



Public Hearing Item 3: Variance Consideration

Board of Adjustment • February 11, 2026

<u>Variance Request To:</u>	Table 12.110.03(2) Minimum Required Setback for Front and Street Side Yards
<u>Property Owner(s):</u>	Richard & Suzanne Wipperfurth
<u>File Number:</u>	2026-003
<u>Property Location:</u>	GL 3, Sec. 11, T10N, R7E
<u>Town:</u>	West Point
<u>Parcel(s):</u>	11040-981.05
<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 have owned the subject property since September 12, 2025 (Exhibit D). The current property is 12,077 sq. ft. or 0.28 acres in size (Exhibits G). Further described as Lot 5 of the recently recorded Town of West Point Assessor's Plat No. 3 (Exhibit K).

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, P, & Q).

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. 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. Proposed building lot coverage would be 1,945 sq. ft. or 14.14% and proposed impervious surfaces would be 2,483 sq. ft. or 18.06% (Exhibits P & Q).

A variance to Table 12.110.03(2) Minimum Required Setback for Front and Street Side Yards is required for the new single-family residence to be constructed as proposed.

Town Recommendation:

The Town of West Point has reviewed the variance request and recommends approving the variance (Exhibit R).

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. Below is a table that shows how the proposed residence compares to structures on neighboring properties.

Parcel Number	Site Address	Structure	Distance to Centerline
11040-981.02	W12674 Pleasant View Park Rd.	Single-Family Residence	31 ft.
11040-981.04	W12682 Pleasant View Park Rd.	Single-Family Residence	44 ft.
11040-981.06	W12694 Pleasant View Park Rd.	Single-Family Residence	25 ft. (Variance 23-005)
11040-981.07	W12696 Pleasant View Park Rd.	Single-Family Residence	48 ft.
11040-981.05	W12686 Pleasant View Park Rd.	Single-Family Residence	41 ft.

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.

It is important to note the minimum requirements for a single-family residence in Columbia County. These requirements are outlined in Section 12.125.10(1). The standards are as follows. Narrowest horizontal dimension of the main body of the building shall be not less than 24 ft.; Minimum floor area shall be 600 sq. ft. per dwelling unit, excluding any attached garage, carport, or open deck; Roof pitch on the main body of the building shall be at least three feet in rise for every 12 feet of run; The dwelling must be attached to a finished, permanent foundation with any wheels, axels, transportation lights, and other related towing apparatuses removed; Manufactured homes shall be considered the equivalent of single-family dwellings, but only if manufactured home meets all the above requirements. These are minimum requirements. These requirements do not account for what a property owner may consider as functional living needs.

Requested Variance Table			
<i>Variance Request</i>	<i>Section of Ordinance</i>	<i>Requirement</i>	<i>Request</i>
Variance Request A	Table 12.110.03(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 12.110.03(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.
<i>*Please see Corresponding Site Map under Exhibit U</i>			

Standards for Review:

1. ***Unnecessary Hardship.*** Unnecessary hardship is a situation where, in the absence of a Variance, an owner can make no feasible use of a property, or strict conformity is unnecessarily burdensome. In most cases, if a property is already developed and has an established use a hardship will not exist. Hardship must be peculiar to the zoned parcel in question and different from other parcels, not one which affects all parcels similarly. Loss of profit or financial hardship is not in and of itself grounds for a Variance. The fact that developing in compliance with the ordinance requirements may cost considerably more, does not constitute a hardship. Self-imposed hardship is not grounds for a Variance. When conditions giving rise to the need for a Variance were created by the property owner or former owner the hardship is self-imposed.
 - a. Staff Observation
 - i. This is an area variance request as it is dealing with a dimensional, physical, or locational requirement of the ordinance.
 - ii. Right of way width for Pleasant View Park Rd. is 34 ft.
2. ***Unique Property Limitation.*** Unique physical characteristics of the property, not the desires of, or conditions personal to the applicant, must prevent the applicant from developing in compliance with the zoning ordinance. Such limitations may arise due to steep slopes, wetlands, or parcel shape that limits the reasonable use of the property.
 - a. Staff Observation
 - i. Applicant circumstances such as a growing family or need for larger space should not factor in decision.
 - ii. Right of way width for Pleasant View Park Rd. is 34 ft.
3. ***Protection of the Public Interest.*** Granting of a Variance must neither harm the public interest, nor undermine the purposes of the ordinance. In granting a Variance, the Board may attach special conditions to ensure that the public welfare will not be damaged. Such conditions must relate reasonably to the purpose and intent of the ordinance. Also, any Variance granted should include only the minimum relief necessary to allow reasonable use of the property.
 - a. Staff Observation
 - i. Moving the residence away from the road increases 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 needed for the proposed single-family residence to be permitted.
10. Proposed building lot coverage would be 1,945 sq. ft. or 14.14%.
11. Proposed impervious surfaces would be 2,483 sq. ft. or 18.06%

