

LEGAL NOTICE FOR:

BOARD OF ADJUSTMENT

Hearing No. 1

Notice is hereby given that a public hearing will be held by the **Dodge County Board of Adjustment** on Thursday, May 16, 2024 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 **Timothy Wagner** - for a variance to the terms of the Setback and Impervious Surface provisions of the Dodge County Shoreland Protection Ordinance as well as the Flood storage provisions of the County Floodplain Zoning Ordinance, to allow the construction of an approximate 20' X 17' patio structure with a fire pit to remain on said property, where said patio was constructed without a permit, where said patio will be located approximately 73' within the required water setback lines, where said patio will exceed the maximum impervious surface area allowed for a residential lot and where said patio is located within a floodplain storage district, and therefore prohibited by the code.

The site is located in Lot 5, Block 1, Sinissippi Bay Subdivision, located in part of the NE ¼ of the NE ¼, Section 32, Town of Hubbard, the site address being N5243 Wildcat Road.

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 May 15, 2024.

Dated April 15, 2024

Dodge County Board of Adjustment
By William Nass, Chairman

Land Resources and Parks Department Staff Report

County Variance Application No. 2024-0173
County Land Use Permit Application No. 2024-0172
Filing Date: March 26, 2024
Hearing Date: May 16, 2024

Appellant / Owner:
Timothy Wagner
N5243 Wildcat Road
Iron Ridge, WI 53035

Location

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

PIN# 022-1116-3211-009

Location: Lot 5, Block 1, Sinissippi Bay Subdivision, located in part of the NE ¼ of the NE ¼, Section 32, Town of Hubbard, the site address being N5243 Wildcat Road.

County Jurisdiction

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

The County has Floodplain jurisdiction over this site as portions of the site are designated as floodplains on the maps listed in Section 1.5(2)a of the Dodge County Floodplain Zoning Ordinance.

Appellants Request

On March 26, 2024, an after-the-fact application for a County Land Use Permit (LUP # 2024-0172) and a County Variance Request (CTY ID # 2024-0173) was submitted by the appellant to allow an approximate 20' X 17' patio structure with a fire pit to remain on said property, where said patio was constructed without a permit, where said patio will be located approximately 73' within the required water setback lines, where said patio will exceed the maximum impervious surface area allowed for a residential lot and where said patio is located within a floodplain storage district.

Review Criteria

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

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 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 (Lake Sinissippi).

The County also has Floodplain jurisdiction over this site as portions of the site are designated as floodplains on the maps listed in Section 1.5(2)a of the Dodge County Floodplain Zoning Ordinance. Portions of the site are also located within the Flood Storage District.

On August 26, 2019, and on several dates thereafter, the appellant was notified by the Department that he was in violation of the Dodge County Shoreland Protection Ordinance and the Dodge County Floodplain Zoning Ordinance for the construction of a patio and fire pit on this property and for filling and grading within a floodplain associated with the construction of the patio without the required Dodge County permits and approvals.

In an attempt to resolve the violations, on March 26, 2024, an after-the-fact application for a County Land Use Permit (LUP # 2024-0172) and a County Variance Request (CTY ID # 2024-0173) was submitted by the appellant to allow an approximate 20' X 17' patio structure with a fire pit to remain on said property, where said patio was constructed without a permit, where said patio will be located approximately 73' within the required water setback lines, where said patio will exceed the maximum impervious surface area allowed for a residential lot and where said patio is located within a floodplain storage district.

This land use permit (LUP # 2024-0172) was denied by the County Land Use Administrator for the following reasons:

Shoreland Ordinance Provisions:

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 (OHWM) of a navigable body of water. According to this provision, 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 patio structure will be located approximately 3 feet from the OHWM of Lake Sinissippi or 72 feet within the minimum required water setback and is therefore prohibited by the Ordinance.

Subsection 9.4, of the Shoreland Protection Ordinance refers to the impervious surface area standards for highly developed shorelines. For shoreland properties where the impervious surface area standard for highly developed shorelines applies, a property owner may have not more than 30% impervious surface area on a lot used for residential use. As proposed the impervious surface area for this lot, after the patio is constructed, will be 3917.8 sq. ft. or 40.88% of total lot coverage, 1042.84 sq. ft. more than allowed by the Ordinance and therefore prohibited by the Ordinance.

Floodplain Zoning Ordinance Provisions:

According to the Dodge County Flood Storage District Maps (panel #5) a portion of the patio is located within a Flood Storage District.

Per Section 5.2(3) of the Dodge County Floodplain Zoning Ordinance, proposed development located within in a flood storage district shall not cause any increase in the height of the regional flood and no development shall be allowed which removes flood storage volume unless an equal volume of storage shall be provided in the immediate area to compensate for the volume of storage which is lost. According to County records, no floodplain documentation was submitted with the land use permit application to show compliance with this code provision.

The owner/applicant is required to provide documentation to this office that is sufficient to determine that the proposed fill associated with the construction of the patio will not cause an obstruction to flow, will not result in an increase in the regional flood height or discharge according to section 2.1 of the Floodplain Zoning Ordinance and does not remove flood storage volume unless an equal volume of storage is provided in the immediate area of the development project. If a variance is granted to allow the proposed project, the applicant will be required provide this documentation prior to the issuance of any land use permit for the proposed project.

The property is presently being used for residential use by the appellant and has been so used continuously since December 16, 1991.

The patio structure does not qualify for a reduced water setback under Section 6.2 of the Shoreland Protection Ordinance as the patio structure is considered an accessory structure which does not qualify for a reduced water setback.

The physical features of this approximate 0.22 acre lot (9582.2 square feet) include a steep sloping topography towards the lake with slopes ranging from 10-20%. The parcel contains a residence, garage, boat house and a illegally constructed patio with a fire pit.

The County considers the patio structure that was constructed without a land use permit and was constructed in violation of the Dodge County Shoreland Protection Ordinance and the Dodge County Floodplain Ordinance as an illegal non-conforming structure.

The general character of the surrounding land use consists of residential use along the shoreline of Lake Sinissippi.

The property includes the following a nonconforming structure.

- The residence on this lot is located within the required water setback lines. The structures on this lot exceed the maximum allowed impervious surface area for this residential lot.

The property has not been the subject of a prior appeal / variance.

Impervious surface area calculations:

- According to County records, the lot contains 9582.2 square feet of area located within 300 feet of the OHWM of Lake Sinissippi.
- Based on the staff inspection, the existing impervious surface area located on this lot, not including the patio structure, is 3567.8 square feet. The existing impervious surface area on this lot covers approximately 37.23% of the lot or 693 square feet more than allowed by the Ordinance.
- The total impervious surface area on the lot after the 20' X 17.5' patio (350 square feet) was constructed is 3917.8 square feet. The total impervious surface area after the construction of the patio structure will cover 40.88% of the lot or 1043.14 square feet more than allowed by the Code.

The appellant is requesting an area variance to Section 6.1, (water setback provisions) and an area variance to Section 9.4, (impervious surface area provisions) under the Dodge County Shoreland Protection Ordinance.

Purpose Statement

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

The purpose of the impervious surface standards of the Ordinance are to establish impervious surface standards to protect water quality, fish and wildlife habitat and to protect against pollution of navigable waters.

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

Staff Advisory:

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

The staff believes that the appellant is requesting an area variance to Section 6.1, (water setback provisions) and an area variance to Section 9.4, (impervious surface area provisions) under the Dodge County Shoreland Protection Ordinance.

The staff points out that this is an after the fact variance request as the appellant has constructed the patio and fire pit structure without the required permits, the existing structures on this lot (without the patio structure) already exceed the maximum allowed impervious surface area for a residential lot and the appellant has located the structure within the required water setback lines in violation of the Code. The Board should review this request as if the patio and fire pit structure does not exist.

The staff points out that the Board does not have summary power to ignore the water setback and impervious surface area 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 Ordinance regulations would result in an unnecessary hardship, that the hardship is due to special conditions that are unique to the property rather than considerations personal to the property owner, that the unnecessary hardship was not created by the property owner and if granted, that the variance would not be contrary to the public interest.

Water Setback Request

The purpose of the Shoreland Protection Ordinance provisions are to enforce a uniform setback from the water that preserves the public interest in shorelands and navigable waters of the State which results from uncontrolled use and development of the shorelands. It is the staff's position that ignoring the required water setback provisions of the Code and allowing the construction of a patio within the water setback lines at the proposed location is not consistent with the purpose of the water setback provisions of the Ordinance and the cumulative effect of allowing construction to occur within the required water setback will result in the degradation and deterioration of the waterbody and the shoreland which is not in the best interest of the adjacent land owners, the public or the community. It is the staff's position that that the Board will be unable to make the findings that are necessary in order to grant a variance to the water setback provisions of the Ordinance.

Impervious Surface Area Request

It is the staff's position that ignoring the required impervious surface area provisions of the Ordinance for this site would not be consistent with the purpose and intent of the Ordinance and the cumulative effect of allowing the construction to exceed the maximum impervious surface area allowed on this lot will result in the degradation and deterioration of the waterbody and the shoreland which is not in the best interest of the adjacent land owners, the public or the community. It is the staff's position that that the Board will be unable to make the findings that are necessary in order to grant a variance to the impervious surface area standards of the Shoreland Protection Ordinance and therefore the variance request should be denied.

Floodplain Zoning Ordinance Provisions:

The owner/applicant is required to provide documentation to this office that is sufficient to determine that the proposed fill associated with the construction of the patio will not cause an obstruction to flow, will not result in an increase in the regional flood height or discharge according to section 2.1 of the Floodplain Zoning Ordinance and does not remove flood storage volume unless an equal volume of storage is provided in the immediate area of the development project. If the Board is able to make the findings necessary in order to approve a variance, a condition should be placed on the approval to require the appellant to provide the required documentation prior to the issuance of any land use permit for the proposed project.

Dodge County Board of Adjustment Decision

County Variance Application No. 2024-0173
County Land Use Permit Application No. 2024-0172
Filing Date: March 26, 2024
Hearing Date: May 16, 2024

Appellant / Owner:
Timothy Wagner
N5243 Wildcat Road
Iron Ridge, WI 53035

Location

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

PIN# 022-1116-3211-009

Location: Lot 5, Block 1, Sinissippi Bay Subdivision, located in part of the NE ¼ of the NE ¼, Section 32, Town of Hubbard, the site address being N5243 Wildcat Road.

County Jurisdiction

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

The County has Floodplain jurisdiction over this site as portions of the site are designated as floodplains on the maps listed in Section 1.5(2)a of the Dodge County Floodplain Zoning Ordinance.

Appellants Request

On March 26, 2024, an after-the-fact application for a County Land Use Permit (LUP # 2024-0172) and a County Variance Request (CTY ID # 2024-0173) was submitted by the appellant to allow an approximate 20' X 17' patio structure with a fire pit to remain on said property, where said patio was constructed without a permit, where said patio will be located approximately 73' within the required water setback lines, where said patio will exceed the maximum impervious surface area allowed for a residential lot and where said patio is located within a floodplain storage district.

CONCLUSIONS OF LAW

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

ORDINARY HIGH WATER MARK SETBACK

The appellants request to Subsection 6.1 of the Ordinance to allow a patio, fire pit, and attached , and attached shed on this site where said patio, fire pit and supported structures **within the water setback lines is an "area" variance.**

(Yes / No) _____

1) **Is there a physical limitation that is unique to this property that prevents the appellant from locating a patio, fire pit, and attached Pergola, and attached shed on this site where said patio, fire pit and supported structures structure in compliance 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 _____

3) **What hardship exists if the variance requests are denied?**

Explain _____

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

Explain _____

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

(Yes/No)

6) **Does the Board believe that the variance requests meets all of the criteria in Section 14.76 of the County Shoreland Protection Ordinance in order to grant a variance in this case?**

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)

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

Motion second _____

Vote

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

Motion (Carried / Denied)

IMPERVIOUS SURFACE

The appellants request to Subsections 9.3 and 9.5 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 impervious surface area provisions of the code?**

(Yes / No)

Explain _____

2) **Does the appellant have other options available to construct a Detached Garage in compliance with the impervious surface area requirements of the Ordinance?**

(Yes / No)

Explain _____

3) **What hardship exists if the variance is denied?**

Explain _____

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

Explain _____

5) **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 impervious surface area request for review and approval by the Land Use Administrator prior to the issuance of the County Land Use Permit.

Others

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

(Yes/No)

7) **Does the Board believe that the variance request to the impervious surface area and mitigation provisions of the Ordinance meets all of the criteria in Section 14.7(6) 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)

Impervious surface area and Mitigation Provisions Request:

Motion by _____ to (approve / deny) the variance request to the Impervious surface area and mitigation requirements 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
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Sharon Schumann (2 nd Alternate)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
William Nass	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present

Motion (Carried / Denied)

ORDER AND DETERMINATION

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

- Granted the variance requests 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.

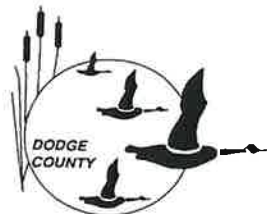
Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action in certiorari in the circuit court for this county within 30 days after the date of filing of this decision. The municipality assumes no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

April 15, 2024

Timothy Wagner
N5243 Wildcat Road
Iron Ridge, WI 53035

RE: Determination of Application Completeness
Variance Application: #2024-0173
Property location: Lot 5, Block 1, Sinissippi Bay Subdivision, located in part of the NE ¼ of the NE ¼, Section 32, Town of Hubbard, the site address being N5243 Wildcat Road.

Dear Timothy Wagner;

The Dodge County Land Resources and Parks Department has received your Variance application to allow the construction of an approximate 20' X 17' patio structure with a fire pit to remain on said property, where said patio was constructed without a permit, where said patio will be located approximately 73' within the required water setback lines, where said patio will exceed the maximum impervious surface area allowed for a residential lot and where said patio is located within a floodplain storage district. On April 9, 2024, 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, May 16, 2024 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 May 9, 2024 to review the site and the proposed construction project. Please make sure that the proposed construction project is staked out so that the Board can review your proposal. Your attendance during the on-site visit is not required.

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

Sincerely,

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



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

THIS AREA FOR OFFICE USE ONLY	
Activity No. 240173	Issue Date:
Application Date: 3-26-24	Receipt #: 9182-00016

Variance Application

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

Names and Mailing Addresses		Property Description																	
Applicant (Agent) <i>Timothy P. Wagner</i>	Parcel Identification Number (PIN) <i>022-1116-3211-009</i>																		
Street Address <i>N5243 Wildcat Road</i>	Town <i>Hubbard</i>																		
City • State • Zip Code <i>Iron Ridge, WI 53035</i>	<table border="1"> <tr> <td>¼</td> <td>¼</td> <td>Section</td> <td>T</td> <td>N</td> <td>R</td> <td>E</td> </tr> <tr> <td><i>NE</i></td> <td><i>NE</i></td> <td><i>32</i></td> <td><i>1</i></td> <td><i>1</i></td> <td><i>1</i></td> <td><i>6</i></td> </tr> </table>	¼	¼	Section	T	N	R	E	<i>NE</i>	<i>NE</i>	<i>32</i>	<i>1</i>	<i>1</i>	<i>1</i>	<i>6</i>				
¼	¼	Section	T	N	R	E													
<i>NE</i>	<i>NE</i>	<i>32</i>	<i>1</i>	<i>1</i>	<i>1</i>	<i>6</i>													
Property Owner (If different from applicant) <i>Same</i>	Subdivision or CSM # <i>—</i>																		
Street Address <i>Same</i>	Site Address <i>N5243 Wildcat Road</i>																		
City • State • Zip Code <i>Same</i>	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																		

Present property use:

Residential

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

None

Describe all nonconforming structures and uses on this property:

Preexisting Fire Pit

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

Per Subsection 1.4.4 / Per Subsection 11.2.1

Per Subsection 7.1 (2) / Per Subsection 9.0

Per Subsection 14.2 / Per Subsection 15.1 (1b) & 15.1 (1e)

Variance Requested:

To Allow pervious/permeable patio to remain.

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?

Not quite sure how to answer this question?

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

Only Level Surface on Property. The rest of Property is Hill, Well & Septic Area.

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?

Patio is a Safe Level Surface for Grandson, who is Allergic to pretty much Everything. Including grasses, weeds & bug bites.

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

All Neighbors, Family & Friends enjoy Patio for cook-outs & a day on the Lake.

CERTIFICATE

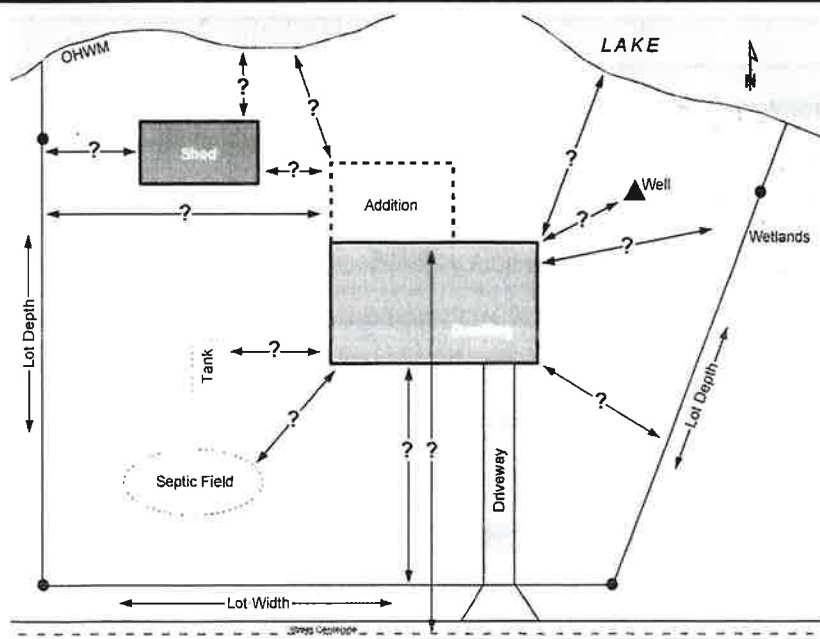
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and 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: Timothy P. Wagner Date: 3/26/2024

Daytime Contact Number (262) 224 - 2378

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
W I S C O N S I N

Dodge County Land Resources & Parks Department

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

April 8, 2024

Timothy Wagner
N5243 Wildcat Road
Iron Ridge, WI 53035

COPY

RE: Notice of Permit Refusal – Land Use Permit County ID 2024-0172
PIN# 022-1116-3211-009

Location: Lot 5, Block 1, Sinissippi Bay Subdivision, located in part of the NE ¼ of the NE ¼, Section 32, Town of Hubbard, the site address being N5243 Wildcat Road.

Dear Timothy Wagner:

Your application for a permit to construct a patio on the property described above is hereby denied for failure to comply with the following sections of the Dodge County Shoreland Protection Ordinance and the Dodge County Floodplain Zoning Ordinance.

Shoreland Ordinance Provisions:

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 (OHWM) of a navigable body of water. According to this provision, unless exempt under Subsection 6.1, or reduced under Subsection 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 patio structure will be located approximately 3 feet from the OHWM of Lake Sinissippi or 72 feet within the minimum required water setback and is therefore prohibited by the Ordinance.

Subsection 9.4, of the Shoreland Protection Ordinance refers to the impervious surface area standards for highly developed shorelines. For shoreland properties where the impervious surface area standard for highly developed shorelines applies, a property owner may have not more than 30% impervious surface area on a lot used for residential use. As proposed the impervious surface area for this lot, after the patio is constructed, will be 3917.8 sq. ft. or 40.88% of total lot coverage, 1042.84 sq. ft. more than allowed by the Ordinance and therefore prohibited by the Ordinance.

Floodplain Zoning Ordinance Provisions:

According to panel #5 of the Dodge County Flood Storage District Maps, a portion of the patio is located within a Flood Storage District.

Per Section 5.2(3) of the Dodge County Floodplain Zoning Ordinance, proposed development located within in a flood storage district shall not cause any increase in the height of the regional flood and no development shall be allowed which removes flood storage volume unless an equal volume of storage shall be provided in the immediate area to compensate for the volume of storage which is lost. According to our records, no floodplain documentation was submitted with the land use permit application to show compliance with this code provision. The owner/applicant is required to provide documentation to this office that is sufficient to determine that the proposed fill associated with the construction of the patio will not cause an obstruction to flow, will not result in an increase in the regional flood height or discharge according to section 2.1 of the Floodplain Zoning Ordinance and does not remove flood storage volume

unless an equal volume of storage is provided in the immediate area of the development project. You are required to provide this documentation prior to the issuance of a land use permit for your proposed project.

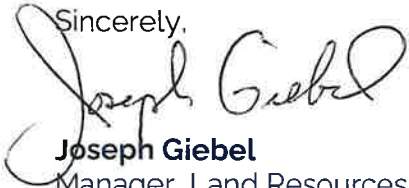
Therefore, the County is unable to issue a land use permit for your proposed construction projects unless the construction is modified so as to comply with the code provisions mentioned above, the required floodplain data is submitted to this Department to document that the proposed project is in compliance with the flood storage district provisions and a variance is granted to the water setback and the impervious surface area standards of the Dodge County Shoreland Protection Ordinance.

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.

According to County Records, a variance request was filed on March 26, 2024 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,



Joseph Giebel

Manager, Land Resources and Parks Department

Code Administration

127 E. Oak St., Juneau, WI 53039

Dodge County, WI

Office: 920-386-3711



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.



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	Extensive Commercial
Airport Ordinance 3-Mile Buffer	Survey Areas	Shoreland Zoning Buffer	Light Industrial
Sewer Service Areas	Non-Metallic Mining	Lakes/Ponds/Sloughs	Prime Agricultural
Highly Developed Shoreline	Active Mining Area	Rivers/Streams/Creeks	One Family Residential
Elevation Contours	Approved Mining Area		Two Family Residential
	Mine Property Boundaries		Multi-Family Residential
			General Commercial
			Extensive Commercial
			Light Industrial
			Industrial
			Waterbody
			ROW/City/Village

WORKSHEET NO. 1 - IMPERVIOUS SURFACE AREA CALCULATION

These impervious surface area calculations are required per Section 9.0 of the County Shoreland Ordinance. The County impervious surface standards apply to the construction, reconstruction, expansion, replacement or relocation of ANY impervious surface on a riparian lot or parcel and any non-riparian lot or parcel that is located entirely within 300 feet of the ordinary highwater mark of any navigable lake, pond, flowage or waterway. An impervious surface is an area that releases, as runoff, all or a majority of the precipitation that falls on it. Under the County's Shoreland Ordinance, an IMPERVIOUS SURFACE (AREA) includes all of the following:

- All Buildings/Structures (homes/garages/sheds/etc.)
- Patios constructed with pavers/stone/concrete/blacktop/etc.
- Driveways, Sidewalks, Walkways and Stairways constructed with wood/stone/pavers/gravel/concrete/blacktop/etc.
- Compacted Parking Areas
- Decks and Porches (covered and uncovered)

plus private road surfaces not specifically listed in the Shoreland Ordinance and any other surface/material that is determined by the County Land Use Administrator to be impervious. An impervious surface (area) excludes grassed and/or other vegetated areas, frozen soil, public road surfaces and certain private roads or other surfaces that are specifically listed as exempted in the Ordinance.

To complete this worksheet you will need to provide the dimensions and area calculations for ALL impervious surfaces (see description below) on your lot that are located (or to be located) within 300 feet of the ordinary highwater mark (edge of the water) of a navigable lake, pond, flowage or waterway. If additional space is required, please attach separate sheet(s) with the applicable dimensions and area calculations shown.

- 1 Is any part of your property located within 300 feet of the "water" (i.e., a lake, river or other navigable waterway/waterbody)?
 NO, go to line 43. YES, go to line 2.
- 2 Will any part of your proposed construction (impervious surface) project be located within 300 feet of the water?
 NO, go to line 43. YES, go to line 3.
- 3 Is your property a vacant, undeveloped lot (i.e., no existing impervious surfaces present)?
 NO, go to line 4. YES, enter "0" (zero) on line 15, then go to line 17.
- 4 Complete Table 1: PreConstruction (Existing) Shoreland Impervious Surface Area (lines 5 thru 15) calculations below.

**TABLE 1
PRECONSTRUCTION (EXISTING) SHORELAND IMPERVIOUS SURFACE AREA**

- Calculate ONLY for the impervious surface areas of your property that are located "Within the Shoreland" of your lot.
NOTE: The "Shoreland" area of your property encompasses all of the land area from the water's edge to a point 300 feet landward.
- DO NOT include impervious surface areas that are located "Outside of the Shoreland" (i.e., More than 300 feet from the water).

Existing Structure or Surface	Width (ft.)	x	Length (ft.)	=	Area (sq. ft.)	
5 House..... (or other principal structure)...	23	x	36	=	828	5a
Entry.....	6	x	6	=	36	5b
6 Deck.....	16	x	14	=	224	5c
Stairway.....	4	x	18	=	72	5d
7 Patio (area).....	N/A	x		=		6a
8 Porch.....	N/A	x		=		6b
9 Garage.....	20	x	22	=	440	7a
10 Shed/Boat House.....	12	x	17	=	204	7b
11 Sidewalk/Stairway (area).....	2.5	x	114	=	285	7c
12 Driveway (area).....	20	x	48	=	960	7d
13 Compacted parking area.....	35.5	x	20	=	710	7e
14 Other.....		x		=		7f
Boat Landing Area	19	x	10	=	190	7g

Handwritten notes:

- HS 21x31 = 660, 23x20 = 460
- Sidewalk (E) 1.6" x 20' = 30, (W) 5'6" x 5' = 27.5, 2'6" x 13' = 32.5
- 6 Area 27x22 = 594, 20'6" x 22 = 451
- Driveway 33x22.25 = 734.25
- Backyard 32x6.5 = 208
- Boathouse 12'2" x 17'6" = 212.8, landing 4' x 5' = 20
- Boat Ramp 10' x 14' = 140
- Total: 3567.8**

15 Add lines 5 thru 14. This is your PreConstruction (Existing) Impervious Surface Area..... 15

16 **Required PreConstruction Site Plan:** Attach, to this worksheet, a site plan of your property (either dimensioned or drawn to scale) showing the preconstruction impervious surface areas listed in Table 1 above. Label this set of plans PreConstruction Impervious Surface Area.

WORKSHEET NO. 1 (PAGE 2)

17 Complete Table 2: PostConstruction (New & Existing) Shoreland Impervious Surface Area (lines 18 thru 28) calculations below.

**TABLE 2
POSTCONSTRUCTION (NEW & EXISTING) SHORELAND IMPERVIOUS SURFACE AREA**

- Calculate **ONLY** for the impervious surface areas of your property that are located *"Within the Shoreland"* of your lot.
NOTE: The "Shoreland" area of your property encompasses all of the land area from the water's edge to a point 300 feet landward.
- **DO NOT** include impervious surface areas that are located *"Outside of the Shoreland"* (i.e., **More than 300 feet** from the water).
- For a totally new structure or surface (e.g., house, deck, patio, etc.) or for an addition to an existing structure or surface, you must enter/calculate the new width, length and area values for that particular structure/surface or addition in their applicable columns below

New & Existing Structure or Surface	Width (ft.)	x	Length (ft.)	=	Area (sq. ft.)
18 House.....		x		=	18a
(or other principal structure)...		x		=	18b
.....		x		=	18c
.....		x		=	18d
.....		x		=	18e
.....		x		=	18f
19 Deck.....		x		=	19a
.....		x		=	19b
.....		x		=	19c
.....		x		=	19d
20 Patio (area).....	20	x	17	=	340
.....		x		=	20b
.....		x		=	20c
21 Porch.....		x		=	21a
.....		x		=	21b
.....		x		=	21c
22 Garage.....		x		=	22a
.....		x		=	22b
.....		x		=	22c
23 Shed.....		x		=	23a
.....		x		=	23b
.....		x		=	23c
.....		x		=	23d
.....		x		=	23e
24 Sidewalk/Stairway (area).....		x		=	24a
.....		x		=	24b
.....		x		=	24c
25 Driveway (area).....		x		=	25a
.....		x		=	25b
.....		x		=	25c
26 Compacted parking area.....		x		=	26a
.....		x		=	26b
.....		x		=	26c
27 Other.....		x		=	27a
.....		x		=	27b
.....		x		=	27c
.....		x		=	27d

Existing from Page 1 = 3567.8
20x17.5 + 350

3917.8

28 Add lines 18 thru 27. This is your PostConstruction (New & Existing) Impervious Surface Area..... **340** 28

29 **Required PostConstruction Site Plan:** Attach, to this worksheet, a site plan of your property (either dimensioned or drawn to scale) showing the postconstruction impervious surface areas listed in Table 2 above. Label this set of plans PostConstruction Impervious Surface Area.

WORKSHEET NO. 1 (PAGE 3)

30 Compare line 28 to line 15.

If Line 28 is less than or equal to line 15, go to line 40.
If line 28 is greater than line 15, go to line 31.

28: 3917.8
15: 3567.8

31 Enter the acreage of your property
(If you unsure of the acreage of your property, please contact the Land Resources and Parks Department for assistance.)

0.22 A

31

32 Area of your property (in square feet) Multiply line 31 by 43,560.

9583.2

32

33 Multiply line 28 by 100

391788

33

34 Divide line 33 by line 32. This is your **PERCENT IMPERVIOUS SURFACE** ⇒ ⇒ ⇒

40.88

34

Go to line 35

Round to nearest whole number

35. Is your lot located within an area designated as a highly developed shoreline? (If you are unsure if your lot is located within an area designated as a highly developed shoreline, please contact the Land Resources and Parks Department for assistance.)

