

BOARD OF ADJUSTMENT MINUTES
November 13, 2019

PRESENT: Helen McDonald Rawson, Alan Kaltenberg, Darren Schroeder, Bernard Spink, Pat Beghin

STAFF: Lauren Ramirez – Office Administrator, Kurt Calkins – Director of Planning & Zoning, Melissa Burkhardt – Zoning & Sanitary Specialist

1:00 PM

1. Helen McDonald Rawson calls the meeting to order
2. Certification of Open Meeting Law
3. A roll call was taken and a quorum was declared present
4. View Site(s)
5. Recess

3:00 PM

6. Helen McDonald Rawson reconvened the meeting at 3:00
7. Confirmation of Certification of Open Meeting Law
8. Approval of Agenda

Motion by Al Kaltenberg to approve Agenda of November 13, 2019 Board of Adjustment Regular Meeting & Public Hearing.
Seconded by Pat Beghin.
Motion carried unanimously.

9. Election of Secretary

Motion by Bernie Spinks to elect Darren Schroeder as Board of Adjustment Secretary.
Seconded by Patrick Beghin
Motion carried unanimously.

10. Minutes

Motion by Al Kaltenberg to approve Minutes of July 10, 2019 Board of Adjustment Regular Meeting & Public Hearing.
Seconded by Bernie Spink.
Motion carried unanimously.

11. Public Hearing

Item I Variance Consideration – Single- and Two-Family Uses and Dwellings, Brennen J Weigel & Kelly J Weigel, Petitioners – Town of Dekorra

Melissa Destree is present and sworn in.
222 West Washington Avenue

Madison, WI

Kelly Weigel is present and sworn in.
6369 Brandywood Trail
Sun Prairie, WI

Melissa Burkhardt reviews the Staff Report. She explains the 3 acre vacant property lot created in 2018 by splitting and rezone from existing 116.53 acre agriculturally zoned lot. This lot is 200' above Tipperary Road, and the proposed home has a roof pitch of 1.75 feet in rise for every 12 feet in run. The required minimum pitch of a roof is 3 feet in rise for every 12 feet in run. If the roof pitch would meet this requirement, the property owners feel they would have obstructed views and the character of the home would need to be redesigned. Increasing the pitch of the home will put the overall height over the 35' maximum allowed. She explains the unnecessary hardship for this situation comes from the slope of the adjacent topography and the minimum required roof pitch required by the Columbia County ordinance. The unique property limitation comes from the slope of the surrounding topography. Also, in reference to the protection of the public interest, the proposed dwelling would be located within the required minimum setbacks and would reduce the view obstructions for neighboring lots because of the lower sloped roof, so there'd be no adverse effect on public interest. She states the staff recommends approval of a variance to Section 16-125-100(A)(3) of the Columbia County Zoning Code, Single- and Two-Family Uses and Dwellings, to construct a single-family residence as shown on the site plan.

Helen McDonald Rawson asks if the petitioner would like to add anything.

Melissa Destree states she appreciates staff gathering info, and would like to add the intent of the zoning code is to have a proportioned house, and this is met and is less than regular.

Helen McDonald Rawson asks if anyone else has questions.

Helen McDonald Rawson asks if anyone is in favor of the petition. (no comments)

Helen McDonald Rawson asks if anyone is against the petition. (no comments)

Helen McDonald Rawson asks if there is anyone else wishing to speak.

Helen McDonald Rawson closes the Public Hearing and opens Discussion and Deliberation for the Board of Adjustment Members.

**Motion by Pat Beghin to approve Variance for
“Single- and Two-Family Uses and Dwellings, and Parcel & Building Standards**

in Residential Zoning Districts” as presented, including the findings of fact, conclusions, decisions and conditions of the Staff Report.

Seconded by Bernie Spink.

Motion carried, unanimously.

Darren Schroeder- Yes, Bernie Spink- Yes, Helen McDonald Rawson- Yes, Al Kaltenberg- Yes, Pat Beghin- Yes.

Item II Variance Consideration – Road Setbacks; Robert Johnson & Karen Johnson, Petitioners – Town of Caledonia

Karen Johnson
N3106 Cedar Park Road
Merrimac, WI

Casey Hosen
1850 North Street
Prairie du Sac, WI

Kenneth Thiele reviews the Staff Report. He explains the property contains a single family residence with a wraparound deck, and a detached garage. The original plat of this area was done in 1928. The house and garage were originally constructed between 1928 and 1962. Caledonia first adopted County Zoning on April 19, 1962. The existing residence is 1,334 sq. ft. and the detached garage is 720 sq. ft. and the wraparound deck is 1,098 sq. ft. A replacement septic system was installed in 1986 under sanitary permit 89-086.

The residence is currently 156’ from the Ordinary High Water Mark (OHWM) of Lake Wisconsin and 18.8’ from the platted centerline of Ash Street and 3.8’ from the platted right of way of Ash Street. The existing residence is 24’ from the centerline of the pavement known as Cedar Park Rd and 18’ from the edge of the pavement. The residence is 44’ from the platted right of way of Lake Street and 46’ from the platted centerline of Lake Street. The residence is 46’ from western property line. The current detached garage is 16.8’ from the platted right of way of Ash Street, 31.8’ from the platted centerline of Ash Street, 10.7’ from the western property line, 92’ from the platted centerline and right of way of Lake Street, and 170’ from the OHWM of Lake Wisconsin. The wrap around deck is 22.8’ from the platted centerline of Ash Street, 7.8’ from the platted right of way of Ash Street, 36’ from the platted centerline of Lake Street, 32’ from the platted right of way of Lake Street. The wrap around deck is 28’ from the centerline of the pavement known as Cedar Park Rd. and 22’ from the edge of the pavement.

