

**Zoning Board of Appeals Agenda
November 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 SEPTEMBER 19, 2023:

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 Schedule 1 to divide a parcel less than the required 9,600 square feet in an R-2 Residential zone.. – 645 8th St; Parcel 276-1486-00000 – Peter Van Der Hagen

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 19, 2023

Present: Nathan Johnson, Jessie Phalen, Walter Luepke, Jesse Arias
Absent: Richard Braun
Others: Tim Becker, Tim Lindloff, Brian Duvalle and Kelli Voegele

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

Motion by Luepke, seconded by Phalen to approve the minutes from the August 8 and August 15, 2023 meetings.

Motion approved 4-0

Consider zoning variance per § 690-111 to exceed the maximum number of three (3) wall signs. – 101 S Albert Ave; Parcel #276-0043-00000 – La Crosse Sign Group/Kwik Trip

Kwik Trip would like to replace their signs on the gas pump canopy which would put them over the limit for the number of wall signs they are allowed. They would meet the total square footage of signs but over the maximum number of three signs. Currently, there are un-lit signs on each side of the canopy. They would like to replace all 4 current signs with three LED lighted signs on the north, east and west sides of the canopy along with a red LED lighted strip all the way around the canopy. There is also an existing wall sign on the store.

Kelli Voegele from La Crosse Signs indicated that Kwik Trip would like to upgrade the canopy signage for their updated branding. Chairman Johnson indicated that a concern about the brightness in a residential area. Voegele indicated they can hook up power to the signs and if neighbors complain, they would have to option to turn them off.

Tim Lindloff, neighbor across the street from Kwik Trip, spoke about safety concerns of the new LED lighting. He indicated that the intersection at Kwik Trip is dangerous enough without having the LED lighting. He feels it will be more of a distraction at the intersection. The Lindloffs would have no problem with the lighting if they can adjust the brightness.

Brian Duvalle asked if it was an option to have dimmable lights. Kelli indicated that it is a possibility but would need Kwik Trip approval for that. Kelli also indicated that the signs can be lit and not the strip around the canopy. Discussion was held on comparison to the east side Kwik Trip variance, but that store is in a commercial area. This location is surrounded by mostly residences. Tim Becker stated that in his experience, Kwik Trip wants to be good neighbors. Lindloff replied they have had issues with this location across from them.

Motion by Phalen, seconded by Arias to approve all three proposed signs with no lighting on the canopy but allow sign above entrance door to be lit.

Motion approved 3-1 (Luepke Nay)

Consider zoning variance per § 690-104 & 106 to alter a legal non-conforming sign and exceed the maximum size for an electronic ground sign. – 1720 E Main St; Parcel #276-2084-00000 (Airport) – Lamar Advertising

The sign at 1720 E Main St (Airport) will remain the same size and at the same location but would like to change it to an electronic version. The brightness of the sign is adjustable and movement would conform to Wis DOT standards.

Motion by Luepke, seconded by Phalen to approve the variance as presented.

Motion approved 4-0

Consider zoning variance per § 690-104 & 110 to exceed the maximum size for an electronic sign and overall ground sign. – 1501 Viking Dr; Parcel #276-2046-00000 (Fieldhouse) – City of Reedsburg

Duvalle explained that the current sign is electronic but that the new sign would exceed the size limit. The current sign was approved for a variance. Tim Becker explained that there are a lot of tenants at the location and wanted to give them all an opportunity to advertise on the proposed sign. None of the neighbors have come forth with any opposition.

Motion by Arias, seconded by Luepke to approve the variance as presented.

Motion approved 4-0

Motion by Luepke, seconded by Arias to adjourn at 12:30 PM.

Motion approved 4-0

Respectfully submitted,

Julie Strutz
Deputy Clerk-Treasurer

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: Peter van der Hagen
ADDRESS: 9415 Blackhawk Trl **CITY:** Sauk City **STATE:** WI
ZIP: 53583 **PHONE:** 608-287-6745 **PARCEL #:** 1486
E-MAIL: pvrander@gmail.com
PROPERTY OWNER: (if different from Applicant) _____

LOCATION: (if different from address above) 645 8th St., Reedsburg, WI

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:** R2 **To:** R1 **TID #** _____
- ☐ **Site Plan Review:** (See "B & C" on back page) _____
- ☐ **Zoning Appeal / Interpretation:** _____
- ☐ **Zoning Variance:** _____
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.