Yes – go to line 36

No – go to line 39

Don't know – Contact the Land Resources and Parks Department for assistance (920) 386-3700

36. If the use of the property is for residential use, go to line 37.

If the use of the property is for commercial or industrial use, go to line 38.

37. LINE 34 IS LESS THAN OR EQUAL TO 30% - Go to line 40.

LINE 34 IS GREATER THAN 30% BUT LESS THAN OR EQUAL TO 40% - Go to line 41.

LINE 34 IS GREATER THAN 40% - Go to line 42.

38. LINE 34 IS LESS THAN OR EQUAL TO 40% - Go to line 40.

LINE 34 IS GREATER THAN 40% BUT LESS THAN OR EQUAL TO 60% - Go to line 41.

LINE 34 IS GREATER THAN 60% - Go to line 42.

39. LINE 34 IS LESS THAN OR EQUAL TO 15% - Go to line 40.

LINE 34 IS GREATER THAN 15% BUT LESS THAN OR EQUAL TO 30% - Go to line 41.

LINE 34 IS GREATER THAN 30% - Go to line 42.

40. Your proposed project complies with the impervious surface standards of the Dodge County Shoreland Ordinance – Go to line 43

41 Your County Land Use Permit cannot be issued by this department Until the property owner develops, submits, agrees to and records a County –approved Mitigation Plan that meets the standards set forth in Section 13.0 of the Dodge County Shoreland Ordinance. You also need to submit/complete Worksheet No. 2 (Mitigation Options Calculation) to this office for departmental review and approval.

Go to line 43

42. Unfortunately, your project exceeds the maximum amount (percent) of impervious surface area allowed by the Dodge County Shoreland Ordinance and thus your Land Use Permit **Cannot Be Issued** by this department as proposed. Please contact our office to discuss your options regarding this matter [See office contact information below].

Go to line 43

43. Sign and date this form and submit this form along with your Land Use Permit application (and any other applicable worksheet to the Dodge County Land Resources and Parks Department for review and approval.

Person completing this form (Print) Timothy P. Wagner Daytime Phone (262) 224 - 2378

Signature of person completing this form Timothy P. Wagner Date 3-30-2024

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

DODGE COUNTY LAND RESOURCES AND PARKS DEPARTMENT, 127 EAST OAK STREET, JUNEAU, WI 53039-1329

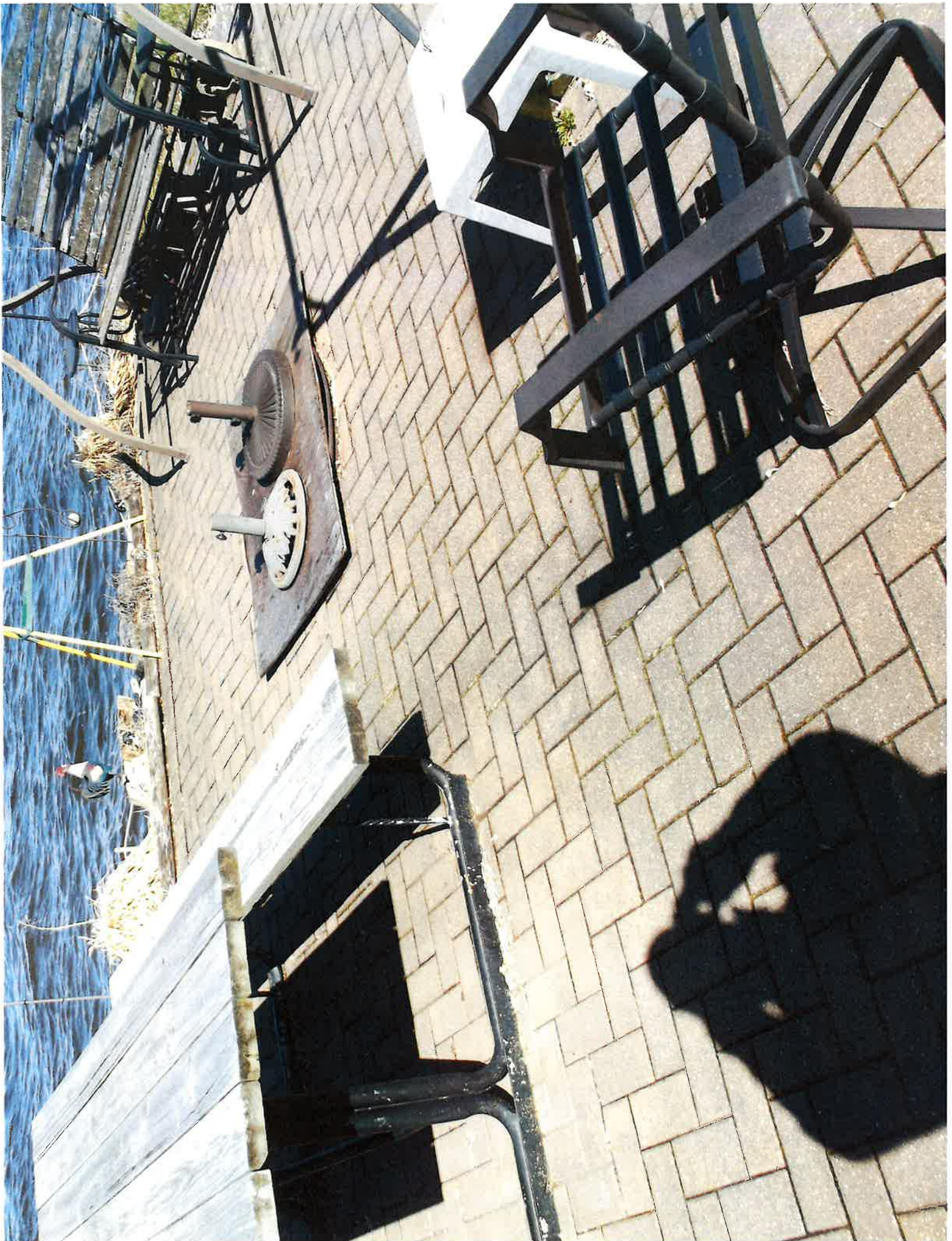
WEBSITE: WWW.CO.DODGE.WI.US

EMAIL: LANDRESOURCES@CO.DODGE.WI.US

PHONE: (920) 386-3700 (MONDAY-FRIDAY 8:00AM TO 4:30PM)







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
 co.dodge.wi.gov

This Area For Office Use Only

COUNTY ID No. 240172	Receipt No. 9182-0006
Permit Expiration Date	Application Date 3-26-24
	Sanitary Permit -

PERMIT APPLICATION FEE: \$50 plus \$2 per \$1,000 cost of the project (Payable to: Dodge County)

\$112⁰⁰

CITY OF JUNEAU - \$25 or After the Fact 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.) Timothy P. Wagner		Parcel Identification Number (PIN) 022-1116-3211-009				
Street Address N5243 Wildcat Road		Town Hubbard	T 1	N 1	R 1	E 6
City • State • Zip Code Iron Ridge, WI 53035		1/4 NE	1/4 NE	Section 32	Acreage	Lot (Block)
Property Owner Same <input checked="" type="checkbox"/> Same as applicant		Subdivision or CSM (Volume/Page/Lot) -				
Street Address Same		Address Of Property (DO NOT include City/State/Zip Code) N5243 Wildcat Road				
City • State • Zip Code Same		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 type="checkbox"/> No <input type="checkbox"/> Yes				

CURRENT USE OF PROPERTY	PROPOSED USE OF PROPERTY
<input type="checkbox"/> Vacant Land <input type="checkbox"/> Working Farm <input type="checkbox"/> Business • Industrial • Commercial • (Use other below to describe) <input checked="" type="checkbox"/> Single-Family Residential <input type="checkbox"/> Two-Family <input type="checkbox"/> Multi-Family Other _____	<input checked="" type="checkbox"/> Same As Current Use (No Change) <input type="checkbox"/> Single-Family Residential <input type="checkbox"/> Two-Family <input type="checkbox"/> Multi-Family <input type="checkbox"/> Business • Industrial • Commercial • (Use other below to describe) Other _____

PROPOSED CONSTRUCTION PROJECT

(CHECK ALL THAT APPLY)
 (Building plans are required for new/replacement Homes)

<input type="checkbox"/> Pool	<input type="checkbox"/> Porch	<input type="checkbox"/> Driveway	<input type="checkbox"/> Field Tile Installation
<input type="checkbox"/> Deck	<input type="checkbox"/> Fence	<input type="checkbox"/> Boathouse	<input type="checkbox"/> Pond (Less than 2 acres in size)
<input checked="" 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)

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

Other _____

Width 20' Length 17' Total Area 340 sq. ft. Total Stories N/A Height (To roof peak) N/A

Estimated Cost (w/Labor) \$ 2,800

Additional Project Information
Home Addition: Total number of bedrooms? Before _____ After _____
Barn Information: Will it house any animals? If yes, complete Animal Units Worksheet.
Sign Information: Single-Sided Double-Sided
 Located On-Premise Located Off-Premise
 Wall Ground Directional Other _____
 Will it be lighted and/or have moving/flashing parts? No Yes

◆ ◆ ◆ 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 <https://www.co.dodge.wi.gov/departments/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. *Already Done 8-25-2010*
 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) Timothy P. Wagner Daytime Contact Phone (262) 224-2378 or Email: tmanrules@Charter.net

Signature Timothy P. Wagner Date 3-26-2024 Call for pickup No Yes

Key: Lot Line ---
 Septic Tank --- 19'
 Well --- 39'

N E
 W S

LAKE --- 4'
 House --- 19'
 Boat House --- 3'

South Property Line --- 48'
 Mound --- 17'

SITE PLAN (SKETCH)



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

BOA ID No. 24-0173	BOA Appeal Date 3-26-24	BOA P/H Date	BOA Decision Date	BOA Decision <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
-----------------------	----------------------------	--------------	-------------------	--

Notes/Stipulations:
 4/8/24 Insp. for LUP denied. patio located within water setback exceeds impervious surface area and no flood plain documentation was provided to show compliance with flood storage district requirements.

<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied 4/9/24	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 Information Search](#) located on the Dodge County Website (co.dodge.wi.gov) or by contacting the County Property Description Office (920) 386-3775 (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

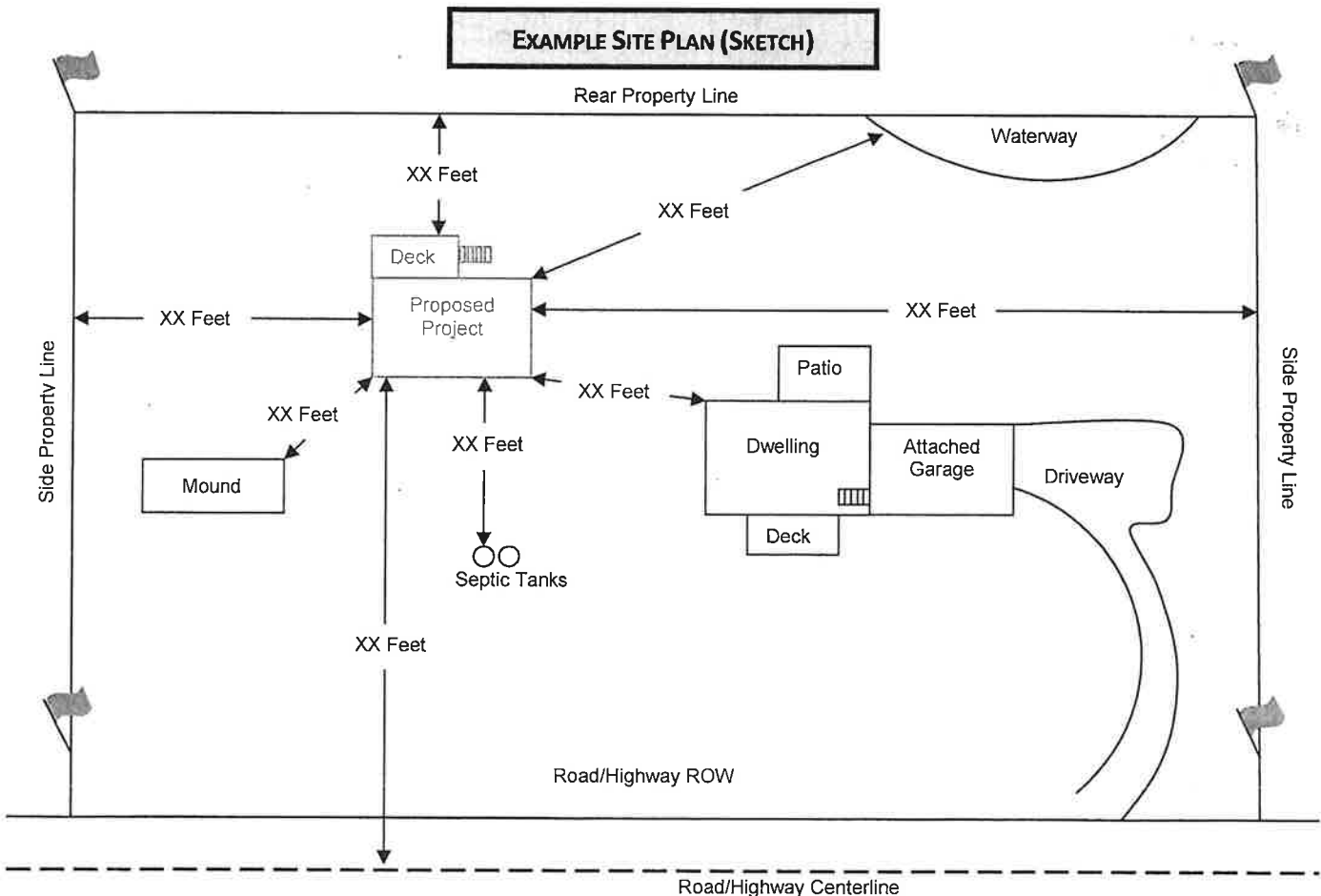
ALL applications must be accompanied by a site plan (sketch). You may use an aerial photo which can be obtained by using the Dodge County Web mapping tool at <http://dodgecowi.wgxtreme.com/>, the attached (blank) site plan or supply your own.

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

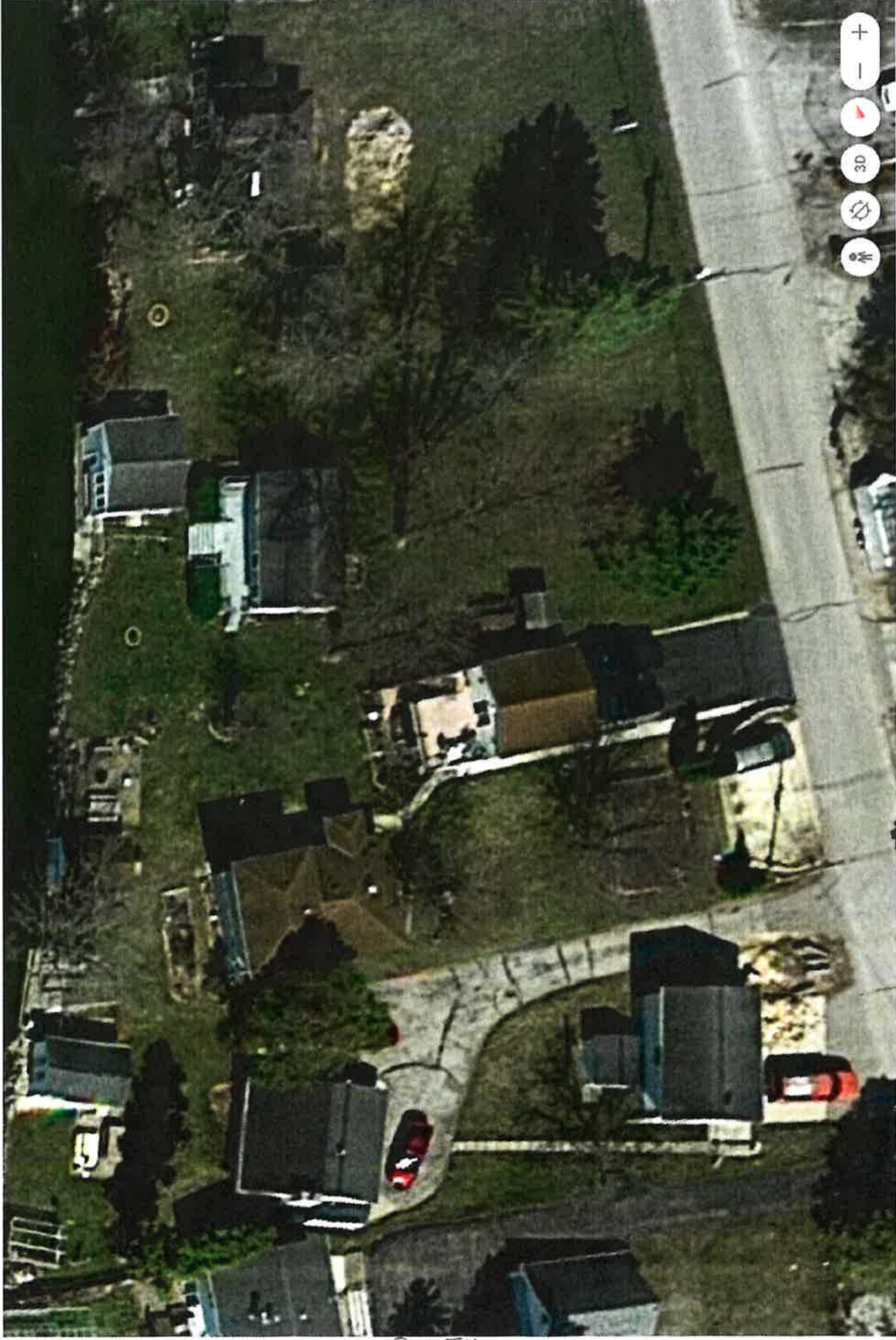
- ✓ Side and Rear Lot/Property Line(s)
- ✓ Abutting Road/Highway Centerline(s)
- ✓ Nearby Lakes and/or Creeks/Streams
- ✓ Nearest Adjacent Structure/Building on Lot
- ✓ Septic/Holding Tank and/or Pump Chamber
- ✓ Septic System Absorption Area (Mound, Trench, Drainline, etc.)

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)



North



WEST

EAST

Navigation controls including zoom in (+), zoom out (-), compass, 3D view, and street view pegman.

10 m | Camera: 377 m 42°33'02" N 88°13'56" W 264 m

WORKSHEET NO. 1 - IMPERVIOUS SURFACE AREA CALCULATION

These impervious surface area calculations are required per Section 9.0 of the County Shoreland Ordinance. The County impervious surface standards apply to the construction, reconstruction, expansion, replacement or relocation of **ANY** impervious surface on a riparian lot or parcel and any non-riparian lot or parcel that is located entirely within 300 feet of the ordinary highwater mark of any navigable lake, pond, flowage or waterway. An impervious surface is an area that releases, as runoff, all or a majority of the precipitation that falls on it. Under the County's Shoreland Ordinance, an **IMPERVIOUS SURFACE (AREA)** includes all of the following:

- All Buildings/Structures (homes/garages/sheds/etc.)
- Patios constructed with pavers/stone/concrete/blacktop/etc.
- Driveways, Sidewalks, Walkways and Stairways constructed with wood/stone/pavers/gravel/concrete/blacktop/etc.
- Compacted Parking Areas
- Decks and Porches (covered and uncovered)

plus private road surfaces not specifically listed in the Shoreland Ordinance and any other surface/material that is determined by the County Land Use Administrator to be impervious. An impervious surface (area) **excludes** grassed and/or other vegetated areas, frozen soil, public road surfaces and certain private roads or other surfaces that are specifically listed as exempted in the Ordinance.

To complete this worksheet you will need to provide the dimensions and area calculations for **ALL** impervious surfaces (see description below) on your lot that are located (or to be located) within 300 feet of the ordinary highwater mark (edge of the water) of a navigable lake, pond, flowage or waterway. If additional space is required, please attach separate sheet(s) with the applicable dimensions and area calculations shown.

- 1 Is any part of your property located within 300 feet of the "water" (i.e., a lake, river or other navigable waterway/waterbody)?
 NO, go to line 43. YES, go to line 2.
- 2 Will any part of your proposed construction (impervious surface) project be located within 300 feet of the water?
 NO, go to line 43. YES, go to line 3.
- 3 Is your property a vacant, undeveloped lot (i.e., no existing impervious surfaces present)?
 NO, go to line 4. YES, enter "0" (zero) on line 15, then go to line 17.
- 4 Complete Table 1: PreConstruction (Existing) Shoreland Impervious Surface Area (lines 5 thru 15) calculations below.

**TABLE 1
PRECONSTRUCTION (EXISTING) SHORELAND IMPERVIOUS SURFACE AREA**

- Calculate **ONLY** for the impervious surface areas of your property that are located "*Within the Shoreland*" of your lot.
NOTE: The "Shoreland" area of your property encompasses all of the land area from the water's edge to a point 300 feet landward.
- **DO NOT** include impervious surface areas that are located "*Outside of the Shoreland*" (i.e., **More than 300 feet from the water**).

Existing Structure or Surface	Width (ft.)	x	Length (ft.)	=	Area (sq. ft.)	
5 House..... (or other principal structure)...	23	x	36	=	828	5a
Entry.....	6	x	6	=	36	5b
.....		x		=		5c
.....		x		=		5d
6 Deck.....	16	x	14	=	224	6a
Stairway.....	4	x	18	=	72	6b
7 Patio (area).....	N/A	x		=		7a
.....		x		=		7b
8 Porch.....	N/A	x		=		8a
.....		x		=		8b
9 Garage.....	20	x	22	=	440	9a
.....		x		=		9b
10 Shed/Boat House.....	12	x	17	=	204	10a
.....		x		=		10b
.....		x		=		10c
11 Sidewalk/Stairway (area).....	2.5	x	114	=	285	11a
.....		x		=		11b
12 Driveway (area).....	20	x	48	=	960	12a
.....		x		=		12b
13 Compacted parking area.....	35.5	x	20	=	710	13a
.....		x		=		13b
14 Other.....		x		=		14a
Boat Landing Area.....	19	x	10	=	190	14b

15 Add lines 5 thru 14. This is your PreConstruction (Existing) Impervious Surface Area..... 3,725 15

16 **Required PreConstruction Site Plan:** Attach, to this worksheet, a site plan of your property (either dimensioned or drawn to scale) showing the preconstruction impervious surface areas listed in Table 1 above. Label this set of plans **PreConstruction** Impervious Surface Area.

WORKSHEET NO. 1 (PAGE 2)

17 Complete Table 2: PostConstruction (New & Existing) Shoreland Impervious Surface Area (lines 18 thru 28) calculations below.

**TABLE 2
POSTCONSTRUCTION (NEW & EXISTING) SHORELAND IMPERVIOUS SURFACE AREA**

- Calculate **ONLY** for the impervious surface areas of your property that are located *"Within the Shoreland"* of your lot.
NOTE: The "Shoreland" area of your property encompasses **all** of the **land area** from the water's edge to a point 300 feet landward.
- **DO NOT** include impervious surface areas that are located *"Outside of the Shoreland"* (i.e., **More than 300 feet** from the water).
- For a totally new structure or surface (e.g., house, deck, patio, etc.) or for an addition to an existing structure or surface, you must enter/calculate the new width, length and area values for that particular structure/surface or addition in their applicable columns below

New & Existing Structure or Surface	Width (ft.)	x	Length (ft.)	=	Area (sq. ft.)
18 House..... (or other principal structure)...		x		=	18a
.....		x		=	18b
.....		x		=	18c
.....		x		=	18d
.....		x		=	18e
.....		x		=	18f
19 Deck.....		x		=	19a
.....		x		=	19b
.....		x		=	19c
.....		x		=	19d
20 Patio (area).....	20	x	17	=	340
.....		x		=	20b
.....		x		=	20c
21 Porch.....		x		=	21a
.....		x		=	21b
.....		x		=	21c
22 Garage.....		x		=	22a
.....		x		=	22b
.....		x		=	22c
23 Shed.....		x		=	23a
.....		x		=	23b
.....		x		=	23c
.....		x		=	23d
.....		x		=	23e
24 Sidewalk/Stairway (area).....		x		=	24a
.....		x		=	24b
.....		x		=	24c
25 Driveway (area).....		x		=	25a
.....		x		=	25b
.....		x		=	25c
26 Compacted parking area.....		x		=	26a
.....		x		=	26b
.....		x		=	26c
27 Other.....		x		=	27a
.....		x		=	27b
.....		x		=	27c
.....		x		=	27d

28 Add lines 18 thru 27. This is your PostConstruction (New & Existing) Impervious Surface Area..... 340 28

29 **Required PostConstruction Site Plan:** Attach, to this worksheet, a site plan of your property (either dimensioned or drawn to scale) showing the postconstruction impervious surface areas listed in Table 2 above. Label this set of plans **PostConstruction** Impervious Surface Area.

WORKSHEET NO. 1 (PAGE 3)

30 Compare line 28 to line 15.
 If Line 28 is less than or equal to line 15, go to line 40.
 If line 28 is greater than line 15, go to line 31.

31 Enter the acreage of your property (If you unsure of the acreage of your property, please contact the Land Resources and Parks Department for assistance.)		31	
32 Area of your property (in square feet) Multiply line 31 by 43,560.		32	
33 Multiply line 28 by 100		33	
34 Divide line 33 by line 32. This is your PERCENT IMPERVIOUS SURFACE ⇒ ⇒ ⇒			34

Go to line 35 Round to nearest whole number

35. Is your lot located within an area designated as a highly developed shoreline? (If you are unsure if your lot is located within an area designated as a highly developed shoreline, please contact the Land Resources and Parks Department for assistance.)

Yes – go to line 36
 No – go to line 39
 Don't know – Contact the Land Resources and Parks Department for assistance (920) 386-3700

36. If the use of the property is for residential use, go to line 37.
 If the use of the property is for commercial or industrial use, go to line 38.

37. LINE 34 IS LESS THAN OR EQUAL TO 30% - Go to line 40.
 LINE 34 IS GREATER THAN 30% BUT LESS THAN OR EQUAL TO 40% - Go to line 41.
 LINE 34 IS GREATER THAN 40% - Go to line 42.

38. LINE 34 IS LESS THAN OR EQUAL TO 40% - Go to line 40.
 LINE 34 IS GREATER THAN 40% BUT LESS THAN OR EQUAL TO 60% - Go to line 41.
 LINE 34 IS GREATER THAN 60% - Go to line 42.

39. LINE 34 IS LESS THAN OR EQUAL TO 15% - Go to line 40.
 LINE 34 IS GREATER THAN 15% BUT LESS THAN OR EQUAL TO 30% - Go to line 41.
 LINE 34 IS GREATER THAN 30% - Go to line 42.

40. Your proposed project complies with the impervious surface standards of the Dodge County Shoreland Ordinance – Go to line 43

41 Your County Land Use Permit cannot be issued by this department Until the property owner develops, submits, agrees to and records a County –approved Mitigation Plan that meets the standards set forth in Section 13.0 of the Dodge County Shoreland Ordinance. You also need to submit/complete Worksheet No. 2 (Mitigation Options Calculation) to this office for departmental review and approval.
 Go to line 43

42. Unfortunately, your project exceeds the maximum amount (percent) of impervious surface area allowed by the Dodge County Shoreland Ordinance and thus your Land Use Permit **Cannot Be Issued** by this department as proposed. Please contact our office to discuss your options regarding this matter [See office contact information below].
 Go to line 43

43. Sign and date this form and submit this form along with your Land Use Permit application (and any other applicable worksheet to the Dodge County Land Resources and Parks Department for review and approval.

Person completing this form (Print) <u>Timothy P. Wagner</u>	Daytime Phone <u>(262) 224 - 2378</u>
Signature of person completing this form <u>Timothy P. Wagner</u>	Date <u>3-30-2024</u>

NOTE: THIS FORM/WORKSHEET IS SUBJECT TO REVIEW AND APPROVAL BY THE DODGE COUNTY LAND RESOURCES AND PARKS DEPARTMENT.
 DODGE COUNTY LAND RESOURCES AND PARKS DEPARTMENT, 127 EAST OAK STREET, JUNEAU, WI 53039-1329
 WEBSITE: WWW.CO.DODGE.WI.US
 EMAIL: LANDRESOURCES@CO.DODGE.WI.US
 PHONE: (920) 386-3700 (MONDAY-FRIDAY 8:00AM TO 4:30PM)

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, May 16, 2024 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 **John Boyd and Mike Held – Coppermug RE LLC**. for a variance to the terms of setback and non-conforming structure provisions of the Dodge County Land Use Code to allow construction of a covered entrances, to construct fencing, to enclose an existing overhang area along the southeast corner of the building and to possibly add a future enclosed stairway from the 2nd floor along the southeast corner of the principal structure on the property described above. As proposed, the projects will be located within the required highway setback from STH 60 and from STH 67. The proposed projects are also considered an expansion of the non-conforming structure and non-conforming use provisions of the code.

The site located in part of the NE ¼ of the NE ¼, Section 19, Town of Rubicon, the site address being N3697 State Road 67.

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 May 15, 2024.

Dated April 15, 2024

Dodge County Board of Adjustment
By William Nass, Chairman

Land Resources and Parks Department Staff Report

County Variance Application No. 2024-0178
County Land Use Permit Application No. 2024-0152
Filing Date: March 27, 2024
Hearing Date: May 16, 2024

Applicant (Agent):

John Boyd and Mike Held
W2473 State Road 60 STE 15
Neosho, WI 53059

Owner:

Coppermug RE LLC
C/O John Boyd and Mike Held
W2473 State Road 60 STE 15
Neosho, WI 53059

Location

PIN # 038-1017-1911-002

Location: Part of the NE ¼ of the NE ¼, Section 19, Town of Rubicon, the site address being N3697 State Road 67.

