



CITY OF REEDSBURG
134 South Locust Street, PO Box 490
Reedsburg, WI 53959
PH. 608-524-6404 FAX. 608-524-8458
www.reedsburgwi.gov

**Zoning Board of Appeals Agenda
February 21, 2023
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 OCTOBER 18, 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-Attachment 3 to have a 5' side setback instead of the required 25' for future buildings: 110' X 120' and 225' X 120'. This request would amend the previous request from October 2021 – 410 South Ave; Parcel #276-0481-00000 – Riffey Transload

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
October 18, 2022

Present: Nathan Johnson, Richard Braun, Jessie Phalen, Walter Luepke

Absent: None

Others: Gina Holt, Jan Hasler, Phil Hasler, Jim Haas, Brian Duvalle

Chair Nathan Johnson called the meeting to order at 12:00 PM.

Motion by Luepke, seconded by Braun to approve the minutes from the September 20, 2022 meeting.

Motion approved 4-0

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

The Courtyards plans to replace their existing 4 X 4 ground signs with new 3 X 4 ground signs. Mobile home parks are zoned R-2 Residential and do not address such signage in that zone. Only home businesses and religious land uses are addressed in R-2. The closest comparison is multi-family signage in the R-3 zone. Sign lighting would utilize existing lights. The vision triangle at the intersections would need to be maintained. ZBA requests that Plan Commission consider adding signage into the zoning ordinance for mobile home parks.

Motion by Luepke, seconded by Braun to approve the variance as presented and with condition that locations are verified prior to installation.

Motion approved 4-0

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

The zoning ordinance allows one attached garage and two detached garages/accessory buildings. The sum of the existing attached garage, the current proposed detached garage and a future shed would equal 2000 square feet, which is the maximum allowance. However the current proposed garage includes a 6 X 44 attached lean-to. The proposed garage would meet the main structure setbacks and be used for storage only. Mr. Haas would like to make the garage exterior look like the house.

Neighbor Jan Hasler stated that the two rear yards abut and there is already lots of concrete to their north. She is concerned the proposed garage looks like a barn/farm building and questioned stormwater run-off. She added that other nearby cities do not allow as big of accessory buildings. Phil Hasler stated concerns about the aesthetics and the history of the neighborhood, which was intended to remain mostly as green space. He added that the zoning ordinance should have been amended so as to reduce garage size. Neighbors Mary & Gary Williams submitted emails in opposition to the request.

Discussion held on adding a third stall to existing garage. That was considered but would include additional driveway area. Discussion held on stormwater. The side setback would be 8' and would include gutters to help divert water to the backyard or storm sewer. The four variance standards were reviewed. ZBA also requests that Plan Commission review garage size standards.

Motion by Braun, seconded by Johnson to approve the variance as presented because of the hardship that the lean-to posts are ambiguous and with conditions that 1) height is no higher than existing garage and 2) landscaping is provided on south side.

Motion approved 3-1 (Luepke)

Motion by Braun, seconded by Phelan to adjourn at 12:46 PM.

Motion approved 4-0

Respectfully submitted,

Brian Duvalle
Zoning Administrator

Staff Report

DATE: February 21, 2023

APPLICANT: Riffey Transload

LOCATION: 410 South Ave; Parcel #276-0481/0480/0482-00000

ZONING: I-1 Light Industrial

PROPOSED LAND USE REQUEST: Zoning Variance

DESCRIPTION: Consider zoning variance per § 690-Attachment 3 to have a side setback less than the required 25' for future buildings. The applicants proposes to place the buildings five (5') feet from the side (west) lot line to avoid utility and utility easements in the interior of the property.

A similar zoning variance was approved for a side setback in October 2021. However the applicant is now proposing larger buildings and therefore needs a new variance request. If approved, these larger buildings would also replace/eliminate the originally proposed silos on the property.

