

## **JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT**

*Janet Sayre Hoeft, Randy Mitchell, Dale Weis, Paul Hynek-First Alternate, Don Carroll-Second Alternate*

**PUBLIC HEARING** BEGINS AT **1:00 P.M.** ON THURSDAY, OCTOBER 8, 2009, ROOM 205, JEFFERSON COUNTY COURTHOUSE

**CALL TO ORDER FOR BOARD MEMBERS** IS AT 9:45 A.M. IN COURTHOUSE ROOM 203, PRIOR TO THE HEARING

**SITE INSPECTION FOR BOARD MEMBERS** LEAVES AT 10:00 A.M. FROM COURTHOUSE ROOM 203, PRIOR TO THE HEARING

### **1. Call to Order-Room 203**

Meeting called to order by Janet Sayre Hoeft, Acting Chair, @ 10:06 a.m.

### **2. Roll Call**

Members present: Janet Sayre Hoeft, Dale Weis

Members absent: Randy Mitchell

Staff: Rob Klotz, Laurie Miller

### **3. Certification of Compliance With Open Meetings Law Requirements**

Janet Sayre Hoeft acknowledged publication. Staff also confirmed proof of publication.

### **4. Review of Agenda**

Janet Sayre Hoeft made motion, seconded by Dale Weis, motion carried 2-0 to approve the review of the agenda.

### **5. Approval of August 13, 2009 Meeting Minutes**

Board members present for the August meeting were Paul Hynek, Donald Carroll, & Janet Sayre Hoeft. As a result, it was determined to defer approval of the minutes until next month.

### **6. Election of Officers**

The Board decided to defer election of officers until next month's meeting.

### **7. Site Inspections – Beginning at 10:00 a.m. and Leaving from Room 203**

V1316-09 – Arnim Zellmer/David & Mary Daubert Property, Town of Lake Mills

V1315-09 – Design Build Contractors/Mark & Jane Peterson Trust Property, Town of Farmington

V1314-09 – Anthony Blaedow, Town of Palmyra

**8. Public Hearing – Beginning at 1:00 p.m. in Room 205**

Meeting called to order by Dale Weis, Acting Chair, @ 1:00 p.m.

Members present: Janet Sayre Hoeft, Dale Weis, Randall Mitchell

Members absent: ----

Staff: Robert Klotz, Laurie Miller

***NOTICE OF PUBLIC HEARING  
JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT***

**NOTICE IS HEREBY GIVEN** that the Jefferson County Zoning Board of Adjustment will conduct a public hearing at 1:00 p.m. on Thursday, October 8, 2009 in Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin. Matters to be heard are applications for variance from terms of the Jefferson County Zoning Ordinance. No variance may be granted which would have the effect of allowing in any district a use not permitted in that district. No variance may be granted which would have the effect of allowing a use of land or property which would violate state laws or administrative rules. Subject to the above limitations, variances may be granted where strict enforcement of the terms of the ordinance results in an unnecessary hardship and where a variance in the standards will allow the spirit of the ordinance to be observed, substantial justice to be accomplished and the public interest not violated. Based upon the findings of fact, the Board of Adjustment must conclude that: 1) Unnecessary hardship is present in that a literal enforcement of the terms of the ordinance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome; 2) The hardship is due to unique physical limitations of the property rather than circumstances of the applicant; 3) The variance will not be contrary to the public interest as expressed by the purpose and intent of the zoning ordinance. **PETITIONERS, OR THEIR REPRESENTATIVES, SHALL BE PRESENT.** There may be site inspections prior to public hearing which any interested parties may attend; decisions shall be rendered after public hearing on the following:

**V1314-09 – Anthony & Jill Blaedow:** Variance in accordance with Sec. 11.07(d)2 of the Jefferson County Zoning Ordinance to allow garage reconstruction at less than the required setbacks to road right-of-way and centerline. Variance in accordance with Sec. 11.09(c) to allow reconstruction of a non-conforming structure in excess of 50% of its fair market value. The site is at **W832 Hooper Road** in the Town of Palmyra, on PIN 024-0516-0233-001 (3.33 Acres) in an A-3, Rural Residential zone.

Anthony Blaedow presented his petition. There were no questions or comments in favor or opposition of this petition.

Janet questioned if the old chicken house in the back was the petitioners. She also questioned the location of the garage.

Rob Klotz gave staff report. There was a town response in the file of no objection. Stewart Calkins, Chair for the Town of Palmyra, was present and stated the town had no objection.

**V1315-09 – Design Build Contractors/Mark & Jane Peterson Trust Property:** Variance to modify a previously approved variance, V497-91, in accordance with Sec. 11.07(d)2 of the Jefferson County Zoning Ordinance to sanction garage placement 45.65 feet from the centerline of the road and allow an addition to the garage in excess of 50% of its fair market value in accordance with Sec. 11.09(c). The site is at **W2693 Bakertown Road** in the Town of Farmington, on PIN 008-0715-3612-001 (2.58 Acres) in an A-1 Agricultural zone.

Mark Peterson presented his petition. There were no questions or comments in favor or opposition of the petition.

Janet Sayre Hoeft questioned if there was water to the building. She also questioned the septic and the size of the building.

Rob Klotz gave staff report. There was a decision from the town in the file of no objection, and was read into the record by Dale Weis.

