



Public Hearing Item 1: Variance Consideration

Board of Adjustment • October 8, 2025

<u>Variance Request To:</u>	Table 12.110.03(2) Minimum Required Setback for Front and Street Side Yards
<u>Property Owner(s):</u>	Section 12.525.02(1) Shoreland Setbacks Richard & Suzanne Wipperfurth
<u>File Number:</u>	2025-009
<u>Property Location:</u>	GL 3, Sec. 11, T10N, R7E
<u>Town:</u>	West Point
<u>Parcel(s):</u>	11040-655.01
<u>Site Address:</u>	W12686 Pleasant View Park Rd.
<u>Current Zoning District(s):</u>	R-1 Single-Family Residential

Background:

Richard and Suzanne Wipperfurth recently purchased the subject property from Robert Huljak on September 12, 2025 (Exhibit D). The current property is 12,077 sq. ft. or 0.28 acres in size (Exhibits G). Further described as Lots 6 & 7, Pleasant View Resort Plat (Exhibit J). Currently the property does not front entirely on Lake Wisconsin as there is a promenade that separates a portion of the property from Lake Wisconsin (Exhibits G & J). Town of West Point Assessor's Plat #3 has been filed with the State of Wisconsin. In the Assessor's Plat the property is described as Lot 5 and is 13,750 sq. ft. or 0.32 acres in size. The increase in area comes from the elimination of the promenade (Exhibit K). Further evaluation of the property will be based off the Assessor's Plat.

The zoning for the property is R-1, Single-Family Residential (Exhibit H). The property is a shoreland property as it does front on Lake Wisconsin. There is floodplain mapped along the shoreline of the property, but there are no wetland concerns on the property (Exhibit I). This property fronts along Pleasant View Park Rd.

Currently there is an existing single-family residence with a concrete patio. The existing single-family residence is 1,892 sq. ft. in size and the concrete patio is 368 sq. ft. in size. Setbacks for the existing single-family residence are 26 ft. to the centerline of Pleasant View Park Rd., 9 ft. to the right of way, 84 ft. to the rear property line, 15 ft. to the east side property line, 14 ft. to the west side property line, 65 ft. to the Ordinary High-Water Mark (OHWM) of Lake Wisconsin, and 2,420 ft. to the nearest wetland boundary. Existing building lot coverage is 1,892 sq. ft. or 13.76% and existing impervious surfaces are 3,200 sq. ft. or 23.27%. Additional information can be found in the zoning inspection report dated 8/13/2025 (Exhibits L & M).

This area was originally platted in 1911. The existing single-family residence was initially constructed between 1940 and 1949 based on air photos from that time (Exhibits E & F). An addition was placed on the original single-family residence in 1970 based on a sanitary permit that was taken out at that time. The existing single-family residence is still served by the Private On-Site Waste Treatment System (POWTS, septic system) installed under sanitary permit 70-079. That septic system was installed for the addition that was placed on the original single-family residence (Exhibit N).

The property owners would like to remove the existing single-family residence with a concrete patio and replace it with a new single-family residence and concrete patio. The proposed single-family residence would be 1,945 sq. ft. with a proposed height of 34 ft. Setbacks for the proposed single-family residence would be 41 ft. to the centerline of Pleasant View Park Rd., 24 ft. to the right of way, 88 ft. to the rear property line, 10 ft. to the east side property line, 10 ft. to the west side property line, 65 ft. to the OHWM of Lake Wisconsin, 2,433 ft. to the nearest wetland boundary. The concrete patio would be 414 sq. ft. in size. Setbacks for the concrete patio would be 71 ft. from the centerline of Pleasant View Park Rd., 54 ft. from the right of way, 80 ft. from the rear property line, 42 ft. from the east side property line, 10 ft. from the west side property line, 61 ft. from the OHWM of Lake Wisconsin, and 2,467 ft. from the nearest wetland boundary. Proposed building lot coverage would be 1,945 sq. ft. or 14.14% and proposed impervious surfaces would be 2,723 sq. ft. or 19.80%.

Variances to Table 12.110.03(2) and Section 12.525.02(1) are required for the new single-family residence and concrete patio to be constructed as proposed.

Town Recommendation:

The Town of West Point has reviewed the variance request and unanimously recommends approval of the variance.