[Signature] 11/4/23
Applicant Signature / Date

[Signature] 11/4/23
Owner Signature / Date

Account #10-461500-00

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

Cond Use Permit	\$200	_____
Cond Use-Agriculture	\$400	_____
Variance	\$125	_____
Rezoning	\$200	_____
C.S.M.	\$175	_____
Subdivision Plat	\$610	_____
- w/ Stormwater Plan	\$100	_____
Site Plan Review	\$175	_____
Annexation	\$200	_____
Plan Amend	\$200	_____
Date Paid		_____

- A. Proposed operation. No conditional use shall be approved by the Plan Commission unless it finds that the use for which such permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public welfare and will be in harmony with the general purpose of this chapter and will not place demands on fire, police, or other public resources in excess of current capacity.
- B. Character and use of adjoining buildings and those in the vicinity. The proposed conditional land use shall not involve uses, activities, processes, materials, or equipment that would create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, and odors.
- C. Utilities. The proposed conditional land use will be adequately served by electric, water & sewer facilities and refuse collection & disposal services.

B. Please describe how your request meets each of the following Site Plan standards, as applicable.

- A. Topography and vegetation. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property, the minimization of tree and soil removal and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.
- B. Stormwater. Special attention shall be given to proper site drainage so that removal of stormwaters will not adversely affect neighboring properties.
- C. Emergency Services. All buildings shall be so arranged as to permit emergency vehicle access by some practical means.
- D. Exterior lighting shall be arranged as follows:
 - (1) It is deflected away from adjacent properties.
 - (2) It does not impede the vision of traffic along adjacent streets.
 - (3) It does not unnecessarily illuminate night skies.
- E. Traffic generation, circulation and parking areas. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area.
- F. Architectural plans; existing and proposed structures. The proposed conditional land use shall be designed, constructed, operated, and maintained so to complement the surrounding area. Physical buffers shall be added as needed for neighboring conformance.
- G. Consistency with other plans and statutes. Site plans shall conform to all applicable requirements of City, state and federal statutes and the City of Reedsburg Comprehensive Plan, and approval may be conditioned on the applicant receiving necessary City, state and federal permits.

C. Site Plan Requirements, as applicable.

- (A) North arrow
- (B) Location of property lines, dimensions, and setbacks.
- (C) Location of existing and proposed public roads, rights-of-way and private easements of record.
- (D) Location of existing water bodies, surface drainage ways, stormwater controls, floodplains, and wetlands.
- (E) Location of existing and proposed buildings.
- (F) Location of parking areas and all exterior lighting.
- (G) Location of all loading / unloading areas.
- (H) Location of all sidewalks, walkways, bicycle paths and areas for public use.
- (I) Location of all utilities on the site.
- (J) Location and specifications for all fences, walls, and other screening features.
- (K) Location and specifications for all existing and proposed perimeter and internal landscaping.
- (L) Location and specifications for screening of all trash receptacles and other solid waste disposal facilities.
- (M) Location and specifications for proposed signs.
- (N) Elevation drawings for proposed commercial structures.
- (P) Floor plans, when needed to determine the number of parking spaces required.

D. Please describe how your request meets each of the following Variance standards. Attach additional pages if needed.

To grant a variance, the Board of Appeals must find four things:

- 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.

Variance Hardship. A property owner bears the burden of proving "unnecessary hardship" by demonstrating either of the following:

- 1) For an area variance, that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome.
- 2) For a use variance, that strict compliance with a zoning ordinance would leave the property owner with no reasonable use of the property in the absence of a variance. In both situations, the property owner bears the burden of proving that the unnecessary hardship is based on conditions unique to the property, rather than personal considerations, and that the unnecessary hardship was not created by the property owner.

Staff Report

DATE: November 21, 2023 – 12:00 PM

APPLICANT: Peter Van Der Hagen

LOCATION: 645 8th St; Parcel #276-1496-00000

ZONING: R-2 Residential

DESCRIPTION: Consider zoning variance per § 690 Schedule 1 to divide a parcel less than the required 9,600 square feet in an R-2 Residential zone.

