

**Zoning Board of Appeals Agenda
October 18, 2022
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 SEPTEMBER 20, 2022:

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. Consider zoning variance per §690-102 to replace two ground signs in a Residential zone. – 2701 E Main St; Parcel #s 276-2263-00000 & 2261-21000 – Wire Courtyard MHP LLC
- B. Consider zoning variance per §690 Schedule 1 to exceed the size limit for accessory buildings on the property. – 626 N Webb Ave; Parcel #276-1593-00000 – James Haas

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
September 20, 2022

Present: Richard Braun, Jessie Phalen, Walter Luepke

Absent: Nathan Johnson

Others: Brian Duvalle, Gatlin Fenwick, Jim Haas and Ryan Johansen

Board Member Richard Braun called the meeting to order at 12:00 PM.

Motion by Phalen, seconded by Luepke to approve the minutes from the August 16, 2022 meeting.

Motion approved 3-0

Consider zoning variance per § 690-41 to create a lot without 40' of frontage on a public street. – 405 N Webb Ave; Parcel #276-2201-00000 & 1799-00000 – Gatlin Fenwick.

Gatlin Fenwick would like to purchase the city owned land west of the drainage ditch which is not adjacent to a public street. The parcel is in the floodplain and cannot be built on. He would like to use the parcel for a yearly triathlon. The variance is required before the property can be divided and sold to Fenwick from the City of Reedsburg, which is the current owner of the parcel. The offer to purchase has already been approved by the City Council.

The access would be from Hwy V and is not a public road. It is currently being shared by 6 property owners. Fenwick indicated that he hasn't heard any objection from current owners. Luepke asked if there would be a parking lot on this parcel and Fenwick indicated that people in the triathlon would bike to this location to get in their kayak on the Baraboo River.

Phalen asked if there is permissible access to this parcel and Fenwick indicated that there are 3 historical deeds that indicate historical access to this parcel. Ryan Johansen indicated that the parcel owners along the road should come up with a maintenance agreement because Lakeside Foods has historically maintained the road. There is no official maintenance agreement at this time. There would be 7 different land owners along this road with Fenwick included.

One other use Fenwick was thinking of using the parcel for was to plant ½ acre of wheat to be harvested with a lawn tractor mower for flour.

Ryan Johansen, who is the only one who has a residence on the private drive, has no objection to the variance but would like to see a maintenance agreement for the private road.

Moved by Luepke, seconded by Phalen to approve the variance with the condition that a road maintenance agreement is established. The City of Reedsburg would also need to agree to the maintenance agreement following legal counsel review.

Motion approved 3-0

Consider zoning interpretation for accessory structures with attached lean-to per § 690-9 & § 690 Schedule 1.

Zoning Administrator Brian Duvalle explained that you are allowed 1 attached garage and 2 accessory buildings with a maximum size overall. If you would add a lean-to with posts to any of the buildings, is that included in the maximum size overall? Duvalle has previously included it in the overall size of the buildings.

Moved by Luepke, seconded by Phalen to agree with the Zoning Administrator's interpretation that any lean-to with the posts is included for the overall maximum size of accessory buildings.

Motion approved 3-0

Moved by Phalen, seconded by Luepke to adjourn the meeting at 12:35 PM.

Motion approved 3-0

Respectfully submitted,
Julie Strutz
Deputy Clerk-Treasurer

ZONING BOARD OF APPEALS
Staff Report

DATE: October 18, 2022 – 12:00 PM

APPLICANT: Wire Courtyard MHP LLC

LOCATION: 2701 E Main St; Parcel #s 276-2263-00000 & 2261-21000

ZONING: R-2 Residential

PROPOSED LAND USE REQUEST: Zoning Variance

DESCRIPTION OF PROPERTY/IMPROVEMENTS: Consider zoning variance per §690-102 to replace two ground signs in a Residential zone. The owners of the Courtyards propose to replace their existing ground signs with new 3' X 4' ground signs. The current signs are located at the E Main St entrance and the Wengel Dr entrance.

General Findings

SURROUNDING LAND USES:

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

ZONING:

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

TOPOGRAPHY: Flat slopes

STREET R.O.W./TRAFFIC/ACCESS: E Main St / N Wengel Dr; 136' / 66' ROW

ENVIRONMENTAL HAZARDS/CONDITIONS: None known

COMPREHENSIVE PLAN DESIGNATION: High density residential

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 property contains the existing Courtyards mobile home park.
 - b. The Board finds that parcel #2263 is 6.44 acres in size.
 - c. The Board finds that parcel #2261-21 is 5.35 acres in size.
 - d. The Board finds that the applicant proposes to replace the two existing signs with new 3' X 4' ground signs in the same location.
 - e. The Board finds that § 690-102 only permits R-2 Residential ground signs for home businesses and public, charitable or religious institutions.
 - f. The Board finds that there are driveways to the mobile home park from E Main St and from N Wengel Dr.
 - g. The Board finds that the property is zoned R-2 Residential.

