

APPLICATION FOR A VARIANCE APPEAL

Racine County, Wisconsin

Owner: GRANT HORN Applicant/Agent: GRANT HORN
Address: 5826 N RIVER BAY RD Date petition filed: 11-9-2022 Hearing Date: DEC 6, 2022
WATERFORD, WI 53185 Municipality: TOWN OF WATERFORD
Phone (Hm) 262.599.4766 (Wk) Zoning district(s): R-3A

TO THE ZONING BOARD OF ADJUSTMENT/APEALS: Please take notice that the undersigned was denied a permit or seeks an appeal of the Zoning Administrator for: To raze the existing detached Garage and construct a new detached garage with 1000-sq-ft

at site address 5826 N. River Bay Road, Section 23, T 4 N, R 19 E
Lot(s) 9 Blk N/A Subd/CSM ROSE HILL UNRECORDED Parcel Id.# 016041923004000
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: The proposed detached garage will have insufficient Street and side yard setbacks, and will exceed the aggregate total footprint area for accessory structures

Applicant is subject to: Article VI Division 6 R-3A, Suburban Residential District (Sewered); Section 20-1017 Reduction or Joint Use; and Section 20-1115 Accessory regulations

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 Fox River
Project is all/partially located in the shoreland area of Fox River
Property is all/partially located in the floodplain area of Fox River
N/A Project is all/partially located in the floodplain area of N/A
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. OWNER ALREADY CONVERTED BACK YARD TO 100% MULCH AND NATIVE PLANTINGS AND ONLY REMAINING GRASS FOR CHILDREN TO PLAY ON IS BETWEEN THE HOUSE AND THE GARAGE. THE ORDINANCE WOULD REDUCE GRASSY AREA BY 510 SQUARE FEET, OVER 1/3 OF THE TOTAL GRASSY AREA. NEAREST PARK IS 2 MILES AWAY
2) Describe the exceptional, extraordinary or unusual circumstances that are unique to this lot or structure. IF THE VARIANCE IS NOT APPROVED, RELOCATION WILL DAMAGE OR KILL NEIGHBOR'S 100+ YEAR OLD OAK TREES. IT WOULD INCREASE THE IMPERVIOUS SURFACE TOTAL FROM 27.4% TO 32.5%. DUE TO THE WATERFRONT LIMITS ON THE OTHER SIDE OF THE PROPERTY THERE IS NO OTHER PLACE TO GO FOR TOOL + EQUIPMENT STORAGE.
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. THE LOCATION OF THE GARAGE WOULD BE CONSISTENT WITH GARAGES ON BOTH SIDES OF THE PROPERTY - GARAGE TO THE SOUTH IS ONLY 12.26' FROM THE ROAD RIGHT-OF-WAY. NEIGHBORS ON BOTH SIDES WOULD LIKE TO SEE THIS APPROVAL HAPPEN AND WROTE LETTERS IN FAVOR (ATTACHED).
4) Explain how the request is not based on economic gain or loss and is not self-imposed. THIS REQUEST DOES NOT LEAD TO ECONOMIC GAIN OR LOSS, ONLY TO UPHOLD THE STANDARDS OF THE NEIGHBORHOOD AND TO NOT CREATE MORE CONCRETE SURFACES AND LESS NATURAL ENVIRONMENTAL SURFACES.

Owner/Applicant's Signature [Signature] Date 10-16-2022

Fee pd: \$ 450.00 Ck # 1802 (Payable to Racine County Development Services) Attach required documentation

APPLICATION FOR ZONING PERMIT
RACINE COUNTY, WISCONSIN (Rev. 02/22)

PERMIT NO _____
DATE PERMITTED ISSUED _____

OWNER GRANT HORN
Mailing Address 5826 N RIVER BAY RD
WATERFORD WI 53185
City State Zip

APPLICANT GRANT HORN
Mailing Address 5826 N RIVER BAY RD
WATERFORD WI 53185
City State Zip

Phone 262-599-4766
Email GHORN@RTURS.COM

Phone 262-599-4766
Email GHORN@RTURS.COM

Parcel Id. # 016041923004000

Site Address 5826 N RIVER BAY RD

Municipality TOWN OF WATERFORD Section(s) 23 Town 4 North, Range 19 East
Lot 9 Block - Subdivision Name ROSE HILL UNRECORDED CSM # -