Analysis:

Currently the property is zoned R-1, Single-Family Residential. The subject property is a shoreland property as it fronts on Lake Wisconsin. There is floodplain mapped along the shoreline, but there are no wetland concerns. The existing single-family residence legal nonconforming structure to the Zoning Code (12.100). The existing single-family residence does not meet the setbacks to the centerline of Pleasant View Park Rd. or the right of way. The existing single-family residence is a legal nonconforming structure to the Shoreland Wetland Protection Ordinance (12.500). The existing single-family residence does not meet the required setback to the OHWM of Lake Wisconsin. Based on a review of air photos the existing single-family residence was constructed between 1940 and 1949. The Town of West Point did not adopt County Zoning until 1962.

Highway setbacks are primarily for safety. These setbacks provide a stopping area should vehicles leave the roadway for any reason. Posted speed limit in this area is 25 MPH. Standard rights of way for town roads such as Pleasant View Park Rd. are 66 ft. in width. Pleasant View Park Rd. has a right of way that is only 34 ft. in width. The proposed single-family residence is being moved back 15 ft. from where the existing single-family residence is. In order to meet the centerline setback, the proposed single-family residence would need to be 46 ft. from the right of way.

Moving the residence further back presents another problem. The setback to the OHWM of Lake Wisconsin is normally 75 ft. If both the setbacks to the road and to the OHWM are enforced to their maximum there is no buildable area on the property. In this instance the property qualifies for a reduced setback of 65 ft. per Section 12.525.03. Even with this reduced setback there would only be approximately 800 sq. ft. of buildable area for a new single-family residence (Exhibit O). Because the existing single-family residence is a legal nonconforming structure it could be rebuilt in the exact same three-dimensional footprint without a variance. Property owners are looking to move back from the road 15 ft. while maintaining a similar setback to the OHWM of Lake Wisconsin.

The normal shoreland setback requirement is 75 ft. from the OHWM of a navigable body of water. If there is a building trend where neighboring residences are closer than the 75 ft. requirement a property may qualify for a reduced setback (Section 12.525.03). In this instance the property qualifies for a reduced setback of 65 ft. The property located at W12694 Pleasant View Park Rd. is 66 ft. from the OHWM and the property located at W12682 Pleasant View Park Rd. is 64 ft. from the OHWM. The property owners would like to construct a 414

sq. ft. concrete patio behind the single-family residence that is proposed to be 61 ft. from the OHWM. The single-family residence would be 65 ft. from the OHWM if the concrete patio were not included. To reduce the setback below 65 ft. a variance is required.

Requested Variance Table			
<i>Variance Request</i>	<i>Section of Ordinance</i>	<i>Requirement</i>	<i>Request</i>
Variance Request A	Table 12.105.03(2): Minimum Required Setback for Front and Street Side Yards	63 ft. to the centerline of Pleasant View Park Rd.	The proposed single-family residence requires a setback variance of 22 ft. less than the minimum required to the centerline of Pleasant View Park Rd.
Variance Request B	Table 12.105.03(2): Minimum Required Setback for Front and Street Side Yards	30 ft. to the right of way of Pleasant View Park Rd.	The proposed single-family residence requires a setback variance of six (6) ft. less than the minimum required to the right of way of Pleasant View Park Rd.
Variance Request C	Section 12.525.02(1) Shoreland Setbacks	75 ft. setback to the OHWM of Lake Wisconsin	The proposed concrete patio requires a setback variance of 14 ft. less than the minimum required to the OHWM of Lake Wisconsin
<i>*Please See Corresponding Site Map Under Exhibit P</i>			

Standards for Review:

Unnecessary Hardship. The Board of Adjustment must determine if an unnecessary hardship exists.

Unique Property Limitation. The Board of Adjustment must determine if a unique property limitation exists.

Protection of the Public Interest. Approval of the variance would not have an increased impact on public safety.

