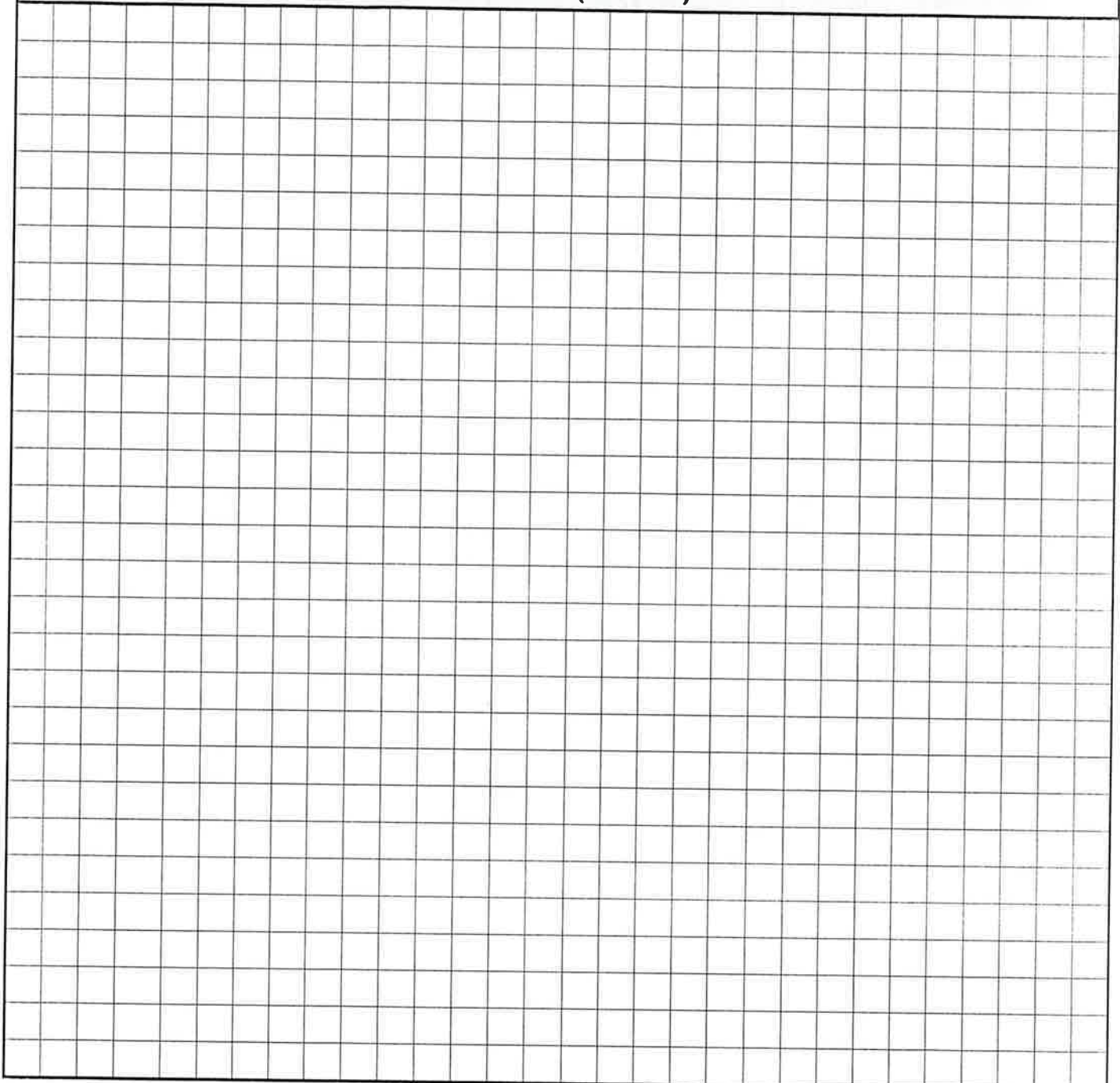
CERTIFICATE & CONTACT INFORMATION

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) Tony Siebert Daytime Contact Phone (262) 389 — 7215 or Email: tonsiebert@gmail.com

Signature  Date 8/18/2023 Call for pickup No Yes

SITE PLAN (SKETCH)



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

BOA ID No. 23-0836	BOA Appeal Date 9/28/23	BOA P/H Date 11/09/23	BOA Decision Date	BOA Decision <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
Notes/Stipulations:				
8/25/23 LOI NEED SURVEY SAT 04W4 dur CALL T2				
LOI				
9/29/23 LOI PERFORMANCE				
<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**



Site Plan Sketch



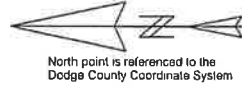
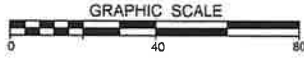
Siebert - Parcel
018-1313-2332-001

SITE SURVEY

A SURVEY OF LOT 1, BLOCK 1 OF VAN ROO LANDS SUBDIVISION AND A PARCEL OF LAND BEING PART OF GOVERNMENT LOT 3, ALL LOCATED IN A PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWN 13 NORTH, RANGE 13 EAST, TOWN OF FOX LAKE, DODGE COUNTY, WISCONSIN.

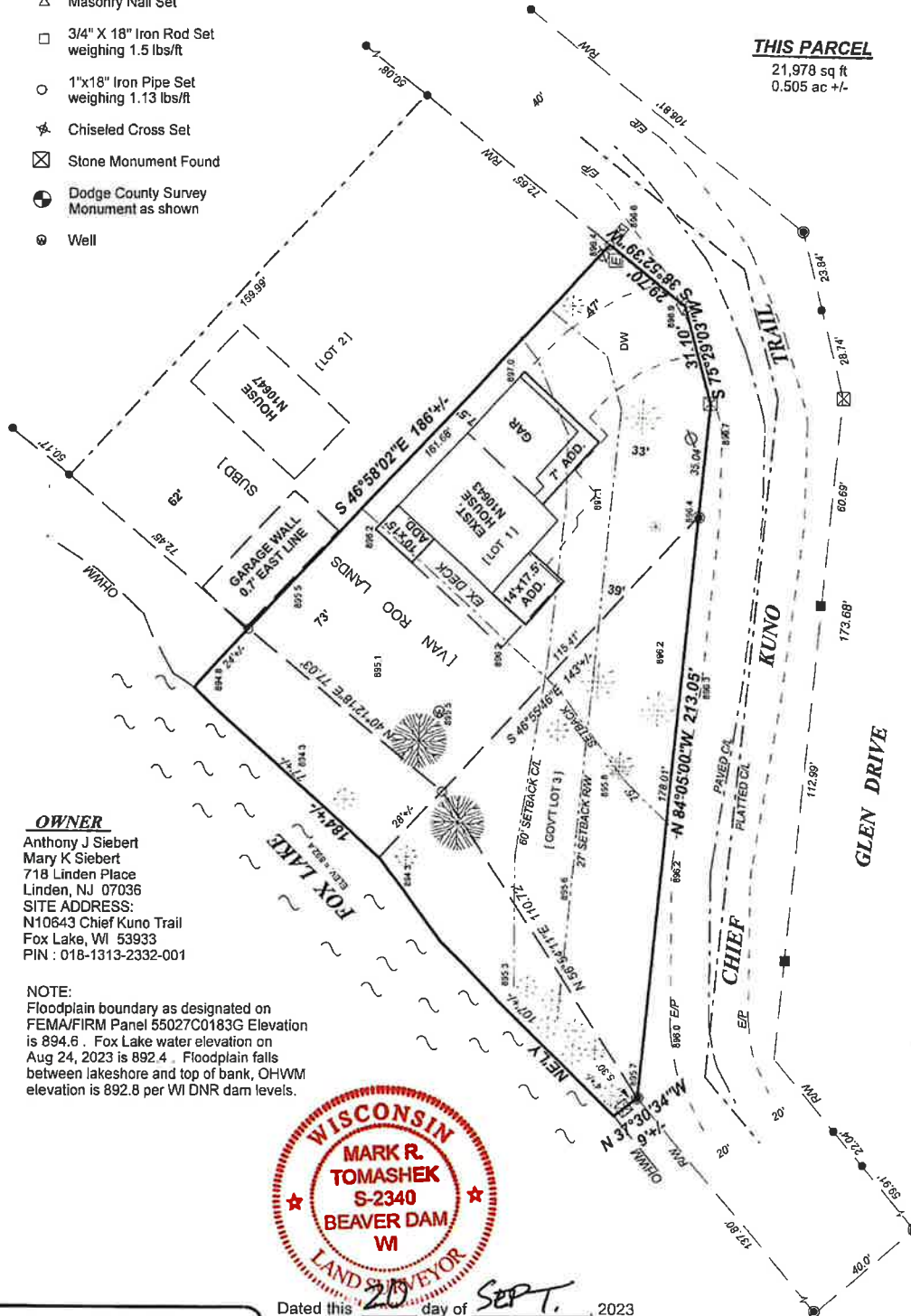
LEGEND

- 3/4" Iron Rebar Found
- 1-1/2" Iron Pipe Found
- 1" Iron Pipe Found
- △ Masonry Nail Set
- 3/4" X 18" Iron Rod Set weighing 1.5 lbs/ft
- 1"x18" Iron Pipe Set weighing 1.13 lbs/ft
- ✱ Chiseled Cross Set
- ⊠ Stone Monument Found
- ⊕ Dodge County Survey Monument as shown
- ⊙ Well



THIS PARCEL

21,978 sq ft
0.505 ac +/-



OWNER

Anthony J Siebert
Mary K Siebert
718 Linden Place
Linden, NJ 07036
SITE ADDRESS:
N10643 Chief Kuno Trail
Fox Lake, WI 53933
PIN : 018-1313-2332-001

NOTE:
Floodplain boundary as designated on FEMA/FIRM Panel 55027C0183G Elevation is 894.6 . Fox Lake water elevation on Aug 24, 2023 is 892.4 . Floodplain falls between lakeshore and top of bank, OHWM elevation is 892.8 per WI DNR dam levels.



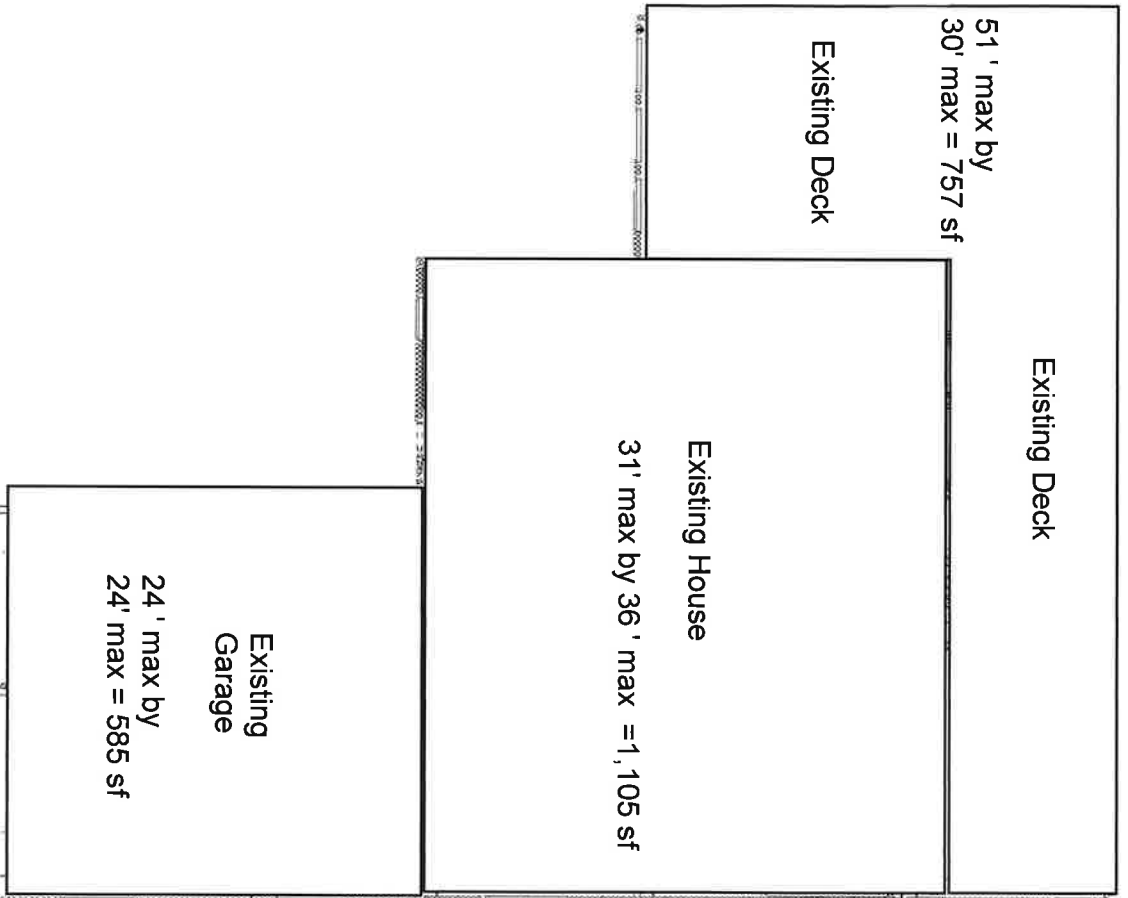
Dated this 20 day of SEPT. 2023

Mark R. Tomashek
Mark R Tomashek WI RLS S-2340
at Beaver Dam, Wisconsin

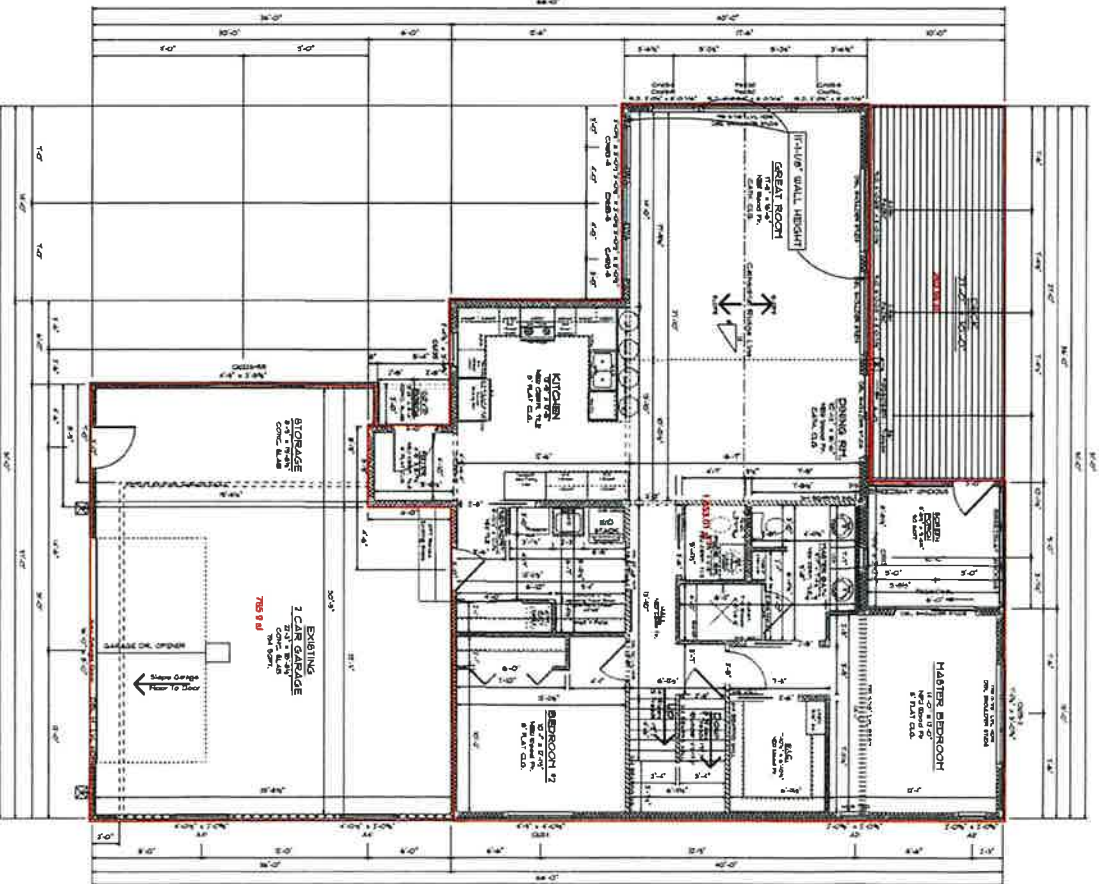
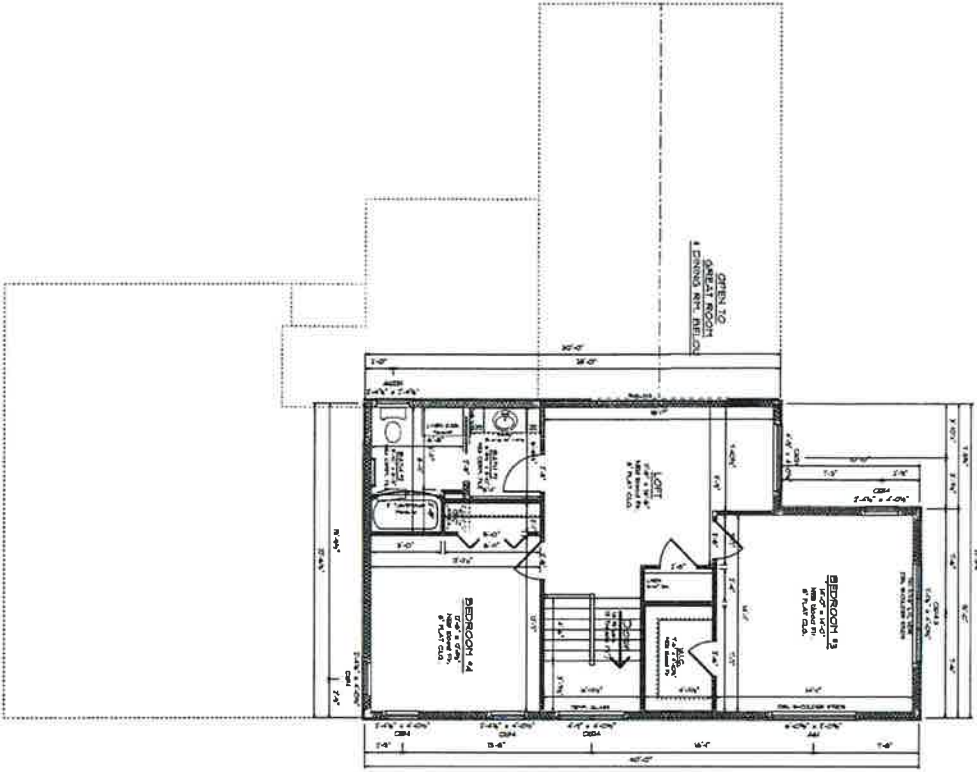
New Frontier Land Surveying
P.O. Box 576 - Beaver Dam, WI 53916
p(920)296-3904 f(920)885-3905
newfrontier@powercom.net

NOTE No title commitment of results of a title search were furnished to New Frontier Land Surveying pertaining to this survey. This Survey may not reflect easements of record, encumbrances, restrictions, ownership title evidence or other facts that an accurate and current title search may disclose

Existing Cottage
House/Deck/Garage
Impervious Surface



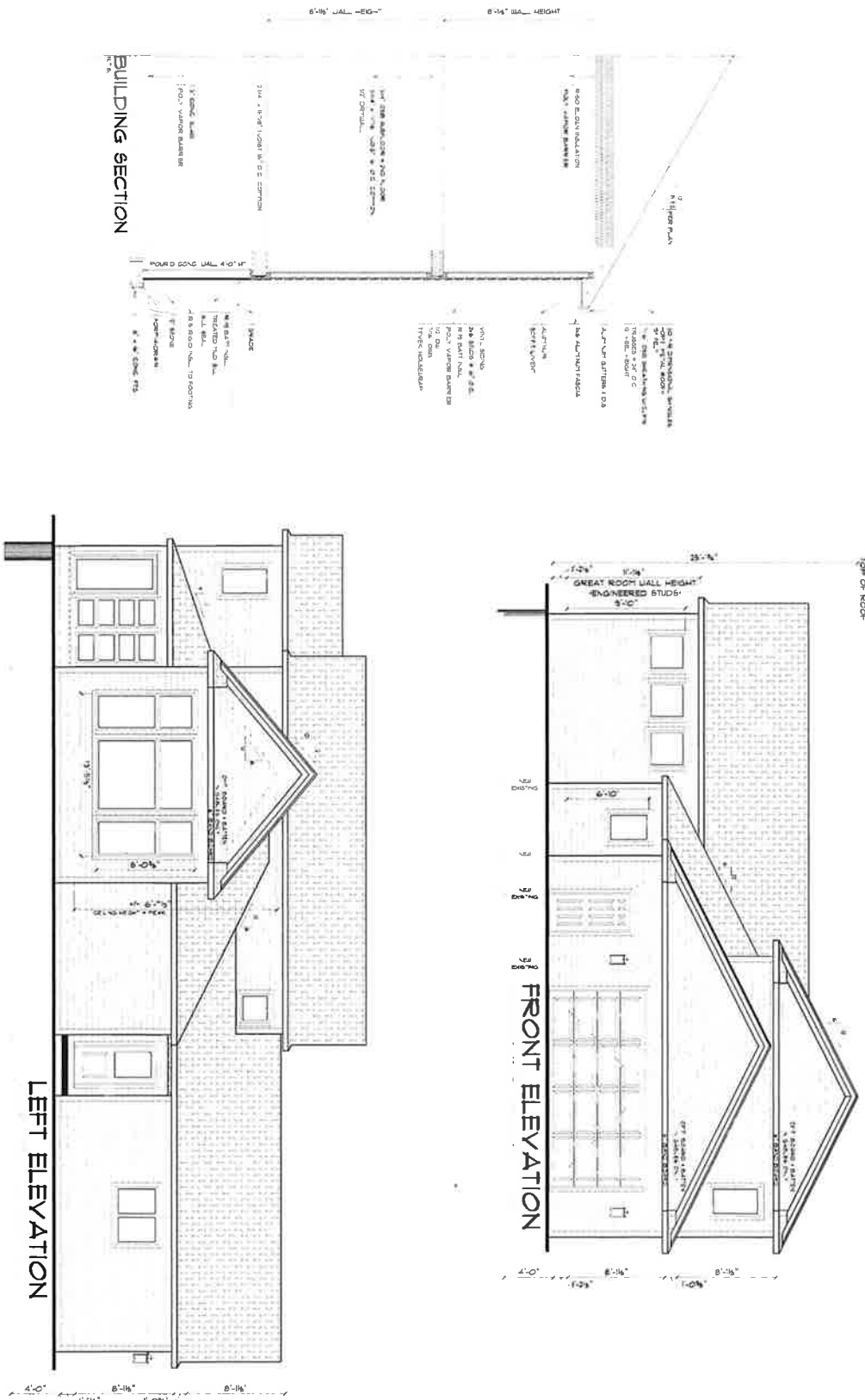
New Cottage Sq ft calc shown



SQUARE FOOTAGE	1556 Square Feet
Existing First Floor Plan	773 Square Feet
New Second Floor Plan	2350 Square Feet
TOTAL	3906 Square Feet
Garage	754 Square Feet
Screen Porch	30 Square Feet

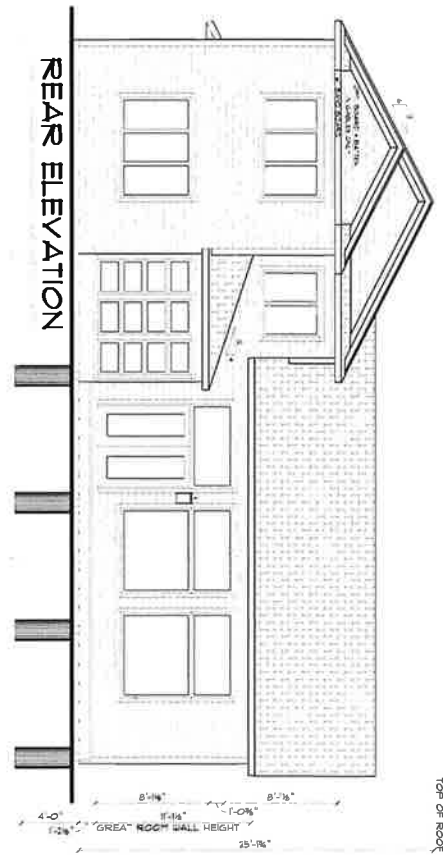
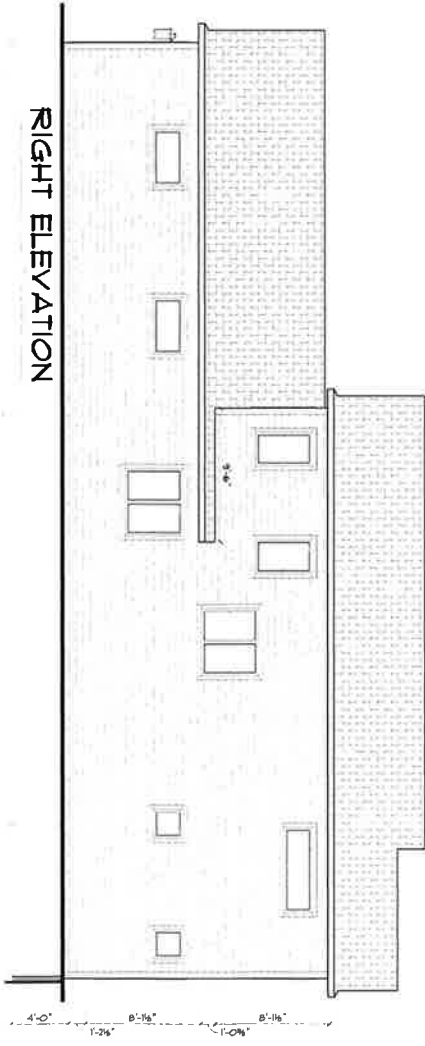
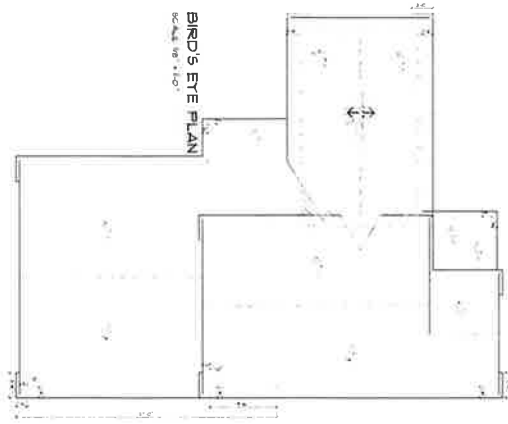
ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR MUST CHECK ALL DETAILS AND DIMENSIONS AND BE RESPONSIBLE FOR THE SAME FOR ALL GOVERNING CODES AND BUILDING PRACTICES. THESE DRAWINGS CONFORM TO GENERALLY ACCEPTED BUILDING PRACTICES AND LOCAL, STATE AND LOCAL CODES VARY Slightly. THE CONTRACTOR SHALL VERIFY ALL APPLICABLE BUILDING REQUIREMENTS. ALL DIMENSIONS ARE TAKEN FROM THE OUTSIDE OF WALLS UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL VERIFY ALL MECHANICAL AND ELECTRICAL REQUIREMENTS AND CLEARANCES. CONTRACTOR SHALL VERIFY ALL FLOOR AND ROOF BEARING LOCATIONS. CONTRACTOR SHALL VERIFY ALL BEAM AND LUGGER SIZES FOR CODE COMPLIANCE.

<p>REFERENCE FOR: Tony & Mary Siebert 406-43 Chief Kuno Trail Fox Lake, WI</p> <p>DESIGNED BY: LENNER WILLIAMS</p> <p>DATE: 12-20-2023</p> <p>PROJECT: FIRST & SECOND FLOOR PLANS</p> <p>SHEET NUMBER: 4 OF 4</p> <p>PLAN DATE: 12-26-2023</p> <p>JOB NAME: Siebert</p>	<p>HHH DESIGNS 2850 STATE ROAD 33 RANDOLPH, WI 53956 OFFICE: (262) 210 - 8075 FAX: (262) 243 - 2045</p>	<p>—COPYRIGHT NOTE— ALL RIGHTS RESERVED</p> <p>DATE: _____</p> <p>DESCRIPTION OF CHANGE:</p>
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ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING FOR ACCURACY, THE CONTRACTOR MUST CHECK ALL DETAILS AND DIMENSIONS AND BE RESPONSIBLE FOR THE BIDDING. ALL GOVERNMENT CODES AND REGULATIONS MUST BE OBSERVED. THESE DRAWINGS CONVEY TO GENERAL CONTRACTOR THE INTENT OF THE ARCHITECT'S DESIGN AND SHALL BE CONSIDERED AS SUCH. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND LOCAL CODES TO BE OBSERVED. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND SHALL NOT BE CONSIDERED AS SUCH. THE CONTRACTOR SHALL VERIFY ALL MEASUREMENTS AND CLEARANCES. CONTRACTOR SHALL VERIFY ALL FLOOR AND ROOF BEARING LOCATIONS. CONTRACTOR SHALL VERIFY ALL BEAM AND HEADER SIZES FOR CODE COMPLIANCE.

RESIDENCE FOR: Tony & Mary Stabart 110643 Chief Kuno Trail Fox Lake, Ill. SHEET RELEASES CONTRACTOR'S LIABILITY	DRAWN BY: Heather Williams HHH DESIGNS 110643 STATE RD 33 FORT LANE, ILL. 60120 TEL: (920) 243-2049 FAX: (920) 243-2049	HHH DESIGNS 110643 STATE ROAD 33 RANDOLPH, IL 63856 OFFICE: (920) 243-2049 FAX: (920) 243-2049	COPYRIGHT NOTE: ALL RIGHTS RESERVED © 2003	DATE:	DESCRIPTION OF CHANGE:
				SHEET NUMBER: 1 OF 4	PLAN DATE: 1-26-2023



ALL RIGHTS RESERVED. HHH DESIGNS HAS BEEN PAID IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY. THE CONTRACTOR MUST CHECK ALL DETAILS AND DIMENSIONS AND BE RESPONSIBLE FOR THE ABILITY FOR ALL GOVERNING CODES AND REGULATIONS TO BE COMPLIED WITH. THESE DRAWINGS CONFORM TO GENERAL BUILDING PRACTICES AND LOCAL CODES AND REGULATIONS. THE DESIGNER SHALL NOT BE HELD LIABLE FOR ANY ERRORS. ALL CONSTRUCTION SHALL COMPLY WITH ALL CITY, COUNTY, STATE AND FEDERAL CODES AND REGULATIONS. THE CONTRACTOR SHALL VERIFY ALL MECHANICAL, ELECTRICAL, AND PLUMBING REQUIREMENTS AND CLEARANCES. CONTRACTOR SHALL VERIFY ALL MECHANICAL, ELECTRICAL, AND PLUMBING REQUIREMENTS AND CLEARANCES. CONTRACTOR SHALL VERIFY ALL MECHANICAL, ELECTRICAL, AND PLUMBING REQUIREMENTS AND CLEARANCES.

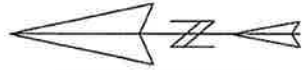
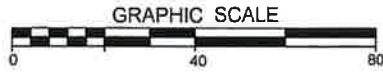
JOB NAME: Siebert	PLAN DATE: 7-26-2023	SHEET NUMBERS: 2 OF 4	REAR & RIGHT ELEVATIONS	DRAWN BY: TAMARA WILLIAMS	DESIGNS: HHH	RESIDENCE FOR: Tony & Mary Siebert 1106-43 Chief Kuno Trail Fox Lake, WI	COPYRIGHT NOTICE: ALL RIGHTS RESERVED	DATE	DESCRIPTION OF CHANGE

SITE SURVEY

A SURVEY OF LOT 1, BLOCK 1 OF VAN ROO LANDS SUBDIVISION AND A PARCEL OF LAND BEING PART OF GOVERNMENT LOT 3, ALL LOCATED IN A PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWN 13 NORTH, RANGE 13 EAST, TOWN OF FOX LAKE, DODGE COUNTY, WISCONSIN.

LEGEND

- 3/4" Iron Rebar Found
- 1-1/2" Iron Pipe Found
- 1" Iron Pipe Found
- △ Masonry Nail Set
- 3/4" X 18" Iron Rod Set weighing 1.5 lbs/ft
- 1"x18" Iron Pipe Set weighing 1.13 lbs/ft
- ⚡ Chiseled Cross Set
- ⊠ Stone Monument Found
- ⊙ Dodge County Survey Monument as shown
- ⊙ Well



North point is referenced to the Dodge County Coordinate System.

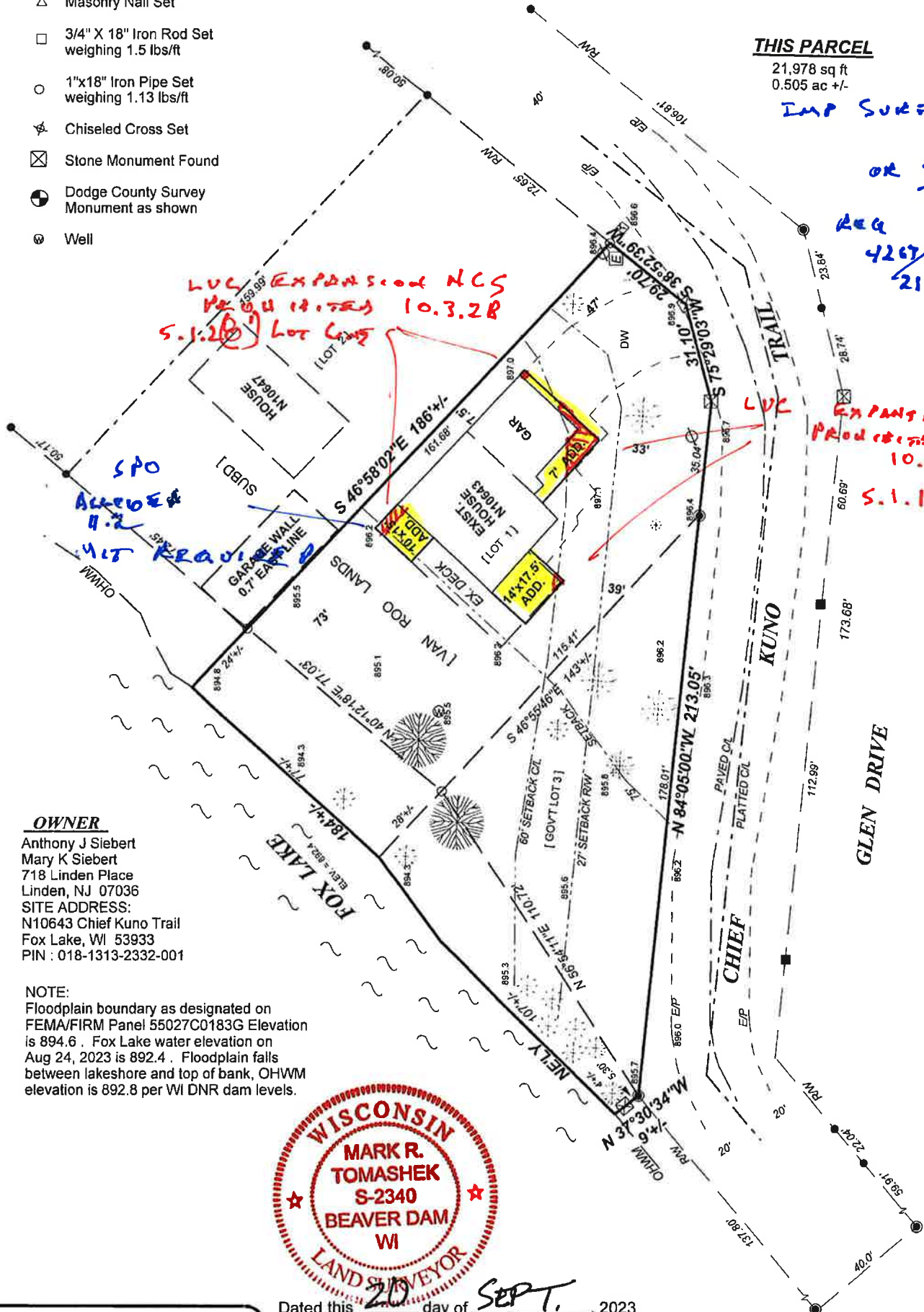
THIS PARCEL

21,978 sq ft
0.505 ac +/-

IMP SURF = 3020
6593
OR 3832 R15T
Req 4267 / 21978 / 100
x = 19.4%

LVC EXPANSION NCS
PER OH 11.12.23 10.3.2B
S.1.20 Lot Cont

EXPANSION NCS
PROPOSED
10.3.2B
S.1.1 TAGS
S.1-1
60' E



OWNER

Anthony J Siebert
Mary K Siebert
718 Linden Place
Linden, NJ 07036
SITE ADDRESS:
N10643 Chief Kuno Trail
Fox Lake, WI 53933
PIN : 018-1313-2332-001

NOTE:

Floodplain boundary as designated on FEMA/FIRM Panel 55027C0183G Elevation is 894.6. Fox Lake water elevation on Aug 24, 2023 is 892.4. Floodplain falls between lakeshore and top of bank, OHWM elevation is 892.8 per WI DNR dam levels.



Dated this 20 day of SEPT. 2023

Mark R. Tomashek
Mark R Tomashek W LRS S-2340
at Beaver Dam, Wisconsin

New Frontier Land Surveying
P.O. Box 576 - Beaver Dam, WI 53916
p(920)296-3904 f(920)885-3905
newfrontier@powercom.net

NOTE: No title commitment or results of a title search were furnished to New Frontier Land Surveying pertaining to this survey. This Survey may not reflect easements of record, encumbrances, restrictions, ownership title evidence or other facts that an accurate and current title search may disclose

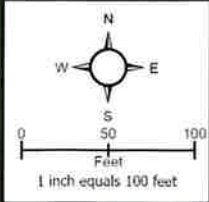
Anthony & Mary Siebert
Town of Fox Lake, Sec. 23

Map of the Town of Fox Lake, Wisconsin, showing the location of the property of Anthony & Mary Siebert. The map is aerial and shows the town's boundaries and the location of the property. The property is located in Section 23, which is outlined in red. The property is situated on Chief Kuno Trl, which is also outlined in red. The property is owned by Anthony & Mary Siebert. The map also shows other properties in the area, including those owned by W. J. Wapcyk, J. Miller, J. Spindel, J. Homan, J. Kaar, J. Miller, J. Poesstler, and J. Neuman. The map includes a scale bar and a north arrow.



A & M SIEBERT

CHIEF KUNO TRL



LEGAL NOTICE FOR:

BOARD OF ADJUSTMENT

Hearing No. 2

Notice is hereby given that a public hearing will be held by the **Dodge County Board of Adjustment** on Thursday, November 9, 2023 at 7:15 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 **Kevin Hanks, agent for State of Wisconsin (DNR)** for a variance to the terms of the Highway Setback provisions of the Dodge County Land Use Code to allow construction of a lift station and its components (chemical/electrical building, the wet well, valve vault, generator and transformer). According to County records, the required highway setback at this location is 60 feet from the centerline of Cross St. As proposed, the lift station and components will begin at approximately 31.5 feet from the centerline or approximately 28.5 feet within the required highway setback lines and therefore prohibited by the code.

The site located in part of the NE 1/4 SE 1/4, Section 16, T13N, R13E, Town of Burnett, Dodge County, Wisconsin Also known as All Of Lot 9 Block 3, Part Of Lot 6 & All Of Lot 12 Block 4, & Part Of Vacated Center St All In Child's Add To Burnett Junction. 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 November 8, 2023.

