

**MARQUETTE COUNTY ZONING DEPARTMENT
BOARD OF ADJUSTMENT APPLICATION SUMMARY**

DATE OF HEARING: October 3, 2016

APPLICANT: Nadine Nehls

ZONING DISTRICT: Recreational/Residential

The applicant is requesting Variances under Sections 70.53(A) and 70.15(M) of the Marquette County Zoning Ordinance for the reconstruction of a deck and the construction of an addition at reduced setbacks to the ordinary highwater mark.

SECTION 70.53(A):

Except as set forth in Subparagraph (D) below, all buildings and structures, except piers and boat hoists, which may require a lesser setback, shall be set back at least seventy-five(75) feet from the ordinary high water mark/wetland boundary.

SECTION 70.15(M):

Unless permitted under Section 70.15(N), every structure shall be set back seventy-five (75) feet from a wetland boundary or the ordinary high water mark of a lake, stream, man-made lake or impoundment, as determined by the Zoning Administrator. Building near the above-described boundaries is subject to reduced building setback averaging as defined herein.

The request is to construct a 70.5 square foot addition 41 feet to the OHWM and reconstruct the deck 39 feet to the OHWM of Crystal Lake. The current deck is 211 square feet in size and the proposed deck would be 365 square feet.

PETITION FOR VARIANCE
MARQUETTE COUNTY BOARD OF ADJUSTMENT

Date filed: August 31, 2016 \$300.00 fee (non-refundable) 612328

Applicant: Nadine Nehls 4211 Winnequah Dr. Monona, WI
 Address: W3812 Northwoods Trail, Crystal Lake, WI 53716
 Phone: 608-692-5097 Renee Panzer Et Al, 532 Westwood Dr
 Lot 101 of Northwoods Subdivision Sheboygan Falls, WI 53085

Legal Description: SE 1/4, SE 1/4, Section 06, T17 N, R10 E

Township: Crystal Lake 004-0094-0000; 004-0095-0000; 004-00355-0000
Tax Parcel Number: A **Fire No.** W3812

Zoning District: Residential
 Shoreland-Rec/Res

Lot area: .42 acre

Northwoods Trail

Current use and improvements: Residential

Variance requested

Section of ordinance:	<u>70.15 (M) 70.53 (A)</u> of the Marquette County Zoning Ordinance
Variance requested:	<u>for the addition of a 70.5 sq. ft addition and for the reconstruction of a deck at reduced setbacks to the ordinary high water marks</u>

Address each of the following criteria for granting a variance as described in the notice of requirements (attach additional pages if necessary):

- 1) Unnecessary hardship is present because... Please see attached
- 2) Compliance with the terms of the ordinance is prevented by unique features of this property... Please see attached
- 3) A variance will not be contrary to the public interest because... Please see attached

Attach a plot plan and a description of your construction plans.

Signed: Nadine Nehls
 Applicant/Agent/Owner

Date: 8/31/16

Remit to: Marquette County Zoning, P.O. Box 21, Montello, WI 53949
 (608) 297-3036

VARIANCE REQUEST FOR W3812 NORTHWOODS TRAIL, CRYSTAL LAKE

Description of Project: There are two components to our proposed project:

- 1) A small addition to the existing cottage,
- 2) A reconfiguration of the front (lake-facing) deck.

1) Addition to Existing Cottage

Description of Addition: We would like to build a 70.5 square feet (11 feet 9 inches x 6 feet) addition to the existing cottage, on the rear (non-lake) side of the house. It would be built on a crawl space foundation. The addition would allow for the construction of a second bathroom.

Unnecessary Hardship: The cottage is one of the original structures on Crystal Lake, built by the current owner's grandparents. It was built at a time when current setback restrictions were not in place, with limited resources, and to meet the needs of what was then a small family. Modest upgrades have been made over the years, but the cottage is now in significant need of refurbishing, both aesthetically and functionally, to accommodate the needs of a multi-generational family that comes together here from different parts of the state and beyond. For historical and financial reasons, we are very interested in achieving our goals of a 3 bedroom, 2 bath cottage with minimal disruption to the original structure.

