

DODGE COUNTY BOARD OF ADJUSTMENT MINUTES
November 9, 2023

The Dodge County Board of Adjustment met on this 9th day of November at 7:00 p.m., in Rooms 1H and 1I on the 1st Floor of the Administration Building, located at 127 East Oak Street, Juneau, Wisconsin.

Chairman William Nass called the meeting of the Dodge County Board of Adjustment to order.

Roll Call was taken.

Members present were as follows: Mark Othmer, Jon Schoenike, William Nass, Larry Bischoff (1st Alt),.

Members excused were Russell Kottke, Rodney Justman, Brad Kufalks (2nd Alt.).

Andy O'Brion of the Land Resources and Parks Department was in attendance at the request of the chairman;

Non-Committee Member County Board Attendance: None

Chairman Nass noted that a quorum is present.

The Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Mr. O'Brion noted that the meeting was properly noticed in accord with the open meeting law and noted that the required notices for the public hearings listed on the agenda were posted, mailed and published in accord with the statute and code requirements.

The agenda was reviewed by the Board.

The minutes from the November 2, 2023 meeting were reviewed by the Board.

Motion by Jon Schoenike to approve the minutes with noted corrections.

Second by Larry Bischoff.

Vote: 4-0 Motion carried.

The staff explained the hearing procedures to those in attendance;

PUBLIC HEARING

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' from the road right of way or 52' from physical center of Chief Kuno Trail, or 8' 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' or .5' within the required 8' setback 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 of the water setback provisions of the Shoreland Protection Ordinance. The project will be 73' from the Ordinary High Water Mark of navigable waters or 2' 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)

Street Yard:

Motion by Jon Schoenike to approve project located 33' from the road right of way or 52' from physical center of Chief Kuno Trail, or 8' within the greatest required setback.

Second by Larry Bischoff.

Vote: 4-0 Motion carried.

Side yard:

Motion by Mark Othmer to approve the proposed structure to be located 7.5' or .5' within the required 8' side yard setback.

Second by Larry Bischoff.

Vote: 4-0 Motion carried.

Ordinary High Water Mark:

Motion by Jon Schoenike to deny variance request to allow the proposed construction to be 73' from the Ordinary High Water Mark of navigable waters or 2' within the required setback of a navigable body of water (Fox Lake) without mitigation.

Second by Larry Bischoff.

Vote: 4-0 Motion carried.

PUBLIC HEARING

KEVIN HANKES, 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' from the centerline of Cross St. As proposed the lift station and components will begin at approximately 31.5' from the centerline or approximately 28.5' 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.

Motion by Mark Othmer to approve the proposed lift station and components which will begin at approximately 31.5' from the centerline or approximately 28.5' within the required highway setback lines.

Second by Larry Bischoff.

Vote: 4-0 Motion carried.

PUBLIC HEARING

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' from its centerline or 42' 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' from the road right-of-way or 22' within the required highway setback line and 45' from the centerline or 30' within the required highway setback line and therefore prohibited by the code.

The site located in part of the NE 1/4, SE 1/4, Section 19, T09N, R17E, Town of Ashippun, Dodge County, Wisconsin. (Address being N1098 St John's Way)

Motion by Jon Schoenike to approve the proposed single-family residence and attached garage which will begin at approximately 20' from the road right-of-way or 22' within the required highway setback line and 45' from the centerline or 30' within the required highway setback line.

Second by Larry Bischoff.

Vote: 4-0 Motion carried.

PUBLIC HEARING

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' from its centerline or 67' from its right of way whichever is the greatest distance of the two. As proposed the shed will begin at approximately 62.5' from the road right-of-way or 4.5' within the required highway setback line and therefore prohibited by the code.

The site located in part of the NE ¼, NW ¼, Section 21, T11N, R16E, Town of Hubbard, Dodge County, Wisconsin. (Address being W3945 County Road S)

Motion by Mark Othmer to approve proposed the shed location which will begin at approximately 62.5' from the road right-of-way or 4.5' within the required highway setback line.

Second by Jon Schoenike.

Vote: 4-0 Motion carried.

PUBLIC HEARING

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' from its centerline or 27' from its right of way whichever is the greatest distance of the two. According to County records there is 24.75' 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' from the centerline or 32.5' 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. (Address being N4121 County Road P)

Motion by Mark Othmer to table to the December 14, 2023 public hearing to allow the Town of Rubicon further time to provide a recommendation.

Second by Jon Schoenike.

Vote: 4-0 Motion carried.

Motion by Mark Othmer to adjourn the meeting.

Second by Jon Schoenike.

Motion carried. 4-0

OTHER BUSINESS

1. None

Respectfully submitted,

Mark Othmer, Secretary

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