Dated October 9, 2023

Dodge County Board of Adjustment
By William Nass, Chairman

Land Resources and Parks Department Staff Report

County Variance Application No. 2023-0833
County Land Use Permit Application No. 2023-0832
Filing Date: September 28, 2023
Hearing Date: November 9, 2023

Owner:

Cedar Corporation (Kevin Hankes)
Burnett Sanitary District #1
604 Wilson Ave
Menomonie, WI 54751

Applicant (Agent):

State of Wisconsin
101 S. Webster St.
Madison, WI 53703

Location

PIN#: 006-1215-1641-016

Property Location: The site located in part of the NE ¼ of the SE ¼, Section 16, T13N, R13E, Town of Burnett, Dodge County, Wisconsin. Also known as all of Lot 9 Block 3, Part of Lot 6 & All of Lot 12 Block 4, & Part of Vacated Center St. All in Child's Add to Burnett Junction.

County Jurisdiction

The County has Jurisdiction over this site as the Town of Burnett has adopted the Highway Setback Overlay District provisions of 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 construct a lift station and its components (chemical/electrical building, the wet well, valve vault, generator, and transformer). According to County records, the required highway setback at this location is 60 feet from the centerline of Cross St. As proposed, the lift stations and components will begin at approximately 31.5 feet from the centerline or approximately 28.5 feet within the required highway setback lines 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 County has highway setback jurisdiction over this site as the Town of Burnett has adopted the Highway Setback Overlay District provisions of the County's Land Use Code;

The property is undeveloped and is being used as parking location for access to the adjacent Wild Goose State Trail. The property is being maintained by the County Park staff through an agreement with the State of Wisconsin DNR. The proposed construction is to be placed on the parking location for the Wild Goose State Trail limiting the available parking space and access to the trail;

The physical features of this approximate 0.67 acre lot include a generally flat topography with slopes at about 2%;

The general character of the surrounding land use consists of residential homes and scattered businesses, along with the Wild Goose State Trail running adjacent to the east side of the property;

On September 28, 2023 an application for a County Land Use Permit was made by the appellant in order they be allowed to construct a lift station and its components;

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

Subsection 4.6.4, 5.1.1 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 an urbanized road, the required setback is 60 feet from its centerline or 27 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 60 feet from the center of Cross St. As proposed, the lift station and components will begin at approximately 31.5 feet from the centerline or approximately 28.5 feet within the required highway setback lines and therefore prohibited by the code.

The appellant is requesting an area variance to Subsections 4.6.4, 5.1.1 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 Subsections 4.6.4, 5.1.1 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.

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 the structure would need to be removed for highway improvement, relocation or safety reasons.

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 projects prior to the approval of the land use permit.
2. All Federal, State and Local Municipality permits and approvals required for the proposed structures on this site shall be obtained for said projects prior to beginning construction.
3. A County Land Use Permit shall be obtained for the proposed construction projects prior to beginning construction of these projects.
4. Appellant is to work with the Dodge County Land Resources and Parks Department to demarcate the public parking area and access to the Wild Goose State Trail.

Dodge County Board of Adjustment Decision

County Variance Application No. 2023-0833
County Land Use Permit Application No. 2023-0832
Filing Date: September 28, 2023
Hearing Date: November 9, 2023

Owner:

Cedar Corporation (Kevin Hanks)
Burnett Sanitary District #1
604 Wilson Ave
Menomonie, WI 54751

Applicant (Agent):

State of Wisconsin
101 S. Webster St.
Madison, WI 53703

Location

PIN#: 006-1215-1641-016

Property Location: The site located in part of the NE ¼ of the SE ¼, Section 16, T13N, R13E, Town of Burnett, Dodge County, Wisconsin. Also known as all of Lot 9 Block 3, Part of Lot 6 & All of Lot 12 Block 4, & Part of Vacated Center St. All in Child’s Add to Burnett Junction.

County Jurisdiction

The County has Jurisdiction over this site as the Town of Burnett has adopted the Highway Setback Overlay District provisions of 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 construct a lift station and its components (chemical/electrical building, the wet well, valve vault, generator, and transformer). According to County records, the required highway setback at this location is 60 feet from the centerline of Cross St. As proposed, the lift stations and components will begin at approximately 31.5 feet from the centerline or approximately 28.5 feet within the required highway setback lines 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:

Highway Setbacks

The appellants request to Subsection 4.6.4 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 lift station and its components 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

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
Brad Kufalks (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 requests to the appellant as proposed;
- Granted the variance requests by the appellant subject to the conditions listed above;
- Denied the variance requests 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 9, 2023

Cedar Corporation (Kevin Hanks)
Burnett Sanitary District #1
604 Wilson Ave
Menomonie, WI 54751

State of Wisconsin
101 S. Webster St.
Madison WI 53703

RE: Determination of Application Completeness
Variance Application: #2023-0833

Property location: The site located in part of the NE 1/4 SE 1/4, Section 16, T13N, R13E, Town of Burnett, Dodge County, Wisconsin Also known as All Of Lot 9 Block 3, Part Of Lot 6 & All Of Lot 12 Block 4, & Part Of Vacated Center St All In Child's Add To Burnett Junction.

Dear Kevin Hanks;

The Dodge County Land Resources and Parks Department has received your Variance application to allow construction of a lift station and its components (chemical/electrical building, the wet well, valve vault, generator and transformer) within the required Highway Setback. On October 9, 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, November 9, 2023 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 2, 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. Ochs
Senior Land Use / Sanitary Specialist
tochs@co.dodge.wi.us
(920) 386-3270
Dodge County
Land Resources and Parks

LEGAL NOTICE FOR:

BOARD OF ADJUSTMENT

Hearing No. 2

Notice is hereby given that a public hearing will be held by the **Dodge County Board of Adjustment** on Thursday, November 9, 2023 at 7:15 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 **Kevin Hanks, agent for State of Wisconsin (DNR)** for a variance to the terms of the Highway Setback provisions of the Dodge County Land Use Code to allow construction of a lift station and its components (chemical/electrical building, the wet well, valve vault, generator and transformer). According to County records, the required highway setback at this location is 60 feet from the centerline of Cross St. As proposed, the lift station and components will begin at approximately 31.5 feet from the centerline or approximately 28.5 feet within the required highway setback lines and therefore prohibited by the code.

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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 November 8, 2023.

Dated October 9, 2023

Dodge County Board of Adjustment
By William Nass, Chairman



**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. 230833	Issue Date:
Application Date: 9-28-2023	Receipt #: 8111-0019

Variance Application

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

Names and Mailing Addresses	Property Description														
Applicant (Agent) Kevin T. Hanks (Cedar Corporation) on behalf of Burnett Sanitary District #1	Parcel Identification Number (PIN) 006-1215-1641-016 (Alt. Parcel # 006035700000)														
Street Address 604 Wilson Avenue	Town Burnett														
City • State • Zip Code Menomonie, WI 54751	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 12.5%; text-align: center;">1/4</td> <td style="width: 12.5%; text-align: center;">1/4</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;">NE</td> <td style="text-align: center;">SE</td> <td style="text-align: center;">16</td> <td style="text-align: center;">12</td> <td></td> <td style="text-align: center;">15</td> <td></td> </tr> </table>	1/4	1/4	Section	T	N	R	E	NE	SE	16	12		15	
1/4	1/4	Section	T	N	R	E									
NE	SE	16	12		15										
Property Owner (If different from applicant) State of Wisconsin DNR	Subdivision or CSM #														
Street Address 101 S. Webster Street	Site Address N/A														
City • State • Zip Code Madison, WI 53707	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Not currently, but the existing gravity sewer will be connected to the proposed lift station														
Present property use: Parking for Wild Goose State Trail access															
List any prior variances that have been granted or denied for this property: N/A															
Describe all nonconforming structures and uses on this property: The proposed chemical / electrical building, valve vault, wet well and transformer are both within 60' of the centerline and within 27' of the right-of-way of Cross Street.															
List the terms of the Land Use Code for which you are requesting a variance (section # and code provision requirements): Chapter 5.1.1 - Street / highway / road / front yard setback for dwellings and other principal structures Chapter 5.2.3 - Street / highway / road / front yard setback for accessory structures Unaware of any others.															
Variance Requested: A variance is being requested for the various elements / structures of the lift station to be within the 60' centerline setback and 27' right-of-way setback distances.															
Address the following variance criteria described in the application materials. (Attach additional sheets if necessary):															
What unnecessary hardship is present that prohibits your compliance with the terms of the Land Use Code? See attached memo for answers to all questions on this application.															

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

See attached memo for answers to all questions on this application.

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

See attached memo for answers to all questions on this application.

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

See attached memo for answers to all questions on this application.

CERTIFICATE

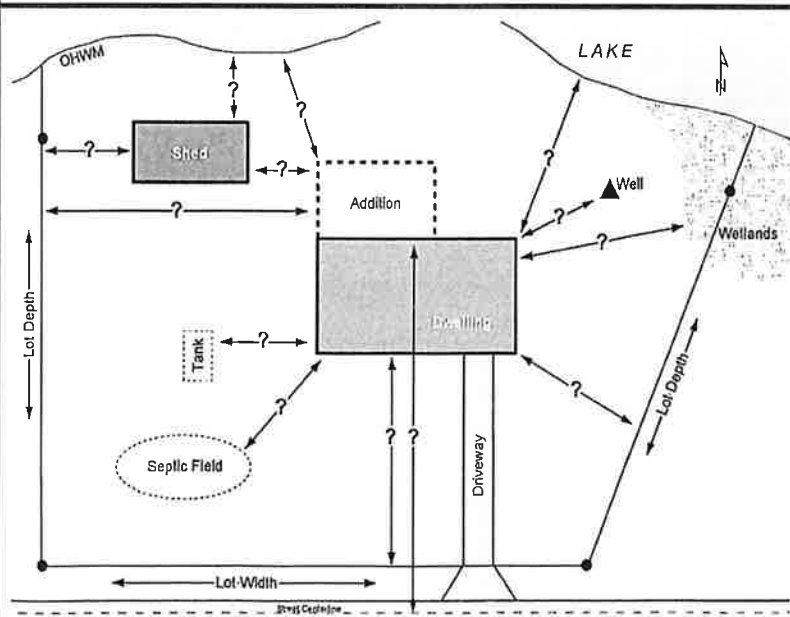
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and 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: *R. T. Hamer* Date: 09-22-2023

Daytime Contact Number (715) 235 - 9081

SITE PLANS AND BUILDING PLANS

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



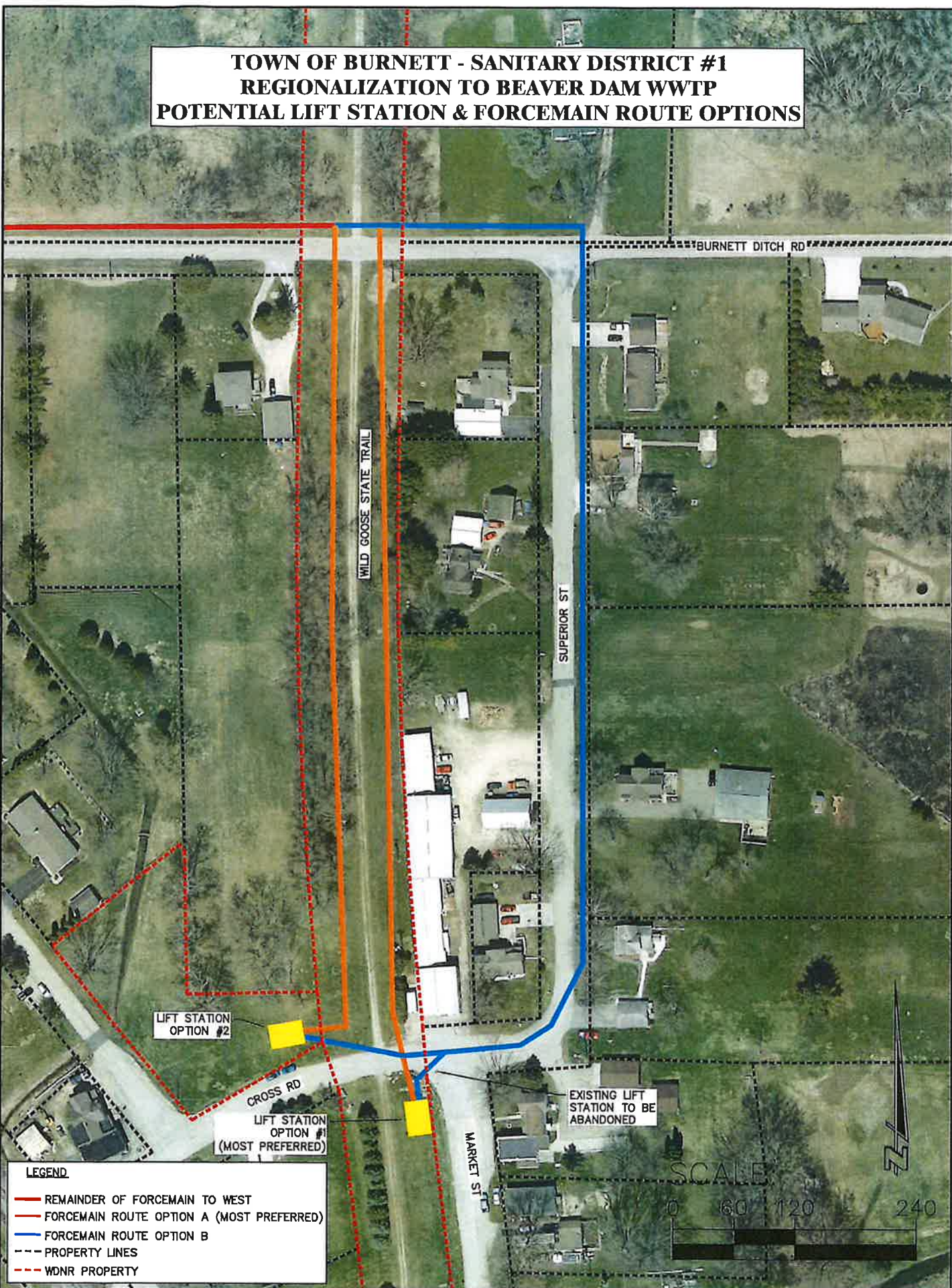
Site plans must be drawn to scale and/or all dimensions given, such as:
Location and dimensions of the project
Location and dimensions of existing structures
Dimensions of the property
Location and names of abutting roads, lakes & Streams
North arrow
Owner's name

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)

TOWN OF BURNETT - SANITARY DISTRICT #1 REGIONALIZATION TO BEAVER DAM WWTP POTENTIAL LIFT STATION & FORCEMAIN ROUTE OPTIONS

I:\Clients-C&B\B6327 Burnett Sanitary District #1\002 WWTF - WPDES Phosphorus Compliance Sanitary Sewer Collection System Inp\100 Cad\DWG\map.dwg 07/22/22 10:24:58 AM



LEGEND

- REMAINDER OF FORCEMAIN TO WEST
- FORCEMAIN ROUTE OPTION A (MOST PREFERRED)
- FORCEMAIN ROUTE OPTION B
- - - PROPERTY LINES
- - - WDNR PROPERTY



LIFT STATION
OPTION #2

LIFT STATION
OPTION #1
(MOST PREFERRED)

EXISTING LIFT
STATION TO BE
ABANDONED

WILD GOOSE STATE TRAIL

SUPERIOR ST

MARKET ST

CROSS RD

BURNETT DITCH RD

Dodge County, WI

Legend

- Parcels
- Driveways
- Building Footprints
- Cities and Villages (scale below 30K)
- Towns
- Sections
- State Roads
- County Roads
- Federal Roads
- Interstates
- Centerline
- Railroads
- Rivers and Streams
- Lakes and Rivers
- Horicon Marsh
- Surrounding Counties











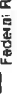







DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user

DATE PLOTTED: 03/20/15 AM	

Dodge County, WI

Legend

-  Parcels
-  Driveways
-  Building Footprints
-  Cities and Villages (scale below 30K)
-  Towns
-  Sections
-  State Roads
-  County Roads
-  Federal Roads
-  Interstates
-  Centerline
-  Railroads
-  Rivers and Streams
-  Lakes and Rivers
-  Horizon March
-  Surrounding Counties


City
Town



PROPOSED LIFT STATION LAYOUT
DIMENSIONS BETWEEN LIFT
STATION ELEMENTS



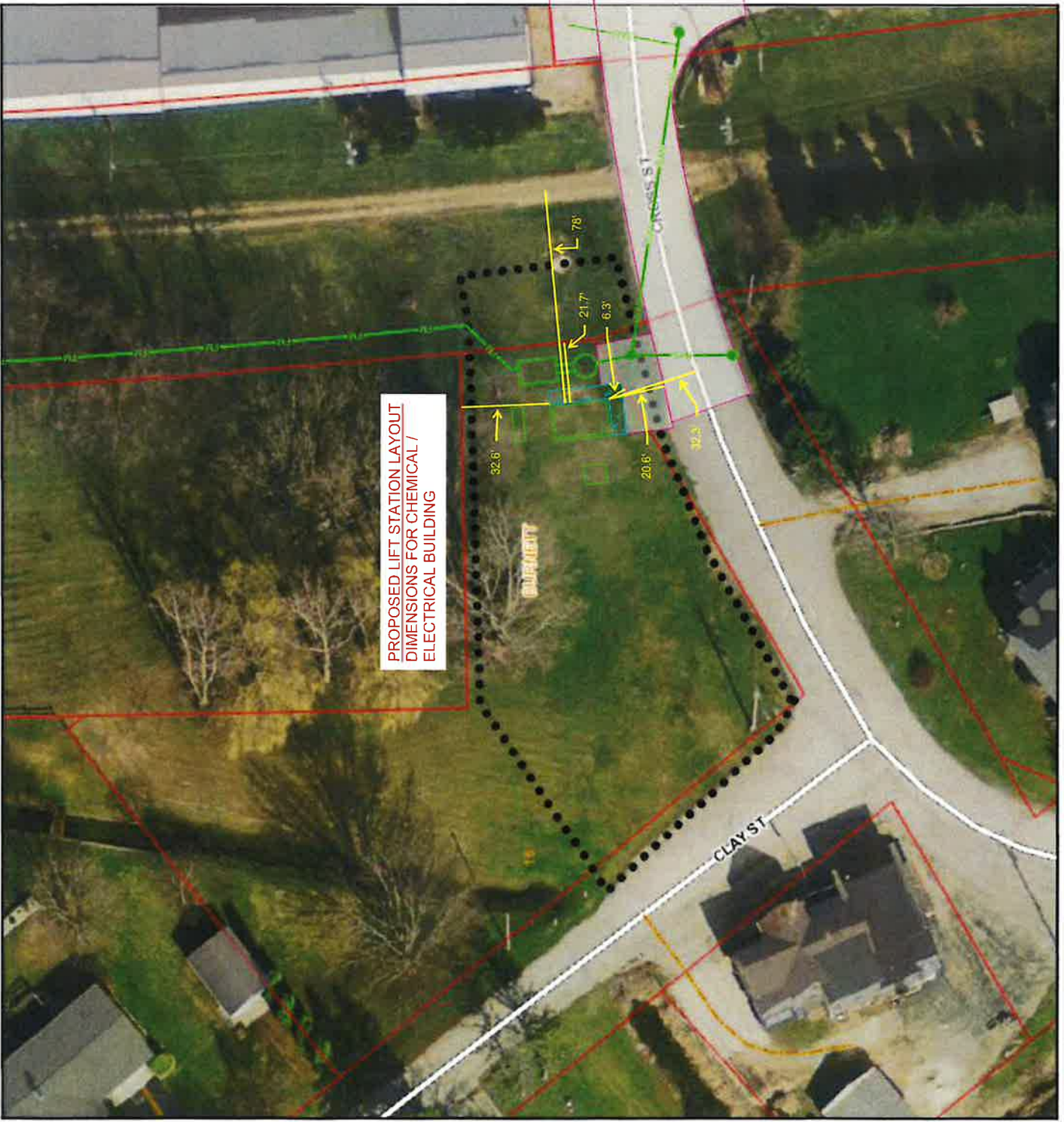
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Dodge County, WI

Legend

- Parcels
- Driveways
- Building Footprints
- Cities and Villages (scale below 30K)
- Towns
- Sections
- State Roads
- County Roads
- Federal Roads
- Interstates
- Centerline
- Railroads
- Rivers and Streams
- Lakes and Rivers
- Horicon Marsh
- Surrounding Counties



PROPOSED LIFT STATION LAYOUT
DIMENSIONS FOR CHEMICAL /
ELECTRICAL BUILDING



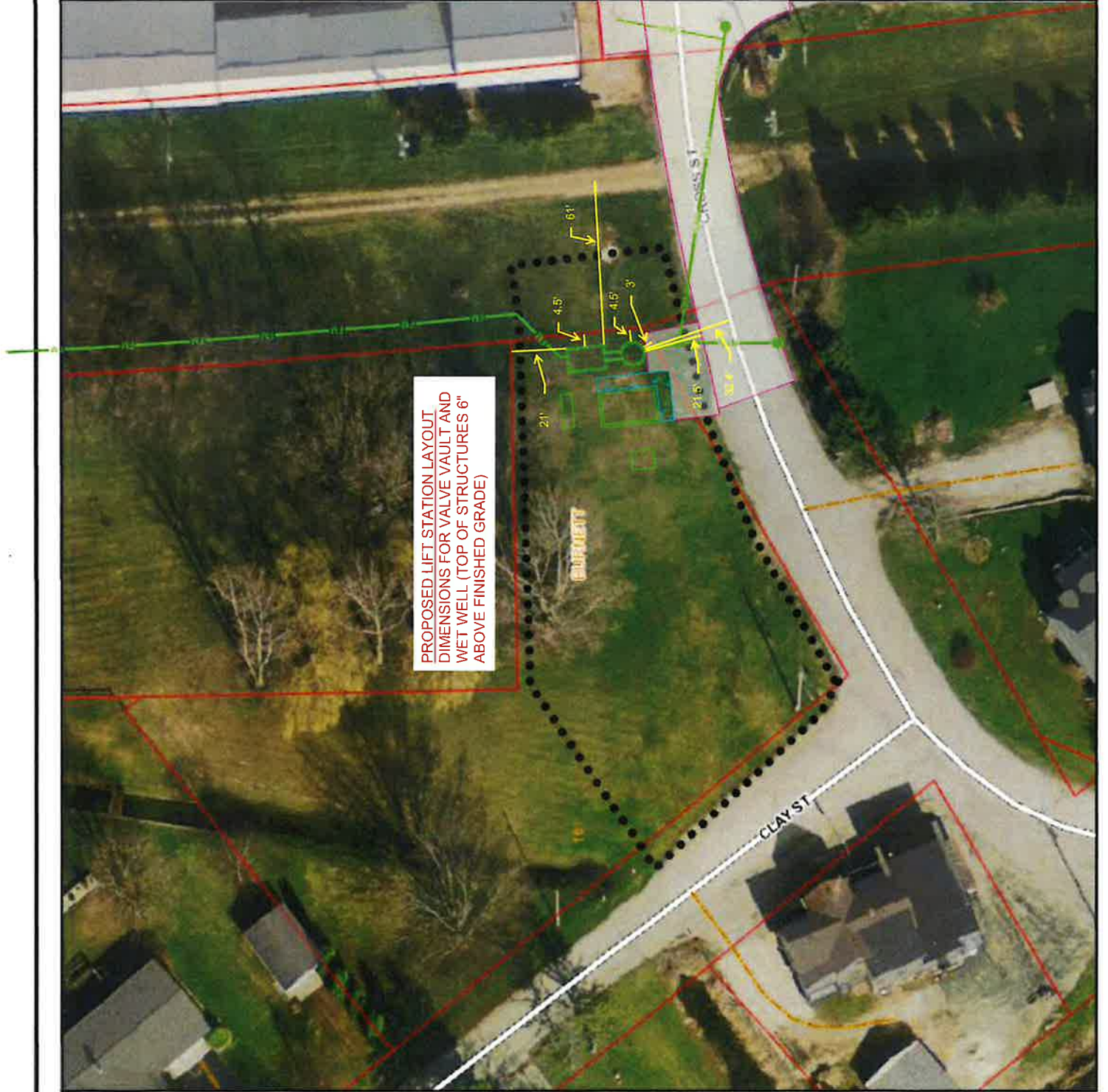
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Date: _____	Scale: _____
10.31.2026 9:1 AM	

Dodge County, WI

Legend

- Parcels
- Driveways
- Building Footprints
- Cities and Villages (scale below 30K)
- Towns
- Sections
- State Roads
- County Roads
- Federal Roads
- Interstates
- Centerline
- Railroads
- Rivers and Streams
- Lakes and Rivers
- Horicon Marsh
- Surrounding Counties



PROPOSED LIFT STATION LAYOUT
 DIMENSIONS FOR VALVE VAULT AND
 WET WELL (TOP OF STRUCTURES 6"
 ABOVE FINISHED GRADE)



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

DATE: 10/21/2024 TIME: 10:30 AM PROJECT: 2024-001-001-001	

Dodge County, WI

Legend

- Parcels
- Driveways
- Building Footprints
- Cities and Villages (Scale below 30K)
- Towns
- Sections
- State Roads
- County Roads
- Federal Roads
- Interstates
- Centerline
- Railroads
- Rivers and Streams
- Lakes and Rivers
- Horseshoe Marsh
- Surrounding Counties



PROPOSED LIFT STATION LAYOUT
DIMENSIONS FOR TRANSFORMER
AND GENERATOR



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

	08.27.2020 6:51 AM



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

COPY

October 6th, 2023

Kevin T. Hanks
Burnett Sanitary District #1
604 Wilson Ave
Menomonie, WI 54751

State of WI DNR
101 S. Webster St.
Madison, WI 53703

RE: Notice of Permit Refusal- County ID #2023-0832
PIN# 006-1215-1641-016
Location: NE ¼, SE ¼, Section 16, T12N, R15E, Town of Burnett, Dodge County, Wisconsin the site address being Cross Road.

Dear Mr. Hanks:

Your application for a Land Use Permit as agent for the State of Wisconsin DNR, to construct a lift station and its components (chemical/electrical building, the wet well, valve vault, generator and transformer) 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 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 an urbanized road, the required setback is 60 feet from its centerline or 27 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 60 feet from the centerline of Cross St. As proposed, the lift station and components will begin at approximately 31.5 feet from the centerline or approximately 28.5 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 highway setback standards of the code.

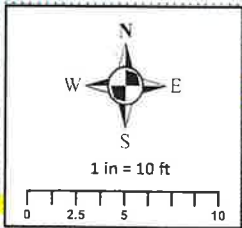
A variance request was filed on September 28, 2023 and has been forwarded to the Board of Adjustment for scheduling of an on-site inspection and a public hearing.

If you have any questions, feel free to give me a call.

Sincerely,

Morgan Wisth
Land Use /Sanitation Specialist

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



Dodge County Land Resources & Parks
 1641-026
 0.557 ac.

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

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.

230832

Receipt No.

8147-0014

Application Date

9-28-2023

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.) Kevin T. Hanks (Cedar Corporation) on behalf of Burnett Sanitary District #1	Parcel Identification Number (PIN) 006-1215-1641-016 (Alt. Parcel #00635700000)
Street Address 604 Wilson Avenue	Town Burnett
City • State • Zip Code Menomonie, WI 54751	T 12 N 15 R 15 E
Property Owner State of Wisconsin DNR <input type="checkbox"/> Same as applicant	Section 16 Acreage 0.67 Lot (Block) See description below.
Street Address 101 S. Webster Street	Subdivision or CSM (Volume/Page/Lot) Lot 9 Blk 3, Lot 12 and PT of Lot 6 Blk 4, & PT of VAC Center St all in Child's Add to Burnett Junction as described in V1375 P320
City • State • Zip Code Madison, WI 53703	Address Of Property (DO NOT Include City/State/Zip Code) N/A
CURRENT USE OF PROPERTY	PROPOSED USE OF PROPERTY
<input checked="" type="checkbox"/> Vacant Land <input type="checkbox"/> Single-Family Residential <input type="checkbox"/> Working Farm <input type="checkbox"/> Two-Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Business • Industrial • Commercial • (Use other below to describe) Other <u>current land use - parking for Wild Goose State Trial access</u>	<input 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 <u>lift station construction / installation / operation / maintenance</u>
PROPOSED CONSTRUCTION PROJECT	
(CHECK ALL THAT APPLY)	
*** (Building plans are required for new/replacement Homes) ***	
<input checked="" type="checkbox"/> NEW STRUCTURE/CONSTRUCTION <input type="checkbox"/> REPLACEMENT OF EXISTING <input type="checkbox"/> ADDITION TO AN EXISTING	
<input type="checkbox"/> Pool <input type="checkbox"/> Porch <input checked="" type="checkbox"/> Driveway <input type="checkbox"/> Field Tile Installation <input type="checkbox"/> Deck <input type="checkbox"/> Fence <input type="checkbox"/> Boathouse <input type="checkbox"/> Pond (Less than 2 acres in size) <input type="checkbox"/> Patio <input type="checkbox"/> Riprap <input type="checkbox"/> Attached Garage <input type="checkbox"/> Sign (Complete additional project information below) <input type="checkbox"/> Shed <input type="checkbox"/> Gazebo <input type="checkbox"/> Detached Garage <input type="checkbox"/> Barn (Complete additional project information below) <input type="checkbox"/> Home <input checked="" type="checkbox"/> Sidewalk <input type="checkbox"/> Ag Ditch Cleanout <input type="checkbox"/> Home Addition (Complete additional project information below)	
<input checked="" type="checkbox"/> Filling, Grading, Ditching, Dredging, Lagooning, and/or Excavating- Contact this office for assistance with determining type of permit needed Other <u>In addition to the sidewalk and driveway items checked above are the chemical / electrical building, the wet well, valve vault, generator, and transformer</u>	
Width _____ Length _____ Total Area _____ Total Stories _____ Height (To roof peak) _____ See attached plans for dimensions	Additional Project Information <u>Home Addition:</u> Total number of bedrooms? Before _____ After _____ <u>Barn Information:</u> Will it house any animals? If yes, complete Animal Units Worksheet. <u>Sign Information:</u> <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 checked="" type="checkbox"/> Yes
Estimated Cost (w/Labor) \$ <u>341,000</u> Estimated cost breakdown: Chemical/Electrical Building: \$205,000 Generator: \$65,000 Transformer: \$55,000 General site work: \$16,000 Total: \$341,000 --> Fee = \$732	
◆ ◆ ◆ 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.

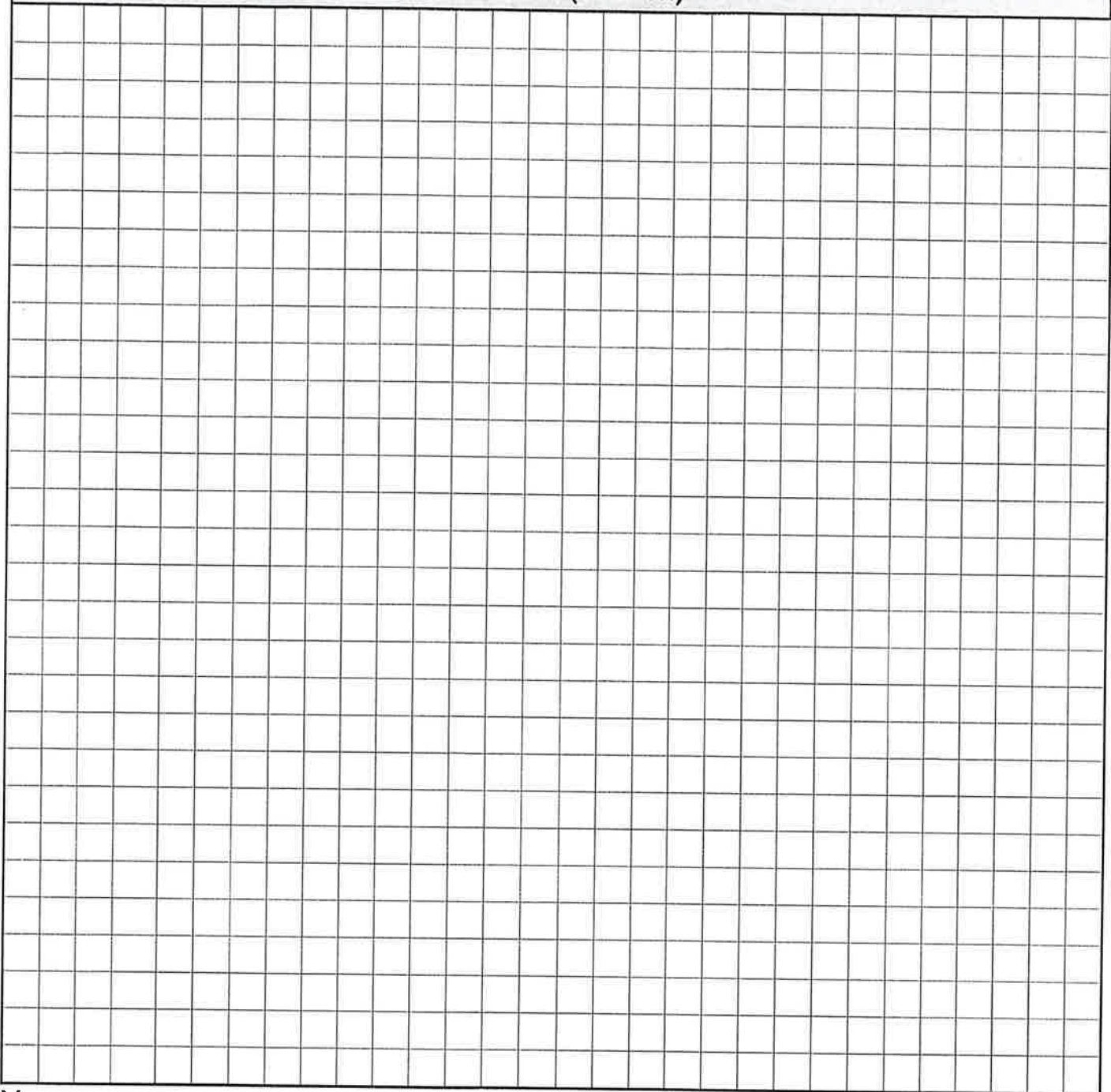
CERTIFICATE & CONTACT INFORMATION

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) Kevin T. Hankes Daytime Contact Phone (715) 235 9081 or Email: kevin.hankes@cedarcorp.com

Signature Kevin T. Hankes Date 01-27-2023 Call for pickup No Yes

SITE PLAN (SKETCH)



See Attached Site Plan (Sketch) See the attached "plan sheets" pdf attachment.

THIS AREA FOR OFFICE USE ONLY

BOA ID No. 2023-0833	BOA Appeal Date 9/9/23	BOA P/H Date 11/09/23	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**

Written Statement

The circumstances under which this permit application is being submitted are unique. We determined that it would be more appropriate and effective to address the variance application questions and three-step test descriptions in the broader context of an explanation of the project as a whole. We felt the need to provide some background information on all of what led up to this point to demonstrate the need for this project as well as the extensive efforts made to comply with various requirements. This helps to explain the extent to which it's even possible at this point to adequately and directly address the various elements of the "three-step test" as they are described in the variance application.

Burnett Sanitary District #1 owns, operates, and maintains the existing lift station located in the Town of Burnett within the intersection of Cross Street and Market Street. Sanitary sewer throughout the Town of Burnett flows by gravity to this lift station which then pumps the Town's wastewater through force main to the north to Burnett Ditch Rd and then east to the Burnett Sanitary District #1 lagoon wastewater treatment facility, a total distance of just over 4,000 feet. Treated wastewater from this facility then discharges to the east into the Spring Brook stream.

The wastewater treatment facility is unable to meet the WisDNR-enforced phosphorous effluent limits which they are required to be in compliance with by January 1, 2024 and the District has been working with the WisDNR to address these inefficiencies in order to achieve compliance. It was determined that the best approach to reliably meeting the WisDNR effluent limitations long-term was regionalization to the City of Beaver Dam. The existing lift station and force main are nearly 50 years old and are both entirely inadequately sized to repurpose for the regionalization which involves conveying wastewater a distance seven times farther away from the Town than in existing conditions. The proposed project will involve constructing a new lift station and force main, rerouting the existing collection system to the new lift station, and then abandoning the existing lift station, force main, and wastewater treatment facility. The new force main will pump wastewater 5.5 miles to the west to discharge into gravity sewer in the City of Beaver Dam and ultimately be treated at the Beaver Dam Wastewater Treatment Plant regional facility. Cedar Corporation has been in extensive communication and coordination with the City of Beaver Dam staff to acquire their approval of this plan and there is an agreement for the District's discharge to their collection system already in place.

By far the most restrictive aspect of this design in the initial stages was determining the location of the new lift station. There is no Town-owned property near the existing lift station site. Close proximity to the existing lift station significantly reduces the complexity of design, the difficulty of retrofitting the existing collection system, and the cost of construction on an already very expensive construction project in a significantly inflationary environment. Compared to the existing lift station, the proposed lift station is larger and has more components to it and thus has a much greater footprint. The only above ground component of the existing lift station is the generator and its control panel located southwest of the intersection in the grass area. The proposed lift station, however, contains three above-ground components - a 21'x13' chemical/electrical building, a new 3.5'x12' generator and a 7'x8' transformer (approximate dimensions). Placing the new lift station in the location of the existing lift station was not at all a feasible option due both to space constraints and also challenges of construction sequencing, such as maintaining use of the existing lift station while constructing the new lift station.

Determining the location of the new lift station had to be done in very short order, as a WisDNR Clean Water Fund application was being submitted for the project on September 30th, 2022. If the design

was to involve a new lift station within close proximity to the old lift station, it was very apparent from the beginning that the WisDNR-owned property along the Wild Goose State Trail or the parcel adjacent to it to the west, north of Cross Street, were the only good options. Beginning in the middle of July 2022, Cedar Corporation was contracted for design and began very extensive communication and coordination with WisDNR in an effort to acquire an easement for the construction of the new lift station on one of these two parcels. The foundational nature of a new lift station location for our design and the great urgency of our need was communicated very clearly from the very beginning.

On July 22, 2022, we provided a basic concept map to WisDNR with two alternatives for the location of the new lift station. The "[01 – LS & FM locations map.pdf](#)" can be viewed for reference. Option #1 was southwest of the existing lift station within the Wild Goose State Trail property, immediately east of the trail and immediately south of Cross Street. Option #2 was in the parcel adjacent to and west of the State Trail property, immediately north of Cross Street. In early-mid September 2022, after making multiple WisDNR-requested modifications to minimize the easement area and to accommodate existing land use, and while acknowledging the easement documentation would take time to officially draft and establish, Cedar Corporation requested a very clear confirmation that the project design could proceed based on the Option #2 location for the new lift station. Note that the WisDNR requests specifically included moving the lift station closer to the road to minimize the size of the driveway (perhaps also to minimize impact to trees and private property to the north) and minimizing the easement area on the west side with parking specifically mentioned as one of the potential reasons to do so. On September 13th, 2022, two WisDNR real estate staff clearly confirmed this proposed location for the new lift station was acceptable, over 11 months prior to the Dodge County Land Resources and Parks Department communicating to Cedar Corporation that they had not received any details about the project. Additionally, a third WisDNR real estate staff person told Cedar Corporation via email on March 1st of 2023 that easement documentation had been submitted to the Wild Goose Trail Program Manager for review. Cedar Corporation was given no indication that any Dodge County personnel needed to sign off on the easement documentation until we came across it in early August of 2023 when WisDNR sent us the documentation that they had sent to the District a few weeks prior. We had every indication that the appropriate personnel were being consulted with and had correspondence with several WisDNR staff throughout the process, many of whom are specifically in real estate positions. More detail on correspondence can be provided upon request.