We have worked with an architect to consider the most efficient way to add a second bathroom and to update appliances and finishes. In considering options, we have chosen the proposed option, which results in the least disruption to the original structure and is the most logical space for an additional bathroom.

Based on the unique properties of this lot (see below), adhering to current zoning setbacks will cause unnecessary hardship by making it impossible to add a second bathroom, thus limiting the function and enjoyment of the property.

Unique Physical Limitations of the Property: The shape of the lot, combined with the design and placement of the existing cottage (see site plan) makes strict conformity to the 75 foot ordinary high water marks (OHWMs) setback impossible, as the current structure is already well inside this boundary. W3812 Northwoods Trail is unique, as it is the only lot on Crystal Lake that has three OHWMs. It is bordered by the lake in the front of the cottage and a non-navigable creek or outlet on the side and back of the cottage. The creek is non-navigable because it is narrow, less than a foot in depth and is interrupted by a low culvert at the back of the property. The design of the current

cottage is also unique in that it logically only allows for additions to the back of the house. Given the current cottage design and our interest in adding a second bathroom, the only option is the back corner of the cottage, as diagramed on construction plan. Although a very minor addition to the footprint of the current cottage, this site is within 75' of the creek, rendering it unbuildable without an approved variance.

Harm to Public Interests: The proposed plan does not result in harm to public interests because of its minimal increase in square footage (70.5) and unobtrusive location. If granted, the variance will involve limited land use and avoids visual impingement to any home owner or boater.