General Findings

SURROUNDING LAND USES:

- North – Railroad
- West – Residential
- South – Vacant
- East – Industrial

ZONING:

- North – Government
- West – R-1 Residential
- South – Conservancy
- East – I-1 Light Industrial

TOPOGRAPHY: Flat slopes

STREET R.O.W./TRAFFIC/ACCESS: South Ave & S Pine St, 66' ROW

ENVIRONMENTAL HAZARDS/CONDITIONS: None

COMPREHENSIVE PLAN DESIGNATION: Industrial

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 I-1 Light Industrial.
 - b. The Board finds that the existing parcel contains the former Friede Construction yard.
 - c. The Board finds that § 690 Attachment 3 requires a 25' side setback when next to a residential zone.
 - d. The Board finds that two new storage buildings are proposed.
 - e. The Board finds that the request is to amend the previous variance with 110 X 120 and 225 X 120 buildings and remove previously approved silos.
 - f. Board finds that the use of the property is a rail and truck loading/unloading business.
 - g. The Board finds that the tax parcel is approximately 2.9 acres.
 - h. The Board finds that there are residences to the west.
 - i. The Board finds that there are existing utility easements on the property.
 - j. The Board finds that there is a 16' public right-of-way along the west lot line.

STAFF COMMENTS:

The applicant is proposing larger buildings than were approved in October 2021. Therefore since more of the building footprint will be within the required side setback area, a new variance request is needed. In addition to the 5' requested side setback, there is a 16' public ROW along this lot line, therefore the building would be 21' from the adjacent residential lots if approved.

Exhibit List

- A. City of Reedsburg Comprehensive Plan
- B. Zoning Ordinance, City of Reedsburg, Wisconsin
- C. Tuesday, February 21, 2023, ZBA Agenda
- D. Land Use Change Application
- E. Staff Report
- F. 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: Riffey Transport
ADDRESS: 411 South Ave **CITY:** Reedsburg **STATE:** WI
ZIP: 53959 **PHONE:** 608-768-5383 **PARCEL #:** _____
E-MAIL: Wade@RiffeyTransportLLC.com
PROPERTY OWNER: (if different from Applicant) _____

LOCATION: (if different from address above) _____

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 & C" on back page.
- ☐ **Preliminary Plat:** _____ **Final Plat:** _____ **Name of Plat:** _____
- ☐ **Rezoning - From:** _____ **To:** _____ **TID #** _____
- ☐ **Site Plan Review:** (See "B & C" on back page) _____
- ☐ **Zoning Appeal / Interpretation:** _____
- ☒ **Zoning Variance:** Set Back - side 5'
For *VARIANCE* requests, also answer "D" 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.

Wade Riffey 12-9-23
Applicant Signature / Date

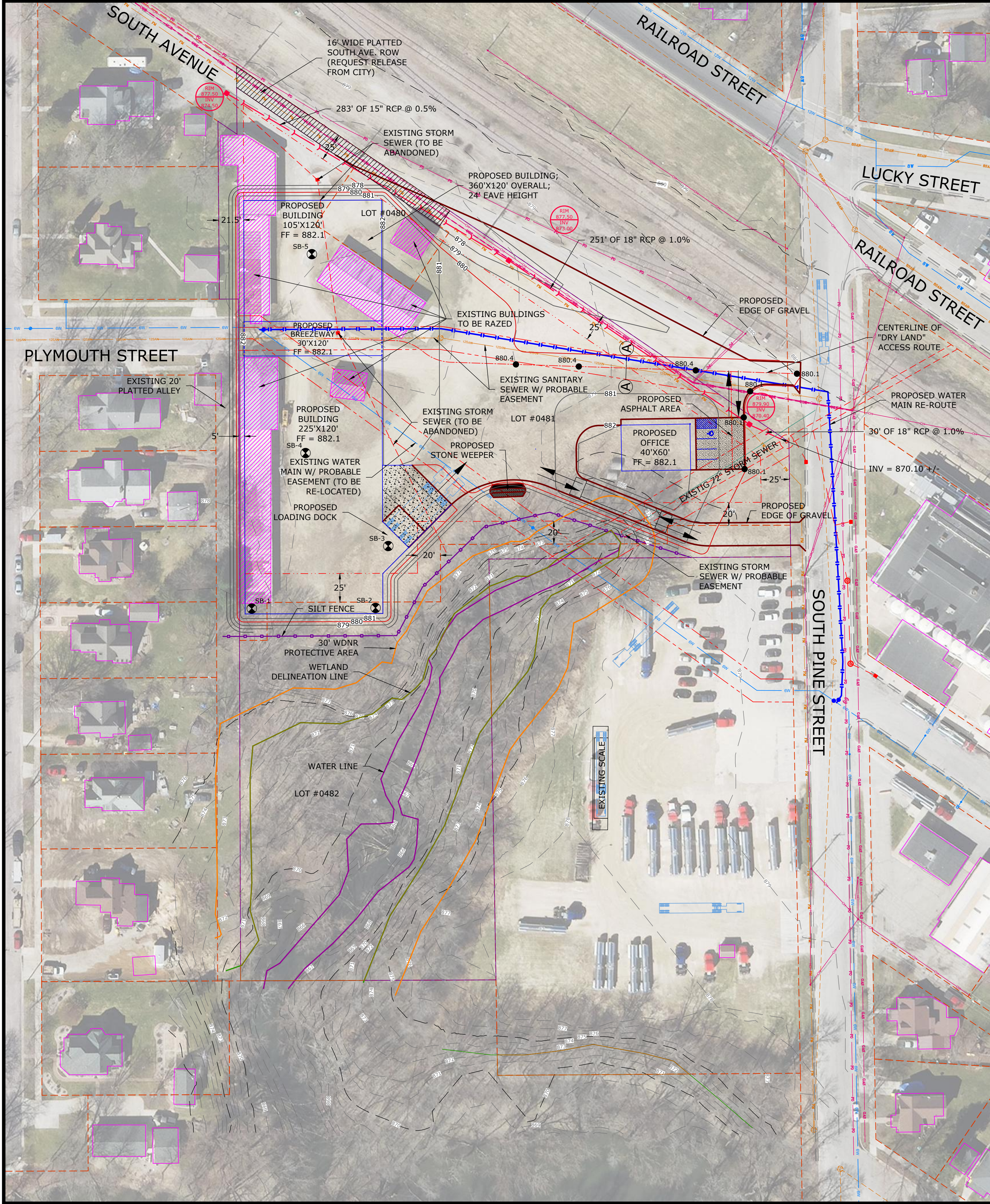
Wade Riffey 2-9-23
Owner Signature / Date