Design from every perspective and discipline proceeded from that point based on the assumption that the proposed lift station location had been approved. Plans and specifications were completed and submitted to WisDNR as required by the Clean Water Fund Application and funding was subsequently awarded, making the project financially feasible for the District. The project design continued to be fine-tuned leading up to and during WisDNR review and the project was eventually bid on April 4th, 2023 and awarded to the contractor on April 18th, 2023. A collection of relevant "[plan sheets](#)" has been provided for reference. Since that time, Cedar Corporation has been reviewing and approving shop drawings for the ordering and production of various materials and structures.

This background information helps reviewers to understand the significant need for and value of this project, some of the history of planning and design, the thorough and extensive coordination and due diligence efforts Cedar Corporation made with WisDNR, and the approval via email that we had been given by them as the parcel landowner to proceed with the proposed location for the new lift station. We do indeed regret that, as Dodge County staff have communicated, that this project represents a downgrade in terms of its use for parking and trail access. Since about a year ago, Cedar

Corporation had every reason to believe existing land use was indeed being accommodated and that the owner of the land was making us sufficiently informed on said land use. Unfortunately, the modifications made at WisDNR's request proved to negatively impact this land use and make compliance with the Land Use Code unattainable. Had Cedar Corporation at any point in our communication with WisDNR been made aware of the need to coordinate with Dodge County for this state-owned property ourselves, we would have had no issues with doing so just as we had done so extensively with WisDNR to arrive at a solution that was acceptable to all parties. Having said that, since recently being informed of the issues that Dodge County has with the proposed design, we have shown willingness to listen to concerns of Dodge County staff and intend to incorporate any reasonable modifications to mitigate the impact on current land use. However, relocation of the lift station will not be feasible.

Regardless of the circumstances we now find ourselves in, we think this project is of great value to the community and is consistent with several of the goals and purposes of the Land Use Code including clean water, environmental protection, public health, general welfare, etc.. Though the negative impact of the project to existing land use is acknowledged, the benefit to the community and the environment is significant and essential. The project represents not a narrow and isolated interest of a private party but a clear and long-term benefit and improvement to the entire community while resulting in the District finally coming into compliance with state environmental regulations. Were a variance to be denied and any redesign required, it would result in significant delays in construction and significant additional cost to the District from redesign efforts and contractor change orders. Additionally, it would yet further delay the District's compliance with WisDNR's wastewater effluent regulations. Additionally, if the lift station had to be relocated to a different location it would be extremely cost prohibitive to the District. The currently proposed location is an ideal location due to proximity to the existing lift station and the trail which the proposed force main will run parallel to.

In closing, there are many factors here that have been considered and discussed - the close proximity in time to construction commencement, the significant delay and high cost associated with any required redesign, the magnitude of the size and cost of the entire project, the communal and environmental nature of the project's benefits, the ongoing out of compliance status of the District's wastewater effluent, and the long-ago given approval from both an environmental and real estate perspective by WisDNR, which is the landowner of the parcel, provider of Clean Water Fund Program funding, and state level environmental agency that has permitted the project. These are all factors that lead us to conclude that conformity with the restrictions described in the Land Use Code would be unnecessarily burdensome both in terms of time and cost.

CONSTRUCTION

REGIONALIZATION TO BEAVER DAM

CONTRACT NO. A-23

BURNETT SANITARY DISTRICT NO.1
DODGE COUNTY, WISCONSIN

MARCH 2023



COMMUNITY INFRASTRUCTURE • ARCHITECTURE • ENVIRONMENTAL
800-472-7372 www.cedarcorp.com

INDEX TO DRAWINGS

PAGE NUMBER	SHEET NUMBER	SHEET TITLE	PAGE NUMBER	SHEET NUMBER	SHEET TITLE	PAGE NUMBER	SHEET NUMBER	SHEET TITLE
00	GENERAL		15	WWTP ABANDONMENT				
1	0000.01	EXISTING CONDITIONS PLAN	83	15C1.01	EXISTING CONDITIONS PLAN			
2	0000.02	SITE GRADING PLAN	84	15C1.02	SITE GRADING PLAN			
3	0000.03	SIGNATURES & ENGINEER SEALS	85	15DR1.01	DEMOLITION YARD PIPING PLAN			
4	0000.04	CIVIL LEGEND	86	15DR1.02	MANHOLE DETAILS			
5	0000.05	PROCESS LEGEND	87	15DR1.03	MANHOLE DETAILS			
6	0000.06	ELECTRICAL SYMBOLS AND ABBREVIATIONS	88	15DR1.04	MANHOLE DETAILS			
03	BRIDE		89	15DR1.05	MANHOLE DETAILS			
7	03DE6.01	LIFT STATION P&ID						
8	03DE6.02	METERING STRUCTURE P&ID						
05	SITE		200	SCHEDULES & DETAILS				
45	14C1.01	FORCE MAIN PLAN & PROFILE	90	200C5.01	CONSTRUCTION DETAILS			
46	14C1.02	FORCE MAIN PLAN & PROFILE	91	200C5.02	CONSTRUCTION DETAILS			
47	14C1.03	FORCE MAIN PLAN & PROFILE	92	200C5.03	CONSTRUCTION DETAILS			
48	14C1.04	FORCE MAIN PLAN & PROFILE	93	200C5.04	CONSTRUCTION DETAILS			
49	14C1.05	FORCE MAIN PLAN & PROFILE	94	200C5.05	CONSTRUCTION DETAILS			
50	14C1.06	FORCE MAIN PLAN & PROFILE	95	200AS5.01	DETAILS			
51	14C1.07	FORCE MAIN PLAN & PROFILE	96	200AS5.02	DETAILS			
52	14C1.08	FORCE MAIN PLAN & PROFILE	97	200AS5.03	DETAILS			
53	14C1.09	FORCE MAIN PLAN & PROFILE	98	200ES.01	PROCESS DETAILS			
54	14C1.10	FORCE MAIN PLAN & PROFILE	99	200ES.02	PROCESS DETAILS			
55	14C1.11	FORCE MAIN PLAN & PROFILE	100	200EE.01	ELECTRICAL DETAILS			
56	14C1.12	FORCE MAIN PLAN & PROFILE	101	200EE.02	ELECTRICAL DETAILS			
57	14C1.13	FORCE MAIN PLAN & PROFILE	102	200EE.03	MCC FRONT ELEVATION & ONE LINES			
58	14C1.14	FORCE MAIN PLAN & PROFILE						
59	14C1.15	FORCE MAIN PLAN & PROFILE						
60	14C1.16	FORCE MAIN PLAN & PROFILE						
61	14C1.17	FORCE MAIN PLAN & PROFILE						
62	14C1.18	FORCE MAIN PLAN & PROFILE						
63	14C1.19	FORCE MAIN PLAN & PROFILE						
64	14C1.20	FORCE MAIN PLAN & PROFILE						
65	14C1.21	FORCE MAIN PLAN & PROFILE						
66	14C1.22	FORCE MAIN PLAN & PROFILE						
67	14C1.23	FORCE MAIN PLAN & PROFILE						
68	14C1.24	FORCE MAIN PLAN & PROFILE						
69	14C1.25	FORCE MAIN PLAN & PROFILE						
70	14C1.26	FORCE MAIN PLAN & PROFILE						
71	14C1.27	FORCE MAIN PLAN & PROFILE						
72	14C1.28	FORCE MAIN PLAN & PROFILE						
73	14C1.29	FORCE MAIN PLAN & PROFILE						
74	14C1.30	FORCE MAIN PLAN & PROFILE						
75	14C1.31	FORCE MAIN PLAN & PROFILE						
76	14C1.32	FORCE MAIN PLAN & PROFILE						
77	14C1.33	FORCE MAIN PLAN & PROFILE						
78	14C1.34	FORCE MAIN PLAN & PROFILE						
79	14C1.35	FORCE MAIN PLAN & PROFILE						
80	14C1.36	FORCE MAIN PLAN & PROFILE						
81	14C1.37	FORCE MAIN PLAN & PROFILE						
82	14ECR1.01	SITE ELECTRICAL DEMOLITION PLAN						
11	CHEMICAL BUILDING							
26	11CG0.01	STRUCTURAL NOTES & SCHEDULES						
27	11CG0.02	SCHEDULES & DETAILS						
28	11AS3.01	BUILDING SECTION						
29	11AS3.02	BUILDING SECTION						
30	11AT1.01	ROOF PLAN						
31	11AS3.03	EXTERIOR DETAILS						
32	11AS3.04	EXTERIOR DETAILS						
33	11AS3.05	EXTERIOR DETAILS						
34	11AS3.06	EXTERIOR DETAILS						
35	11AS3.07	EXTERIOR DETAILS						
36	11AS3.08	EXTERIOR DETAILS						
37	11MP1.01	HVAC AND PLUMBING PLAN						
38	11ET1.01	LIGHTING PLAN						
39	11ET1.02	POWER & INSTRUMENTATION PLAN						

SHEET NUMBER DESIGNATION

1001.01

DISCIPLINE DESIGNATION

DEMOLITION
GENERAL
CIVIL
STRUCTURAL
ARCHITECTURAL
PROCESS
PLUMBING
MECHANICAL
ELECTRICAL
TELECOMMUNICATIONS

DISCIPLINE DESIGNATION

R
C
C
A
D
M
E
T

TYPE OF SHEET

NOTES, SCHEDULES
PLANS
ELEVATIONS
LARGE SCALE PLANS
DETAILS
DIAGRAMS

TYPE OF SHEET DESIGNATION

0
1
2
3
4
5
6

GENERAL

NO SCALE
SHEET NO
0003.02
2 OF 102

BURNETT SAN. DIST. NO. 1
REGIONALIZATION TO BEAVER DAM
CONTRACT NO. A-23
DODGE COUNTY, WISCONSIN



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www.cedarcorp.com

NO. DATE APVD REVISION

DATE: 03/27/03
DRAWN BY: MLW
CHECKED BY: JMM
DATE: MARCH 2023
SET BY: CONSTRUCTION
SHEET INDEX

NO.	DATE	APVD	REVISION



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BURNETT SAN. DIST. NO. 1
 REGIONALIZATION TO BEAVER DAM
 CONTRACT NO. A-23
 DODGE COUNTY, WISCONSIN

JOB NO. B8327-003
 DRAWN BY KTH
 CHECKED BY GDA
 DATE MARCH 2023
 LETTER PREPARED BY GDA
 PROJECT OVERVIEW

SITE
 SCALE: 1" = 500'
 PROJECT NORTH




10/11/2023 10:16:41 AM - MDES Compliance Registration to Beaver Dam/100 Cad/DWG/202303.dwg 03/10/23 10:16:41 AM

NO.	DATE	APVD	REVISION

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 800-472-7372

BURNETT SAN. DIST. NO. 1
 REGIONALIZATION TO BEAVER DAM
 CONTRACT NO. A-23
 DODGE COUNTY, WISCONSIN

PROJECT NO.	103274-003
PROJECT NAME	BEAVER DAM
ENGINEER	CEC
DATE	MARCH 2023
SET TYPE	CONSTRUCTION
STAGE	4A

TRAFFIC CONTROL
 SCALE: 1" = 30'
 SHEET NO. 0901.005
 PROJECT NO. 103274-003



LEGEND
 [Hatched Box] WORK AREA
 [Post] POST MOUNTED SIGN
 [T-Bar] TYPE III BARRICADE W/ SIGN
 [Vertical Line] TYPE III BARRICADE

NOTES
 THE EXACT NUMBER, LOCATION, AND SPACING OF THE SIGNS AND BARRICADES SHALL BE ADJUSTED TO FIT THE FIELD CONDITIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL ADDITIONAL TRAFFIC CONTROL DEVICES AS REQUIRED DEPENDING ON CONTRACTOR METHODS AND SEQUENCE OF OPERATION.
 CONTRACTORS MUST PROVIDE ACCESS TO BUSINESSES AND RESIDENCES AT ALL TIMES DAILY.
 ROAD MACHINERY, TRUCK ENTRANCE, FLAG MEN AHEAD, ETC. SIGNS SHALL BE USED AS NEEDED AND SHALL BE REMOVED OR COVERED AT NIGHT, WEEKENDS, OR WHEN ACTIVITY DOES NOT OCCUR.
 SEE CONSTRUCTION DETAILS FOR FLAGGING SIGNAGE AND OPERATIONS.
 AFTER INTERSECTIONS ARE SURFACED WITH C&G, REMOVE TYPE III BARRICADES AND REOPEN TO TRAFFIC.

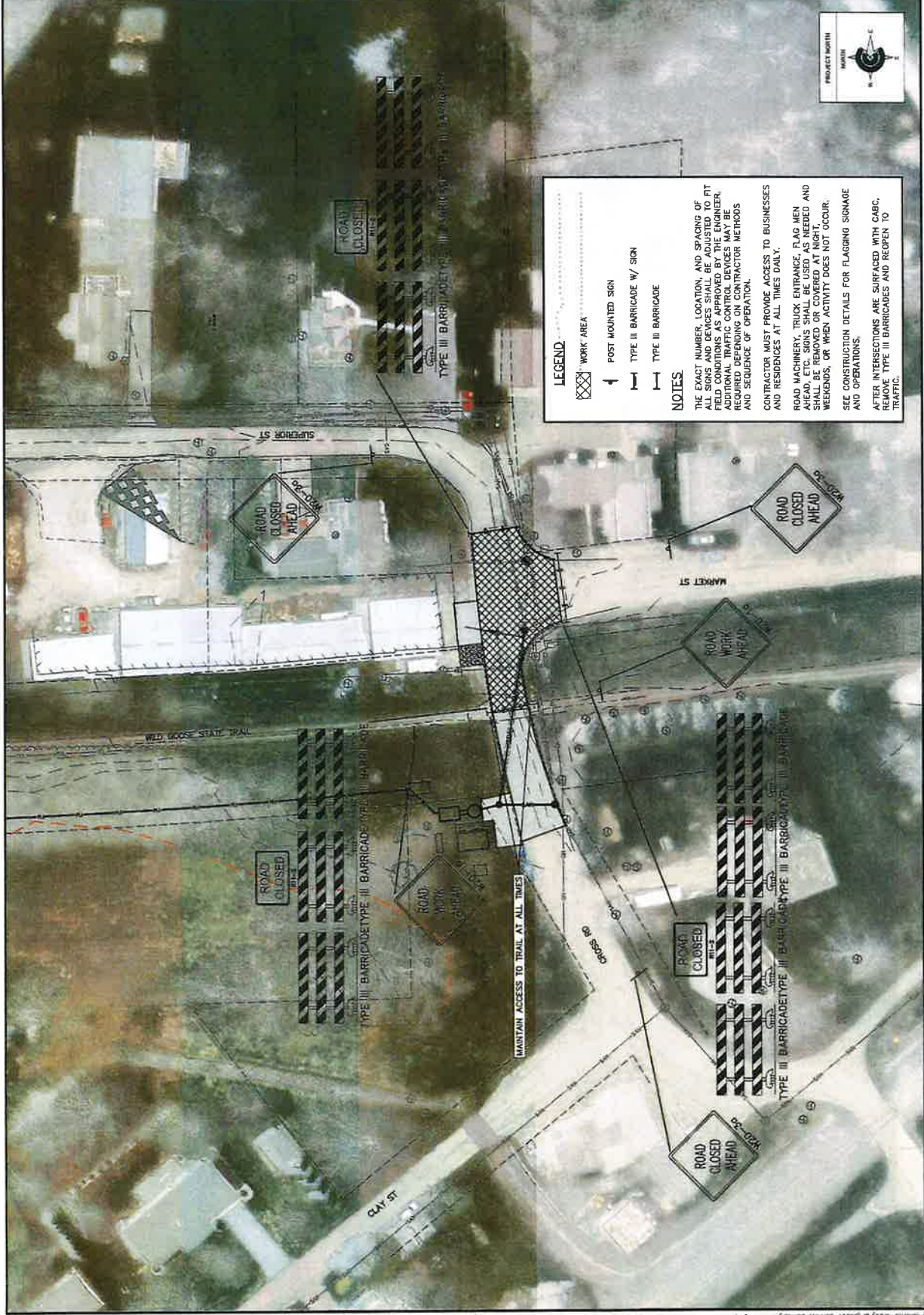
NO. DATE	APVD	REVISION

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 600-417-7172
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BURNETT SAN. DIST. NO. 1
 REGIONALIZATION TO BEAVER DAM
 CONTRACT NO. A-23
 DODGE COUNTY, WISCONSIN

JOB NO.	B0327-003
DRAWN BY	ICTH
CHECKED BY	USA
DATE	11/17/11
SCALE	AS SHOWN
CONSTRUCTION	STAGE 4B

TRAFFIC CONTROL
 PROJECT NORTH
 SCALE: 1" = 30' 0"
 SHEET NO. DDC.06
 PAGE NO. 16 OF 102



LEGEND

- WORK AREA
- POST MOUNTED SIGN
- TYPE II BARRICADE W/ SIGN
- TYPE III BARRICADE

NOTES

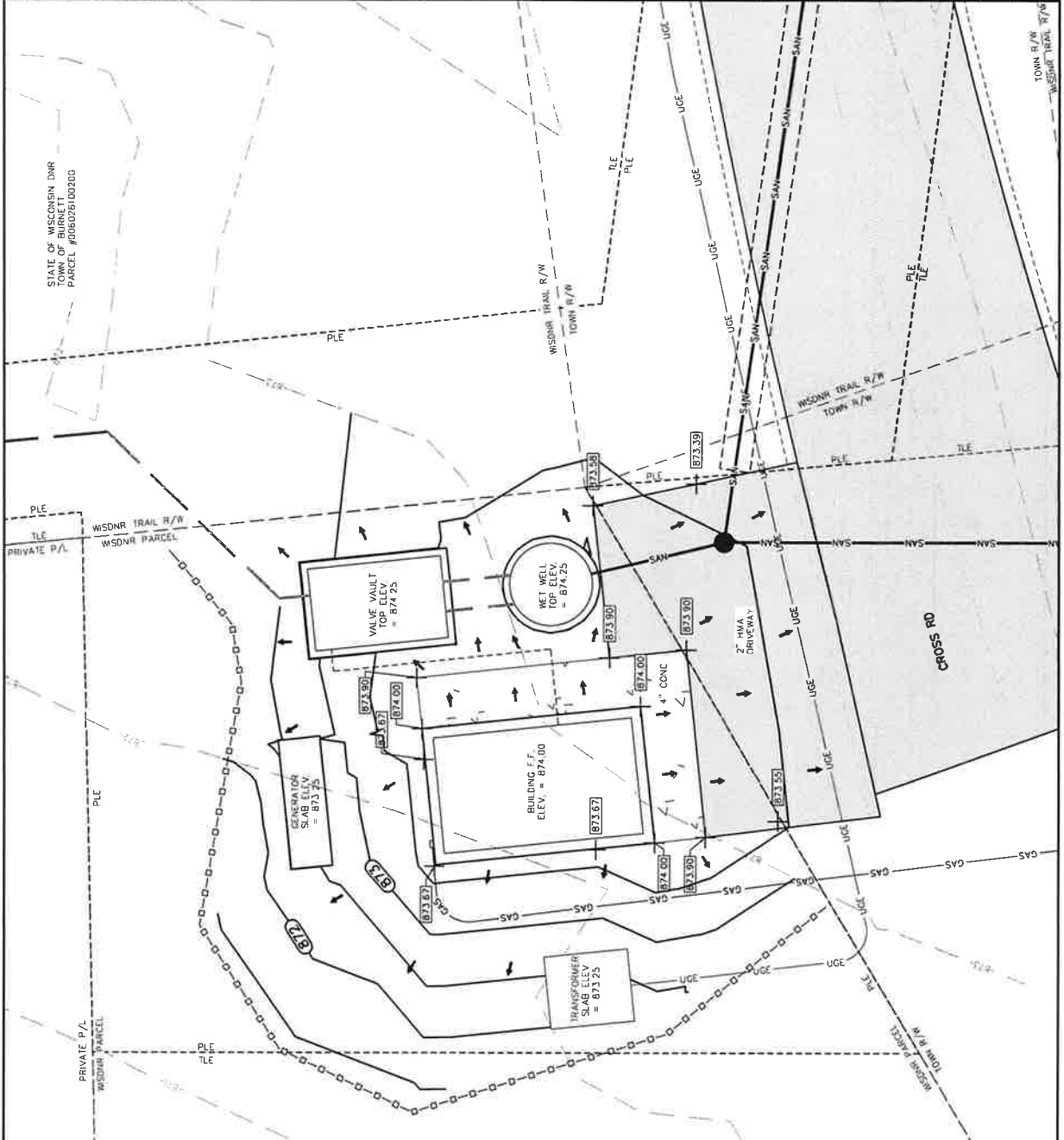
THE EXACT NUMBER, LOCATION, AND SPACING OF ALL SIGNS AND DEVICES SHALL BE ADJUSTED TO FIT FIELD CONDITIONS AS APPROVED BY THE ENGINEER. REQUIRED DEPENDING ON CONTRACTOR METHODS AND SEQUENCE OF OPERATION.

CONTRACTOR MUST PROVIDE ACCESS TO BUSINESSES AND RESIDENCES AT ALL TIMES DAILY.

ROAD MACHINERY, TRUCK ENTRANCE, FLAG MEN AHEAD, ETC. SIGNS SHALL BE USED AS NEEDED AND SHALL BE REMOVED OR COVERED AT NIGHT, WEEKENDS, OR WHEN ACTIVITY DOES NOT OCCUR.

SEE CONSTRUCTION DETAILS FOR FLAGGING SIGNAGE AND OPERATIONS.

AFTER INTERSECTIONS ARE SURFACED WITH CABC, REMOVE TYPE III BARRICADES AND REOPEN TO TRAFFIC.

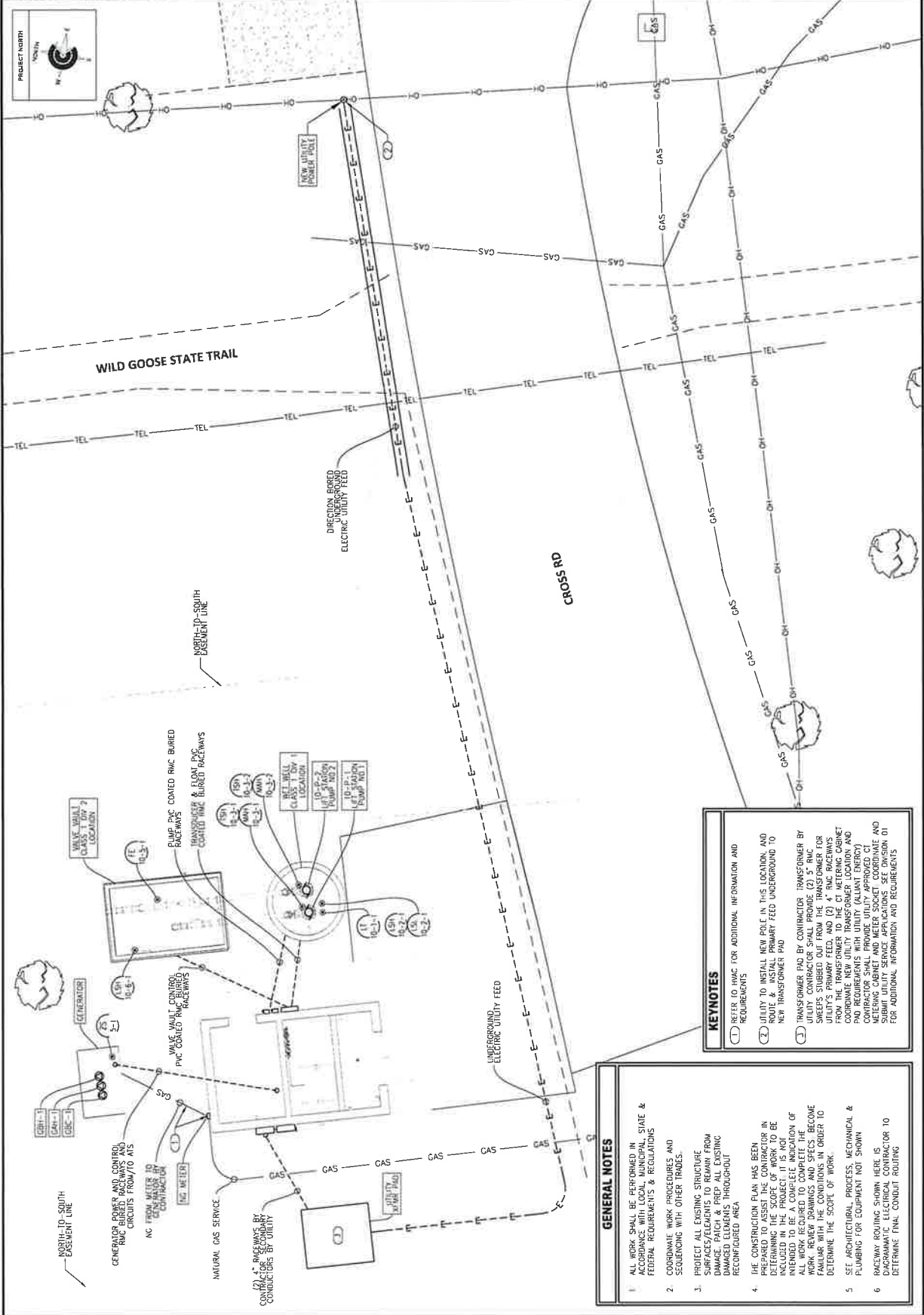


NOTES:

- THE CONTRACTOR SHALL BE RESPONSIBLE FOR INSURING DRAINAGE OF SURFACE WATER AWAY FROM THE BUILDING.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING LOCATIONS OF EXIST UTILITIES.
- ALL SIDE WALKS AT 2% AWAY FROM BUILDING UNLESS OTHERWISE NOTED.
- PROPOSED CONTOUR LINE LOCATIONS ARE APPROXIMATE. SPOT ELEVATIONS SHALL BE USED FOR EXACT ELEVATIONS.
- VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION & NOTIFY THE ENGINEER OF ANY DIFFERENCES.
- NOTIFY THE ENGINEER OF ANY DISCREPANCIES & VERIFY ALL BUILDING DIMENSIONS WITH THE ARCHITECTURAL PLANS.
- FIELD VERIFY THE LOCATIONS & SIZES OF ALL EXISTING UTILITIES.
- INSTALL APPROPRIATE EROSION CONTROL MEASURES AS THE FIRST CONSTRUCTION ACTIVITY.
- SEED & MULCH & FERTILIZE ALL DISTURBED AREAS OVER 5" OF TOPSOIL.
- ADJUST OR ADD SILT FENCE AS NEEDED TO PREVENT SOIL FROM LEAVING THE CONSTRUCTION SITE.
- INSTALL SILT FENCE AS NEEDED AROUND ANY TEMPORARY SOIL STORAGE PILES.

KEY

- DENOTES EXISTING CONTOUR LINE
- DENOTES PROPOSED CONTOUR LINE, FINISHED GRADE
- 871.50 + DENOTES PROPOSED SPOT ELEVATION.
- DENOTES DIRECTION OF PROPOSED SURFACE WATER FLOW
- DENOTES SILT FENCE
- DENOTES CHEMICAL LINE



KEYNOTES

(1) REFER TO HVAC FOR ADDITIONAL INFORMATION AND REQUIREMENTS

(2) UTILITY TO INSTALL NEW POLE IN THIS LOCATION AND ROUTE & INSTALL PRIMARY FEED UNDERGROUND TO NEW TRANSFORMER PAD

(3) TRANSFORMER PAD BY CONTRACTOR. TRANSFORMER BY UTILITY CONTRACTOR SHALL PROVIDE (2) 5" RMC SWEEPS STUBBED OUT FROM THE TRANSFORMER FOR UTILITY'S PRIMARY FEED, AND (2) 4" RMC RACEWAYS FROM THE TRANSFORMER TO THE CT METERING CABINET. CONTRACTOR SHALL PROVIDE THE TRANSFORMER PAD REQUIREMENTS WITH UTILITY (ALLIANT ENERGY) METERING CABINET AND METER SOCKET COORDINATE AND METER SOCKET LOCATION TO BE DETERMINED BY UTILITY FOR ADDITIONAL INFORMATION AND REQUIREMENTS

GENERAL NOTES

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH LOCAL, NATIONAL, STATE & FEDERAL REQUIREMENTS & REGULATIONS
- COORDINATE WORK PROCEDURES AND SEQUENCING WITH OTHER TRADES.
- PROTECT ALL EXISTING STRUCTURE SURFACES/ELEMENTS TO REMAIN FROM DAMAGE. PATCH & STRIP ALL EXISTING RECONFIGURED AREA
- THE CONSTRUCTION PLAN HAS BEEN DEVELOPED FOR THE CONTRACTOR TO DETERMINE THE SCOPE OF WORK TO BE INCLUDED IN THE PROJECT. IT IS NOT INTENDED TO BE A COMPLETE INDICATION OF WORK REQUIRED TO COMPLETE THESE ITEMS. CONTRACTOR SHALL BECOME FAMILIAR WITH THE CONDITIONS IN ORDER TO DETERMINE THE SCOPE OF WORK.
- SEE ARCHITECTURAL, PROCESS, MECHANICAL & PLUMBING FOR EQUIPMENT NOT SHOWN
- BACKWAY ROUTING SHOWN HERE IS DIAGRAMMATIC. ELECTRICAL CONTRACTOR TO DETERMINE FINAL CONDUIT ROUTING

- GENERAL NOTES**
1. VERIFY CONDITIONS AND COORDINATE DIMENSIONS PRIOR TO COMMENCING WORK.
 2. COORDINATE W/ PROCESS & ELECTRICAL FOR EQUIPMENT NOT SHOWN.
 3. VERIFY & COORDINATE FLOOR & WALL PENETRATIONS W/ PROCESS, PLUMBING, & ELECTRICAL.
 4. PLACE FILL SIMULTANEOUSLY ON BOTH SIDES OF FREE-STANDING STRUCTURES.
 5. ALL EXTERIOR DIMENSIONS ARE TO OUTSIDE OF WALL. INTERIOR DIMENSIONS ARE TO WALL FACE.
 6. PROVIDE SHEET WATERPROOFING MEMBRANE AT ALL BELOW-BASE CONSTRUCTION JOINTS AND CORNERS INCLUDING LIFT STATION JOINTS.
 7. ALL BELOW-BASE SURFACES TO RECEIVE FLUID APPLIED WATERPROOFING INCLUDING LIFT STATION.
 8. PROVIDE SHORING & DOWELING AS REQUIRED FOR ALL BELOW-BASE CONSTRUCTION JOINTS AND CORNERS. JOINTS TO BE SIGNED & SEALED BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF WISCONSIN.
 9. PROVIDE WATER STOPS AS SHOWN ON DRAWING OR AS OTHERWISE NOTED ON 200ASS 01.
 10. TO MINIMIZE LATERAL FORCES AGAINST THE STRUCTURAL WALL, THE CONTRACTOR SHALL BEGIN COMPACTION OF EACH LAYER AT THE STRUCTURAL WALL.
 11. ALL FOOTINGS NOT PLACED ON NATIVE SOILS SHALL BE PLACED ON FILL COMPACTED TO A MINIMUM OF 95% OF ITS STANDARD PROCTOR DENSITY.
 12. PRECAST SUPPLIER TO PROVIDE CONNECTIONS FROM THE BASE SLAB TO SECTIONS ABOVE AND BETWEEN SECTIONS TO PREVENT BUOYANCY.

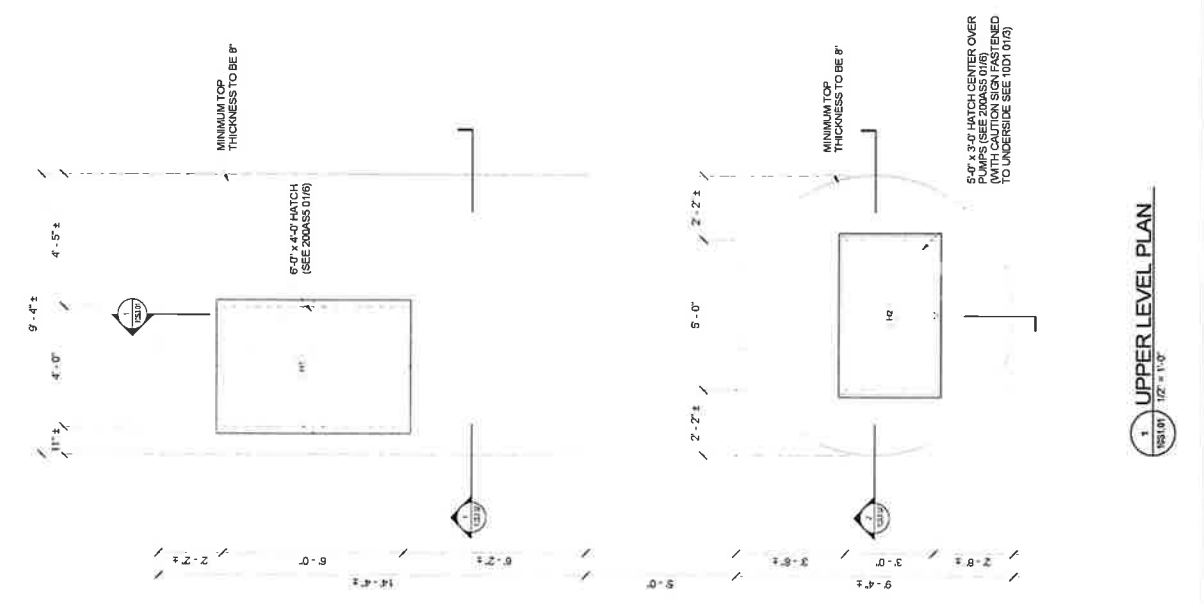
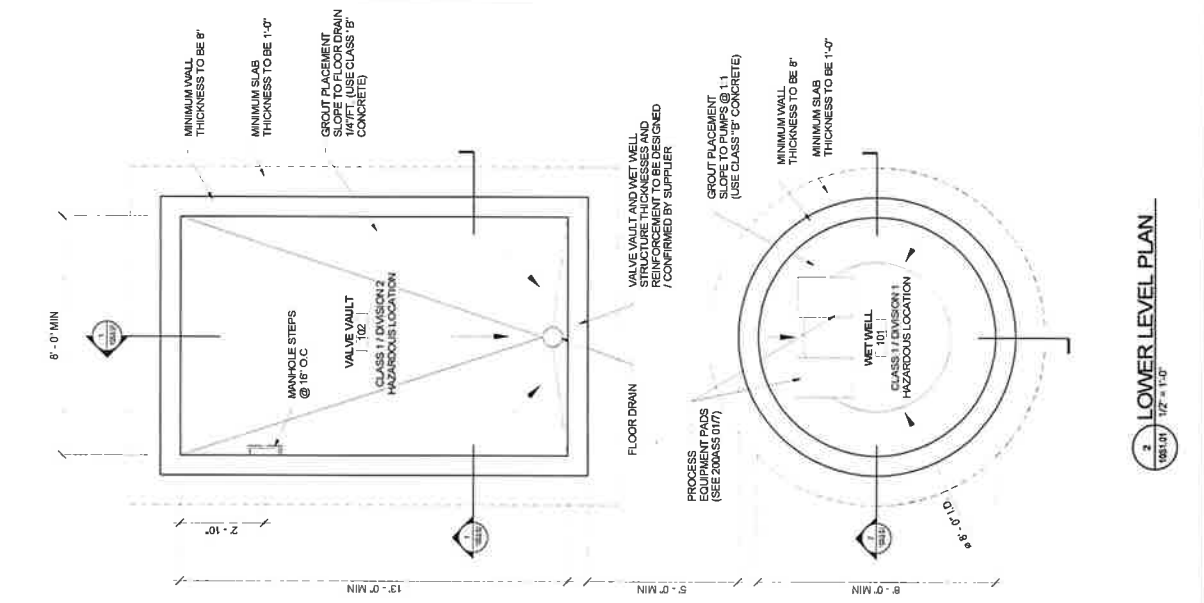
- GEOTECHNICAL NOTES**
1. REMOVE ALL TOPSOIL, FILL AND SOFT OR OTHERWISE UNSUITABLE NATURAL SOILS FROM BELOW PROPOSED FOUNDATION SLABS & FOOTINGS.
 2. SOIL BORING LOGS INDICATE COBBLE LADEN SOILS ARE PRESENT AT THE BOTTOM OF THE BORING. A MINIMUM BELOW FOUNDATION SLABS AND FOOTINGS AND A MINIMUM TWO FEET AWAY FROM ALL FOUNDATION WALLS.
 3. OVERSIZE CORRECTIVE EXCAVATIONS AT 1-FOOT BEYOND THE EDGE OF FOUNDATIONS FOR EACH FOOT OF FILL NEEDED BELOW FOOTING GRADE.
 4. ALL FILL SHOULD BE COMPACTED TO A MINIMUM OF 95% OF ITS MAXIMUM STANDARD PROCTOR DENSITY. FILL SHALL BE PLACED IN 6" LAYERS WITH A MINIMUM OF 1-FOOT BELOW FOOTINGS AND SLABS AND 2-FEET AWAY FROM WALLS. SLABS SHOULD BE SCREENED OF MATERIALS GREATER THAN 3" IN DIAMETER.