General Findings

SURROUNDING LAND USES:

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

ZONING:

- North – R-2 Residential
- West – R-2 Residential
- South – R-2 Residential; R-1 Residential
- East – R-2 Residential

TOPOGRAPHY: Flat slopes

STREET R.O.W./TRAFFIC/ACCESS: 8th St; 66' ROW

ENVIRONMENTAL HAZARDS/CONDITIONS: None known

COMPREHENSIVE PLAN DESIGNATION: Low-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 parcel is zoned R-2 Residential.
 - b. The Board finds that the property contains a single-family dwelling.
 - c. The Board finds that §690 Attachment 1 requires a minimum lot size of 9,600 SF.
 - d. The Board finds that the property is on 8th St.
 - e. The Board finds that the property size was 8,273 SF per a 1978 CSM.
 - f. The Board finds that the applicant proposes to divide the property back to the 1978 size.
 - g. The Board finds that the current property size is 16,117 SF.

STAFF COMMENTS: This process could also be done as a rezoning or divide at a different lot size. I will explain further at the meeting. The applicant has a deal in place at the lot size indicated on the 1978 survey.

Exhibit List

- A. City of Reedsburg Comprehensive Plan
- B. Zoning Ordinance, City of Reedsburg, Wisconsin
- C. November 21, 2023, ZBA Agenda
- D. Land Use Change Application
- E. Staff Report
- F. Notice of Public Meeting

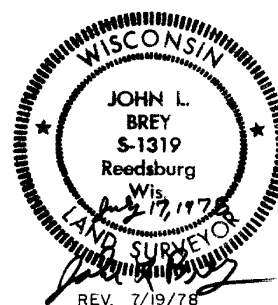
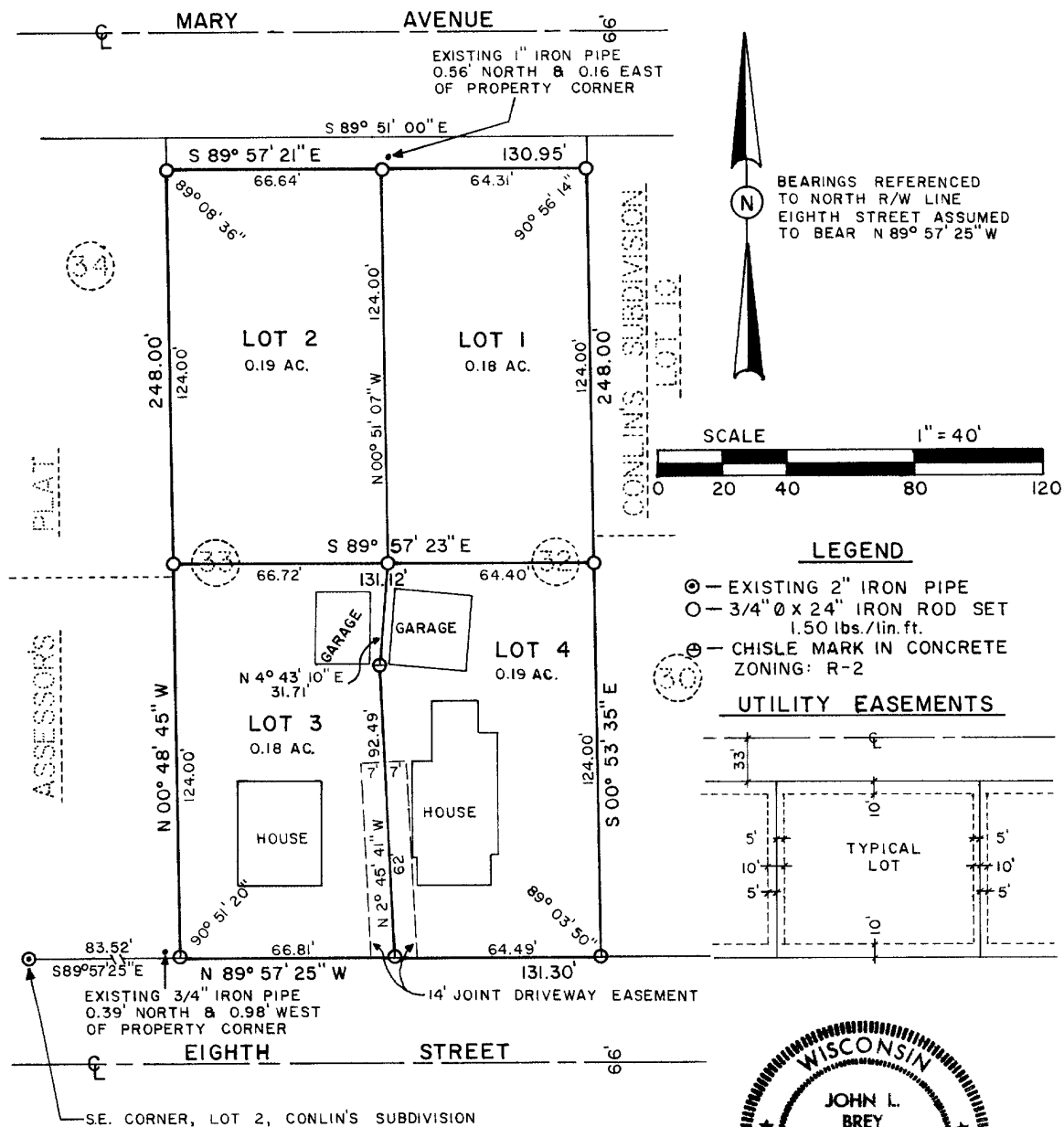
REEDSBURG, WISCONSIN