Account #10-461500-00

**The applicant or representative
MUST ATTEND the meeting(s).**

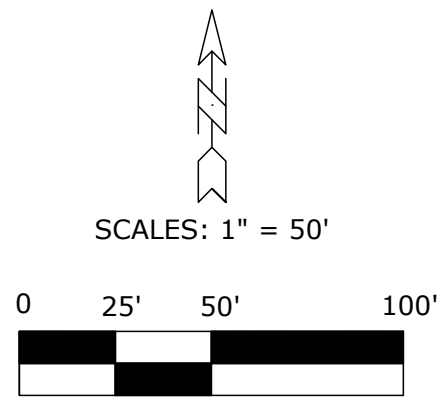
G:\wpnet\Zoning - Planning\Land Use Appl.doc

Cond Use Permit	\$200	_____
Cond Use-Agriculture	\$400	_____
Variance	\$125	<u>125.00</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>2-9-23</u>	_____
Receipt #	<u>1,043,118</u>	_____



LEGEND

- PROPERTY LINES
- SETBACK LINES
- EASEMENT LINES
- EXISTING CONTOURS - MAJOR
- EXISTING CONTOURS - MINOR
- EXISTING BUILDINGS TO BE RAZED
- EXISTING TREES
- EXISTING LIGHT POLE
- EXISTING UTILITY POLE
- EXISTING WATER VALVE
- EXISTING ASPHALT
- EXISTING GRAVEL
- PROPOSED BUILDING
- PROPOSED GRAVEL
- PROPOSED CONTOURS - MAJOR
- PROPOSED CONTOURS - MINOR
- PROPOSED SILT FENCE
- PROPOSED ASPHALT
- PROPOSED CONCRETE
- ACCESS ROUTE/DIRECTION OF TRAVEL
- PROPOSED SPOT ELEVATION
- PROPOSED SOIL BRING LOCATION