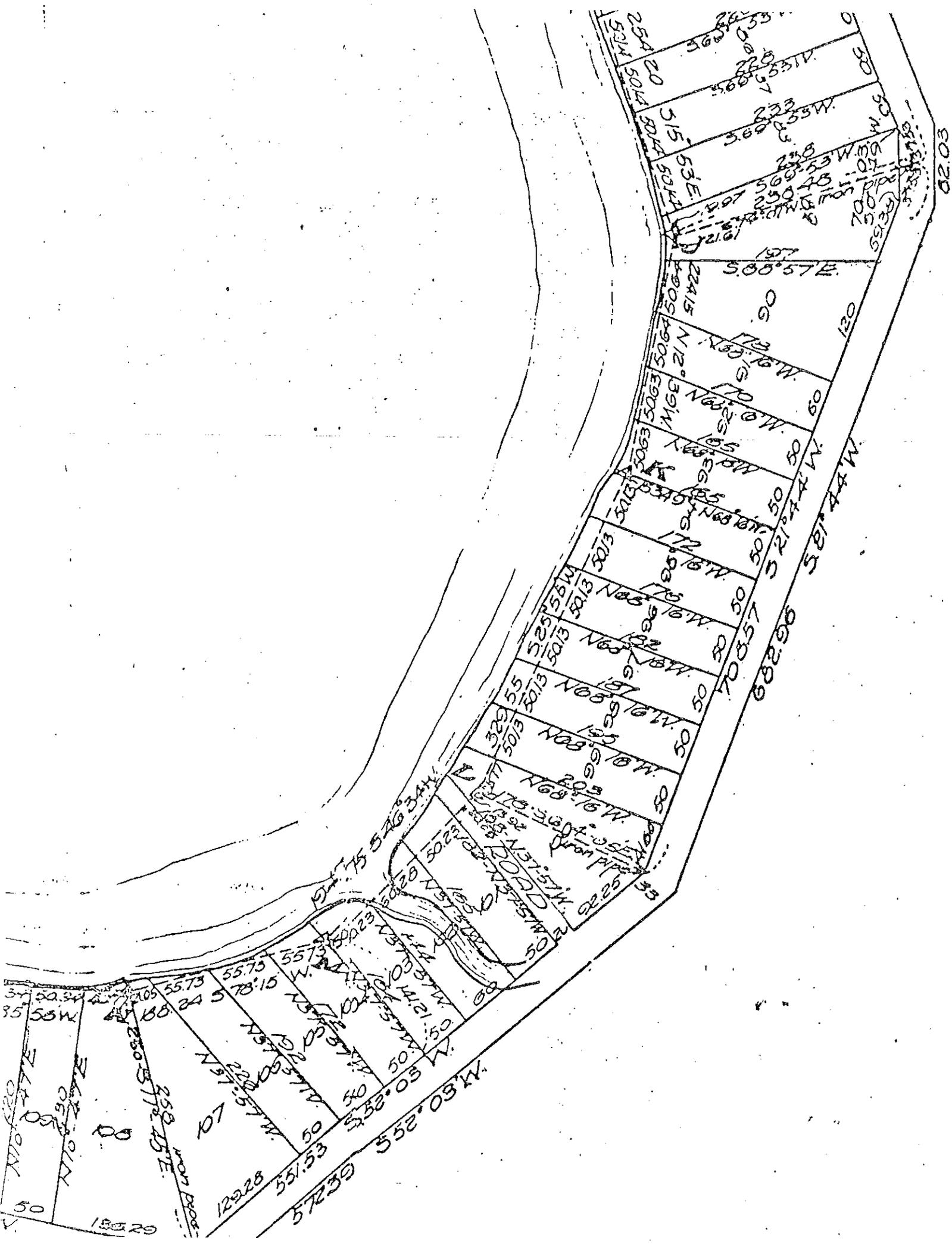
2) Reconstruction of Front Deck

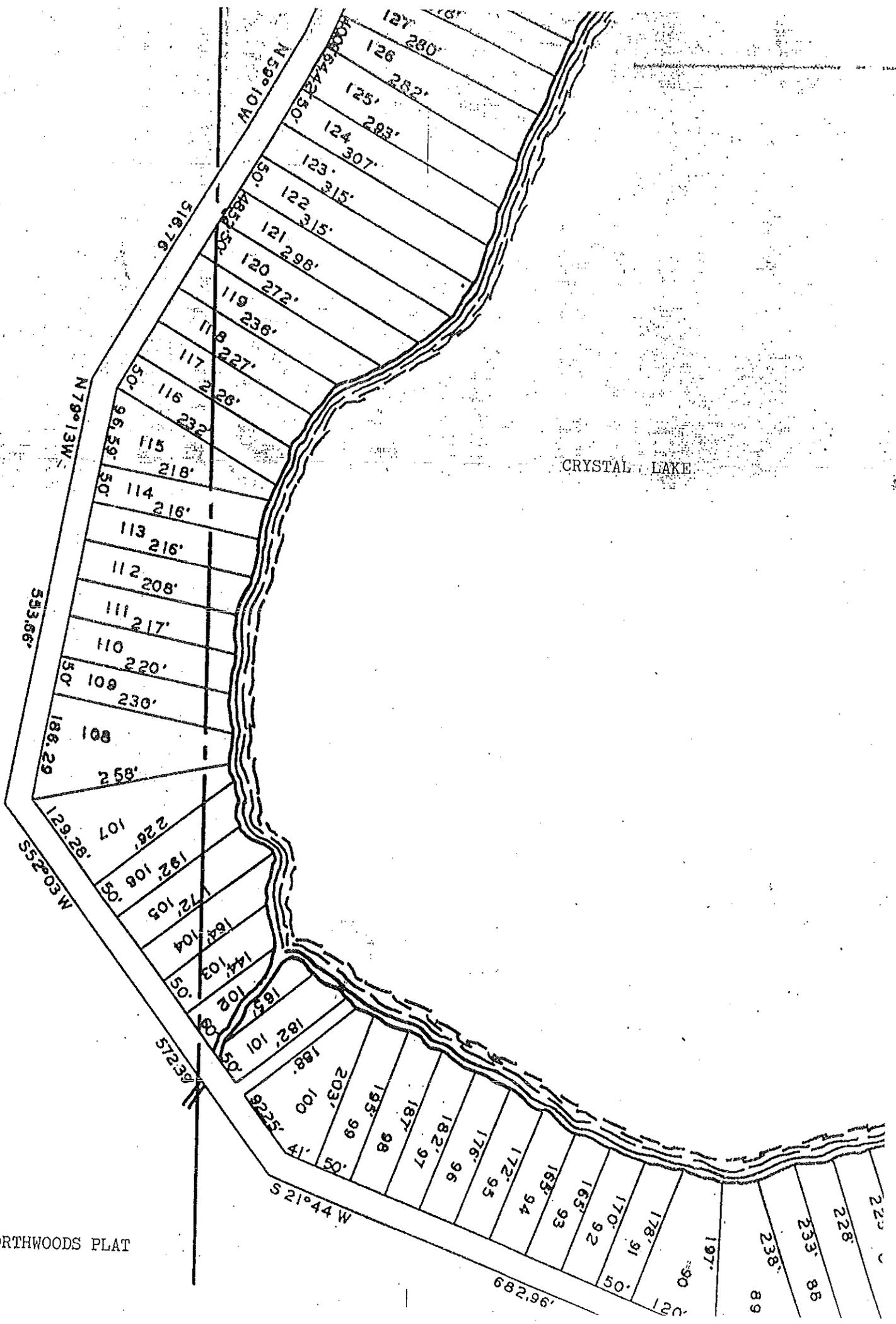
Description of Deck: We would like to reconstruct the existing front deck, the current version of which is in significant disrepair. The proposed plan is to change the current shape to create greater access to the deck, pier, and lake. The current deck is 11 feet 9 inches wide by 18 feet long; the proposed change would create a narrower and longer deck of 10 feet wide by 36 feet 6 inches long. The proposed plan would minimize additional square footage while increasing the utility of indoor and outdoor spaces.