HATCH SCHEDULE

MARK	LENGTH	WIDTH	COMMENTS
H1	4'-0"	6'-0"	
H2	5'-0"	3'-0"	

COMMENTS:

1. PROVIDE FALL PROTECTION & SAFETY GRATING. SEE SPECIFICATION.
2. PROVIDE STAINLESS STEEL HARDWARE.



NO.	DATE	APVD	REVISION

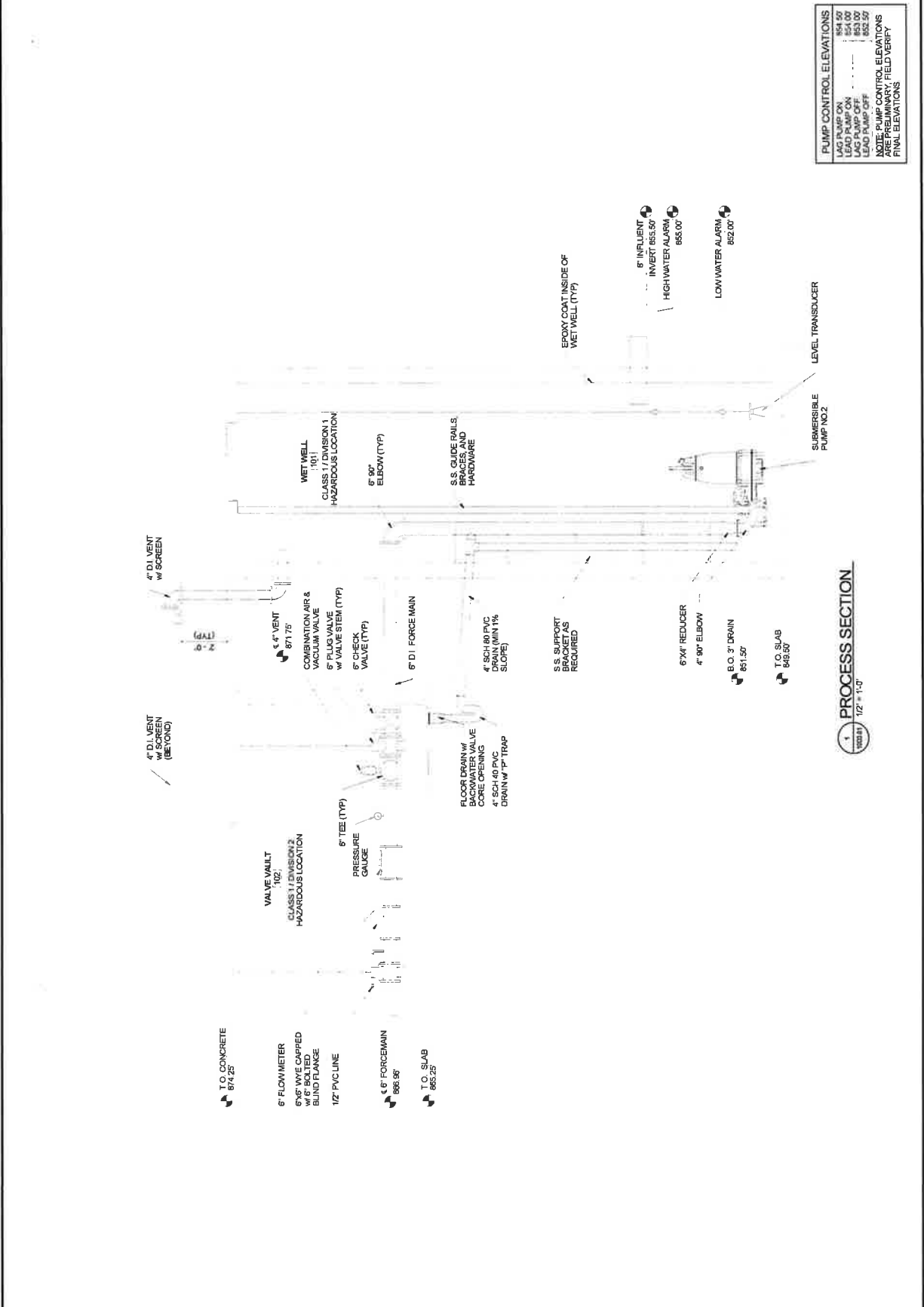


BURNETT SAN. DIST. NO. 1
 REGIONALIZATION TO BEAVER DAM
 CONTRACT NO. A-23
 DODGE COUNTY, WISCONSIN

JOB NO. 86327-003
 DRAWN BY MLW
 CHECKED BY RBV
 DATE MARCH 2023
 SETTYPE CONSTRUCTION
 PROCESS SECTION

LIFT STATION	SCALE	SHEET NO.	PAZL NO.
		1003 01	23 OF 102

PUMP CONTROL ELEVATIONS	
LAG PUMP ON	854.00
LAG PUMP OFF	853.00
LAG PUMP ON	853.00
LAG PUMP OFF	852.50
NOTE: PUMP CONTROL ELEVATIONS ARE PRELIMINARY FIELD VERIFY PINNUL ELEVATIONS	



1 PROCESS SECTION
 1/2" = 1'-0"

NO.	DATE	APVD.	REVISION

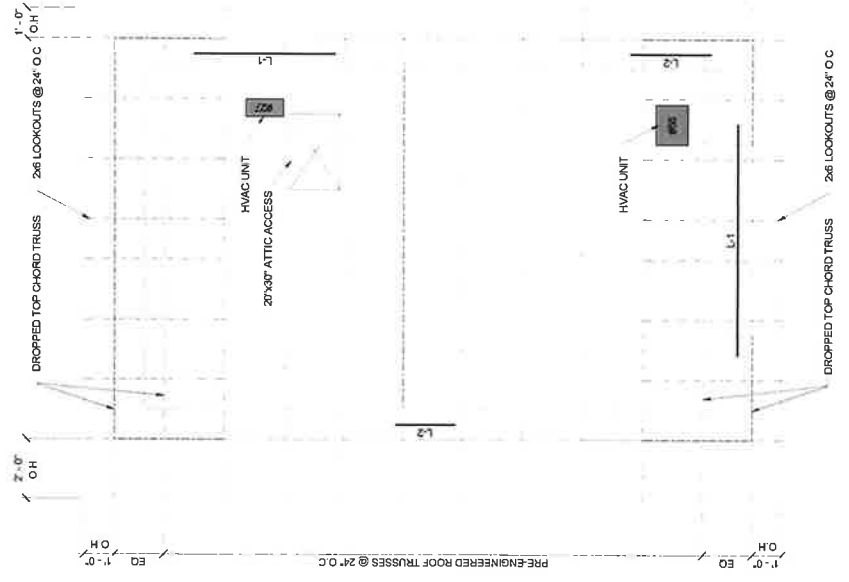
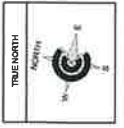
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BURNETT SAN. DIST. NO. 1
 REGIONALIZATION TO BEAVER DAM
 CONTRACT NO. A-23
 DODGE COUNTY, WISCONSIN

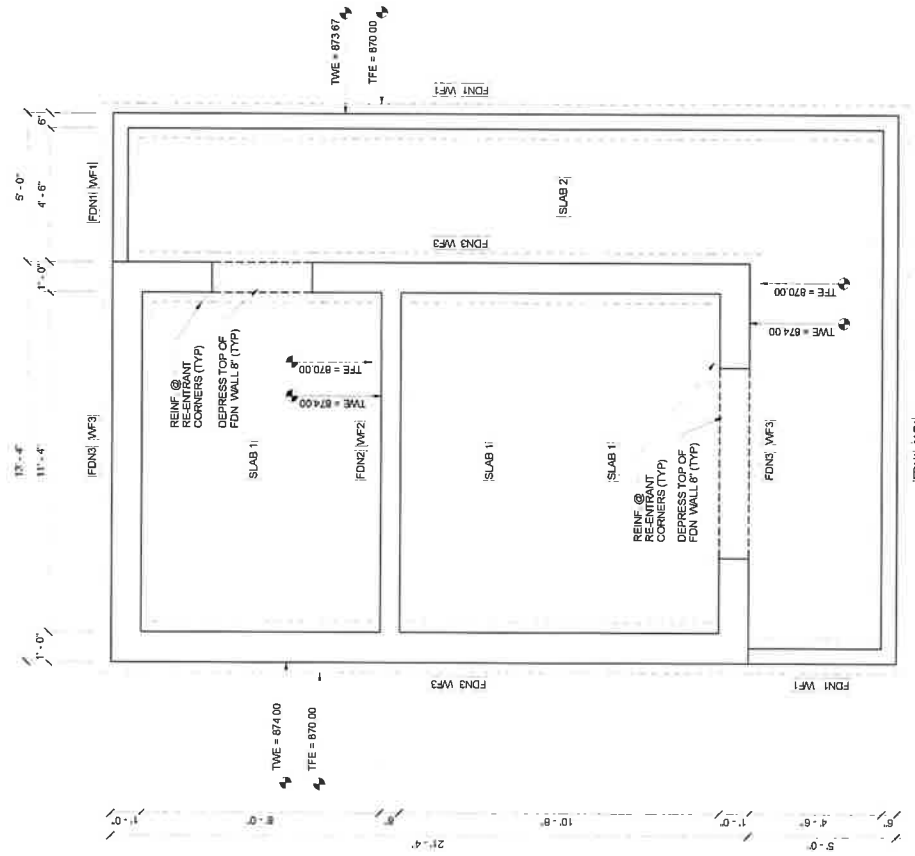
JOB NO. BS27-400
 DRAWN BY M.M.V.
 CHECKED BY T.P.
 DATE MARCH 2023
 SET TYPE CONSTRUCTION

FOUNDATION & ROOF FRAMING PLAN

CHEMICAL BUILDING
 SHEET NO. 1151 01
 PAGE NO. 28 OF 102



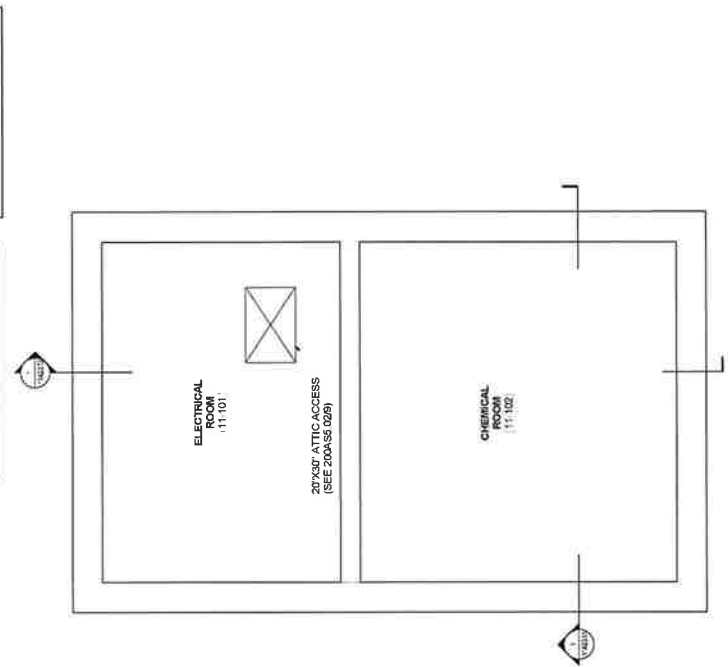
2 ROOF FRAMING PLAN
 (1/8" = 1'-0")



1 FOUNDATION PLAN
 (1/8" = 1'-0")

GENERAL NOTE
 1. PROVIDE NONMETALLIC CASING SPACERS TO ENSURE CHEMICAL LINE IS SUPPORTED AND CENTERED IN CARRIER PIPE

CEILING FINISH LEGEND
 TRUSSROOF

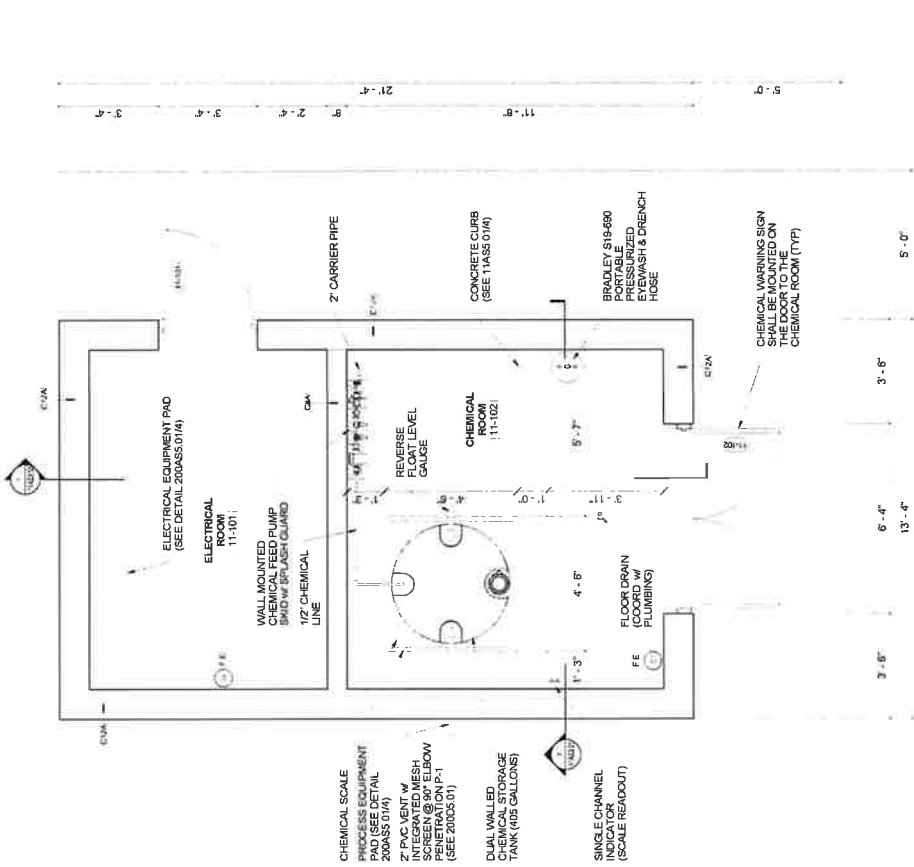


2 REFLECTED CEILING PLAN
 1/8" = 1'-0"



NOTES:
 1. SIGN PROVIDED BY MSA SAFETY SIGN CO. REFERENCE # 50626 ON EQUAL
 2. SIGN SHALL BE 10'X14" MINIMUM IN SIZE

CHEMICAL WARNING SIGN DETAIL
 N.T.S.



1 FLOOR PLAN
 1/8" = 1'-0"

CHEMICAL SCALE
 PROCESS EQUIPMENT PAD (SEE DETAIL 23055.0114)
 207/304 ATTIC ACCESS
 INTEGRATED MESH SCREEN @ 90° ELBOW PENETRATION P-1 (SEE 23055.01)
 DUAL WALLLED CHEMICAL STORAGE TANK (455 GALLONS)
 SINGLE CHANNEL (SCALE READOUT)
 FLOOR DRAIN (COORD. W/ PLUMBING)
 CONCRETE CURB (SEE 11ASS 0104)
 BRADLEY S19-600 PORTABLE PRESSURIZED SPRAY & DRENCH HOSE
 CHEMICAL WARNING SIGN (SCALE READOUT) TO BE MOUNTED ON THE EXTERIOR OF THE DOOR TO THE CHEMICAL ROOM (TYP)

NO.	DATE	APVD	REVISION

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BURNETT SAN. DIST. NO. 1
REGIONALIZATION TO BEAVER DAM
CONTRACT NO. A-23
DODGE COUNTY, WISCONSIN

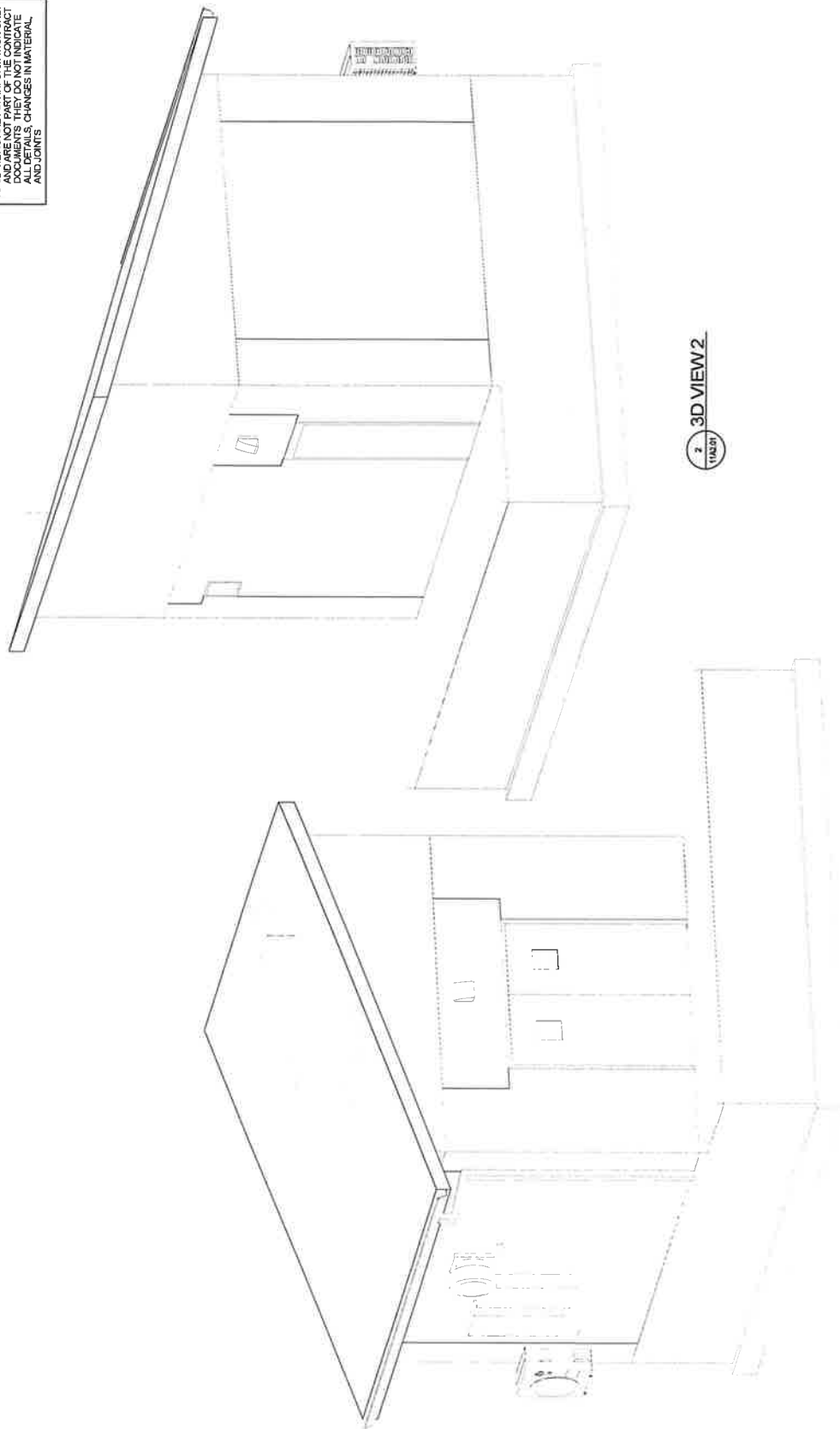
DATE: 03/27/2023
DRAWN BY: MLV
CHECKED BY: CAS
DATE: MARCH 2023
SET TYPE: CONSTRUCTION

EXTERIOR
PERSPECTIVE
VIEWS

CHEMICAL
BUILDING

SHEET NO. 11A2.01
PAGE NO. 31 OF 102

GENERAL NOTES
A. 3D VIEWS ARE FOR INFORMATION ONLY AND ARE NOT PART OF THE CONTRACT DOCUMENTS. THEY DO NOT INDICATE ALL DETAILS, CHANGES IN MATERIAL, AND JOINTS.



1 3D VIEW 1

2 3D VIEW 2



NO.	DATE	APVD	REVISION



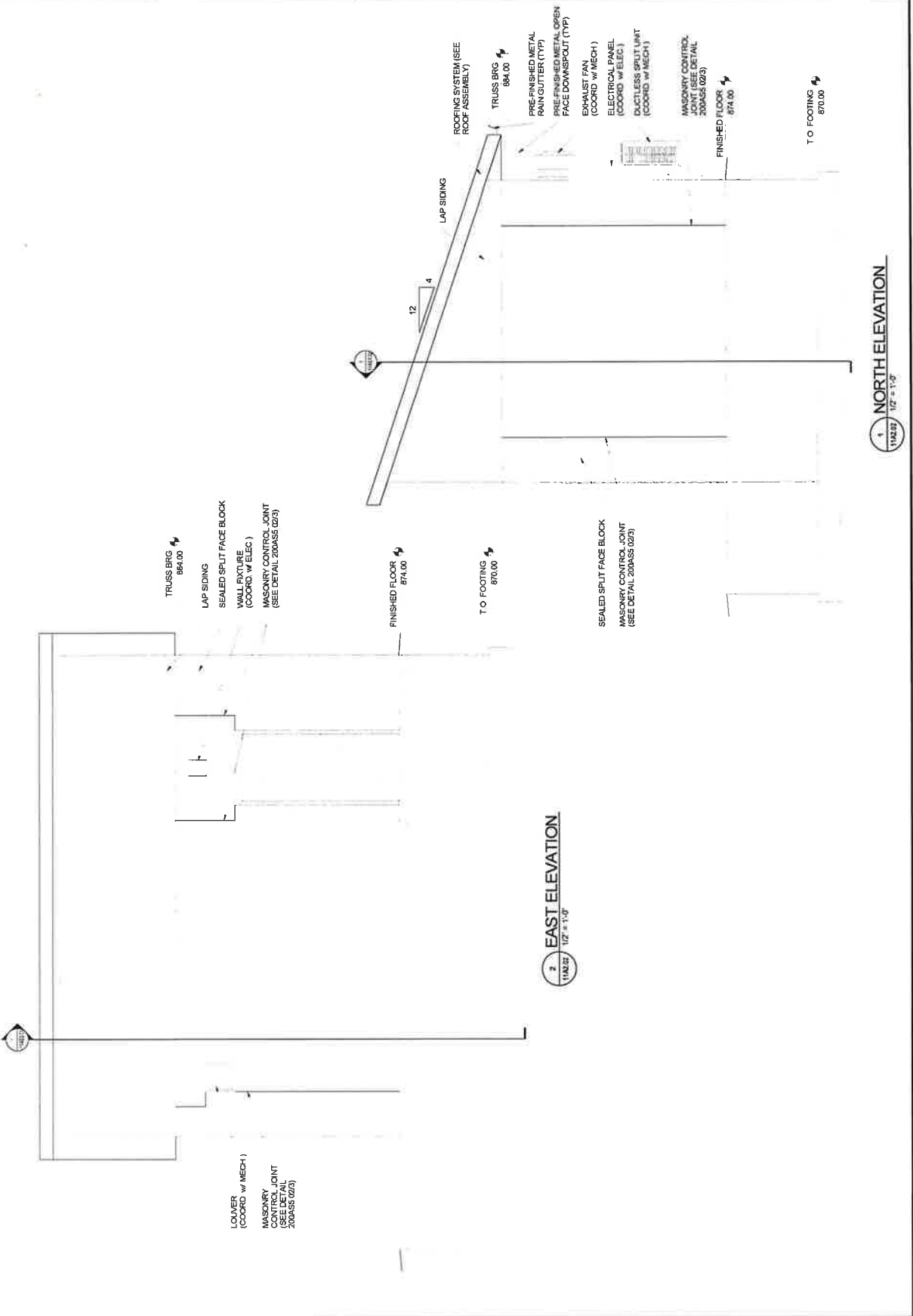
BURNETT SAN. DIST. NO. 1
 REGIONALIZATION TO BEAVER DAM
 CONTRACT NO. A-23
 DODGE COUNTY, WISCONSIN

JOHN
 B6327-003
 DRAWN BY: MLW
 CHECKED BY: CAS
 MARCH 2023
 SET TYPE: CONSTRUCTION

EXTERIOR ELEVATIONS

CHEMICAL BUILDING

SCALE: 0 1 2 4
 SHEET NO. 11A2.02
 PAGE NO. 32 OF 102



TRUSS BRG 884.00
 LAP SIDING
 SEALED SPLIT FACE BLOCK
 WALL FIXTURE
 (COORD. W/ ELEC)
 MASONRY CONTROL JOINT
 (SEE DETAIL 200A55 02/3)

FINISHED FLOOR 874.00
 TO FOOTING 870.00

2 EAST ELEVATION
 1/4" = 1'-0"

LOW VOLT
 (COORD. W/ MECH)
 MASONRY CONTROL JOINT
 (SEE DETAIL 200A55 02/3)

ROOFING SYSTEM (SEE
 ROOF ASSEMBLY)
 TRUSS BRG 884.00
 PRE-FINISHED METAL
 RAIN GUTTER (TYP)
 PRE-FINISHED METAL OPEN
 FACE DOWNSPOUT (TYP)
 EXHAUST FAN
 (COORD. W/ MECH)
 ELECTRICAL PANEL
 (COORD. W/ ELEC)
 DUCTLESS SPLIT UNIT
 (COORD. W/ MECH)
 MASONRY CONTROL
 JOINT (SEE DETAIL
 200A55 02/3)
 FINISHED FLOOR 874.00
 TO FOOTING 870.00

1 NORTH ELEVATION
 1/4" = 1'-0"

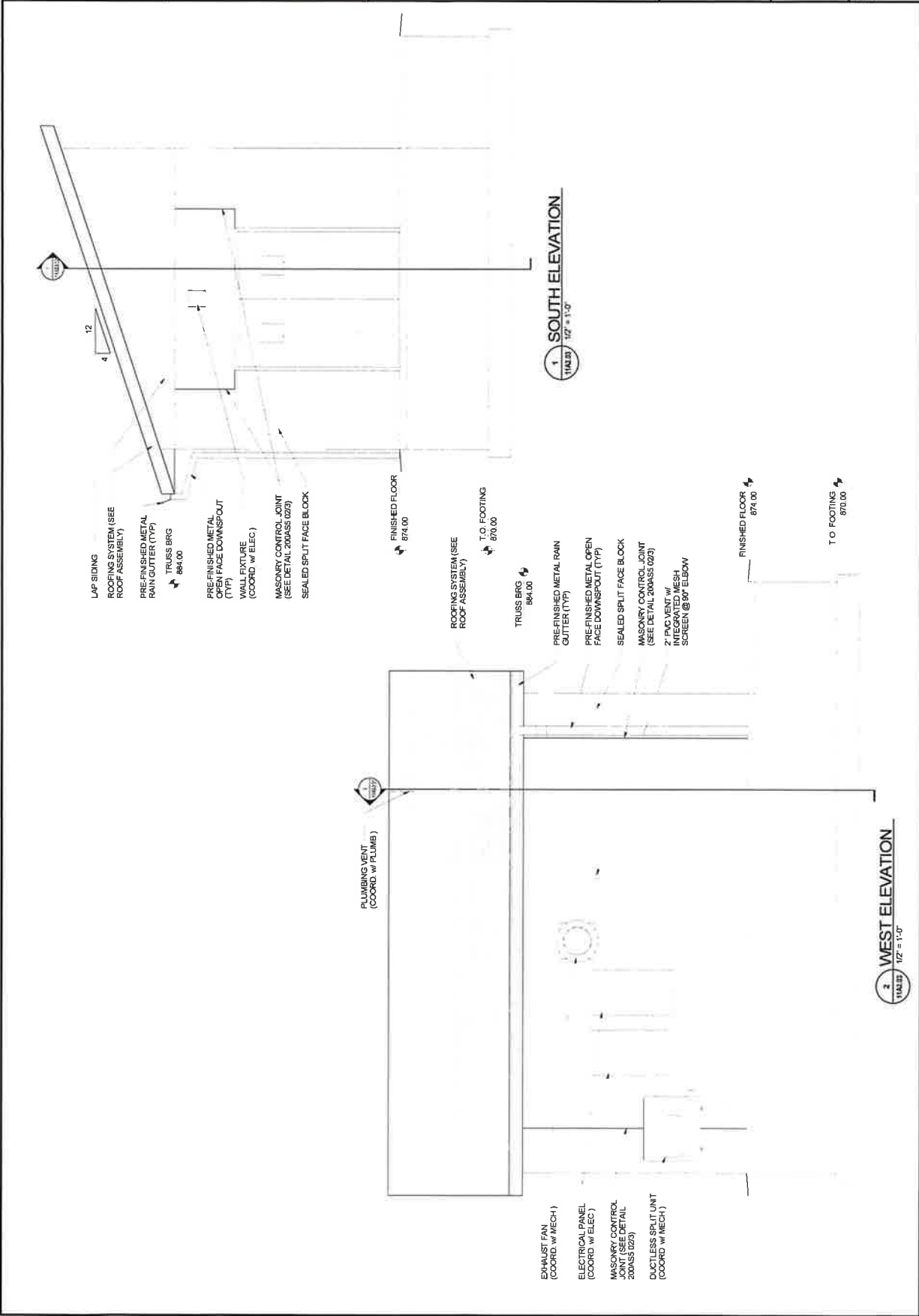
SEALED SPLIT FACE BLOCK
 MASONRY CONTROL JOINT
 (SEE DETAIL 200A55 02/3)

NO.	DATE	APVD	REVISION

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BURNETT SAN. DIST. NO. 1
 REGIONALIZATION TO BEAVER DAM
 CONTRACT NO. A-23
 DODGE COUNTY, WISCONSIN

PROJECT: B5327-003
 DRAWN BY: MLW
 CHECKED BY: CAS
 DATE: MARCH 2023
 SET TYPE: CONSTRUCTION
 EXTERIOR ELEVATIONS
 CHEMICAL BUILDING
 SCALE: 1/4" = 1'-0"
 SHEET NO: 11A2.03
 PAGE NO: 33 OF 102



NO.	DATE	APVD	REVISION

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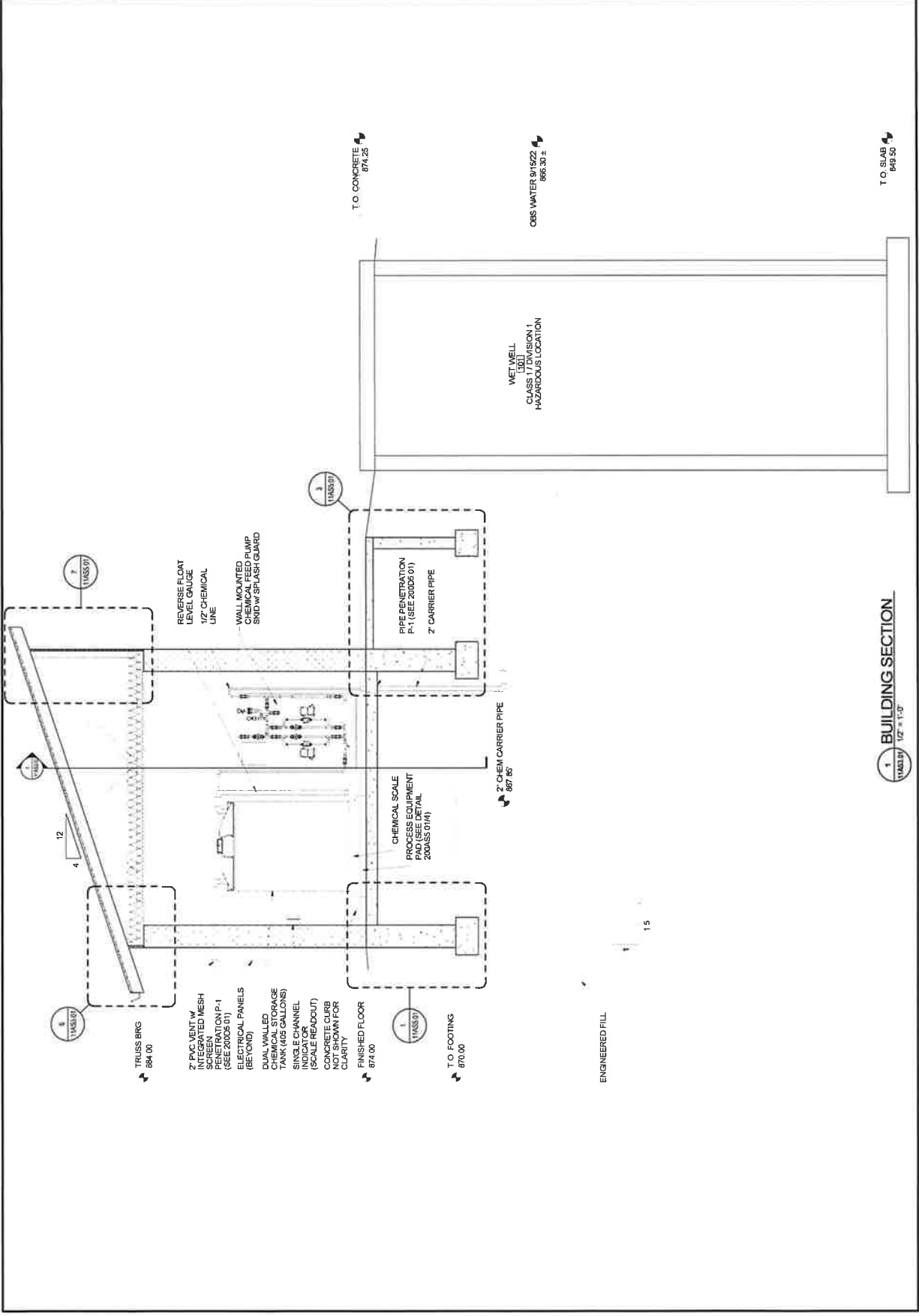
BURNETT SAN. DIST. NO. 1
 REGIONALIZATION TO BEAVER DAM
 CONTRACT NO. A-23
 DODGE COUNTY, WISCONSIN

JOB NO. B6327-003
 DRAWN BY MLW
 CHECKED BY CAS
 DATE MARCH 2023
 SET TYPE CONSTRUCTION

BUILDING SECTION

CHEMICAL BUILDING
 SCALE: 1/2" = 1'-0"

SHEET NO. TASS-01
 OF 02
 DATE: 3/1/23



1 BUILDING SECTION
 1/2" = 1'-0"

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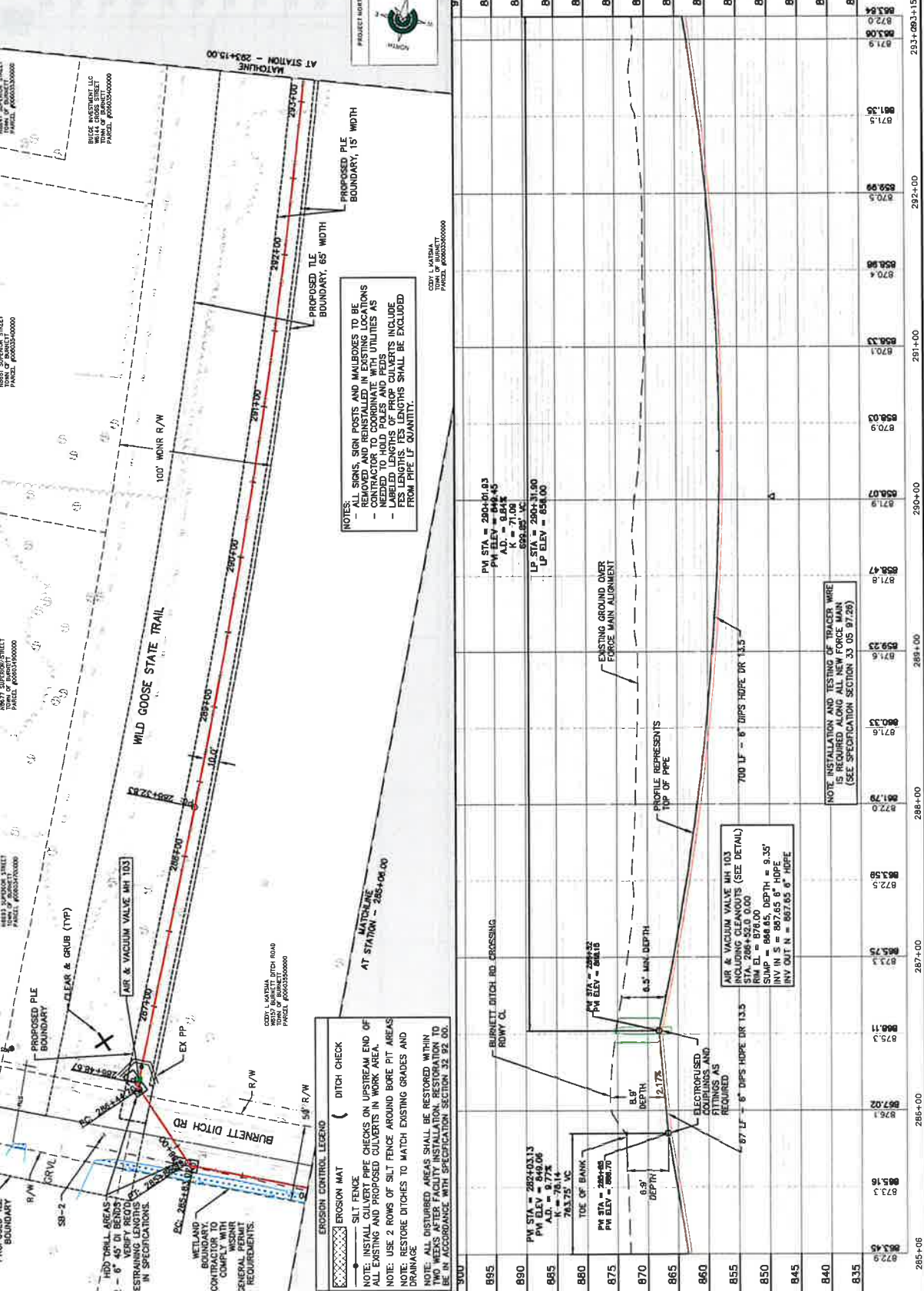
NO.	DATE	APVD	REVISION

FORCE MAIN
 PLAN & PROFILE

SCALE

0' 15' 30' 60'

FORCE MAIN
 SHEET NO. 14C1.35
 MADE NO. 79 OF 102



STATION	ELEVATION
2853+00	835
2853+00	835.45
2853+00	872.9
2853+00	873
2853+00	873.3
2853+00	895.16
2853+00	896.02
2853+00	896.11
2853+00	896.75
2853+00	897.5
2853+00	897.6
2853+00	897.9
2853+00	898.07
2853+00	898.33
2853+00	898.4
2853+00	898.96
2853+00	899.3
2853+00	899.35
2853+00	900

NO.	DATE	APVD	REVISION

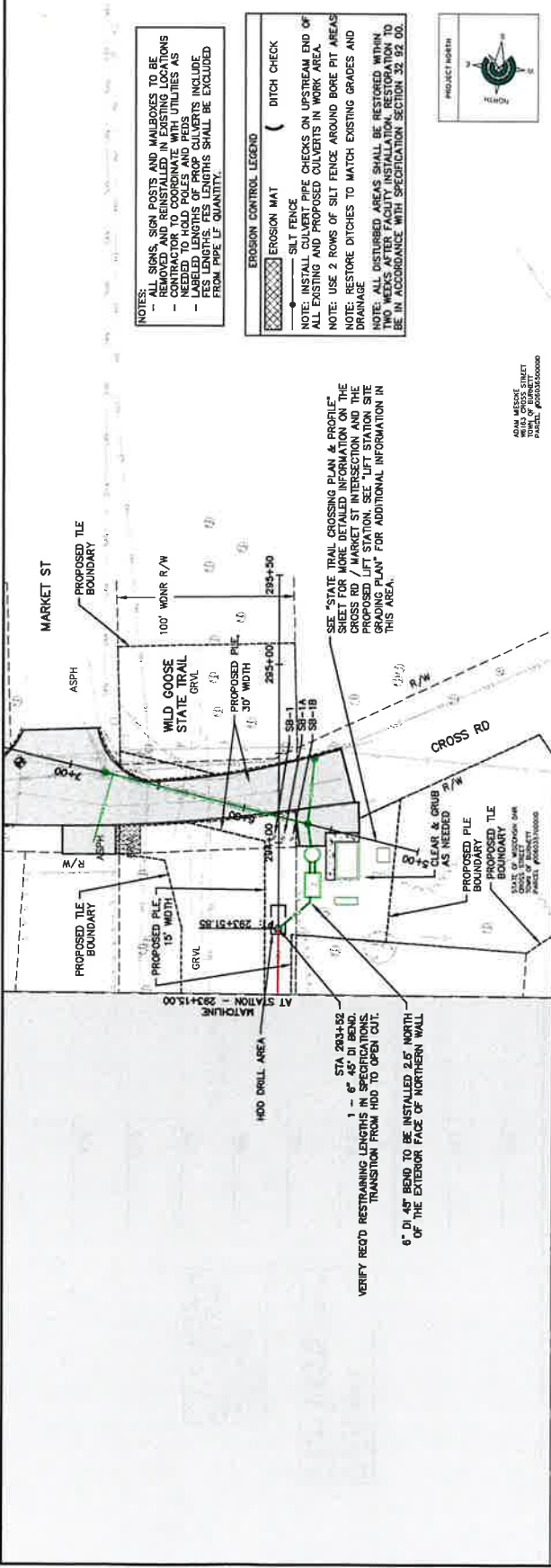


 CORPORATION
 WWW.CEDARCORP.COM
 800-473-7372

BURNETT SAN. DIST. NO. 1
 REGIONALIZATION TO BEAVER DAM
 CONTRACT NO. A-23
 DODGE COUNTY, WISCONSIN

SHEET NO. 800F-102
 SHEET NO. 14C136
 SCALE: 1" = 30'
 0 15' 30' 60'