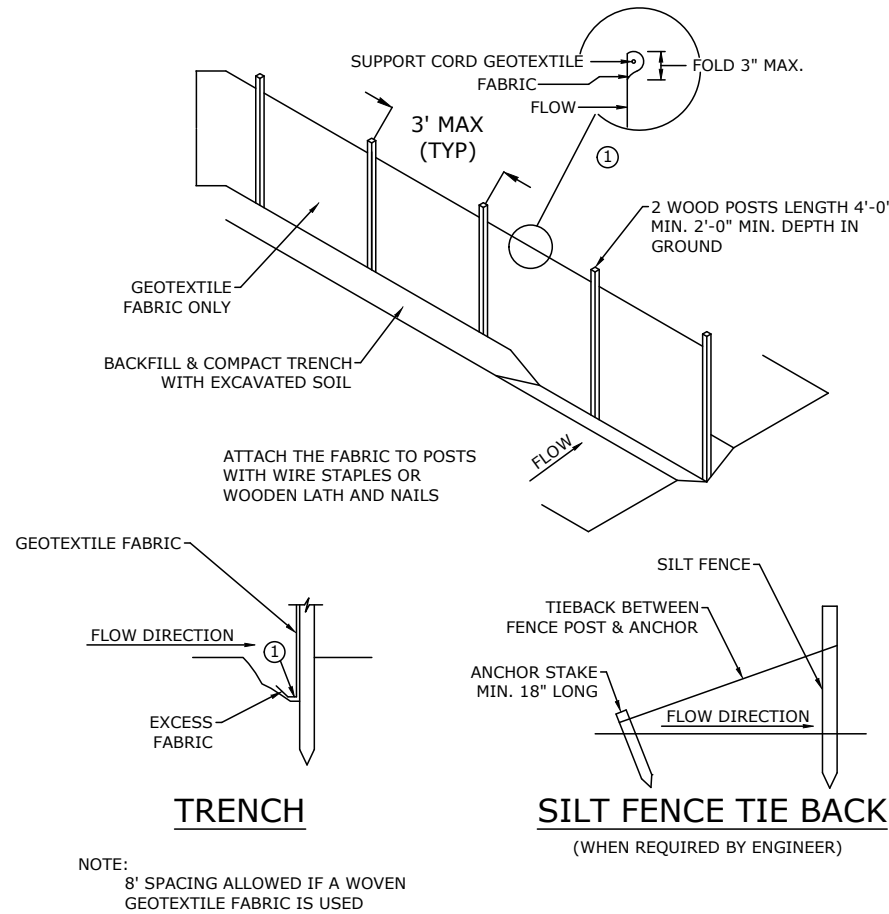
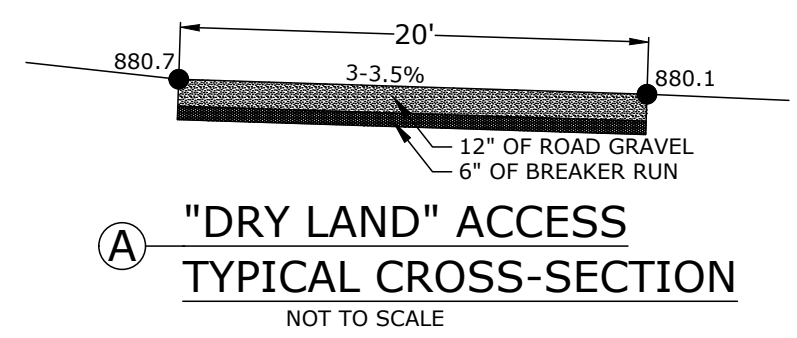


EROSION CONTROL NOTES:

