

Notice is hereby given that the Racine County Zoning Board of Adjustment will hold a conference call public hearing at 9:00 a.m. on Tuesday, August 4, 2020. **Pursuant to the Racine County Executive's Administrative Order Dated March 26, 2020 this meeting is being held via phone conferencing and no personal gathering will take place.** The call-in phone number and meeting passcode are as follows: Dial in: 606-653-0291 Passcode: 4324074. The purpose of the hearing is to hear appeals for relief from Chapter 20 (Zoning) of the Racine County Code of Ordinances, of:

Jack and Julie Howard
30245 Poplar Dr.
Burlington, WI 53105

Request a variance to raze the existing residence with wood deck and detached garage and construct a single-family residence with attached garage and concrete patio, located at 30245 Poplar Dr., Sec. 27, T3N, R19E, Town of Burlington.

Permit was denied and a variance is requested as the proposed single-family residence with attached garage will have insufficient side yard setback and the proposed concrete patio will have insufficient shore yard setback.

Applicants are subject to Article VI, Division 7 R-4, Urban Residential District I; Art. VII, Div. 3 Shoreland; Art. VIII, Div. 8 Shoreland Uses; Section 20-191 Substandard Nonconforming Lots; Sec. 20-1017 Reduction or Joint Use; Sec. 20-1120 Average Street Yards, and Natural Resources Code 115 Minimum Zoning Standards for Shorelands of the Wisconsin Administrative Code of the Racine County Zoning Ordinance.

Justin and Julie Klawitter
S80W23775 Parkview Dr.
Big Bend, WI 53103
Extreme Exteriors, Agent

Request a variance to construct a fire pit surrounded by crushed granite and paver edge, located at 6507 Riverside Rd., Sec. 14, T4N, R19E, Town of Waterford.

Permit was denied and a variance is requested as the proposed fire pit surrounded by crushed granite and paver edge will have insufficient shore yard setback and will exceed the maximum 200-sq. ft. of open sided structures within the 75-foot shore yard setback.

Applicants are subject to Art. VI, Div. 6 R-3A, Suburban Residential District (Sewered); Sec. 20-1017 Reduction or Joint Use, and Natural Resources Code 115 Minimum Zoning Standards for Shorelands of the Wisconsin Administrative Code of the Racine County Zoning Ordinance.

The above petitions are on file at the Development Services Office. These files can be inspected via email upon request to RCPUBLICWORKS@Racinecounty.com from 8:00 a.m. to 12:00 p.m. & 12:30 p.m. to 4:30 p.m., Monday through Friday. Written comments via the email listed herein are welcome for these public hearing items, prior to 8:00 a.m. the date of the hearing.

Published: July 22 & 27, 2020

Julie A. Anderson
Racine Co. Public Works & Development Services Director

APPLICATION FOR A VARIANCE/APPEAL

Racine County, Wisconsin

Owner: Cody Klawitter Justin and Julie Klawitter
Address: 580 W 23775 Parkview Dr.
Big Bend WI 53103
Phone (Hm) (262) 391-0772 (Wk) -

Applicant/Agent: BairBair/Extreme Exteriors
Date petition filed: 7/8/20 Hearing Date: 8/4/20
Municipality: Waterford
Zoning district(s): R-3A

TO THE ZONING BOARD OF ADJUSTMENT/APPEALS: Please take notice that the undersigned was denied a permit or seeks an appeal of the Zoning Administrator for: a firepit with crushed granite and a paver edge

at site address 6507 Riverside Road, Section 14, T U N, R 19 E
Lot(s) 5 Blk - Subd/CSM Starks Fox River Park Parcel Id.# 016041914264000
in Racine County, Wisconsin, for the reason that the application failed to comply with Chapter 20 (Zoning) of the Racine County Code of Ordinances with respect to: proposed firepit with crushed granite and a paver edge will have insufficient shoreyard setback and exceed the maximum 200sq-ft of open sided structures within 75' shoreyard setback
Applicant is subject to: Art VI Div. 6 R-3A Suburban Residential District (Sewered); Art VII, Div. 3 Shoreland; Art VIII Div. 8 Shoreland Uses; Sec. 20-191 Substandard Non-conforming Lots; and Sec. 20-1017 Reduction or Joint Use + Sec. 20-1045 No structures Permittal within Shoreland Setback Area

of the Racine County Zoning Ordinance.
Check applicable below: (Underline or circle the word "all" or "partially" below, as needed)
 Property is partially located in the shoreland area of Fox River Impoundment
 Project is partially located in the shoreland area of MA
 Property is partially located in the floodplain area of MA
 Project is all/partially located in the floodplain area of MA
 Property is all/partially located in a wetland area. Project is all/partially located in a wetland area.

