

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

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

**PUBLIC HEARING** BEGINS AT **1:00 P.M.** ON THURSDAY, MARCH 10, 2011, ROOM 205, JEFFERSON COUNTY COURTHOUSE

**CALL TO ORDER FOR BOARD MEMBERS** IS AT 10:15 A.M. IN COURTHOUSE ROOM 203, PRIOR TO THE HEARING

**SITE INSPECTION FOR BOARD MEMBERS** LEAVES AT 10:30 A.M. FROM COURTHOUSE ROOM 203, PRIOR TO THE HEARING

**1. Call to Order-Room 203 at 10:15 a.m.**

Meeting called to order @ 10:15 a.m. by Janet Sayre Hoeft

**2. Roll Call**

Members present: Janet Sayre Hoeft, Donald Carroll

Members absent: Dale Weis

Staff: Michelle Staff, Laurie Miller

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

Hoeft acknowledged publication. Staff also presented proof of publication.

**4. Review of Agenda**

Carroll made motion, seconded by Hoeft, motion carried 2-0 to approve the review of the agenda.

**5. Approval of February 10, 2011 Meeting Minutes**

Carroll made motion, seconded by Hoeft, motion carried 2-0 to approve the February 10, 2011 meeting minutes.

**6. Site Inspections – Beginning at 10:30 a.m. and Leaving from Room 203**

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

Meeting called to order @ 1:00 p.m. by Janet Sayre Hoeft.

Members present: Janet Sayre Hoeft, Donald Carroll

Members absent: Dale Weis

Staff: Michelle Staff, Laurie Miller

Procedure was explained by Hoeft.

The following was read into the record by Carroll:

***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, March 10, 2011 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:

**V1354-11 – Timothy Engels & Jill Christian:** Variance from Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance to allow shed construction 10 feet from side and rear lot lines at **N7359 Manske Road**. This Town of Milford site is on PIN 020-0814-3144-004 (1.013 Acre) in an A-3, Rural Residential zone.

Jill Christian presented the petition. Timothy Engels was also present. There were no questions or comments in favor or opposition.

There was a town response in the file approving this petition as written, and was read into the record by Carroll. Staff report was given by Staff.

Carroll questioned the petitioner's statement that the surround land had no more splits. Hoeft questioned the petitioner on the proposed 8' to the well, and questioned staff on the 2' setback required.

**V1360-11 – Timothy& Barbara Nysted:** Variance from Sec. 11.04(f)7, which requires a 20-foot side or rear lot line setback, to sanction an attached garage constructed at 16 feet to a lot line. The site is in at **N844 STH 26** on PIN 016-0514-3021-004 (3 Acres) in an A-3, Rural Residential zone, Town of Koshkonong.

Timothy Nysted presented his petition. There were no questions or comments in favor or opposition. There was a town response in the file of approval, and was read into the record by Carroll.

Staff report was given by Michelle Staff. Carroll commented on the 25' access easement adjacent to the petitioner's lot. Staff explained. Hoeft questioned staff on if a permit was obtained. Carroll questioned the placement of the house and angle of the lot line.

## **8. Decisions on Above Petitions (See files)**

## **9. Adjourn**

Hoeft made motion, seconded by Carroll, motion carried 2-0 to adjourn @ 1:55 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 at least 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.: 2011 V1354

HEARING DATE: 03-10-2011

APPLICANT: Timothy Engels & Jill Christian

PROPERTY OWNER: SAME

PARCEL (PIN #): 020-0814-3144-004

TOWNSHIP: Milford

INTENT OF PETITIONER: To construct a detached shed 10 feet from the lot line.

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.04(f)(7) 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: Petitioner would like to construct a shed 10 feet from the side & rear lot line whereas a 20 foot setback is required. Residence was built in 2004 with all setbacks shown on the property. When lot was crated, the setbacks were the same. The Planning & Zoning Committee approved this size of lot with all applicable setbacks. When the petitioners purchased the lot, those were the same setbacks.

The size of the shed is 36'x45' (1,620 sq. ft.). Petitioner could reduce the size of the shed or reposition the structure further from the side lot line and still meet the required setbacks and still get an approximate size of 1,260 square foot detached garage.

FACTS OR OBSERVATIONS BASED ON SITE INSPECTIONS: Site inspections conducted. Observed property layout & location.

FACTS PRESENTED AT PUBLIC HEARING: See tape, minutes & file.



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

**FINDINGS OF FACT**

PETITION NO.: 2011 V1360  
HEARING DATE: 03-10-2011

APPLICANT: Timothy P. & Barbara J. Nysted

PROPERTY OWNER: SAME

PARCEL (PIN #): 016-0514-3021-004

TOWNSHIP: Koshkonong

INTENT OF PETITIONER: To sanction an attached garage constructed at 16' from the lot line.

THE APPLICANT REQUESTS A VARIANCE FROM SECTION 11.04(f)7 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:

On 8/27/1997, the Zoning Department issued a zoning permit for a new home at 22' from the lot line. When the petitioner applied for the accessory buildings, it was noted on the site plan that the house was too close to the lot line.

FACTS OR OBSERVATIONS BASED ON SITE INSPECTIONS: Site inspections conducted. Observed property layout & location.

FACTS PRESENTED AT PUBLIC HEARING: See tape, minutes & file.