1. CONTRACTOR SHALL HAVE ALL EROSION CONTROL MEASURES IN PLACE AND APPROVED BY THE ENGINEER PRIOR TO COMMENCEMENT OF EXCAVATION AND OR OTHER CONSTRUCTION ACTIVITIES.
2. EROSION CONTROL MEASURES SHALL COMPLY WITH WISCONSIN ADMINISTRATIVE CODE, COM CHAPTER 21, AND CHAPTER 65 COMMERCIAL CONSTRUCTION.
3. ALL SILT FENCE SHALL BE INSPECTED DAILY. CLEANING, ADJUSTING AND REPLACING EROSION CONTROL MEASURES SHALL BE DONE AS NECESSARY THROUGHOUT CONSTRUCTION. ALL EROSION CONTROL MEASURES SHALL BE IN WORKING CONDITION AT THE END OF EACH WORK DAY.
4. EROSION CONTROL MEASURES SHALL BE INSTALLED PER THE DETAILS IN LOCATIONS DESIGNATED ON THE PLANS, OR AS MAY OTHERWISE BY DIRECTED BY THE ENGINEER.
5. SEDIMENT FROM OVERLAND FLOW SHALL BE PREVENTED FROM LEAVING THE WORK SITE BY INSTALLING SILT FENCING PARALLEL TO THE CONTOURS LOCATED DOWNHILL OF THE WORK SITE.
6. EXISTING VEGETATION SHALL BE REMOVED ONLY TO THE EXTENT NECESSARY TO PERFORM CONSTRUCTION ACTIVITIES. CLEARING OF AREAS THAT ARE CLEARLY OUTSIDE THE LIMITS OF CONSTRUCTION SHALL NOT BE PERMITTED.
7. MAINTAIN ALL EROSION CONTROL MEASURES UNTIL ALL DISTURBANCE IS COMPLETED. DO NOT REMOVE EROSION CONTROL MEASURES UNTIL AT LEAST 70% OF THE AREA SERVED HAS ESTABLISHED A UNIFORM, VIGOROUS VEGETATED COVER.
8. STONE TRACKING PADS (AS REQUIRED BY ENGINEER) SHALL BE INSTALLED AT ALL CONSTRUCTION SITE EXITS TO PREVENT TRACKING OF SOIL ONTO PUBLIC ROADWAYS. ANY TRACKED SOIL SHALL BE REMOVED BY MECHANICAL STREET CLEANING AT THE END OF EACH DAY. ADD NEW STONE TO THE TOP IF OLD STONE BECOMES DIRT COVERED.
9. ALL DISTURBED AREAS SHALL BE RESTORED AND VEGETATED AS SOON AS POSSIBLE AFTER DISTURBANCE. IN GENERAL, STABILIZATION OF DISTURBED AREAS SHALL BE COMPLETED WITHIN 30 DAYS OF THE INITIAL DISTURBANCE, OR WITHIN 7 DAYS OF FINAL GRADING AND TOPSOIL PLACEMENT.
10. REFER TO THE DNR TECHNICAL STANDARDS AVAILABLE AT [HTTP://WWW.DNR.STATE.WI.US/ORG/WATER/WM/NPS/STORMWATER/TECHSTDs.HTM](http://www.dnr.state.wi.us/org/water/wm/nps/stormwater/techstds.htm).
11. CONTRACTOR SHALL WATER NEWLY SEEDED AREAS IF 7 DAYS PASS WITHOUT A RAINFALL DURING THE FIRST 6 WEEKS AFTER INITIATL STABILIZATION.
12. MULCHING OF DISTURBED AREAS SHALL BE AT A RATE OF 2 TONS PER ACRE. MULCH SHALL BE ANCHORED INTO THE SOIL BY DISCING.
13. AFTER ATTEMPTS TO STABILIZE DISTURBED AREAS WITH SEEDING AND MULCH FAIL, THOSE AREAS SHALL BE TEMPORARILY STABILIZED USING POLYACRYLAMIDE UNDER DIRECTION OF THE ENGINEER.
14. A MINIMUM OF ONE EROSION CONTROL INSPECTION SHALL BE PERFORMED EACH WEEK, AND ONE INSPECTION SHALL BE PERFORMED AFTER ANY RAINFALL EVENT OF 0.5" OR GREATER. ALL REPAIRS OR MODIFICATIONS SHALL BE COMPLETED WITHIN 24 HOURS OF THE INSPECTION.

SITE RESTORATION CONSTRUCTION NOTES:

1. WORK SHALL CONFORM TO THE "STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION", OF STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION, 2021 EDITION.
2. FERTILIZER SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR AND SHALL CONFORM TO THE REQUIREMENTS SPEDIFIED; FERTILIZER SHALL HAVE A 20-10-10 RATIO OF NITROGEN, PHOSPHORIC ACID AND POTASH.
3. STRAW MULCH OVER NEW SEEDING SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR AT A RATE OF 2 TONS PER ACRE AND SHALL CONFORM TO THE REQUIREMENTS SPECIFIED IN SECTION 627 OF THE STATE SPECIFICATIONS. ALL MULCH SHALL BE STABILIZED BY ANCHORING. THIS CAN BE ACHIEVED BY LIGHT DISCING.
4. ENGINEER WILL MAKE PERIODIC ON-SITE OBSERVATIONS OF THE WORK IN PROGRESS.

