

PH ITEM #2

APPLICATION FOR A VARIANCE/APPEAL

Owner: Maruyama J. LLC - Ralph Gentile

Racine County, Wisconsin
Applicant/Agent: Ralph Gentile
Craig Rakowski

Address: 5240 Agatha Turn
Racine, WI, 53402

Date petition filed: 6/28/21 Hearing Date: 8/3/21

Phone (mm) 262-770-2294 (wk)

Municipality: Nomway
Zoning district(s): R-5

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: to construct a single-family residence with attached garage, full basement, retaining walls and uncovered deck/stairs

at site address 7137 Westview Dr., Section 7, T 4 N, R 20 E
Lot(s) 1 Blk - Subd/CSM 3428 Parcel Id.# 010042007209010

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: a portion of the proposed retaining walls and stairs will have insufficient shore yard setback

Applicant is subject to: Article VI, Division 8 R-5 Urban Residential District II, Art. VII, Div. 3 Shoreland; Art VIII, Div. 8 Shoreland uses and Section 20-1017 Reduction or Joint use

_____, of the Racine County Zoning Ordinance.

Check applicable below: (Underline or circle the word "all" or "partially" below, as needed)

- Property is all/partially located in the shoreland area of Waubeesee Lake
- Project is all/partially located in the shoreland area of Waubeesee Lake
- Property is all/partially located in the floodplain area of Waubeesee Lake
- N/A Project is all/partially located in the floodplain area of _____
- N/A Property is all/partially located in a wetland area. N/A 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. See Attached
- 2) Describe the exceptional, extraordinary or unusual circumstances that are unique to this lot or structure. See Attached
- 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. See Attached
- 4) Explain how the request is not based on economic gain or loss and is not self-imposed. See Attached

Owner/Applicant's Signature [Signature] Date 6-14-21

Fee paid: \$ 450.00 Check # 8078 (Payable to Racine County Planning) • Please attach required documentation

APPLICATION FOR ZONING PERMIT

RACINE COUNTY, WISCONSIN (Rev. 11/20)

PERMIT NO. _____

DATE PERMIT ISSUED _____

OWNER Kenygma, I, LLC - Ralph Gentile

APPLICANT Ralph Gentile

Mailing Address 5340 Agatha Turn

Mailing Address 2725 Carlisle Ave.

City Racine State WI Zip 53407

City Racine, WI State WI Zip 53404

Phone (H) 262-770-2294 (W) _____ (C) _____

Phone (H) 262-770-2294 (W) _____ (C) _____

Parcel Id. # 0100470 07 709010

Site Address 7133 West View Dr.

Municipality Norway Section(s) 7 Town 4 North, Range 70 East

Lot 1 Block - Subdivision Name - CSM # 3478

Proposed Construction/Use Single-family residence with attached garage, full basement, retaining walls and uncovered deck/stairs

New Addition	<input checked="" type="checkbox"/>	Principal Bldg	<input checked="" type="checkbox"/>	Size	<u>(±69.77 x ±78.89')</u>	(<u>-</u> x <u>-</u>)	(<u>-</u> x <u>-</u>)
Alteration	<input type="checkbox"/>	Accessory	<input type="checkbox"/>	Area (sq ft)	<u>(28944[±](FF))</u>	<u>(57040[±](AG))</u>	<u>()</u>
Conversion	<input type="checkbox"/>	Deck	<input type="checkbox"/>	# of Units/Stories	<u>1</u>	<u>1</u>	Building Ht.-Avg. (ft.) <u>±17.75'</u>
Temporary	<input type="checkbox"/>	Sign	<input type="checkbox"/>	Peak Ht. (ft.)	<u>±25'</u>		100-Yr. Floodplain Elev. <u>779.4</u>
	<input type="checkbox"/>	Other	<input type="checkbox"/>	Eave Ht. (ft.)	<u>±9.5'</u>		Flood Protection Elev. <u>781.4</u>

Contractor Craig James Builders Est. Value w/Labor \$ _____ ZONING DISTRICT R-5

Existing Nonconforming?	<u>N/A</u>	<input checked="" type="checkbox"/> * Yes	<input type="checkbox"/> No	Yard Setbacks	Proposed	OK?
*Structure's Fair Mkt Value \$	<u>N/A</u>	Cumulative %	<u>-</u>	Street-1 st (Res.)	<u>25.1'</u>	<u>Yes</u>
*>50% of Fair Market Value?	<u>N/A</u>	Yes	<input type="checkbox"/> No	Street-2 nd	<u>N/A</u>	<u>-</u>
Structure in Shoreland? (per map)	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Side-1 st (Res.)	<u>10.3'</u>	<u>Yes</u>
Structure in Floodplain? (per map)	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Side-2 nd (Res.)	<u>10.3'</u>	<u>Yes</u>
Structure in Wetland? (per map)	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Rear Shore (Stairs) ± 59'		
Substandard Lot?	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Shore (Ret. Wall) ± 38'		
Abutting Lot-Same Owner/Closely Related?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Total Acc. Structures	<u>-</u>	<u>-</u>
BOA Variance Needed?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Date of Approval		
Conditional Use/Site Plan Needed?	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Date of Approval	<u>-</u>	
Shoreland Contract Needed?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	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: \$ 450.00
Cash/Check/CC Date # 8037

Ralph W. Gentile
Signature of Owner /Applicant Date 6-14-21

Shoreland Contract Fee Pd: \$ 250.00
Cash/Check/CC Date # _____

Ralph Gentile
Print Name(s)

Zoning Permit Fee Pd: \$ 500.00
Cash/Check/CC Date # _____

Notes (revisions, extensions, etc.)