**V1316-09 – Arnim Zellmer/David Scott & Mary L Daubert Property:** Variance in accordance with Sec. 11.09(c) of the Jefferson County Zoning Ordinance to allow an addition to a non-conforming home in excess of 50% of its fair market value. The site is at **N7085 North Shore Road** in the Town of Lake Mills, on PIN 018-0713-0231-002 (3.83 Acres) in an A-1, Agricultural zone.

Arnim Zellmer, contractor, presented this petition. There were no questions or comments in favor or opposition of this petition.

Janet made comment on the petitioner's response and explanation to the 3 criteria needed for a variance.

Rob Klotz gave staff report. There was a response in the file of no objection from the town which was read into the record by Dale Weis.

**9. Decisions on Above Petitions (see attached & file)**

**10. Adjourn**

Motion made by Janet Sayre Hoeft, seconded by Randall Mitchell, motion carried 3-0 to adjourn @ 2:17 p.m.

**If you have questions regarding these matters, please contact the Zoning Department at 920-674-7113 or 920-674-8638.**

The Board may discuss and/or take action on any item specifically listed on the agenda.

**JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT**

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 24 hours prior to the meeting so appropriate arrangements can be made.

**DECISION OF THE ZONING BOARD OF ADJUSTMENT  
JEFFERSON COUNTY, WISCONSIN**

**FINDINGS OF FACT**

**PETITION NO.:** 2009 V1314

**HEARING DATE:** 10-08-2009

**APPLICANT:** Anthony W. Blaedow

**PROPERTY OWNER:** Anthony W. & Jill E. Blaedow

**PARCEL (PIN #):** 024-0516-0233-001

**TOWNSHIP:** Palmyra

**INTENT OF PETITIONER:** To allow garage construction less than the required ROW & centerline setback. When measured on the CSM, the detached garage would be 14' from the road ROW & 44' from the centerline. No setbacks listed, just old building footprint on CSM.

**THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.07(d)2, 11.09(c) OF THE JEFFERSON COUNTY ZONING ORDINANCE.**

**THE FEATURES OF THE PROPOSED CONSTRUCTION AND PROPERTY WHICH RELATE TO THE GRANT OR DENIAL OF THE VARIANCE APPLICATION ARE:**

No wetlands or floodplain on property.

No extreme slopes.

Lot is 3.3 acres.

Why is it necessary to be in this location?

**FACTS OR OBSERVATIONS BASED ON SITE INSPECTIONS:** Property layout & location

**FACTS PRESENTED AT PUBLIC HEARING:** Replacing garage that was once there. Has electric and water service to the building.



**DECISION OF THE ZONING BOARD OF ADJUSTMENT  
JEFFERSON COUNTY, WISCONSIN**

**FINDINGS OF FACT**

PETITION NO.: 2009 V1315  
HEARING DATE: 10-08-2009

APPLICANT: Design Build Contractors

PROPERTY OWNER: Mark P. & Jane M. Peterson Trust

PARCEL (PIN #): 008-0715-3612-001

TOWNSHIP: Farmington

INTENT OF PETITIONER: Modify an existing variance granted to the current owner in 1991. Want to put a 4,000 sq. ft. addition to an existing 1,584 sq. ft. detached garage which was granted a variance to reduce the centerline setback.

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.07(d)2, 11.09(c) OF THE JEFFERSON COUNTY ZONING ORDINANCE.

THE FEATURES OF THE PROPOSED CONSTRUCTION AND PROPERTY WHICH RELATE TO THE GRANT OR DENIAL OF THE VARIANCE APPLICATION ARE:

- Existing garage was not placed at the setback granted by previous permits.
- Variance was granted for the structure to be 50' from the centerline of Bakertown Rd.
- was placed at 45.65'
- ROW setback would be approx. 12' according to the plot map.
- Addition will be 2 stories
- at ground level – 2,000 sq. ft. & basement exposed at 2,000 sq. ft.

FACTS OR OBSERVATIONS BASED ON SITE INSPECTIONS: Property layout & location

FACTS PRESENTED AT PUBLIC HEARING: Proposed use of the structure? Proposing bathroom & sink, septic system? Reasons for modifying existing variance? How does this proposal meet the variance criteria? Personal use only for motorcycle storage & repair.



DECISION OF THE ZONING BOARD OF ADJUSTMENT  
JEFFERSON COUNTY, WISCONSIN

**FINDINGS OF FACT**

PETITION NO.: 2009 V1316

HEARING DATE: 10-08-2009

APPLICANT: Arnim Zellmer

PROPERTY OWNER: David Scott & Mary L. Daubert

PARCEL (PIN #): 018-0713-0231-002

TOWNSHIP: Lake Mills

INTENT OF PETITIONER: To exceed 50" of the FMV for an addition to a non-  
conforming structure. The structure currently does not meet the road setbacks.

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.09(c) OF THE  
JEFFERSON COUNTY ZONING ORDINANCE.

THE FEATURES OF THE PROPOSED CONSTRUCTION AND PROPERTY WHICH  
RELATE TO THE GRANT OR DENIAL OF THE VARIANCE APPLICATION ARE:

The addition is to the back of the structure – not going any closer to the road way.  
Not increasing bedrooms per contractor.  
1<sup>st</sup> floor – 540 sq. ft. & exposed basement 540 sq. ft.

FACTS OR OBSERVATIONS BASED ON SITE INSPECTIONS: Property layout &  
location.

FACTS PRESENTED AT PUBLIC HEARING: Use of the addition?  
Are remodeling and enlarging the home.