Unnecessary Hardship: The siting of the existing cottage makes strict conformity to the 75 foot setback unnecessarily burdensome. The 60+ year old dwelling does not conform to current setback from OHWMs. Consequently, any deck will be out of compliance. We are asking for a narrower and longer deck because the current windows and door in the front of the house need to be replaced. We would like to use sliding glass doors or a combination of windows and sliding glass doors to increase natural light in the cottage and allow for more and easier access to outdoor grilling from the kitchen, and pier and lake access from the kitchen and living room. A replacement of the existing deck would not allow for the proposed updates to the existing cottage.

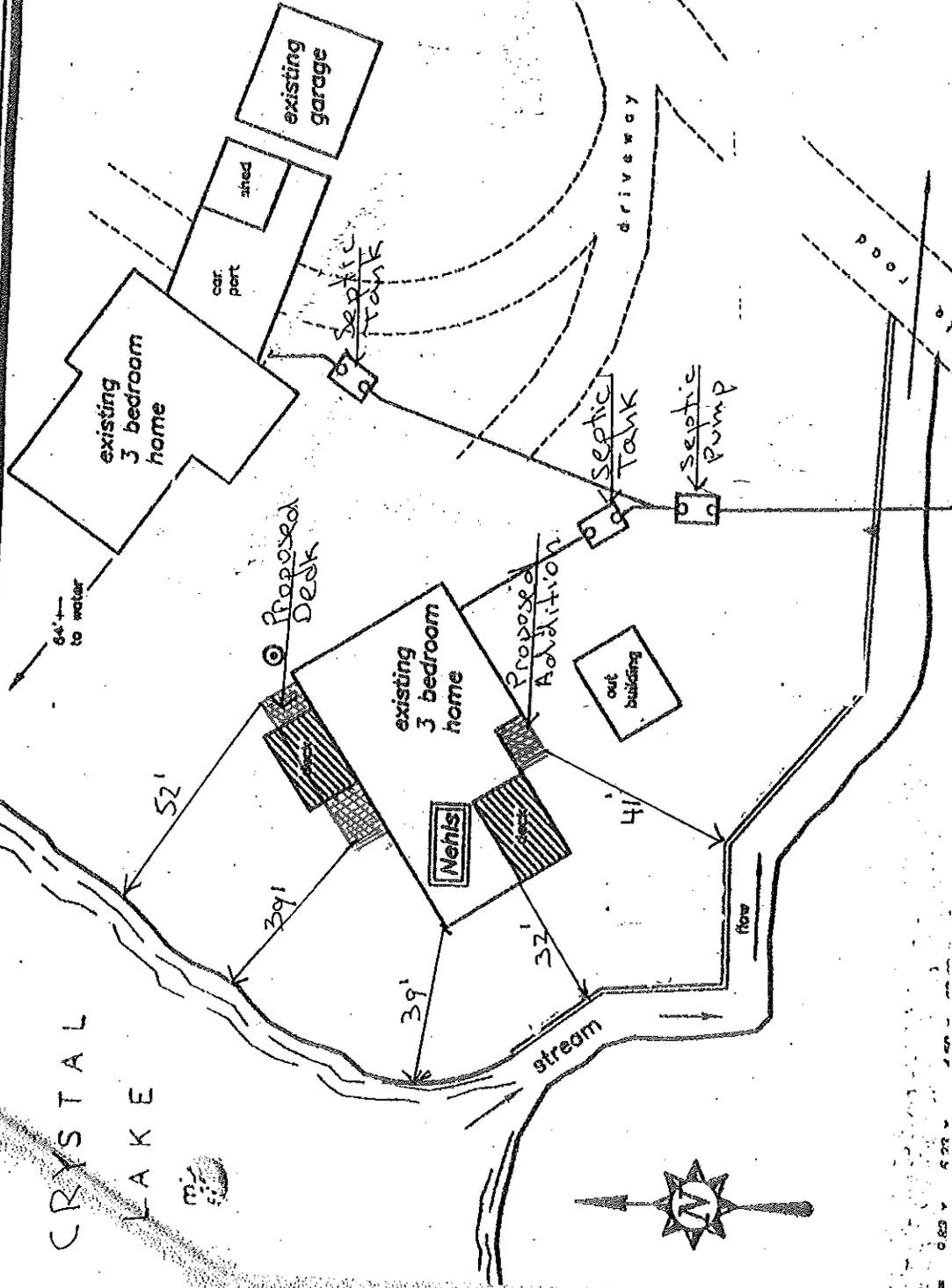
Unique Physical Limitations of the Property: As previously mentioned, we are challenged by needing to work with the existing structure. A deck is needed to exit the house toward the lake and any deck will be out of compliance with current setbacks. The proposed plan takes us closer to the 75 foot setback from the lake and keeps us well within the 15 setback from the side lot line.

Harm to Public Interests: The proposed plan does not result in harm to public interests because it does not infringe on the neighbors' views or side lot line setbacks, and in our opinion will improve the appearance and function of the property.