**FORCE MAIN
 PLAN & PROFILE**
 CONSTRUCTION
 SHEET NAME
 MARCH 2023
 DATE




900	900	871.6	295+50
895	895	872.3	295+00
890	890	873.4	294+00
885	885	872.0	293+15
880	880	863.44	
875	875		
870	870		
865	865		
860	860		
855	855		
850	850		
845	845		
840	840		

P.M. STA = 2904+01.83
 P.M. ELEV = 848.45
 A.D. = 9.04%
 K = 71.00
 2905.00
 2905.50
 2906.00
 2906.50
 2907.00
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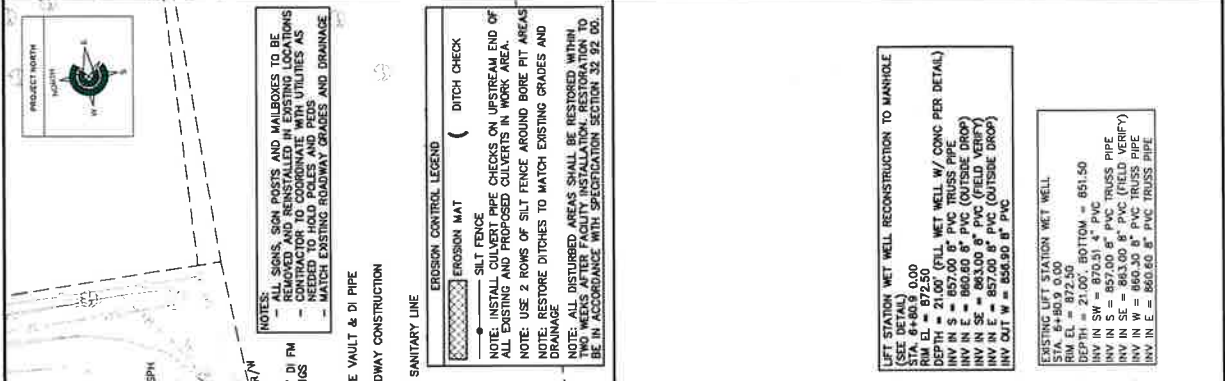
EXISTING GROUND OVER FORCE MAIN ALIGNMENT. FINISHED GROUND TO FIELD ALIGNMENT. SEE "LIFT STATION SITE GRADING PLAN".
 TOP OF PIPE OF FORCE MAIN IMMEDIATELY UPON EXISTING NORTH SIDE OF VALVE VAULT.
 P.M. STA = 2907.25
 P.M. ELEV = 867.25
 25 LF - 8" CR80 PVC DR 18
 TRANSITION FROM HDD TO OPEN CUT.
 PROFILE REPRESENTS TOP OF PIPE.
 NOTE: INCLUDE INSERT STIFFENER & MJ RESTRAINING GLAND IN CONNECTIONS TO HOPE.
 NOTE: INSTALLATION AND TESTING OF TRACER WIRE IS REQUIRED ALONG ALL NEW FORCE MAIN (SEE SPECIFICATION SECTION 33.05.97.20)

BURNETT SAN. DIST. NO. 1
REGIONALIZATION TO BEAVER DAM
CONTRACT NO. A-23
DODGE COUNTY, WISCONSIN



600-473-2727
www.cedarcorp.com

NO.	DATE	APVD	REVISION



STATION	CONSTRUCTION
885	LEFT STATION MET WELL RECONSTRUCTION TO MANHOLE
860	LEFT STATION MET WELL RECONSTRUCTION TO MANHOLE
855	LEFT STATION MET WELL RECONSTRUCTION TO MANHOLE

STATION	CONSTRUCTION
885	EXISTING REFERENCE LINE
880	EXISTING REFERENCE LINE
875	EXISTING REFERENCE LINE
870	EXISTING REFERENCE LINE
865	EXISTING REFERENCE LINE
860	EXISTING REFERENCE LINE
855	EXISTING REFERENCE LINE

STATION	CONSTRUCTION
885	EXISTING REFERENCE LINE
880	EXISTING REFERENCE LINE
875	EXISTING REFERENCE LINE
870	EXISTING REFERENCE LINE
865	EXISTING REFERENCE LINE
860	EXISTING REFERENCE LINE
855	EXISTING REFERENCE LINE

STATION	CONSTRUCTION
885	EXISTING REFERENCE LINE
880	EXISTING REFERENCE LINE
875	EXISTING REFERENCE LINE
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STATION	CONSTRUCTION
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880	EXISTING REFERENCE LINE
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875	EXISTING REFERENCE LINE
870	EXISTING REFERENCE LINE
865	EXISTING REFERENCE LINE
860	EXISTING REFERENCE LINE
855	EXISTING REFERENCE LINE

NO.	DATE	APVD	REVISION

Cedar CORPORATION
 600-173-7373
 WWW.CEDARCORP.COM

GRINDELAND ENGINEERING

BURNETT SAN. DIST. NO. 1
 REGIONALIZATION TO BEAVER DAM
 CONTRACT NO. A-23
 DODGE COUNTY, WISCONSIN

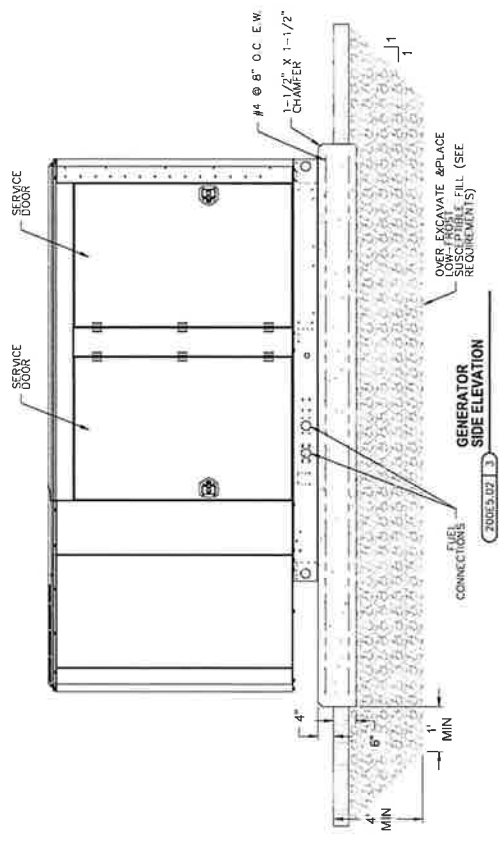
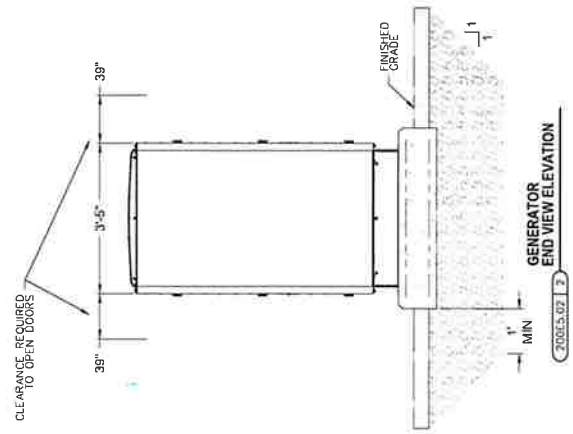
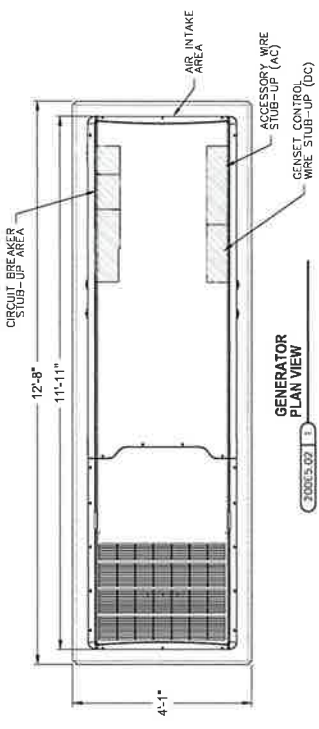
DATE	MARCH 2023
SHEET NO.	2005-02
CONSTRUCTION	ELECTRICAL
DISTRICT	BEAVER DAM
SHEET TITLE	GENERATOR
PROJECT NO.	BB27-003
DESIGNED BY	SHS
CHECKED BY	BWD

SCHEDULES AND DETAILS

SCALE: 0" = 1'-0"

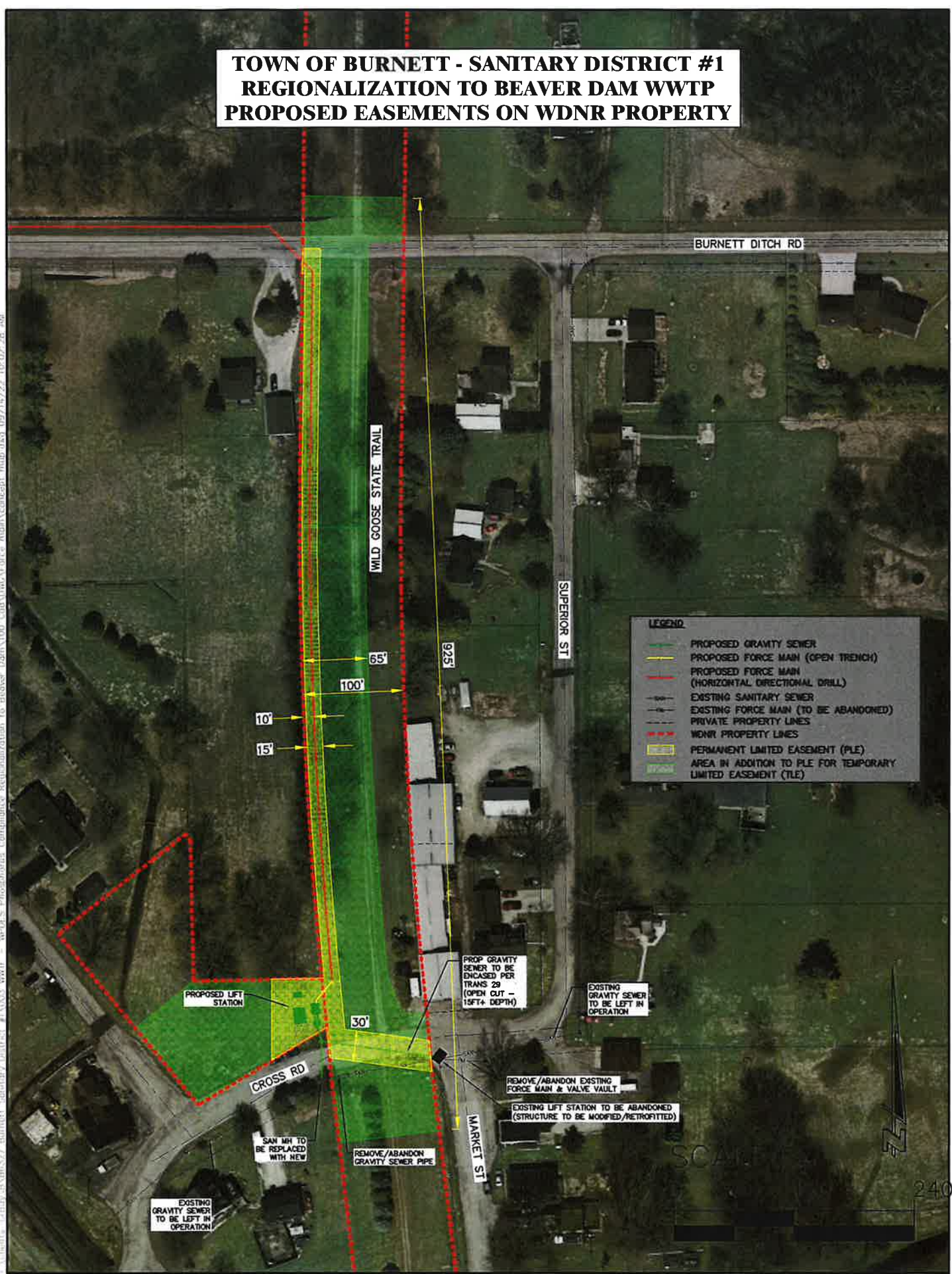
101 OF 102

- GENERAL NOTES**
- LOCATIONS SHOWN FOR GENERATOR AND ELECTRICAL EQUIPMENT ARE FOR INFORMATION ONLY. REFER TO MANUFACTURER'S DRAWINGS FOR FINAL LOCATIONS.
 - VERIFY ACTUAL DIMENSIONS BASED ON MANUFACTURER'S SUBMITTALS AND MANUFACTURER'S DRAWINGS.
 - INSTALL PER MANUFACTURER'S INSTRUCTIONS.
 - INSTALL PER APPLICABLE CODES.



TOWN OF BURNETT - SANITARY DISTRICT #1 REGIONALIZATION TO BEAVER DAM WWTP PROPOSED EASEMENTS ON WDNR PROPERTY

C:\Users\cshay_34586577\Burnett_1\geography\District_#1\N153_WWTF - WPE'S Photographs\Compliance_Regionalization to Beaver Dam\100 Cont\WDC\force main\concept.mxd.dwg 09/14/22 10:07:28 AM



LEGEND

- PROPOSED GRAVITY SEWER
- PROPOSED FORCE MAIN (OPEN TRENCH)
- PROPOSED FORCE MAIN (HORIZONTAL DIRECTIONAL DRILL)
- EXISTING SANITARY SEWER
- EXISTING FORCE MAIN (TO BE ABANDONED)
- PRIVATE PROPERTY LINES
- - - WDNR PROPERTY LINES
- PERMANENT LIMITED EASEMENT (PLE)
- AREA IN ADDITION TO PLE FOR TEMPORARY LIMITED EASEMENT (TLE)

PROPOSED LIFT STATION

PROP GRAVITY SEWER TO BE ENCASED PER TRANS 29 (OPEN CUT - 15FT+ DEPTH)

EXISTING GRAVITY SEWER TO BE LEFT IN OPERATION

REMOVE/ABANDON EXISTING FORCE MAIN & VALVE VAULT

EXISTING LIFT STATION TO BE ABANDONED (STRUCTURE TO BE MODIFIED/RETROFITTED)

SAN MH TO BE REPLACED WITH NEW

REMOVE/ABANDON GRAVITY SEWER PIPE

EXISTING GRAVITY SEWER TO BE LEFT IN OPERATION

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



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

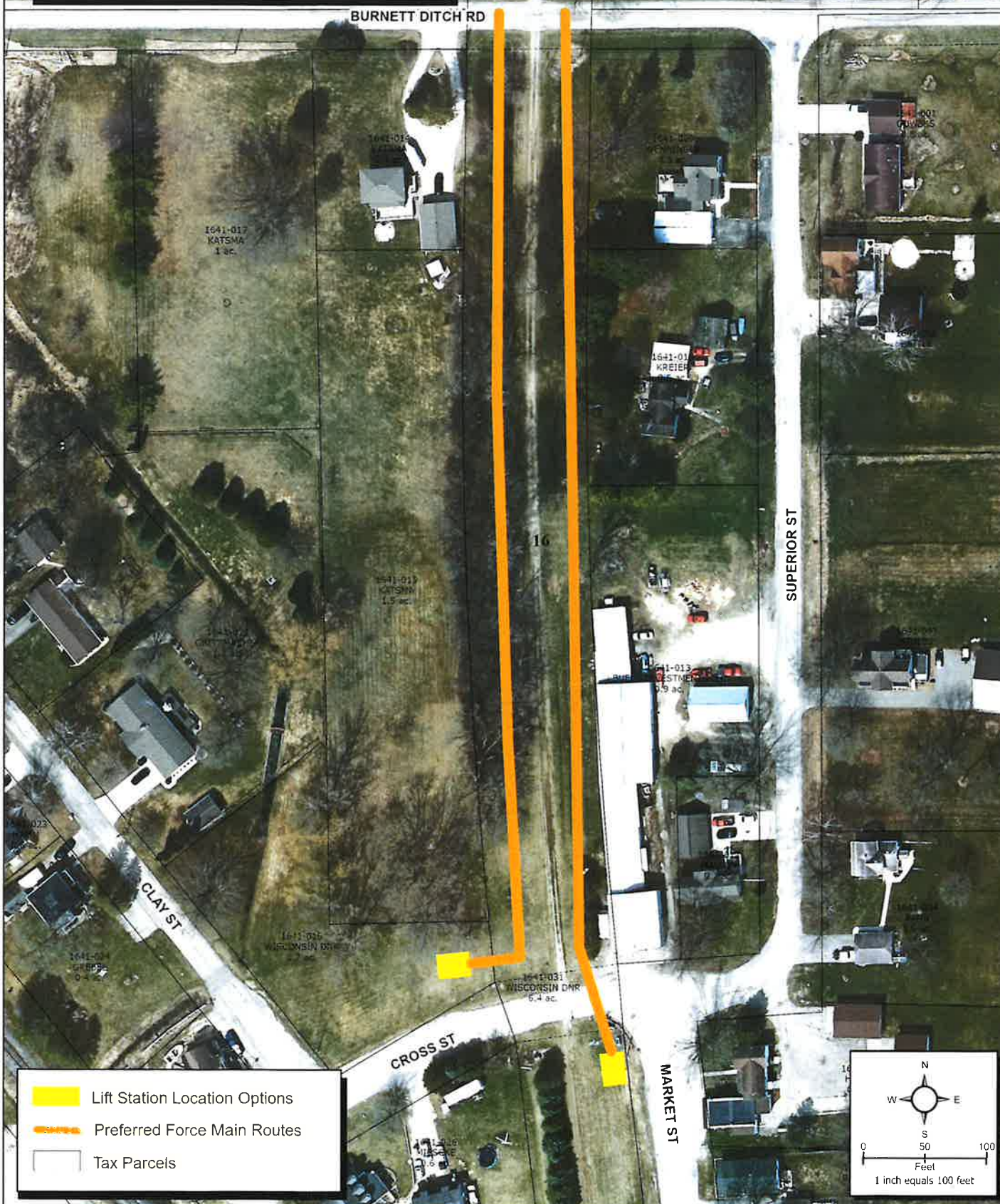
Dodge County Land Resources & Parks




1641-026
0.557 ac.

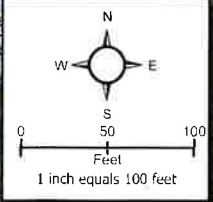
Burnett Sanitary District # 1

Town of Burnett, Sec. 16

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-  Lift Station Location Options
-  Preferred Force Main Routes
-  Tax Parcels



Notice is hereby given that a public hearing will be held by the **Dodge County Board of Adjustment** on Thursday, November 9, 2023 at 7:30 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 **Randy & Sheryl Young** for a variance to the terms of the Highway Setback provisions of the Dodge County Land Use Code to allow construction of a 102' x 28' single-family residence with attached garage. On a Town Road, the required setback is 75 feet from its centerline or 42 feet from its right of way, whichever is the greatest distance of the two. As proposed, the single-family residence with attached garage will begin at approximately 20 feet from the road right-of-way or 22 feet within the required highway setback line and 45 feet from the centerline or 30 feet within the required highway setback line and therefore prohibited by the code.

The site located in part of the NE ¼, SE ¼, Section 19, T09N, R17E, Town of Ashippun, Dodge County, Wisconsin the site address being N1098 St John's Way. 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 November 8, 2023.

Dated October 9, 2023

Dodge County Board of Adjustment
By William Nass, Chairman

Land Resources and Parks Department Staff Report

County Variance Application No. 2023-0851
County Land Use Permit Application No. 2023-0850
Filing Date: October 10, 2023
Hearing Date: November 9, 2023

Applicant / Owner:

Randy & Sheryl Young
N1098 St Johns Way
Oconomowoc, WI 53066

Location

PIN#: 002-0917-1941-001 & 006
Property Location: Part of the NE ¼, SE ¼, Section 19, T09N, R17E, Township of Ashippun, Dodge County, Wisconsin
Site Address: N1098 St Johns Way

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 October 2, 2023, 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 replacement single-family residence with attached garage where said residence will be located 45 feet from the centerline and 20 feet from the right-of-way of St Johns Way. As proposed the structure will be 30 feet within the required centerline setback and 22 feet within the right-of-way setback.

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 Jurisdiction over this site as the Town of Ashippun has adopted the County's Land Use Code. The property is located within the A-2 General Agriculture Zoning District.

The appellant purchased an adjacent lot on October 12, 2023 and are in the process on adding those lands to their lot. The proposed residence would replace an existing residence that is a legal nonconforming residence that does not meet setbacks to both St Johns Way and State Highway 67.

The owner intends to install a patio or deck on the east side of the proposed dwelling. What is installed will depend on final placement of the dwelling. A deck would be required to meet highway setback, whereas a patio would not.

The physical features of this approximate 0.721 acre proposed lot include a sloping topography with slopes ranging from 7-9%.

The proposed project is near the dead end portion of St Johns Way.

The general character of the surrounding land use consists of agricultural lands with scattered residences to the north and residential subdivisions to the south.

On October 2, 2023 an application for a County Land Use Permit was made by the appellant in order they be allowed to replace an existing nonconforming single-family residence. This permit was denied by the County Land Use Administrator for the following reason:

Highway Setback Overlay Provisions of the Land Use Code:

Subsection 5.1.1, 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. According to County records, the required highway setback at this location is 75 feet from the centerline and 42 feet from the right-of-way of St Johns Way. As proposed, the residence will begin at approximately 45 feet from the road centerline and 20 feet from the right-of-way of St Johns Way. As proposed the structure will be 30 feet within the required centerline setback and 22 feet within the right-of-way setback.

Therefore, the County is unable to issue a permit for the proposed project unless the construction is modified to comply with the Code Provisions mentioned above or unless a Variance is granted to allow the residence to be located within the Minimum Highway Setback Standards of the Code.

The appellant is requesting an area variance to Subsection 5.1.1 and Table 5.1-1 of the code;

Town Recommendation:

Approve;

- Conditions:

Deny:

-

No Recommendation

No response from Town – As of October 24, 2023;

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 5.1.1 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.

The Board should determine if the highway setback provisions of the code are unnecessarily burdensome in this case and if the location of the proposed porch addition will create a safety hazard for people entering or exiting the driveway or when using the road. The Board should also consider the costs to the County 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. The appellant is required to complete the land transfer process.
3. All Federal, State and Local Municipality permits and approvals required for the proposed structures on this site shall be obtained for said projects prior to beginning construction.
4. A County Land Use Permit shall be obtained for the proposed construction projects prior to beginning construction of these projects.

Dodge County Board of Adjustment Decision

County Variance Application No. 2023-0851
County Land Use Permit Application No. 2023-0850
Filing Date: October 10, 2023
Hearing Date: November 9, 2023

Applicant / Owner:
Randy & Sheryl Young
N1098 St Johns Way
Oconomowoc, WI 53066

Location
PIN#: 002-0917-1941-001 & 006
Property Location: Part of the NE ¼, SE ¼, Section 19, T09N, R17E, Township of Ashippun, Dodge County, Wisconsin
Site Address: N1098 St Johns Way

County Jurisdiction
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Appellants Request
On October 2, 2023, 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 replacement single-family residence with attached garage where said residence will be located 45 feet from the centerline and 20 feet from the right-of-way of St Johns Way. As proposed the structure will be 30 feet within the required centerline setback and 22 feet within the right-of-way setback.

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

The appellants request to Subsection 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 single-family residence with 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

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
Brad Kufalks (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 requests by the appellant as proposed;
- Granted the variance requests by the appellant subject to the conditions listed above;
- Denied the variance requests 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 9, 2023

Randy & Sheryl Young
N1098 St John's Way
Oconomowoc, WI 53066

RE: Determination of Application Completeness
Variance Application: #2023-0851
Property location: NE ¼, SE ¼, Section 19, T09N, R17E, Town of Ashippun, Dodge County, Wisconsin the site address being N1098 St John's Way.

Dear Randy & Sheryl Young;

The Dodge County Land Resources and Parks Department has received your Variance application to allow construction of a 102' x 28' single-family residence with attached garage. On a Town Road, the required setback is 75 feet from its centerline or 42 feet from its right of way, whichever is the greatest distance of the two. As proposed, the single-family residence with attached garage will begin at approximately 20 feet from the road right-of-way or 22 feet within the required highway setback line and 45 feet from the centerline or 30 feet within the required highway setback line and therefore prohibited by the code. On October 9, 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, November 9, 2023 at 7:30 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 2, 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. Ochs
Senior Land Use / Sanitary Specialist
tochs@co.dodge.wi.us
(920) 386-3270
Dodge County
Land Resources and Parks

Notice is hereby given that a public hearing will be held by the **Dodge County Board of Adjustment** on Thursday, November 9, 2023 at 7:30 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 **Randy & Sheryl Young** for a variance to the terms of the Highway Setback provisions of the Dodge County Land Use Code to allow construction of a 102' x 28' single-family residence with attached garage. On a Town Road, the required setback is 75 feet from its centerline or 42 feet from its right of way, whichever is the greatest distance of the two. As proposed, the single-family residence with attached garage will begin at approximately 20 feet from the road right-of-way or 22 feet within the required highway setback line and 45 feet from the centerline or 30 feet within the required highway setback line and therefore prohibited by the code.

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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 November 8, 2023.

Dated October 9, 2023

Dodge County Board of Adjustment
By William Nass, Chairman



**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. 230851	Issue Date:
Application Date: 10-2-2023	Receipt #: CL

Variance Application

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

Names and Mailing Addresses	Property Description
Applicant (Agent) Randy & Sheryl Young	Parcel Identification Number (PIN) 002-0917-1941-001 + 006
Street Address N1098 Saint Johns Way	Town ASHIPPAN
City • State • Zip Code Oconomowoc, WI. 53066	Section NE 1/4 SE 1/4 19 T 9 N R 7 E
Property Owner (If different from applicant)	Subdivision or CSM # Proposed CSM
Street Address	Site Address N 1098 ST JOHNS WAY
City • State • Zip Code	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Present property use:

SINGLE FAMILY RESIDENCE

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

NONE KNOWN

Describe all nonconforming structures and uses on this property:

CURRENT HOME IN NONCONFORMING TO ROAD SETBACKS

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

CENTER LINE + RIGHT OF WAY SETBACKS FROM ST JOHNS WAY
CHAPTER 5.1.1, TABLE 5.1.1 TOWN ROAD SETBACKS -
75' FROM CENTER LINE, 42' FROM RIGHT OF WAY.

Variance Requested:

45' FROM CENTER LINE, 20' FROM RIGHT OF WAY

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?

HAVING ROADS / SETBACKS ON 3 SIDES OF THE PROPOSED
LOT REDUCES THE BUILDING ENVELOPE TO AN
UNBUILDABLE SIZE

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

BUILDING ROAD SETBACKS ON 3 SIDES

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, CURRENT HOUSE DOESNT FIT OUR CURRENT + FUTURE NEEDS. NOT GRANTING VARIANCE WOULD REQUIRE US TO MOVE FROM OUR LOCATION AFTER 20 YEARS

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

THE NEIGHBORS WILL BE UN AFFECTED BY APPROVAL OF THIS VARIANCE

CERTIFICATE

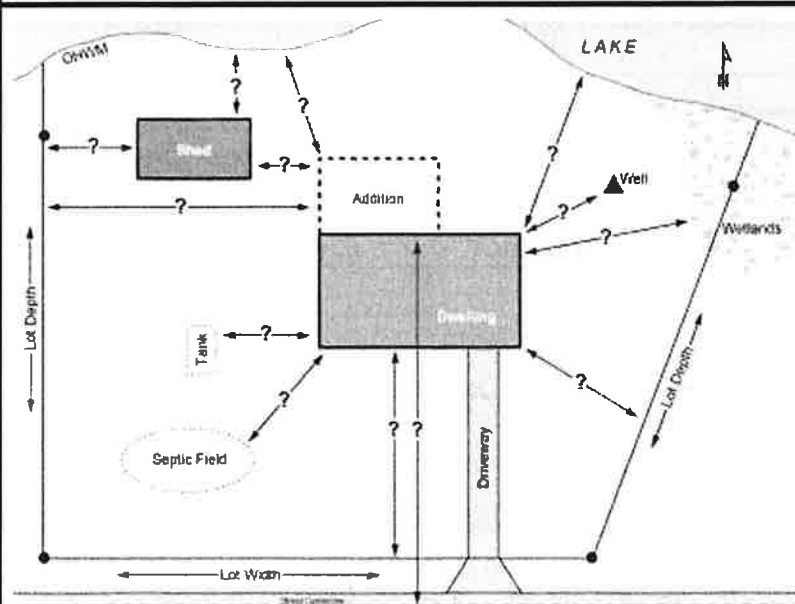
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and 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: Randall Young Date: 10-2-23

Daytime Contact Number (262) 443-3339

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)

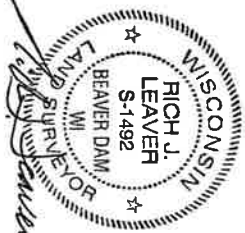
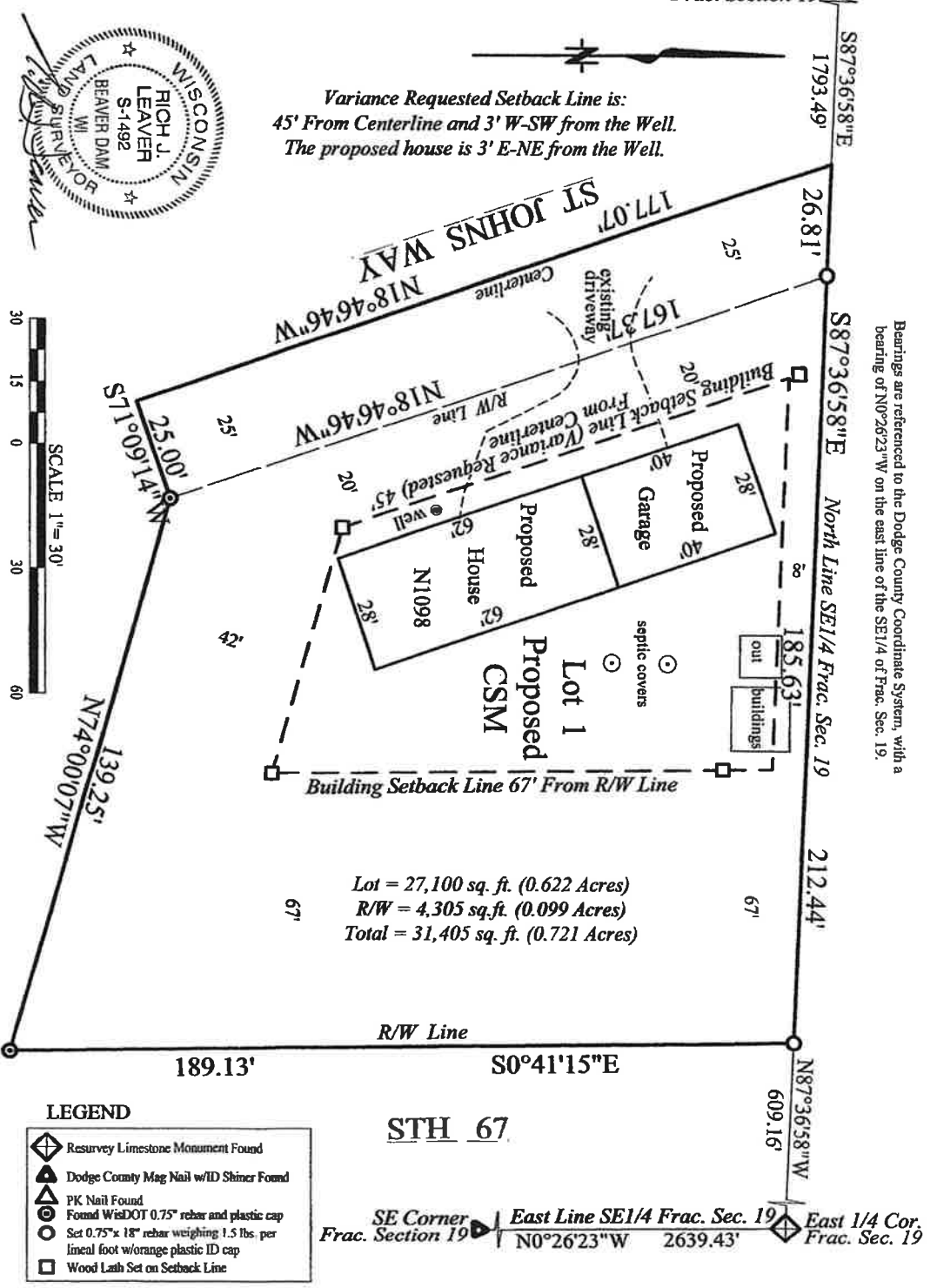
PLAT of SURVEY VARIANCE REQUEST

For Randy M. Young and Sheryl A. Young
Located in the NE1/4-SE1/4 of Fractional Section 19, T9N-R17E
Town of Ashippun, Dodge County, Wisconsin

N1098 St. John's Way

Parcel No's: 002-0917-1941-001 and
002-0917-1941-006

This is a Parcel Combination



Bearings are referenced to the Dodge County Coordinate System, with a bearing of N0°26'23"W on the east line of the SE1/4 of Frac. Sec. 19.

- LEGEND**
- ◆ Resurvey Limestone Monument Found
 - ▲ Dodge County Mag Nail w/ID Shiner Found
 - ▲ PK Nail Found
 - Found WisDOT 0.75" rebar and plastic cap
 - Set 0.75" x 18" rebar weighing 1.5 lbs. per lineal foot w/orange plastic ID cap
 - Wood Lath Set on Setback Line

**PLAT of SURVEY
VARIANCE REQUEST**

For Randy M. Young and Sheryl A. Young
Located in the NE1/4-SE1/4 of Fractional Section 19, T9N-R17E
Town of Ashippun, Dodge County, Wisconsin

N1098 St. John's Way

Parcel No's: 002-0917-1941-001 and
002-0917-1941-006

This is a Parcel Combination

SURVEYOR'S CERTIFICATE

I, Rich J. Leaver, Wisconsin Professional Land Surveyor, hereby certify that I have surveyed and mapped 2 parcels of land, being a parcel combination, by the direction of the owners, Randy M. Young and Sheryl A. Young. This parcel is located as indicated above and identified by the tax parcel numbers above.

The above-described parcel contains 0.721 acres, of which 0.099 acres is subject to the easterly right-of-way of St. John's Way. This parcel is subject to all other easements, including utility easements, setbacks, and restrictions, either recorded or unrecorded, if any.

A title commitment or results of a title search were not provided to the surveyor prior to this survey. This property survey may not reflect easements of record, encumbrances, restrictions, ownership title evidence, or other facts that an accurate title search may disclose.

I further certify that all aspects of the land surveying work, including client contact, records research, field work including searching for historical survey markers and staking new markers, field data collection and measurements, computations, drafting the plat of survey, and all other aspects of this land survey were performed by me, a Wisconsin Licensed Land Surveyor, and my trained and qualified survey technicians.

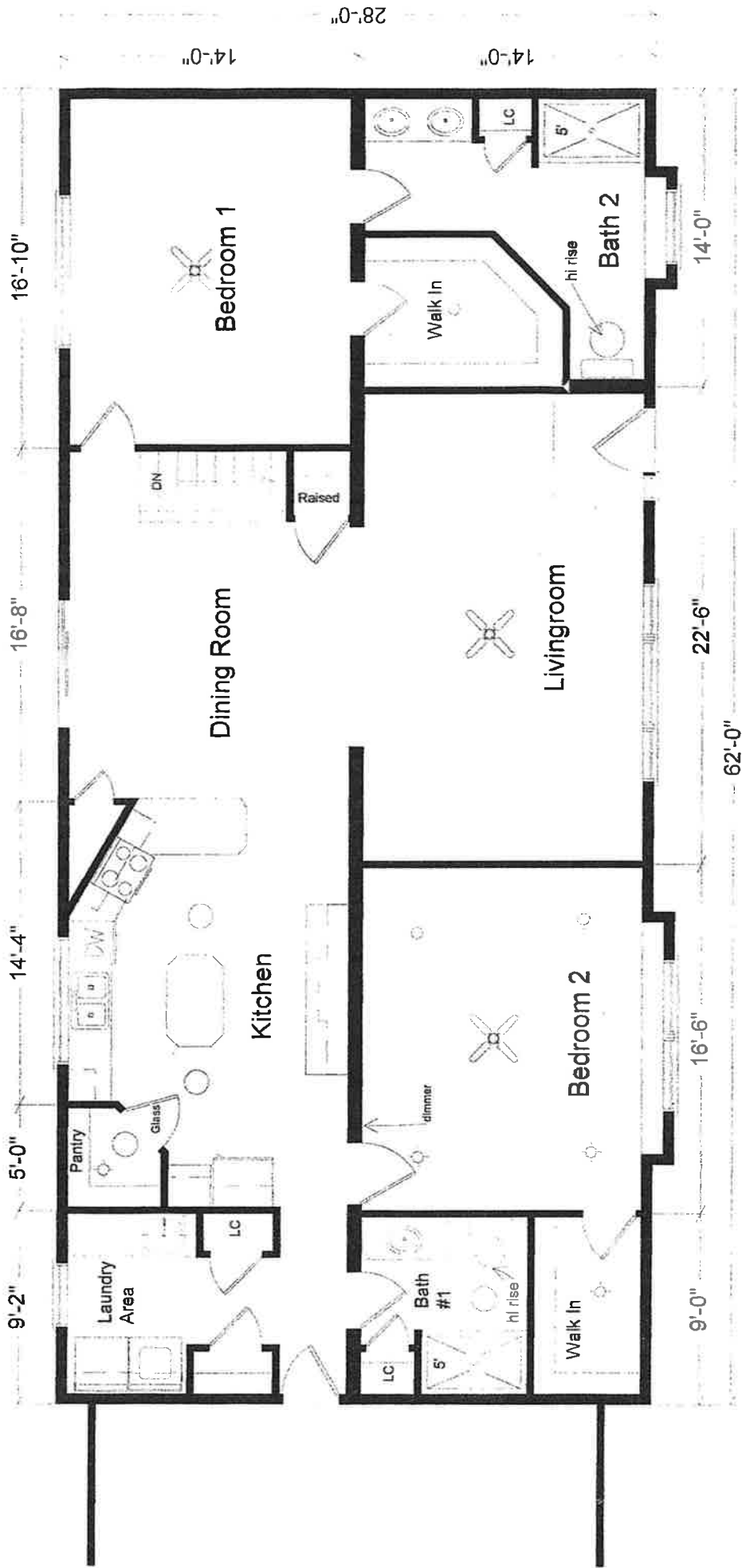
I further certify that the information contained herein is a correct representation of the parcel as surveyed and mapped, and that I have fully complied with or exceeded the provisions of Chapter AE 7 of the Wisconsin Administrative Code in surveying and mapping the same, to the best of my knowledge and belief.



Rich J. Leaver, WI_LS-1492
Leaver Land Surveying LLC
W8871 Gossfeld Ln.
Beaver Dam, WI 53916
920-887-2401



Owners of Record
Randy M. Young
Sheryl A. Young
N1098 St. John's Way
Oconomowoc, WI 53066





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

Randy & Sheryl Young
N1098 St John's Way
Oconomowoc, WI 53066

RE: Notice of Permit Refusal- County ID #2023-0850

PIN# 002-0917-1941-001 & 006

Location: NE ¼, SE ¼, Section 19, T09N, R17E, Town of Ashippun, Dodge County, Wisconsin
the site address being N1098 St John's Way.