STAFF COMMENTS

There is no record of when the current signs were installed. The current sign ordinance does not address signage specifically for mobile home parks; the closest equivalent is signage for apartment buildings in the R-3 zone.

Exhibit List

- A. City of Reedsburg Comprehensive Plan
- B. Zoning Ordinance, City of Reedsburg, Wisconsin
- C. Tuesday, October 18, 2022, 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: WIRE Courtyards LLC

ADDRESS: 2701 E Main CITY: Reedsburg STATE: WI

ZIP: 53959 PHONE: 608-415-4140 FAX: NA

E-MAIL: Gina.Holt@Impactmlc.com

PROPERTY OWNER: (if different from Applicant) _____

LOCATION: 2701 E Main PARCEL #: 2263

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: _____

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

☐ Zoning Appeal / Interpretation: _____

☒ Zoning Variance: Repair Existing signs that prior owner
For **VARIANCE** requests, also answer "C" on back page. did not request variance properly

☐ Other: _____

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.

[Signature] As agent For owner
19-8-2021
Applicant Signature / Date

[Signature] As agent
19-8-2021
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.**

Conditional Use	\$200	_____
Cond. Use-Agriculture	\$400	_____
Variance	\$125	<u>\$125</u>
Zone Change	\$200	_____
C.S.M.	\$175	_____
Subdivision Plat	\$610	_____
- w/ Stormwater Plan	\$100	_____
Flood Plain Zone	\$189	_____
Site Plan Review	175	_____
Comp Plan Amend	\$200	_____

Date Paid 9-19-22
Receipt # 1.042218



Courtyard

Manufactured Home Community

2701 E. Main Street

608-415-4040



City of Reedsburg GIS

DISCLAIMER: The City of Reedsburg Does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1" = 139'

CITY OF REEDSBURG
134 S. Locust Street
PO Box 490
Reedsburg, WI 53959
608-524-6404

Print Date: 10/11/2022

ZONING BOARD OF APPEALS

DATE: October 18, 2022

APPLICANT: James Haas

LOCATION: 626 N Webb Ave; Parcel #276-1593-00000

ZONING: R-2 Residential

PROPOSED LAND USE REQUEST: Zoning Variance

DESCRIPTION OF PROPERTY/IMPROVEMENTS: Consider zoning variance per §690 Schedule 1 to exceed the size limit for accessory buildings on the property. The owner proposes to construct a new detached garage on the site.

General Findings

SURROUNDING LAND USES:

- North – Residential
- West – Webb Park
- South – Residential
- East – Residential

ZONING:

- North- R-2 Residential
- West- Government
- South- R-2 Residential
- East- R-2 Residential

TOPOGRAPHY: Flat slopes

STREET R.O.W./TRAFFIC/ACCESS: N Webb Ave

ENVIRONMENTAL HAZARDS/CONDITIONS: None known

COMPREHENSIVE PLAN DESIGNATION: Residential

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 property contains a single-family dwelling with attached garage.
 - b. The Board finds that the attached garage is 552 square feet (SF) in size.
 - c. The Board finds that the property is 34,650 SF in size.
 - d. The Board finds that the property is allowed up to 2,000 SF for garage/shed space per § 690 Schedule 1.
 - e. The Board finds that the applicant proposes to construct a new 30 X 44 detached garage that would include an additional 6' X 44' lean to.
 - f. The Board finds that the surrounding properties are mostly single-family residential.

STAFF COMMENTS

The applicant also plans to add a separate 6 X 16 shed. The two detached plus the attached garage would come to about 2,000 SF. However the lean-to would push it past the limit with another 264 SF. The lean-to would have a concrete floor and roof with no side walls.

Exhibit List

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- F. Request for Review
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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: JAMES HAAS

ADDRESS: 626 N. Webb Ave **CITY:** Reedsburg **STATE:** WI

ZIP: 53959 **PHONE:** 608-434-9231 **FAX:** _____

E-MAIL: JHAAS-63@Yahoo.com

PROPERTY OWNER: (if different from Applicant) _____

LOCATION: 626 N. Webb **PARCEL #:** 1593

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:** _____

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.

James Haas 1/10-03-2022 _____

Applicant Signature / Date

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 10-4-2022

Receipt # 1042341

To whom it concerns:

My plan is to use the 2000 square feet of storage at my property at 626 North Webb Ave. I would like to also build a side porch/lean-to on the north side of the building. The approximate size of this area would be roughly 6' deep and 44' long (the length of the building). It is possible the building could end up being a bit shorter. This lean-to area would have an overhang and support beams. A picture of the building I intend to build is attached. Because it would have support beams supporting the overhang, it would count towards my 2000 square feet of storage, which is why I am requesting a zoning variance.

