

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

DATE OF HEARING: January 9, 2017

APPLICANT: James and Susan Wierschem

ZONING DISTRICT: Agriculture Residential (AG-3)

The applicants are requesting a Variance under Section 70.25(C) of the Marquette County Zoning Ordinance for the construction of a garage at a reduced setback to a lot line.

SECTION 70.25(C):

In addition to the setbacks required in Section 70.17, all buildings shall have a minimum setback of twenty (20) feet from all lot lines.

The applicants are proposing to construct a 24ft x 24ft garage at a setback of 13ft from the lotline.

PETITION FOR VARIANCE
MARQUETTE COUNTY BOARD OF ADJUSTMENT

Date filed: 11/11/2016 \$300.00 fee (non-refundable)

Applicant:	<u>JIM + SUEAN WIERSCHEM</u>
Address:	<u>W434 RIVERVIEW DR MONTELLO WI 53949</u>
Phone:	<u>608 552 2209 608 575 3531</u>

Lot 10, Schultz Bros Plat
Legal Description: SW 1/4, SW 1/4, Section 3, T 15 N, R 11 E

Township: Mecan **Tax Parcel Number:** 10-324 **Fire No.** W434 Riverview Dr

Zoning District: AG-3, Agricultural Residential **Lot area:** _____

Current use and improvements: SINGLE FAMILY RESIDENTIAL

Variance requested

Section of ordinance:	Section 70.25(C) of the Marquette County Zoning Ordinance <u>Ab 3 20' FROM LOTLINE</u>
Variance requested:	for the construction of a garage at a reduced setback to <u>12' FROM LOTLINE</u> a lot line

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... HOME IS BUILT ON SMALL LOT 10 SCHULTZ BROTHERS PLAT. NO OPTION FOR EXPANSION IN ANY OTHER LOCATION ON LOT.
- 2) Compliance with the terms of the ordinance is prevented by unique features of this property... CURRENT HOME IS LESS THAN 20' TO LOT SIDE LINES ON BOTH SIDES. WELL AND SEPTIC AND RIVER PREVENT CONSTRUCTION IN ANY OTHER LOCATION.
- 3) A variance will not be contrary to the public interest because... WILL NOT INTERFERE WITH ANY UTILITIES, SEPTIC LINES OR FUTURE USE OF THE AREA. ONE ADDITIONAL