Other: Pd: \$ _____

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

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

RACINE COUNTY

PN 0100470-07-709010

JUN 28 2021

We are seeking two items from this variance appeal application: #1 install retaining walls within the 75' set back from shoreline and #2 increase impervious percentage to 36%.

The hardship is: without retaining walls we eliminate the walkout lower level (need for ADA). This removes the ability for the lake property to offer healing, therapy, fellowship, and joy for people experiencing serious health issues. The number one concern preventing people with serious health concerns from visiting the lake is "ease of mobility." Example: bathroom facilities, resting areas, eating facilities, weather conditions.....

The unusual circumstance is the lot elevation decreases 16 feet from road side elevation of 792' to the lake front elevation of 776'. Due to the 16' decrease in elevation, the only way to create a walkout lower level is to incorporate retaining walls within the 75' set back area. We attempted to place the retaining walls along the lot lines on both sides of the house, but this created a stormwater drainage issue. I've included photos of adjacent properties north and south of the proposed property all using retaining walls. The stone/brick/concrete retaining walls would create a positive uniform look with the other surrounding and adjacent properties.

The easy financial decision is to construct the first level only: less costly to build, maintain, operate, and cost for installing retaining walls. But we're not being called to take the "easy route," we're being called to do the "right thing" which is to share the beauty and healing powers of the lake. We are being called to be good stewards and believe this new lake home is a wonderful opportunity to help and care for others when life presents difficult challenges. From a public interest position, sharing, caring, and helping others can only be positive for the community.

We would like to propose removing the old concrete wall along the shoreline (72' long times 3.5' high = approximately 252' of old wall) along with restoring the shoreline with two planting areas depicted on the elevation map. By taking this action we would propose adding two brick/stone/concrete retaining walls as depicted on the map using a 3' to 1' slope for the walls and also increasing the impervious percentage to 36%.

Additional notes:

With out the retaining walls erosion maybe a possibility. We are exploring landscaping options to enhance and maintain water quality of the lake. To bridge the gap until construction begins we have seeded the lot to help maintain water quality and prevent run off. Also, we have combined the two properties into one tax ID number as requested by the county.

RECEIVED

JUN 28 2021

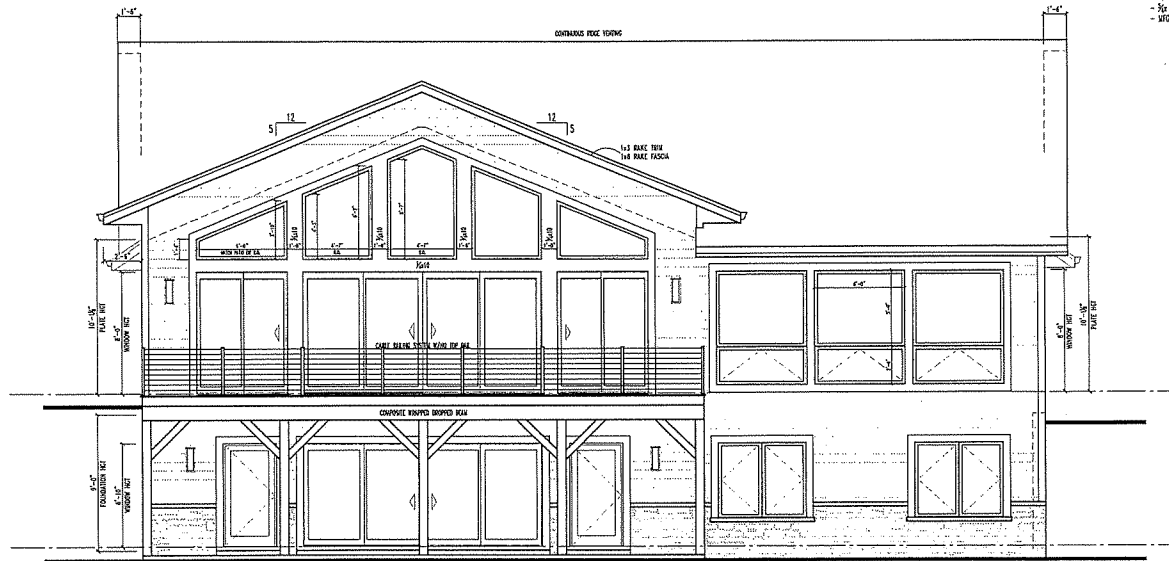
RACINE COUNTY



FRONT ELEVATION

EXTERIOR MATERIALS

- CEILING: UNPAINTED BRIDGEMAN SHINGLES
- SIDING: FAHSA & COMPOSITE SIDING w/ VERTICAL GRAINING
- CEILING: BRD. LAP SIDING w/ 3/4\"/>



