

Zoning Board of Appeals Agenda
August 17, 2021

AMENDED - Reedsburg City Hall Council Chambers
12:00 PM

DUE TO THE RESTRICTIONS CAUSED BY THE COVID-19 PANDEMIC, SOME VOTING MEMBERS MAY BE PRESENT VIA TELECONFERENCE OR VIDEO CONFERENCE, AS PROVIDED BY THE RECOMMENDATIONS OF THE WISCONSIN DEPARTMENT OF JUSTICE. [HTTPS://WWW.DOJ.STATE.WI.US/NEWS-RELEASES/OFFICE-OPEN-GOVERNMENT-ADVISORY-CORONAVIRUS-DISEASE-2019-COVID-19-AND-OPEN-MEETINGS](https://www.doj.state.wi.us/news-releases/office-open-government-advisory-coronavirus-disease-2019-covid-19-and-open-meetings)

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE MEMBERS OF THE COMMON COUNCIL MAY ATTEND THIS MEETING TO GATHER INFORMATION ABOUT A SUBJECT OVER WHICH THE COMMON COUNCIL HAS DECISION-MAKING AUTHORITY. IF A QUORUM OF THE COMMON COUNCIL ATTENDS THIS MEETING, NO ACTION WILL BE TAKEN BY THE COMMON COUNCIL AT THIS MEETING.

CALL TO ORDER

APPROVAL OF MINUTES

I. APPROVE MINUTES FOR THE MEETING HELD ON JUNE 29, 2021:

THE COMMITTEE WILL RECEIVE INFORMATION ON NON-AGENDA TOPICS BROUGHT BEFORE THE COMMITTEE BY MEMBERS OF THE PUBLIC. THE COMMITTEE WILL NOT DISCUSS THESE TOPICS, AND WILL NOT TAKE ACTION ON ANY OF THEM AT THIS MEETING

I. GENERAL BUSINESS:

- A. Election of Chairperson
- B. Election of Vice Chairperson
- C. Consider zoning variance per § 690-Attachment 2 and § 690-41 to determine if a tax parcel can be divided into two with the second parcel not having the required 25' front setback nor direct street frontage. – 2033 E. Main St; Parcel #276-2200-11000 – Faith Christian Church of Mauston, Inc.
- D. *Consider amending zoning variance for shed size that was originally approved 6/15/21. – 487 Derby Row; Parcel #2408-13300 – Pace Farms*

II. ADJOURN:



The City of Reedsburg does not discriminate on the basis of disability in the admissions or access to, or treatment of or employment in, its programs or activities. Disability-related aids or services, including printed information in alternate formats, to enable persons with disabilities to participate in public meetings and programs are available by calling (608) 524-6404. To be able to meet the needs of a request for a different format contact the City Clerk-Treasurer at 134 S. Locust Street, Reedsburg, WI at least 48 hours prior to the commencement of the meeting so that any necessary arrangements can be made to accommodate each request.

City of Reedsburg
Zoning Board of Appeals Minutes
June 29, 2021

Present: Walter Luepke, Charlie Brumer and Nathan Johnson
Absent: Richard Braun, Pat Andera and Richie Strutz
Others: Brian Duvalle and Corey Leichtman

Brian Duvalle called the meeting to order at 12:00 PM.

Moved by Luepke, and seconded by Johnson to approve the minutes from the June 15, 2021, meeting.
Motion approved 3-0.

Consider zoning variance per § 690-45 to add an accessory shed to a vacant lot without a primary structure; the structure is planned to be built in 2022 – 327 Sienna Ct; Parcel #2626-13 – Corey Leichtman

Home owner, Corey Leichtman, is closing on his current home on July 9, 2021 and would like to place his brand new accessory shed on the parcel they plan on building a new house on at 327 Sienna Ct. The plan is to start building the house in the spring of 2022. They will be starting the construction process for the new house after the July 9, 2021 closing of their current house. Discussion held on adding a deadline to ensure compliance if a variance is approved. Per state statutes, new house building permits are good for two years.