SAUK COUNTY CERTIFIED SURVEY MAP NO. 281

A PARCEL OF LAND LOCATED IN THE SW 1/4 OF THE
SE 1/4, SECTION 3, T12N, R4E, CITY OF REEDSBURG,
SAUK COUNTY, WISCONSIN

OWNER: CHESTER WEBER
645 8th STREET
REEDSBURG, WISCONSIN

OWNER: GERALD STEINHORST
609 8th STREET
REEDSBURG, WISCONSIN



SURVEYORS CERTIFICATE

I, John L. Brey, Registered Land Surveyor, hereby certify that I have surveyed, divided and mapped a parcel of land located in the Southwest quarter of the Southeast quarter (SW $\frac{1}{4}$ -SE $\frac{1}{4}$), Section 3, T12N, R4E, City of Reedsburg, Sauk County, Wisconsin, bounded by the following described line:

Commencing at the Southeast corner of Lot 2 of Conlins Subdivision; Thence S 89° 57' 25" E, 83.52 feet along the Northerly right-of-way line of Eighth Street, said point being the Point of Beginning of this description; Thence N 00° 48' 45" W, 248.00 feet; Thence S 89° 57' 21" E, 130.95 feet; Thence S 00° 53' 35" E, 248.00 feet to a point on the Northerly right-of-way line of Eighth Street; Thence N 89° 57' 25" W, 131.30 feet to the Point of Beginning.

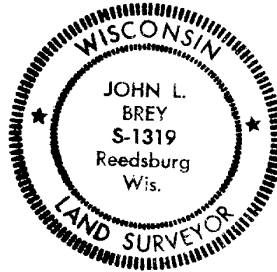
Containing 0.74 acres.

That such plat is a correct representation of all exterior boundaries of the land surveyed and the subdivision thereof made.

That I have made such survey, land division and plat by the direction of Gerald Steinhorst and Chester Weber, owners of said land, according to description furnished.

That I have fully complied with the requirements of Chapter 236.34 of the Wisconsin Statutes and the City of Reedsburg Subdivision Regulations.

Dated this 17th day of July, 1978.



John L. Brey
Registered Land Surveyor 1319

COMMON COUNCIL RESOLUTION

Resolved that this certified survey in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 3, T12N, R4E, City of Reedsburg, Sauk County, Wisconsin is hereby approved by the Common Council of the City of Reedsburg.

Date 7-24-78

APPROVED [Signature]
Mayor

I hereby certify that the foregoing is a copy of a resolution adopted by the Common Council of the City of Reedsburg.

