



## **Public Hearing Item 1: Variance Consideration**

Board of Adjustment • September 10, 2025

### **Variance Request To:**

Table 12.105.03(2) Minimum Required Setback for Front and Street Side Yards

Section 12.135.04(1)(c) Expansions and Repairs of Nonconforming Structures

Section 12.140.03(1) Visual Clearance Triangle

### **Property Owner(s):**

Anthony J Prestigiacomo

### **File Number:**

2025-007

### **Property Location:**

NW-NW, Sec. 21, T10N, R10E

### **Town:**

Leeds

### **Parcel(s):**

11018-393.B

### **Site Address:**

W6495 Kampen Rd

### **Current Zoning District(s):**

A-1, Agriculture

## **Background:**

The subject property has been owned by Anthony Prestigiacomo since December, 2006 (Exhibit D). The current property is 38,250 sq. ft. or 0.88 acres in size (Exhibit H). The zoning for the property is A-1, Agriculture (Exhibit G). The property is not a shoreland property as it does not front on or is entirely within 300 ft. of a navigable body of water. There are no floodplain or wetland concerns on the property (Exhibit E).

Currently there is a pre-existing single-family residence with an attached deck and a shed on the property. The pre-existing single-family residence is 2,048 sq. ft. in size and the deck is 256 sq. ft. in size. Setbacks for the pre-existing single-family residence are 33 ft. from the centerline of Kampen Rd., 0.4 ft. from the right of way to Kampen Rd., 65 ft. to the south rear property line, 88 ft. to the east side property line, 83 ft. to the centerline of US Highway 51 and 46 ft. from the right of way of US Highway 51, over 10,000 ft. to the nearest navigable body of water, 1,344 ft. from the nearest wetland boundary, six (6) ft. from the existing septic tank, and 26 ft. to the dispersal component. There is no maximum building lot coverage requirement in A-1 zoning. Additional information about the deck and shed can be found on the zoning inspection report (Exhibit H).

The pre-existing single-family residence first appears on an air photo in 1955 (Exhibit F). The pre-existing single-family residence is located on the corner of US Highway 51 and Kampen Rd. There is a visual clearance triangle created by the intersection. The single-family residence is located within the visual clearance triangle. The Town of Leeds did not adopt County Zoning until 1961. The single-family residence is served by a Private On-Site Wastewater Treatment System (POWTS, septic system) that was installed in 2000 under sanitary permit 00-014. This is a conventional in-ground system (Exhibit J).

The property owner would like to place an addition onto the pre-existing single-family residence. The addition would be 50 ft. x 55 ft. x 32 ft. or 2,750 sq. ft. in size. This addition would be for an attached garage or storage space. Setbacks for the addition would be 33 ft. to the centerline of Kampen Rd., 0.6 ft. to the right of way of Kampen Rd., 88 ft. to the south rear property line, 36 ft. to the east side property line, 137 ft. to the centerline of

US Highway 51 and 100 ft. to the right of way of US Highway 51, over 10,000 ft. to the nearest navigable body of water, 1,361 ft. to the nearest wetland boundary, 15 ft. to the septic tank, and 34 ft. to the dispersal component. The addition would also be located in the visual clearance triangle of the intersection of US Highway 51 and Kampen Rd.

Variances to Table 12.105.03(2), Section 12.135.04(1)(c), and Section 12.140.03(1) are required for the addition to be completed as proposed.

### **Town Recommendation:**

The Town of Leeds has reviewed the variance request and recommends approval of the variance.

### **Analysis:**

Currently the property is zoned A-1, Agriculture. The subject property is not a shoreland property and does not have any floodplain or wetland concerns. The pre-existing single-family residence is a legal nonconforming structure to the Zoning Code (12.100). The pre-existing single-family residence does not meet setbacks to the centerline of Kampen Rd. or the right of way and the centerline of US Highway 51 or the right of way. The pre-existing single-family residence is also already located within the visual clearance triangle created by the intersection of Kampen Rd. and US Highway 51. Based on a review of air photos the pre-existing single-family residence was constructed around 1955. The Town of Leeds did not adopt County Zoning until 1961.