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

Signed: [Signature]
 Applicant/Agent/Owner

Date: 11/11/2016

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

See Page 30

MECAN S T-15-N • R-11-E



Green Lake County

Green Lake County

W1300

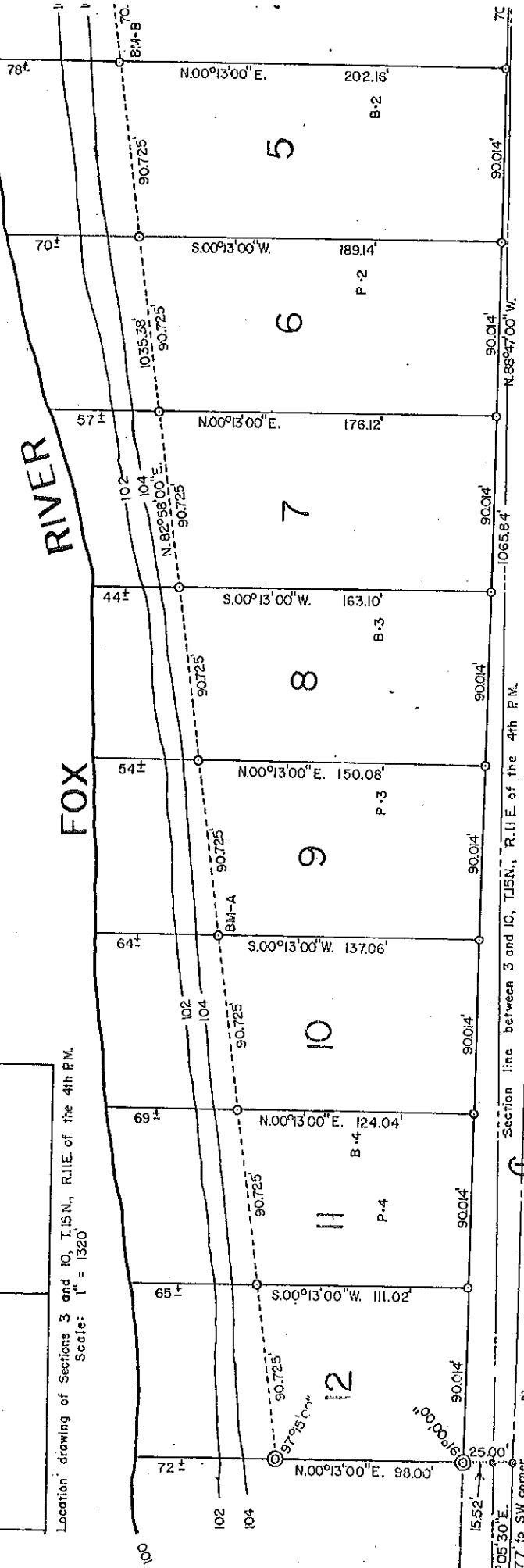
Green Lake County

W500

W100

- P-NP denotes percolation test
- B-NP denotes soil boring
- ⊙ denotes 2" x 30" iron pipe 3.78 lbs/ft.
- denotes 1/4" x 30" iron pipe 2.23 lbs/ft.

Location drawing of Sections 3 and 10, T.15N., R.11E. of the 4th P.M.
 Scale: 1" = 1320'



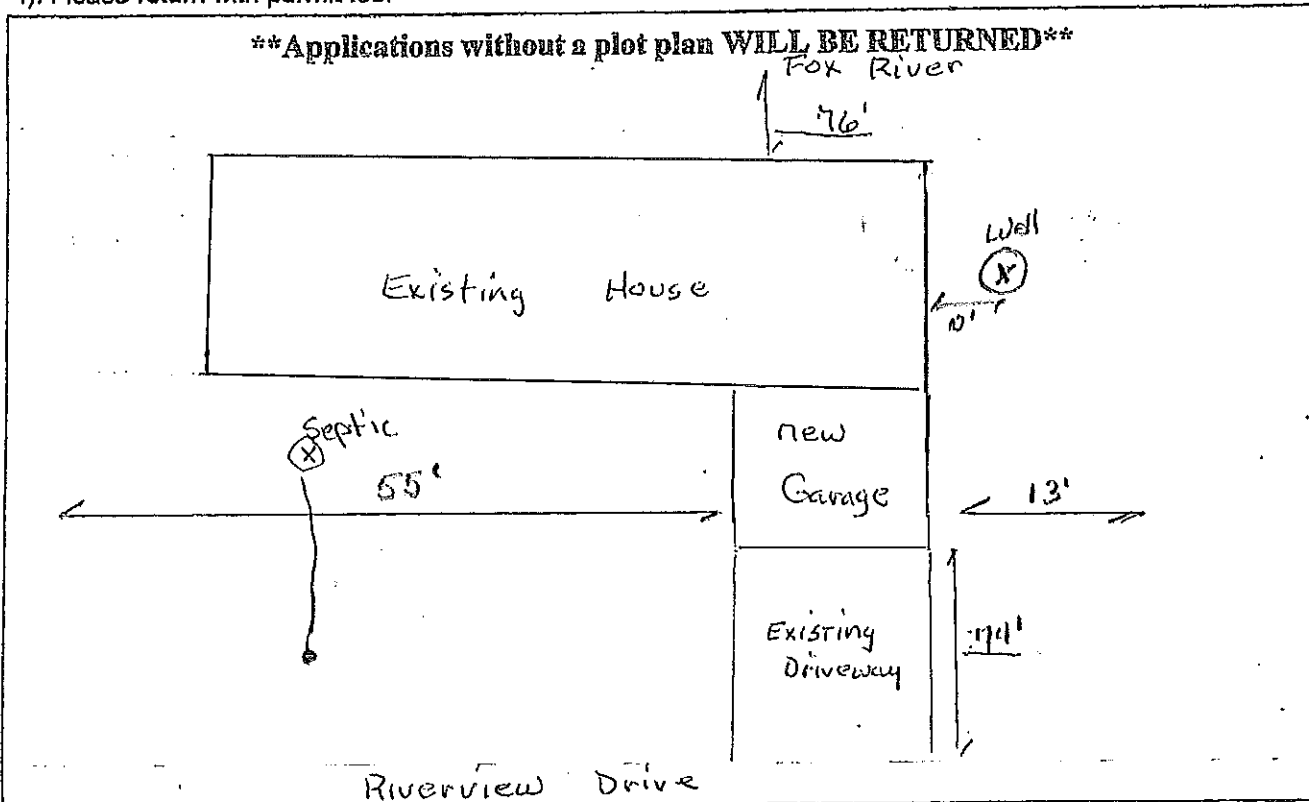
UNPLATTED LANDS
 TOWN ROAD
 UNPLATTED LANDS
 Section line between 3 and 10, T.15N., R.11E. of the 4th P.M.
 15.52' 25.00' 25.00'
 S.89°05'30"E.
 639.77 to SW corner
 of Sec. 3, T.15N., R.11E.

