



City of Reedsburg
134 South Locust Street, P.O. Box 490
Reedsburg, WI 53959
Ph. 608-524-6404 Fax. 608-524-8458
www.reedsburgwi.gov

Zoning Board of Appeals Agenda
July 21, 2020
Reedsburg City Hall, 134 S Locust Street
12:00 PM

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 MAY 26, 2020:

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 to re-build and enlarge a covered porch with a 14' front yard setback; 20' setback is the minimum per 690 Schedule 1. - 410 N Pine St, Parcel #0546-Christine Kellner.
- B. Consider zoning variance to add a 57' wide duplex driveway; 48' wide is the maximum per 690-65(A). - 924 Exhibit Circle, Parcel #2408-13810 - Pace Farms.
- C. Consider zoning interpretation for downspout drainage onto neighboring property. - 325 Clark St, Parcel #0065 - Also direct driveway drainage at 446 Clark St, Parcel #0094 - City of Reedsburg.

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.

ZONING BOARD OF APPEALS
Staff Report

DATE: July 21, 2020

APPLICANT: Christine Kellner

LOCATION: 410 N Pine St, Parcel #0546

ZONING: R-1 Residential

PROPOSED LAND USE REQUEST: Zoning Variance

DESCRIPTION: Consider zoning variance to re-build and enlarge a covered porch with a 14' front yard setback; 20' setback is the minimum per § 690 Schedule 1.

General Findings

SURROUNDING LAND USES:

- North – Residential
- West – Residential
- South – Residential
- East – Residential, City well

ZONING:

- North- R-1 Residential
- West- R-1 Residential
- South- R-1 Residential
- East- R-1 Residential, Government

TOPOGRAPHY: Flat slopes

STREET R.O.W./TRAFFIC/ACCESS: N Pine St; 66' ROW

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.
 - b. The Board finds that the dwelling was built in 1918.
 - c. The Board finds that the dwelling contains an enclosed front porch with an 18' front setback.
 - d. The Board finds that the request is to replace the porch with a new 14' front setback.
 - e. The Board finds that Section 690 Attachment 1 requires a 20' front setback for the porch.
 - f. The Board finds that the parcel is zoned R-1 Residential.
 - g. The Board finds that the lot is 75' X 156' in size.
 - h. The Board finds that the existing porch is 6' deep; proposed would be 10' deep.

STAFF COMMENTS

If the porch had open sides or was re-constructed as the same size, it would comply with zoning. But by enclosing and enlarging it, a variance is now required should the ZBA approve.

Exhibit List

- A. City of Reedsburg Comprehensive Plan
- B. Zoning Ordinance, City of Reedsburg, Wisconsin
- C. Tuesday, July 21, 2020, ZBA Agenda
- D. Land Use Change Application
- E. Staff Report
- F. Request for Review
- G. Notice of Public Meeting

A. Please describe how your request meets each of the following Conditional Use standards as applicable. Attach additional pages if needed.

- (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 ordinance and will not place demands on fire, police, or other public resources in excess of current capacity.
-
- (B) *Architectural plans; existing and proposed structures* - The proposed conditional land use shall be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
-
- (C) *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.
-
- (D) *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.
-
- (E) *Traffic generation and circulation, highway access and driveway locations* - The proposed conditional land use shall be adequately served by public or private streets.
-
- (F) *Sewerage and water systems* - The proposed conditional land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.
-

B. Site Plan Requirements.

- (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.

C. 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. will not negatively impact neighbors
- 2) Substantial justice will be done by granting the variance. would improve current home
- 3) The variance is needed so that the spirit of the ordinance is observed. improvement is in line with rest neighborhood hom
- 4) Due to special conditions, a literal enforcement of the provisions of the zoning ordinance will result in unnecessary hardship. unable to use to full enjoyment

- (C) 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.