The property owner would like to place an addition onto the pre-existing single-family residence. The addition will meet the setback requirements to US Highway 51. Setback requirements for US Highway 51 are 110 ft. from the centerline of the road and 50 ft. to the right of way. Proposed setbacks for the addition to US Highway 51 are 137 ft. to the centerline and 100 ft. to the right of way. However, the property also fronts on Kampen Rd. The driveway is located on Kampen Rd., so this is treated as the front of the property. Required setbacks to Kampen Rd. are 63 ft. to the centerline and 30 ft. to the right of way. The addition is proposed to be 33 ft. from the centerline of Kampen Rd. and 0.6 ft. from the right of way.

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 45 MPH. Traffic going north-south on US Highway 51 does not have a stop sign. Traffic going east-west on Kampen Rd. does have a stop sign. So east-west traffic should be at lower speeds. The request is to reduce the setback on Kampen Rd. not to US Highway 51.

Section 12.135.04(1)(c) allows for additions to nonconforming structures that are one half or more of any required setback. As the pre-existing single-family residence is not greater than one half of the required setback to Kampen Rd. and the addition is not proposed to meet required setbacks to Kampen Rd a variance to this section is required. Due to the location of the pre-existing single-family residence when constructed a variance would be required for any addition to the residence.

Kampen Rd. is a Town road that intersects with US Highway 51, which is a state or federal highway. When two such roads intersect a visual clearance triangle is created. A chord connecting said centerlines that is 200 ft. from the intersection of a state, federal, or county highway and a town road. There are to be no objects greater than two and one-half (2.5) ft. in height within this area. Open fences, telecommunication and power transmission poles, lines, portable equipment, field crops, and deciduous trees with mature canopies beginning greater than eight (8) ft. from the ground are exceptions to the rule. Approximately 1,362 sq. ft. of the addition will be located in this area (Exhibit I).

It should be noted that a zoning permit for a smaller detached structure could be issued for this property. No, variance would be required for a smaller detached structure, although the existing shed may have to be removed from the property to accommodate the new detached structure.

<b>Requested Variance Table</b>			
<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 Kampen Rd. 30 ft. to Kampen Rd. right of way	The addition requires a setback variance of 30 ft. less than the minimum required to the centerline of Kampen Rd. and a setback variance of 29.4 ft. less than the minimum required to the right of way of Kampen Rd.
Variance Request B	Section 12.135.04(1)(c) Expansions and Repairs of Nonconforming Structures	Nonconforming structures are required to be greater than one-half the required setback to complete any modifications	
Variance Request C	Section 12.140.03(1) Visual Clearance Triangle	In each quadrant of every public road right of way there shall be a visual clearance triangle	Approximately 1,362 sq. ft. of the addition would be located in the visual clearance triangle
<i>*Please See Corresponding Site Map Under Exhibit K</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. Anthony Prestigiacomo is the owner of the subject property.
2. The property is 38,250 sq. ft. or 0.88 acres in size.
3. The property is zoned A-1, Agriculture.
4. The pre-existing single-family residence on the property is a legal nonconforming structure.
5. The property owner is proposing a 50 ft. x 55 ft. x 32 ft. addition to the pre-existing single-family residence.
6. The addition would be 33 ft. from the centerline of Kampen Rd.
7. A setback variance of 30 ft. less than the minimum required to the centerline of Kampen Rd. is needed for the addition to be permitted.
8. The addition would be 0.6 ft. from the right of way of Kampen Rd.
9. A setback variance of 29.4 ft. less than the minimum required to the right of way of Kampen Rd. is needed for the addition to be permitted.
10. Nonconforming structures are required to be greater than one-half of required setbacks and the addition must meet setbacks.
11. A variance is required for the nonconforming structure as the structure is less than one-half of the required setback and the addition will not meet setbacks.