Dear Randy & Sheryl Young:

Your application for a permit to construct a 102' x 28' single-family residence with 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 of the County Land Use Code refer to the distances that all buildings and other structures are required to be setback from all roads. On a Town Road, the required setback is 75 feet from its centerline or 42 feet from its right of way, whichever is the greatest distance of the two. As proposed, the single-family residence with attached garage will begin at approximately 20 feet from the road right-of-way or 22 feet within the required highway setback line and 45 feet from the centerline or 30 feet within the required highway setback line and therefore prohibited by the code.

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

You have the right to appeal this decision to the Board of Adjustment. Such appeals shall be filed with the Land Resources and Parks Department within 30 days after the date of written notice of the decision or order of the review and decision making body. If you have any questions, feel free to give me a call.

A variance request was filed on 10/2/2023 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,

Andrew O'Brion
Dodge County Land Resources and Parks
Senior Land Use and Sanitation Specialist

COPY

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

\$570

This Area For Office Use Only

COUNTY ID No.

230850

Receipt No.

CC

Application Date

10-2-2023

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.) Randy & Sheryl Young		Parcel Identification Number (PIN) 002-0917-19 41-001 + 006		
Street Address N1098 Saint Johns Way		Town Ashippun	T 19	N R 17 E
City • State • Zip Code Oconomowoc, WI. 53066		1/4 NW	1/4 SE	Section 9
Property Owner Randy & Sheryl Young		Subdivision or CSM (Volume/Page/Lot) NEWLY CREATED CSM		
Street Address		Address Of Property (DO NOT include City/State/Zip Code) N1098 SAINT JOHNS WAY		
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 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"/> Pool | <input type="checkbox"/> Porch | <input checked="" type="checkbox"/> Driveway | <input type="checkbox"/> Field Tile Installation |
| <input checked="" type="checkbox"/> Deck | <input type="checkbox"/> Fence | <input type="checkbox"/> Boathouse | <input type="checkbox"/> Pond (Less than 2 acres in size) |
| <input type="checkbox"/> Patio | <input type="checkbox"/> Riprap | <input checked="" type="checkbox"/> Attached Garage | <input type="checkbox"/> Sign (Complete additional project information below) |
| <input type="checkbox"/> Shed | <input type="checkbox"/> Gazebo | <input type="checkbox"/> Detached Garage | <input type="checkbox"/> Barn (Complete additional project information below) |
| <input checked="" type="checkbox"/> Home | <input checked="" type="checkbox"/> Sidewalk | <input type="checkbox"/> Ag Ditch Cleanout | <input type="checkbox"/> Home Addition (Complete additional project information below) |

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

Other _____

Width <u>28'</u>	Additional Project Information
Length <u>102</u>	Home Addition: Total number of bedrooms? Before <u>2</u> After _____
Total Area <u>2856</u>	Barn Information: Will it house any animals? If yes, complete Animal Units Worksheet.
Total Stories <u>1</u>	Sign Information: <input type="checkbox"/> Single-Sided <input type="checkbox"/> Double-Sided
Height (To roof peak) <u>17'</u>	<input type="checkbox"/> Located On-Premise <input type="checkbox"/> Located Off-Premise
Estimated Cost (w/Labor) \$ <u>220,000 + 40,000 = 260,000</u>	<input type="checkbox"/> Wall <input type="checkbox"/> Ground <input type="checkbox"/> Directional Other _____
	Will it be lighted and/or have moving/flashing parts? <input type="checkbox"/> No <input type="checkbox"/> Yes

◆ ◆ ◆ 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.

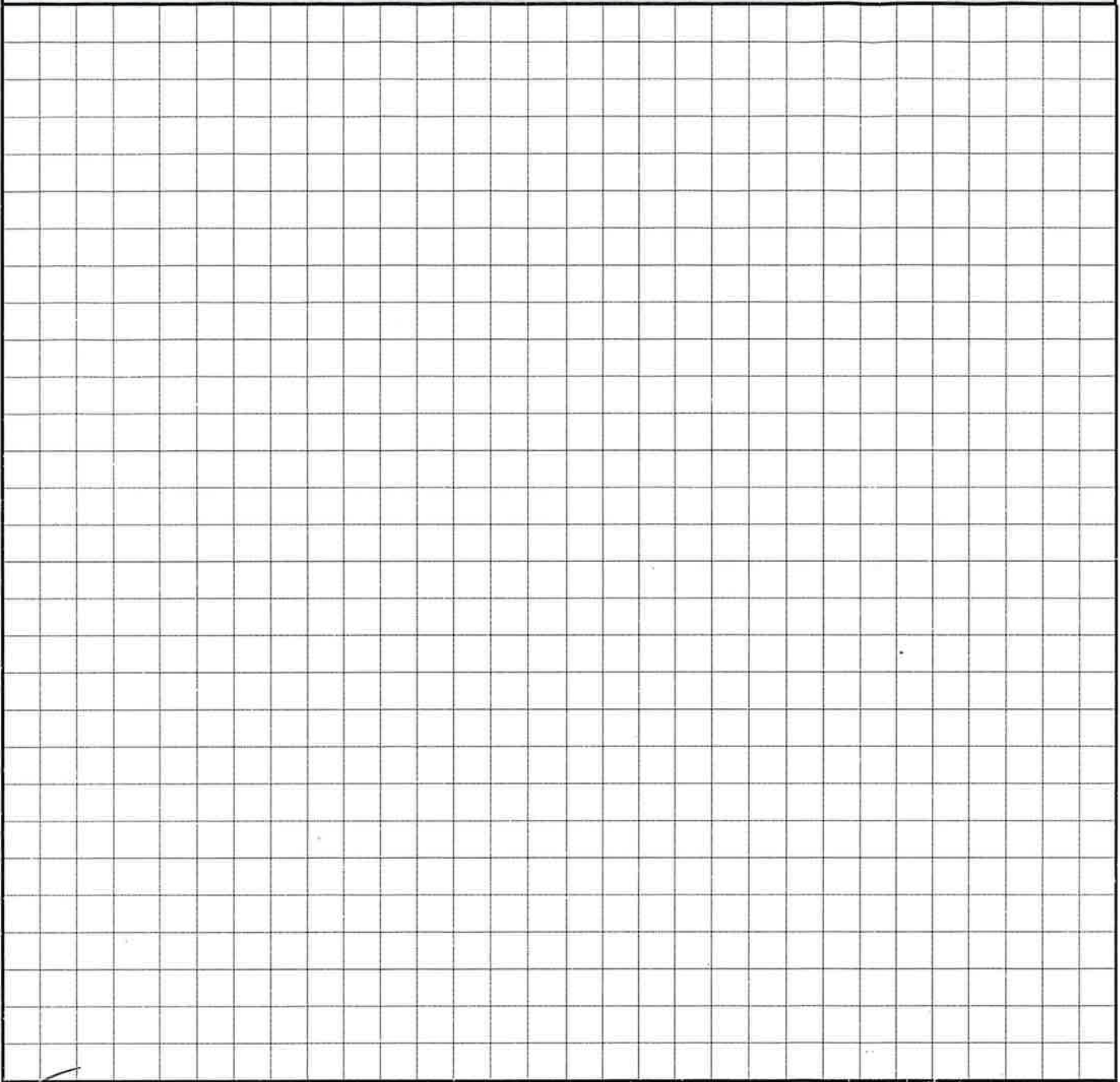
CERTIFICATE & CONTACT INFORMATION

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) _____ Daytime Contact Phone (_____) _____ or Email: _____

Signature _____ Date _____ Call for pickup No Yes

SITE PLAN (SKETCH)



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

BOA ID No. 2027-0851	BOA Appeal Date 10/2/23	BOA P/H Date 11/09/23	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

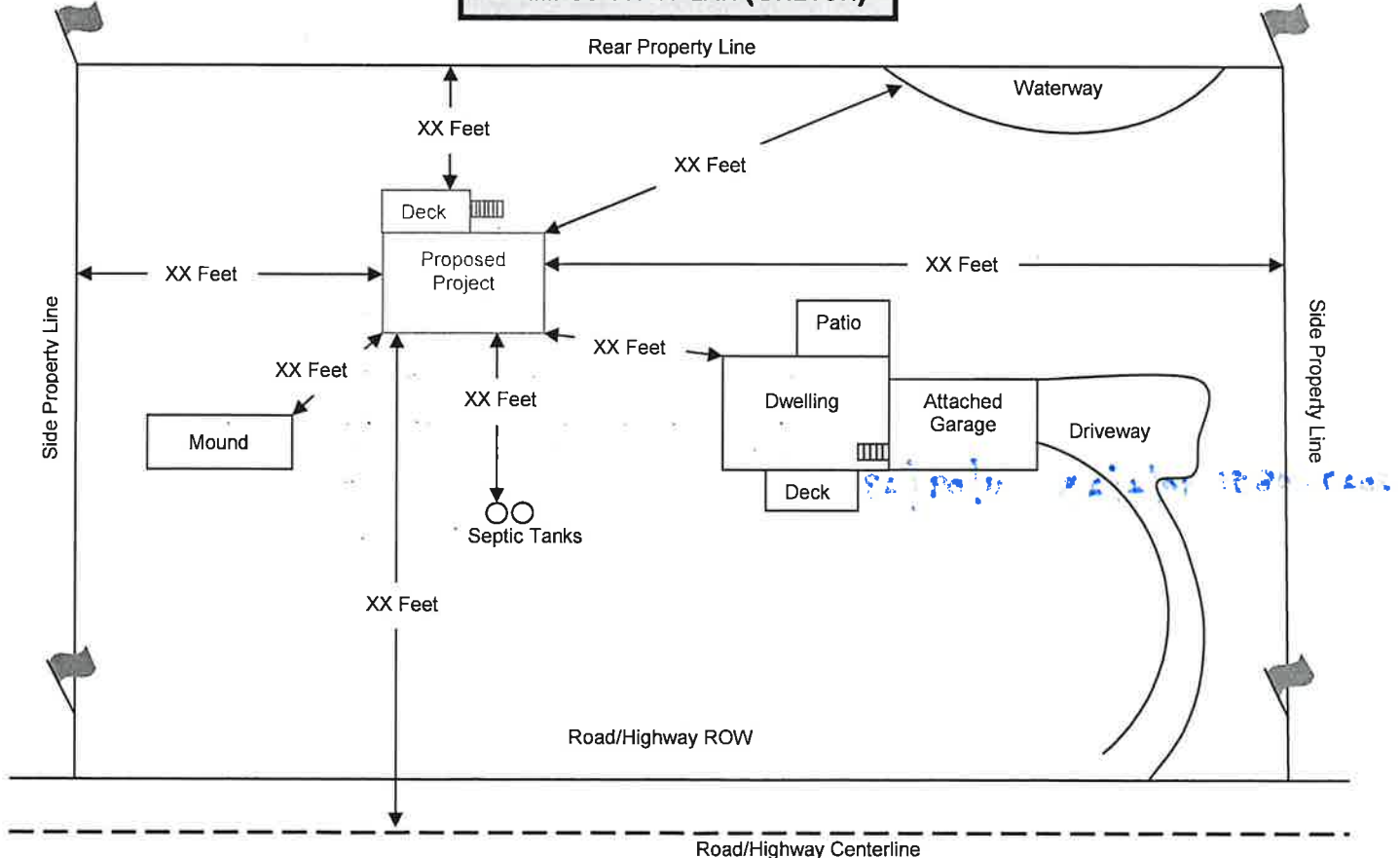
ALL applications must be accompanied by a site plan (sketch). You may use an aerial photo which can be obtained by using the Dodge County Web mapping tool at <http://dodgecowi.wgxtreme.com/>, the attached (blank) site plan or supply your own.

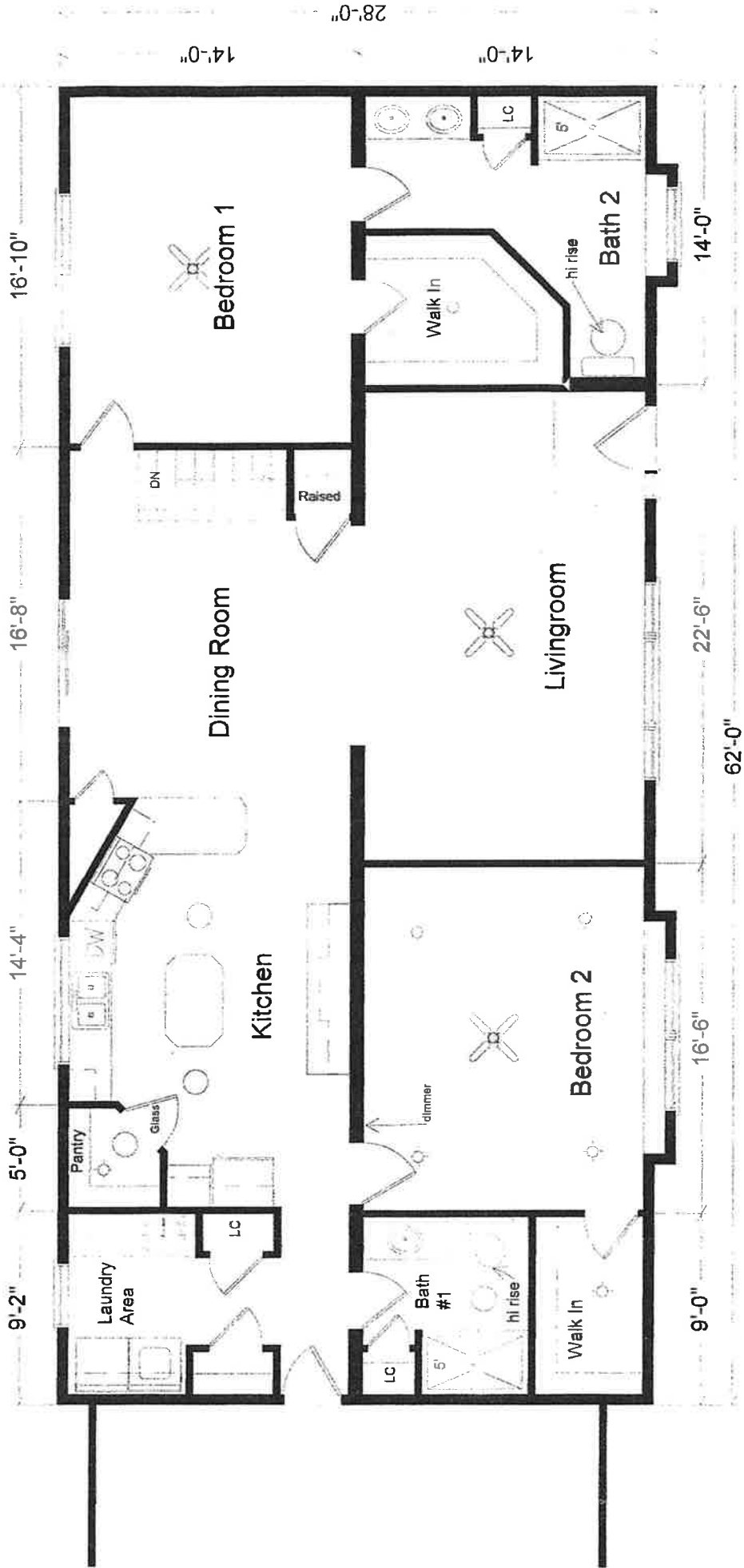
Where applicable, the site plan must show the setback or distance (either scaled or dimensioned) of the proposed project from such items as:

- ✓ 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)





PLAT of SURVEY

VARIANCE REQUEST

For Randy M. Young and Sheryl A. Young
 Located in the NE1/4-SE1/4 of Fractional Section 19, T9N-R17E

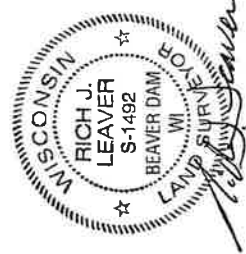
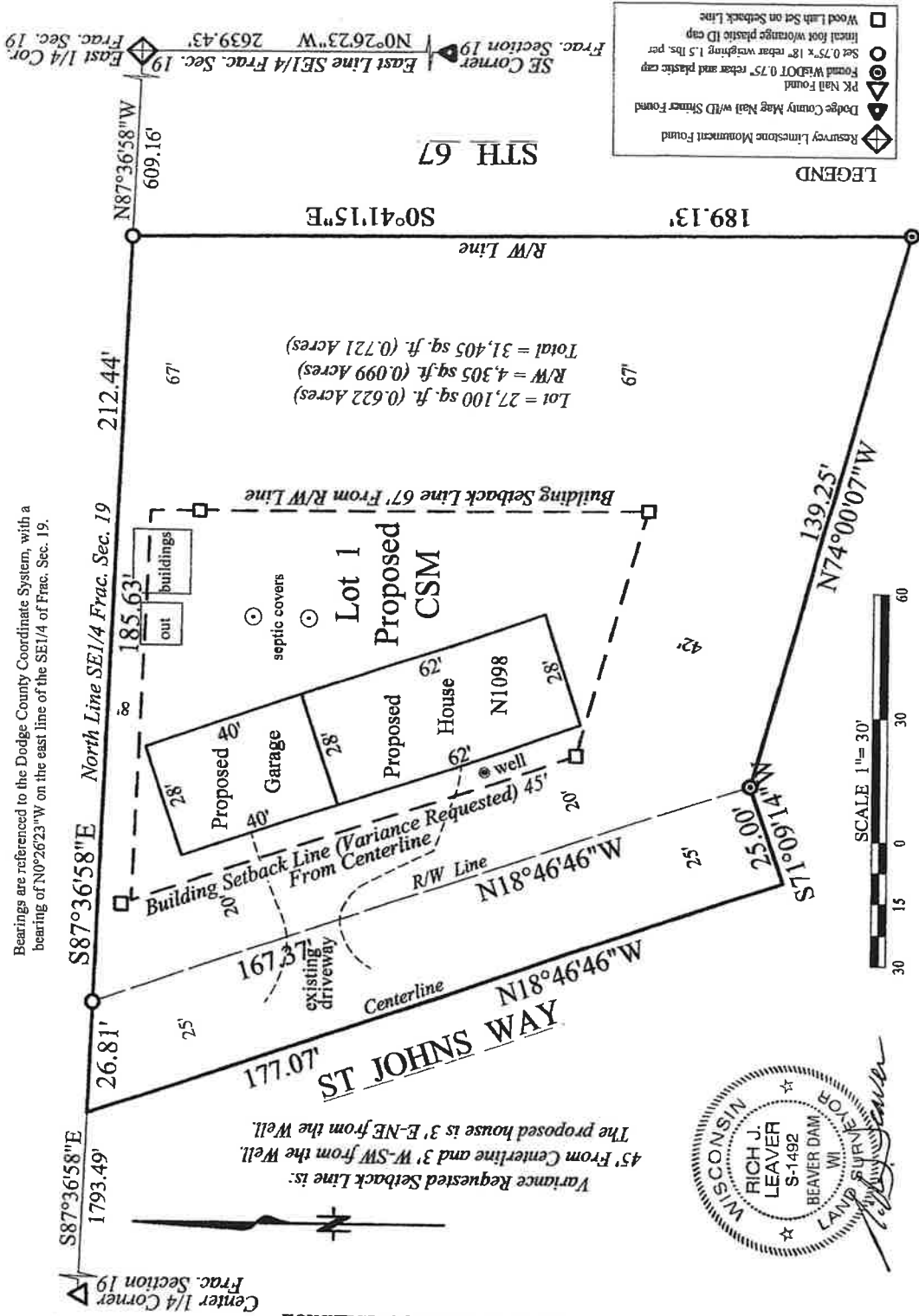
Town of Ashippun, Dodge County, Wisconsin

Parcel No's: 002-0917-1941-001 and
 002-0917-1941-006

This is a Parcel Combination

N1098 St. John's Way

Bearings are referenced to the Dodge County Coordinate System, with a bearing of N0°26'23"W on the east line of the SE1/4 of Frac. Sec. 19.



Variance Requested Setback Line is:
 45' From Centerline and 3' W-SW from the Well.
 The proposed house is 3' E-NE from the Well.

Center 1/4 Corner Frac. Section 19

PLAT of SURVEY

VARIANCE REQUEST

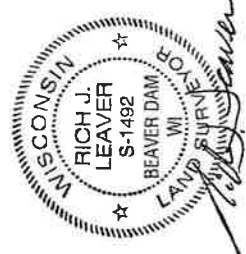
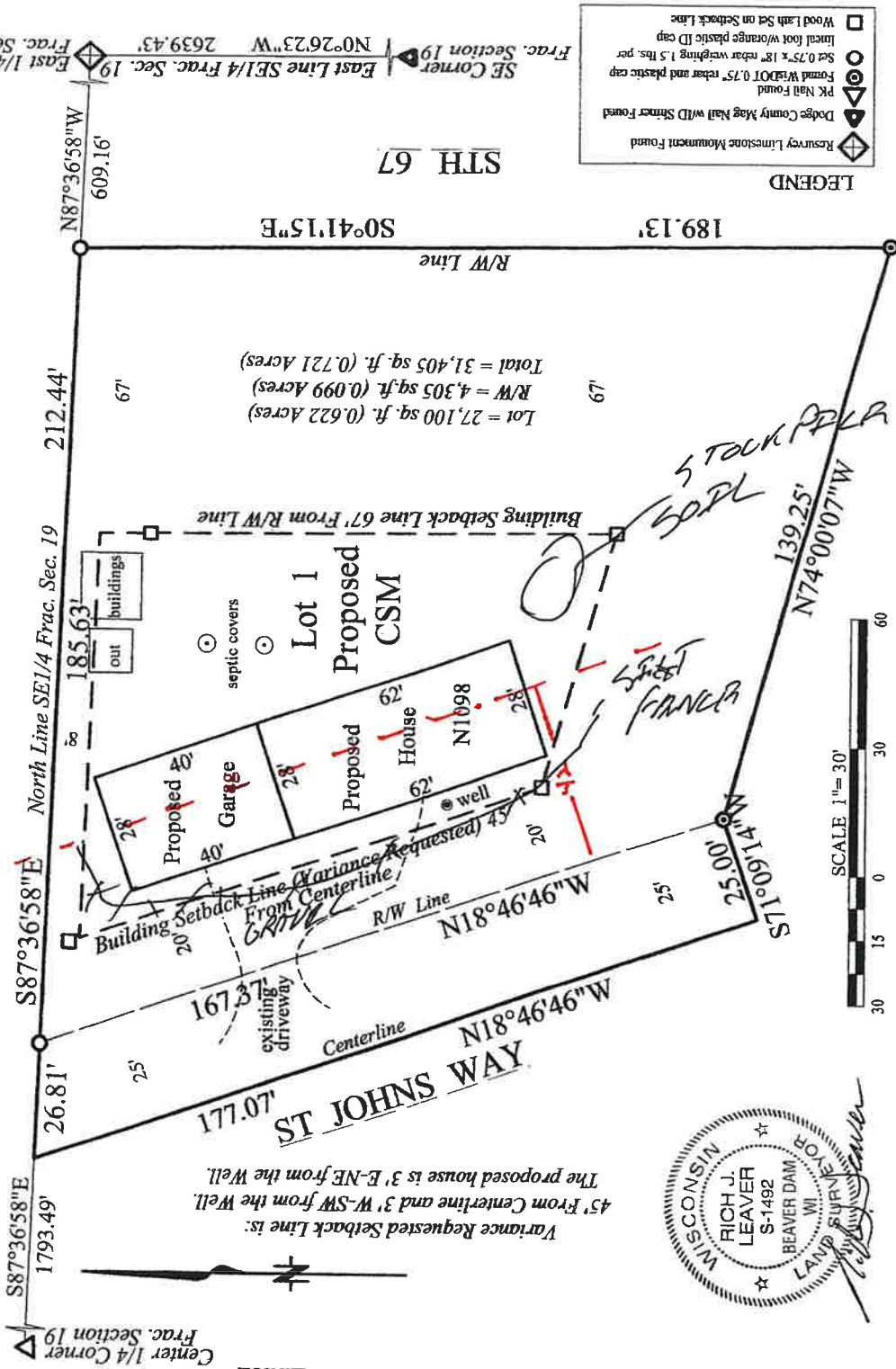
For Randy M. Young and Sheryl A. Young
 Located in the NE1/4-SE1/4 of Fractional Section 19, T9N-R17E

Town of Ashippun, Dodge County, Wisconsin

Parcel No's: 002-0917-1941-001 and
 002-0917-1941-006

This is a Parcel Combination

N1098 St John's Way



Bearings are referenced to the Dodge County Coordinate System, with a bearing of N0°26'23"W on the east line of the SE1/4 of Frac. Sec. 19.

SE Corner 19 East Line SE1/4 Frac. Sec. 19 East 1/4 Cor. Frac. Sec. 19 N0°26'23"W 2639.43'

STH 67

LEGEND

- ◊ Resurvey Limestone Mount Found
- ◄ Dodge County Mag Nail w/ID Shiner Found
- PK Nail Found
- Form W/ADOT 0.75" rebar and plastic cap
- Set 0.75" x 18" rebar weighing 1.5 lbs. per
- Lintel foot w/orange plastic ID cap
- Wood Lash Set on Setback Line



Center 1/4 Corner 19 Frac. Section 19 S87°36'58"E 1793.49'

North Line SE1/4 Frac. Sec. 19 S87°36'58"E 212.44'

East Line SE1/4 Frac. Sec. 19 N87°36'58"W 609.16'

SE Corner 19 East 1/4 Cor. Frac. Sec. 19 N0°26'23"W 2639.43'

Center 1/4 Corner 19 Frac. Section 19 S87°36'58"E 1793.49'

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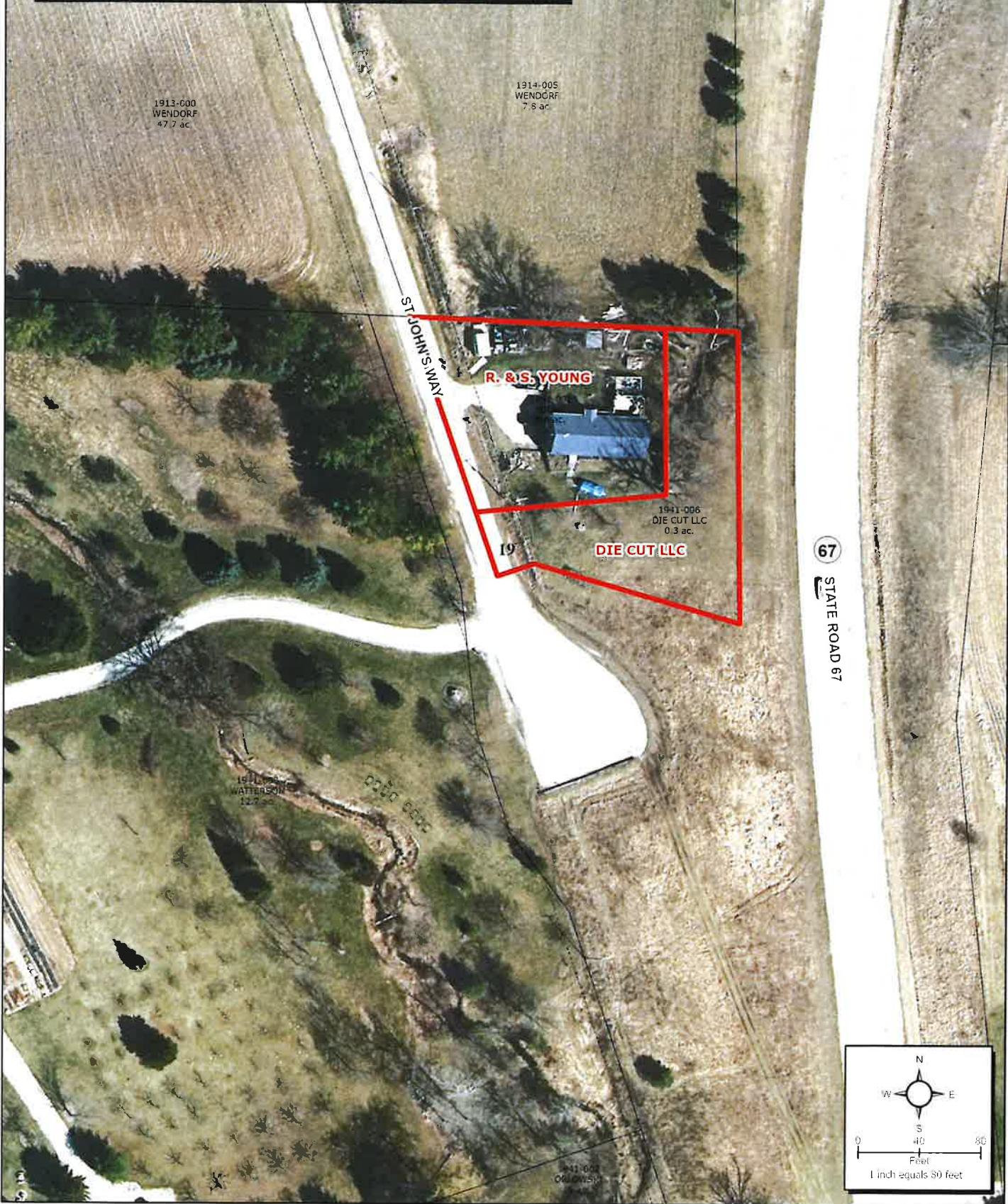
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Center 1/4 Corner 19 Frac. Section 19 S87°36'58"E 1793.49'

Randy & Sheryl Young / Die Cut LLC
Town of Ashippun, Sec. 19

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.



Notice is hereby given that a public hearing will be held by the **Dodge County Board of Adjustment** on Thursday, November 9, 2023 at 7:45 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 **Zachary Kaat** for a variance to the terms of the Highway Setback provisions of the Dodge County Land Use Code to allow construction of a 36' x 56' Accessory Structure (Shed). On a County Highway, 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. As proposed, the shed will begin at approximately 62.5 feet from the road right-of-way or 4.5 feet within the required highway setback line and therefore prohibited by the code.

The site located in part of the NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 21, T11N, R16E, Town of Hubbard, Dodge County, Wisconsin the site address being W3945 County Road S.

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 November 8, 2023.

Dated October 9, 2023

Dodge County Board of Adjustment
By William Nass, Chairman

Land Resources and Parks Department Staff Report

County Variance Application No. 2023-0874
County Land Use Permit Application No. 2023-0850
Filing Date: October 6, 2023
Hearing Date: November 9, 2023

Applicant / Owner:

Zachary Kaat
W3945 County Road S
Iron Ridge, WI 53035

Location

PIN#: 022-1116-2121-001

Location: Part of the NE ¼ of the NW ¼, Section 21, T11N, R16E, Town of Hubbard, Dodge County the site address being W3945 County Road S.

County Jurisdiction

The County has highway setback jurisdiction over this site as the Town of Hubbard has adopted the Highway Setback Overlay District provisions of 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 September 15, 2023, an After the Fact County Land Use Permit was submitted to the Department for a 36' x 56' detached accessory structure (shed) on this site. On September 20, 2023, an onsite inspection of the structure was conducted by the Land Resources and Parks staff. According to the inspection report, the shed is located 122.5 feet from the centerline and 62.5 feet from the road right of way of County Road S at this location. According to Subsection 5.2.3, of the Dodge County Land Use Code all buildings and other structures are required to be setback from all streets and highways. On a County Highway, the required highway setback is 100 feet from its centerline or 67 feet from its right of way, whichever is the greatest distance of the two. The shed is therefore located 4.5' within the required highway setback lines of County Road S and therefore in violation of the Code. The Department notified the owner on September 25, 2023 that the structure is not in compliance with the highway setback provisions of the code.

In an attempt to resolve this violation, the appellant is requesting an area variance to the code in order to allow the structure to remain at its current location.

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 highway setback jurisdiction over this site as the Town of Hubbard has adopted the Highway Setback Overlay District provisions of the County's Land Use Code;

The property is presently being used for residential use. At this location the right of way varies from approximately 70 feet on the west side of the lot to approximately 55 feet to the east side of the lot.;

The physical features of this approximate 2.83 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 S;

On September 15, 2023 an application for an after the fact County Land Use Permit was made by the appellant in order they be allowed to construct a 36' x 56' shed;

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

Subsection 4.6.4, 5.2.3, and Table 5.1-1 of the Code refers to the required setbacks from public roads, streets and highways, within the Highway Setback Overlay District. For the specific section of County Road S along which the above noted project is to take place, the required setback varies from 123 feet to 127 feet from the centerline or 67' from the road right of way, whichever distance is greater. According to County records, the required setback at this location is 67' from the right of way of County Road S. The aforementioned project was constructed and located 62.5 feet from the right of way, thus not in compliance with the Code provisions.

The appellant is requesting an area variance to Sections 4.6.4, 5.2.3 and Table 5.1-1 of the Land Use Code.

Town Recommendation: No Recommendation received.

Purpose Statement

The Highway Setback Overlay District 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 that are located within a street yard 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 Subsections 4.6.4, 5.2.3 and Table 5.1-1 of the code;

The staff points out that this is an after the fact variance request and the Board must look at the situation as if the structure does not yet exist. The staff also 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 there does not appear to be any unique or special conditions that would prevent the shed from complying with the required highway setback, therefore the staff feels the Board will be unable to make the necessary findings required by the code and the request should be denied and the matter referred to the Dodge County Corporation Counsel for resolution of the violation.

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 projects prior to the approval of the land use permit.
2. All Federal, State and Local Municipality permits and approvals required for the proposed structures on this site shall be obtained for said projects prior to beginning construction.
3. A County Land Use Permit shall be obtained for the proposed construction projects prior to beginning construction of these projects.

Dodge County Board of Adjustment Decision

County Variance Application No. 2023-0874
County Land Use Permit Application No. 2023-0850
Filing Date: October 6, 2023
Hearing Date: November 9, 2023

Applicant / Owner:

Zachary Kaat
W3945 County Road S
Iron Ridge, WI 53035

Location

PIN#: 022-1116-2121-001

Location: Part of the NE ¼ of the NW ¼, Section 21, T11N, R16E, Town of Hubbard, Dodge County the site address being W3945 County Road S.

County Jurisdiction

The County has highway setback jurisdiction over this site as the Town of Hubbard has adopted the Highway Setback Overlay District provisions of 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 September 15, 2023, an After the Fact County Land Use Permit was submitted to the Department for a 36' x 56' detached accessory structure (shed) on this site. On September 20, 2023, an onsite inspection of the structure was conducted by the Land Resources and Parks staff. According to the inspection report, the shed is located 122.5 feet from the centerline and 62.5 feet from the road right of way of County Road S at this location. According to Subsection 5.2.3, of the Dodge County Land Use Code all buildings and other structures are required to be setback from all streets and highways. On a County Highway, the required highway setback is 100 feet from its centerline or 67 feet from its right of way, whichever is the greatest distance of the two. The shed is therefore located 4.5' within the required highway setback lines of County Road S and therefore in violation of the Code. The Department notified the owner on September 25, 2023 that the structure is not in compliance with the highway setback provisions of the code.

In an attempt to resolve this violation, the appellant is requesting an area variance to the code in order to allow the structure to remain at its current location.

CONCLUSIONS OF LAW

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

This is an "after- the- fact" variance request and the Board is required to review this request as if the shed does not yet exist.

(Agree / Disagree)

The appellants request to Subsection 4.6.4 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 shed on this lot?

(Yes / No) _____
Explain _____

What hardship exists if the variance is denied?

Explain _____

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

Explain _____

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

(Yes/No)

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

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
Brad Kufalks (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 requests by the appellant as proposed;
- Granted the variance requests by the appellant subject to the conditions listed above;
- Denied the variance requests 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 10, 2023

Zachary Kaat
W3945 County Road S
Iron Ridge, WI 53035

RE: Determination of Application Completeness
Variance Application: #2023-0874
Property Location: NE ¼, NW ¼, Section 21, T11N, R16E, Town of Hubbard, Dodge County, Wisconsin the site address being W3945 County Road S.

Dear Zachary Kaat;

The Dodge County Land Resources and Parks Department has received your Variance application to allow construction of a 36' x 56' Accessory Structure (Shed). On a County Highway, 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. As proposed, the shed will begin at approximately 62.5 feet from the road right-of-way or 4.5 feet within the required highway setback line and therefore prohibited by the code. On October 9, 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, November 9, 2023 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 November 2, 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. Ochs
Senior Land Use / Sanitary Specialist
tochs@co.dodge.wi.us
(920) 386-3270
Dodge County
Land Resources and Parks

Notice is hereby given that a public hearing will be held by the **Dodge County Board of Adjustment** on Thursday, November 9, 2023 at 7:45 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 **Zachary Kaat** for a variance to the terms of the Highway Setback provisions of the Dodge County Land Use Code to allow construction of a 36' x 56' Accessory Structure (Shed). On a County Highway, 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. As proposed, the shed will begin at approximately 62.5 feet from the road right-of-way or 4.5 feet within the required highway setback line and therefore prohibited by the code.

The site located in part of the NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 21, T11N, R16E, Town of Hubbard, Dodge County, Wisconsin the site address being W3945 County Road S.

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 November 8, 2023.

Dated October 9, 2023

Dodge County Board of Adjustment
By William Nass, Chairman



**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. 230874	Issue Date:
Application Date: 10-6-2023	Receipt #: B147-0020

Variance Application

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

Names and Mailing Addresses	Property Description														
Applicant (Agent) Zachary Kaat	Parcel Identification Number (PIN) 022-1116-2121-001														
Street Address W3945 county road S	Town Hubbard														
City • State • Zip Code Iron Ridge, WI 53035	<table border="1"> <tr> <td>NE ¹/₄</td> <td>NW ¹/₄</td> <td>Section</td> <td>T</td> <td>N</td> <td>R</td> <td>E</td> </tr> <tr> <td></td> <td></td> <td>21</td> <td>11</td> <td></td> <td>16</td> <td></td> </tr> </table>	NE ¹ / ₄	NW ¹ / ₄	Section	T	N	R	E			21	11		16	
NE ¹ / ₄	NW ¹ / ₄	Section	T	N	R	E									
		21	11		16										
Property Owner (If different from applicant)	Subdivision or CSM #														
Street Address	Site Address W3945 county Road S														
City • State • Zip Code	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No														

Present property use:

Residence (I am living at this property)

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

none I am a where of.

Describe all nonconforming structures and uses on this property:

**house for living
1 Detatched garager 2car
1 New pole shed (Being built)**

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

Subsection 4.6.4 table 5.1.2-2 Set backs from center line of road varies 123'-127' and or 67' from road right of way.

Variance Requested:

the north west corner of pole shed is about 4' to close to the right of way. the north east corner is ok. that it can be ok the NW corner is only 62.5'

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

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

I obtained a building permit from my township to build my pole shed. My measurements are ok with them I was not aware I had to get a permit thru Dodge county as well. the town did not tell me I had to, and the pole shed is about 90% built already.

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

my property lines do not run even to the County road. there fore one side of property the NE side is about 55' to right away off road and NW side is about 70' to right away off center of road

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

Yes I have the whole pole shed built and Just a couple little things to finish on it. I can't really just move it back to easily at this point

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

I Dont think it will bother anybody of my neighbor it is not blocking any views. and my 2 neighbors farm across the street is ok with it and 2nd neighbor is a 1/4 mile behind me.