Indicate below or attach separate pages showing how your application meets the legal criteria for a variance.

- 1) Explain how the Ordinance creates an **unnecessary hardship** and in the absence of approval no feasible use can be made of the property. Due to the site situation there is limited use to his backyard space up until the water. We would still like to keep distance from the lake and still have features on the property. A permanent structure is safer than a mobile one with a family that has kids. Able to maintain firepit size
- 2) Describe the **exceptional, extraordinary or unusual circumstances** that are unique to this lot or structure. This lot is a much smaller lot than surrounding ones. We had to get a variance just to fit the house on the lot which already encroaches in on the 75' offset. Most surrounding lots have the space to have this outdoor feature without a variance. This homeowner would like to enjoy/maximize his lot.
- 3) Describe how the approval would not create **substantial detriment** to adjacent property or materially impair or be contrary to the purpose and spirit of zoning or the public interest. This firepit space would be tucked in the tree space and not physically impair the views of the adjacent neighbor. It is far enough on the homeowners property that it doesn't get close to any neighbor disturbance.
- 4) Explain how the request is not based on **economic gain or loss** and is not **self-imposed**. This feature is being installed as a usability feature to enjoy his property and due to the size of the lot and house location he wouldn't be able to have any features on his property with these offset restrictions. All surrounding neighbors have this feature

Owner/Applicant's Signature BairBair, Extreme Exteriors Date July 8th 2020

Fee pd: \$ 450⁰⁰ Ck # 10513 (Payable to Racine County Development Services) Attach required documentation

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APPLICATION FOR ZONING PERMIT
 RACINE COUNTY, WISCONSIN (Rev. 11/20)

PERMIT NO. _____
 DATE PERMIT ISSUED _____

OWNER Cody Klawitter Justin and Julie Klawitter
Mailing Address 580 W 23775 Parkview Dr.
Big Bend WI 53103
Phone (H) (262) 391-0772 (W)

APPLICANT Bari Bahr/Extreme Exteriors
Mailing Address W22458535 Industrial Drive
Big Bend WI 53103
Phone (H) (262) 662-9936 (W) 414-640-5308

Parcel Id. # 016041914 264000 Site Address 6567 Riverside Road

Municipality Waterford Section(s) 14 Town U North, Range 19 East

Lot 5 Block _____ Subdivision Name Stark's Fox River Park CSM # _____

Proposed Construction/Use Fire pit with crushed granite around it with a paver edge

New <input checked="" type="checkbox"/>	Principal Bldg.	Size (<u>17'</u> x <u>circle</u>) (_____ x _____) (_____ x _____)
Addition <input type="checkbox"/>	Accessory <input checked="" type="checkbox"/>	Area (sq ft) (<u>276.9'</u>) (_____) (_____)
Alteration <input type="checkbox"/>	Deck <input type="checkbox"/>	# of Units/Stories <u>1</u> Building Ht.-Avg. (ft.) _____
Conversion <input type="checkbox"/>	Sign <input type="checkbox"/>	Peak Ht. (ft.) _____ 100-Yr. Floodplain Elev. <u>275.7</u>
Temporary <input type="checkbox"/>	Other <input type="checkbox"/>	Eave Ht. (ft.) _____ Flood Protection Elev. <u>277.7</u>

Contractor Extreme Exteriors **Est. Value w/Labor** \$ 6,000.00 **ZONING DISTRICT** R-3A

Existing Nonconforming? <u>N/A</u> <input checked="" type="checkbox"/> * Yes _____ No _____	Yard Setbacks	Proposed	OK?
*Structure's Fair Mkt Value \$ _____	Cumulative % <u>—</u>	Street-1 st	_____
*>50% of Fair Market Value? <u>N/A</u> <input checked="" type="checkbox"/> Yes _____ No _____		Street-2 nd	_____
Structure in Shoreland? (per map) <u>Yes</u> <input checked="" type="checkbox"/> Yes _____ No _____		Side-1 st	<u>10'</u>
Structure in Floodplain? (per map) <u>Yes</u> <input type="checkbox"/> Yes _____ No <input checked="" type="checkbox"/>		Side-2 nd	<u>16.5'</u>
Structure in Wetland? (per map) <u>Yes</u> <input type="checkbox"/> Yes _____ No <input checked="" type="checkbox"/>		Rear	_____
Substandard Lot? <u>Yes</u> <input checked="" type="checkbox"/> Yes _____ No _____		Shore	<u>17.3'</u>
Abutting Lot-Same Owner/Closely Related? <u>Yes</u> <input type="checkbox"/> Yes _____ No <input checked="" type="checkbox"/>	Total Acc. Structures	_____	_____
BOA Variance Needed? <u>Yes</u> <input checked="" type="checkbox"/> Yes _____ No _____	Date of Approval	_____	_____
Conditional Use/Site Plan Needed? <u>Yes</u> <input type="checkbox"/> Yes _____ No <input checked="" type="checkbox"/>	Date of Approval	_____	_____
Shoreland Contract Needed? <u>Yes</u> <input type="checkbox"/> Yes _____ No <input checked="" type="checkbox"/>	Date of Approval	_____	_____