To: City of Reedsburg Zoning and Ordinance Committee

Re: Request for Ordinance Variance at 410 N. Pine St

Our current front porch is enclosed with windows but has no insulation, heat or 4 season windows. We are unable to use the porch in the hot summer months as it faces west and gets the afternoon sun, and since it is not insulated we are unable to utilize it when the temperature gets cold. It is currently starting to pull away from the house on the south corner. We would like to tear the existing porch off and replace it with a space we can enjoy all year around. It is currently set approx. 18' from the sidewalk, we would like to make the porch a little wider to be able to make a nice sitting area on each side. We are asking that we be able to make the porch 10' wide, thus making it ~~14~~ 14' from the sidewalk. We plan to leave the exterior house wall as it currently is to keep the existing look and feel of the house. The porch will look basically the same as it does now, only with upgraded windows, same size as currently there, a 4' frost wall, new roof and full glass front door. Our vision is to be able to sit out there year round in the mornings to enjoy our coffee and have a bright place to relax in. We will be keeping the same look and feel of the house having an enclosed porch, but we will be able to use it year round.

I was looking at neighboring homes and noticed that there are a few on our side of the street that are not set back 20'. I understand they were built before the ordinance went into effect, but wanted to make the point that our home will not look out of place in the neighborhood. We bought the house in July 1999 and plan to live here forever. We are trying to make improvements to the property, last summer we painted the garage, repaired the back porch roof that was leaking and installed new rain gutters on the house and garage. We feel like adding the all season front porch would be something that we would be able to enjoy and utilize for a very long time.

Thank you for your consideration, please contact me or stop by if you have any questions about this.