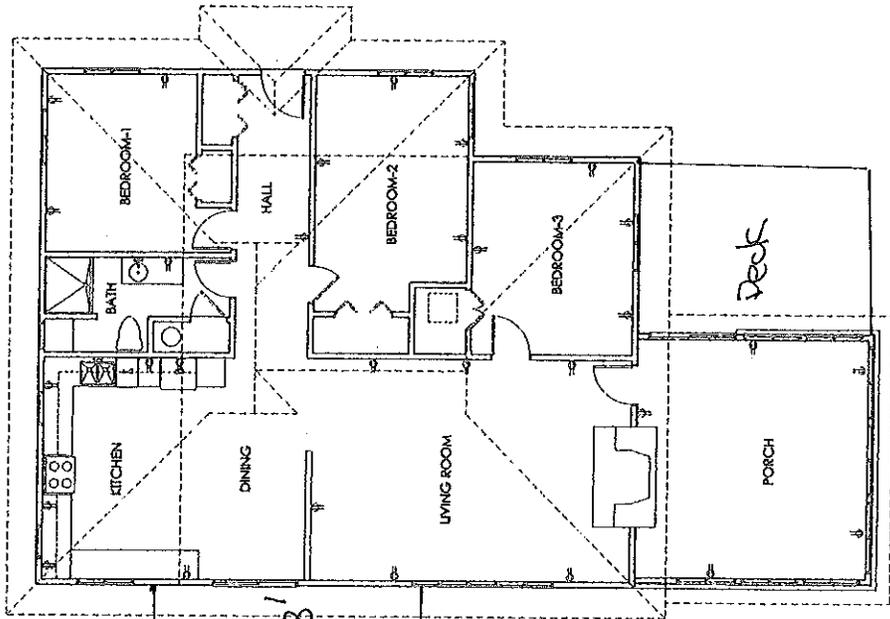




CRYSTAL LAKE

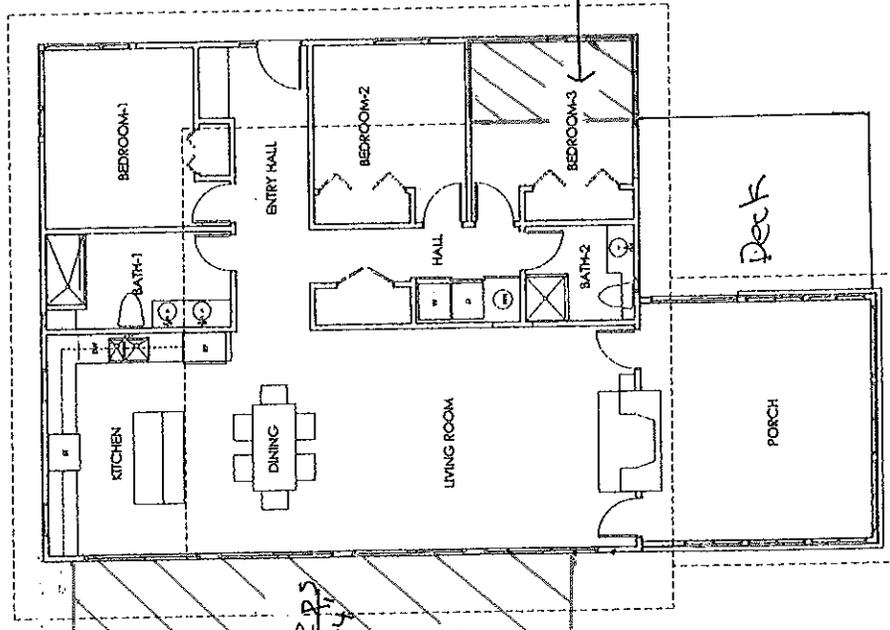


0.825 5.272



CURRENT

11'9" x 18'
 Deck
 steps
 6' x 4'



PROPOSED

Proposed
 Deck
 36'6" x 10'
 steps
 8' x 4'

Proposed
 Addition
 11'9" x 6'



MARQUETTE COUNTY Zoning Department



Administrator—Thomas Onofrey
Secretary--Nora Beskow

P.O. Box 21 Montello, WI 53949
(608) 297-3036

Technician—Dustin Grant
Secretary—Nadine Klapoetke

September 1, 2016

TOWN OF CRYSTAL LAKE OFFICIALS

Dear Officials:

Nadine Nehls, 4211 Winnequah Dr, Monona, WI 53716/Renee Panzer, Et Al, 532 Westwood Dr, Sheboygan Falls, WI 53085 are requesting a Variance under Sections 70.15(M) and 70.53(A) of the Marquette County Zoning Ordinance for the construction of a 70.5 sq ft addition and for the reconstruction of a deck at a reduced setback to a wetland boundary and the ordinary high water mark on Lot 101 of Northwoods Subdivision, in the SE¼ -SE¼, Section 6, T17N R10E, Town of Crystal Lake. Fire # W3812 Northwoods Trail

We have enclosed copies of the information we currently have available. A public notice will be sent later as the hearing date gets closer.

You have no legal responsibility to act on a Board of Adjustment application, but if you take some type of action, please send us a copy of your monthly meeting minutes for our file prior to the hearing.