Additional Zoning Permit Stipulations Listed on Back of this Form? **Yes** **No** _____ (If "Yes," see back)

The applicant hereby acknowledges receipt of notice contained herein and certifies that submitted information/ attachments are true and correct to the best of the knowledge and belief of the signer, and that all construction/ use will be done in accordance with the Zoning Ordinance, applicable stipulations, and Wisconsin laws.

BOA/Conditional Use/Site Plan Pd: \$ 450⁰⁰ Bari Bahr 6/10/20
 CC Date/Check/Cash # 10513 **Signature of Owner /Applicant** **Date**

Shoreland Contract Fee Pd: \$ _____ Bari Bahr
 CC Date/Check/Cash # _____ **Print Name(s)**

Zoning Permit Fee Pd: \$ 150⁰⁰ _____
 CC Date/Check/Cash # _____ **Notes (revisions, extensions, etc.)**

Other: _____ Pd: \$ _____

if shoreland erosion review fee is included above Zoning Administrator (Staff Initials)

Make checks payable to "Racine County Development Services" - Note: ALL FEES ARE NONREFUNDABLE (OVER)

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PIN 016041914 - 264000

If a private onsite wastewater treatment system (POWTS) serves the property, check here and complete # 1-6 below:

- 1) Sanitary Permit # _____ Date issued _____ Year installed _____ Failing? _____
- 2) **If zoning permit is for an accessory structure without plumbing, check here and go to #4 below.**
- 3a) If a commercial facility, public building, or place of employment, will there be a change in occupancy of the structure; or will the proposed modification affect either the type or number of plumbing appliances, fixtures or devices discharging to the system? Yes* No N/A
- 3b) If a dwelling, will the addition/alteration change the number of bedrooms? Yes* No N/A
*If "Yes" above, documentation must be submitted per SPS 383.25 (2) (d) to verify system can be used.
- 4) Will construction interfere with the setback requirements to the POWTS per SPS 383.43 (8) (i)? Yes No
If "Yes," provide variance approval date: _____
- 5) Has a new sanitary permit been issued to accommodate the structure or proposed modification in wastewater flow or contaminant load and/or County sanitary approval granted? Yes No
- 6) Comments _____
POWTS Inspector's Signature: _____ Date: _____

ZONING PERMIT REQUIREMENTS

A Plat of Survey shall be prepared by a Land Surveyor registered in Wisconsin for all new principal structures located on lots less than five (5) acres in size. All zoning permit applications shall be accompanied by plans drawn to scale, showing the location, actual shape and dimensions of the lot to be built upon and any primary and accessory buildings, the lines within which the building shall be erected, altered or moved, the existing and/or intended use of each building or part of a building and the number of families and/or employees the building is intended to accommodate. Include floodplain, wetlands, environmental corridors, easements and such other information with regard to the lot and neighboring lots or buildings as may be necessary to determine and provide for ordinance enforcement. Adequate driveway access and off-street parking stalls must be provided in accordance with Sec. 20-1088, Racine County Code of Ordinances. In addition, if a private sewage system exists, the location of the tank(s), system and vent shall be shown on the plan with setback distances to the closest part of the proposed construction.

All dimensions shown relating to the location and size of the lot shall be based upon an actual survey. Lot area shall not contain road right-of-way. The lot and location of the building thereon shall be staked out on the ground before construction is started. NOTE: All street yard, side yard, and rear yard setbacks shall be measured from the closest property lines. Shore yard setbacks shall be measured from the closest point of the ordinary highwater mark of a navigable body of water. All elevations shall be provided in mean sea level datum.

All zoning permits issued pursuant to this ordinance are valid for nine (9) months unless substantial construction has commenced and is continuing, otherwise such zoning permits shall become null and void and a new zoning permit is required. It is the responsibility of the applicant to secure all other necessary permits required by any federal, state or local agency. The issuance of a zoning permit is not a guaranty or warranty that the requirements have been met for other necessary permits, or that the site is otherwise suitable for construction.