Recommendation:

Recommended Findings of Fact:

1. Richard & Suzanne Wipperfurth are the owners of the subject property.
2. The property per the assessor's plat will be 13,750 sq. ft. or 0.32 acres in size.
3. The property is zoned R-1, Single-Family Residential.
4. The existing single-family residence on the property is a legal nonconforming structure to the Zoning Code and the Shoreland Wetland Protection Ordinance.
5. The property owners are proposing a 1,945 sq. ft. single-family residence.
6. The proposed single-family residence would be 41 from the centerline of Pleasant View Park Rd.
7. A setback variance of 22 ft. less than the minimum required to the centerline of Pleasant View Park Rd. is needed for the proposed single-family residence to be permitted.
8. The proposed single-family residence would be 24 ft. from the right of way of Pleasant View Park Rd.
9. A setback variance of six (6) ft. less than the minimum required to the right of way of Pleasant View Park Rd. is need for the proposed single-family residence to be permitted.
10. The property owners are proposing a 414 sq. ft. patio 61 ft. from the OHWM of Lake Wisconsin.
11. The proposed patio requires a setback variance of 14 ft. less than the minimum required to the OHWM of Lake Wisconsin.

Recommended Conclusions of Law:

1. The Board of Adjustment must state its determination if an unnecessary hardship exists.
2. The Board of Adjustment must state its determination if there is a unique property limitation.
3. The Board of Adjustment must state its determination if public interest in maintaining safety is not negatively impacted if a variance were to be approved at the current time.

Recommended Decision:

Should the Board of Adjustment decide to grant the variance; staff further recommends that the Board, as part of any motion to approve that might be offered, specifically adopt the above-recommended findings of fact and conclusions in support of its motion, and that a variance, if approved, be subject to the following conditions:

1. Development of the property shall be in compliance with the approved site plan, regarding locations and setbacks of proposed structures, as determined by Staff in Exhibits B, C, and K.
2. The Assessor's Plat must be approved and recorded.
3. Construction can commence once all applicable permits from the State, County, and Town are obtained.
4. A foundation survey will be a requirement of the zoning permit.
5. The variance must be initiated by securing a zoning permit within one year of approval of the assessor's plat, failure to do so will render the variance void.



Kenneth Thiele
Senior Zoning & Sanitary Specialist

Attachments:

Exhibit A – Variance Application

Exhibit B – Proposed Site Plan

Exhibit C – Proposed House Plans

Exhibit D – Deed

Exhibit E – 1940 Air Photo

Exhibit F – 1949 Air Photo

Exhibit G – Air Photo

Exhibit H – Zoning Map

Exhibit I – Floodplain and Wetland Map

Exhibit J – Pleasant View Resort Plat

Exhibit K – Town of West Point Assessor's Plat 3

Exhibit L – Zoning Inspection Report Dated 8/13/2025

Exhibit M – Impervious Surface Worksheet Dated
8/13/2025

Exhibit N – Sanitary Permit 70-079

Exhibit O – Buildable Area and Existing Site Plan

Exhibit P – Variance Site Map

cc: Richard & Suzanne Wipperfurth – Owner
Town of West Point
Kurt Calkins – Land Resources Director, Columbia County
Zoning Board of Adjustment Members

IMPERVIOUS CALCULATIONS

LOT 6 & 7 AREA (PLATTED LOTS) = 11,775 SQ.FT.
 AREA BETWEEN PLAT LINE AND WATER = 150 SQ.FT.
 AREA BETWEEN PLAT LINE & LEFT BANK OF RIVER
 "PROMENADE AREA" = 1975 SQ.FT.
 [NEW LOT 5 ASSESSOR'S PLAT 3 LOT AREA = 13,750 SQ.FT.

COVERAGE CALCULATION WITH PROMENADE INCLUDED
 [LOT 5 ASSESSOR'S PLAT 3]
 PROPOSED LOT COVERAGE (HOUSE ONLY)
 = 1,945.5 SQ.FT. (14.1%)
 PROPOSED CONCRETE = 750 SQ.FT.
 TOTAL = 2695.5 SQ.FT. (19.6%) TOTAL