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

On March 27, 2024, an application for a variance request was submitted by the appellant with a request to construct covered entrances, to construct fencing, to enclose an existing overhang area along the southeast corner of the building and to possibly add a future enclosed stairway from the 2nd floor along the southeast corner of the principal structure on the property described above. As proposed, the projects will be located within the required highway setback from STH 60 and from STH 67. The proposed projects are also considered an expansion of the non-conforming structure and non-conforming use provisions of the code.

Features

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

The County has Jurisdiction over this site as the Town of Rubicon has adopted the County's Land Use Code. The property is located within the C-2 Extensive Commercial zoning district;

This is an after-the-fact land use permit and variance request as the northwest overhangs and fencing have already been constructed and interior work has been done to add an additional apartment unit within the building.

The property is presently being used for Multi-Family residential and commercial mini-storage.

The physical features of this approximate 4.24-acre lot include a rolling topography with slopes ranging from 0 to 12% . The parcel contains two multi-family residential units, a mini-storage facility, and a detached garage.

The general character of the surrounding land use consists of Agricultural use with scattered residences along STH 60 and 67;

The property includes the following a nonconforming structures and uses:

- The multi-family residential use of the property is considered a legal existing non-conforming use of the property as the multi-family use of the property existed prior to the adoption of the Land Use Code by the Town of Rubicon.
- The existing multi-family residential structures located on this lot are legal existing nonconforming structures as the structures are located within the required setback lines from STH 60 and 67.

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

- August 24, 1978 – A variance was granted to allow for the enlargement of the existing non-conforming multi-family residential use of the property and for additions to the existing restaurant on this lot.
- December 17, 2002 – A variance was granted to allow a sign to be located within the highway setback lines at this location.
- September 23, 2004 – A variance was granted to allow for the construction of a mini-storage warehouse and to allow for the expansion of the non-conforming use of the property.
- January 26, 2005 – A variance was granted to allow for the construction of an accessory garage and to allow for the expansion of the multi-family residential use of the property.

On March 27, 2024 an application for a County Land Use Permit was made by the appellant in order they be allowed to construct 5 covered entrances, to construct fencing surrounding the covered entrances, to enclose an existing overhang area along the southeast corner of the building, to possibly add a future enclosed stairway from the 2nd floor along the southeast corner of the principal structure on the property and to add an additional apartment unit within the existing multi-family structure located in the northeast corner of the property.

This is an after the fact land use permit request as two of the overhang projects along the northwest side of the structure, the fencing and the addition of one additional apartment has been constructed already.

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

Land Use Code Provisions:

Subsection 5.1.1 and Table 5.1-1 refer to the distances that all buildings and other structures are required to be setback from all streets and highways. On a State highway, the required setback is 100 feet from the centerline or 67 feet from the road right-of-way, which ever distance is greater. According to County records, the road right-of-way along STH 60 at this location ranges from 60' to 88' from the centerline of STH 60, therefore the required setback ranges from 127' to 155' from the centerline of STH 60. The road right-of-way along STH 67 at this location rages from approximately 33' to 95' from the centerline of STH 67, therefore the required setback ranges from 100' to 162' from the centerline of STH 67 at this location.

- As proposed, the covered entrance overhangs and fencing along the northwest side of the main structure will be located approximately 18' from the road right-of-way of STH 60 or 49' within the required setback from STH 60, therefore not in compliance with the Code.
- As proposed, the overhang and fencing to be located along the southeast corner of the existing building will be approximately 5' from the road right-of-way of STH 67 or 62 within the required setback from STH 67 and therefore prohibited by the Code.

- As proposed, the wall enclosure project will be located approximately 5' from the road right-of-way of STH 67 or approximately 62' within the required setback from STH 67 and therefore prohibited by the Code.
- As proposed, the enclosure, fencing and overhang by the existing deck along the southwest side of the principal structure will be located approximately 60' from the road right-of-way of STH 67, approximately 7' within the required setback of STH 67 and therefore prohibited by the Code.
- As proposed, the future stairway on the second floor along the southeast side of the principal structure will be located approximately 5' from the road right-of-way of STH 67 or approximately 62' within the required setback of STH 67 and therefore prohibited by the Code.

Subsection 10.3.2.B of the Code states that 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. As proposed, the proposed covered entrance overhangs and the fencing will extend beyond the existing footprint of the existing structure and are considered by the County as an expansion of the legal existing non-conforming principal structure therefore prohibited by the Code.

Section 10.2.1 of the code states that the lawful nonconforming use of a structure, land, or water existing at the time of the adoption or amendment of this Code may be continued although the use does not conform to the provisions of this Code. However, only the portion of the structure, land or water in actual use may be so continued, and the structure, land, water or area within which the use is contained may not be extended, enlarged, modified, added to, repaired, reconstructed, substituted, moved, or structurally altered except when required to do so by law or order, so as to comply with the provisions of this Code, or in accord with Sec. 10.2.4. According to the County records, the multi-family use of the residential structures on this lot are considered a legal existing non-forming use of the property by the County as multi-family residential uses with more than 8 units are not listed as an allowed or conditional use within the C-2 Commercial Zoning District and the use was in existence prior to the adoption of the County Code by the Town of Rubicon. As proposed, the addition of the new apartment within the northeast structure on this lot is considered an expansion of the non-conforming multi-family residential use of the property.

The appellant is requesting an area variance to Section 5.1.1 and Table 5.1-1 - the highway setback provisions of the code, and Sections 10.2.1 and 10.3.2.B – the nonconforming structure and use provisions 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.

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

Staff Advisory:

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

The staff believes that the appellant is requesting an area variance to Section 5.1.1 and Table 5.1-1 - the highway setback provisions of the code, and Sections 10.2.1 and 10.3.2.B – the nonconforming structure and use provisions 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 points out that the Board does not have summary power to ignore ordinance provisions or objectives. The burden also falls on the appellant to convincingly demonstrate to this Board that a literal enforcement of the Land Use Code regulations would result in an unnecessary hardship, that the hardship is due to special conditions unique to the property and if granted, the variance would not be contrary to the public interest.

The staff points out that the purpose of the non-conforming structure provisions of the code is to recognize the interests of property owners in continuing to use their property, to promote reuse and rehabilitation of existing buildings and to place reasonable limits on the expansion and alteration of nonconforming structure so long as the expansion does not increase the extent of the nonconformity or create a safety hazard for the public. The staff points out that the multi-family residential use of the residential structures on this property were in existence well before the adoption of the Code by the Town of Rubicon and in this case, the proposed overhang, fencing and enclosed stairway additions will not encroach any closer to the road right-of-way than the existing home. The staff also points out that the proposed overhangs and fencing are being constructed to direct the foot traffic from the building entrances to a safer location on the lot and to create a safer access into the building. It is the staff's position that the location of the proposed fence and overhang will not affect the visibility of vehicles entering or exiting the driveways.

The staff also points out that the multi-family residential use of this property for more than 8 residential units on this property was in existence prior to the adoption of the Code by the Town of Rubicon. The staff also notes that the septic system on this lot was sized to allow for a maximum of 6 bedrooms within this structure. As proposed, the structure will maintain a maximum of 6 bedrooms with the proposed additional apartment unit. The Board should determine if the non-conforming use provisions of the Code are unnecessarily burdensome in this case.

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 overhangs and fencing 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.

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 proposed overhang and enclosed stairway additions shall not be located closer to the road right-of-way than the existing residential structure (5 ft).
3. It shall be the responsibility of the applicant to obtain all other Federal, State and/or local municipality permits and approvals that may be required for the proposed modifications and the additional residential unit added to the principal structure.

Dodge County Board of Adjustment Decision

County Variance Application No. 2024-0178
County Land Use Permit Application No. 2024-0152
Filing Date: March 27, 2024
Hearing Date: May 16, 2024

Applicant (Agent):
John Boyd and Mike Held
W2473 State Road 60 STE 15
Neosho, WI 53059

Owner:
Coppermug RE LLC
C/O John Boyd and Mike Held
W2473 State Road 60 STE 15
Neosho, WI 53059

Location
PIN # 038-1017-1911-002
Location: Part of the NE ¼ of the NE ¼, Section 19, Town of Rubicon, the site address being N3697 State Road 67.

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

Appellants Request
On March 27, 2024, an application for a variance request was submitted by the appellant with a request to construct covered entrances, to construct fencing, to enclose an existing overhang area along the southeast corner of the building and to possibly add a future enclosed stairway from the 2nd floor along the southeast corner of the principal structure on the property described above. As proposed, the projects will be located within the required highway setback from STH 60 and from STH 67. The proposed projects are also considered an expansion of the non-conforming structure and non-conforming use provisions of 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 Section 5.1.1 and Table 5.1-1 and 10.3.2.B – the nonconforming structure provisions of the code; are “area” variances.

(Yes / No) _____

The appellants request to Subsection 10.2.1 of the code; is a use variances.

(Yes / No) _____

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

(Yes / No) _____

Are the highway setback and the non-conforming structure and use provisions of the Code unnecessarily burdensome in this case, thereby creating a hardship?

(Yes / No) Explain: _____

Does the appellant have other options available to complete these projects in compliance with the Code?

(Yes / No)
Explain _____

What hardship exists if the variance is denied?

Explain _____

Are the projects 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 to the highway setback and the non-conforming structure provisions of the Code meet the criteria that is necessary in order to grant the area variance requests?

(Yes/No)

Does the Board believe that the appellant's variance request to the use provisions of the Code meet the criteria that is necessary in order to grant the use variance request?

(Yes/No)

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

- 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.
- The proposed overhang and enclosed stairway additions shall not be located closer to the road right-of-way than the existing residential structure (5 ft).
- It shall be the responsibility of the applicant to obtain all other Federal, State and/or local municipality permits and approvals that may be required for the proposed modifications and the additional residential unit added to the principal structure.

Others

Area Variances – Highway Setback and Expansion of the non-conforming structure Provisions

Motion by _____ to (approve / deny) the variance to the highway setback and non-conforming 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
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)

Use Variance – Expansion of the non-conforming use provisions – Adding an additional residential unit.

Motion by _____ to (approve / deny) the use variance to the non-conforming use provisions 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 area variance requests as proposed;
- Granted the use variance request as proposed;
- Granted the area and use variance requests by the appellant subject to the conditions listed above;
- Granted the highway setback, and non-conforming structure variance requests by the appellant subject to the conditions listed above;
- Denied the variance requests as proposed;
- Denied the use variance request as proposed;
- The Land Use Administrator is directed to issue a land use permit incorporating the decision of this Board.

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

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

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

Dodge County Board of Adjustment

Signed _____ Attest _____
Chairperson Secretary

Dated: _____

Filed: _____



Dodge County

Land Resources and Parks Department

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

April 15, 2024

Coppermug RE LLC
C/O John Boyd and Mike Held
W2473 State Road 60 STE 15
Neosho, WI 53059

RE: Determination of Application Completeness

Variance Application: #2024-0178

Property location: Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 19, Town of Rubicon, the site address being N3697 State Road 67.

Dear John Boyd and Mike Held;

The Dodge County Land Resources and Parks Department has received your Variance application with a request to construct covered entrances, to construct fencing, to enclose an existing overhang area along the southeast corner of the building and to possibly add a future enclosed stairway from the 2nd floor along the southeast corner of the principal structure on the property described above. As proposed, the projects will be located within the required highway setback from STH 60 and from STH 67. The proposed projects are also considered an expansion of the non-conforming structure and non-conforming use provisions of the code. On April 9, 2024, 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, May 16, 2024 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 May 9, 2024 to review the site and the proposed construction project. Please make sure that the proposed construction project is staked out so that the Board can review your proposal. Your attendance during the on-site visit is not required.

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

Sincerely,

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



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

THIS AREA FOR OFFICE USE ONLY	
Activity No. 240178	Issue Date:
Application Date: 3-27-2024	Receipt #: 9182-0011

Variance Application

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

Names and Mailing Addresses		Property Description				
Applicant (Agent) Coppermug Re LLC		Parcel Identification Number (PIN) 038-1017-1911-002				
Street Address W2473 Hwy 60 Suite 15		Town Rubicon				
City • State • Zip Code Neosho, WI 53059		NE ¼	NE ¼	Section 19	T 10	N R E 17
Property Owner (If different from applicant) John Boyd / Mike Held		Subdivision or CSM #				
Street Address W2473 Hwy 60 Suite 15		Site Address N3697 State Road 67				
City • State • Zip Code Neosho, WI 53059		Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Present property use: Apartment's						
List any prior variances that have been granted or denied for this property: N/A						
Describe all nonconforming structures and uses on this property: Overhang at private entrance for safety and weather , fence area around entrance						
List the terms of the Land Use Code for which you are requesting a variance (section # and code provision requirements): Subsection 5.1.1 and Table 5.1-1 / Subsection 10.3.2 / subsection 10.2.1						
Variance Requested: Allowing for overhang and fenced area / Allowing for expansion of non-conforming structure and allowing for expansion of nonconforming use of property.						
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? Adding overhang at entrance of each apartment, removal of old outdoor stairs that are dangerous for all tenants, Adding fenced in area as to dictate tenants area outside. Material to be used are as follow: wood for truss , asphalt shingles for roof, vinyl 32" high fence material.						

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

Placement of the building and the set back codes. Multi-family use of property has been in existence prior to adoption of County Codes.

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?

We are trying to keep the property and the building structurally sound and also keep the property looking good and safe for all that enter and exit the apartments.

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

Granting the variance to the neighborhood would present a sense of pride to all that know the history of the building in question. Denying the variance would disrupt any and all improvements to this project.

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: John J Boyd

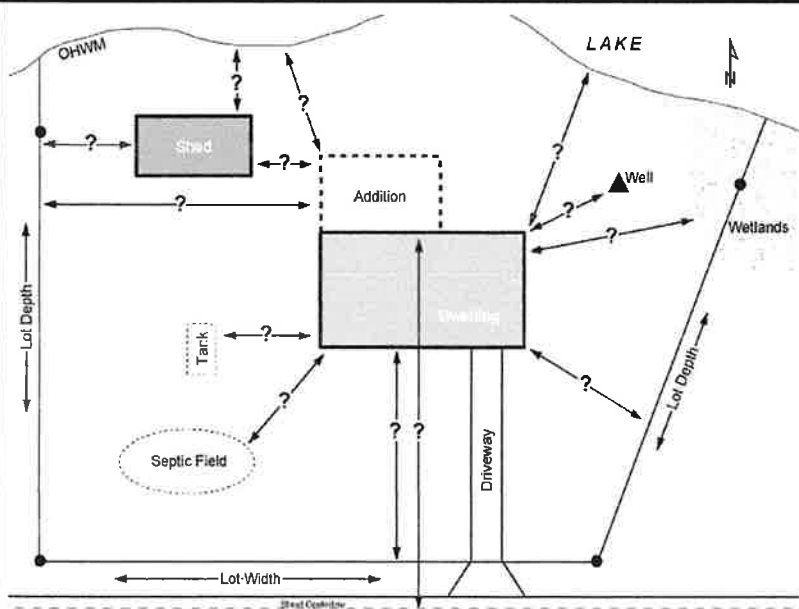


Date: 03/27/2024

Daytime Contact Number (920) 210-6276

SITE PLANS AND BUILDING PLANS

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



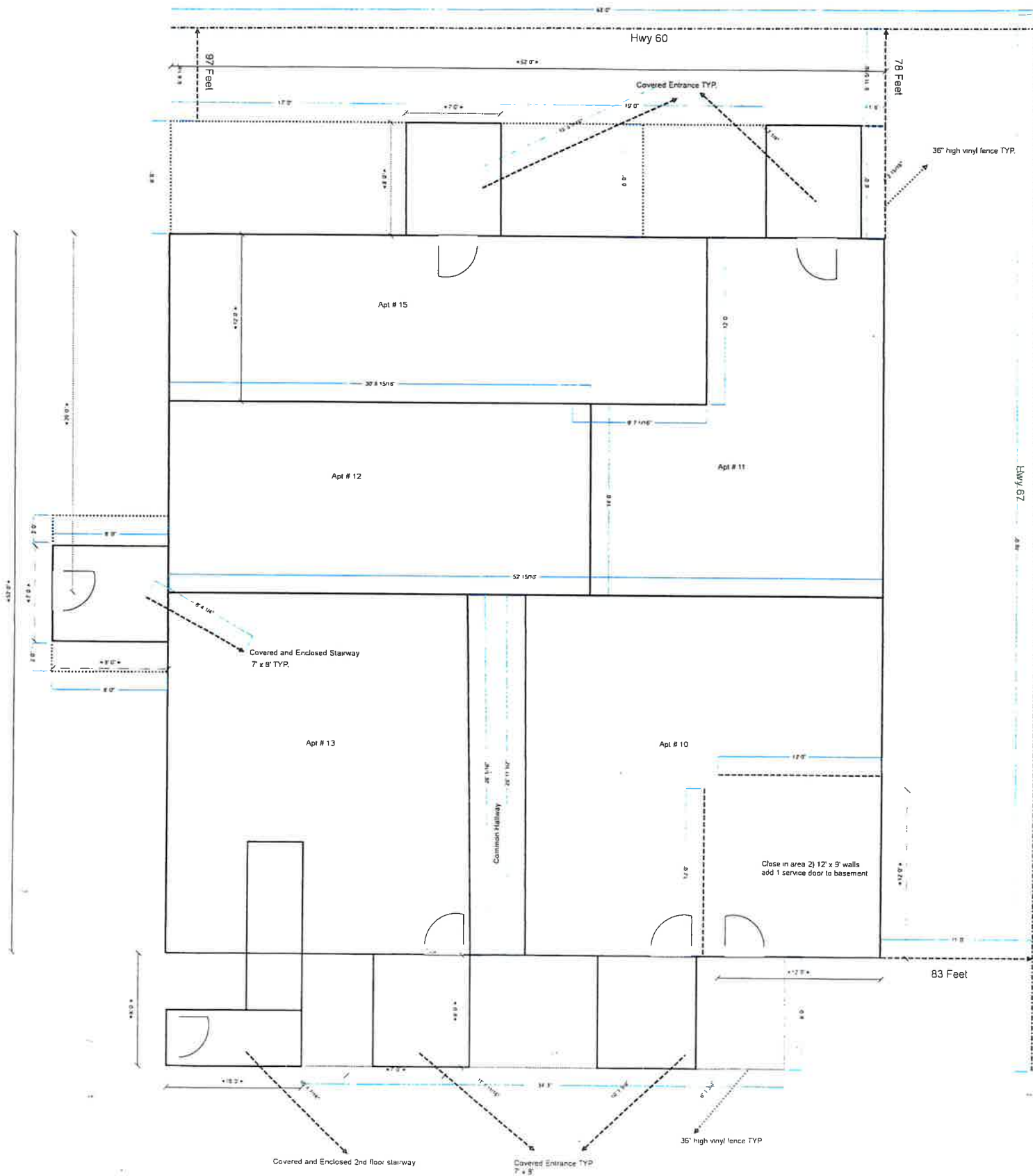
Site plans must be drawn to scale and/or all dimensions given, such as:

- 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)

1st floor



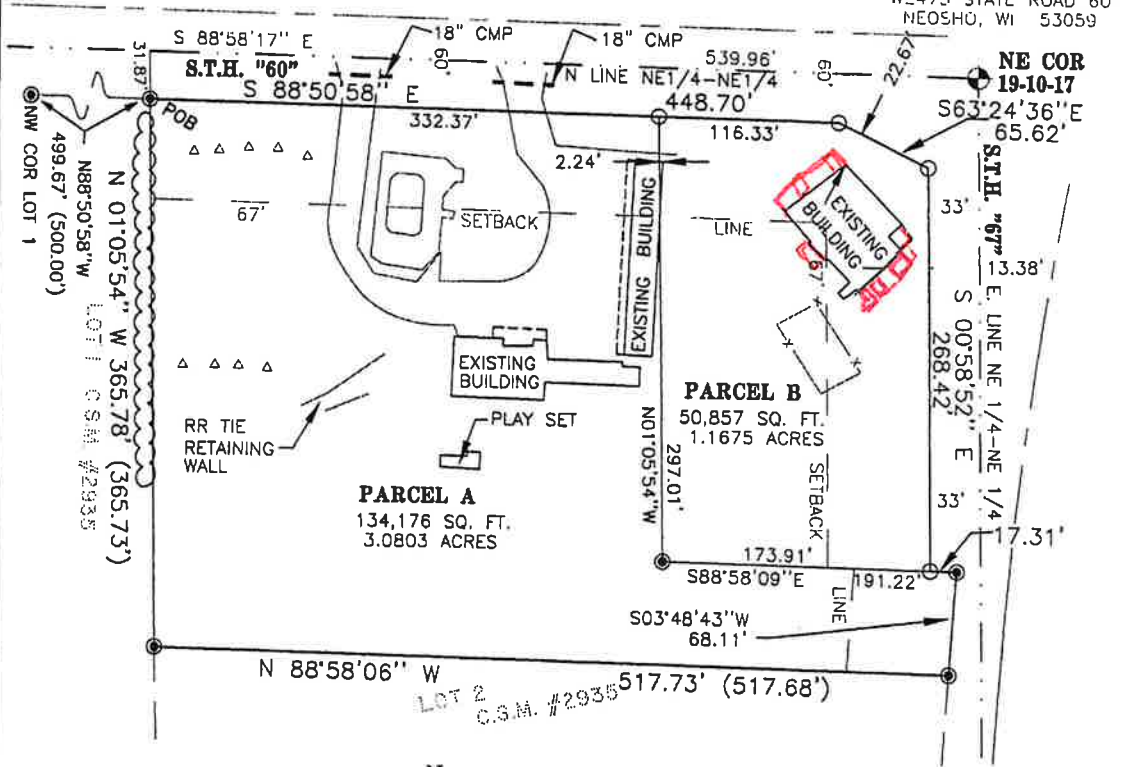
19-10-17-36

PROJECT # 192161	SCALE: 1" = 100 FEET	FILE # 2161pos
FIELD BOOK #	DRAWN BY AWS	SHEET # 1 of 2
PAGES #	CHECKED BY AWS	DATE
SURVEYOR: ANGUS W. STOCKING MSA PROFESSIONAL SERVICES, INC. 111 WARREN STREET BEAVER DAM, WI 53916 (920) 887-4242		CLIENT: TODD LAZICH W2473 S.T.H. "60" NEOSHO, WI 53059 920-625-2027
 BEAVER DAM, WI 53916 © 2000 MSA PROFESSIONAL SERVICES		

PLAT OF SURVEY

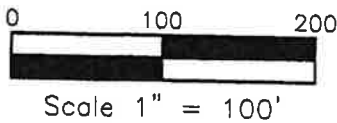
PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 19, TOWN 10 NORTH, RANGE 17 EAST, TOWN OF RUBICON, DODGE COUNTY, WISCONSIN

OWNER:
 MERCEDE GEHL TRUSTEE
 W2473 STATE ROAD 60
 NEOSHO, WI 53059

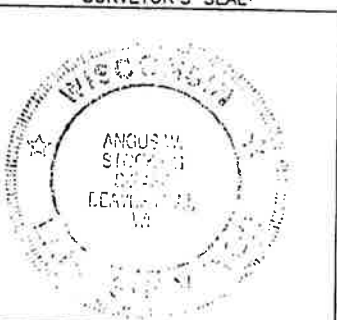


LEGEND

- BOUNDARY LINE
- SECTION LINE
- - - ADJOINER LINE
- CENTERLINE
- SETBACK LINE
- ~ BRUSH LINE
- FD. 1" IRON PIPE
- △ VENT / SEPTIC VENT
- ⊕ FD. B.C.A.M.
- SET 3/4" BY 24" IRON REBAR -1.50 LBS./FT.
- () RECORDED INFO



SURVEYOR'S SEAL



Angus W. Stocking

12.21.2000

MSA PROFESSIONAL SERVICES
 ANGUS W. STOCKING, REGISTERED LAND SURVEYOR #S-2424

DATE

NOTE: IF THE SURVEYOR'S SEAL AT LEFT IS NOT RED IN COLOR, THE SURVEY IS A COPY AND SHOULD BE ASSUMED TO CONTAIN UNAUTHORIZED ALTERATIONS. THE CERTIFICATION CONTAINED ON THIS DOCUMENT SHALL NOT APPLY TO COPIES.

SURVEYOR'S CERTIFICATE

Part of the Northeast 1/4 of the Northeast 1/4, Section 19, Township 10 North, Range 17 East, Town of Rubicon, Dodge County, Wisconsin. The parcel is more particularly described as follows:

COMMENCING at a found 1" iron pipe at the Northwest corner of Lot 1 of Certified Survey Map (C.S.M.) No. 2935; thence, along the North line of said Lot 1 and the Southerly right-of-way of State Trunk Highway (S.T.H.) 60, S.88°50'58"E., 499.67 feet to a found 1" iron pipe, the POINT OF BEGINNING; thence, continuing along said Southerly right-of-way, S.88°50'58"E., 448.70 feet to a set 3/4" by 24" iron rebar; thence, continuing along said right-of-way, S.63°24'36"E., 65.62 feet to a set 3/4" by 24" iron rebar; thence, along the Westerly right-of-way of S.T.H. 67 the following courses;

- 1) S.00°58'52"E., 268.42 feet to a set 3/4" by 24" iron rebar;
- 2) S.88°58'09"E., 17.31 feet to a found 1" iron pipe;
- 3) S.03°48'43"W., 68.11 feet to a found 1" iron pipe;

thence, along a North line of Lot 2 of said C.S.M. No. 2935, N.88°58'06"W., 517.73 feet to a found 1" iron pipe; thence, along the East line of Lot 1 of said C.S.M. No. 2935, N.01°05'54"W., 365.78 feet to the POINT OF BEGINNING.

Said parcel contains 185,033 square feet or 4.2478 total acres, more or less.

The bearings are oriented to the North line of Lot 1 of said C.S.M. No. 2935, recorded to bear S.88°50'58"E.

I, Angus W. Stocking, Registered Land Surveyor of the State of Wisconsin, do hereby certify that by the order of Todd Lazich, agent for owners, I have made a survey of the above described property according to official records, and that the accompanying map is a true and correct representation thereof. This survey is made for the exclusive use of the present owners of the property and also those who purchase, mortgage or guarantee the title thereto, and is certified for one year from date hereto.

Dated this 21st day of December, 2000.