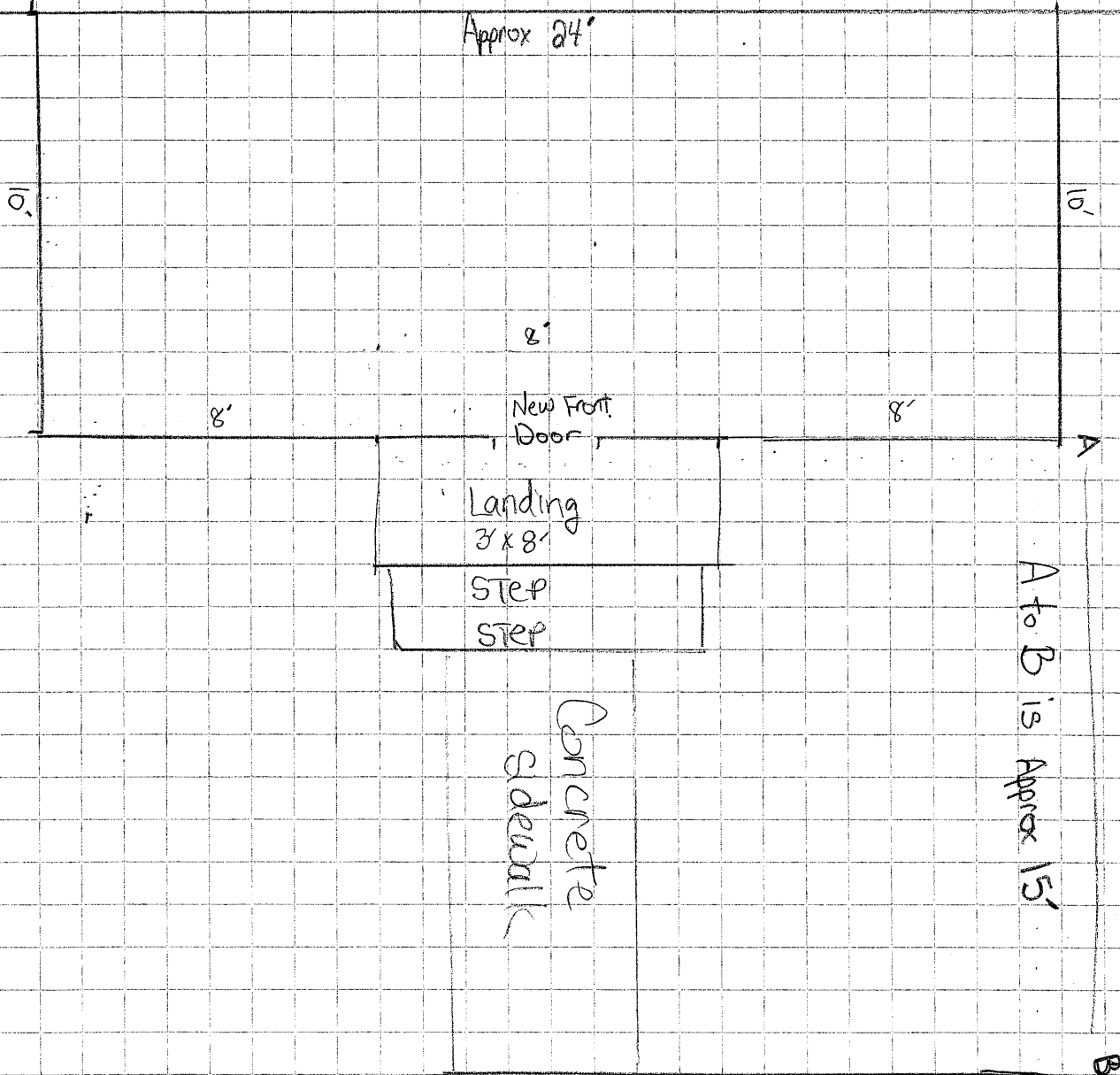
Sincerely,

Christine Kellner and Jim Kellner

Chris + Jim Kellner
410 N. Pine St.

Tear off existing enclosed porch, add 3' in depth to new All season porch, while keeping the look of the old porch. (same window sizes + same wall height, leaving existing house wall as is.)

House



SIDE WALK

Associated Appraisal Consultants, Inc.

Property Information for City of Reedsburg

Printed on 7/15/2020



Property Overview

Assessment Year: 2019
 Parcel/Tax Key Number: 276 0546-00000
 County: Sauk
 Municipality: City of Reedsburg
 Address: N410 Pine St

Legal Description

CITY OF REEDSBURG MOTTS 1ST ADD LOT 4 BLK 3

General Value Data

Assessed Land Value: \$16,700.00
 Assessed Improvement Value: \$97,800.00
 Total Assessed Value: \$114,500.00