We have advised Ms. Nehls & Ms. Panzer to be in touch with the Town Board to be placed on your monthly meeting agenda if you desire to discuss the proposal.

If you have any questions please let us know.

Sincerely,

Nora J. Beskow
Zoning Department Staff
Marquette County

NJB: n
Encl.

NOTICE OF TOWN BOARD DECISION

The Crystal Lake Town Board heard the

Variance Request of Nadine Nehls

at their September 8, 2016 Town Board Meeting.

The Town Board took the following action:

Approved Variance Request

Denied Variance Request

Took no action on Variance Request

* Motion was made by Wollert, seconded by Lotspeich to approve the request for the additional bathroom and take no action on the request for the deck. Motion carried.

Sandra Vaughan
Sandra Vaughan, Town Clerk

September 12, 2016
Date

Rec'd
SEP 19 2016
Zoning Dept.



MARQUETTE COUNTY

Zoning Department



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September 1, 2016

Nadine Nehls
4211 Winnequah Dr
Monona, WI 53716

Renee Panzer, Et Al
532 Westwood Dr
Sheboygan Falls, WI 53095

Dear Ms. Nehls & Ms. Panzer:

We have scheduled you for an October 3, 2016 public hearing before the Board of Adjustment.

It is advisable for you to contact the Town Board of Crystal Lake to be placed on their monthly meeting agenda should they have any questions regarding your proposal. This should be done promptly if you have not already done so.

We have forwarded copies of your proposal/application to the Crystal Lake Town Board members and any additional information you have available that you could provide them would be helpful. An official public notice will be coming later as your hearing date gets closer.

If you have any questions, please let us know.

Sincerely,

Nora J. Beskow
Zoning Department Staff
Marquette County

NJB: n
Encl.

Town Chairman: Dennis Fenner, N8416 St Rd 22, Neshkoro, WI 54960
920-293-4331

Town Clerk: Sandra Vaughan, W2891 Deerborn Dr, Neshkoro, WI 54960
920-293-4681



MARQUETTE COUNTY Zoning Department



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AFFIDAVIT OF MAILING

STATE OF WISCONSIN
COUNTY OF MARQUETTE

RE: NADINE NEHLS/RENEE PANZER

Thomas Onofrey, being first duly sworn, deposes and says that he is the duly appointed and acting Zoning Administrator for Marquette County, and that in such capacity he sent copies of the notice of public hearing in the above-titled act on to each of those listed below, at the addresses as indicated. Said notice was deposited in the United State Mail at Montello, Wisconsin on the 14th day of September, 2016.

Respectfully submitted,

Thomas Onofrey
Zoning Administrator
Marquette County

Attn: Renee Panzer POA
Dorothy Guse LE
532 Westwood Dr
Sheboygan Falls, WI 53085

Charles & Susan Deter
200 One Nineteen Blvd, Apt 2126
Hoover, AL 35242

Richard Bromley
819 Simpson St, # 2
Evanston, IL 60201

Steve & Ann Means
Dean & Amy Stockman
3676 Blackhawk Ave, SW
Oxford, IA 52322

DMMMD Family
Don & Marilee Muth
1460 Hidden Waters
West Bend, WI 53095

John Cole
41 Twinshore Dr
Carmel, IN 46033

Tom Gross
910 Country Club Lane
Fond du Lac, WI 54935

Rosalynn Lucille Brieman
136 E Oak Grove St
Juneau, WI 53039

Attn: Roxane Meilicke
Crystal Lake Club
P.O. Box 577
Wautoma, WI 54982

Ida Androwich
748 Kinsington
LaGrange Park, IL 6526

Glenn Sharratt
W3990 Northwood Tr
Wautoma, WI 54982

Dept of Natural Resources
P.O. Box 7921
Madison, WI 53707

Sandra Vaughan
W2891 Deerborn Dr
Neshkoro, WI 54960

Dennis Fenner
N8416 St Rd 22
Neshkoro, WI 54960