Motion by Luepke, seconded by Brumer to approve the variance by allowing home owner to place shed on the vacant lot with the condition that construction of the new house start in 2022 and be completed by June of 2023.
Motion approved 3-0.

Election of Chairperson and Vice Chairperson has been tabled until the next meeting.

Moved by Johnson, seconded by Luepke to adjourn the meeting at 12:12 PM. Motion carried 3-0.

Respectfully submitted,

Julie Strutz
Deputy Clerk-Treasurer

Staff Report

DATE: August 17, 2021; 12:00 PM

APPLICANT: Faith Christian Church of Mauston, Inc.

LOCATION: 2033 E. Main St; Parcel #276-2200-11000

ZONING: B-2 Business

PROPOSED LAND USE REQUEST: Zoning Variance

DESCRIPTION: Consider zoning variance per § 690-Attachment 2 and § 690-41 to determine if a tax parcel can be divided into two with the second parcel not having the required 25' front setback nor direct street frontage.

General Findings

SURROUNDING LAND USES:

- North – Residential
- West – Commercial
- South – Commercial
- East – Commercial

ZONING:

- North- R-2 Residential
- West- B-2 Business
- South- B-2 Business
- East- B-2 Business

TOPOGRAPHY: Flat slopes

STREET R.O.W./TRAFFIC/ACCESS: E Main St, 135' ROW

ENVIRONMENTAL HAZARDS/CONDITIONS: None

COMPREHENSIVE PLAN DESIGNATION: Commercial

COMMENTS

ADMINISTRATOR:

AMBULANCE:

FIRE:

POLICE:

PUBLIC WORKS:

SCHOOL:

UTILITIES:

OTHER:

Variance Findings – § 690-12(B)

- 1. The variance will not be contrary to the public interest.**
- 2. Substantial justice will be done by granting the variance.**
- 3. The variance is needed so that the spirit of the ordinance is observed.**
- 4. Due to special conditions, a literal enforcement of the provisions of the zoning ordinance will result in unnecessary hardship.**
 - a. The Board finds that the parcel is zoned B-2 Business.
 - b. The Board finds that the existing parcel contains an existing church and plumbing business.
 - c. The Board finds that the proposal is to divide the parcel into two.
 - d. The Board finds that § 690-Attachment 2 requires a 25' front setback.
 - e. The Board finds that § 690-41 requires 40' street frontage.
 - f. The Board finds that the lot is approximately 92' X 427'.
 - g. The Board finds that surrounding lots contain mostly commercial uses.

STAFF COMMENTS:

The owners of Faith Christian would like to divide the existing parcel into two. The new lot line would run between the buildings, which are only about 9' apart. If you were to approve this request, I request a condition of a legal document that the driveway is shared and a document form a design professional that the building code is met regarding fire separation.

Exhibit List

- A. City of Reedsburg Comprehensive Plan
- B. Zoning Ordinance, City of Reedsburg, Wisconsin
- C. Tuesday, August 17, 2021, ZBA Agenda
- D. Land Use Change Application
- E. Staff Report
- F. Request for Review
- G. Notice of Public Meeting

City of Reedsburg Land Use Application

134 S. Locust St.
PO Box 490
Reedsburg, WI 53959

Ph: 608-524-6404
Fax: 608-524-8458
bduvalle@ci.reedsburg.wi.us

APPLICANT: FAITH CHRISTIAN CHURCH OF MAUSTON, INC

ADDRESS: N4691 HWY 12 & 16 W **CITY:** MAUSTON **STATE:** WI

ZIP: 53948 **PHONE:** 608-847-4019 **FAX:** 608-847-4005

E- MAIL: INFO@FAITHCHRISTIANWI.COM

PROPERTY OWNER: (if different from Applicant) _____

LOCATION: 2033 ^E MAIN ST, REEDSBURG, WI **PARCEL #:** 2200-11

LAND USE REQUEST

(Please describe one or more as applicable – attach extra pages/maps if necessary)

☐ **Certified Survey Map (CSM):** _____

☐ **Conditional Use Permit:** _____

For **CONDITIONAL USE PERMIT** requests, also answer "A & B" on back page.