12. A visual clearance triangle is created by the intersection of Kampen Rd. and US Highway 51.
13. Approximately 1,362 sq. ft. of the proposed addition will be within the visual clearance triangle.
14. The addition requires a variance to the visual clearance triangle.

***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. Construction can commence once all applicable permits from the State, County, and Town are obtained.
3. A foundation survey will be a requirement of the zoning permit.
4. The variance must be initiated by securing a zoning permit within one year of approval, 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 Building Plan  
Exhibit D – Deed  
Exhibit E – Air Photo  
Exhibit F – 1955 Air Photo  
Exhibit G – Zoning Map

Exhibit H – Zoning Inspection Report Dated 6/9/2025  
Exhibit I – Visual Clearance Triangle Site Plan  
Exhibit J – Sanitary Permit 00-014  
Exhibit K – Variance Site Map

cc: Anthony Prestigiacomo– Owner  
Town of Leeds  
Kurt Calkins – Land Resources Director, Columbia County  
Zoning Board of Adjustment Members

# EXHIBIT B - PROPOSED SITE PLAN

## SITE PLAN

BEING PART OF THE THE NW 1/4 OF THE NW 1/4, SECTION 21  
T10N, R10E, TOWN OF LEEDS, COLUMBIA COUNTY, WISCONSIN

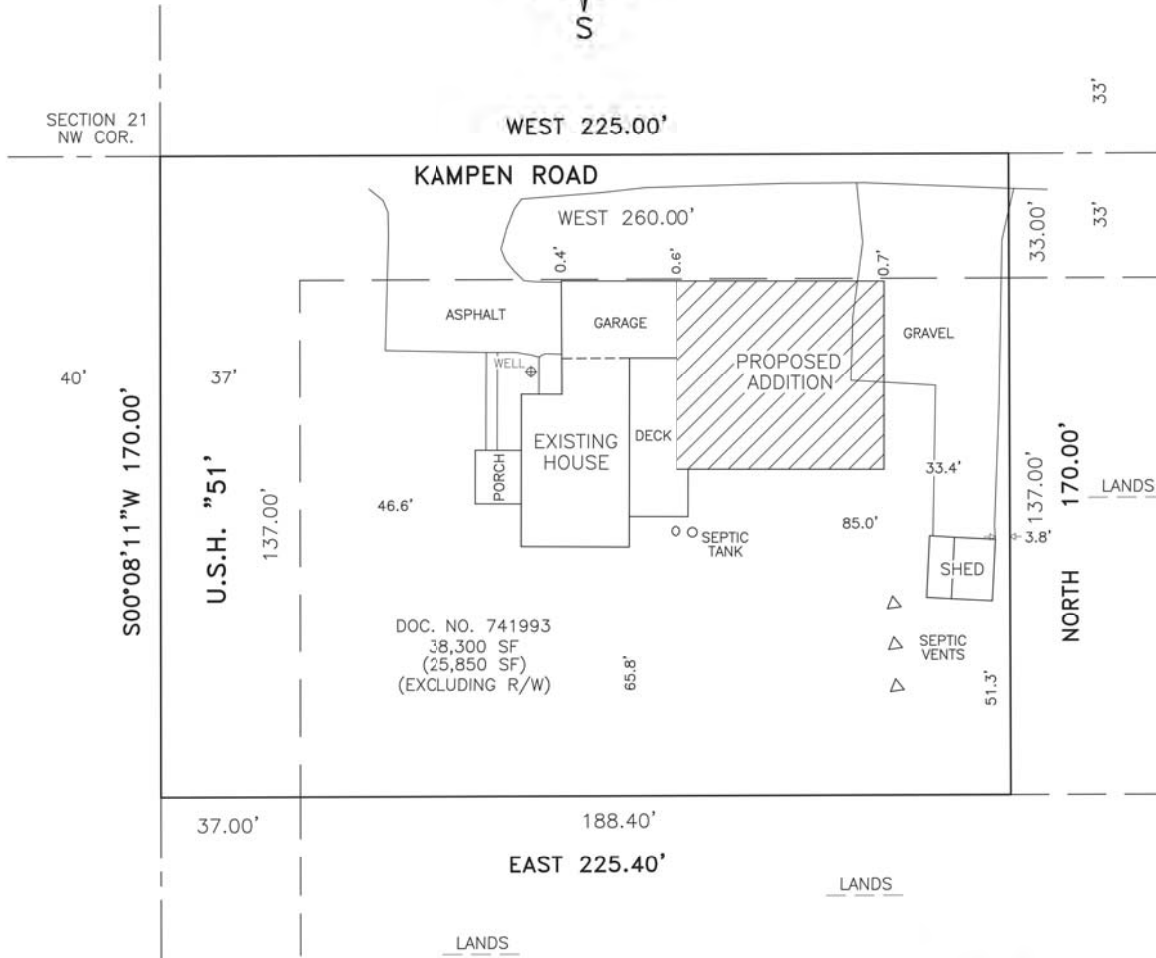
### BASIS OF BEARINGS

THE SOUTH LINE OF SAID PARCEL  
IS ASSUMED TO BEAR EAST.



### SCALE

1" = 40'



### LEGEND

- 3/4" IRON RE-BAR (FOUND)
- — — SET BACK LINE
- x 902.5 EXISTING SPOT ELEVATION
- ⊙ 102.2 PROPOSED SPOT ELEVATION
- [102.2] TOP OF FOUNDATION WALL

OWNER  
Anthony Prestigiacomo  
W6495 Kampen Road  
Arllington, WI 53532

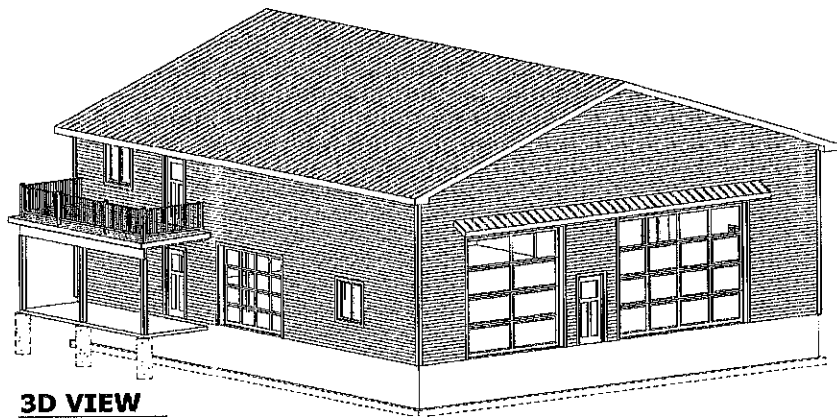
SURVEYOR  
PAULSON & ASSOCIATES, LLC  
Daniel A. Paulson  
136 W. Holum Street  
DeForest, WI 53532