Required Setbacks (From Closest point of Construction)

Ordinary High Water Mark/Wetland Boundary: 75 Feet Lotline _____ 10 Feet/ 20 Feet/ 50 Feet
 (Depending on Zoning District)
 Centerline of Road _____ 63 Feet Town Road _____ 75 Feet County Highway _____ 110 Feet State Highway

PLOT PLAN (Site as viewed from above)

- 1). Make a drawing of your project.
- 2). Show distances from Centerline of Road(s), All Lotlines, and Ordinary High Water Mark if applicable.
- 3). Show location of the Septic System and replacement system area if applicable.
- 4). Please return with permit fee.



The undersigned hereby makes application for the work described and located as shown herein. The undersigned agrees that all such work shall be done in accordance with all the requirements of the Zoning Ordinance and all other applicable ordinances of Marquette County and all applicable laws, codes and regulations of the State of Wisconsin, and states that the above information is true to the best of his or her knowledge. Issuance of this permit is not to be construed as legal responsibility for the construction on the part of Marquette County or its staff. Pursuant to Marquette County Zoning Ordinance 16.0101(1)(e), by applying for this permit the undersigned grants permission for the Marquette County Zoning Department, its agents or assigns, to enter upon the premises and inspect the work to determine compliance with the zoning ordinances and the terms of this permit.

Signature of Owner or Agent Bary Duser

INSPECTION ***FOR OFFICE USE ONLY*******

<p><u>Setbacks</u></p> <p>Wetland _____</p> <p>Waterline _____</p> <p>Lotline _____</p> <p>Road _____</p> <p>Inspector _____</p>	<p>Comments: _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Date _____</p>
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MARQUETTE COUNTY

Zoning Department



Administrator—Thomas Onofrey
Secretary--Nora Beskow

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

Technician—Dustin Grant

Zoning Department Staff report to the Marquette Board of Adjustment

Prepared by: Tom Onofrey-Zoning Administrator
Applicant: James and Susan Wierschem
Hearing date: January 9, 2017

PARCEL INFORMATION

Property location: Lo 10, Schultz Brothers Plat, Section 3, Town of Mecan.

The property is zoned Agriculture Residential (AG-3) and located on the Fox River.

BACKGROUND

The applicants are requesting a Variance to construct a garage at a reduced setback to a lot line. The proposed setback is 13 feet. The property is under both General and Shoreland zoning. The setback requirement under the General zoning ordinance is 20 feet under Shoreland it is 10 feet meaning only a variance to the General zoning ordinance is needed. The proposed garage would be an extension of the existing attached garage.

DISCUSSION

The application is an area Variance and the Board must determine if the applicant is prevented from using the property for its intended purpose and if the ordinance is unnecessarily burdensome if the request is denied. The intended purpose of the property is residential.

RECOMMENDATION

The Zoning Department recommends that the application be approved. The applicants do not have any other options for the construction and the fact that the construction meets the Shoreland zoning ordinance requirement makes the General zoning setback unnecessarily burdensome.