☐ **Preliminary Plat:** _____ **Final Plat:** _____ **Name of Plat:** _____

☐ **Rezoning - From:** _____ **To:** _____ **TID #** _____

☐ **Site Plan Review:** (See "B" on back page) _____

☐ **Zoning Appeal / Interpretation:** _____

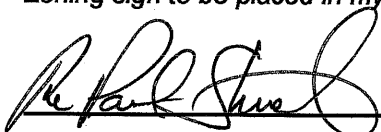
☒ **Zoning Variance:** 2033 E Main St does not have 40 ft street frontage, does not have enough zoning lot line setbacks between buildings.

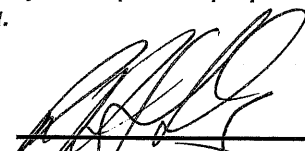
For **VARIANCE** requests, also answer "C" on back page.

☐ **Other or Annexation:** _____

AFFIDAVIT

I certify that the information and plans submitted are true and accurate to the best of my knowledge. I also give permission to City zoning officials to enter my property for inspection purposes and for a temporary Zoning sign to be placed in my yard prior to the meeting.

 17-22-21
Applicant Signature / Date

 17-22-21
Owner Signature / Date

Extraterritorial Committee Date: _____
Plan Commission Date: _____
Board of Zoning Appeals Date: _____
City Council Action & Date: _____

Account #10-461500-00

**The applicant or representative MUST
ATTEND the meeting.**

G:\wpnet\Zoning - Planning\Land Use Appl.doc

Cond Use Permit	\$200	_____
Cond Use-Agriculture	\$400	_____
Variance	\$125	<u>\$125</u>
Rezoning	\$200	_____
C.S.M.	\$175	_____
Subdivision Plat	\$610	_____
- w/ Stormwater Plan	\$100	_____
Site Plan Review	\$175	_____
Annexation	\$200	_____
Plan Amend	\$200	_____
Date Paid	<u>7-26-2021</u>	_____
Receipt #	<u>1.038678</u>	_____

DESCRIPTION (PER TITLE COMMITMENT 26122052)

Lots One (1) and Two (2), Certified Survey Map No. 4201, recorded in Volume 22 of Certified Survey Maps, Page 4201, as Document No. 721801. Located in the SE1/4 NE1/4 and the SW1/4 NE1/4, Section 11, Town 12 North, Range 4 East, City of Reedsburg, Sauk County, Wisconsin.

SCHEDULE B-II EXCEPTIONS PERTAINING TO MAP

- Utility Easement to Southern Wisconsin Power Company. Utility easement does not affect subject parcels.
- Highway Conveyance to Sauk County, Wisconsin. Described lands are shown as highway right of way on this survey.
- Utility Easement to Wisconsin Power and Light Company. Utility easement is for one structure at undescribed location.
- The Utility Easements on CSM 4201 are shown on this survey. The Highway Setback Line on CSM 4201 is shown on this survey. The Trans 233 Access Restriction on CSM 4201 is shown on this survey. The Permitted Access Point on CSM 4201 is shown on this survey. The Joint Parking Easement on CSM 4201 is shown on this survey.