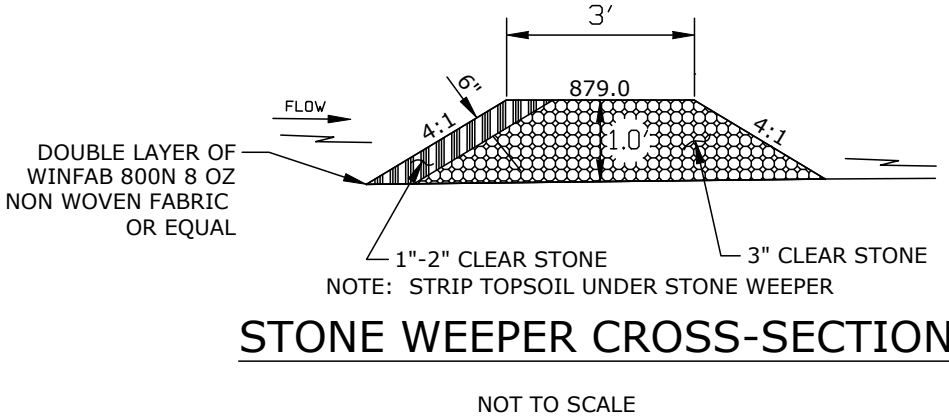


GENERAL NOTES

1. TRENCH SHALL BE A MINIMUM OF 4" WIDE & 6" DEEP TO BURY AND ANCHOR THE GEOTEXTILE FABRIC. FOLD MATERIAL TO FIT TRENCH AND BACKFILL & COMPACT TRENCH WITH EXCAVATED SOIL.
2. WOOD POSTS SHALL BE A MINIMUM SIZE OF 1-1/8"x1-1/8" OF OAK OR HICKORY

SILT FENCE DETAIL

- NOTE: ADDITIONAL POST DEPTH OR TIE BACKS MAY BE REQUIRED IN UNSTABLE SOILS AT LOCATIONS AS DIRECTED BY ENGINEER



NOT TO SCALE

REVISIONS

10/06/2021
10/07/2021
11/17/2021
11/29/2021
12/02/2021
12/08/2021
12/09/2021
01/11/2023
01/31/2023

RIFFEY TRANSPORT
SOUTH AVENUE
REEDSBURG, WI
SITE PLAN

ENGINEERING
SURVEYING
ENVIRONMENTAL
(608) 835-3310

ENGINEERING
CONSULTANTS, INC.
2600 C.T.H. Y - DODGEVILLE, WI 53533

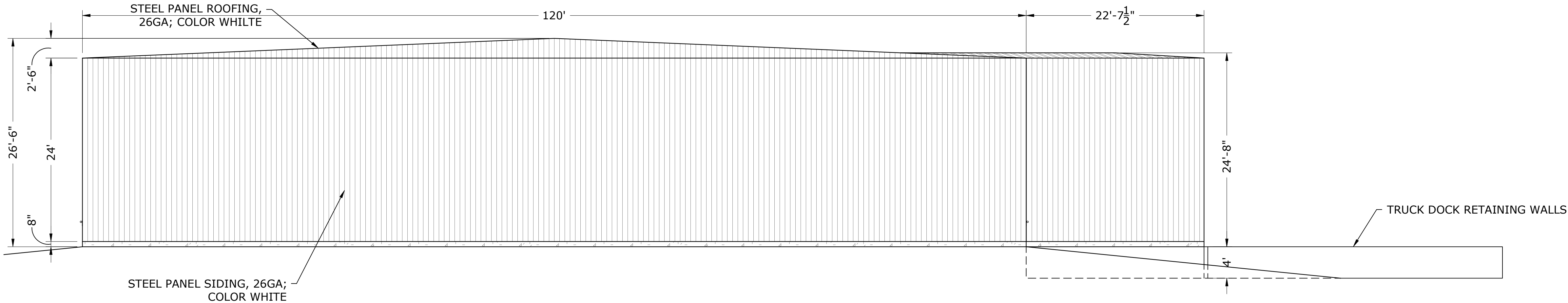
DATE: 09/24/2021

DESIGNED: MB

DRAFTED: JM

PROJECT #: 21-075

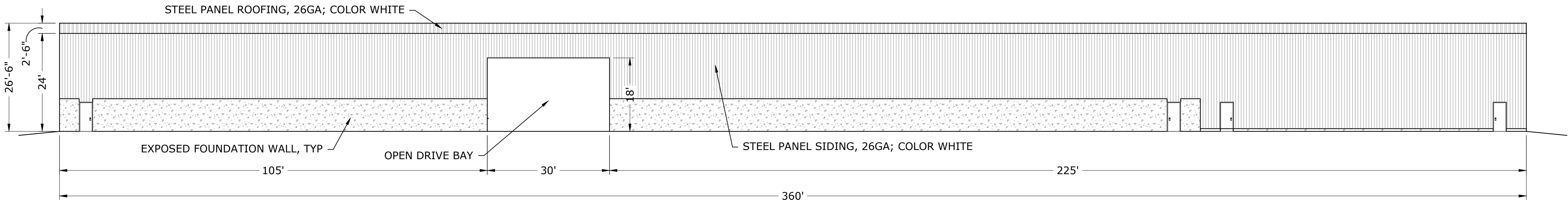
SHEET 1
OF 1



1

SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



2

WEST ELEVATION

SCALE: 1/16" = 1'-0"