Proposed Construction/Use Raze existing detached garage and construct a new detached garage with lean to

New	<input checked="" type="checkbox"/>	Principal Bldg.	Size	(22.44' x 20.3')	(12' x 16.5')	(8' x 12')
Addition	<input type="checkbox"/>	Accessory	Area (sq ft)	455.53	198	96 = 749.53 Total
Alteration	<input type="checkbox"/>	Deck	Peak Ht. (ft.)	18.33	100-Yr. Floodplain Elev.	-
Conversion	<input type="checkbox"/>	Sign	Eave Ht. (ft.)	8.5'	Flood Protection Elev.	-
Temporary	<input type="checkbox"/>	Other	Building Ht.-Avg. (ft.)	13.42'		

Contractor	<u>CRETEWORK</u>	Est. Value w/Labor \$	<u>40,000.00</u>	ZONING DISTRICT	<u>R-3A</u>
Existing Nonconforming?	N/A <input checked="" type="checkbox"/>	Yes	No	Yard Setbacks	Proposed OK?
Structure in Shoreland? (per map)	<input checked="" type="checkbox"/>	Yes	No	Street-1 st	<u>6'</u>
Mitigation or Buffer Needed?	<input type="checkbox"/>	Yes	No	Street-2 nd	<u>-</u>
Structure in Floodplain? (per map)	<input type="checkbox"/>	*Yes	No	Side-1 st	<u>2.9'</u>
*Structure's Fair Market Value \$	<u>N/A</u>	Cumulative %		Side-2 nd	<u>11'</u> Yes
*>50% of Fair Market Value?	N/A <input checked="" type="checkbox"/>	Yes	No	Shore	<u>±155'</u> Yes
Structure in Wetland? (per map)	<input type="checkbox"/>	Yes	No	Rear	
Substandard Lot?	<input checked="" type="checkbox"/>	Yes	No	Total Acc. Structures	
BOA Variance Needed?	<input checked="" type="checkbox"/>	Yes	No	Date of Approval	
Conditional Use/Site Plan Needed?	<input type="checkbox"/>	Yes	No	Date of Approval	<u>-</u>
Shoreland Contract Needed?	<input type="checkbox"/>	Yes	No	Date of Approval	<u>-</u>
Additional Zoning Permit Stipulations Listed on Back of this Form? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> (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
CC Date/Check#/Cash 1802
Shoreland Contract Fee Pd: \$ _____
Zoning Permit Fee Pd: \$ 85.00
Other: Pd: \$ _____

Signature of Owner /Applicant/Agent GRANT HORN Date 11/03/2022
Print Name(s) _____
Notes (revisions, extensions, etc.) _____

RECEIVED
NOV 09 2022
(Staff Initials)
NONREFUNDABLE (OVER)
RACINE COUNTY

PIN 0160419 - 23 - 004000

✓ if shoreland erosion review fee is included above Zoning Administrator
Make checks payable to "Racine County Development Services" - Note: ALL FEES ARE NONREFUNDABLE (OVER)

Staff Use Only

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 illustrating new principal structure's location 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.

