

JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

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

PUBLIC HEARING BEGINS AT **1:00 P.M.** ON FEBRUARY 11, 2010, ROOM 205, JEFFERSON COUNTY COURTHOUSE

CALL TO ORDER FOR BOARD MEMBERS IS AT 10:45 A.M. IN COURTHOUSE ROOM 203, PRIOR TO THE HEARING

SITE INSPECTION FOR BOARD MEMBERS LEAVES AT 11:00 A.M. FROM COURTHOUSE ROOM 203, PRIOR TO THE HEARING

1. Call to Order-Room 203

Meeting called to order by Janet Sayre Hoeft @ 10:55 a.m.

2. Roll Call

Members Present: Janet Sayre Hoeft, Dale Weis, Randy Mitchell

Members Absent: ---

Staff: Rob Klotz, Laurie Miller

3. Certification of Compliance With Open Meetings Law Requirements

Janet Sayre Hoeft acknowledged publication. Staff also confirmed publication.

4. Review of Agenda

Dale Weis made motion, seconded by Randy Mitchell, motion carried 3-0 to approve the review of the agenda.

5. Approval of January 14, 2010 Meeting Minutes

Randy Mitchell made motion, seconded by Janet Sayre Hoeft, motion carried 2-0 to approve the minutes. (Dale Weis was not at the January hearing, and did not vote)

6. Election of Officers

Dale Weis made motion, seconded by Randy Mitchell, motion carried 3-0 to elect Janet Sayre Hoeft as chairperson.

Janet Sayre Hoeft made motion, seconded by Randy Mitchell, motion carried 3-0 to elect Dale Weis as vice-chair.

Janet Sayre Hoeft made motion, seconded by Dale Weis, motion carried 3-0 to elect Randy Mitchell as secretary.

7. **Site Inspections – Beginning at 11:00 a.m. and Leaving from Room 203**
8. **Public Hearing – Beginning at 1:00 p.m. in Room 205**

Janet Sayre Hoeft called the public hearing to order @ 1:00 p.m.

Members Present: Janet Sayre Hoeft, Dale Weis, Randy Mitchell

Members Absent: ----

Staff: Rob 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, February 11, 2010 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:

V1323-10 – Daryl Broker/Sylvan Broker Trust: Variance from Sec. 11.04(f)5 of the Jefferson County Zoning Ordinance to sanction a parcel with a residence at less than 1 acre and as a separate lot. Previous certified survey map approval was granted by the County in 1979. The site is at **N6055 STH 89** in the Town of Lake Mills, on PIN 018-0713-2422-009 (0.29 Acres).

Daryl Broker presented his petition. Lisa Broker also was present. There were no questions or comments in favor or opposition of the petition.

There was a discussion on the location of the septic system and replacement area with options for a replacement site. Dale Weis questioned the well location. The Committee requested the petitioner to identify the location of the well and septic on the site plan in the file. Janet Sayre Hoeft questioned the land to the east and if DOT approval was needed.

Staff report was given by Rob Klotz. There was a response from the town in the file of no objection and read into the record by Randy Mitchell.

8. Decision on Above Petition

9. Adjourn

Randy Mitchell made motion, seconded by Dale Weis, motion carried 3-0 to adjourn @ 2:05 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.: 2010 V1323

HEARING DATE: 02-11-2010

APPLICANT: Daryl Broker

PROPERTY OWNER: Sylvan A. Broker Trust

PARCEL (PIN #): 018-0713-2422-009, 018-0713-2423-003 (1979 CSM, Remnant A-1)

TOWNSHIP: Lake Mills

INTENT OF PETITIONER: To create parcel 018-0713-2422-009 as a separate,
saleable lot

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.04(f)5 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:

1979 CSM signed by Jefferson County approved this lot

- Ordinance in 1975 would have required a rezone or variance

- Existing non-conforming (substandard) lot because of county action

FACTS OR OBSERVATIONS BASED ON SITE INSPECTIONS: _____

Property layout & location

FACTS PRESENTED AT PUBLIC HEARING: See tape & minutes

- copy of CSM

- copy of 11.04(f)5