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

November 23, 2016

TOWN OF MECAN OFFICIALS

Dear Officials:

Jim & Susan Wierschem, Owners, W434 Riverview Dr, Montello, WI 53949 and Gary Glunn, Double G Construction, Agent, W2938 St Rd 23, Montello, WI 53949 are requesting a Variance under Section 70.25(C) of the Marquette County Zoning Ordinance for the construction of a garage at a reduced setback to a lot line on Lot 10, Schultz Bros Plat, in the SW¼- SW¼, Section 3, T15N R11E, Town of Mecan. Fire # W434 Riverview Dr

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 Mr. & Ms. Wierschem and Mr. Glunn 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.



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

November 23, 2016

Jim & Susan Wierschem
W434 Riverview Dr
Montello, WI 53949

Gary Glunn, Double G Construction
W2938 St Rd 23
Montello, WI 53949

Dear Mr. & Ms. Wierschem & Mr. Glunn:

We have scheduled you for a January 9, 2017 public hearing before the Board of Adjustment.

It is advisable for you to contact the Town Board of Mecan 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 Mecan 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: Mike Raddatz, W460 Huron Bay Dr, Montello, WI 53949
920-2956882

Town Clerk: Caroline Gemoll, N3544 Tomahawk Tr, Montello, WI 53949
920-295-6724



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

December 19, 2016

APPLICANT/AGENT: **JAMES & SUSAN WIERSCHEM, OWNER**
GARY GLUNN, DOUBLE G CONSTRUCTION, AGENT

Your pending application is on the agenda to be heard by the Marquette County Board of Adjustment at a public hearing which will be held at the Marquette County Courthouse in Montello, WI on: **Monday, January 9, 2017 at 4:00 PM**

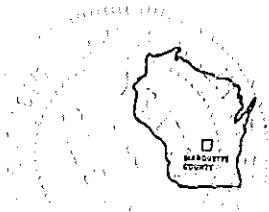
In addition to the information already on file, please submit the following information or documents, as soon as possible: **Your file is all in order for your hearing before the Marquette County Board of Adjustment.**

The Board of Adjustment greatly prefers to talk to the applicants directly, but you may be represented at the public hearing by agent or attorney. It is important for someone familiar with the proposal to be present in order to answer any questions that might come up. If no one appears to present your application or respond to questions, the Board may table or deny the application.

The burden is upon the applicant to establish that in the absence of a Variance being granted, no feasible use can be made of the property. Variances are not intended to be granted for reasons of convenience, personal preference, or in cases of hardship that are self-created. For Special Exceptions, the applicant must demonstrate that the proposed use is compatible with existing land uses in the area and will not harm other property owners or the general public. The Board has the authority to approve as presented, approve with modifications or conditions, or deny with justification any application within its jurisdiction.

Sincerely,

Thomas Onofrey
Zoning Administrator
Marquette County



MARQUETTE COUNTY Zoning Department



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Secretary--Nora Beskow

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AFFIDAVIT OF MAILING

STATE OF WISCONSIN
COUNTY OF MARQUETTE

RE: JAMES & SUSAN WIERSCHEM

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 19th day of December, 2016.

Respectfully submitted,

Thomas Onofrey
Zoning Administrator
Marquette County

Tim Monty
W445 Riverview Dr
Montello, WI 53949

Diane Caminata
W437 Riverview Dr
Montello, WI 53949

Tom Breiling
N4471 22nd Ct
Montello, WI 53949

Ron Timm
2971 Bromfield Dr
Oshkosh, WI 54904

Gregg & Deb Huckabone
N3563 Catfish Tr
Montello, WI 53949

John & Deb Moon
77 Johnson Ave
Oshkosh, WI 54902

Jeff Klingbell
N6357 St Rd 73
Princeton, WI 54968

Robert & Kim Martin
1185 S Springdale Rd
Waukesha, WI 53186

Steve Radaj
W192 Riverview Dr
Montello, WI 53949

Wayne & Gail Heiderich
W180 Riverview Dr
Montello, WI 53949

Peter Stryjewski
1314 Haines Ave
Columbus, OH 43212

Barbara Peteranetz
W299 Riverview Dr
Montello, WI 53949

Jeanne Nugent
1530 Lakeview Dr
Tomah, WI 54660

Ronnie & Helene Daane
W11718 Hemp Rd
Brandon, WI 53919