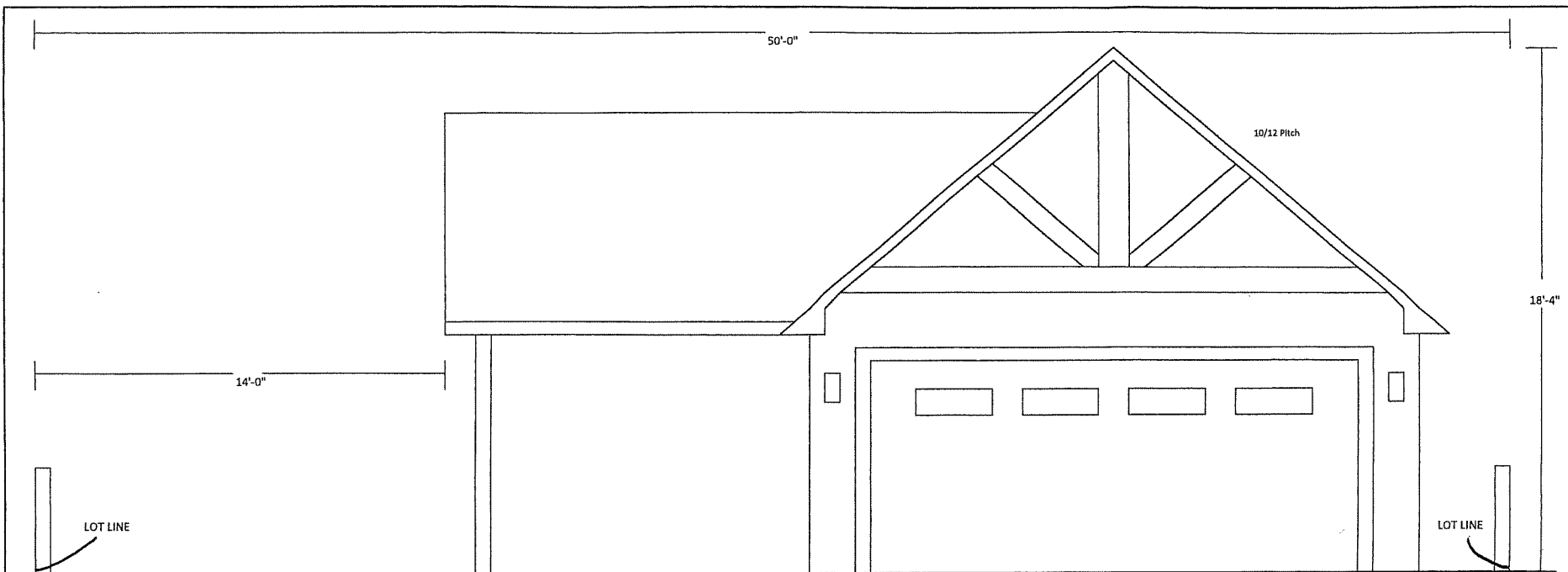
All dimensions shown relating to the location and size of the lot shall be based upon an actual survey. Lot area shall not contain road right-of-way. NOTE: All street yard, side yard, and rear yard setbacks shall be measured from the closest property lines. Shore yard setbacks shall be measured from 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.

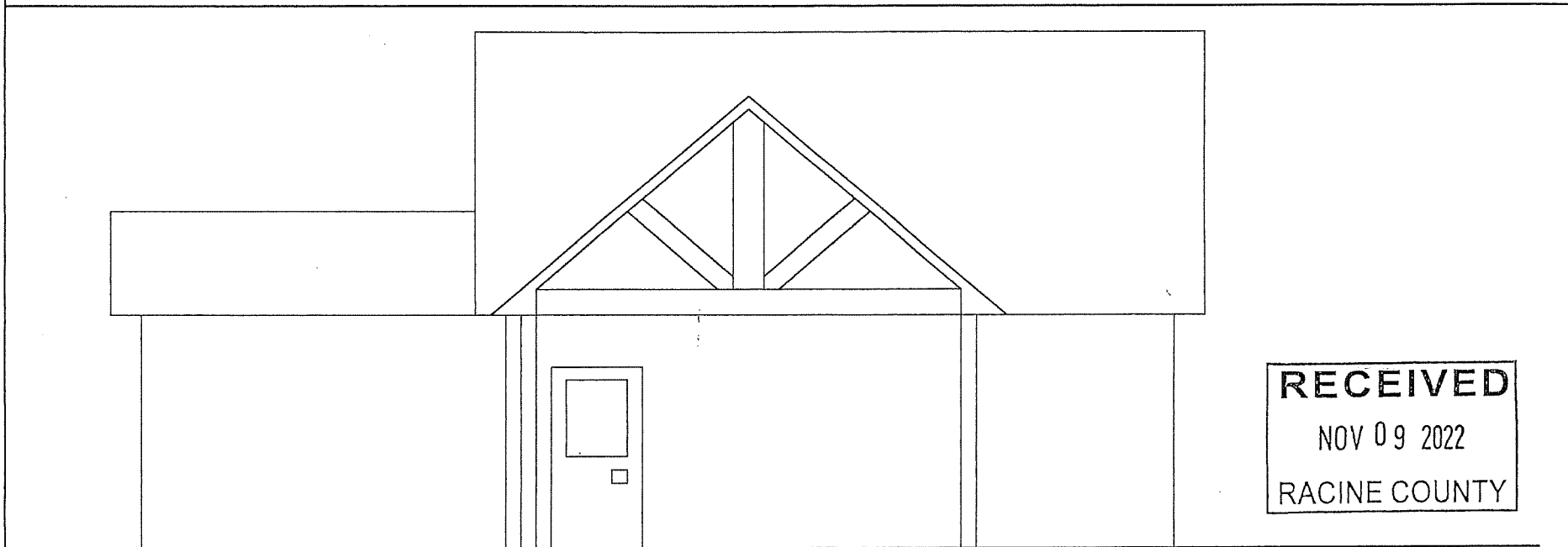
NOTICE: YOU ARE RESPONSIBLE FOR COMPLYING WITH STATE AND FEDERAL LAWS CONCERNING CONSTRUCTION NEAR OR ON WETLANDS, LAKES, AND STREAMS. WETLANDS THAT ARE NOT ASSOCIATED WITH OPEN WATER CAN BE DIFFICULT TO IDENTIFY. FAILURE TO COMPLY MAY RESULT IN REMOVAL OR MODIFICATION OF CONSTRUCTION THAT VIOLATES THE 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 owner residential 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 ≥ _____'