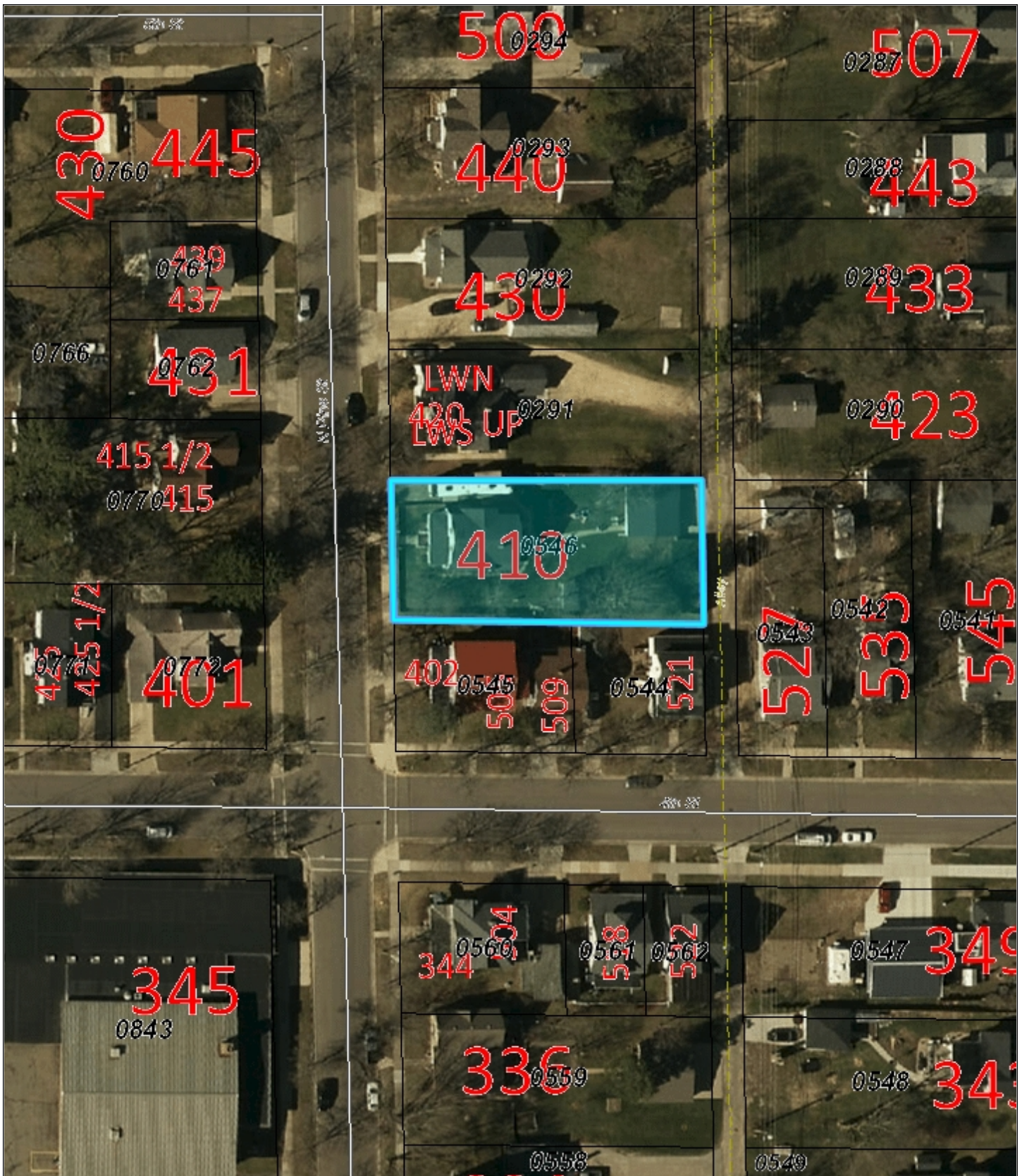
Land Data

Residential: 11,700 Sq Feet

Building Data

Characteristics	Building Area	Square Feet
Style: Res O/S	Full Basement:	896
Stories: 2 story	Crawl Space:	0
Year Built: 1918	First Floor:	896
Bedrooms: 4	Second Floor:	896
Full Bathrooms: 1	Third/Additional Floor:	0
Half Bathrooms: 0	Finished Attic:	0
Heat Type: Gas	Rec Room:	0
Air Conditioning: No A/C	FBLA:	0
Fireplace: Y	Attached Garage:	-

Legal Disclaimer



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: 7/15/2020

ZONING BOARD OF APPEALS
Staff Report

DATE: July 21, 2020

APPLICANT: Pace Farms

LOCATION: 924 Exhibit Circle, Parcel #2408-13810

ZONING: R-2 Residential

PROPOSED LAND USE REQUEST: Zoning Variance

DESCRIPTION: Consider zoning variance to add a 57' wide duplex driveway; 48' wide is the maximum per § 690-65(A).

General Findings

SURROUNDING LAND USES:

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

ZONING:

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

TOPOGRAPHY: Flat slopes

STREET R.O.W./TRAFFIC/ACCESS: Exhibit Circle; 66' ROW

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 duplex under construction.
 - b. The Board finds that the request is for a 57' wide driveway.
 - c. The Board finds that § 690-65(A) allows a maximum 48' driveway for a duplex.
 - d. The Board finds that the parcel is zoned R-2 Residential.
 - e. The Board finds that the lot is 190' (width) X 170' (depth) in size.
 - f. The Board finds that the parcel was plated as two separate lots and combined in 2019.

STAFF COMMENTS

The old zoning standard was 24' for a residential use driveway. Several years ago the Plan Commission and Council amended the ordinance to allow a 48' driveway, recognizing that such a property contains two units/garages. The applicant states the extra width is needed for accessibility purposes. If approved, there should be about 60' to the east lot line.

Exhibit List

- A. City of Reedsburg Comprehensive Plan
- B. Zoning Ordinance, City of Reedsburg, Wisconsin
- C. Tuesday, May 26, 2020, 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: Pace Farms

ADDRESS: 924 Exhibit Circle CITY: Reedsburg STATE: WI

ZIP: 53909 PHONE: 608-963-5550 FAX: J

E-MAIL: Cmis.dep@gmail.com

PROPERTY OWNER: (if different from Applicant) _____

LOCATION: 924 Exhibit Circle PARCEL #: 276-2408 13810

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:** Need a wider driveway handicap purposes

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.