ENCROACHMENTS

- ADJOINER'S PARKING LOT ENCLOSED ONTO SUBJECT PROPERTY BY 6' TO 9'
- SUBJECT PROPERTY'S PARKING LOT ENCLOSED ONTO HWY R/W BY 13'±
- ROOF LINE ENCLOSED INTO HIGHWAY SETBACK BY 1.8'±
- BUILDING ENCLOSED INTO UTILITY EASEMENT BY VARIOUS AMOUNTS
- ROOF LINE ENCLOSED INTO STREET RIGHT OF WAY BY 0.2'±
- BUILDING ENCLOSED INTO UTILITY EASEMENT BY 0.7'±
- BUILDING ENCLOSED INTO UTILITY EASEMENT BY 0.4'±
- ADJOINER'S MOWING ENCLOSED ONTO SUBJECT PROPERTY

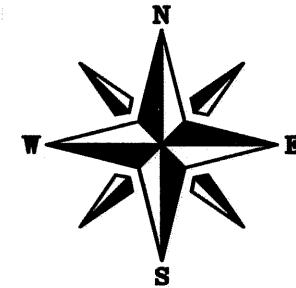
ALTA/ACSM LAND TITLE SURVEY

BEING LOTS 1 AND 2, SAUK COUNTY CERTIFIED SURVEY MAP NO. 4201, LOCATED IN THE SE1/4 OF THE NE1/4 AND THE SW1/4 OF THE NE1/4, SECTION 11, T12N, R4E, CITY OF REEDSBURG, SAUK COUNTY, WISCONSIN.

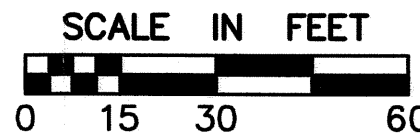
PREPARED FOR:
RON ROSENMEYER (AGENT FOR ROBERT A. & MARY E. KELLY)
STARK COMPANY REALTORS
1025 EIGHTH STREET
BARABOO, WI 53913

SUBJECT PROPERTIES LOCATED AT:
2015 E. MAIN STREET
2025 E. MAIN STREET
REEDSBURG, WISCONSIN 53959

BASED ON TICOR TITLE INSURANCE COMPANY TITLE COMMITMENT NO. 26122052, BEARING AN EFFECTIVE DATE OF MARCH 5, 2007.



BEARINGS REFERENCED TO THE EAST LINE OF LOT 2, C.S.M. 4201, ASSUMED TO BEAR S00°46'34"W



LEGEND

- EXISTING 3/4" DIA. IRON ROD
- EXISTING 1-1/4" DIA. IRON ROD
- EXISTING FIRE HYDRANT
- EXISTING FIBER OPTIC VAULT
- EXISTING ELECTRIC PEDESTAL
- EXISTING TRANSFORMER
- EXISTING TELEPHONE PEDESTAL
- EXISTING CABLE TV PEDESTAL
- EXISTING MANHOLE

LIMITATIONS ON UTILITIES SHOWN

UNDERGROUND UTILITIES WERE NOT MARKED BY DIGGERS HOTLINE AS PART OF THIS SURVEY AND HAVE NOT BEEN LOCATED OR SHOWN ON THIS SURVEY.
FOR ANY CONSTRUCTION, SITE WORK, DESIGN WORK & PLANNING, THE OWNER OR ITS REPRESENTATIVE, OR THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

CALL DIGGER'S HOTLINE
1-800-242-8511

SURVEYOR'S CERTIFICATE

To Robert A. Kelly and Mary E. Kelly, Cardinal Savings Bank FSB, and Ticor Title Insurance Company:

This is to certify that this map or plot and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements For ALTA/ACSM Land Title Surveys" jointly established and adopted by ALTA, and NSPS in 2005. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Wisconsin, the Relative Accuracy of this survey does not exceed that which is specified therein.

Undersigned further certifies that he has surveyed and mapped the above plotted property in accordance with the information furnished and in compliance with the requirements of Chapter AE-7, Wisconsin Administrative Code; and that the above-described property and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all visible structures thereon, fences, apparent easements and roadways and visible encroachments, if any, as of March 30, 2007, to the best of his knowledge and belief.

This survey is made for the exclusive use of Robert A. Kelly and Mary E. Kelly, Cardinal Savings Bank FSB, and also those who insure the title thereto within one (1) year from the date hereof; and as to them I certify the accuracy of said survey map.

Vierbicher Associates, Inc.
By James C. Schroeder

James C. Schroeder, RLS 1607 Date 4/02/07