Date July 24 1978

[Signature]
Clerk

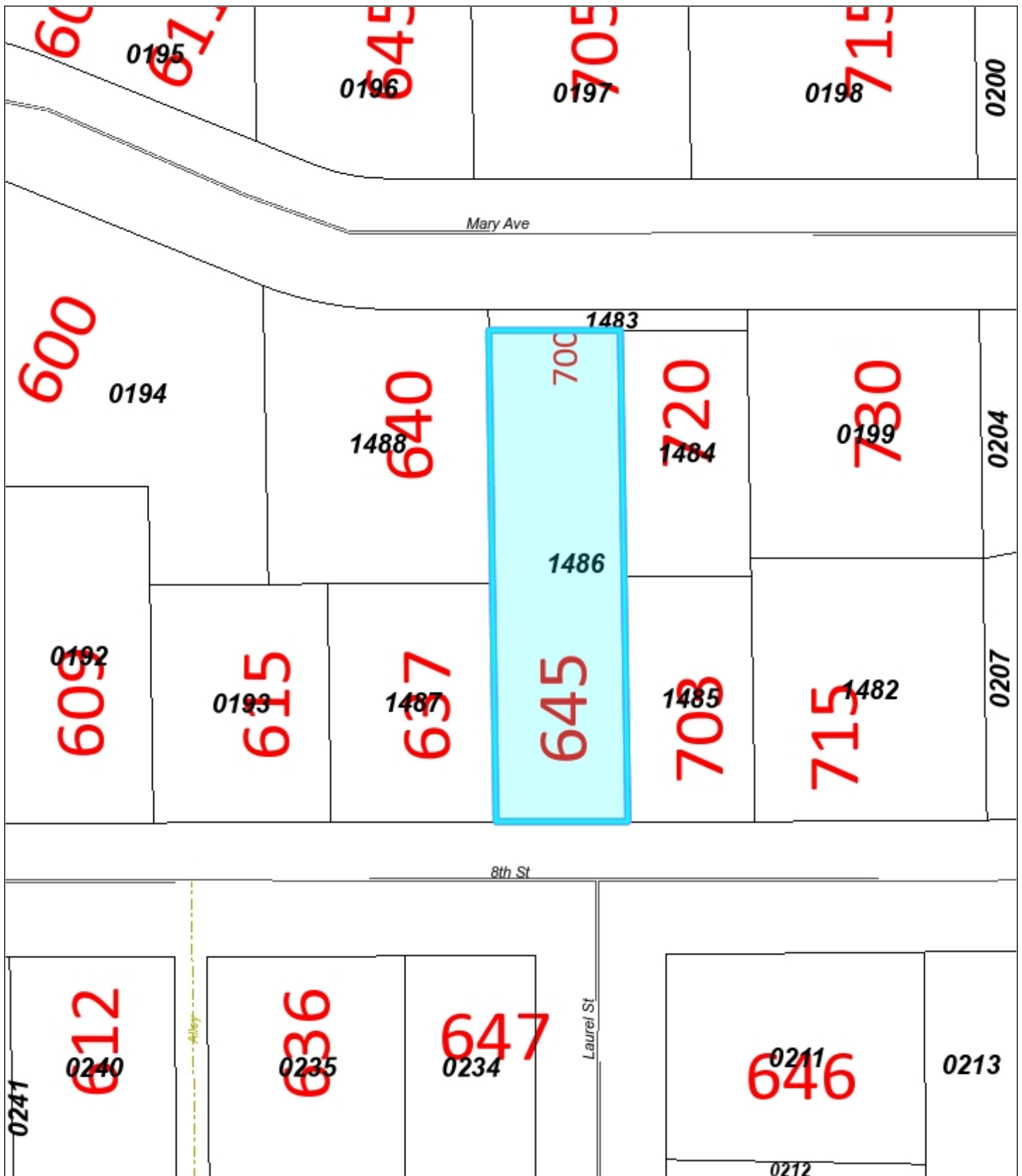
425035
REGISTER'S OFFICE
SAUK COUNTY, WIS.
RECEIVED FOR RECORD

JUL 25 1978

AT 11:05 A.M. RECORDED IN
VOL. 4, PAGE 781
BY [Signature]
Verhulst vasson

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Volume 4 Page 781 A



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" = 69'