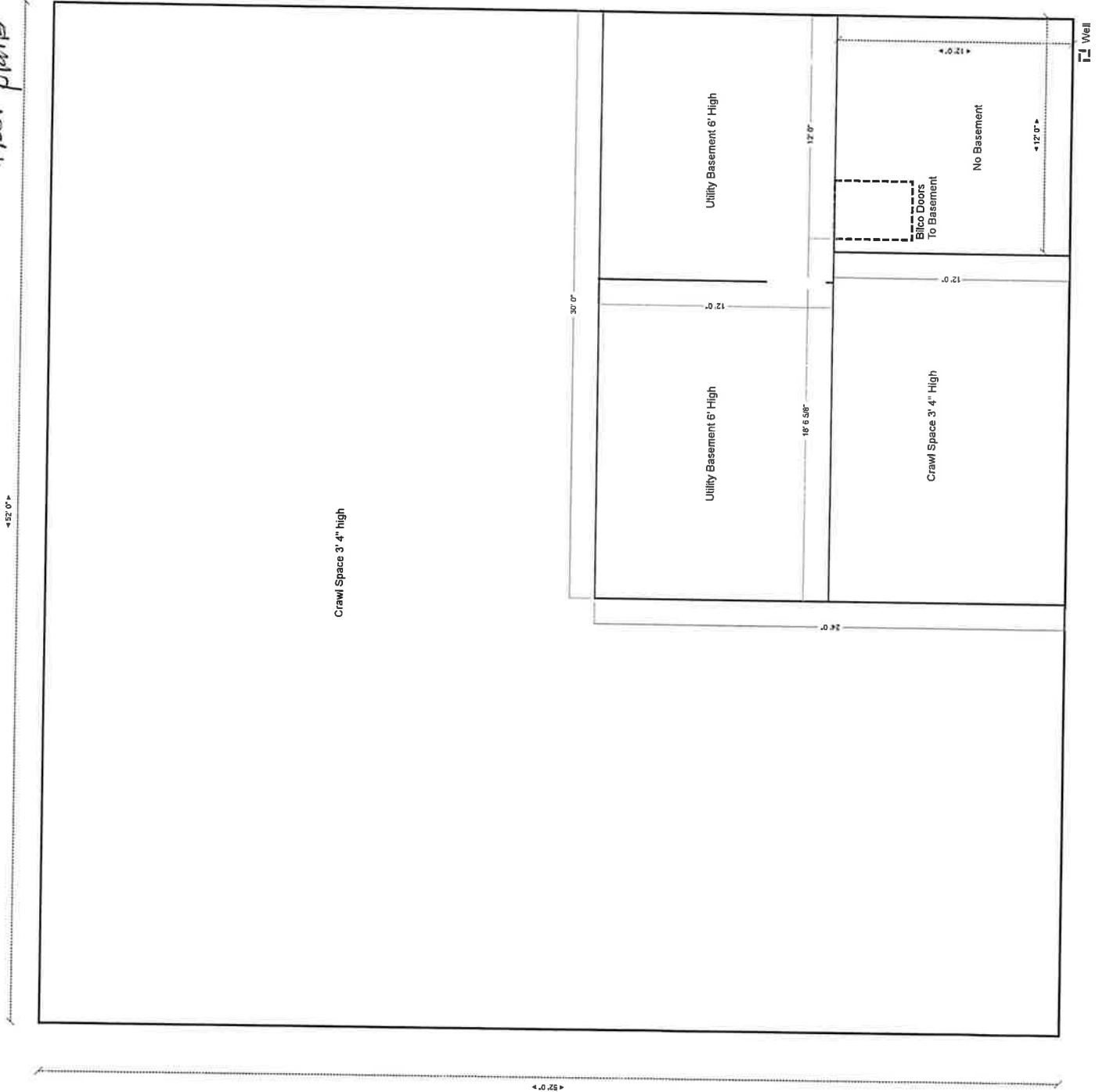
Angus W. Stocking

Angus W. Stocking, WI Land Surveyor, S-2424
MSA PROFESSIONAL SERVICES
111 Warren Street, Beaver Dam, WI 53916

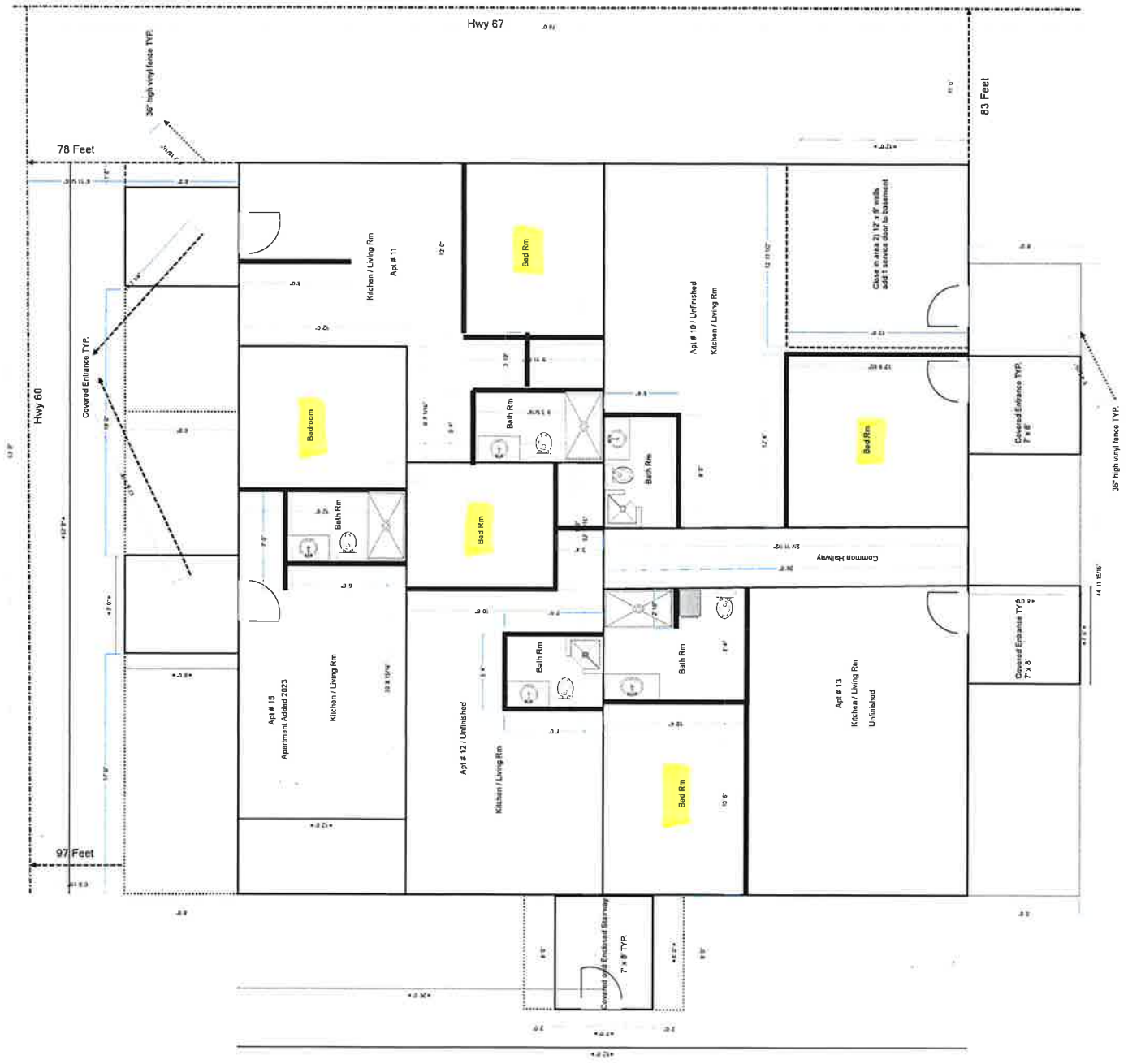


JOB NO. 192052
SHEET 2 OF 2

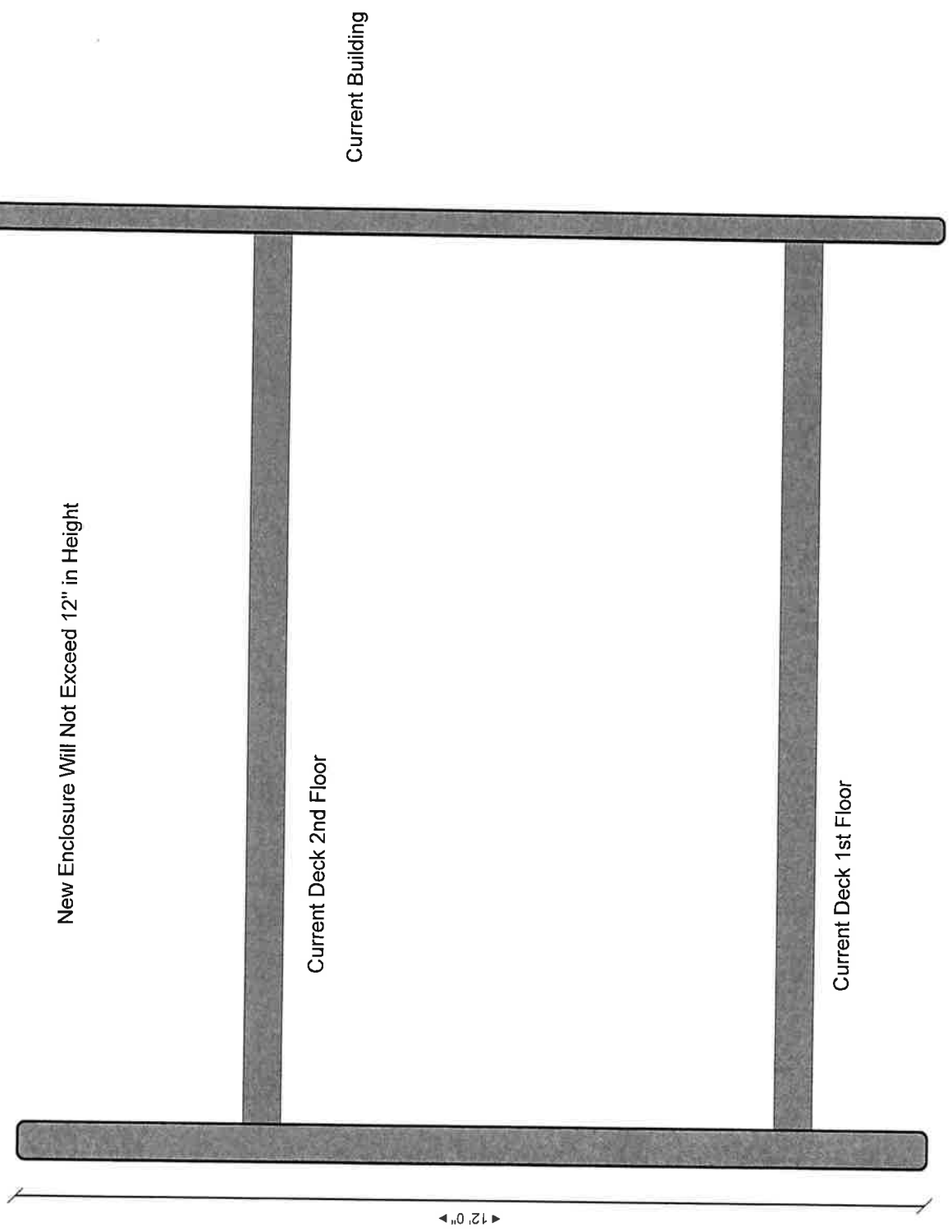
Basement
floor plans



1st floor
floor plans



Side View Back
Existing Decks to
be enclosed





Dodge County Land Resources & Parks Department

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

April 12, 2024

Coppermug RE LLC
C/O John Boyd and Mike Held
W2473 State Road 60 STE 15
Neosho, WI 53059

RE: Land Use Permit Denial Notification - County ID# 2024-0152 (as revised on March 27, 2024)
PIN # 038-1017-1911-002

Location: Part of the NE ¼ of the NE ¼, Section 19, Town of Rubicon, the site address being N3697 State Road 67.

Dear John Boyd and Mike Held:

Your revised application for a permit to construct covered entrances, to construct fencing, to enclose an existing overhang area along the southeast corner of the building and to possibly add a future enclosed stairway from the 2nd floor along the southeast corner of the principal structure 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 refer to the distances that all buildings and other structures are required to be setback from all streets and highways. On a State highway, the required setback is 100 feet from the centerline or 67 feet from the road right-of-way, whichever distance is greater. According to County records, the road right-of-way along STH 60 at this location ranges from 60' to 88' from the centerline of STH 60, therefore the required setback ranges from 127' to 155' from the centerline of STH 60. The road right-of-way along STH 67 at this location ranges from approximately 33' to 95' from the centerline of STH 67, therefore the required setback ranges from 100' to 162' from the centerline of STH 67 at this location.

- As proposed, the covered entrance overhangs and fencing along the northwest side of the main structure will be located approximately 18' from the road right-of-way of STH 60 or 49' within the required setback from STH 60, therefore not in compliance with the Code.
- As proposed, the overhang and fencing to be located along the southeast corner of the existing building will be approximately 5' from the road right-of-way of STH 67 or 62' within the required setback from STH 67 and therefore prohibited by the Code.
- As proposed, the wall enclosure project will be located approximately 5' from the road right-of-way of STH 67 or approximately 62' within the required setback from STH 67 and therefore prohibited by the Code.
- As proposed, the enclosure, fencing and overhang by the existing deck along the southwest side of the principal structure will be located approximately 60' from the road right-of-way of STH 67, approximately 7' within the required setback of STH 67 and therefore prohibited by the Code.
- As proposed, the future stairway on the second floor along the southeast side of the principal structure will be located approximately 5' from the road right-of-way of STH 67 or approximately 62' within the required setback of STH 67 and therefore prohibited by the Code.

In addition, Subsection 10.3.2.B of the Code states that 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. As proposed, the proposed covered entrance overhangs and the fencing will extend beyond the existing footprint of the existing structure and are considered by the County as an expansion of the legal existing non-conforming principal structure therefore prohibited by the Code.

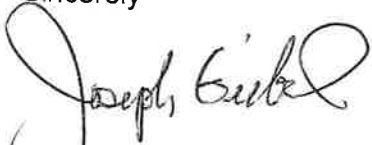
Furthermore, Section 10.2.1 of the code states that the lawful nonconforming use of a structure, land, or water existing at the time of the adoption or amendment of this Code may be continued although the use does not conform to the provisions of this Code. However, only the portion of the structure, land or water in actual use may be so continued, and the structure, land, water or area within which the use is contained may not be extended, enlarged, modified, added to, repaired, reconstructed, substituted, moved, or structurally altered except when required to do so by law or order, so as to comply with the provisions of this Code, or in accord with Sec. 10.2.4. According to the County records, the multi-family use of the residential structures on this lot are considered a legal existing non-forming use of the property by the County as multi-family residential uses with more than 8 units are not listed as an allowed or conditional use within the C-2 Commercial Zoning District and the use was in existence prior to the adoption of the County Code by the Town of Rubicon. As proposed, the addition of the new apartment within the northeast structure on this lot is considered an expansion of the non-conforming multi-family residential use of the property.

Therefore, the County is unable to issue a permit for your proposed overhang, fencing and wall enclosure projects and for allowing an additional apartment to be located within the northeast residential as proposed 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, nonconforming structure and non-conforming use standards of the code. A variance application form has been enclosed for your review.

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

A variance request was filed on March 27, 2024 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



Joseph Giebel

Manager, Land Resources and Parks Department

Code Administration

127 E. Oak St., Juneau, WI 53039

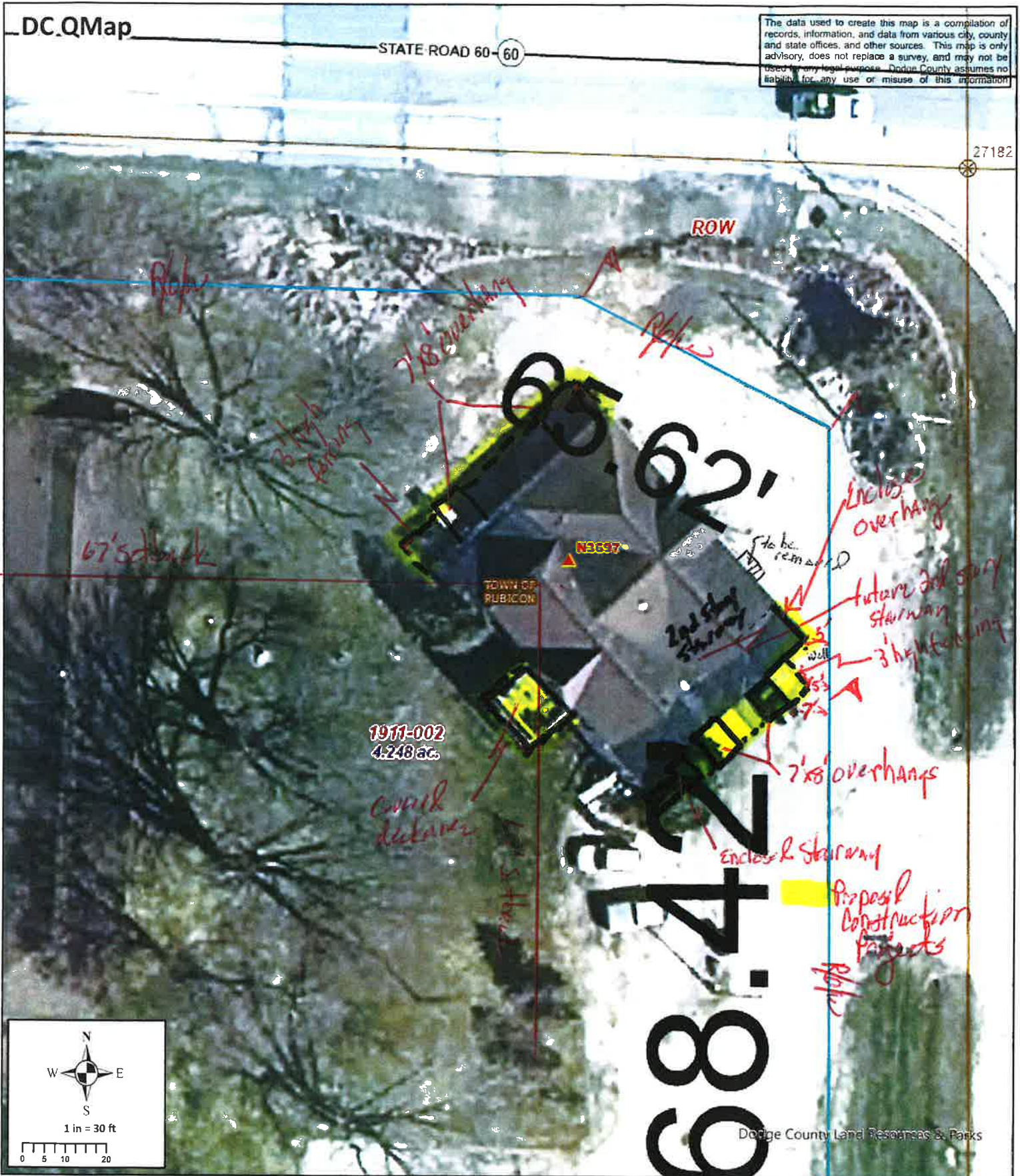
Dodge County, WI

Office: 920-386-3711



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.

27182



Dodge County Land Resources & Parks

General	WI Historical Society	Floodplain / Wetland	County Zoning
Urbanized Roads	Historic Structures	FEMA Floodplain/Storage/Dam Shadow	Planned Unit Development
Soils	Archaeological Sites	DNR Welland 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. 2024-0152	Receipt No. 9102-0011
Permit Expiration Date	Application Date 3-27-2024
	Sanitary Permit

*Approved
 3/27/24*

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.) Coppermug Re LLC		Parcel Identification Number (PIN) 038-1017-1911-002					
Street Address W2473 Hwy 60 Suite 15		Town Rubicon		T	N	R	E
City • State • Zip Code Neosho, WI 53059		1/4 NE	1/4 NE	Section 19	Acreage	Lot (Block)	
Property Owner <input type="checkbox"/> Same as applicant John Boyd / Mike Held		Subdivision or CSM (Volume/Page/Lot)					
Street Address W2473 Hwy 60 Suite 15		Address Of Property (DO NOT include City/State/Zip Code) N3697 State Road 67					
City • State • Zip Code 53059		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 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 checked="" 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 type="checkbox"/> Deck | <input checked="" 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) |

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

Other Overhang and enclosed 2nd floor stairway

Width _____
 Length See Attachment for dimensions
 Total Area _____
 Total Stories _____
 Height (To roof peak) _____

Additional Project Information

Home Addition: Total number of bedrooms? Before 6 After 6

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

Sign Information: Single-Sided Double-Sided
 Located On-Premise Located Off-Premise
 Wall Ground Directional Other _____

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

Estimated Cost (w/Labor) \$ 20,000

◆ ◆ ◆ 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.

- 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?

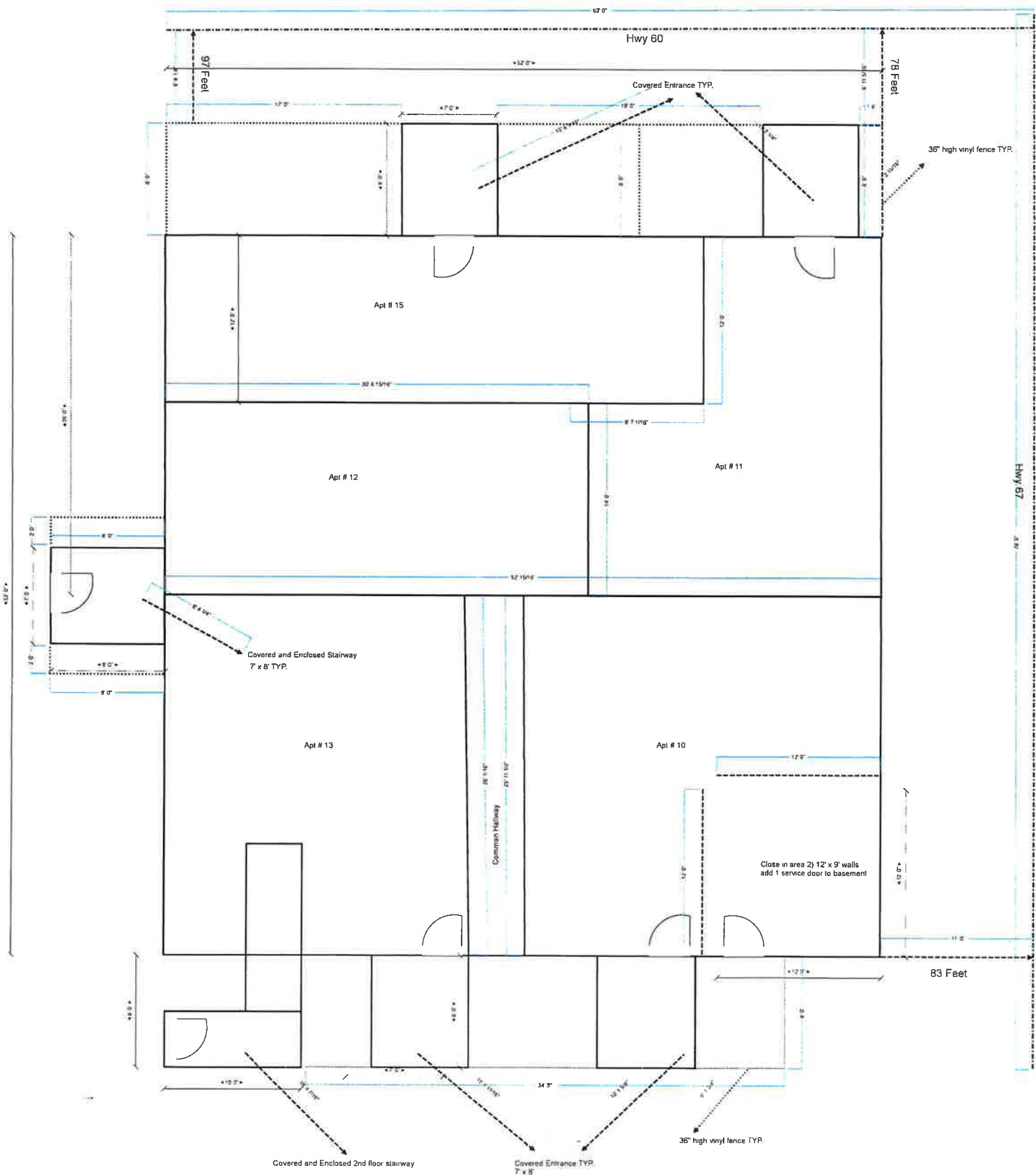
- NO -> Sign and date application below.
YES -> A County CONDITIONAL USE PERMIT (CUP) may [also] be needed. Contact this office for assistance regarding the CUP process. Sign and date application below.

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.

Contact Person (Print) John Boyd Daytime Contact Phone (920) 210-6276 or Email: john.boyd1@frontier.com

Signature [Handwritten Signature] Date 03/27/2024 Call for pickup [X] No [] Yes []



19-10-17-36

PROJECT # 192161	SCALE: 1" = 100 FEET	FILE # 2161pos
FIELD BOOK #	DRAWN BY AWS	SHEET # 1 of 2
PAGES #	CHECKED BY AWS	DATE

SURVEYOR:
ANGUS W. STOCKING
MSA PROFESSIONAL SERVICES, INC.
111 WARREN STREET
BEAVER DAM, WI 53916
(920) 887-4242

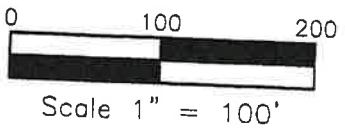
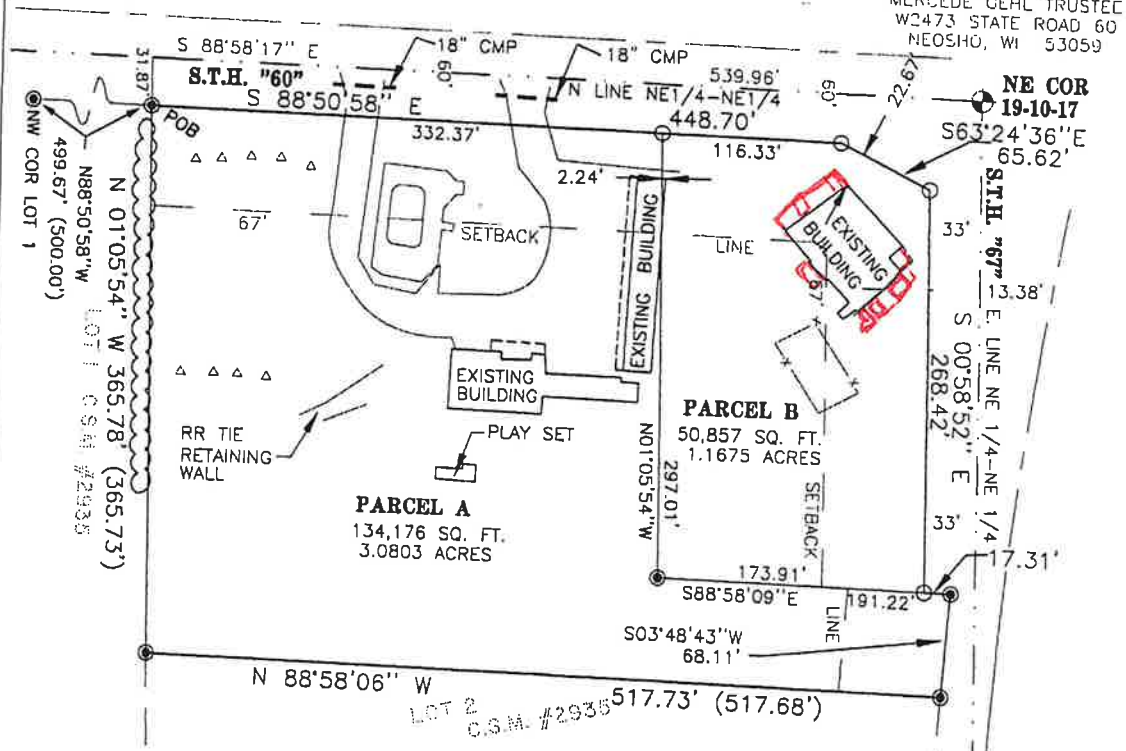


CLIENT:
TODD LAZICH
W2473 S.T.H. "60"
NEOSHO, WI 53059
920-625-2027

PLAT OF SURVEY

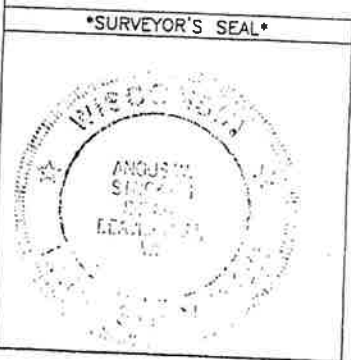
PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 19, TOWN 10 NORTH, RANGE 17 EAST, TOWN OF RUBICON, DODGE COUNTY, WISCONSIN

OWNER:
MERCEDE GEHL TRUSTEE
W2473 STATE ROAD 60
NEOSHO, WI 53059



LEGEND

- BOUNDARY LINE
- - - SECTION LINE
- - - ADJOINER LINE
- - - CENTERLINE
- - - SETBACK LINE
- ~ BRUSH LINE
- FD. 1" IRON PIPE
- ▲ VENT / SEPTIC VENT
- ⊙ FD. B.C.A.M.
- SET 3/4" BY 24" IRON REBAR -1.50 LBS./FT.
- () RECORDED INFO



Angus W. Stocking

12.21.2000

MSA PROFESSIONAL SERVICES
ANGUS W. STOCKING, REGISTERED LAND SURVEYOR #S-2424 DATE

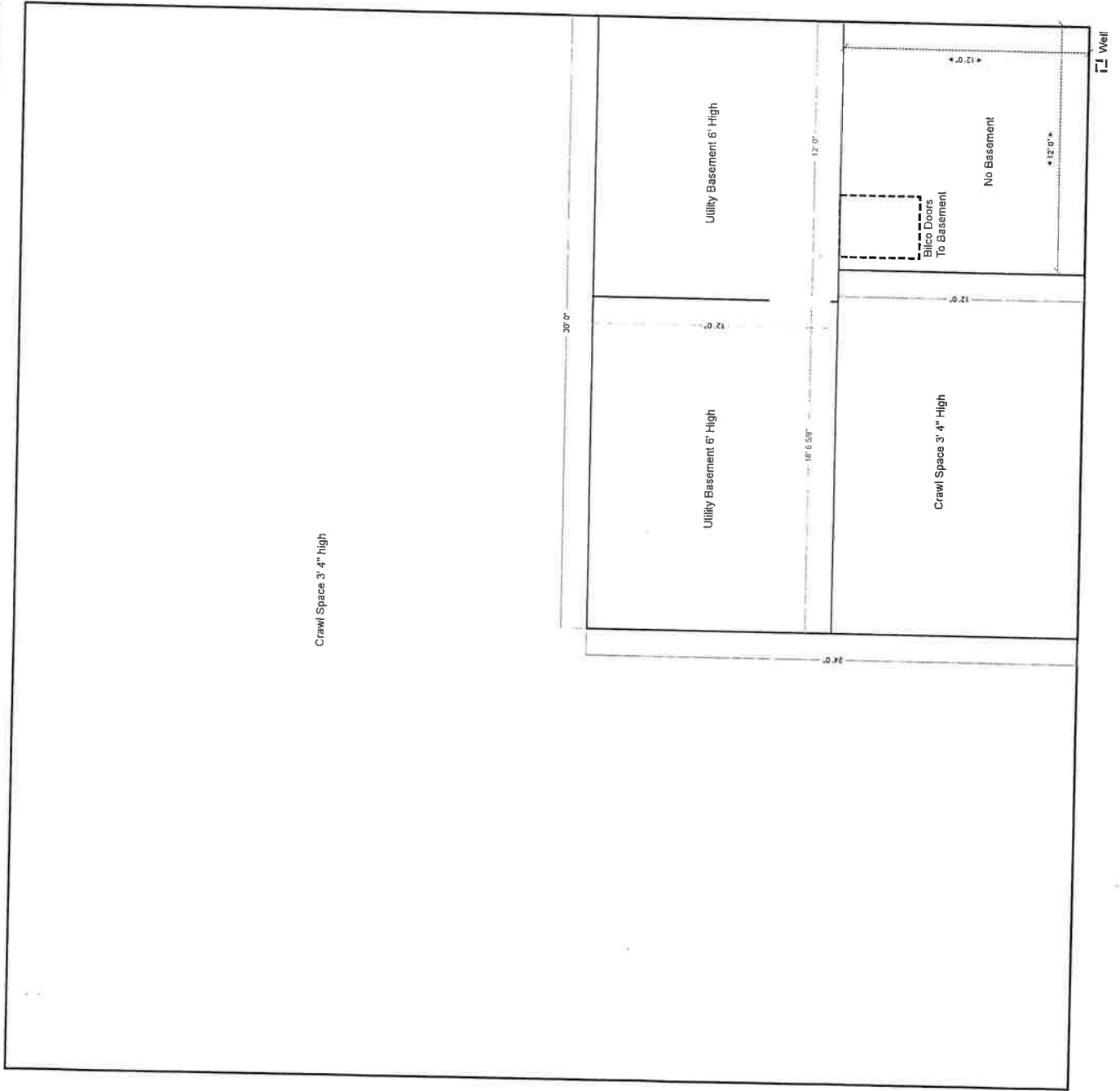
NOTE: IF THE SURVEYOR'S SEAL AT LEFT IS NOT RED IN COLOR, THE SURVEY IS A COPY AND SHOULD BE ASSUMED TO CONTAIN UNAUTHORIZED ALTERATIONS. THE CERTIFICATION CONTAINED ON THIS DOCUMENT SHALL NOT APPLY TO COPIES.