CERTIFICATE

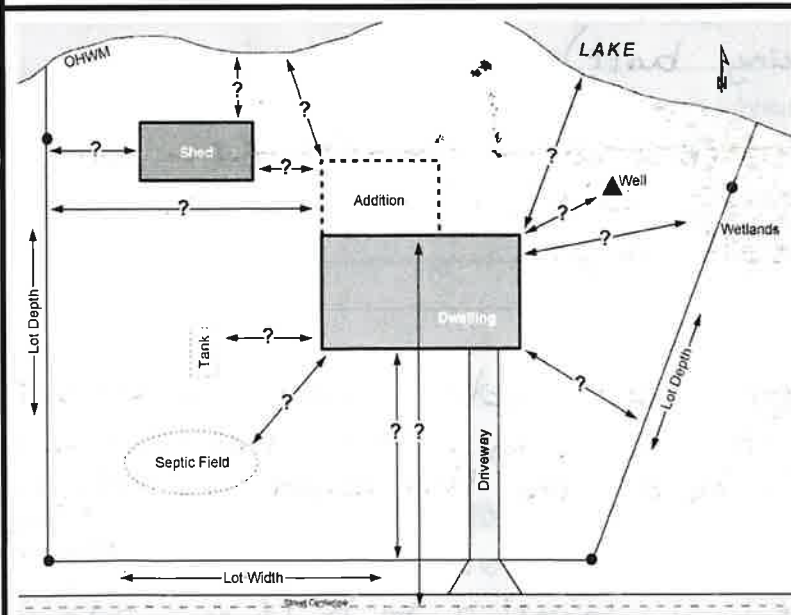
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and 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: 10-3-23

Daytime Contact Number (920) 207-6419

SITE PLANS AND BUILDING PLANS

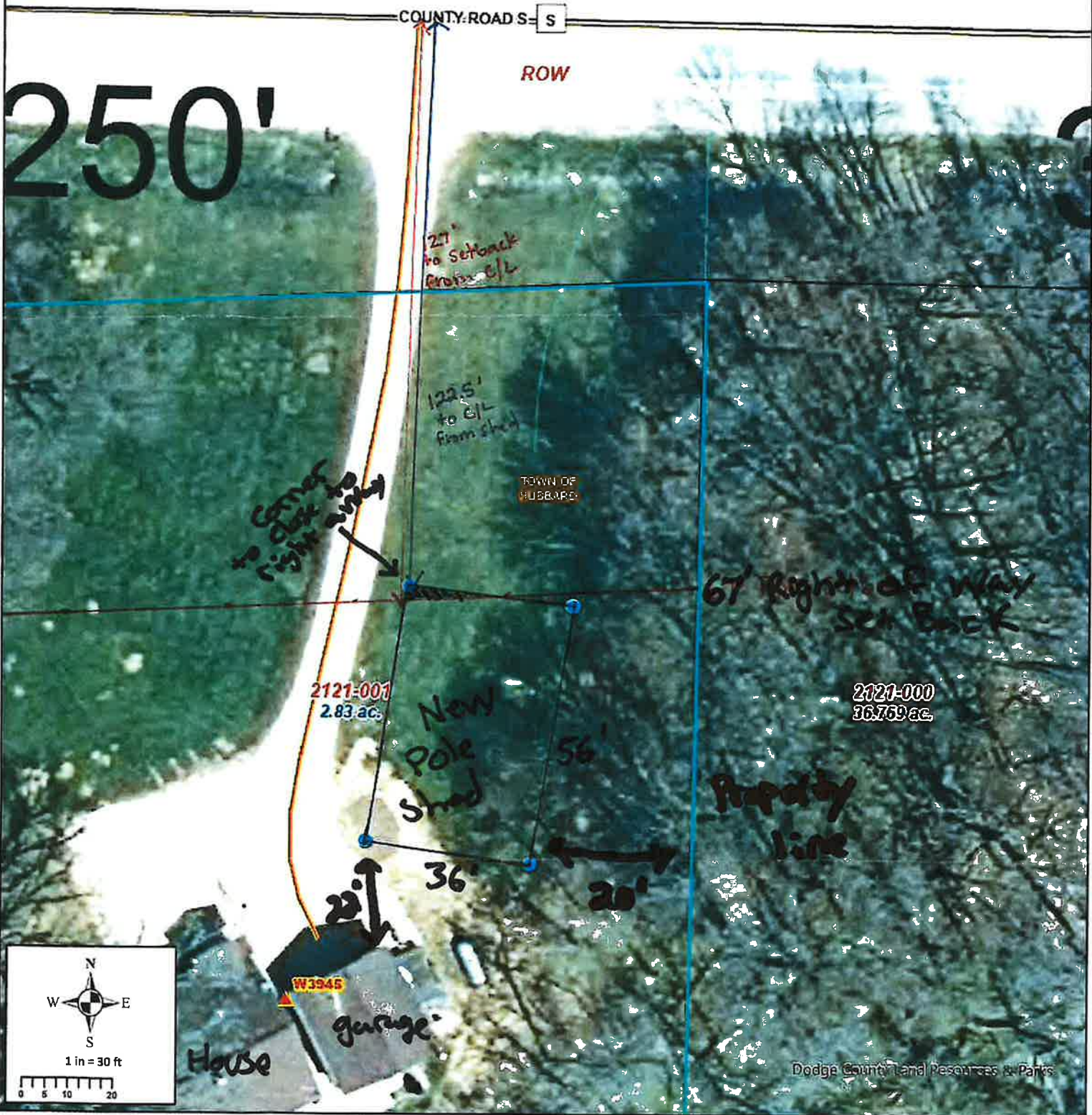
- All applications must be accompanied by a site plan. Figure 1 below is an example of an acceptable plan.



- 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)



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
Within setback	Mine Property Boundaries		Multi-Family Residential
			General Commercial
			Extensive Commercial
			Light Industrial
			Industrial
			Waterbody
			ROW/City/Village

Right of Way
Not Back

Right of Way
Not Back

11/11

11/11
11/11
11/11

11/11
11/11

11/11

11/11

11/11

11/11

11/11



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

COPY

September 25, 2023

Zachary Kaat
W3945 County Road S
Iron Ridge, WI 53035

RE: Notice of Permit Refusal- County ID #2023-0795
PIN# 022-1116-2121-001

Location: NE ¼, NW ¼, Section 21, T11N, R16E, Town of Hubbard, Dodge County, Wisconsin
the site address being W3945 County Road S.

Dear Mr. Kaat:

Your application for a permit to construct a 36'x56' shed 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:

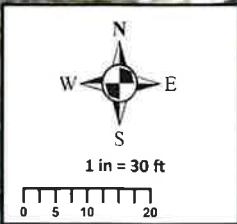
Subsection 4.6.4 and Table 5.1.2-2 of the Code refers to the required setbacks from public roads, streets and highways, within the Highway Setback Overlay District. For the specific section of County Road S along which the above noted project is to take place, the required setback varies from 123' - 127' feet from the centerline or 67' feet from the road right-of-way, whichever distance is greater. According to County records, the required setback at this location is 67' from the right-of-way of County Road S. The aforementioned project was constructed and located 62.5 feet from the right-of-way, not in compliance the Code provisions.

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 highway setback standards of the code. A variance application form has been enclosed for your review.

You have the right to appeal this decision to the Board of Adjustment. Such appeals shall be filed with the Land Resources and Parks Department within 30 days after the date of written notice of the decision or order of the review and decision making body. If you have any questions, feel free to give me a call.

Sincerely,

Morgan Wisth
Land Use /Sanitation Specialist



Dodge County Land Resources & Parks

<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 Within setback 	<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 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. 230795	Receipt No. 8042-0011
Permit Expiration Date	Application Date 9-15-23
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.) Zachary Kaat	Parcel Identification Number (PIN) 022-1116-2121-001										
Street Address W3945 county road S	Town HUBBARD										
City • State • Zip Code Iron Ridge, WI 53035	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">T</td> <td style="width: 25%; text-align: center;">N</td> <td style="width: 25%; text-align: center;">R</td> <td style="width: 25%; text-align: center;">E</td> </tr> <tr> <td style="text-align: center; font-size: 1.5em;">11</td> <td></td> <td style="text-align: center; font-size: 1.5em;">16</td> <td></td> </tr> </table>	T	N	R	E	11		16			
T	N	R	E								
11		16									
Property Owner <input checked="" type="checkbox"/> Same as applicant	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">NE ^{1/4}</td> <td style="width: 25%; text-align: center;">NW ^{1/4}</td> <td style="width: 25%; text-align: center;">Section</td> <td style="width: 25%; text-align: center;">Acreage</td> <td style="width: 25%; text-align: center;">Lot (Block)</td> </tr> <tr> <td style="text-align: center; font-size: 1.5em;">NE</td> <td style="text-align: center; font-size: 1.5em;">NW</td> <td style="text-align: center; font-size: 1.5em;">21</td> <td style="text-align: center; font-size: 1.5em;">2.83</td> <td></td> </tr> </table>	NE ^{1/4}	NW ^{1/4}	Section	Acreage	Lot (Block)	NE	NW	21	2.83	
NE ^{1/4}	NW ^{1/4}	Section	Acreage	Lot (Block)							
NE	NW	21	2.83								
Street Address	Subdivision or CSM (Volume/Page/Lot)										
City • State • Zip Code	Address Of Property (DO NOT include City/State/Zip Code)										
	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"/> Pool <input type="checkbox"/> Deck <input type="checkbox"/> Patio <input checked="" type="checkbox"/> Shed <input type="checkbox"/> Home <input type="checkbox"/> Porch <input type="checkbox"/> Fence <input type="checkbox"/> Riprap <input type="checkbox"/> Gazebo <input type="checkbox"/> Sidewalk <input type="checkbox"/> Driveway <input type="checkbox"/> Boathouse <input type="checkbox"/> Attached Garage <input type="checkbox"/> Detached Garage <input type="checkbox"/> Ag Ditch Cleanout <input checked="" type="checkbox"/> NEW STRUCTURE/CONSTRUCTION	<input type="checkbox"/> REPLACEMENT OF EXISTING <input type="checkbox"/> ADDITION TO AN EXISTING <input type="checkbox"/> Field Tile Installation <input type="checkbox"/> Pond (Less than 2 acres in size) <input type="checkbox"/> Sign (Complete additional project information below) <input type="checkbox"/> Barn (Complete additional project information below) <input type="checkbox"/> Home Addition (Complete additional project information below)
---	---

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

Other _____

Width 36' Length 56' Total Area 2016 sq ft Total Stories 1 Height (To roof peak) 19' Estimated Cost (w/Labor) \$ 30,000	Additional Project Information <u>Home Addition:</u> Total number of bedrooms? Before _____ After _____ <u>Barn Information:</u> Will it house any animals? If yes, complete Animal Units Worksheet. <u>Sign Information:</u> <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

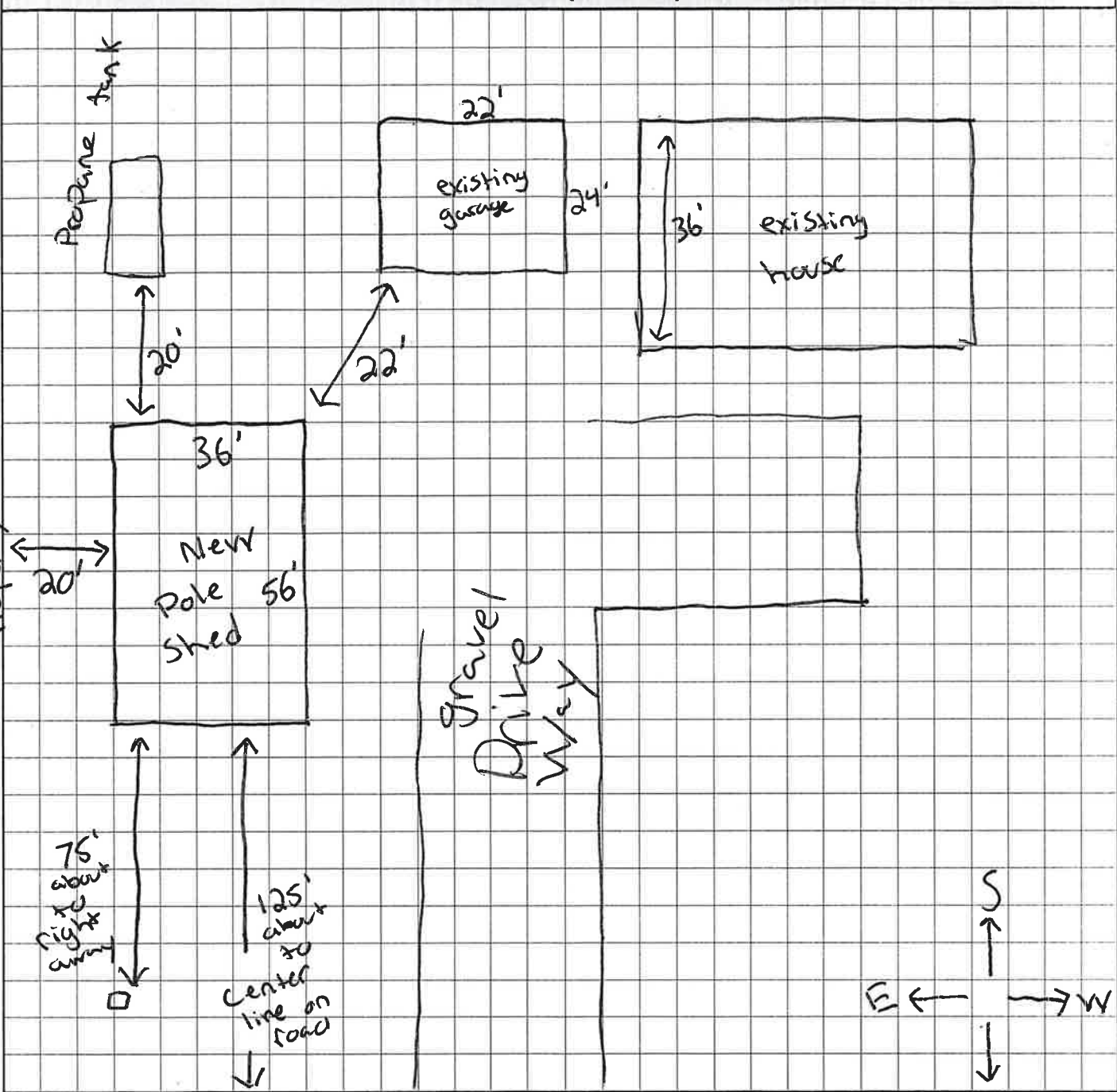
I, the undersigned, hereby apply for a Land Use Permit and certify that all the information both above and attached is true and correct to the best of my knowledge. I affirm that all work performed will be done in accordance with the Dodge County Land Use Ordinance and with all other applicable laws 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) Zachary Kaat Daytime Contact Phone (920) 207-6419 or Email: ZachKaat26@gmail.com

Signature [Signature] Date 9-9-23 Call for pickup No Yes

SITE PLAN (SKETCH)

Property line east side of property



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

BOA ID No. 2023-007x	BOA Appeal Date 10/6/23	BOA P/H Date 11/9/23	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

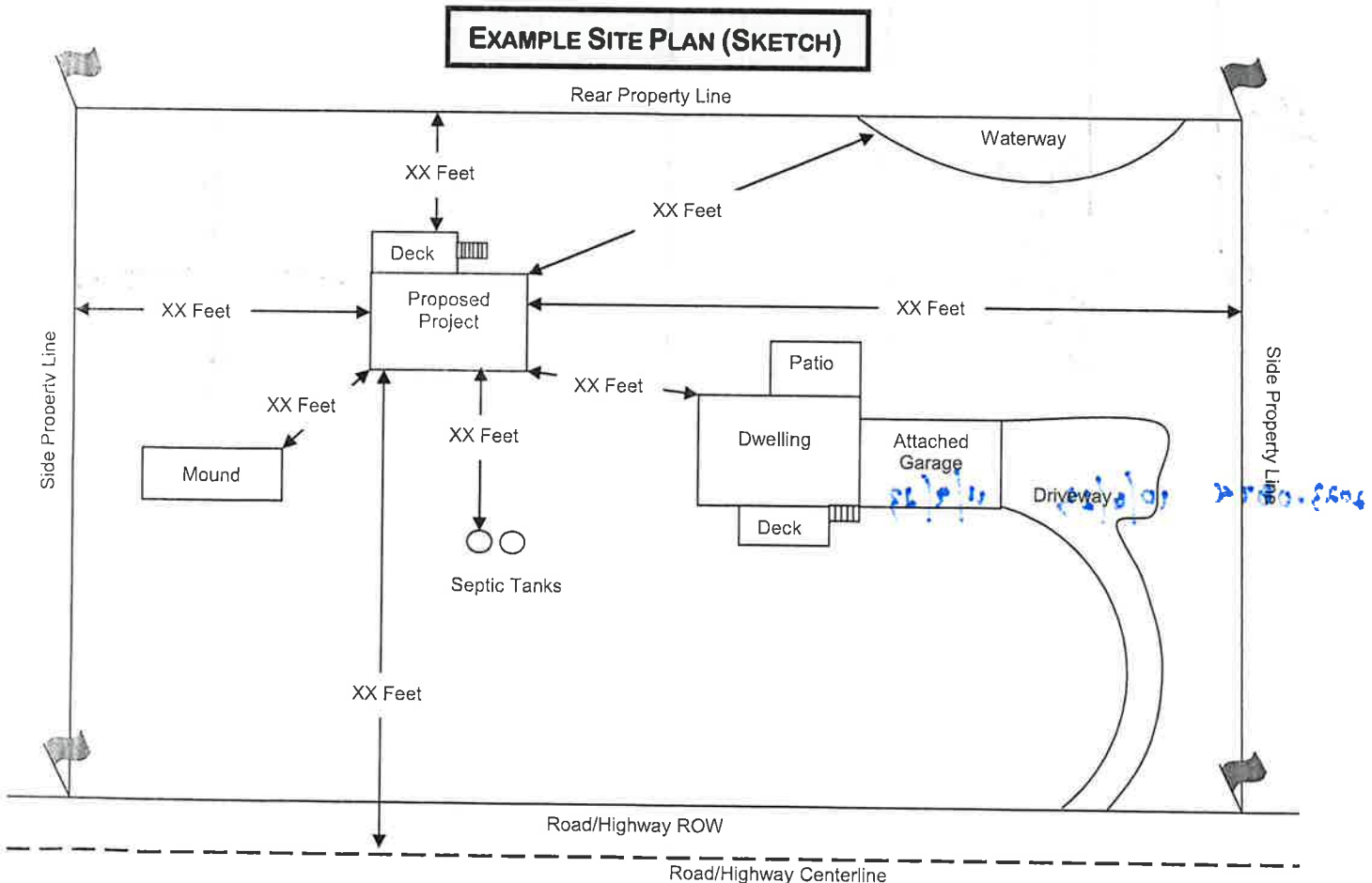
ALL applications must be accompanied by a site plan (sketch). You may use an aerial photo which can be obtained by using the Dodge County Web mapping tool at <http://dodgecowi.wqxtreme.com/>, the attached (blank) site plan or supply your own.

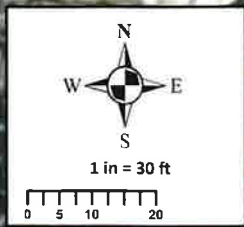
Where applicable, the site plan must show the setback or distance (either scaled or dimensioned) of the proposed project from such items as:

- ✓ 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)





Dodge County Land Resources & Parks

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

Town of Hubbard, Sec. 21

The data used to create this map is from public records, information, and data from local, county and state officials. This map is for advisory purposes only and should not be used for any legal purposes. Always consult with a professional before using this information.

168-001
BOSKOPF
20 ac

16

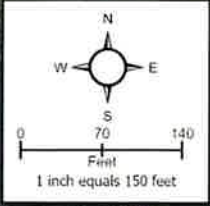
COUNTY ROADS S

Z. KAAT

1121-001
KAAT
20 ac

21

2121-002
REX
20 ac



LEGAL NOTICE FOR:

BOARD OF ADJUSTMENT

Hearing No. 5

Notice is hereby given that a public hearing will be held by the **Dodge County Board of Adjustment** on Thursday, November 9, 2023 at 8:00 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 **Marshall Wisth & Audrey Wisth** for a variance to the terms of the Highway Setback provisions of the Dodge County Land Use Code to allow construction of a 6' x 32' deck on an urbanized road, the required highway setback is 60 feet from its centerline or 27 feet from its right of way, whichever is the greatest distance of the two. According to County records there is 24.75 feet of right of way at this location. Therefore, required highway setback at this location is 60 from the centerline of County Road P. According to the application, the deck addition will begin approximately 27.5 feet from the centerline or 32.5 feet within the highway setback lines and therefore prohibited by the code.

The site located in part of the SE ¼, SE ¼, Section 31, T10N, R17E, Town of Rubicon, Dodge County, Wisconsin the site address being N4121 County Road P. 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 November 8, 2023.

Dated October 9, 2023

Dodge County Board of Adjustment
By William Nass, Chairman

Land Resources and Parks Department Staff Report

County Variance Application No. 2023-0879
County Land Use Permit Application No. 2023-0878
Filing Date: October 6, 2023
Hearing Date: November 9, 2023

Owner:

Marshall Wisth
Audrey Wisth
N1721 County Road P
Rubicon, WI 53078

Applicant (Agent):

Same

Location

PIN#: 038-1017-1044-009

Property Location: SE ¼, SE ¼, Section 31, T10N, R17E, Town of Rubicon, Dodge County, Wisconsin the site address being N4121 County Road P.

County Jurisdiction

The County has Jurisdiction over this site as the Town of Rubicon 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 construct a 6' x 32' deck that includes access by stairs and a ramp to the commercial building. According to County records, there is 24.75' right-of-way at this location. Therefore, the required highway setback at this location is 60' from the centerline of County Road P. According to the application, the deck addition will begin approximately 27.5 feet from the centerline or 32.5 feet within the highway setback lines and therefore prohibited by code.

Also, Subsection 10.3.2 of the Code allows additions and enlargements to existing nonconforming structures so long as they do not increase the extent of the nonconformity. Additions and enlargements are required to conform to the required provisions of the Code. In this case, the County considers the commercial building as a lawful existing non-conforming structure as it is presently located within the County Road P setback lines, the deck addition enlarges the extent of the nonconforming structure and therefore is 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 I-2 Industrial zoning district;

The property is presently being used for industrial use;

The physical features of this approximate 0.5 acre lot include a generally flat topography with slopes ranging from 2 to 6%. The parcel contains a landscaping business in the 1-story portion of the building (on the south side) and the 2-story portion of the building (on the north side) is currently vacant.;

There are three doors on the east side of the building (where the appellant is requesting the deck) that do not have reasonable access due to the difference in the grade.

The general character of the surrounding land use consists of residential homes with a few general commercial buildings south of the property;

On October 6, 2023 an application for a County Land Use Permit was made by the appellant in order they be allowed to construct a 6' x 32' deck;

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

Section 5.1.1 and Table 5.1-1 of the Code refer to the distances that all buildings and other structures are required to be setback from public roads. For this particular section of County Road P along which the above noted project is located, the required setback from the centerline is 60 feet. As proposed, the deck will be located approximately 27.5 feet from the centerline of County Road P, or 32.5 feet within the required highway setback line and therefore prohibited by the Code.

In addition, 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 commercial building 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 deck will extend laterally beyond the existing footprint of the nonconforming structure and will be located within the required highway setback line and therefore is prohibited by the Code.

The appellant is requesting an area variance to Sections 5.1.1 and Table 5.1-1, and 10.3.2 of the Land Use Code.

Town Recommendation:

Town recommends tabling, so they are able to meet on the subject and provide a recommendation

Purpose Statement

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

The purpose and intent of the nonconforming structure 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 Subsection 5.1.1, Table 5.1-1, and 10.3.2 of the code;

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

The 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 the structure would need to be removed for highway improvement, relocation or safety reasons.

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 projects prior to the approval of the land use permit.
2. All Federal, State and Local Municipality permits and approvals required for the proposed structures on this site shall be obtained for said projects prior to beginning construction.
3. A County Land Use Permit shall be obtained for the proposed construction projects prior to beginning construction of these projects.

Dodge County Board of Adjustment Decision

County Variance Application No. 2023-0879
County Land Use Permit Application No. 2023-0878
Filing Date: October 6, 2023
Hearing Date: November 9, 2023

Owner:
Marshall Wisth
Audrey Wisth
N1721 County Road P
Rubicon, WI 53078

Applicant (Agent):
Same

Location

PIN#: 038-1017-1044-009
Property Location: SE ¼, SE ¼, Section 31, T10N, R17E, Town of Rubicon, Dodge County, Wisconsin the site address being N4121 County Road P.

County Jurisdiction

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

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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 construct a 6' x 32' deck that includes access by stairs and a ramp to the commercial building. According to County records, there is 24.75' right-of-way at this location. Therefore, the required highway setback at this location is 60' from the centerline of County Road P. According to the application, the deck addition will begin approximately 27.5 feet from the centerline or 32.5 feet within the highway setback lines and therefore prohibited by code.

Also, Subsection 10.3.2 of the Code allows additions and enlargements to existing nonconforming structures so long as they do not increase the extent of the nonconformity. Additions and enlargements are required to conform to the required provisions of the Code. In this case, the County considers the commercial building as a lawful existing non-conforming structure as it is presently located within the County Road P setback lines, the deck addition enlarges the extent of the nonconforming structure and therefore is 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 5.1.1, Table 5.1-1, and 10.3.2 of the Code is an "area" variance.
(Yes / No) _____

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

(Yes / No) _____

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

(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 all 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 and nonconforming structure requirements of the code 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 requests by the appellant as proposed;
- Granted the variance requests by the appellant subject to the conditions listed above;
- Denied the variance requests 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.

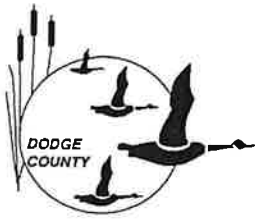
Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action in certiorari in the circuit court for this county within 30 days after the date of filing of this decision. The municipality assumes no 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 9, 2023

Marshall Wisth
Audrey Wisth
N1721 County Road P
Rubicon, WI 53078

RE: Determination of Application Completeness
Variance Application: #2023-0879
Property location: SE ¼, SE ¼, Section 31, T10N, R17E, Town of Rubicon, Dodge County, Wisconsin the site address being N4121 County Road P.

Dear Marshall Wisth;

The Dodge County Land Resources and Parks Department has received your Variance application to allow construct of a 6' x 32' Deck on an existing non-conforming structure. On a urbanized road, the required highway setback is 60 feet from its centerline or 27 feet from its right of way, whichever is the greatest distance of the two. According to County records there is 24.75 feet of right of way at this location. Therefore, required highway setback at this location is 60 from the centerline of County Road P. According to the application, the deck addition will begin approximately 27.5 feet from the centerline or 32.5 feet within the highway setback lines and therefore prohibited by the code.. On October 9, 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, November 9, 2023 at 8:00 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 2, 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. Ochs
Senior Land Use / Sanitary Specialist
tochs@co.dodge.wi.us
(920) 386-3270
Dodge County
Land Resources and Parks

Notice is hereby given that a public hearing will be held by the **Dodge County Board of Adjustment** on Thursday, November 9, 2023 at 8:00 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 **Marshall Wisth & Audrey Wisth** for a variance to the terms of the Highway Setback provisions of the Dodge County Land Use Code to allow construction of a 6' x 32' Deck. On a urbanized road, the required highway setback is 60 feet from its centerline or 27 feet from its right of way, whichever is the greatest distance of the two. According to County records there is 24.75 feet of right of way at this location. Therefore, required highway setback at this location is 60 from the centerline of County Road P. According to the application, the deck addition will begin approximately 27.5 feet from the centerline or 32.5 feet within the highway setback lines and therefore prohibited by the code.

The site located in part of the SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 31, T10N, R17E, Town of Rubicon, Dodge County, Wisconsin the site address being N4121 County Road P. 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 November 8, 2023.

Dated October 9, 2023

Dodge County Board of Adjustment
By William Nass, Chairman



**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. 230879	Issue Date:
Application Date: 10-6-2023	Receipt #: 8147-0025

Variance Application

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

Names and Mailing Addresses		Property Description						
Applicant (Agent) Marshall Wisth	Parcel Identification Number (PIN) 038-1017-1044-009							
Street Address N7721 Cty Rd P	Town Rubicon							
City • State • Zip Code Rubicon WI 53078	Subdivision or GSM #	SE ¹ / ₄	SE ¹ / ₄	Section 10	T 10	N 17	R 17	E
Property Owner (If different from applicant) Marshall / Audrey Wisth	Site Address →							
Street Address N4121 Cty Rd P	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
City • State • Zip Code Rubicon, WI 53078								

Present property use:

1 story portion is a service business, 2 story portion is vacant

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

None, Known.

Describe all nonconforming structures and uses on this property:

Zero lot line adbutting R.O.W. - nonconforming

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

10.3.2.B.3 does not meet setback requirements

Variance Requested:

Build a deck to make the building safely accesible, with stairs & ADA ramp.

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 2 story portion is inaccessible from the front because there is limited access to the front doors due to grade when the road was redone many years ago

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

The zero lot line on the Right of Way setback does not allow reasonable access to the front of the building because of the grade

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, if we cannot have uniform access to the building, it is not safely accessible, rendering the 2 story portion useless.

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

I believe the local community would love to see this historic building come back to life instead of sitting vacant, starting with safe accessibility.

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.

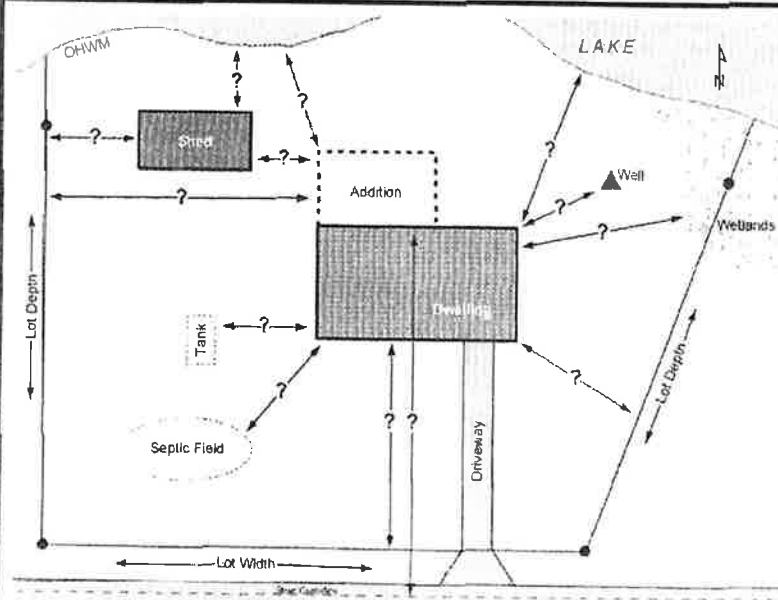
Signature of owner or authorized agent: _____

Date: 10/4/23

Daytime Contact Number (262) 573-2371

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)

115.2'

33'

CENTRELINE
OF HWY P

DRIVEWAY

"Two Story"

14"
GRADE TO
FLOOR

10

6'32"
DECK FOR
ADA RAMP

ACCESSIBILITY
INTO BUILDING

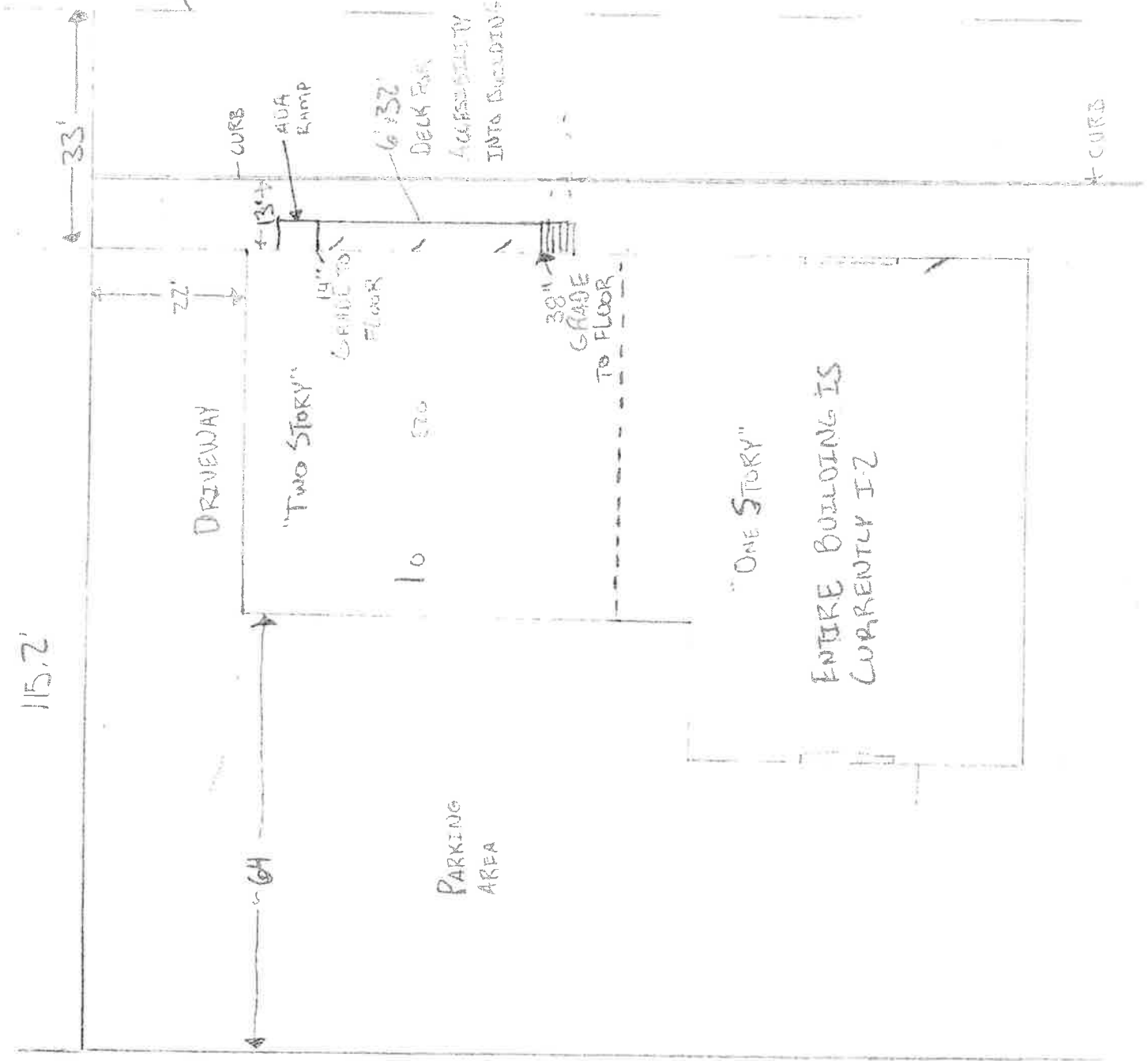
38"
GRADE
TO FLOOR

PARKING
AREA

"ONE STORY"

ENTIRE BUILDING IS
CURRENTLY I-2

CURB





*C.B. Hauser Saloon, 1893-95. Harness Shop to the left of the saloon.
Ed Wenninger, Joseph Hauser, William Hauser, Ben Hauser, August Hauser, Art Hauser.
The saloon was town down to make room for the Joseph Hauser Tavern and Store with an
apartment upstairs.*

In 1896, Joe contracted with William Schultz and John Baltes to build a 12 x 18 foot harness shop on the south side of the saloon. Joe's son, William, ran the saloon for the time that his father owned the building.

Hauser Bros. Store

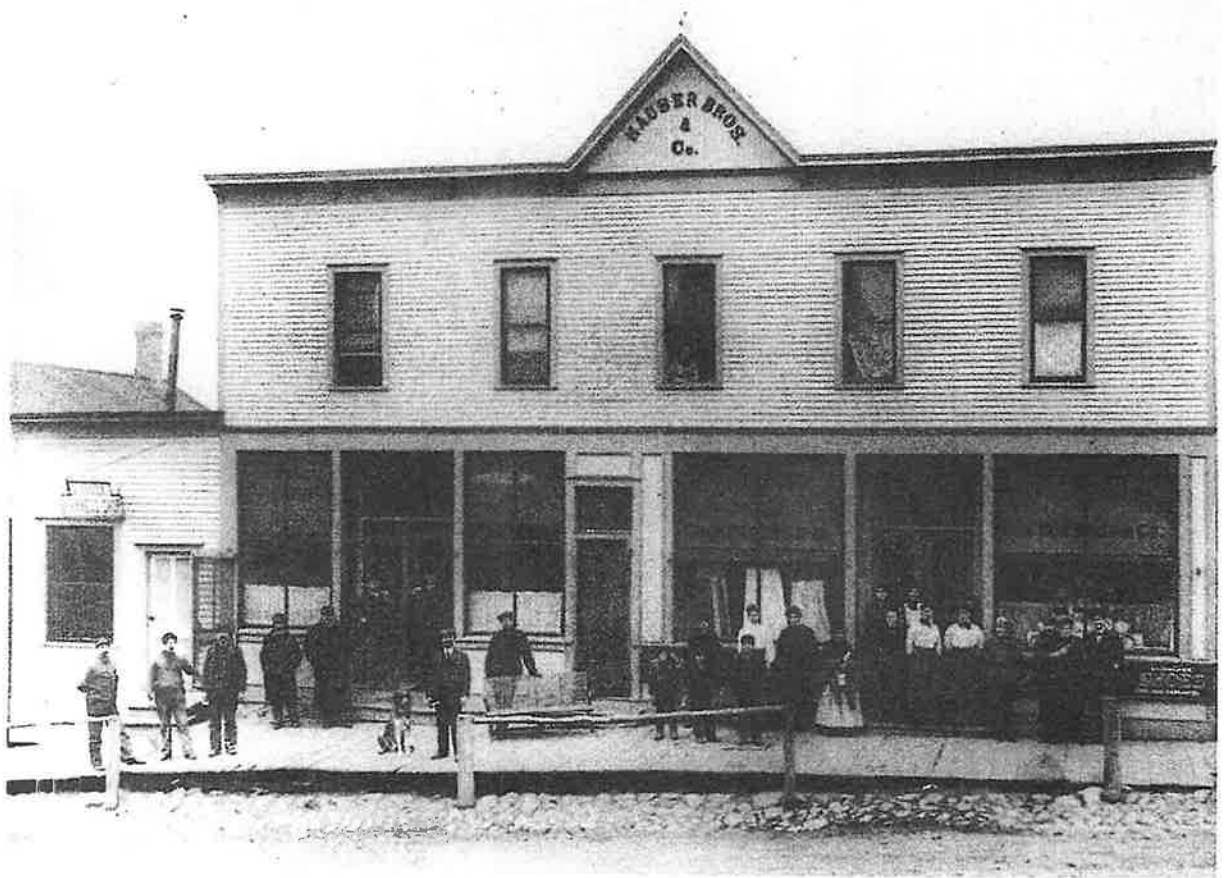
In 1900, William and his brother, Bernard, bought the property from their father. The previous year the brothers had demolished the old store. A new store and saloon were built on the same location, north of Joe's harness shop. It also included a new residence on the second floor where William and his wife, Clara, lived. The brothers called their business Hauser Bros. & Co.

A new, larger residence was needed for William and Clara's large family. In 1909, William bought the lot north of the store and saloon. An existing house on

this lot was moved across the street and became a sewing shop for William's sister, Kate Hauser.

A new house was built and completed in late 1909. Today we know the house as the large blue Victorian house, with all its character still preserved. William's other sister, Natalie (Hauser) Klose, served as the store clerk in the brothers' store. Natalie and her husband, Paul Klose, moved into the residence above the store upon the completion of William's new home.