Recommended Conclusions of Law:

1. The Board of Adjustment must determine if an unnecessary hardship exists or building in conformance with the ordinance causes an undue burden.
2. The Board of Adjustment must determine if there is a unique property limitation.
3. The Board of Adjustment must determine if public interest 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 for the deck only; 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 Exhibit 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 M – Impervious Surface Worksheet Dated 8/13/2025
Exhibit B – Proposed Site Plan	Exhibit N – Sanitary Permit 70-079
Exhibit C – Proposed House Plans	Exhibit O – Buildable Area and Existing Site Plan
Exhibit D – Deed	Exhibit P – Zoning Inspection Report Dated 12/15/2025
Exhibit E – 1940 Air Photo	Exhibit Q – Impervious Surface Worksheet Dated 12/15/2025
Exhibit F – 1949 Air Photo	Exhibit R – Town of West Point Letter
Exhibit G – Air Photo	Exhibit S – Home Inspection
Exhibit H – Zoning Map	Exhibit T – Zoning Inspection Report Dated 5/8/2025
Exhibit I – Floodplain and Wetland Map	Exhibit U – Variance Site 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	

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

VARIANCE SITE MAP

SITE PLAN

BEING LOTS 6 AND 7, PLEASANT VIEW PARK
ALSO KNOWN AS PLEASANT VIEW RESORT,
LOCATED IN GOVERNMENT LOT 3, SECTION 1,
T. 10 N. R. 7 E., TOWN OF WEST POINT,
COLUMBIA COUNTY, WISCONSIN.



SCALE: 1" = 20'

LEGEND

- 3/4" IRON ROD END
- WELL
- CLEAN OUT
- SEPTIC TANK COVER
- SEPTIC VENT

IMPERVIOUS CALCULATIONS

EXISTING LOT COVERAGE
= 3,200 SQ.FT. (27.1%) TOTAL
EXISTING HOUSE ONLY COVERAGE
= 1,892 SQ.FT. (16.1%)

LOT 6 & 7 AREA (PLATTED LOTS) = 11,275 SQ.FT.
AREA BETWEEN PLAT LINE AND WATER = 190 SQ.FT.
AREA BETWEEN PLAT LINE & LEFT BANK OF RIVER
"PROMENADE AREA" = 1,975 SQ.FT.
[NEW LOT 5 ASSESSOR'S PLAT 3 LOT AREA = 13,750 SQ.FT.]

COVERAGE CALCULATION WITHOUT PROMENADE INCLUDED
[LOT 6 & 7]
PROPOSED LOT COVERAGE (HOUSE ONLY)
= 1,945.5 SQ.FT. (16.5%)
PROPOSED CONCRETE = 510 SQ.FT.
TOTAL = 2,455.5 SQ.FT. (20.8%) TOTAL

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 = 510 SQ.FT.
TOTAL = 2,455.5 SQ.FT. (17.8%) TOTAL