Proposed entrance Additions
(first floor)

— STH60 —



Basement floor plans



52' 0"

Crawl Space 3' 4" high

20' 0"

Utility Basement 6' High

Utility Basement 6' High

18' 6 5/8"

12' 0"

Crawl Space 3' 4" High

Bioco Doors To Basement

No Basement

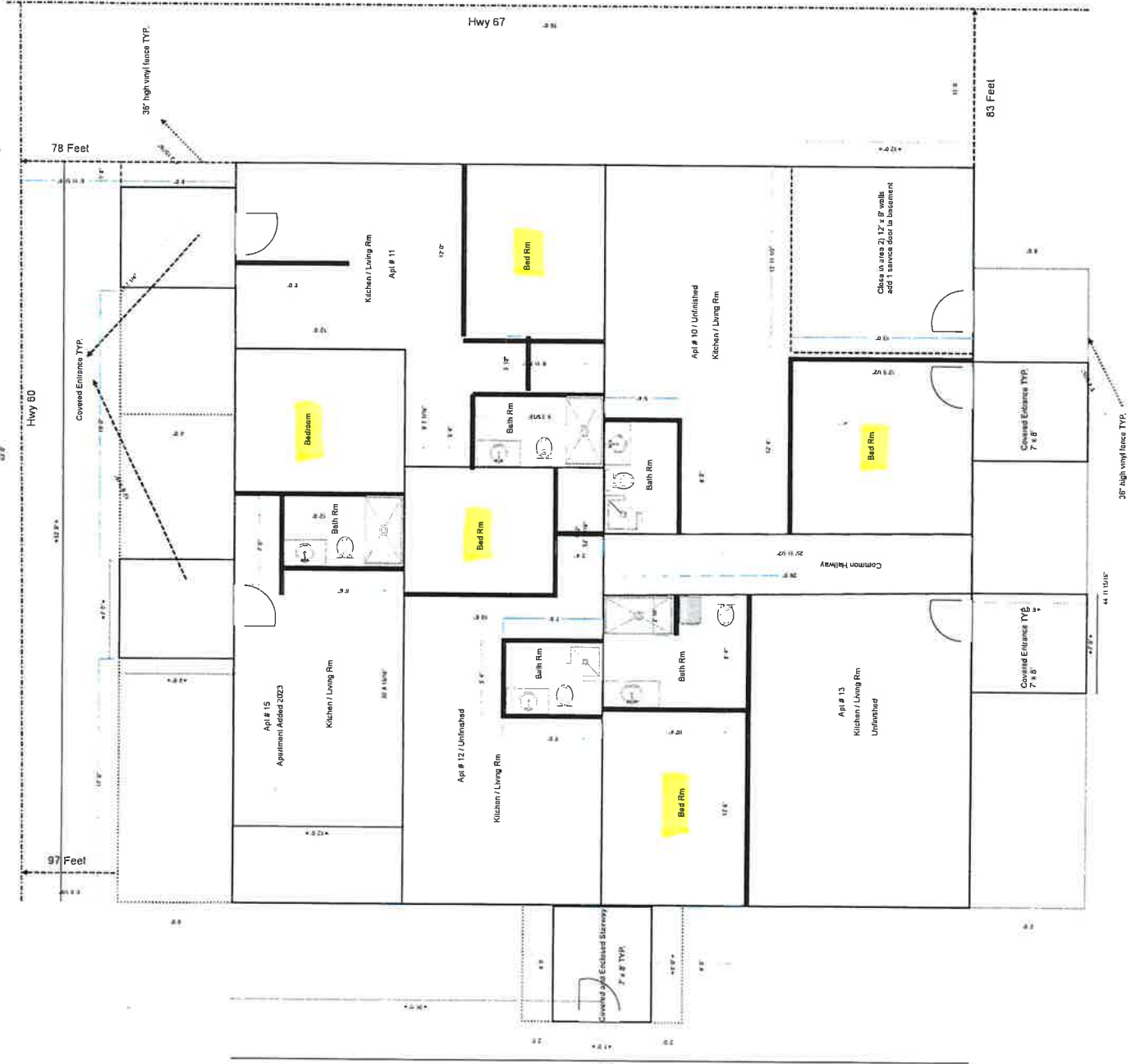
12' 0"

12' 0"

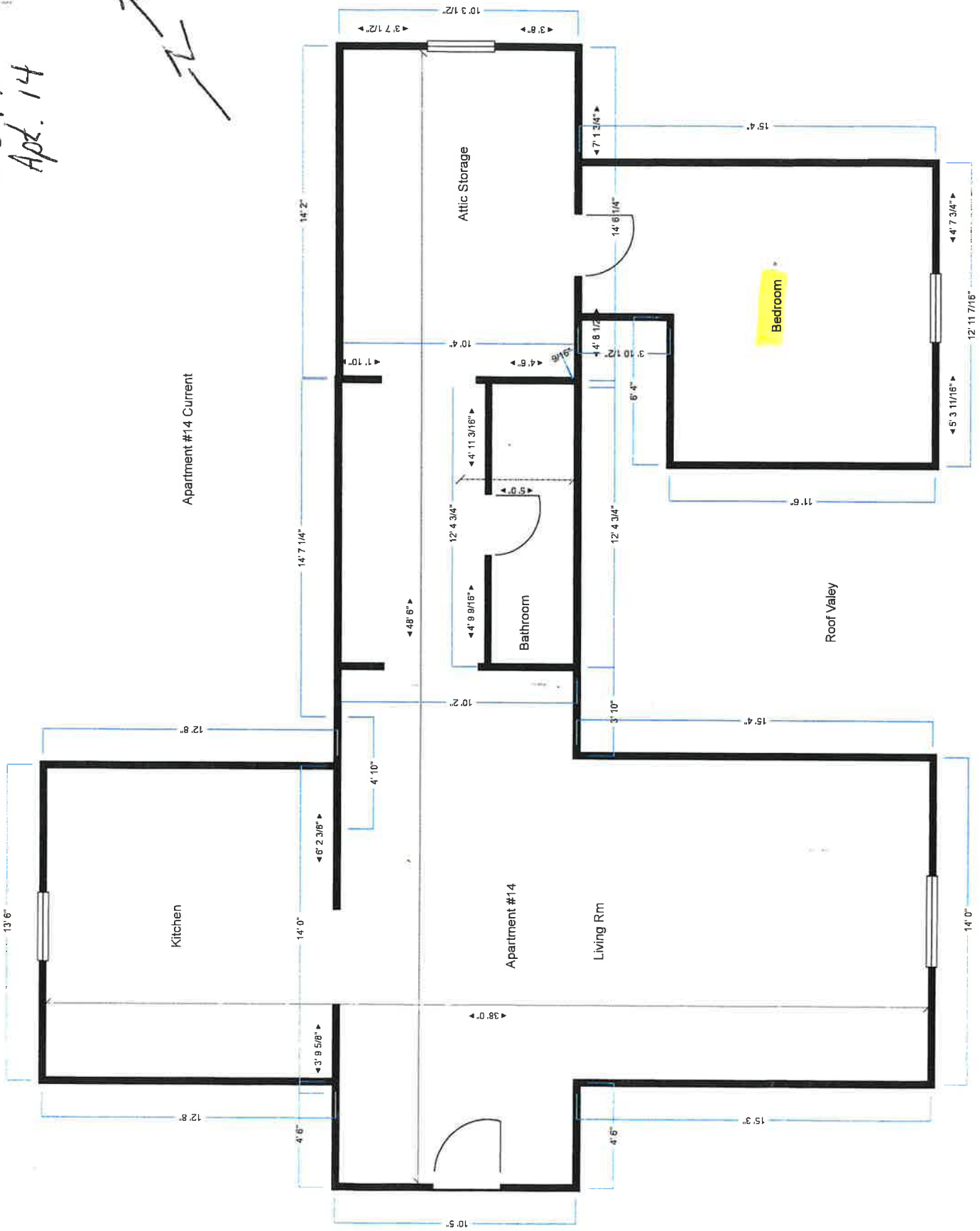
Well

24' 0"

1st floor
floor plans



2nd Floor
Apt. 14



North

Apartment #14 Current

Apartment #14

Bedroom

Roof Valley

Attic Storage

Bathroom

Living Rm

Kitchen

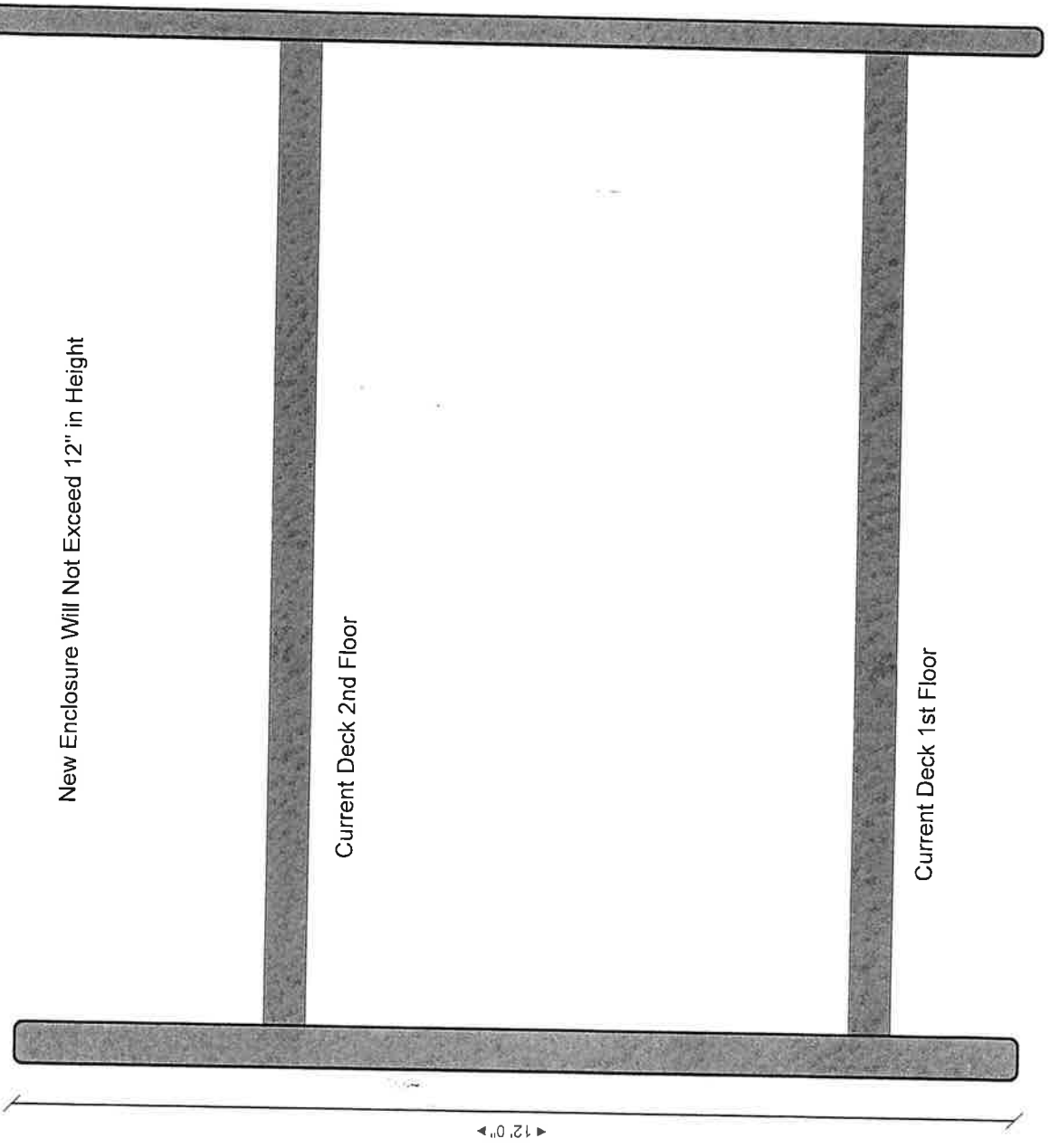
Side View Back
Existing Decks to
be enclosed

New Enclosure Will Not Exceed 12" in Height

Current Deck 2nd Floor

Current Deck 1st Floor

Current Building



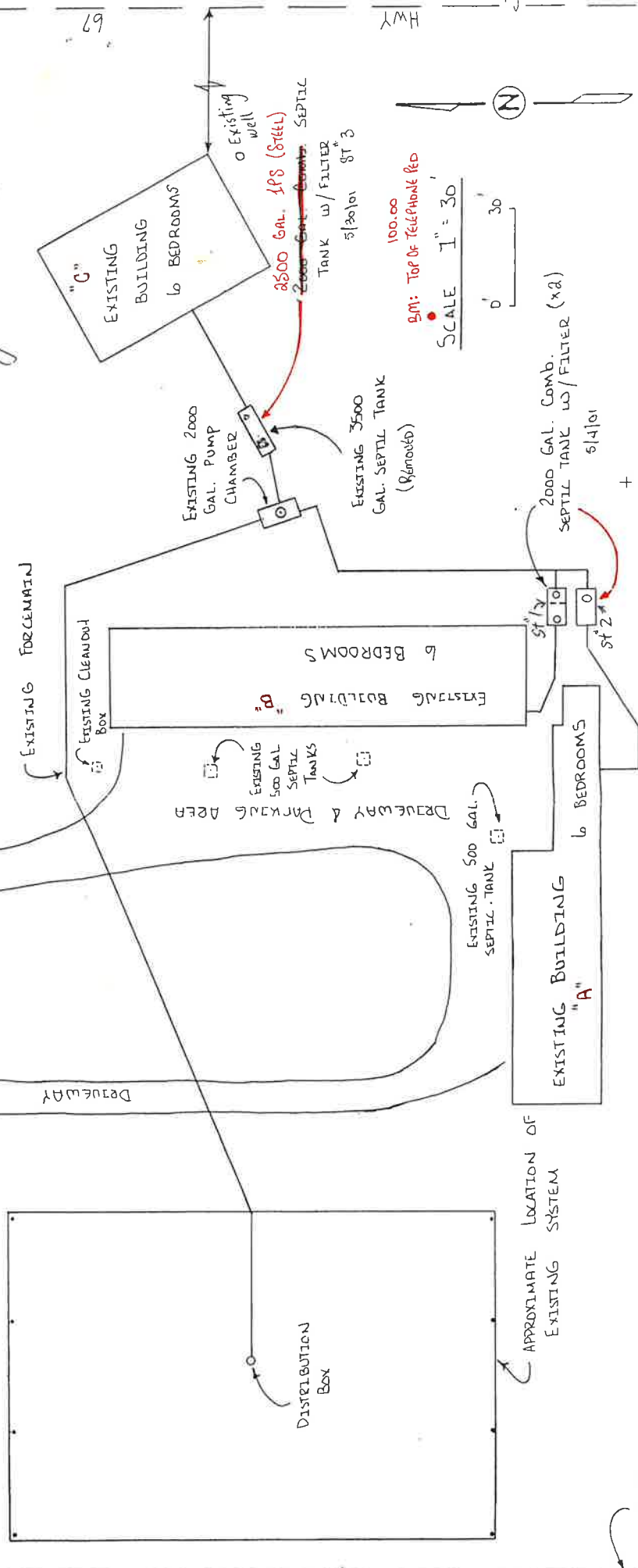
12.0"

60

HWY

SCOTT & TODD LAZICH
NE 1/4, NE 1/4, SEC. 19, T10N, R1E
TWN OF RUBICON, DODGE Co

REVISED
5/14/01
5/30/01
John DeLong



SITE PLAN

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



Dodge County Land Resources & Parks

General	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

LEGAL NOTICE FOR:

BOARD OF ADJUSTMENT

Hearing No. 3

Notice is hereby given that a public hearing will be held by the **Dodge County Board of Adjustment** on Thursday, May 16, 2024 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 **BRUCE A & CHERYL L SIEWERT** - for a variance to the terms of the Setback and non-conforming structure provisions of the Dodge County Land Use Code to allow construct a 3-seasons room on top of an existing attached deck. Where said 3-seasons room will be 114.3 from the centerline of County Road M. According to the application, the deck addition will begin approximately 106 feet from the centerline or 8.3 feet within the highway setback lines and therefore prohibited by the code. It is also noted that said 3-seasons room will also be considered an expansion of an existing non-conforming structure and therefore prohibited by the code.

The site is located in SE ¼, SW ¼, Section 27, T11N, R15E, Town of Oak Grove, Dodge County, Wisconsin the site address being N5322 County Road M.

A copy of the proposed petition is available for review in the County Land Resources and Parks Department between the hours of 8:00 a.m. and 4:30 p.m., Monday-Friday (920-386-3700). 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 May 15, 2024.

Dated April 15, 2024

Dodge County Board of Adjustment
By William Nass, Chairman

Land Resources and Parks Department Staff Report

County Variance Application No. 2024-0230
County Land Use Permit Application No. 2024-029
Filing Date: April 15, 2024
Hearing Date: May 16, 2024

Owner & Applicant (Agent):
Bruce & Cheryl Siewert
N5322 CTH M
Juneau, WI 53039

Location

PIN#: 034-1115-2734-004

Property Location: SE ¼, SW ¼, Section 27, T11N, R15E, Town of Oak Grove, Dodge County, Wisconsin the site address being W1587 County Road M.

County Jurisdiction

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

Review Criteria

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

Appellants Request

An application for a variance request was submitted by the appellant with a request to allow the construction of a home addition on this site where said addition is located approximately 8.3 feet within the required highway setback of Cty Rd M and where said addition is considered by the County as an expansion of a non-conforming structure.

Features

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

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

The property is presently being used for residential use;

The physical features of this 1.957 acre lot includes rolling topography with slopes ranging from 3-9 %. The parcel contains a residence and associated accessory structures;

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

In 2013, the Dodge County Board of Adjustment approved a variance to construct a deck in the same location where this addition is proposed.

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

According to County Records, the County owns 47.3 feet of road right-of-way at this location. Therefore, the required highway setback at this location for all structures would be 114.3 feet from the centerline of Cty Rd M.

On April 15, 2024 an application for a County Land Use Permit was made by the appellant in order they be allowed to construct a home addition on the east side of the residence on this site;

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

Subsection 5.1 and Table 5.1 -1 of the Land Use Code refer to the required setbacks from public roads, streets and highways under the Dodge County Land Use Code. For the specific section of Cty Road M along which the above noted project is to take place, the required setback is 100 feet from the centerline or 67 feet from the road right-of-way, whichever distance is greater. According to the County records, the state owns approximately 47.3' of road right-of-way at this location. Therefore, the required setback for any construction at this location is 114.3' from the centerline of Cty Rd M. As proposed, the home addition will be located approximately 106' feet from the centerline of Cty Rd M or approximately 8.3' within the required setback, therefore not in compliance the Code provisions and therefore prohibited by the Code.

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

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

The appellant is requesting an area variance to Section 5.1, 10.3.1 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 purchasing non-conforming structures located within the highway setback lines, when those structures need to be removed for highway improvement or relocation projects.

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

Staff Advisory:

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

The staff believes that the appellant is requesting an area variance to Section 5.1.1, 10.3.1 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. The Board should also consider the costs to the Town and the public of having to purchase this structure in the future if this structure would need to be removed for highway improvement or relocation projects.

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

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

Dodge County Board of Adjustment Decision

County Variance Application No. 2024-0230
County Land Use Permit Application No. 2024-029
Filing Date: April 15, 2024
Hearing Date: May 16, 2024

Owner & Applicant (Agent):
Bruce & Cheryl Siewert
N5322 CTH M
Juneau, WI 53039

Location

PIN#: 034-1115-2734-004
Property Location: SE ¼, SW ¼, Section 27, T11N, R15E, Town of Oak Grove, Dodge County, Wisconsin the site address being W1587 County Road M.

County Jurisdiction

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

Review Criteria

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

Appellants Request

An application for a variance request was submitted by the appellant with a request to allow the construction of a home addition on this site where said addition is located approximately 8.3 feet within the required highway setback of Cty Rd M and where said addition is considered by the County as an expansion of a non-conforming structure.

CONCLUSIONS OF LAW

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

The appellants request to Section 5.1.1 and Table 5.1-1 and 10.3.2.B – the nonconforming structure provisions 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 and non-conforming structure provisions of the code?

(Yes / No) _____

Are the highway setback and the non-conforming structure and use provisions of the Code unnecessarily burdensome in this case, thereby creating a hardship?

(Yes / No)

Explain: _____

Does the appellant have other options available to complete these projects in compliance with the Code?

(Yes / No)

Explain _____

What hardship exists if the variance is denied?

Explain _____

Are the projects 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 to the highway setback and the non-conforming structure provisions of the Code meet the criteria that is necessary in order to grant the area 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.
- It shall be the responsibility of the applicant to obtain all other Federal, State and/or local municipality permits and approvals that may be required for the proposed modifications to the principal structure.

Others

Area Variances – Highway Setback and Expansion of the non-conforming structure Provisions

Motion by _____ to (approve / deny) the variance to the highway setback and non-conforming 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
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 area variance requests as proposed;
- Granted the area and use 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

April 15, 2024

BRUCE A & CHERYL L SIEWERT
N5322 COUNTY ROAD M
JUNEAU WI 53039

RE: Determination of Application Completeness

Variance Application: #2024-0230

Property location: Part of the SE ¼, SW ¼, Section 27, T11N, R15E, Town of Oak Grove, Dodge County, Wisconsin the site address being N5322 County Road M.

Dear BRUCE A & CHERYL L SIEWERT;

The Dodge County Land Resources and Parks Department has received your Variance application with a request to construct a 3-seasons room on top of an existing attached deck. Where said 3-seasons room will be 114.3 from the centerline of County Road M. According to the application, the deck addition will begin approximately 106 feet from the centerline or 8.3 feet within the highway setback lines and therefore prohibited by the code. It is also noted that said 3-seasons room will also be considered an expansion of an existing non-conforming structure and therefore prohibited by the code.

On April 9, 2024, 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, May 16, 2024 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 May 9, 2024 to review the site and the proposed construction project. Please make sure that the proposed construction project is staked out so that the Board can review your proposal. Your attendance during the on-site visit is not required.

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

Sincerely,

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



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

THIS AREA FOR OFFICE USE ONLY	
Activity No. 240230	Issue Date:
Application Date: 4-15-2024	Receipt #: CL

Variance Application

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

Names and Mailing Addresses	Property Description							
Applicant (Agent) Bruce & Cheryl Siwert	Parcel Identification Number (PIN) 034-1115-2734-004							
Street Address N5322 Cty Rd M	Town Oak Grove							
City • State • Zip Code Juneau, WI 53039	<table border="1"> <tr> <td>1/4</td> <td>1/4</td> <td>Section 27</td> <td>T</td> <td>N</td> <td>R</td> <td>E</td> </tr> </table>	1/4	1/4	Section 27	T	N	R	E
1/4	1/4	Section 27	T	N	R	E		
Property Owner (if different from applicant)	Subdivision or CSM #							
Street Address ↓	Site Address N5322 Cty Rd M							
City • State • Zip Code	Is this property connected to public sewer? <input type="checkbox"/> Yes <input type="checkbox"/> No							
Present property use: My home								
List any prior variances that have been granted or denied for this property: 2013-0407 Granted for deck & entryway addition								
Describe all nonconforming structures and uses on this property: The home - too close to the road								
List the terms of the Land Use Code for which you are requesting a variance (section # and code provision requirements): Subsection 5.1.1 and table 5.1-1 setback to center line and right of way								
Variance Requested: To allow enclosure of 10x12 area on existing deck								
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? House/deck is within highway setback								

What unique features of this property prevent you from complying with the terms of the Land Use Code?
 Any addition to home falls within hwy setback

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?
 Wanting to make better use of an existing structure - Example - hot sun, mosquitoes

How would the interest of the public or neighbors be affected by granting or denying this variance?
 Not affecting any neighbors because structure already exists and is on back of house

CERTIFICATE

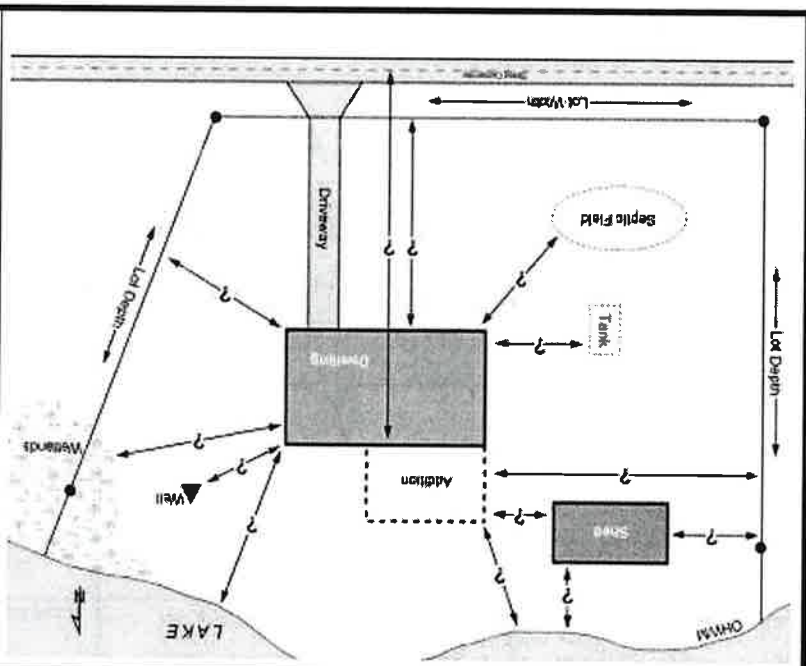
I hereby certify that I am the owner and/or authorized agent of the property owner and that all the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief and I hereby authorize members of the Dodge County Land Resources and Parks Department and 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: Cheryl Stewart
 Date: 4-15-24
 Daytime Contact Number (900, 392-1635)

SITE PLANS AND BUILDING PLANS

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

- DEC 2023
- Site plans must be drawn to scale and/or all dimensions given, such as:
 - 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

4/15/2024

BRUCE A & CHERYL L SIEWERT REVOCABLE TRUST DATED FEBRUARY 7, 2022
N5322 COUNTY ROAD M
JUNEAU WI 53039

RE: Notice of Permit Refusal
PIN# 034-1115-2734-004

Location: SE ¼, SW ¼, Section 27, T11N, R15E, Town of Oak Grove, Dodge County, Wisconsin
the site address being N5322 County Road M.

Dear Members of the Trust noted above:

Your application for a permit to construct an addition 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 5.1.1 and Table 5.1.1-1 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 County Trunk 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. According to County records there is 47.3 feet of right of way at this location. Therefore, required highway setback at this location is 114.3 from the centerline of County Road M. According to the application, the deck addition will begin approximately 106 feet from the centerline or 8.3 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 M setback lines and the County believes that said structure was in existence prior to the adoption of the County Code. The proposed addition, 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 request was filed on April 15, 2024 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,

A handwritten signature in black ink, appearing to read "Andy O'Brion". The signature is fluid and cursive, with a large initial "A" and "O".

Andy O'Brion
Senior Land Use/Sanitation Specialist

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



<p>General</p> <ul style="list-style-type: none"> Urbanized Roads Soils Airport Ordinance 3-Mile Buffer Sewer Service Areas Highly Developed Shoreline Elevation Contours 	<p>WI Historical Society</p> <ul style="list-style-type: none"> Historic Structures Archaeological Sites Survey Areas <p>Non-Metallic Mining</p> <ul style="list-style-type: none"> Active Mining Area Approved Mining Area Mine Property Boundaries 	<p>Floodplain / Wetland</p> <ul style="list-style-type: none"> FEMA Floodplain/Storage/Dam Shadow DNR Wetland Areas/Points <p>Shoreland Zoning</p> <ul style="list-style-type: none"> Shoreland Zoning Buffer Lakes/Ponds/Sloughs Rivers/Streams/Creeks 	<p>County Zoning</p> <ul style="list-style-type: none"> Planned Unit Development Hartford Extraterritorial General Agricultural Prime Agricultural One Family Residential Two Family Residential Multi-Family Residential 	<ul style="list-style-type: none"> General Commercial Extensive Commercial Light Industrial Industrial Waterbody ROW/City/Village
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Land Use Permit

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

This Area For Office Use Only

COUNTY ID No.