NOTICE: YOU ARE RESPONSIBLE FOR COMPLYING WITH STATE AND FEDERAL LAWS CONCERNING CONSTRUCTION NEAR OR ON WETLANDS, LAKES, AND STREAMS. WETLANDS THAT ARE NOT ASSOCIATED WITH OPEN WATER CAN BE DIFFICULT TO IDENTIFY. FAILURE TO COMPLY MAY RESULT IN REMOVAL OR MODIFICATION OF CONSTRUCTION THAT VIOLATES THE LAW OR OTHER PENALTIES OR COSTS. FOR MORE INFORMATION, VISIT THE DEPARTMENT OF NATURAL RESOURCES WETLANDS IDENTIFICATION WEB PAGE OR CONTACT A DEPARTMENT OF NATURAL RESOURCES SERVICE CENTER. See DNR web site <http://dnr.wi.gov/wetlands/locating.html> for more information.

ADDITIONAL ZONING PERMIT STIPULATIONS (check all that apply)

- Proposed structure is for personal use only and not to be used for human habitation or separate living quarters. No business, commercial or industrial use is allowed.
- All disturbed soils must be reseeded and mulched or sodded immediately upon completion of project.
- Must install the following within 14 days of completion of roof: gutters and downspouts which outlet onto splashblocks or into drain tiles; or a hard surface material that extends at least 16" beyond the dripline of the structure.
- All excess soil not used for backfilling project must be removed from the shoreland area within 10 days of excavation.
- A hard surface material must be placed beneath the deck to prevent soil erosion.
- All existing yard grade elevations will remain unchanged.
- Firmly anchor, no floor < _____'; Buoyant, flammable, explosive or injurious materials/utilities/electric & 1st floor ≥ _____'

Racine County Development Services, 14200 Washington Avenue, Sturtevant, WI 53177 Phone: (262) 886-8440 Fax: (262) 886-8480

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Plat of a survey for Cody Klawitter of: Lot Number Five (5), Stark's Fox River Park, being a subdivision of part of the Northwest quarter of the Southwest quarter of Section Number Fourteen (14), in Township Number Four (4) North of Range Number Nineteen (19) East of the 4th P.M. according to a Plat thereof on record in the office of the Register of Deeds for Racine County, State of Wisconsin, in Volume "M" of Plats on pages 47-48, reference being had to same. Said land being in the Town of Waterford, County of Racine and State of Wisconsin.

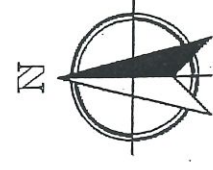
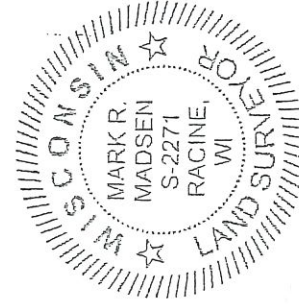
Proposed Top of Foundation 785.67
Proposed Finished Yard Grade 785.0 / 781.0

Certificate

The above-described property has been surveyed under my direction and the map hereon drawn is a correct representation thereof to the best of my knowledge and belief.