REVISIONS

RIFFEY TRANSPORT
SOUTH AVENUE
REEDSBURG, WI
ELEVATION VIEWS--PRELIMINARY

ENGINEERING
SURVEYING
ENVIRONMENTAL
(608) 835-3310
2600 C.T.H. Y - DODGEVILLE, WI 53533
ENGINEERING
CONSULTANTS, INC.

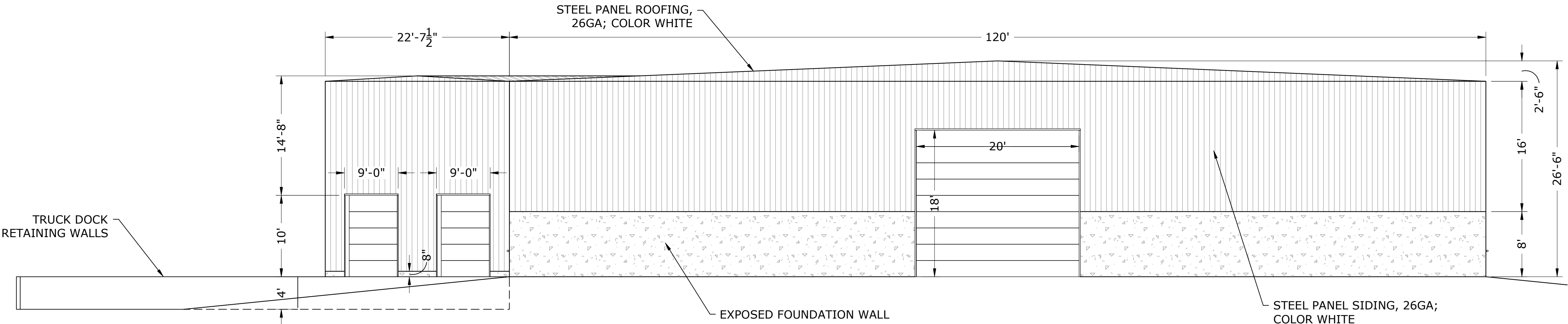
DATE: 2023-02-09

DESIGNED: MB

DRAFTED: GB

PROJECT #: 21-075

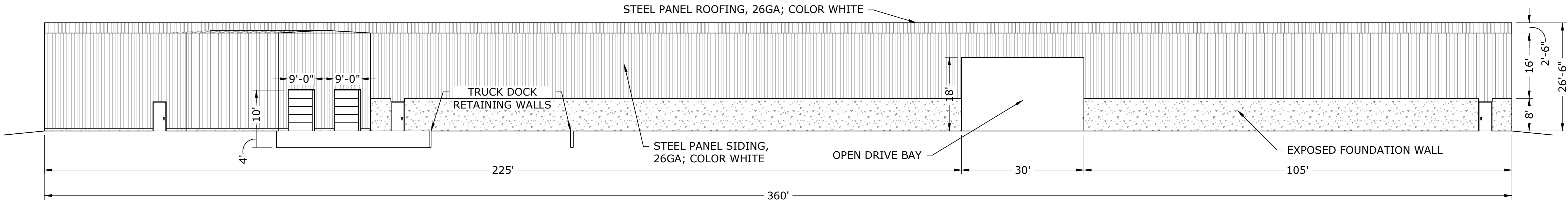
EXB-01



3

NORTH ELEVATION

SCALE: 1/8" = 1'-0"



4

EAST ELEVATION

SCALE: 1/16" = 1'-0"

REVISIONS

RIFFEY TRANSPORT
SOUTH AVENUE
REEDSBURG, WI
ELEVATION VIEWS--PRELIMINARY

ENGINEERING
SURVEYING
ENVIRONMENTAL
(608) 835-3310
2600 C.T.H. Y - DODGEVILLE, WI 53533

ENGINEERING
CONSULTANTS, INC.

DATE: 2023-02-09

DESIGNED: MB

DRAFTED: GB

PROJECT #: 21-075

EXB-02