240229

Receipt No

CC

Application Date

4-15-2024

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 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.) Bruce Siewert	Parcel Identification Number (PIN) 034-115-2734-004
Street Address N5322 Cty Rd M	Town Oak Grove
City • State • Zip Code Juneau	Section 27
Property Owner <input type="checkbox"/> Same as applicant	Subdivision or CSM (Volume/Page/Lot)
Street Address	Address Of Property (DO NOT include City/State/Zip Code) N5322 Cty Rd M
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 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 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 Enclosing a portion of deck	
Width 144" Length 120" Total Area _____ Total Stories 1 Height (To roof peak) Meeting overhang of deck Estimated Cost (w/Labor) \$ 10,000	Additional Project Information Home Addition: Total number of bedrooms? Before _____ After _____ Barn Information: Will it house any animals? If yes, complete Animal Units Worksheet. Sign Information: <input type="checkbox"/> Single-Sided <input type="checkbox"/> Double-Sided <input type="checkbox"/> Located On-Premise <input type="checkbox"/> Located Off-Premise <input type="checkbox"/> Wall <input type="checkbox"/> Ground <input type="checkbox"/> Directional Other _____ Will it be lighted and/or have moving/flashing parts? <input type="checkbox"/> No <input type="checkbox"/> Yes
◆ ◆ ◆ CLEARLY MARK/FLAG/STAKE-OUT THE CORNERS OF YOUR PROJECT & PROPERTY LINES ◆ ◆ ◆	
DNR NOTICE: You are responsible for complying with State and Federal laws concerning construction on or near wetlands, lakes and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the Department of Natural Resources Wetlands Identification Web Page (www.dnr.state.wi.us) or contact a Department of Natural Resources Service Center.	

PAGE 2 — SUPPLEMENTAL INFORMATION AND ADDITIONAL REQUIREMENTS

NOTE: Your County Land Use Permit will be withheld and will not be processed without the completion and submittal of the required worksheet(s) to this office for departmental review and approval. Worksheets can be found at <https://www.co.dodge.wi.gov/departments/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.

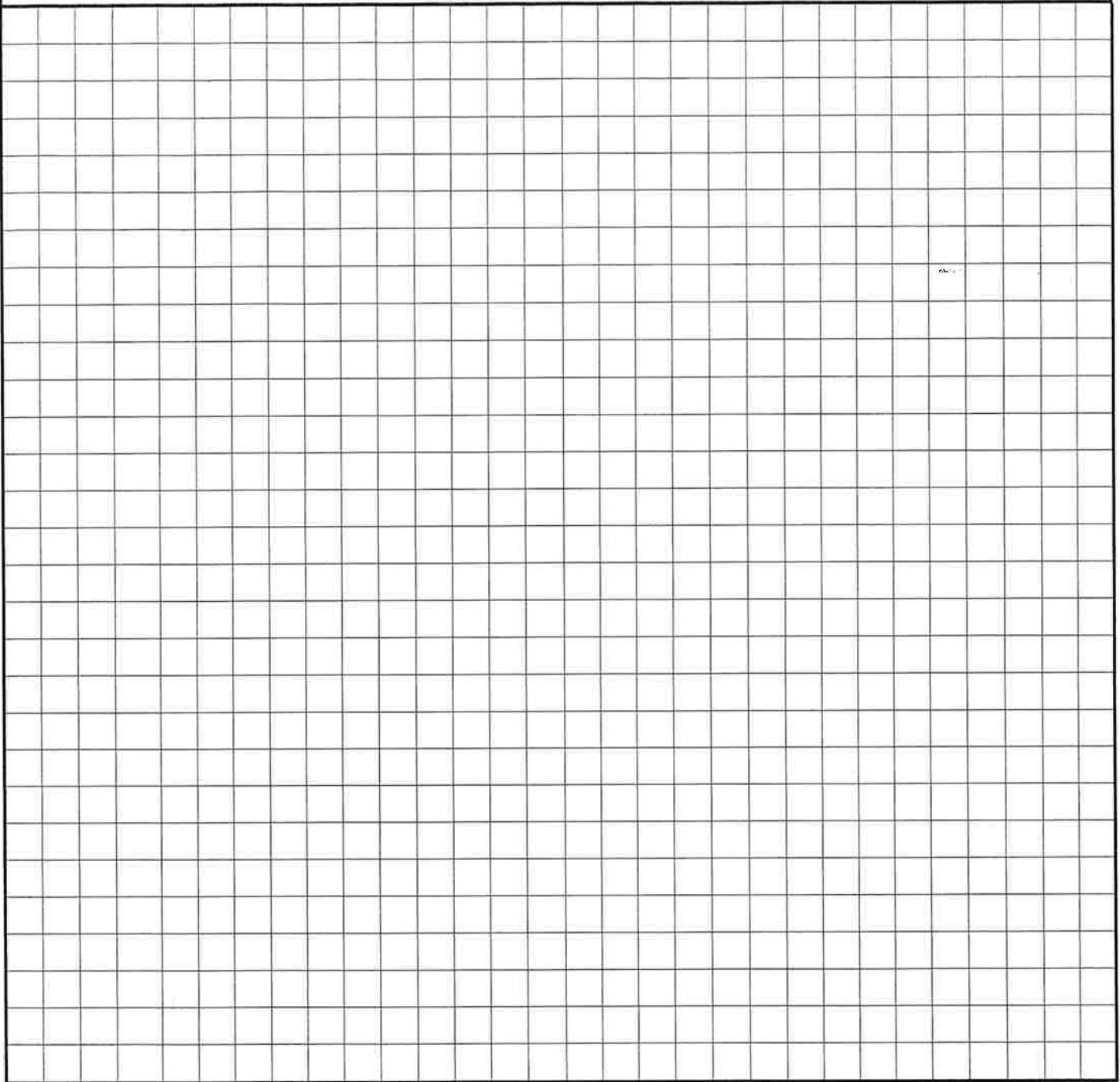
CERTIFICATE & CONTACT INFORMATION

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) Cheryl Sewert Daytime Contact Phone 920-392-6358 or Email: _____

Signature Cheryl Sewert Date 4-15-24 Call for pickup No Yes

SITE PLAN (SKETCH)



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

BOA ID No. 2024-0173	BOA Appeal Date 3/16/24	BOA P/H Date 5/16/24	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 Information Search** located on the Dodge County Website (co.dodge.wi.gov) or by contacting the County Property Description Office (920) 386-3775 (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

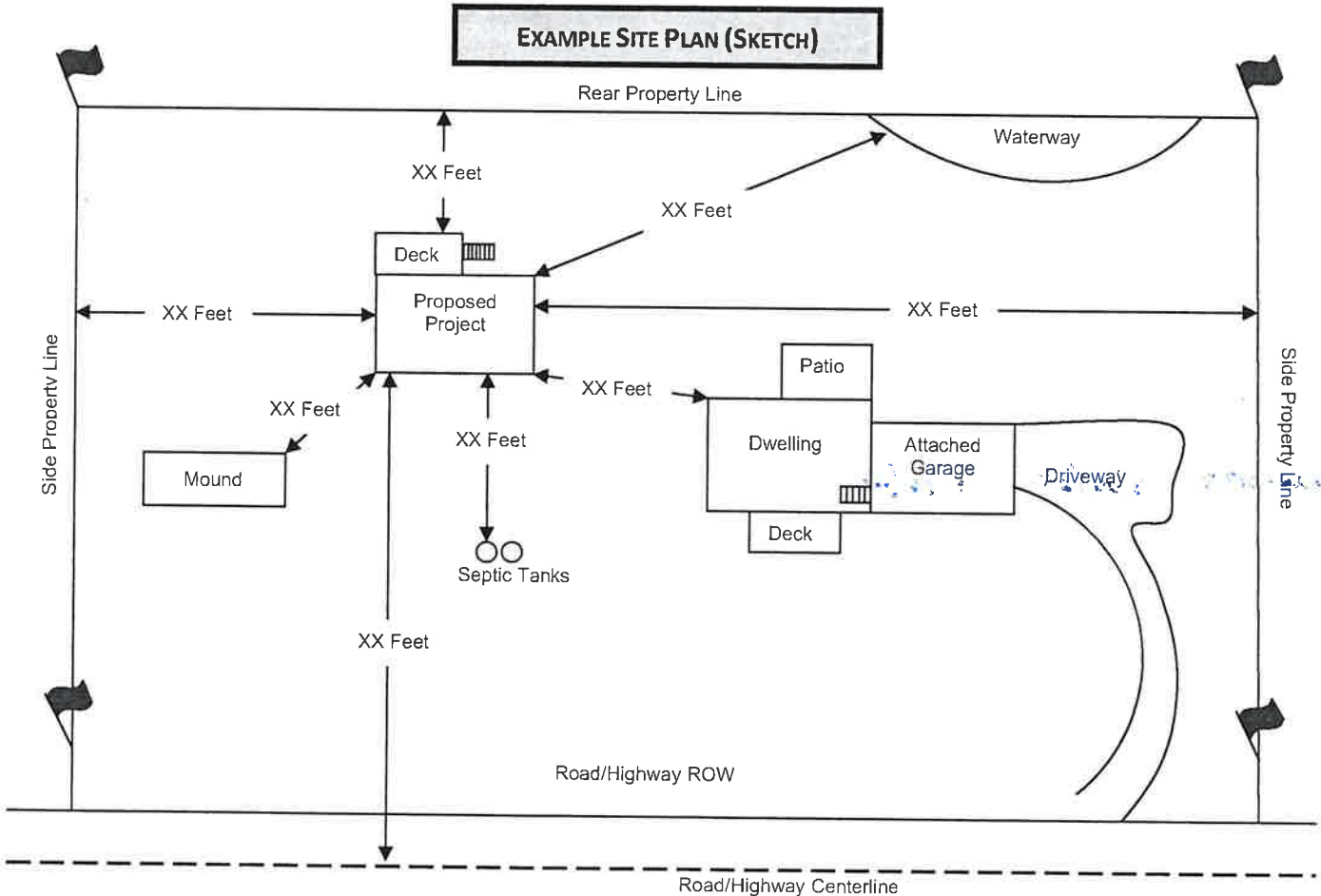
ALL applications must be accompanied by a site plan (sketch). You may use an aerial photo which can be obtained by using the Dodge County Web mapping tool at <http://dodgecowi.wgxtreme.com/>, the attached (blank) site plan or supply your own.

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)



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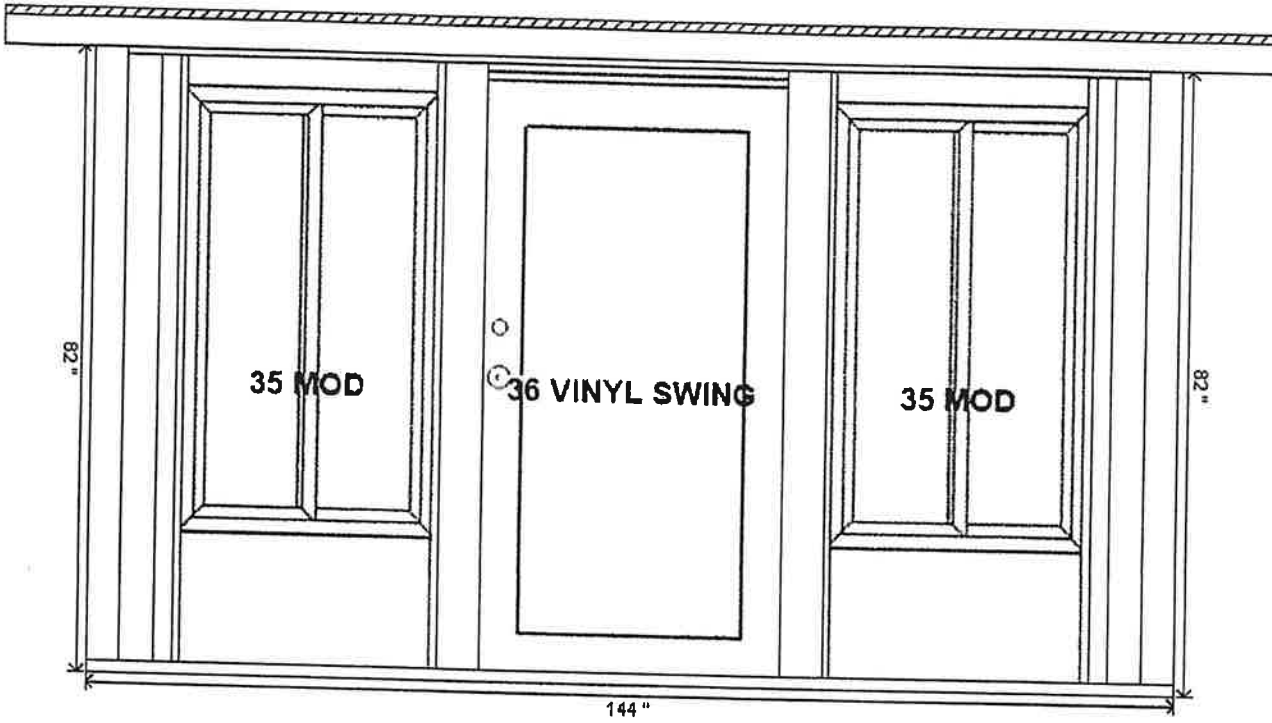
Dodge County Land Resources & Parks

General	WI Historical Society	Floodplain / Wetland	County Zoning
<ul style="list-style-type: none"> Urbanized Roads Soils Airport Ordinance 3-Mile Buffer Sewer Service Areas Highly Developed Shoreline Elevation Contours 	<ul style="list-style-type: none"> Historic Structures Archaeological Sites Survey Areas <u>Non-Metallic Mining</u> <ul style="list-style-type: none"> Active Mining Area Approved Mining Area Mine Property Boundaries 	<ul style="list-style-type: none"> FEMA Floodplain/Storage/Dam Shadow DNR Wetland Areas/Points <u>Shoreland Zoning</u> <ul style="list-style-type: none"> Shoreland Zoning Buffer Lakes/Ponds/Sloughs Rivers/Streams/Creeks 	<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

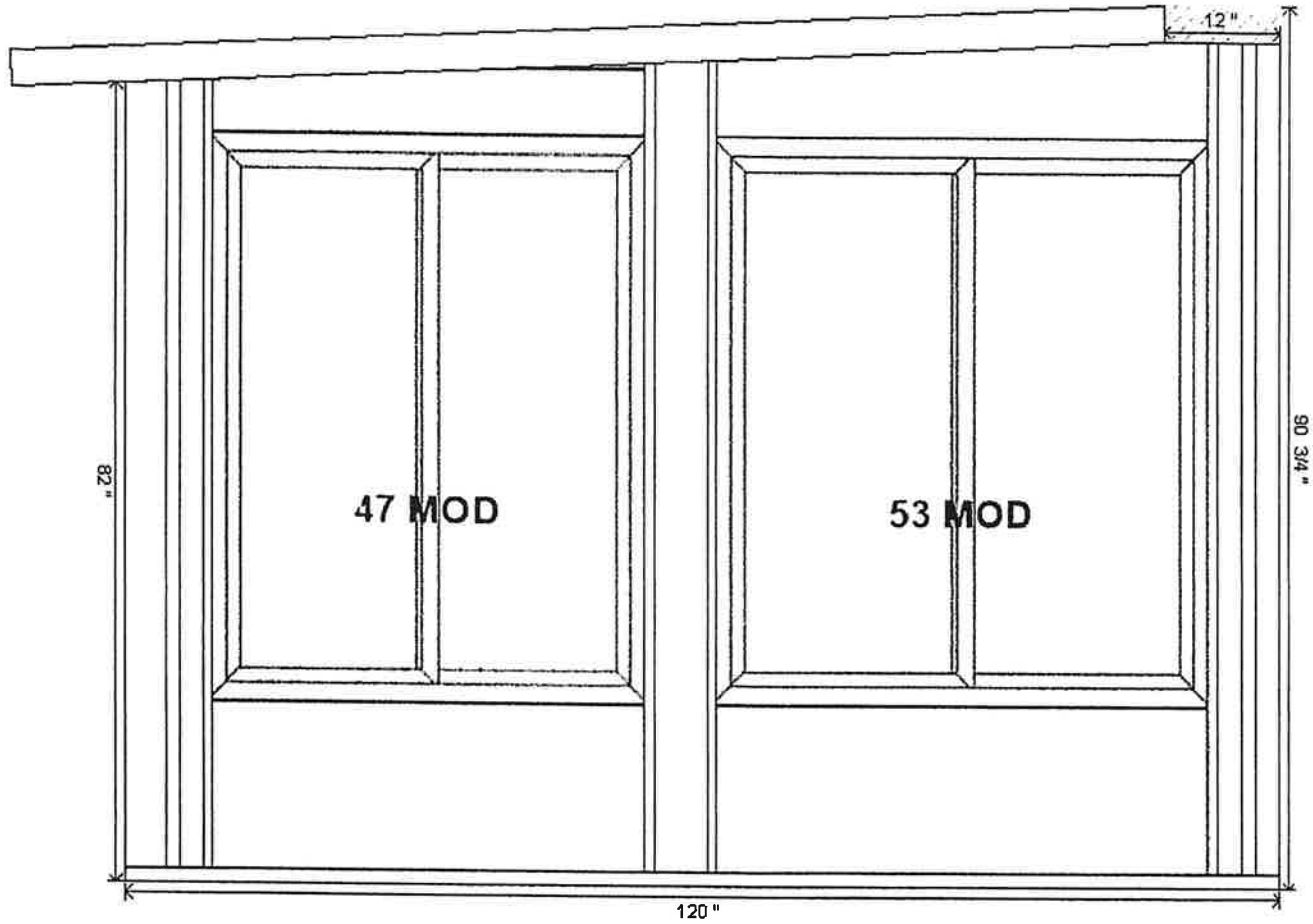
CONTACT INFORMATION

ORDER: 202402832
LINE ITEM: 2
DATE: 4/12/2024

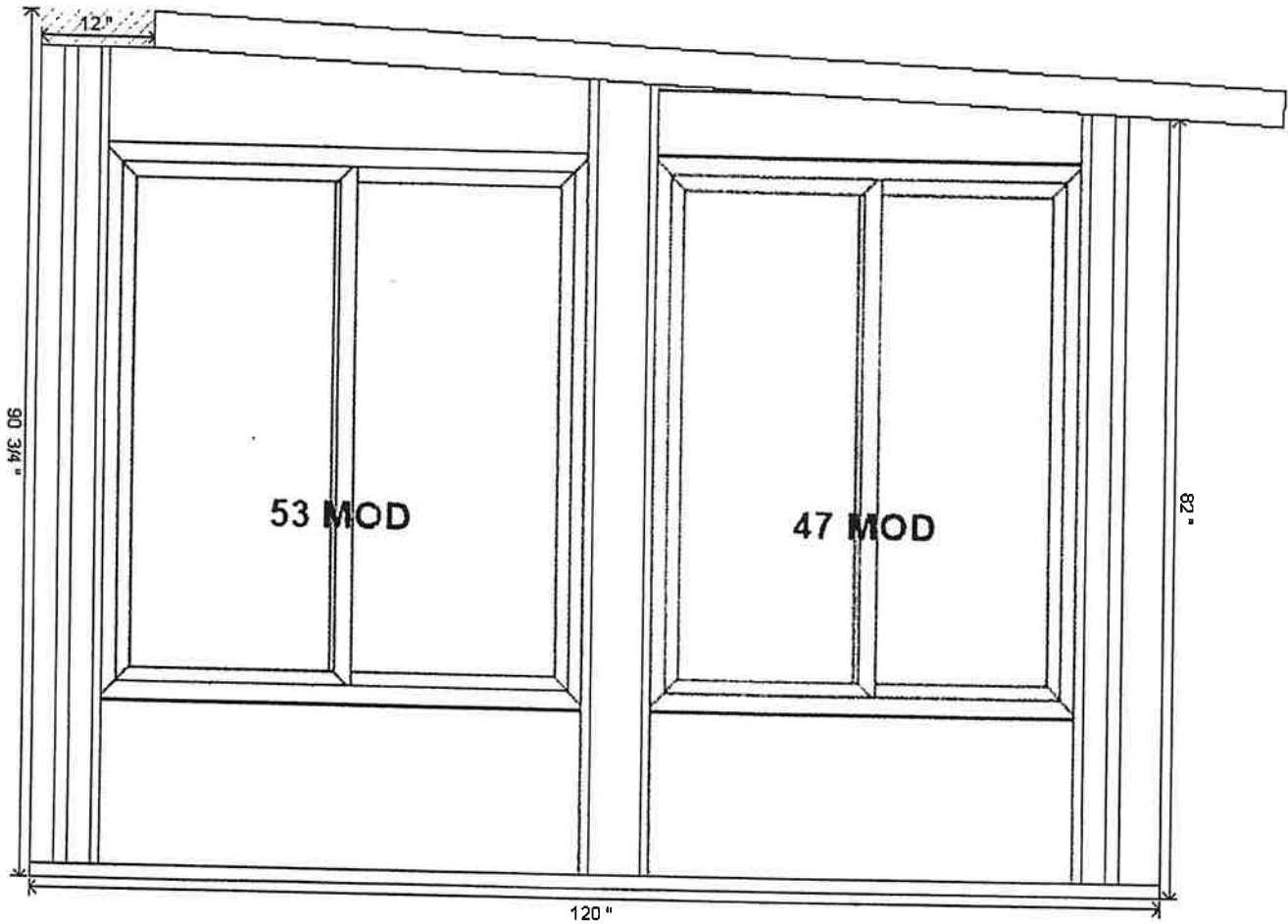
Front Wall



Right Wall

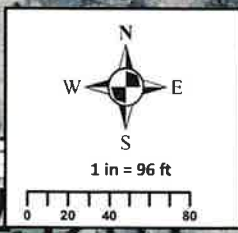
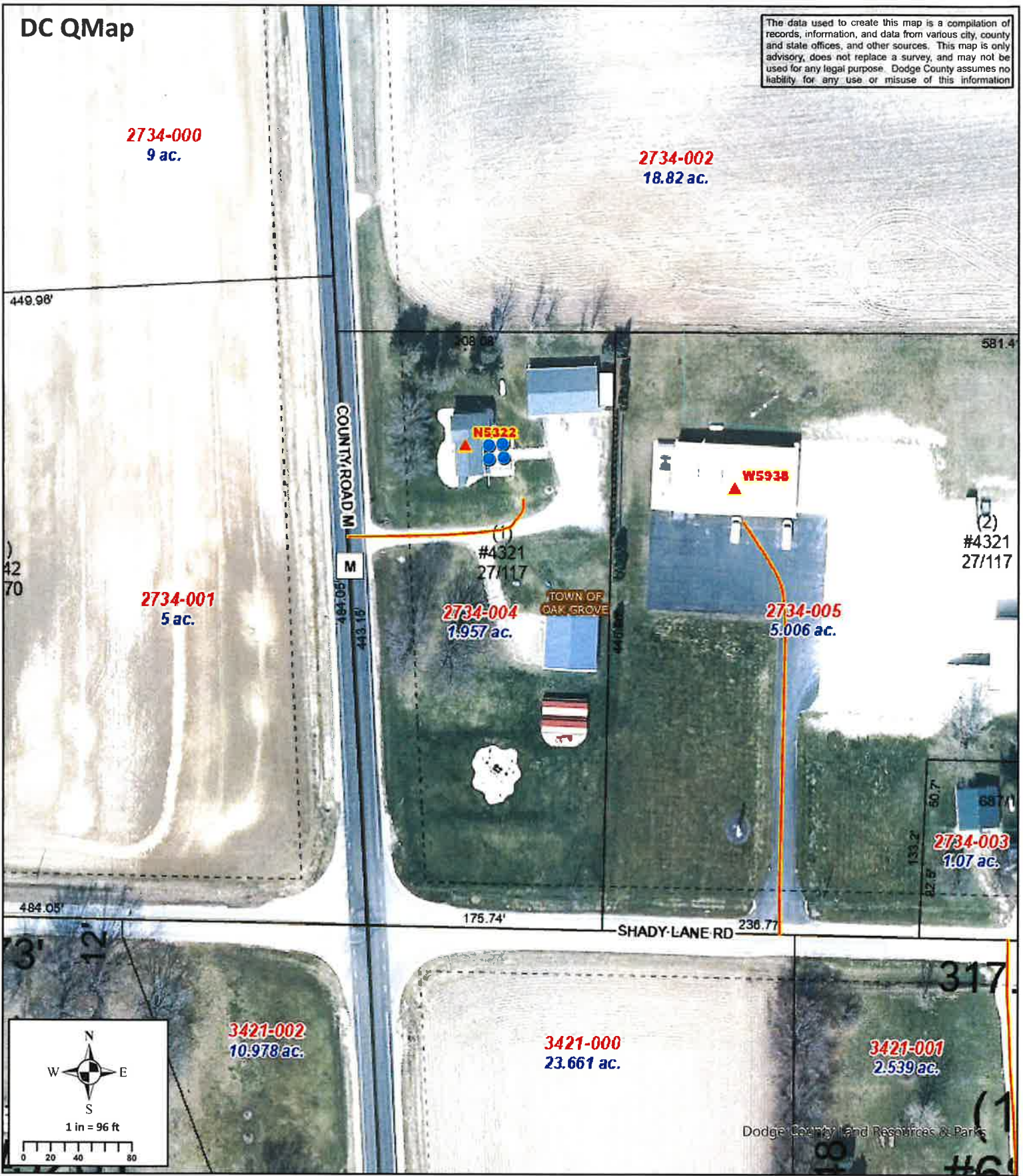


Left Wall



DC QMap

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

LEGAL NOTICE FOR:

BOARD OF ADJUSTMENT

Hearing No. 4

Notice is hereby given that a public hearing will be held by the **Dodge County Board of Adjustment** on Thursday, May 16, 2024 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 **JEFFREY R. RATA CZAK Applicant for RICK E PONTNACK** - for a variance to the terms of the Dodge County Shoreland Protection Ordinance, section 5.6 to allow construct single-family dwelling on a parcel/lot which does NOT abut a public road and therefore prohibited by the code.

The site is located in LOT 1 CSM 4753 BEING Part of the NE1/4, NE1/4 SEC 10, Town of Westford, the site address being W10546 Hickory Point Rd.

A copy of the proposed petition is available for review in the County Land Resources and Parks Department between the hours of 8:00 a.m. and 4:30 p.m., Monday-Friday (920-386-3700). 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 May 15, 2024.

Dated April 15, 2024

Dodge County Board of Adjustment
By William Nass, Chairman

Land Resources and Parks Department Staff Report

County Variance Application No. 2024-0234
County Land Use Permit Application No. 2024-0233
Filing Date: April 15, 2024
Hearing Date: May 16, 2024

Applicant (Agent):
JEFFREY R. RATA CZAK
206 ELLIS AVE.
RANDOLPH, WI 53956

Owner:
RICK E PONTNACK
2579 W FAIRGROUNDS RD
FREEPORT IL 61032

Location

PIN # 046-1213-1011-000
Location: LOT 1 CSM 4753 BEING Part of the NE1/4, NE1/4 SEC 10, Town of Westford, the site address being W10546 Hickory Point Rd.

County Jurisdiction

The County has Jurisdiction over this site as the Town of Westford falls under the County's Shoreland Protection Ordinance.

Appellants Request

On April 15, 2024, an application for a variance request was submitted by the appellant with a request to the terms of the Dodge County Shoreland Protection Ordinance, section 5.6 to allow construct single-family dwelling on a parcel/lot which does NOT abut a public road

Review Criteria

Subsections 14.7(1) through 14.7(6) of the Dodge Shoreland Protection Ordinance lists 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 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 (Beaver Dam Lake).

The property is presently used as open space – recreational.

The physical features of this approximate .75 acre parcel includes a nearly level topography with slopes ranging from 0 to 3%. The parcel is currently vacant.

The existing parcel is not zoned. The general character of the surrounding land use consists of Single-Family Residential.

The parcel is considered by the County as a legal existing non-conforming parcel as the parcel does not abut a public road and said parcel existed prior to the adoption of the County's Code.

Staff also notes the there is a legal easement granted to the property according to Certified Survey Map 4753.

On April 12, 2024 an application for a County Land Use Permit was made by the appellant in order they be allowed to construct a single-family dwelling.

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

Dodge County Shoreland Protection Ordinance

According to Section 5.1(2) of the Dodge County Shoreland Protection Ordinance states: Legal lots of record or parcels of land which do not front or abut on a public road for a distance of at least 20 feet or that do not meet the requirements of Section 5.6, shall not qualify for a land use permit. Since this parcel does not abut a public road and it does not abut one of the private roads listed in Section 5.6 of the Ordinance, it does not qualify for a County permit under the Shoreland Protection Ordinance for the proposed projects and therefore is prohibited by the Ordinance.

It is the County's position that the property is considered a legal existing substandard parcel of record, as the parcel existed prior to the adoption of the Shoreland Protection Ordinance and the parcel does not abut a public road.

The appellant is requesting an area variance to Sections 5.1(2) of the Dodge County Shoreland Protection Ordinance.

Purpose and Intent Statements

Section 5.1(2) of the Shoreland Protection Ordinance prevents parcels that do not abut a public road from being used for residential or other purposes as problems generally arise from these type properties especially if a fire or emergency vehicle or other large service type vehicle needs to gain access.

The purpose and intent of the nonconforming lot and use provisions of the Shoreland Protection Ordinance 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.

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

Staff Advisory:

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

The staff believes that the appellant is requesting an area variance to Sections 5.1(2) of the Shoreland Protection Ordinance.

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 Shoreland Protection Ordinance regulations would result in an unnecessary hardship, that the hardship is due to special conditions unique to the property and if granted, the variance would not be contrary to the public interest.

The staff notes that the owners are aware of the potential problems associated with having structures on a parcel that does not have frontage on a public road and are aware of the risks associated with not having ready access to emergency assistance in the event of an emergency. The staff also notes that the proposed development project complies with all of the other applicable provisions of the Code and the Shoreland Ordinance with the exception that the lot does not abut a public road and does not meet the frontage requirements. It is the staff's position that the project is consistent with the purpose and intent of the non-conforming lot provisions of the code and that the Board may be able to make the necessary findings in order to grant a variance to the lot access and frontage provisions of the Shoreland Protection Ordinance with possible recommended conditions.