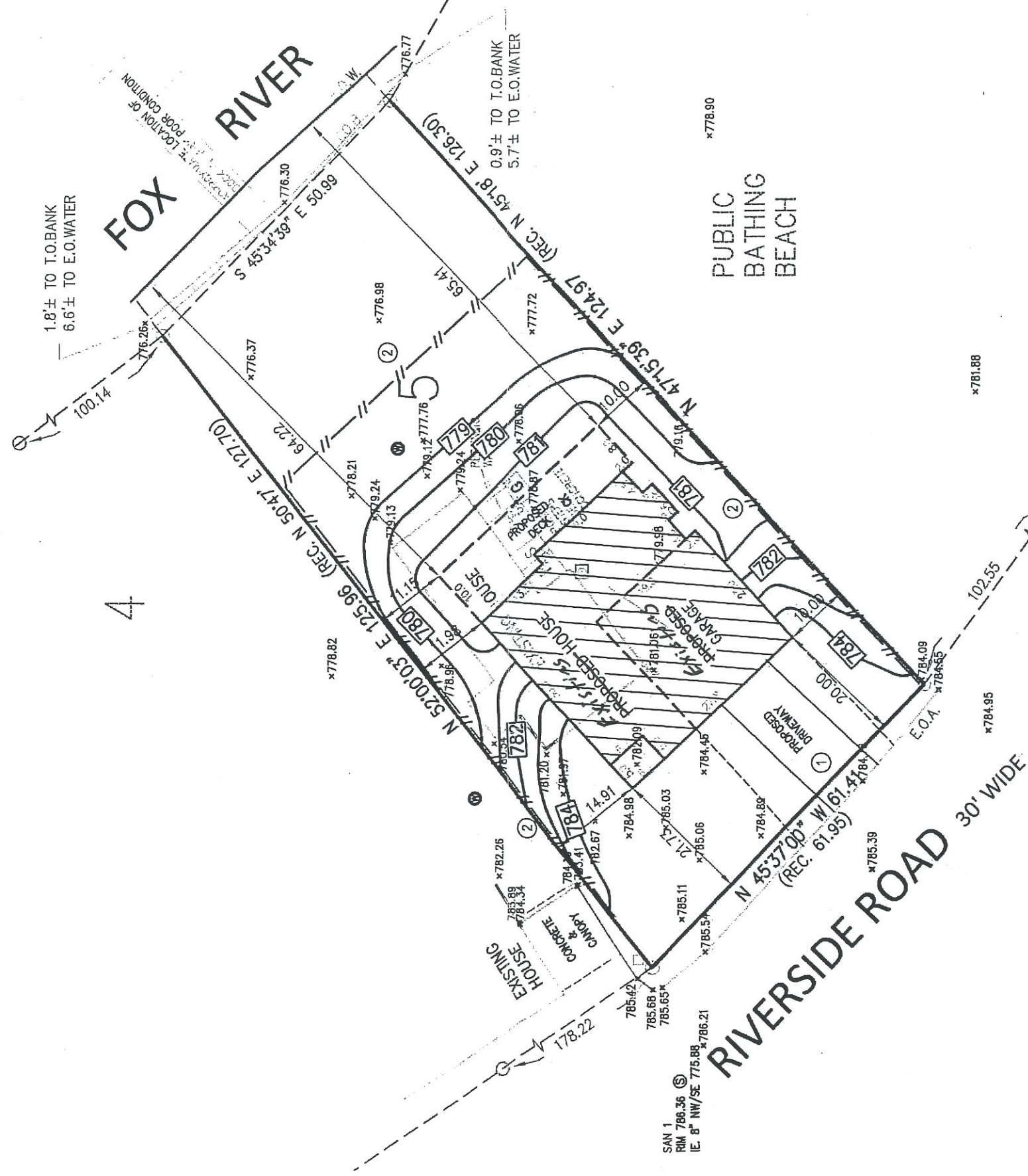
01-11-2019

Mark R. Madsen



"Exhibit A"

EXISTING IMPERVIOUS SURFACES - 908.90 SF (0.021 AC)
PROPOSED IMPERVIOUS SURFACES - 1,984.35 SF (0.046 AC)
LIMITS OF DISTURBANCE IS SILT FENCE AREA = 5,330 SF (0.122 AC)



NOTES

- BEARING BASE: RECORDED PLAT OF STARK'S FOX RIVER PARK RIVERSIDE ROAD IS ASSUMED TO BEAR N 45°37'00" W
- FIELD WORK: 07-19-2018 BY: JWP / CRL
- ALL ELEVATIONS REFER TO NATIONAL GEODETIC DATUM OF 1929.
- BUILDING DIMENSIONS DO NOT INCLUDE BRICK LEDGE, HOWEVER SETBACKS ARE TO BRICK LEDGE (IF ANY)



Nielsen Madsen + Barber
CIVIL ENGINEERS AND LAND SURVEYORS
1458 Horizon Blvd. Suite 200, Racine, WI. 53406
Tele: (262)634-5588 Website: www.nmbssc.net

LEGEND

- COMMUNICATION BOX
- ⊕ WELL
- ⊠ GAS METER
- ⊙ FOUND CAST IRON MONUMENT
- = FOUND 1.25" IRON PIPE
- x999.99 = EX. SPOT GRADE
- ① GRAVEL ACCESS DRIVE REQ'D. MIN 6" DEPTH, 2" TO 3" AGG. 10' WIDE X 25 L.F.
- ② SILT FENCE, 230 L.F. ±, ALSO REQ'D. AT SPOIL STOCKPILE TOE SLOPE.

Scale: 1" = 20'
Drawn By: FTH
DATE: 01-09-2019
2018.0223.01
Plat of Survey
Cody Klawitter
Town of Waterford, Racine
County, State of Wisconsin