Current impervious surfaces for the property is 12.9% or 3,944 sq. ft. The current impervious surfaces of the property include the house, garage, driveway, parking pad, wraparound deck, and stairs. Current building lot coverage is 2,054 sq. ft. or 6.7% of the lot.

The applicants have owned the property since 2013. The applicants are proposing an addition of 484 sq. ft. to be added to the southeast corner of the home. The addition would be in place of a portion of the wraparound deck. Essentially creating two decks, an 11' x 12' front deck and a 12' x 66' back deck.

The proposed addition would be 33.8' from the platted centerline of Ash Street, 18.8' from the platted right of way of Ash Street, 32' from the platted centerline and right of way of Lake Street, 39' from the centerline of the pavement known as Cedar Park Rd., 33' from the edge of the pavement of Cedar Park Rd., and 146' from the OHWM of Lake Wisconsin. The proposed front deck would be 22.8' from the platted centerline of Ash Street and 7.8' from the platted right of way of Ash Street. The proposed front deck would be 22' from the platted centerline and right of way of Lake Street. The proposed back deck would be 55.8' from the platted centerline of Ash Street and 40.8' from the platted right of way of Ash Street. The proposed back deck would be 33' from the platted centerline and right of way of Lake Street and 132' from the OHWM.

The new proposed impervious surfaces would 4,610 sq. ft. or 15% of the property. No mitigation would be required for the increase in impervious surfaces, as the property would be at the 15% threshold. The new proposed building lot coverage would be 2,538 sq. ft. or 8.3% of the property. That would be below the 20% threshold in the Columbia County Zoning ordinance.

He explains the unnecessary hardship would be that no additions can be placed on the house due to the proximity of the house to the platted roads of Ash Street and Lake Street. There is a unique property limitation in the fact that the platted roads of Ash Street and Lake Street were not installed, and there'd be no impact on public safety.

Helen McDonald Rawson asks if the petitioner has anything to add.

Karen Johnson states she hopes this addition gets approved because she loves the area, neighbors, and would want to stay there long term.

Helen McDonald Rawson asks if there are any other questions.

Helen McDonald Rawson asks if anyone is in favor of the petition. (no comments)

Helen McDonald Rawson asks if anyone is against the petition. (no comments)

Kenneth Thiele states there's an email the department received from neighbor William Nelson who lives at N3107 Cedar Park Road. It states he saw the flags in the ground that indicated the proposed corners of the addition and

deck, but when he saw the application information and plans, there is a stairway on the east side of the back deck that projects an additional 4+ feet east from the flags on the ground. As much of the value of lake property is derived from the water view, he wants to minimize any reduction of that view. He states he does not object to the proposed building addition as long as the proposed back deck and stairs does not extend any further east than the proposed addition wall/corner line. He believes stairs could be moved anywhere west of the corner to comply with this condition. He states his request for this limitation would be in keeping within "only the minimum relief necessary to allow reasonable use of property", as there seems to be ample deck area along the back.

Karen Johnson states this neighbor has a lot of stuff sitting in the yard that blocks both theirs and her views, so this email is surprising.

Casey Hosen adds that they are taking down 2 trees on the side noted in that email, so that will also open up the view. He states that other than the existing footprint being nonconforming, this proposal would not be in question, as it'd be allowed.

Bernie Spink asks if moving stairway would be an issue.

Casey Hosen states it could be modified if needed.

Karen Johnson states she is unsure why stairs is only view issue with them, because there's only 3 or 4 stairs there.

Casey Hosen adds that this neighbor's home sits at a higher elevation than the Johnson home.

Jim Zamzow (Town Board supervisor of Town of Caledonia is present and sworn in.

N5144 Messer Road
Merrimac, WI 53561

Jim Zamzow questions if addition is within setbacks.

Kenneth Thiele explains that when this was platted, they planned to put in roads but didn't. Now, they have to measure to those setbacks of the platted road that isn't there.

Helen McDonald Rawson asks if there's anyone else wishing to speak.

Helen McDonald Rawson closes the Public Hearing and opens discussion and deliberation for the Board of Adjustment members.

**Motion by Pat Beghin to approve variance for
"Road Setbacks" as presented, including the findings of fact, conclusions,
decisions and conditions of the Staff Report.**

Seconded by Darren Schroeder.

Motion carried, unanimously.

**Darren Schroeder- Yes, Bernie Spink- Yes, Helen McDonald Rawson- Yes, Al
Kaltenberg- Yes, Pat Beghin- Yes.**

12. Adjourn Meeting

Motion by Patrick Beghin to adjourn meeting.

Seconded by Al Kaltenberg.

Motion carried unanimously.

Meeting adjourned at 3:27 PM.

Respectfully submitted,

Darren Schroeder
Board of Adjustment Secretary


Recording Secretary
Lauren Ramirez, Office Administrator



cc: Board of Adjustment Members
County Clerk
Vern Gove, County Board Chair