Bernard sold his half of the business to William in 1918. That same year William bought the Old Opera House or Fireman's Dance Hall, located to the south, on Lot 7, Block 1. The Hauser building was extensively remodeled, combining the store, saloon, harness shop, and dance hall into one large building. It is how we find it today. Activities in the new building included movies, dances, roller skating, and



Hauser Bros. & Co.

the everyday business of the saloon.

William, upon retiring, had a complete store dispersal sale in 1919. With the passage of the Eighteenth Amendment in January 1920, the sale of alcoholic beverages was banned. The Hauser Saloon was converted into a soda fountain. Prohibition came to an end when the Eighteenth Amendment was repealed in 1933, and the Hauser Soda Fountain emerged again as a tavern.

Starting in 1934, William rented the building to the following people: Frank and Marie Hetzel, 1934-1936; Adolph Labuwi, 1937-1938; John and Emily Kennedy, 1938-1941; and Paul and Loretta Roessell, 1941-1947.

William Hauser died in 1941, while the Roessells were renting. They bought the Hauser building and house in 1946. In 1947, Jesse and Helen Peters bought the business and rented it to Michael and Ruth Maloff. They are thought to be the last tavern owners, closing it in the mid-fifties.

The building was then sold to the Stanga Cheese Company. The Stanga Cheese Company used the building as a warehouse and a garage. Today Joseph Stanga is the owner of the property. The William Hauser house was sold to Victor and Francis Holder in 1948. The Holders sold the house to Anthony and Bernadette Fetzer in 1950. In 1956, Bernadette's parents, Frank and Anna Schmitt, bought the property which stayed in the Schmitt family for an additional 22 years.

The Rubicon Dance Hall

by Marie (Hauser) Werner

The Rubicon Dance Hall was managed by William Hauser. Dances were held every two weeks on Sunday night, but never in Advent or Lent. The men paid admission, but the ladies were admitted for free. As many as 800 attended at times.

My father, Bernard (Ben) Hauser, would sit in a little ticket office in the south end of the dance hall and sell tickets.

William's wife, Clara, would have roasters full of roast beef for sandwiches. Uncle Willie would motor to Slinger on the Saturday before a dance to Gundry's Meat Market to purchase the meat. Jenny Hauser, Uncle Willie's daughter, and I would go along in Uncle Willie's Kissel car. That was a big trip!


As we were growing up (not old enough to go to

dances), we could watch the bands tune up, even until ten o'clock. I remember Harvey Melius' band. The bands often had their advertisement on cards. The words of songs were often on the reverse side of the cards. We learned the words to the songs from them.

Prohibition and the Depression hurt the business.

The dance hall originally was the Firemen's Hall. Among some of the other names for the hall were the Old Opera House and Hauser's Hall.

Besides dances, home talent plays, box socials, roller skating, etc., were held there. St. John's Catholic School held their plays and graduations there also.

Hartford Press - April 10, 1903: A fine new hardwood floor is being placed in the firemans hall this week. 



Rubicon Dance Hall.

Rubicon Fire Department

by Dorothy (Klink) Becker

In 1889, the Rubicon Fire Department built their first known firehouse and hall. It stood on Lot 7 of Block 1 in the Village of Rubicon next to the railroad tracks. An article in the *Hartford Press* dated October 25, 1899 read, "Attend the Firemen's Dance at the new hall Friday evening, and bring your best girl too. No pains will be spared to make this the pleasantest social event of the season."

The fire department was called the Hook and Ladder Company in 1891. The officers elected in 1895, were: John Sonnentag, Foreman; E.J. Labuwi and Anton Schreiber, Assistants; Joseph Sonnentag, Secretary; William Multhauf, Treasurer; and Nick Sonnentag and Mike Canar, Captains.

Hartford Press - January 16, 1896: "At a special meeting last Saturday evening our fire department ordered complete fire apparatus."

Hartford Press - October 18, 1900: "Remember the grand ball at the Firemen's Hall, October 29th, given by Ford's Orchestra."

Hartford Press - October 25, 1900: "Remember the orchestra ball at the Firemen's Hall, Monday evening, October 29th. A grand time is assured for all who attend. A cordial invitation is extended to everybody. Floor managers will be chosen from the audience present."

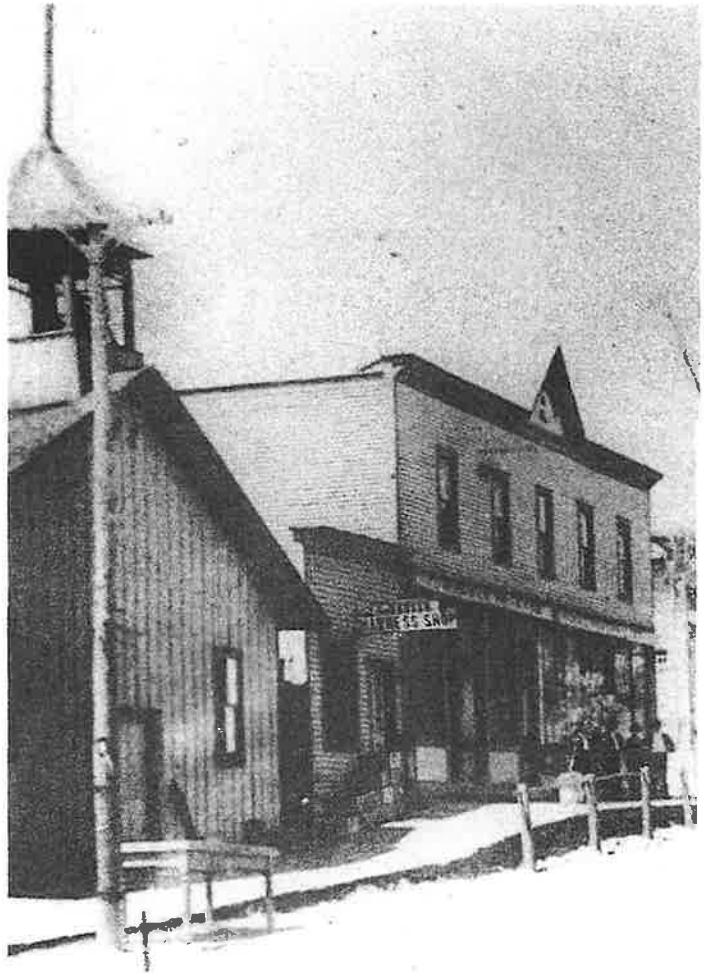
Hartford Press - January 9, 1902: "The annual fire meeting was held here last Saturday and the following officers elected: Foreman, John Sonnentag; Secretary, Nick Sonnentag; Treasurer, Wm. Moser."

Hartford Press - March 20, 1902: "A democratic caucus will be held in the Firemen's Hall, Tuesday, March 25th at 2 o'clock p.m. for the purpose of nominating suitable candi-

dates for the various town offices."

Hartford Press - March 27, 1902: "The fire apparatus, ladders, pails, etc., should be returned to the firehouse immediately after use. The proper officials should see to it and enforce such rules at the next meeting."

A new hardwood floor was installed in the Firemen's Hall in 1903. The hall was a place of many activities, such as: the firemen's dances, baseball dances, private parties, caucuses, musical entertainment,



Rubicon's first firehouse built in 1889.

The Story of The Rubicon Dance Hall

any other decade. German farmers cleared most of the wilderness. Most farms in the Rubicon township showed income from firewood in the 1860's and 1870's. Maple and oak firewood were an important commodity, not only for home heat, but also for the railroad. The Rubicon and Ashippun townships supplied most of the firewood for the railroad in the Dodge County vicinity for several years. A typical sale was a full cord of rough wood, delivered, which tallied up to one dollar.

The importance of wood sales was that it provided income while the land was being cleared of forests and rock. Starting in the mid-1870's, wood sales decreased and grain sales increased. Grain became the primary source of income until the turn of the century, when dairy farming became quite extensive.

The village was laid out on land owned by Stouton Rickard and Hiram Beckwith, Section 10; Chester Rickard, Section 11; and John Anderson, Section 14. Hiram Beckwith and Alfred Mead owned different parts of Section 15.

John Anderson is credited with building the first log house in the village vicinity in Section 14 in 1845. Mr. Anderson eventually owned land in both Sections 14 and 15.

General Stores

John Russell built the first frame house that also included the first store in the village in 1855, in Section 14. Russell's store was called W.I. Goods. It is thought that the W.I. stands for William Ives, probably a financial backer. Mr. Ives was a Town of Rubicon homesteader, emigrating from Connecticut, and living near Neosho. Goods meant dry goods, like flour, sugar, and other miscellaneous dry bulk items. It is not known how long Mr. Russell was in business. His business was still listed as the John Russell Store in 1883. John Russell died on January 23, 1883.

A blacksmith, Mr. John Sonnentag, purchased the Russell's store and house, in the 1880s. The property description is Lot 6, Block 7, which is now part of the Rubicon Oasis tavern south parking lot.

Charles O. Paige built the first general store in the village in 1856, purchasing a lot in the same year and an adjoining lot in 1857. This property adjoined the Russell property to the north. Today it is the location of the Rubicon Oasis tavern and south parking lot. It's on Lots 4 and 5, Block 7.

General stores usually sold groceries, dry goods, clothing, bolts of fabric, shoes, household and farm utensils, as well as small hardware items. The tenure of his store is not known, but Mr. Paige also bought Lot 4, Block 1 in 1860, which is north of the railroad tracks on the west side. Our last knowledge of Mr. Paige was in 1864 when he sold Lot 4 of Block 1 to a Michael Ford.

The STORY BEGINS HERE

Hersch Heine bought the southeast corner of Section 10, Lot 1, Block 4, from Hiram Beckwith in 1857. Today, Marty Pankow owns this location. It is thought that Mr. Beckwith had a building on this property. Mr. Heine also ran a general store at this location. Hersch was well known in the area and had a thriving business.

In 1860, he sold the store property and purchased Lots 5 and 6 in Block 1, north of the railroad tracks on the west side. It is believed that he built and ran a general store at this location until he sold it to Fred, Henry, and William Dunkel in 1868. After the sale of his store, Hersch Heine is lost in history, as his next destination is not known.

The Dunkels ran the store and also dealt in general merchandise. One of the Dunkels traveled the Rubicon area selling household goods, etc., out of a horse drawn carriage. Under their management the store continued until 1877, when it was sold to Mary Jane Hayburn, who was a relative of the Dunkels.

Mary Jane owned the store for twelve years, eventually selling to relatives, George and Martha Hayburn, in 1889. George and Martha operated the store until it was sold to C.B. Hauser in 1892. Upon purchasing the building, C.B. converted the store to a saloon, which he ran until he sold it to his uncle, Joseph Hauser, in 1895. Joe was a harness maker, making harnesses, bridles, and other leather products. He also became a large landowner.





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

COPY

10/09/2023

Marshall Wisth
Audrey Wisth
N1721 County Road P
Rubicon, WI 53078

RE: Notice of Permit Refusal
PIN# 038-1017-1044-009

Location: SE ¼, SE ¼, Section 31, T10N, R17E, Town of Rubicon, Dodge County, Wisconsin the site address being N4121 County Road P.

Dear Mr. Wisth:

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

Highway Setback Provisions of the Land Use Code:

Subsection 5.1.2.E and Table 5.1.2-2 of the Dodge County Land Use Code refers to the distances that all buildings and other structures are required to be setback from all streets and highways. On a urbanized road, the required highway setback is 60 feet from its centerline or 27 feet from its right of way, whichever is the greatest distance of the two. According to County records there is 24.75 feet of right of way at this location. Therefore, required highway setback at this location is 60 from the centerline of County Road P. According to the application, the deck addition will begin approximately 27.5 feet from the centerline or 32.5 feet within the highway setback lines and therefore prohibited by the code.

Expansion of a Nonconforming Structure:

Subsection 10.3.2 of the Code allows additions and enlargements to existing nonconforming structures so long as they do not increase the extent of the nonconformity. Additions and enlargements are required to conform to the required provisions of this code. In this case, the County considers your dwelling as a lawful existing non-conforming structure as it is presently located within the County Road P setback lines and the County believes that said structure was in existence prior to the adoption of the County Code. The proposed deck, which will be located within the highway setback lines, enlarges the extent of the nonconforming structure and therefore is 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 current standards of the code. A variance application form has been enclosed for your review.

You have the right to appeal this decision to the Board of Adjustment. Such appeals shall be filed with the Land Resources and Parks Department within 30 days after the date of written notice of the decision or order of the review and decision making body.

A variance request was filed on October 05, 2023 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.

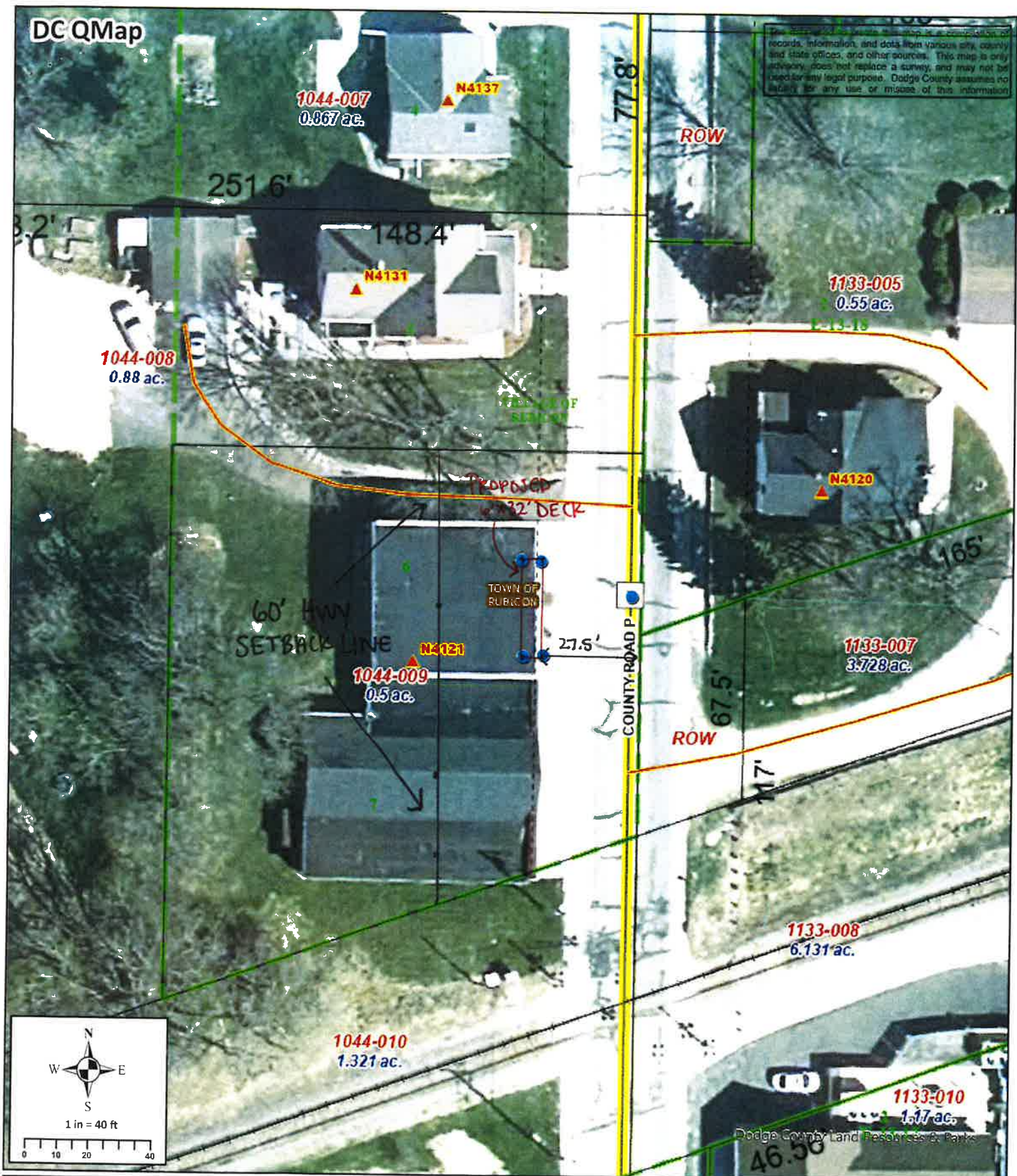
If you have any questions, feel free to give me a call.

Sincerely,



Morgan Wisth
Land Use/Sanitation Specialist

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



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

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.

230878

Receipt No.

8147-0024

Application Date

10-6-2023

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.) Marshall Wirth		Parcel Identification Number (PIN) 638-1017-104A-009				
Street Address N2721 Cty Rd P		Town Rubicon	T	N	R	E
City • State • Zip Code Rubicon WI 53078		1/4 SW	1/4 SE	Section 10	Acreage 1	Lot (Block) 17
Property Owner Marshall Wirth		<input type="checkbox"/> Same as applicant				
Street Address N4121 Cty Rd P		Address Of Property (DO NOT include City/State/Zip Code) N4121 County Rd. P				
City • State • Zip Code Rubicon WI 53078		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 type="checkbox"/> Single-Family Residential <input type="checkbox"/> Working Farm <input type="checkbox"/> Two-Family <input type="checkbox"/> Multi-Family <input checked="" type="checkbox"/> Business • Industrial • Commercial • (Use other below to describe) Other _____		<input checked="" type="checkbox"/> Same As Current Use (No Change) <input type="checkbox"/> Single-Family Residential <input type="checkbox"/> Two-Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Business • Industrial • Commercial • (Use other below to describe) Other _____				
PROPOSED CONSTRUCTION PROJECT						
(CHECK ALL THAT APPLY)						
*** (Building plans are required for new/replacement Homes) ***						
<input type="checkbox"/> Pool <input type="checkbox"/> Porch <input type="checkbox"/> Driveway <input type="checkbox"/> Field Tile Installation <input checked="" type="checkbox"/> Deck <input type="checkbox"/> Fence <input type="checkbox"/> Boathouse <input type="checkbox"/> Pond (Less than 2 acres in size) <input type="checkbox"/> Patio <input type="checkbox"/> Riprap <input type="checkbox"/> Attached Garage <input type="checkbox"/> Sign (Complete additional project information below) <input type="checkbox"/> Shed <input type="checkbox"/> Gazebo <input type="checkbox"/> Detached Garage <input type="checkbox"/> Barn (Complete additional project information below) <input type="checkbox"/> Home <input type="checkbox"/> Sidewalk <input type="checkbox"/> Ag Ditch Cleanout <input type="checkbox"/> Home Addition (Complete additional project information below)						
<input type="checkbox"/> Filling, Grading, Ditching, Dredging, Lagooning, and/or Excavating- Contact this office for assistance with determining type of permit needed Other _____						
Width 6'		Additional Project Information				
Length 32'		Home Addition: Total number of bedrooms? Before _____ After _____				
Total Area 192 ft²		Barn Information: Will it house any animals? If yes, complete Animal Units Worksheet.				
Total Stories _____		Sign Information: <input type="checkbox"/> Single-Sided <input type="checkbox"/> Double-Sided				
Height (To roof peak) _____		<input type="checkbox"/> Located On-Premise <input type="checkbox"/> Located Off-Premise				
Estimated Cost (w/Labor) \$ 4,000⁰⁰		<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?

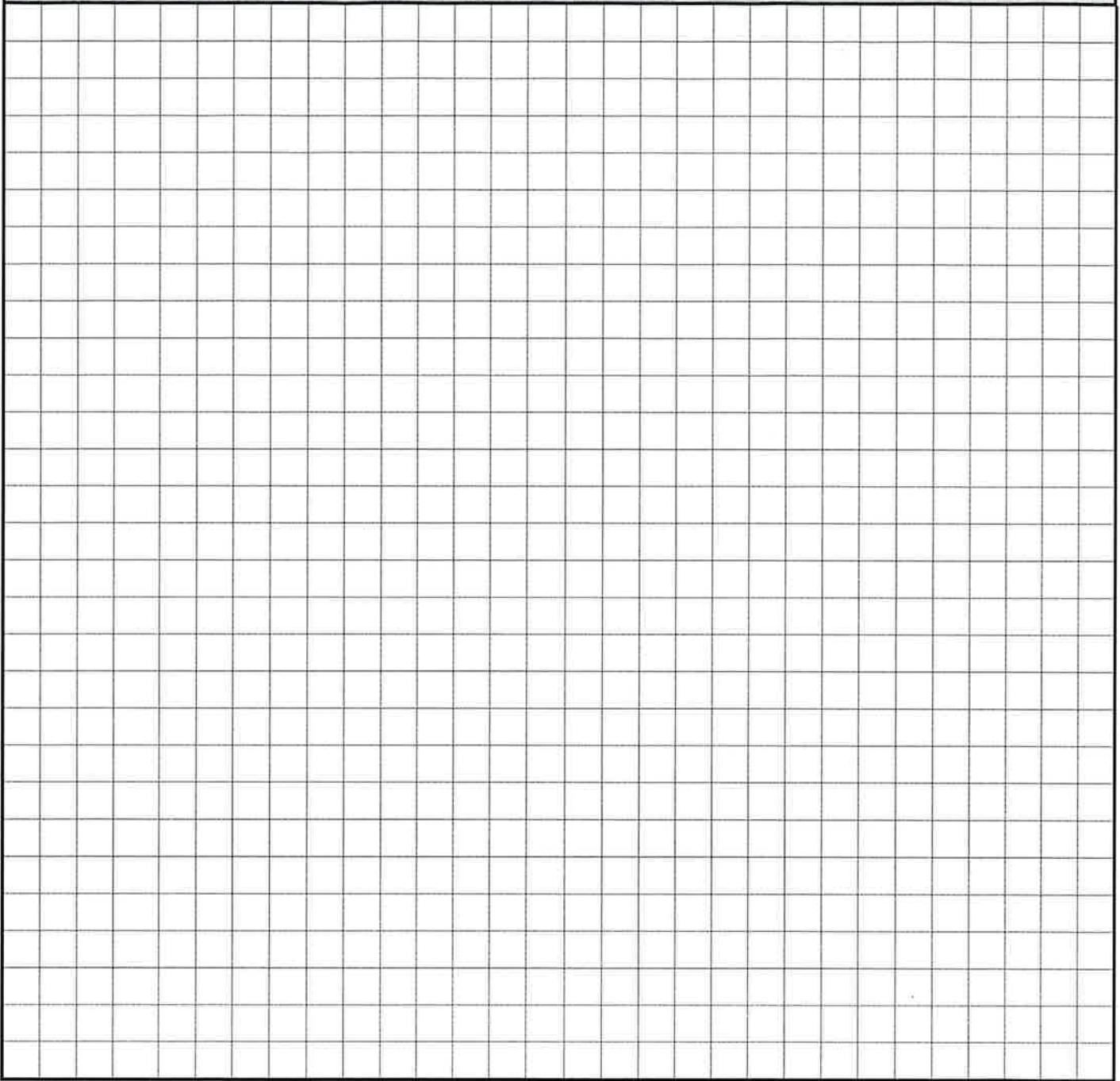
- NO ⇒ Sign and date application below.
 YES ⇒ A County **CONDITIONAL USE PERMIT (CUP)** may [also] be needed. Contact this office for assistance regarding the CUP process. Sign and date application below.

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) Marshall Wistner Daytime Contact Phone 762,573-2311 or Email: mwistn@walkersbuildings.com
 Signature [Signature] Date 10-6-23 Call for pickup No Yes

SITE PLAN (SKETCH)



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

BOA ID No. 2023-0879	BOA Appeal Date 10/6/23	BOA P/H Date 11/2/23	BOA Decision Date	BOA Decision <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
Notes/Stipulations: 10/9/2023 - Onsite - Denied - Sent denial letter				
<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

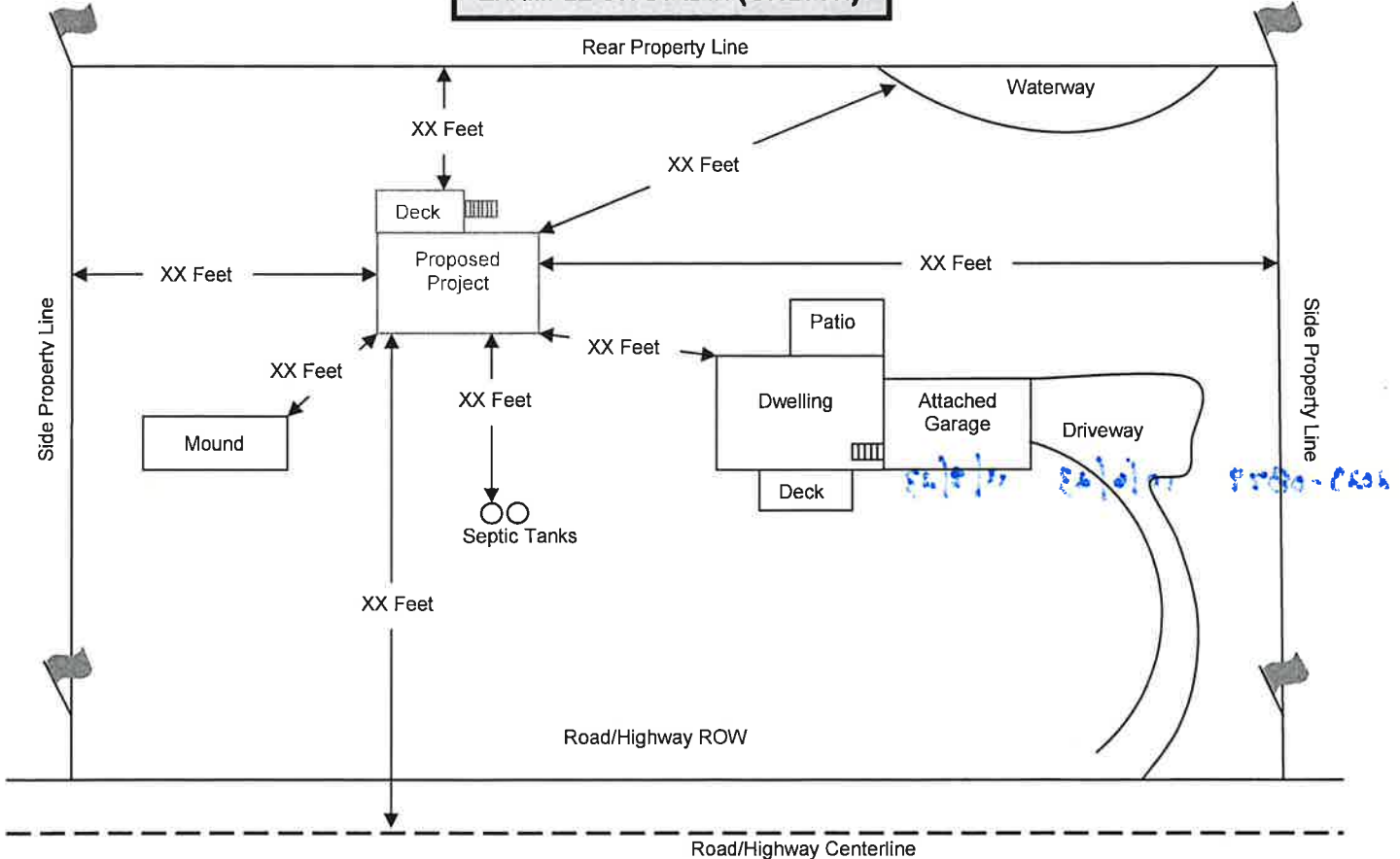
ALL applications must be accompanied by a site plan (sketch). You may use an aerial photo which can be obtained by using the Dodge County Web mapping tool at <http://dodgecowi.wgxtreme.com/>, the attached (blank) site plan or supply your own.

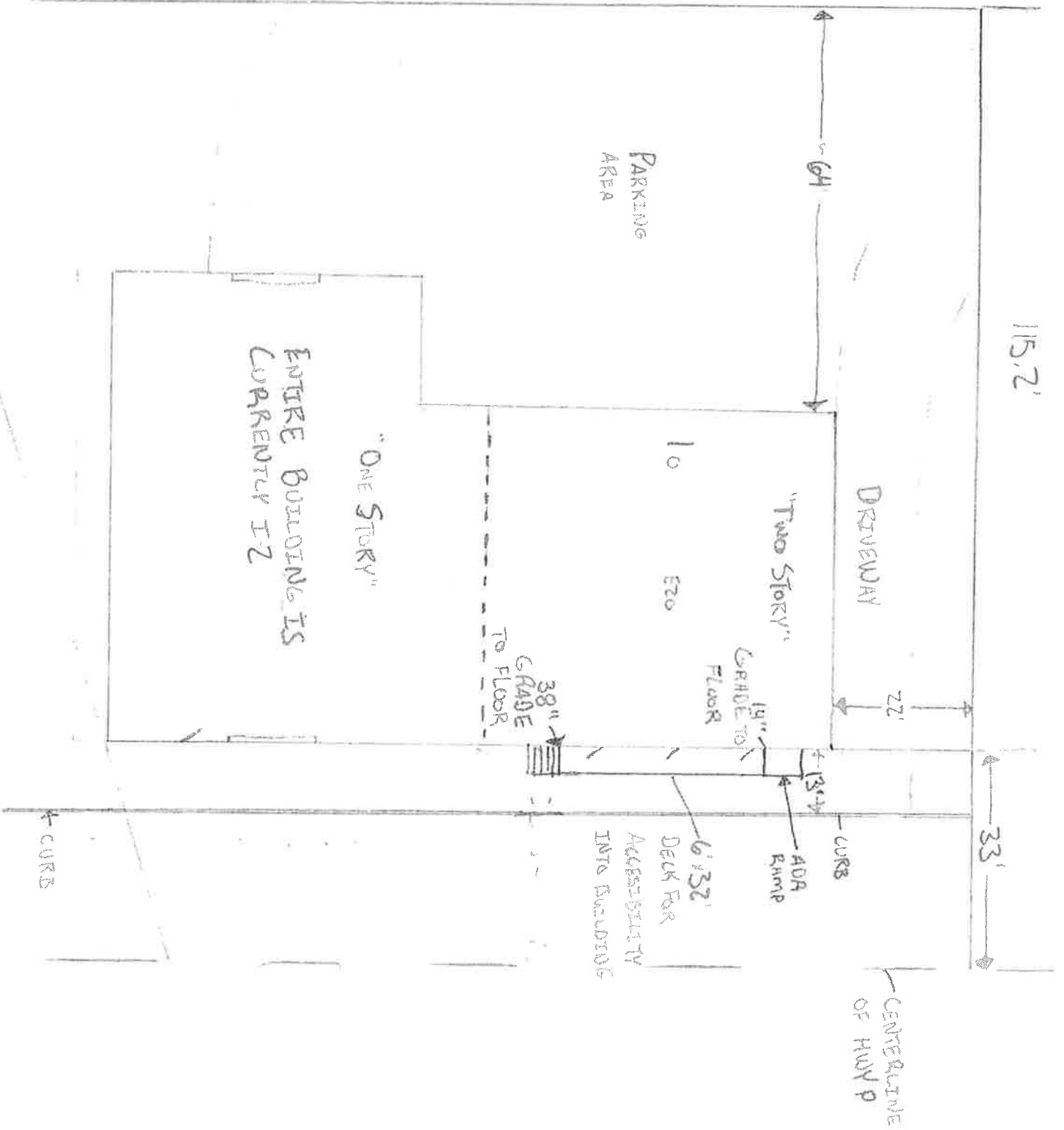
Where applicable, the site plan must show the setback or distance (either scaled or dimensioned) of the proposed project from such items as:

- ✓ 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.)

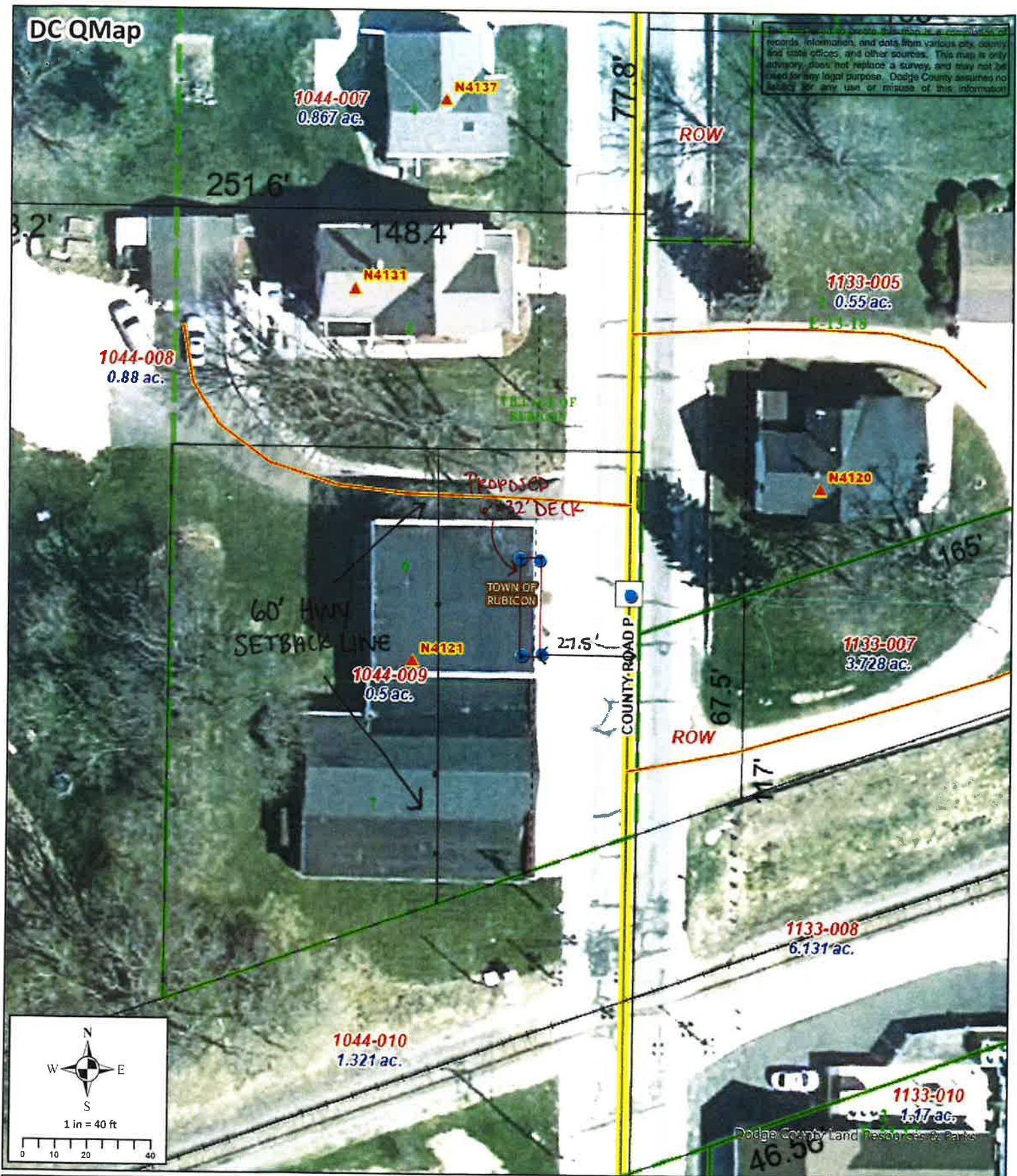
NOTE: Generally, setbacks (distances) greater than 200 feet can be estimated. Missing, ambiguous, imprecise or inaccurate information will result in delay in the review and/or issuance of the permit application.

EXAMPLE SITE PLAN (SKETCH)





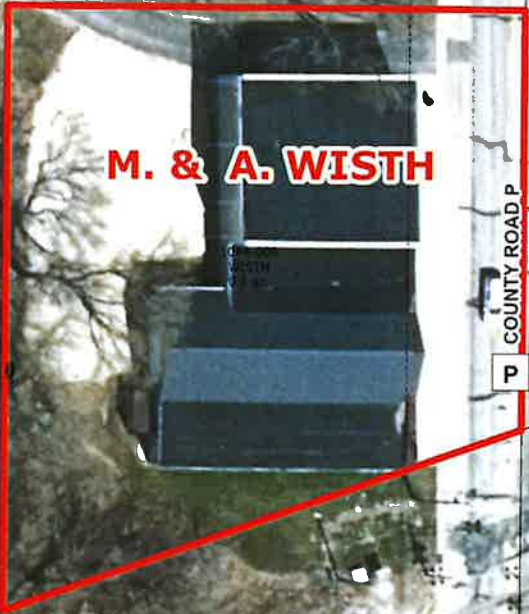
This map was created by a compilation of records, information, and data from various city, county, and state offices and other sources. This map is only advisory, does not replace a survey, and may not be used for any legal purpose. Dodge County assumes no liability for any use or misuse of this information.



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

Marshall & Audrey Wisth
Town of Rubicon, Sec. 10

The data used to create this map is a compilation of records information, including county, city, town and state offices, and is provided for informational purposes only. It does not constitute a warranty of accuracy and should not be used for any legal or financial purposes. Dodge County reserves the right to modify or update this information at any time without notice.



M. & A. WISTH

COUNTY ROAD P

P

1133-005
PA/KOV
10.6 ac.

1133-007
FECK
3.7 ac.

1133-008
WISCHAIN DOT
6.1 ac.

1133-010
GRANDE CHEESE COMPANY
1.2 ac.

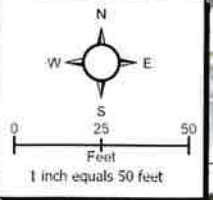
1044-007
WISCHAIN DOT
10.9 ac.

1044-010
WISCHAIN DOT
1.3 ac.

1044-011
PA/KOV
0.1 ac.

1044-013
HETZEL
0.2 ac.

1044-012
PA/KOV
0.4 ac.



DODGE COUNTY BOARD OF ADJUSTMENT MINUTES
November 2, 2023

The Dodge County Board of Adjustment met on this 2nd day of October 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: Jon Schoenike, William Nass, Larry Bischoff (1st Alt).

Members excused were Mark Othmer, Russell Kottke, William Nass, Brad Kufalks (2nd Alt.).

Terry Ochs and Andy O'Brion of the Land Resources and Parks Department were 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. O'Brion 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;

The minutes from the October 19, 2023 meeting were reviewed by the Board.

Motion by Jon Schoenike to approve the minutes as written.

Second By Larry Bischoff.

Vote: 3-0 Motion carried.

Chairman Nass requested Terry Ochs and Andy O'Brion of the Land Resources & Parks Department to accompany the Board on the following on-site inspections and to attend the Public Hearings on November 9, 2023.

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

1. **ANTHONY SIEBERT** - The site located in part of the NW 1/4 SW 1/4, Section 23, T13N, R13E, Town of Fox Lake, Dodge County, Wisconsin. (Address being N10643 Chief Kuno Trail)

2. **KEVIN HANKES, AGENT FOR STATE OF WISCONSIN (DNR)** - The site located in part of the NE 1/4 SE 1/4, Section 16, T13N, R13E, Town of Burnett, Dodge County, Wisconsin also known as all of Lot 9 Block 3, Part of Lot 6 & All of Lot 12 Block 4, & Part of vacated Center St all In Child's Add to Burnett Junction.

3. **RANDY & SHERYL YOUNG** - The site located in part of the NE ¼, SE ¼, Section 19, T09N, R17E, Town of Ashippun, Dodge County, Wisconsin. (Address being N1098 St John's Way)
4. **MARSHALL WISTH & AUDREY WISTH** - The site located in part of the SE ¼, SE ¼, Section 31, T10N, R17E, Town of Rubicon, Dodge County, Wisconsin. (Address being N4121 County Road P)
5. **MARSHALL WISTH & AUDREY WISTH** - The site located in part of the SE ¼, SE ¼, Section 31, T10N, R17E, Town of Rubicon, Dodge County, Wisconsin. (Address being N4121 County Road P)

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

Respectfully Submitted,

Mark Othmer, Secretary

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