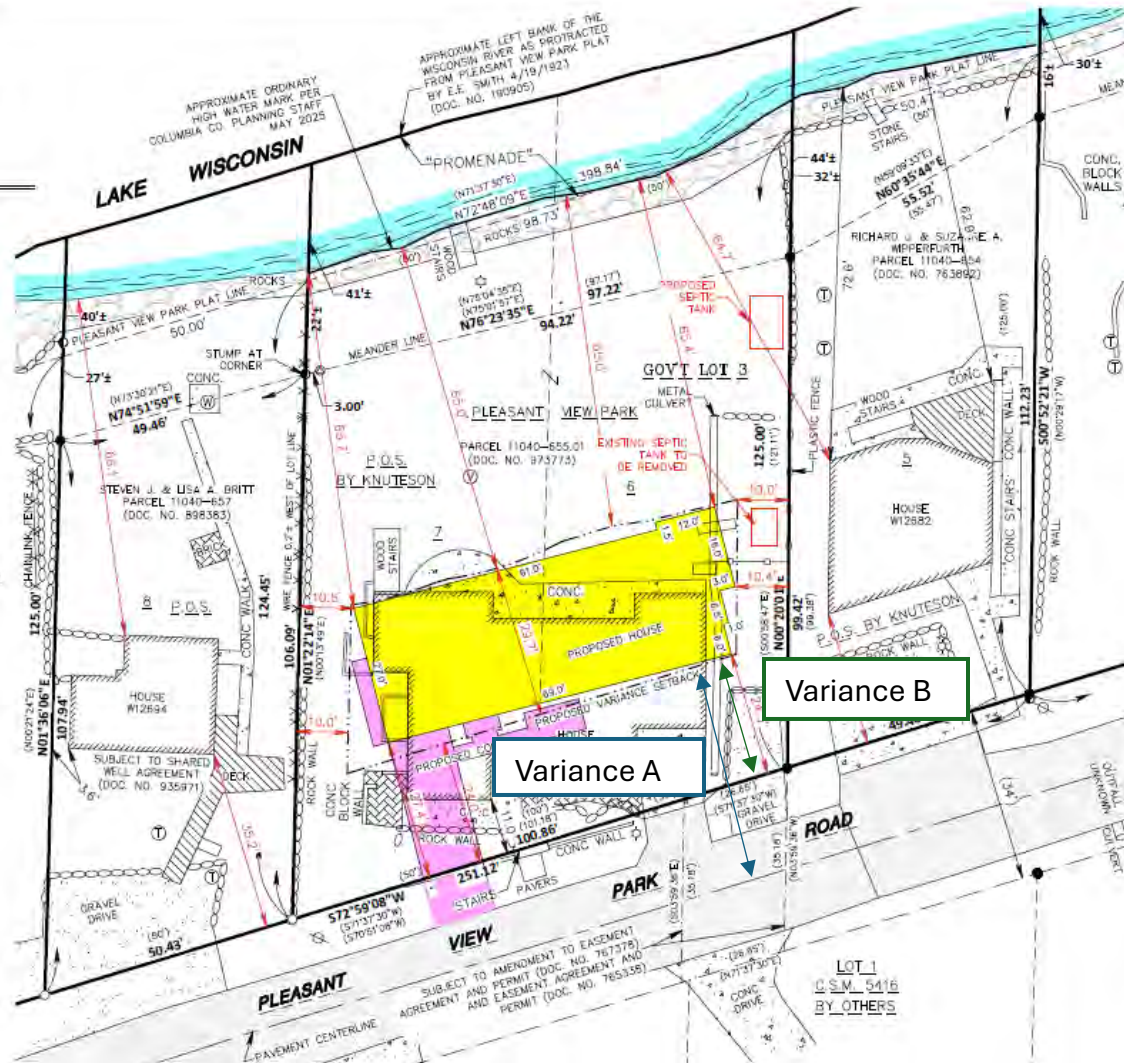
NOTE: SANITARY SEWER TO BE PUMPED TO AN EXISTING
DRAIN FIELD OFF SITE ON LANDS BY OWNER.

OWNER/CLIENT

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NO.	DATE	REVISION	BY	CHKD
1	12/10/23	ISSUED FOR PERMIT	SCOTT P. HEWITT	SCOTT P. HEWITT

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

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