1. A 1-lot Plat of Survey Map, created by a certified surveyor is submitted and approved for the exact location of the proposed structure;
2. A Fire Number must be issued prior to the granting of a Dodge County Land Use Permit.
3. An approved Sanitary Permit must be applied for and granted by Dodge County per the Dodge County Sanitary Ordinance, prior to the issuance of a Dodge County Land Use Permit.

Dodge County Board of Adjustment Decision

County Variance Application No. 2024-0230
County Land Use Permit Application No. 2024-029
Filing Date: April 15, 2024
Hearing Date: May 16, 2024

Owner & Applicant (Agent):
Bruce & Cheryl Siewert
N5322 CTH M
Juneau, WI 53039

Location

PIN#: 034-1115-2734-004
Property Location: SE ¼, SW ¼, Section 27, T11N, R15E, Town of Oak Grove, Dodge County, Wisconsin the site address being W1587 County Road M.

County Jurisdiction

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

Review Criteria

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

Appellants Request

An application for a variance request was submitted by the appellant with a request to allow the construction of a home addition on this site where said addition is located approximately 8.3 feet within the required highway setback of Cty Rd M and where said addition is considered by the County as an expansion of a non-conforming structure.

CONCLUSIONS OF LAW

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

The appellants request to Section 5.1.1 and Table 5.1-1 and 10.3.2.B – the nonconforming structure provisions 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 and non-conforming structure provisions of the code?

(Yes / No) _____

Are the highway setback and the non-conforming structure and use provisions of the Code unnecessarily burdensome in this case, thereby creating a hardship?

(Yes / No)

Explain: _____

Does the appellant have other options available to complete these projects in compliance with the Code?

(Yes / No)

Explain _____

What hardship exists if the variance is denied?

Explain _____

Are the projects 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 to the highway setback and the non-conforming structure provisions of the Code meet the criteria that is necessary in order to grant the area 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.
- It shall be the responsibility of the applicant to obtain all other Federal, State and/or local municipality permits and approvals that may be required for the proposed modifications to the principal structure.

Others

Area Variances – Highway Setback and Expansion of the non-conforming structure Provisions

Motion by _____ to (approve / deny) the variance to the highway setback and non-conforming 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
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 area variance requests as proposed;
- Granted the area and use 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

April 15, 2024

Applicant (Agent):

JEFFREY R. RATACZAK
206 ELLIS AVE.
RANDOLPH, WI 53956

Owner:

RICK E PONTNACK
2579 W FAIRGROUNDS RD
FREEPORT IL 61032

RE: Determination of Application Completeness

Variance Application: #2024-0234

Property location: : LOT 1 CSM 4753 BEING Part of the NE1/4, NE1/4 SEC 10, Town of Westford, the site address being W10546 Hickory Point Rd.

Dear RICH PONTNACK;

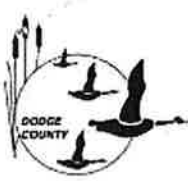
The Dodge County Land Resources and Parks Department has received your Variance application with a request to the terms of the Dodge County Shoreland Protection Ordinance, section 5.6 to allow construct single-family dwelling on a parcel/lot which does NOT abut a public road. On April 9, 2024, the Department 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, May 16, 2024 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 May 9, 2024 to review the site and the proposed construction project. Please make sure that the proposed construction project is staked out so that the Board can review your proposal. Your attendance during the on-site visit is not required.

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

Sincerely,

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



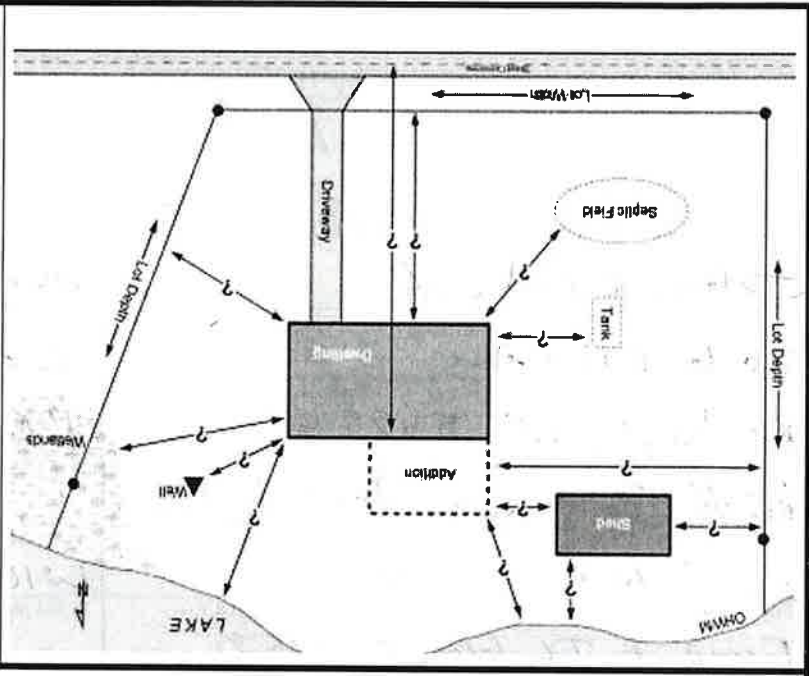
**DODGE COUNTY LAND RESOURCES
AND PARKS DEPARTMENT**
127 E. Oak Street • Juneau, WI 53039
PHONE: (920) 386-3700 • FAX: (920) 386-3979
E-MAIL: landresources@co.dodge.wi.us

THIS AREA FOR OFFICE USE ONLY	
Activity No. 240234	Issue Date:
Application Date: 4-12-2024	Receipt #: CC

Variance Application

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

Names and Mailing Addresses	Property Description				
Applicant (Agent) Jeffrey R Redaerch	Parcel Identification Number (PIN) 046-1213-1011-000				
Street Address 206 Ellis Ave	Town Westford				
City • State • Zip Code Randolph, WI 53956	NE ^{1/4}	NE ^{1/4}	Section 10	T 12	N R E 13
Property Owner (If different from applicant) Rick Pontnack Pontnack	Subdivision or CSM #				
Street Address 2579 W Farquards Rd	Site Address W10546 Hochberg Pt Road				
City • State • Zip Code Freeport, IL 61032-9450	Is this property connected to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Present property use: Vacant lot					
List any prior variances that have been granted or denied for this property: NA					
Describe all nonconforming structures and uses on this property: NA					
List the terms of the Land Use Code for which you are requesting a variance (section # and code provision requirements): New home on Land					
Variance Requested: to have home built since no road is to lot Is an easment - Detail is attached					
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?					



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

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

SITE PLANS AND BUILDING PLANS

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: *4/11/24*
 Daytime Contact Number (608) 516-6067

CERTIFICATE

What unique features of this property prevent you from complying with the terms of the Land Use Code?
No local meeting lot

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. Would like to build a new home on land. If denied lot is unusable

How would the interest of the public or neighbors be affected by granting or denying this variance?
Granting would increase values in area due to no lots ~~open~~ open.

Rick owns a lot at Hickory point Road and would like to put a house on there. he owns a lot and would like to put a house on there for him and his wife. His wife has dementia and he's been dealing with her a lot. Therefore I am doing the paperwork. He is trying to have a two bedroom house built on this property and would like to build a small home for him and his wife to enjoy. There is no roadway to the lot, but there is an easement. The lot is worthless to him if he cannot put a house on it. Therefore useless to anybody else for resale to put a house on it. Please let me know any thoughts thank you .



Dodge County Land Resources and Parks Department

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

April 16, 2024

JEFFREY R. RATA CZAK
206 ELLIS AVE.
RANDOLPH, WI 53956

RICK E PONTNACK
2579 W FAIRGROUNDS RD
FREEPORT IL 61032

RE: Notice of Permit Refusal (2024-0233)
PIN# 046-1213-1011-000

Site Location: LOT 1 CSM 4753 BEING Part of the NE1/4, NE1/4 SEC 10, Town of Westford, the site address being W10546 Hickory Point Rd.

Dear JEFFREY R. RATA CZAK:

Your application for a permit to construct a Single-family dwelling on the property described above is hereby denied for failure to comply with the following sections of the Dodge County Shoreland Protection Ordinance:

5.6 LOTS THAT DO NOT ABUT A PUBLIC ROAD *A single-family dwelling and its accessory structures may be constructed on a legal lot of record recorded in the County Register of Deeds Office before the effective date or amendment of this Ordinance, which has frontage along the platted private roads listed in Section 5.6(5) subject to the requirements set forth in this subsection.*

- (1) *Sewered Lots: Such lots are at least 65 feet wide and 10,000 square feet in area;*
- (2) *Unsewered lots: Such lots are at least 100 feet wide and 20,000 square feet in area.*
- (3) *All other dimensional requirements of this Ordinance shall be complied with;*
- (4) *Each lot is served by public sewer, contains a functioning septic system or contains an area of soil suitable for any type of private sewage system other than a holding tank permitted under SPS 383, Wisconsin Administrative Code.*
- (5) *Lower Howard Avenue located in Sections 21 and 28, Town of Fox Lake; East Water Street – Section 31, Town of Hubbard – Beginning at the intersection of East Water Street and Butternut Trail, thence south along East Water Street a distance of 624 feet; East Water Street – Section 31, Town of Hubbard – Beginning at the intersection of East Water Street and Butternut Trail, thence north along East Water Street a distance of 1000 feet;*

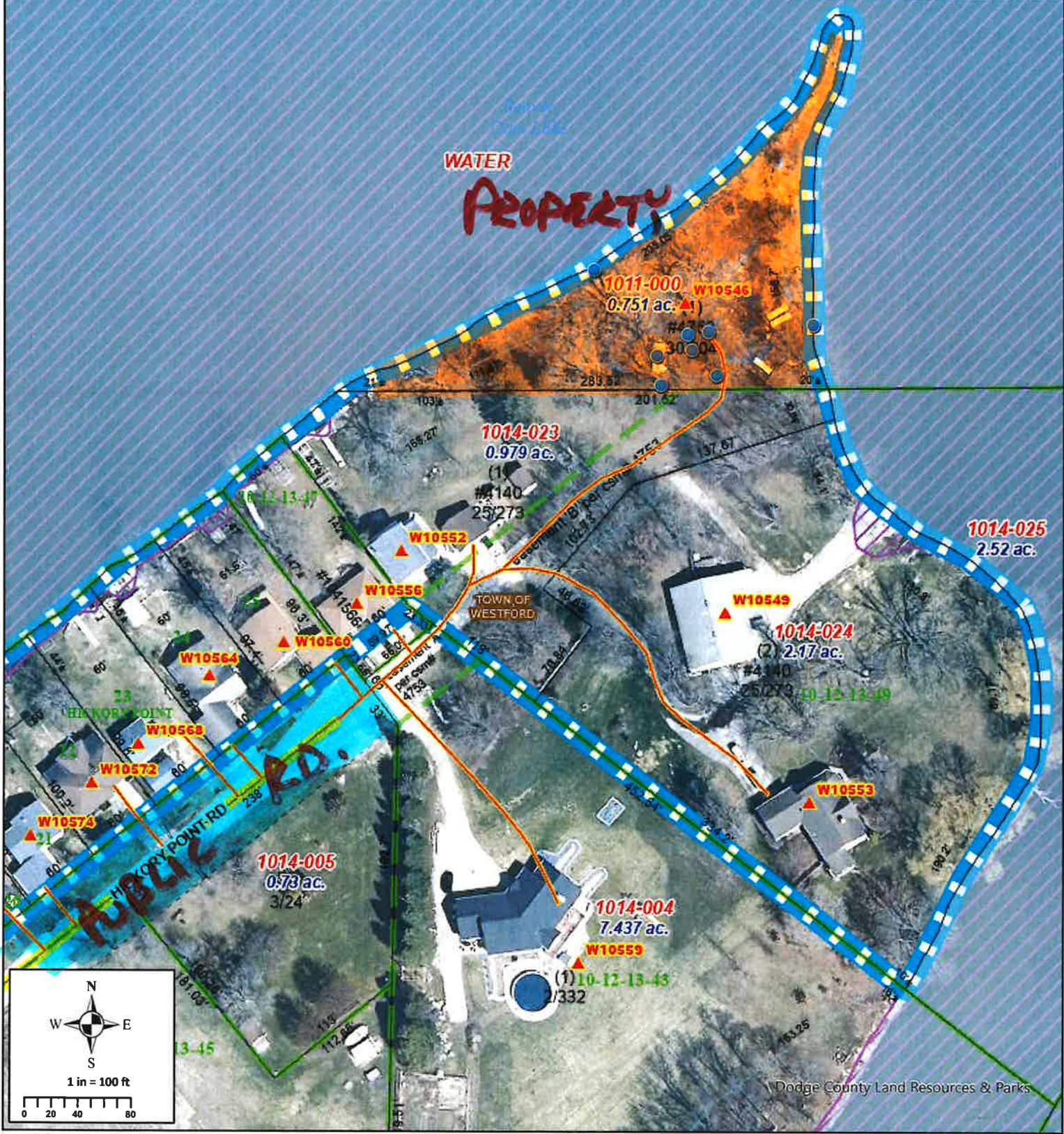
The above-mentioned parcel is not located on any of the listed Private Roads per 5.6(5).

Therefore, the County is unable to issue a permit for this proposed structure. Please note, you have the right to appeal the decision of the Land Use Administrator to the Board of Adjustment. And that a variance request was filed on April, 12, 2024 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,

Terry Ochs
Dodge County
Land Use Administrator

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



Dodge County Land Resources & Parks

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

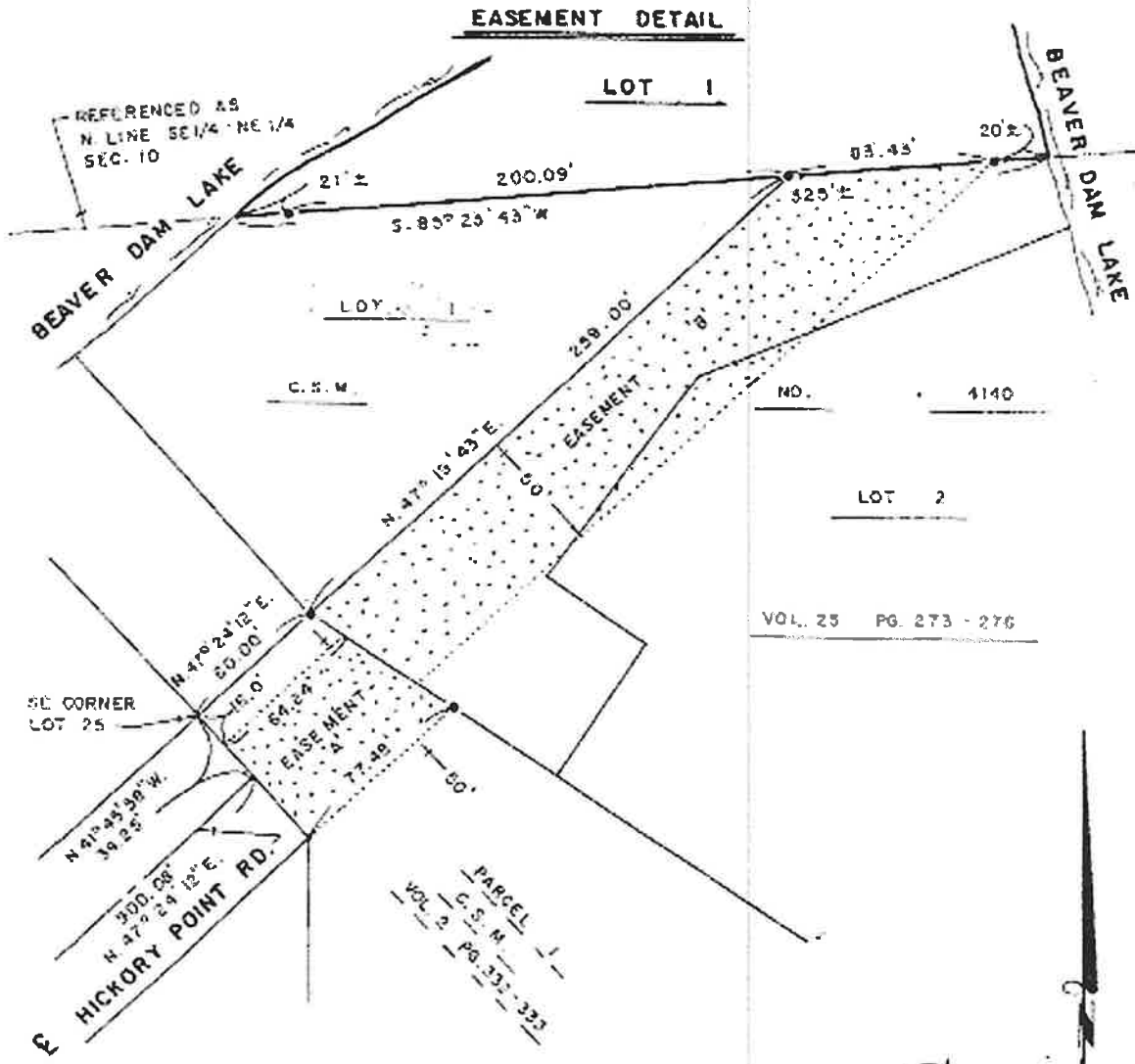
UTTECH LAND SURVEYING

P.O. BOX 594
BEAVER DAM, WI 53916
(920) 885-6339

CERTIFIED SURVEY MAP NO. 4753

A SURVEY OF UNPLATTED LANDS BEING PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 10, T.12N., R.13E., TOWN OF WESTFORD, DODGE COUNTY, WISCONSIN.

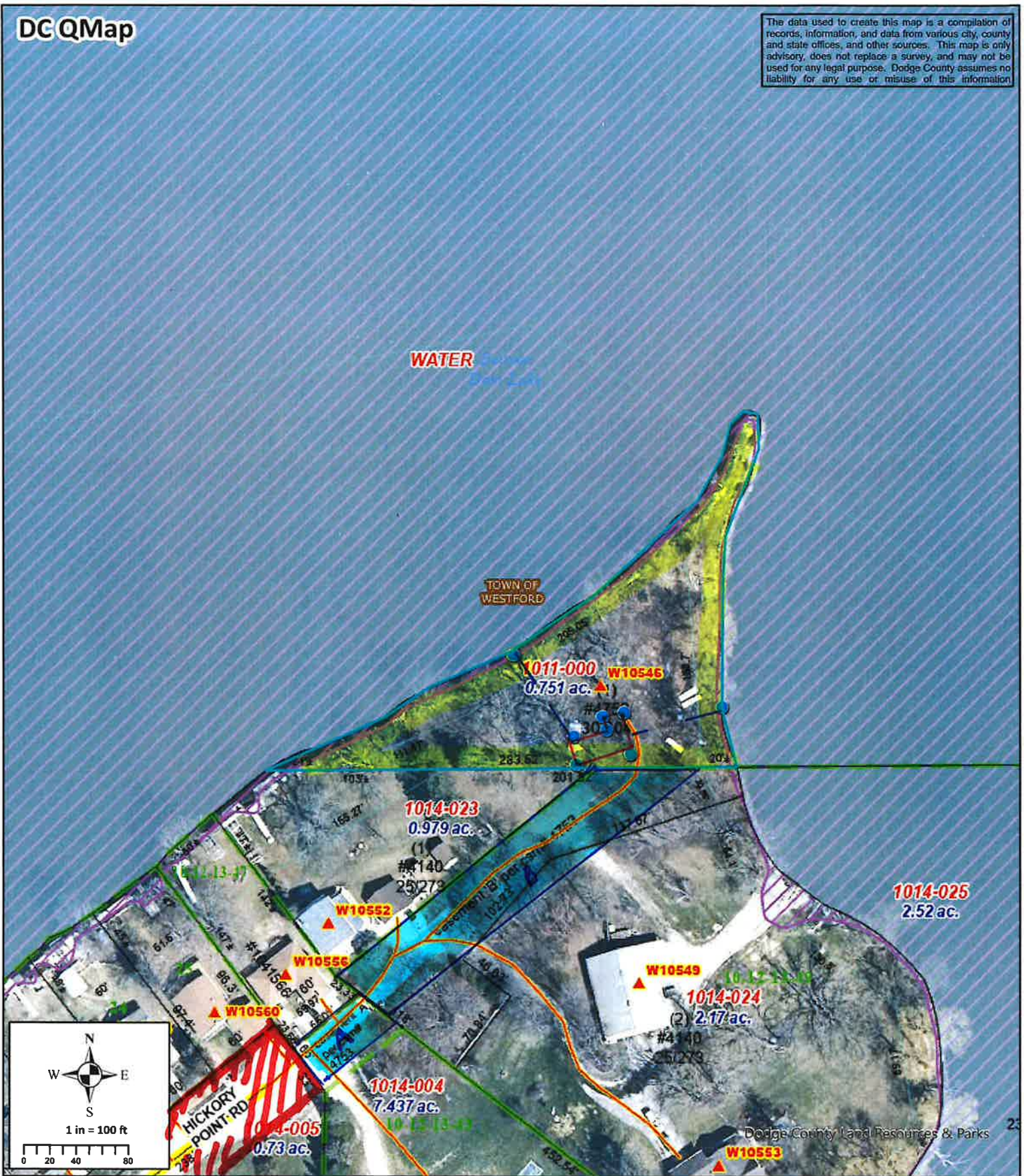
OWNER: ->



SCALE: 1" = 80'
0' 60'

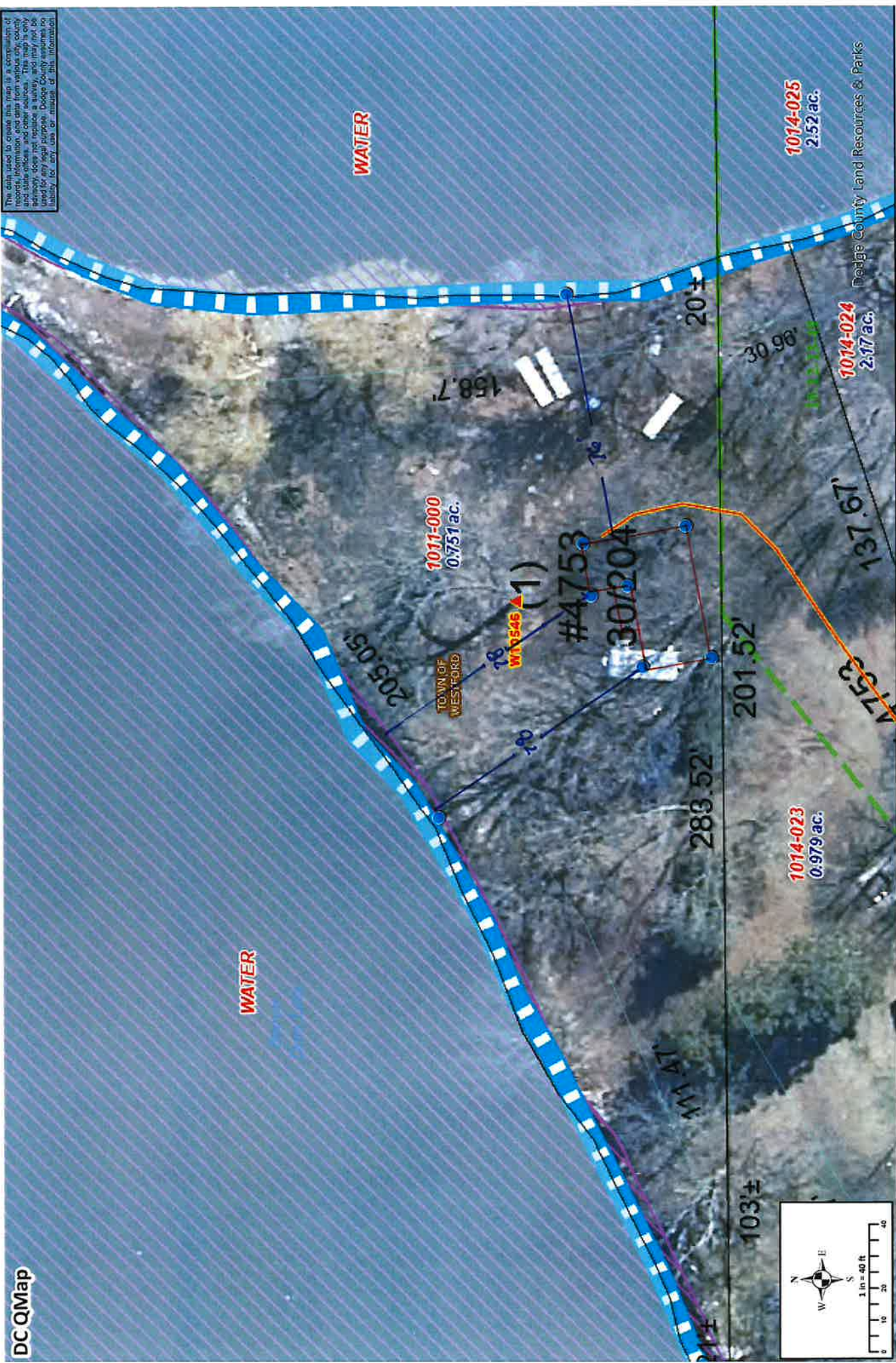
EUGENE C. UTTECH
S-1451
BEAVER DAM, WIS.
LAND SURVEYOR
June 19, 2000

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



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

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General

- Urbanized Roads
- Soils
- Airport Ordinance 3-Mile Buffer
- Sewer Service Areas
- Highly Developed Shoreline
- Elevation Contours

WI Historical Society

- Historic Structures
- Archaeological Sites
- Survey Areas
- Non-Metallic Mining
- Active Mining Area
- Approved Mining Area
- Mine Property Boundaries

Floodplain / Wetland

- FEMA Floodplain Storage/Dam Shadow
- DNR Wetland Areas/Ponds

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

- General Commercial
- Extensive Commercial
- Light Industrial
- Industrial
- Waterbody
- ROW/City/Village



Land Use Permit

850.00

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

This Area For Office Use Only

COUNTY ID NO.

240233

Receipt No.

CC

Application Date

4-12-2024

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 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.) Jeffrey R Rataczek		Parcel Identification Number (PIN) 046-1213-1011-000				
Street Address 206 Ellis Ave		Town Westford	T 12	N 13	R 	E
City • State • Zip Code Randolph, WI 53956		1/4 NE	1/4 NE	Section 10	Acreage .75	Lot (Block)
Property Owner Rick Pontnack Pontnack		Subdivision or CSM (Volume/Page/Lot)				
Street Address 2579 W Fairgrounds Rd		Address Of Property (DO NOT include City/State/Zip Code) W 10546 Hickory Point Rd				
City • State • Zip Code Freeport, IL 61032-9458		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 checked="" type="checkbox"/> Vacant Land <input type="checkbox"/> Working Farm <input type="checkbox"/> Business • Industrial • Commercial • (Use other below to describe) Other _____		<input type="checkbox"/> Same As Current Use (No Change) <input checked="" type="checkbox"/> Single-Family Residential <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
- Pool Porch Driveway Field Tile Installation
 Deck Fence Boathouse Pond (Less than 2 acres in size)
 Patio Riprap Attached Garage Sign (Complete additional project information below)
 Shed Gazebo Detached Garage Barn (Complete additional project information below)
 Home Sidewalk Ag Ditch Cleanout 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 42 L shaped

Length 35

Total Area 1074 sq ft house

Total Stories 2

Height (To roof peak) 17'

Additional Project Information

- Home Addition: Total number of bedrooms? Before _____ After _____
- Barn Information: Will it house any animals? If yes, complete Animal Units Worksheet.
- Sign Information: Single-Sided Double-Sided
- Located On-Premise Located Off-Premise
- Wall Ground Directional Other _____
- Will it be lighted and/or have moving/flashing parts? No Yes

Estimated Cost (w/Labor) \$ 400,000

◆ ◆ ◆ 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 <https://www.co.dodge.wi.gov/departments/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.