Cmislivecek, 7/7/20

Applicant Signature / Date

Dan Pace, 7/7/20

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; Site Plan	\$153	_____
Cond Use-Agriculture	\$400	_____
Variance	\$112	_____
Rezoning	\$200	_____
C.S.M.	\$171	_____
Subdivision Plat	\$610	_____
- w/ Stormwater Plan	\$100	_____
Flood Plain Zone	\$189	_____
Annexation	\$200	_____
Plan Amend	\$200	_____
Date Paid		_____
Receipt #		_____

A. Please describe how your request meets each of the following Conditional Use standards as applicable. Attach additional pages if needed.

- (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 ordinance and will not place demands on fire, police, or other public resources in excess of current capacity.
- (B) *Architectural plans; existing and proposed structures* - The proposed conditional land use shall be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
- (C) *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.
- (D) *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.
- (E) *Traffic generation and circulation, highway access and driveway locations* - The proposed conditional land use shall be adequately served by public or private streets.
- (F) *Sewerage and water systems* - The proposed conditional land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.

B. **Site Plan Requirements.**

- (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.

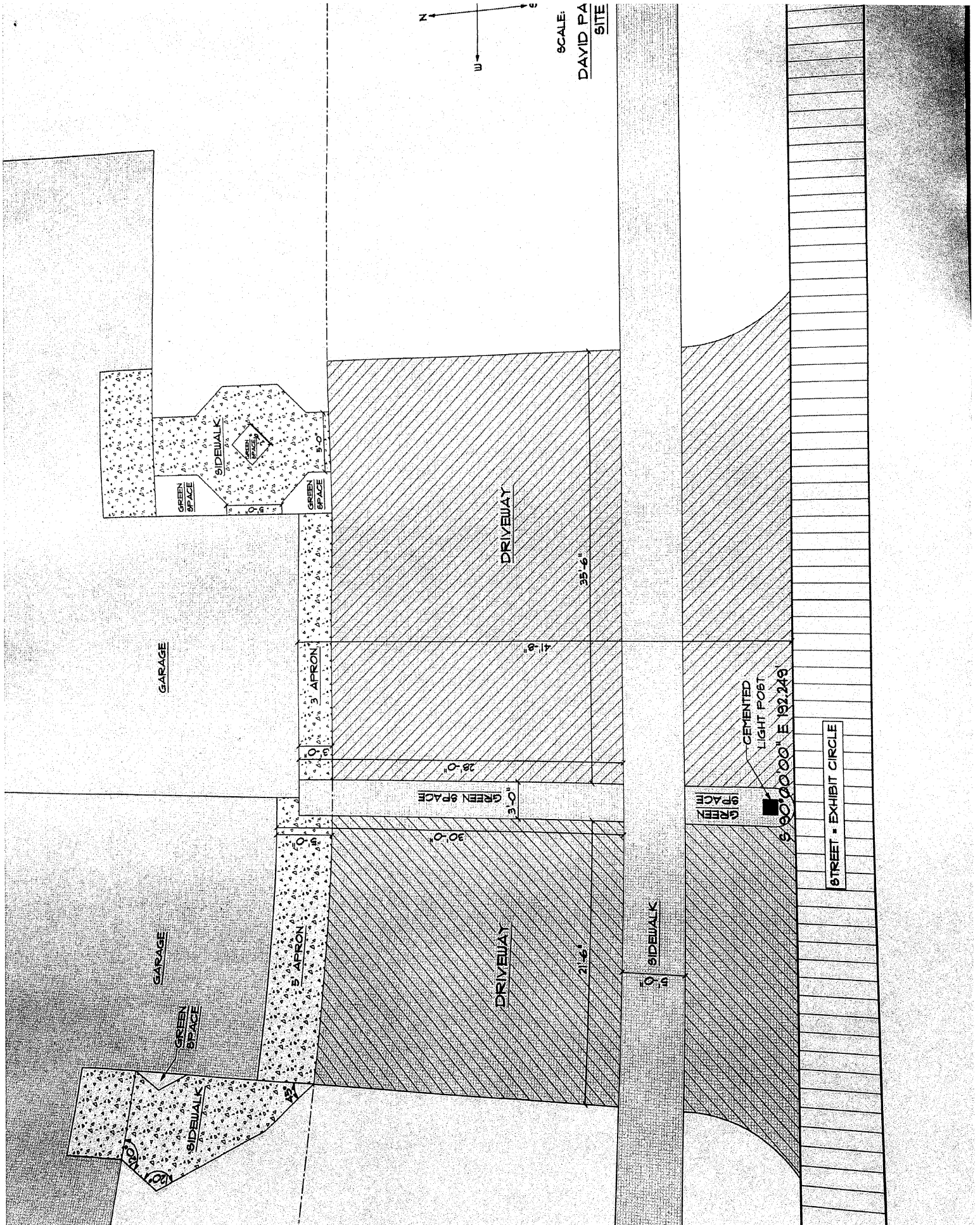
C. Please describe how your request meets each of the following Variance standards. Attach additional pages if needed.