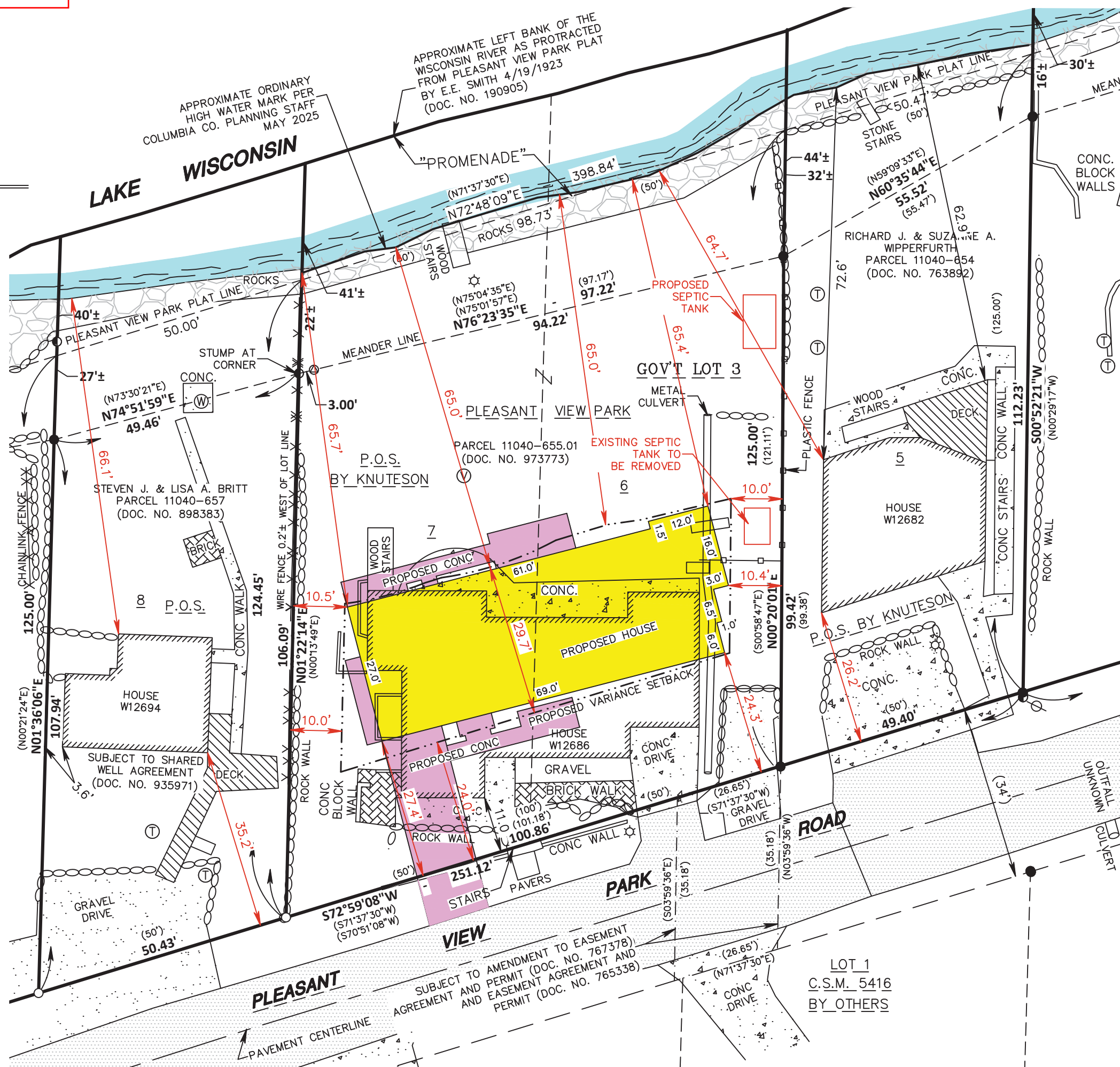
OWNER/CLIENT

SURVEYOR

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P.O. BOX 373
625 E. SLIFER STREET
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PHONE SAUK PRAIRIE: (608) 644-8877
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LEGEND

- 3/4" IRON ROD FND.
 (W) WELL
 (C) CLEAN OUT
 (T) SEPTIC TANK COVER
 (V) SEPTIC VENT



SITE PLAN
FOR
RICHARD J. WIPPERFURTH
TOWN OF WEST POINT
SAUK COUNTY, WISCONSIN

CA GROTHMAN
& ASSOCIATES S.C.
 PROFESSIONAL SERVICES
 625 EAST SLIFER STREET, P.O. BOX 373 PORTAGE, WI. 53901
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 (RED LOGO REPRESENTS THE ORIGINAL MAP)

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PROJECT NO.	525-288
DRAWING NO.	525-288