CITY OF REEDSBURG

134 S. Locust Street

PO Box 490

Reedsburg, WI 53959

608-524-6404

Print Date: 11/6/2023

MEMO

COMPANY NAME

To: Whom it may Concern
From: William Conlin/Jessie Conlin
CC:
Date: 11/06/2023
Re: Varance on parcel 1486

COMMENTS:

This is a notice of intent, as the owners of parcels 1484 and 1483, our goal is to aquire lot 2 (see csm page 781) of parcl 1486, and combine with the existing parcels (1483,1484) to create a single complete lot that can be sold.

SURVEYORS CERTIFICATE

I, John L. Brey, Registered Land Surveyor, hereby certify that I have surveyed, divided and mapped a parcel of land located in the Southwest quarter of the Southeast quarter (SW $\frac{1}{4}$ -SE $\frac{1}{4}$), Section 3, T12N, R4E, City of Reedsburg, Sauk County, Wisconsin, bounded by the following described line:

Commencing at the Southeast corner of Lot 2 of Conlins Subdivision; Thence S 89° 57' 25" E, 83.52 feet along the Northerly right-of-way line of Eighth Street, said point being the Point of Beginning of this description; Thence N 00° 48' 45" W, 248.00 feet; Thence S 89° 57' 21" E, 130.95 feet; Thence S 00° 53' 35" E, 248.00 feet to a point on the Northerly right-of-way line of Eighth Street; Thence N 89° 57' 25" W, 131.30 feet to the Point of Beginning.

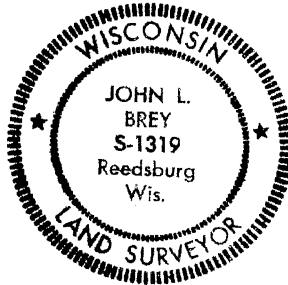
Containing 0.74 acres.

That such plat is a correct representation of all exterior boundaries of the land surveyed and the subdivision thereof made.

That I have made such survey, land division and plat by the direction of Gerald Steinhorst and Chester Weber, owners of said land, according to description furnished.

That I have fully complied with the requirements of Chapter 236.34 of the Wisconsin Statutes and the City of Reedsburg Subdivision Regulations.

Dated this 17th day of July, 1978.



John L. Brey
Registered Land Surveyor 1319

COMMON COUNCIL RESOLUTION

Resolved that this certified survey in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 3, T12N, R4E, City of Reedsburg, Sauk County, Wisconsin is hereby approved by the Common Council of the City of Reedsburg.

7-24-78
Date

APPROVED [Signature]
Mayor

I hereby certify that the foregoing is a copy of a resolution adopted by the Common Council of the City of Reedsburg.

July 24, 1978
Date

[Signature]
Clerk
Respectfully Submitted

425035
REGISTER'S OFFICE
SAUK COUNTY, WIS.
RECEIVED FOR RECORD

JUL 25 1978

AT 11:05 O'CLOCK, A.M. RECORDED IN
VOL. 4, DECEMBER ON PAGE 781
BY [Signature] REGISTER
Überbaker Kassar