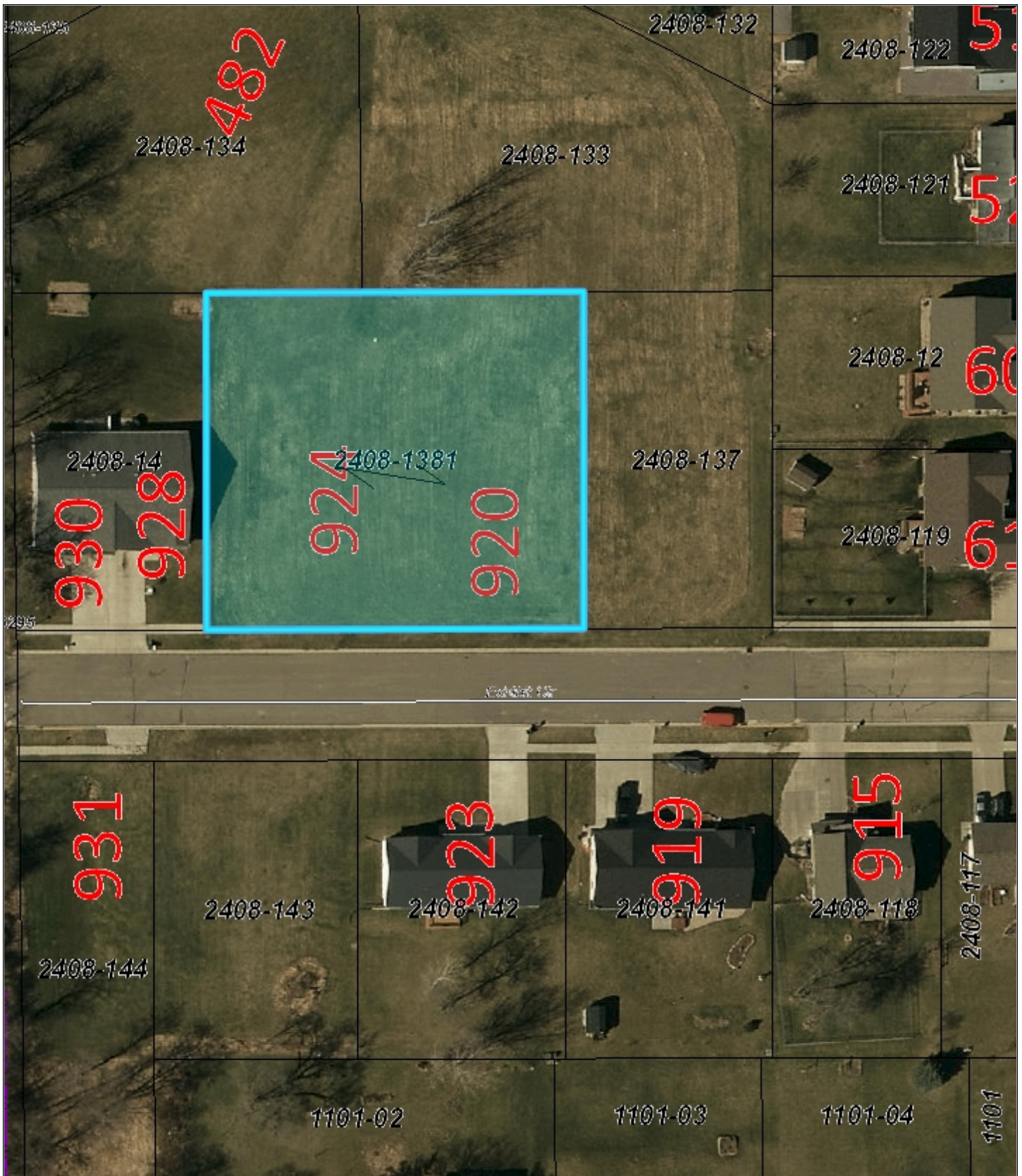
To grant a variance, the Board of Appeals must find four things:

- 1) The variance will not be contrary to the public interest. *It's Private Property + de Pace owns empty lot next to*
- 2) Substantial justice will be done by granting the variance. *Owners are handicap + soon will rely on handicap*
- 3) The variance is needed so that the spirit of the ordinance is observed. *Chairs / vehicle*
- 4) Due to special conditions, a literal enforcement of the provisions of the zoning ordinance will result in unnecessary hardship. *need more room for wheel chairs + auto lifts.*

- (C) 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.

pd ✓ 7/1/20





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: 7/15/2020



CITY OF REEDSBURG
134 SOUTH LOCUST STREET
REEDSBURG, WI 53959
Phone (608) 768-3354

July 13, 2020

To: LARRY A HOLLOWAY
205 S JAMES AVE
REEDSBURG, WI 53959

MARY WEBER
325 CLARK ST
REEDSBURG, WI 53959

Re: Downspout drainage

This letter is sent regarding the drainage issue with the new downspouts on the 325 Clark St property. Since nothing has been done following my 4/28 letter, this matter will be reviewed by the Zoning Board of Appeals. That meeting is Tuesday, July 21, 2020 at 12:00 PM, and you are encouraged to attend. If you cannot attend, written comments may be sent to the above mailing address or below e-mail. An agenda is included.

Thank you for your consideration and please contact me with any questions at the above number or bduvalle@ci.reedsburg.wi.us

Sincerely,

Brian Duvalle
Planner/Building Inspector



CITY OF REEDSBURG
134 SOUTH LOCUST STREET
REEDSBURG, WI 53959
Phone (608) 768-3354

DATE: 04/28/2020

TO: MARY WEBER
325 CLARK ST
REEDSBURG, WI 53959

RE: Water drainage Property Address: 325 Clark St
Parcel #: 0065-00000

This letter is sent regarding the downspouts extensions on your property. It was brought to my attention they appear to be at or over the lot line to the east. Therefore, I ask that you please move them within 10 days off the lot line and angle them more to the south (rear yard) to better follow the slope of the land. In addition, you cannot direct drainage directly onto the neighbor's property.

Thank you for your cooperation and please contact me at the above number or bduvalle@ci.reedsburg.wi.us with any questions.

Brian Duvalle
Planner/Building Inspector



CITY OF REEDSBURG
134 SOUTH LOCUST STREET
REEDSBURG, WI 53959
Phone (608) 768-3354

July 13, 2020

To: BENJAMIN J ROECKER
446 CLARK ST
REEDSBURG, WI 53959

ANTHONY D'AGOSTINE
436 CLARK ST
REEDSBURG, WI 53959

Re: Driveway drainage

This letter is sent regarding the drainage issue with the new driveway at 446 Clark St. I have spoken to both property owners and received conflicting information. Since time is of the essence with a pending sale, this matter will be reviewed by the Zoning Board of Appeals. That meeting is Tuesday, July 21, 2020 at 12:00 PM, and you are encouraged to attend. If you cannot attend, written comments may be sent to the above mailing address or below e-mail. An agenda is included.

Thank you for your consideration and please contact me with any questions at the above number or bduvalle@ci.reedsburg.wi.us

Sincerely,

Brian Duvalle
Planner/Building Inspector