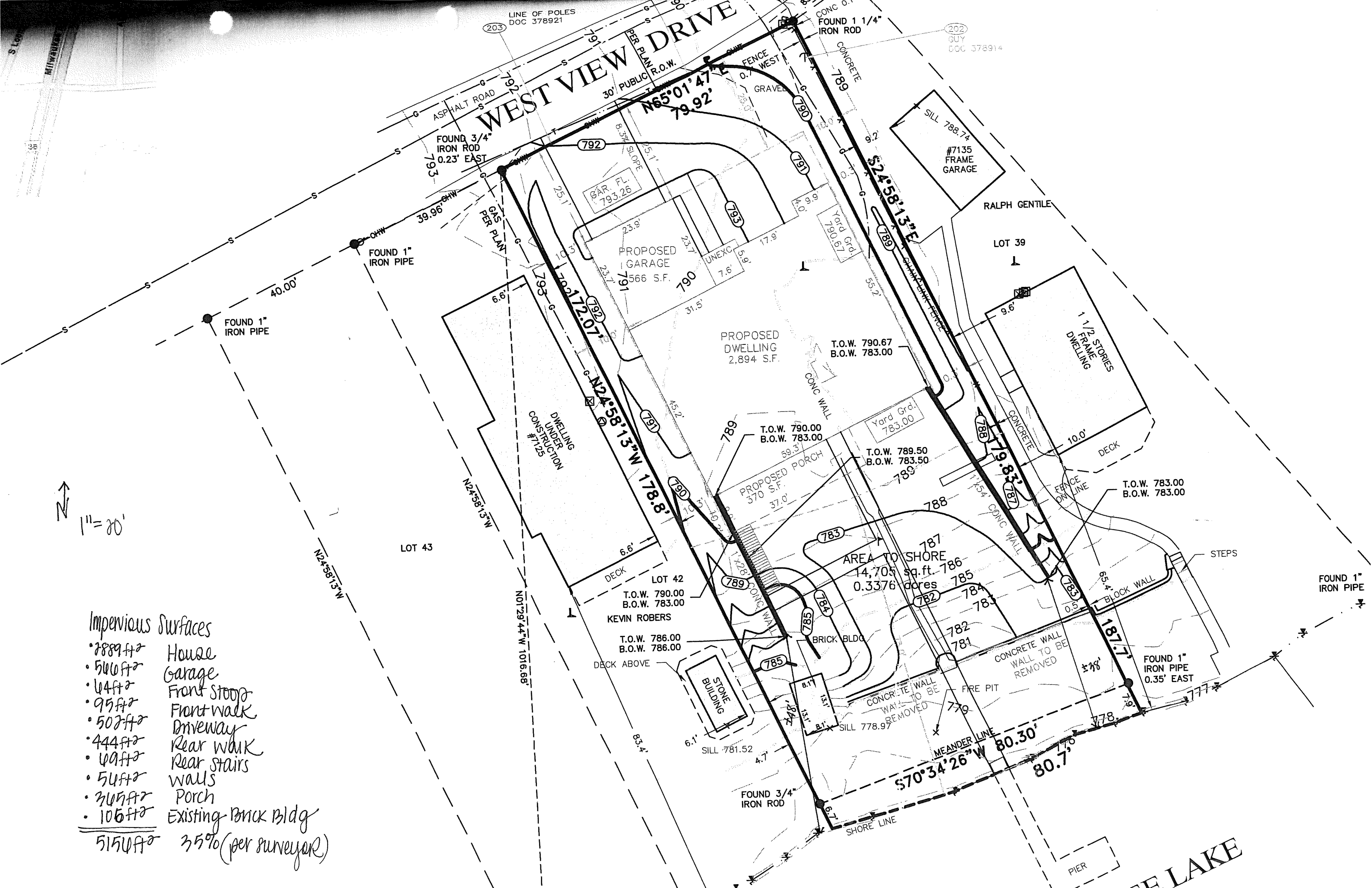
LAKE ELEVATION

SCALE: 1/8" = 1'-0"

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DESIGNED & BUILT BY
James Craig Builders Inc.
12229 W. NORTH AVE. PHONE (414) 771-5563
WAUNATOSKA, WI 53226 FAX (414) 771-7322
www.jamescraigbuilders.com

Customer:	Gentile
Model:	Custom Lake Home
Date:	4-9-2021
Rev. Date:	5-13-21



↑ N
1" = 30'

- Impervious Surfaces**
- 7889 ft² House
 - 500 ft² Garage
 - 64 ft² Front stoop
 - 95 ft² Front walk
 - 507 ft² Driveway
 - 444 ft² Rear walk
 - 69 ft² Rear stairs
 - 54 ft² walls
 - 307 ft² Porch
 - 105 ft² Existing brick Bldg
- 5150 ft² 35% (per surveyor)