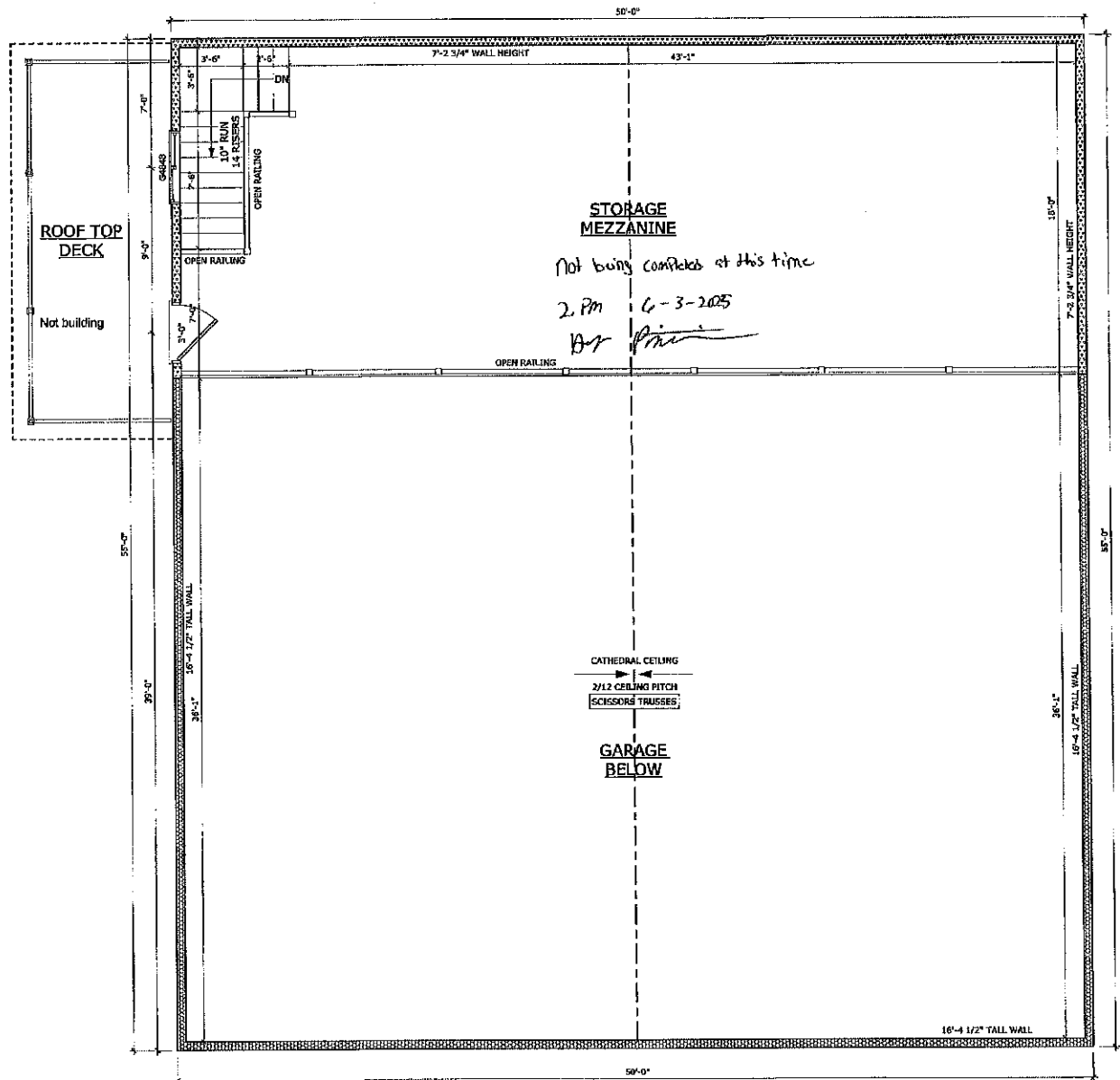
THIS SITE PLAN IS NOT A PROPERTY SURVEY AND DOES NOT COMPLY WITH THE MINIMUM STANDARDS OF  
OF A PROPERTY SURVEY AS SPECIFIED IN CHAPTER AE-7 OF THE WISCONSIN ADMINISTRATIVE CODE.  
THIS SITE PLAN WAS PREPARED AT THE DIRECTION OF THE CLIENT/BUILDER.  
ANY MODIFICATIONS TO THIS SITE PLAN MUST BE APPROVED BY THE CLIENT/BUILDER.