I feel the side porch/lean-to area would be aesthetically pleasing versus a "pole shed" in a residential area as well as provide a covered, somewhat private space to use as a porch on our property.

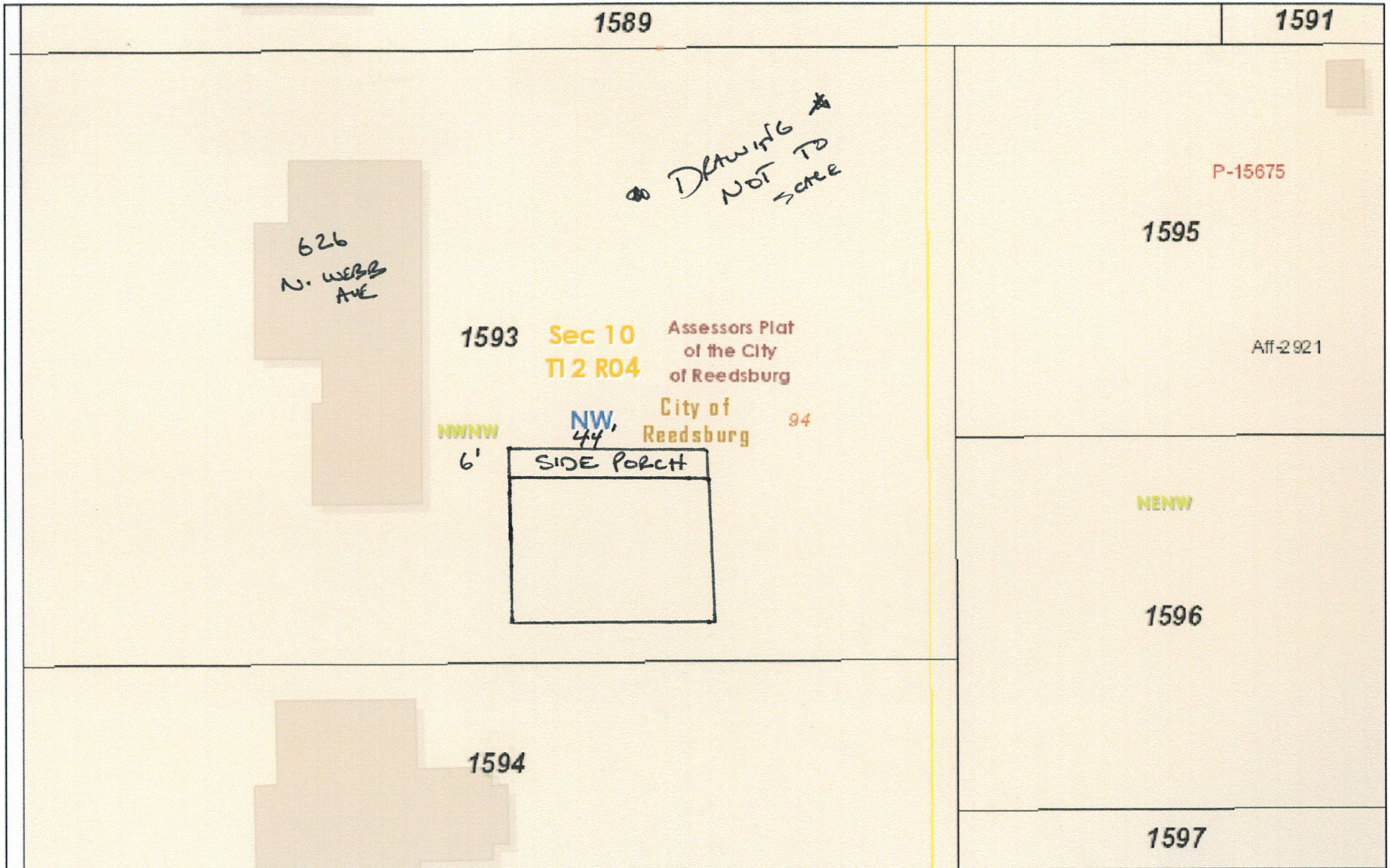
Thank you for your consideration.

Jim Haas



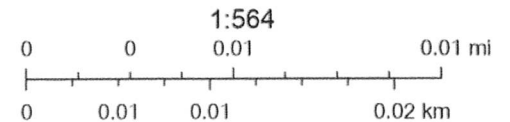


Sauk County Wisconsin



10/3/2022, 8:12:15 PM

- | | | | | |
|--------------------------|----------------|----------------------|----------------------|-----------------|
| Control Corners | Other | Township Corner | PLSS 1/4 1/4 Section | Survey Boundary |
| Center of Section Corner | Quarter Corner | Municipal Boundaries | PLSS 1/4 Section | CSM |
| Meander Corner | Section Corner | PLSS Fractional Lots | PLSS Section Line | Subdivision |



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