Page 2 of 2

Volume 4 Page 781 A

VIERBICHER ASSOCIATES

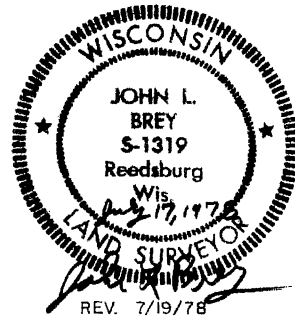
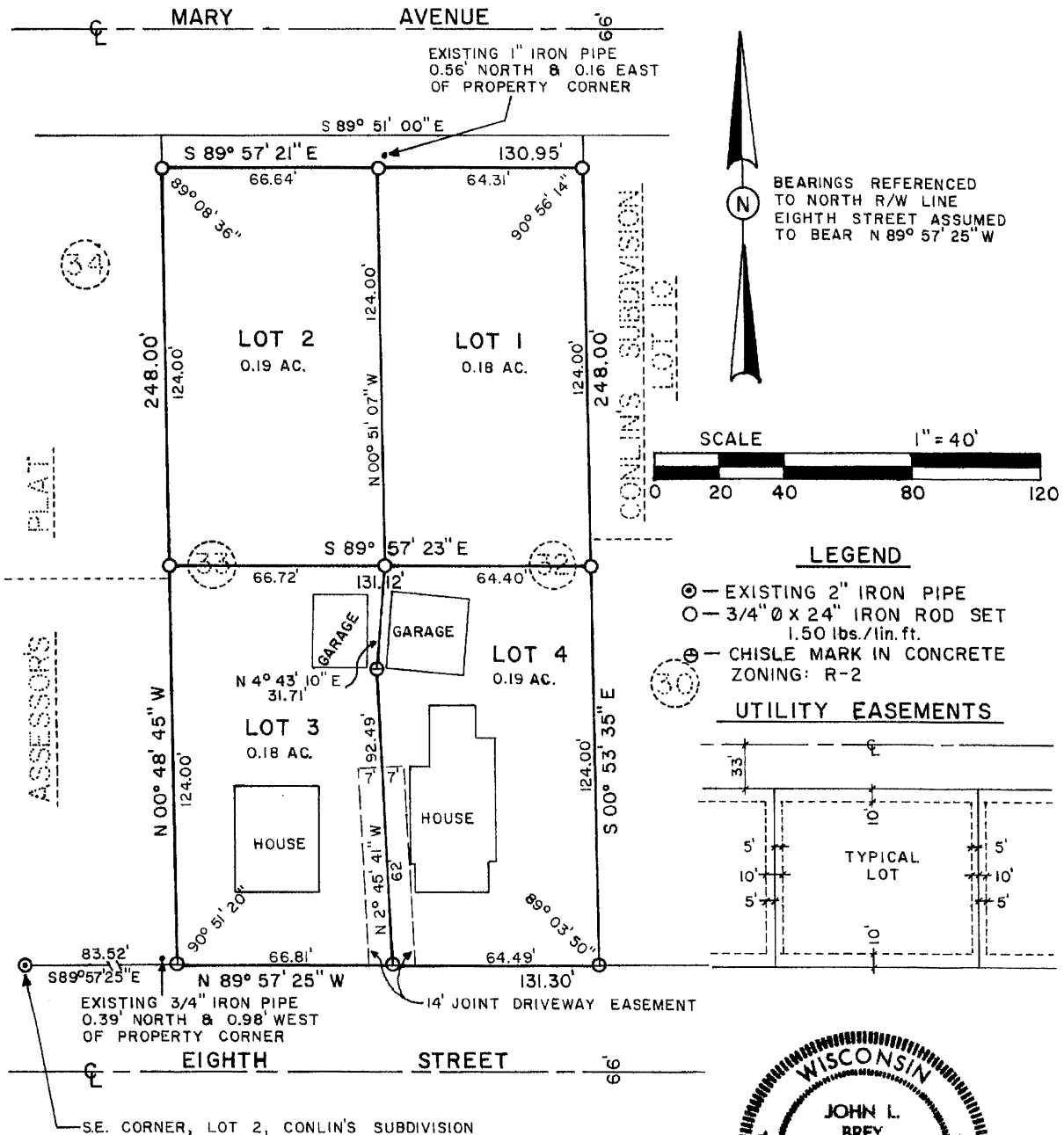
REEDSBURG, WISCONSIN

SAUK COUNTY CERTIFIED SURVEY MAP NO. 781

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SAUK COUNTY, WISCONSIN

OWNER: CHESTER WEBER
645 8th STREET
REEDSBURG, WISCONSIN

OWNER: GERALD STEINHORST
609 8th STREET
REEDSBURG, WISCONSIN



Plat of
Conlin's
Subdivision

MARY AVE

122.90'

31

1483

66.64'

64.31'

1488

124.00'

2

124.00'

1

124.00'

125.53'

1484 960 ft

SE

Assessors Plat
of the City
of Reedsburg

1486

Sec 03
T12 R04

122.50'

66.72'

64.40'

34

33

C-0781

32

1487

124.00'

3

MARY AVE
EASEMENT D-1205713

4

1485

124.00'

132.00'

82.50'

66.81'

64.49'