(PLOTTED 4-11-25)

EXHIBIT C - PROPOSED BUILDING PLAN

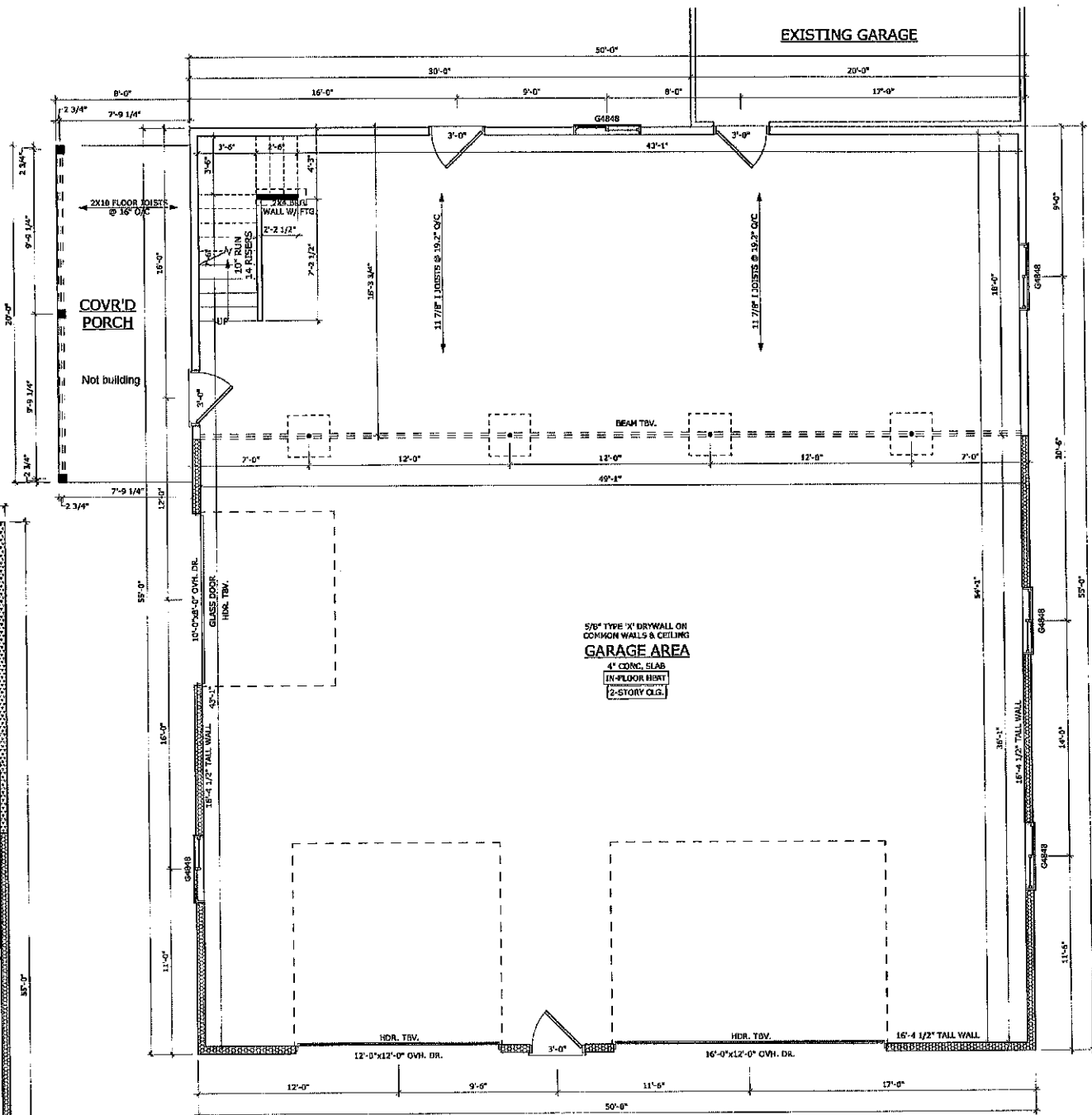


3D VIEW



SECOND FLOOR PLAN

1/4" = 1'-0"



FIRST FLOOR PLAN

1/4" = 1'-0"

PRELIMINARY PLAN - NOT FOR CONSTRUCTION

GROUP	DATE	BY	CHKD	APP'D
DESIGN	01/20/2025	CAO		
SCALE	1/4" = 1'-0"			
SHEET NO.	A1			
PROJECT NO.				

PRESTIGIACOMO GARAGE

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