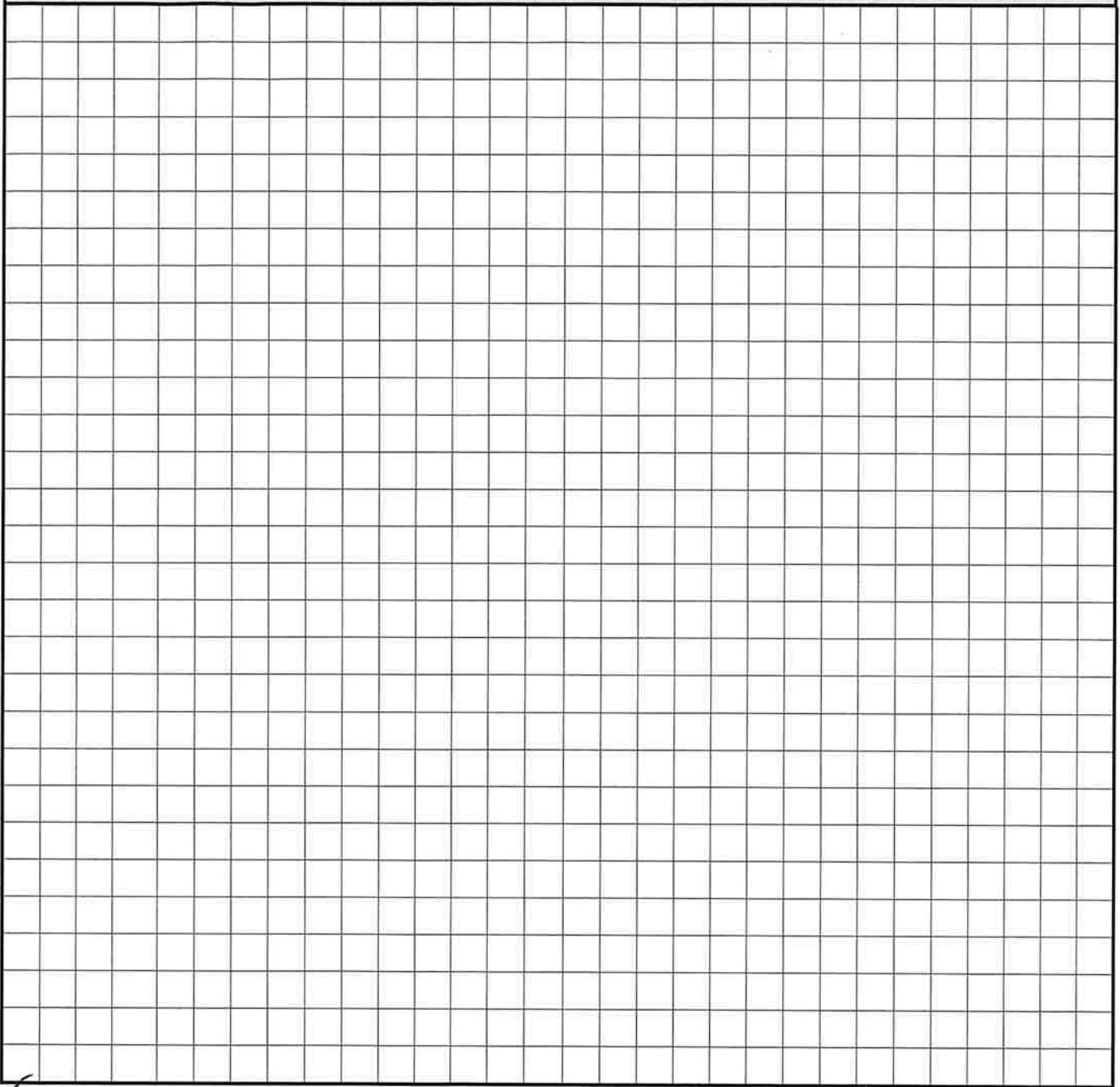
CERTIFICATE & CONTACT INFORMATION

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) Jeffrey R. Rataczak Daytime Contact Phone (608) 516-6067 or Email: aleinbuilding@yahoo.com

Signature Jeffrey R. Rataczak Date 4-11-24 Call for pickup No Yes

SITE PLAN (SKETCH)



See Attached Site Plan (Sketch)

THIS AREA FOR OFFICE USE ONLY

BOA ID No. 24-0234	BOA Appeal Date 4/10/24	BOA P/H Date 5/16/24	BOA Decision Date	BOA Decision <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
Notes/Stipulations: NOT PERFORMED SETBACKS OK NO SOIL PERMIT NOT ABOVE PUB ROAD				
<input type="checkbox"/> Approved <input type="checkbox"/> Denied			Land Resources and Parks Department	Date

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 Information Search](#) located on the Dodge County Website (co.dodge.wi.gov) or by contacting the County Property Description Office (920) 386-3775 (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

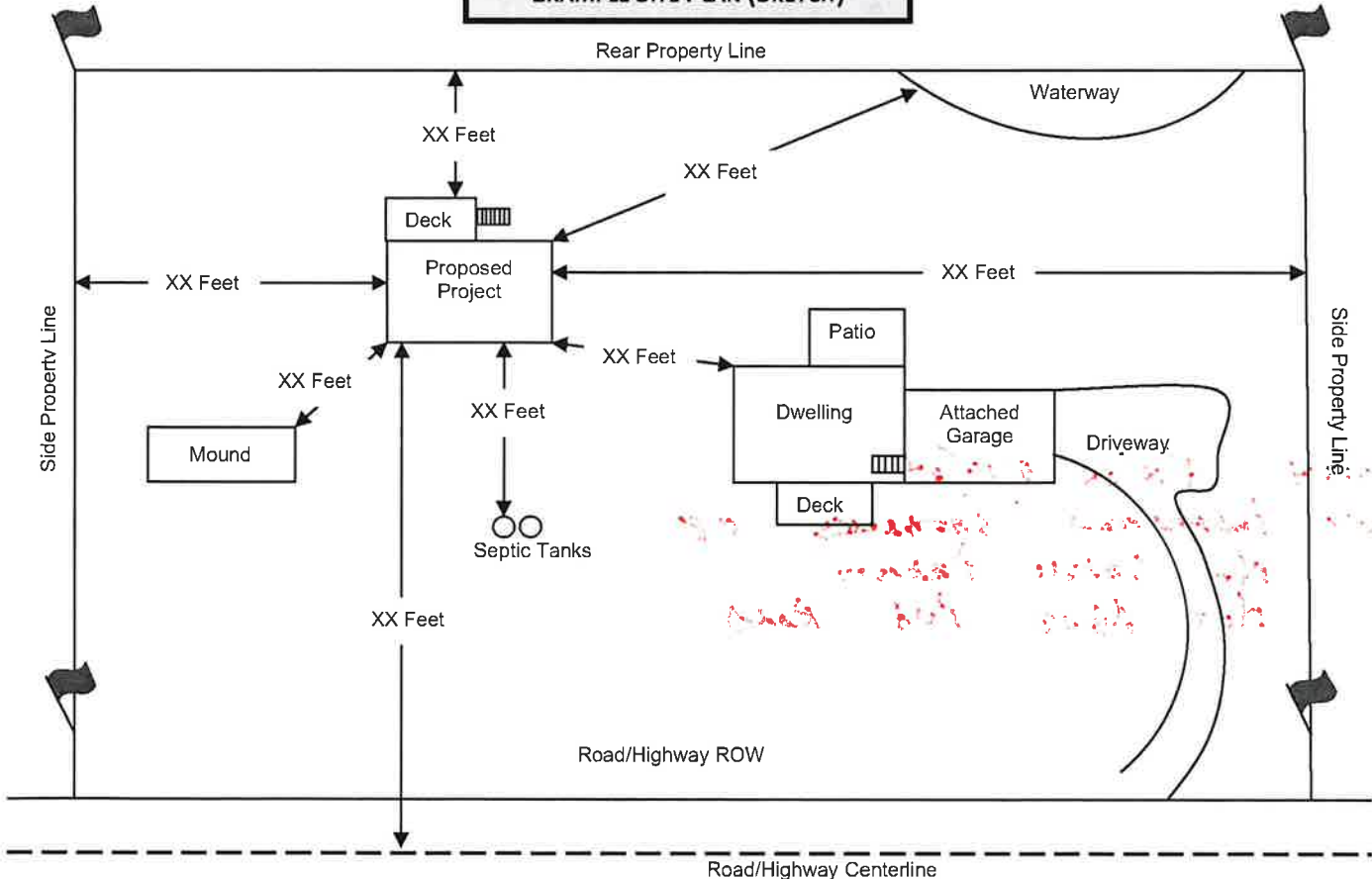
ALL applications must be accompanied by a site plan (sketch). You may use an aerial photo which can be obtained by using the Dodge County Web mapping tool at <http://dodgecowi.wgxtreme.com/>, the attached (blank) site plan or supply your own.

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)



WORKSHEET NO. 1 - IMPERVIOUS SURFACE AREA CALCULATION

These impervious surface area calculations are required per Section 9.0 of the County Shoreland Ordinance. The County impervious surface standards apply to the construction, reconstruction, expansion, replacement or relocation of **ANY** impervious surface on a riparian lot or parcel and any non-riparian lot or parcel that is located entirely within 300 feet of the ordinary highwater mark of any navigable lake, pond, flowage or waterway. An impervious surface is an area that releases, as runoff, all or a majority of the precipitation that falls on it. Under the County's Shoreland Ordinance, an **IMPERVIOUS SURFACE (AREA)** includes all of the following:

- All Buildings/Structures (homes/garages/sheds/etc.)
- Compacted Parking Areas
- Patios constructed with pavers/stone/concrete/blacktop/etc.
- Decks and Porches (covered and uncovered)
- Driveways, Sidewalks, Walkways and Stairways constructed with wood/stone/pavers/gravel/concrete/blacktop/etc.

plus private road surfaces not specifically listed in the Shoreland Ordinance and any other surface/material that is determined by the County Land Use Administrator to be impervious. An impervious surface (area) excludes grassed and/or other vegetated areas, frozen soil, public road surfaces and certain private roads or other surfaces that are specifically listed as exempted in the Ordinance.

To complete this worksheet you will need to provide the dimensions and area calculations for **ALL** impervious surfaces (see description below) on your lot that are located (or to be located) within 300 feet of the ordinary highwater mark (edge of the water) of a navigable lake, pond, flowage or waterway. If additional space is required, please attach separate sheet(s) with the applicable dimensions and area calculations shown.

- 1 Is any part of your property located within 300 feet of the "water" (i.e., a lake, river or other navigable waterway/waterbody)?
 NO, go to line 43. YES, go to line 2.

- 2 Will any part of your proposed construction (impervious surface) project be located within 300 feet of the water?
 NO, go to line 43. YES, go to line 3.

- 3 Is your property a vacant, undeveloped lot (i.e., no existing impervious surfaces present)?
 NO, go to line 4. YES, enter "0" (zero) on line 15, then go to line 17.

- 4 Complete Table 1: PreConstruction (Existing) Shoreland Impervious Surface Area (lines 5 thru 15) calculations below.

**TABLE 1
PRECONSTRUCTION (EXISTING) SHORELAND IMPERVIOUS SURFACE AREA**

- Calculate **ONLY** for the impervious surface areas of your property that are located "*Within the Shoreland*" of your lot.
NOTE: The "Shoreland" area of your property encompasses all of the land area from the water's edge to a point 300 feet landward.
- **DO NOT** include impervious surface areas that are located "*Outside of the Shoreland*" (i.e., More than 300 feet from the water).

Existing Structure or Surface	Width (ft.)	x	Length (ft.)	=	Area (sq. ft.)	
5 House..... (or other principal structure)...		x		=	5a	4'6" x 11'6" 51.75 1027
.....		x		=	5b	
.....		x		=	5c	
.....		x		=	5d	
6 Deck.....		x		=	6a	
.....		x		=	6b	
7 Patio (area).....		x		=	7a	
.....		x		=	7b	
8 Porch.....		x		=	8a	
.....		x		=	8b	
9 Garage.....		x		=	9a	
.....		x		=	9b	
10 Shed.....		x		=	10a	
.....		x		=	10b	
.....		x		=	10c	
11 Sidewalk/Stairway (area).....		x		=	11a	
.....		x		=	11b	
12 Driveway (area).....		x		=	12a	
.....		x		=	12b	
13 Compacted parking area.....		x		=	13a	
.....		x		=	13b	
14 Other.....		x		=	14a	
.....		x		=	14b	

15 Add lines 5 thru 14. This is your PreConstruction (Existing) Impervious Surface Area..... 0 15

16 **Required PreConstruction Site Plan:** Attach, to this worksheet, a site plan of your property (either dimensioned or drawn to scale) showing the preconstruction impervious surface areas listed in Table 1 above. Label this set of plans **PreConstruction** Impervious Surface Area.

WORKSHEET NO. 1 (PAGE 2)

17 Complete Table 2: PostConstruction (New & Existing) Shoreland Impervious Surface Area (lines 18 thru 28) calculations below.

**TABLE 2
POSTCONSTRUCTION (NEW & EXISTING) SHORELAND IMPERVIOUS SURFACE AREA**

- Calculate **ONLY** for the impervious surface areas of your property that are located *"Within the Shoreland"* of your lot.
NOTE: The "Shoreland" area of your property encompasses **all** of the **land area** from the water's edge to a point 300 feet landward.
- **DO NOT** include impervious surface areas that are located *"Outside of the Shoreland"* (i.e., **More than 300 feet** from the water).
- For a totally new structure or surface (e.g., house, deck, patio, etc.) or for an addition to an existing structure or surface, you must enter/calculate the new width, length and area values for that particular structure/surface or addition in their applicable columns below

New & Existing Structure or Surface	Width (ft.)	x	Length (ft.)	=	Area (sq. ft.)
18 House..... (or other principal structure)...		x		=	1074 18a
.....		x		=	18b
.....		x		=	18c
.....		x		=	18d
.....		x		=	18e
.....		x		=	18f
19 Deck.....		x		=	19a
.....		x		=	19b
.....		x		=	19c
.....		x		=	19d
20 Patio (area).....	15	x	15	=	225 20a
.....		x		=	20b
.....		x		=	20c
21 Porch.....	11.5	x	4.5	=	51.75 21a
.....	5	x	5	=	25 21b
.....		x		=	21c
22 Garage.....		x		=	22a
.....		x		=	22b
.....		x		=	22c
23 Shed.....		x		=	23a
.....		x		=	23b
.....		x		=	23c
.....		x		=	23d
.....		x		=	23e
24 Sidewalk/Stairway (area).....	5	x	5	=	25 24a
.....		x		=	24b
.....		x		=	24c
25 Driveway (area).....	20	x	20	=	400 25a
.....		x		=	25b
.....		x		=	25c
26 Compacted parking area.....	20	x	20	=	400 26a
.....		x		=	26b
.....		x		=	26c
27 Other.....		x		=	27a
.....		x		=	27b
.....		x		=	27c
.....		x		=	27d

28 Add lines 18 thru 27. This is your **PostConstruction** (New & Existing) Impervious Surface Area..... **2200** 28

29 **Required PostConstruction Site Plan:** Attach, to this worksheet, a site plan of your property (either dimensioned or drawn to scale) showing the **postconstruction** impervious surface areas listed in Table 2 above. Label this set of plans **PostConstruction** Impervious Surface Area.

WORKSHEET NO. 1 (PAGE 3)

30 Compare line 28 to line 15.
 If Line 28 is less than or equal to line 15, go to line 40.
 If line 28 is greater than line 15, go to line 31.

31 Enter the acreage of your property (If you unsure of the acreage of your property, please contact the Land Resources and Parks Department for assistance.)		31	.75
32 Area of your property (in square feet) Multiply line 31 by 43,560.		32	32670
33 Multiply line 28 by 100		33	220000
34 Divide line 33 by line 32. This is your <u>PERCENT IMPERVIOUS SURFACE</u> ⇨ ⇨ ⇨			6.734
Go to line 35			34

Round to nearest whole number

35. Is your lot located within an area designated as a highly developed shoreline? (If you are unsure if your lot is located within an area designated as a highly developed shoreline, please contact the Land Resources and Parks Department for assistance.)

Yes – go to line 36
 No – go to line 39
 Don't know – Contact the Land Resources and Parks Department for assistance (920) 386-3700

36. If the use of the property is for residential use, go to line 37.
 If the use of the property is for commercial or industrial use, go to line 38.

37. LINE 34 IS LESS THAN OR EQUAL TO 30% - Go to line 40.
 LINE 34 IS GREATER THAN 30% BUT LESS THAN OR EQUAL TO 40% - Go to line 41.
 LINE 34 IS GREATER THAN 40% - Go to line 42.

38. LINE 34 IS LESS THAN OR EQUAL TO 40% - Go to line 40.
 LINE 34 IS GREATER THAN 40% BUT LESS THAN OR EQUAL TO 60% - Go to line 41.
 LINE 34 IS GREATER THAN 60% - Go to line 42.

39. LINE 34 IS LESS THAN OR EQUAL TO 15% - Go to line 40.
 LINE 34 IS GREATER THAN 15% BUT LESS THAN OR EQUAL TO 30% - Go to line 41.
 LINE 34 IS GREATER THAN 30% - Go to line 42.

40. Your proposed project complies with the impervious surface standards of the Dodge County Shoreland Ordinance – Go to line 43

41 Your County Land Use Permit cannot be issued by this department Until the property owner develops, submits, agrees to and records a County –approved Mitigation Plan that meets the standards set forth in Section 13.0 of the Dodge County Shoreland Ordinance. You also need to submit/complete Worksheet No. 2 (Mitigation Options Calculation) to this office for departmental review and approval.
 Go to line 43

42. Unfortunately, your project exceeds the maximum amount (percent) of impervious surface area allowed by the Dodge County Shoreland Ordinance and thus your Land Use Permit **Cannot Be Issued** by this department as proposed. Please contact our office to discuss your options regarding this matter [See office contact information below].
 Go to line 43

43. Sign and date this form and submit this form along with your Land Use Permit application (and any other applicable worksheet to the Dodge County Land Resources and Parks Department for review and approval.

Person completing this form (Print) <u>Jeffrey R. Rataczak</u>	Daytime Phone (<u>608</u>) <u>516</u> - <u>6067</u>
Signature of person completing this form <u>[Signature]</u>	Date <u>4-11-24</u>

NOTE: THIS FORM/WORKSHEET IS SUBJECT TO REVIEW AND APPROVAL BY THE DODGE COUNTY LAND RESOURCES AND PARKS DEPARTMENT.
 DODGE COUNTY LAND RESOURCES AND PARKS DEPARTMENT, 127 EAST OAK STREET, JUNEAU, WI 53039-1329
 WEBSITE: WWW.CO.DODGE.WI.US
 EMAIL: LANDRESOURCES@CO.DODGE.WI.US
 PHONE: (920) 386-3700 (MONDAY-FRIDAY 8:00AM TO 4:30PM)

UTTECH LAND SURVEYING

P.O. BOX 884
BEAVER DAM, WI. 53916
(920)

CERTIFIED SURVEY MAP NO. 4753

A SURVEY OF UNPLATTED LANDS BEING PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 10, T.12N., R.13E., TOWN OF WESTFORD, DODGE COUNTY, WISCONSIN.

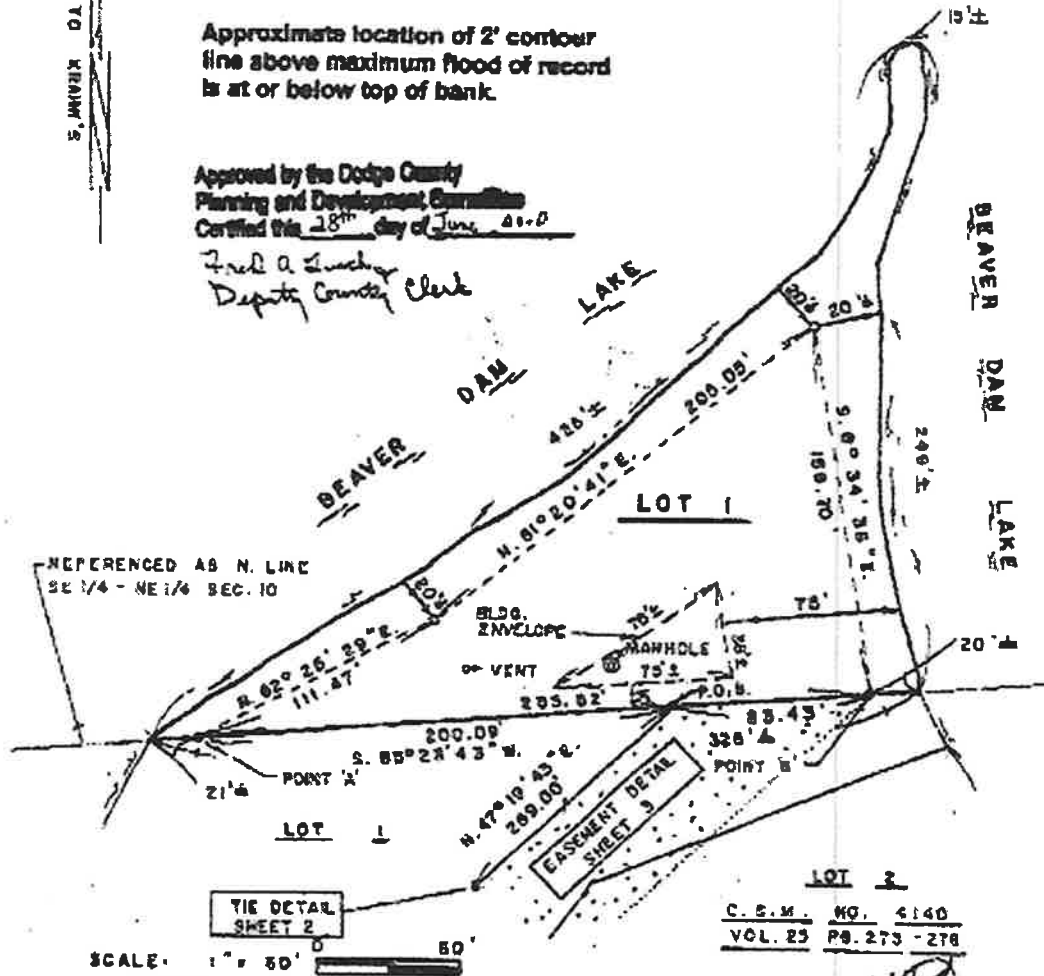
OWNER: Donald Ohmundt

Approximate location of 2' contour line above maximum flood of record is at or below top of bank.

Approved by the Dodge County
Planning and Development Committee
Certified this 28th day of June 2000

Fred A. Luschy
Deputy County Clerk

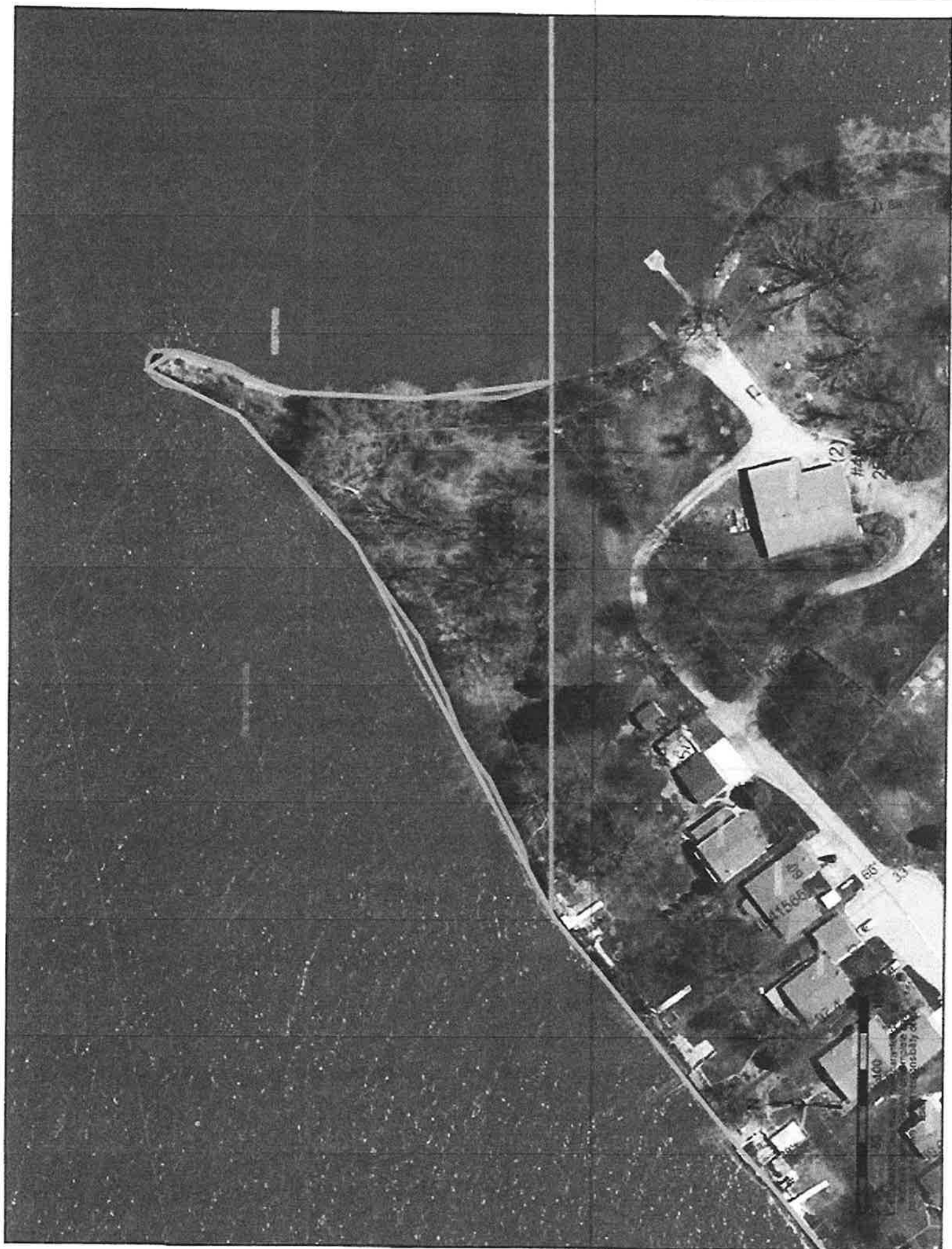
BEARINGS REFERENCED TO NEARBY SHORE ESTABLISHMENTS.

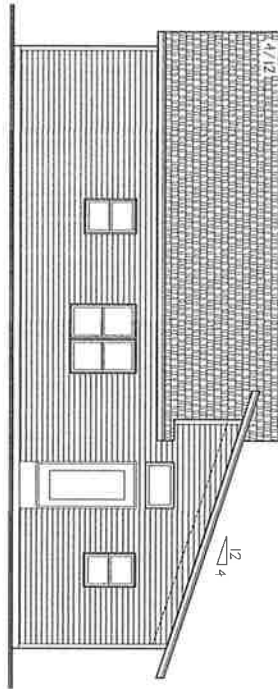


LEGEND

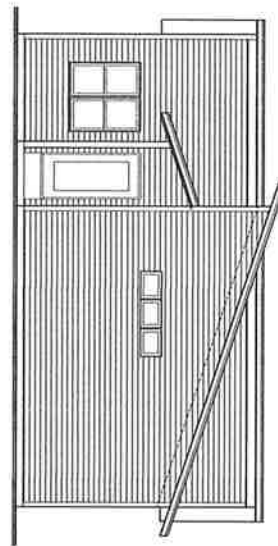
- IRON PIPE FOUND
- 1" X 24" IRON PIPE SET



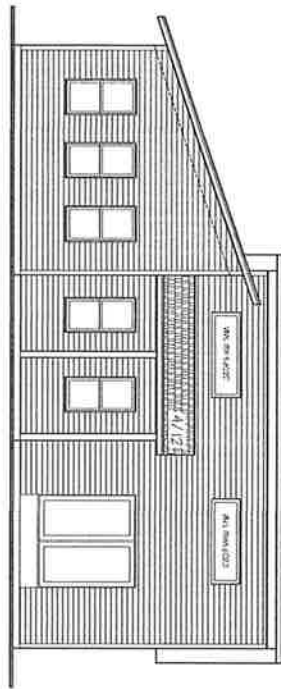




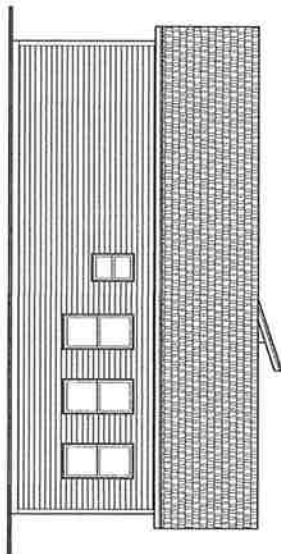
FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

PROJECT TITLE AND ADDRESS

RICK PONTNACK - ELEVATIONS
1074 SOFT

NOTICE TO CONTRACTOR

ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS AND CONDITIONS OF THE CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL UTILITIES AND ADJACENT PROPERTIES AT ALL TIMES.

DATE	1/4/11	BY	B/17/22
ISSUED BY		DATE	
DATE	4/4/11	DATE	
DATE		DATE	
DATE		DATE	

DALTON LUMBER
& SUPPLY INC.
QUALITY PERSON

SHEET NO.
A-3
2/29/10
CRS/2

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.



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 BOARD OF ADJUSTMENT MINUTES
May 9, 2024

The Dodge County Board of Adjustment met on this 9th day of May 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, Russell Kottke, Rodney Justman, William Nass.

Members excused were Mark Othmer, Larry Bischoff (1st Alt), Brad Kufalks (2nd Alt.)

Terry Ochs and Bryce Johnson of the Land Resources and Parks Department was in attendance at the request of the chairman;

Non-Committee Member County Board Attendance: None

Chairman Nass noted that a quorum is present.

The Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Mr. Ochs noted that the meeting was properly noticed in accordance 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 accordance with the statute and code requirements.

The agenda was reviewed by the Board;

The minutes from the April 18, 2024 meeting were reviewed by the Board.

Motion by Jon Schoenike to approve the minutes as written.

Second by Russell Kottke

Vote: 4-0 Motion carried.

Chairman Nass requested Terry Ochs and Bryce Johnson of the Land Resources & Parks Department to accompany the Board on the following on-site inspections and to attend the Public Hearings on May 19, 2024.

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

- 1) **BRUCE A & CHERYL L SIEWERT** - The site is located in SE ¼, SW ¼, Section 27, T11N, R15E, Town of Oak Grove, the site address being N5322 County Road M.
- 2) **JEFFREY R. RATACZAK Applicant for RICK E PONTNACK** - The site is located in LOT 1 CSM 4753 BEING Part of the NE1/4, NE1/4 SEC 10, Town of Westford, the site address being W10546 Hickory Point Rd.

- 3) **JOHN BOYD AND MIKE HELD – COPPERMUG RE LLC.** - The site located in part of the NE ¼ of the NE ¼, Section 19, Town of Rubicon, the site address being N3697 State Road 67.
- 4) **TIMOTHY WAGNER** - The site is located in Lot 5, Block 1, Sinissippi Bay Subdivision, located in part of the NE ¼ of the NE ¼, Section 32, Town of Hubbard, the site address being N5243 Wildcat Road.

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.