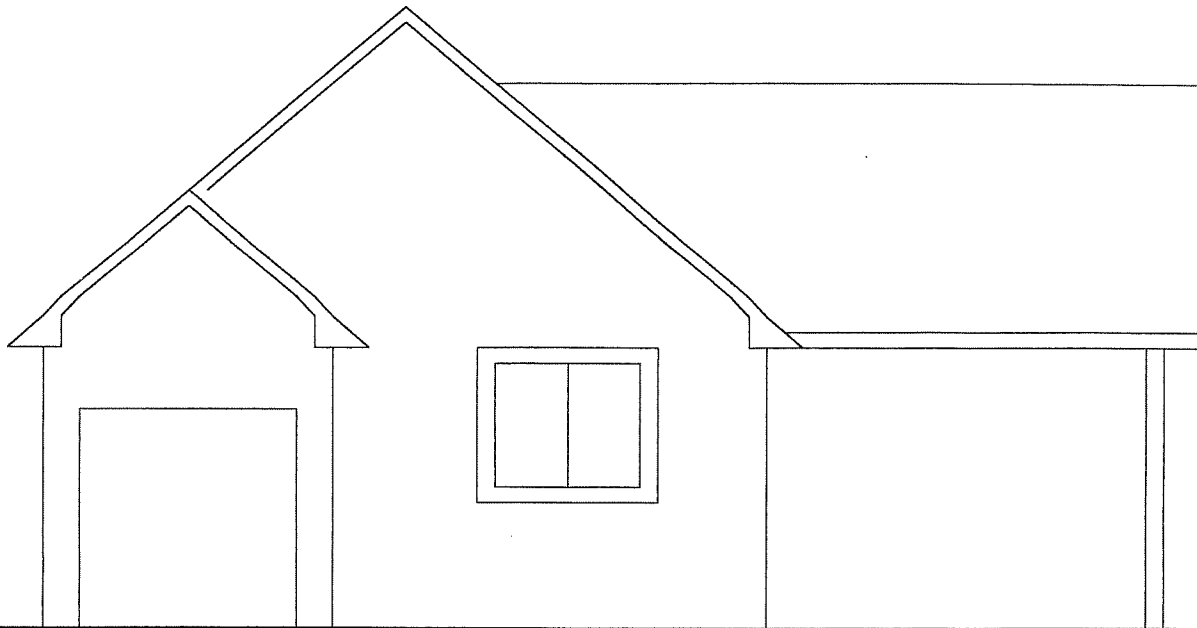


EAST ELEVATION

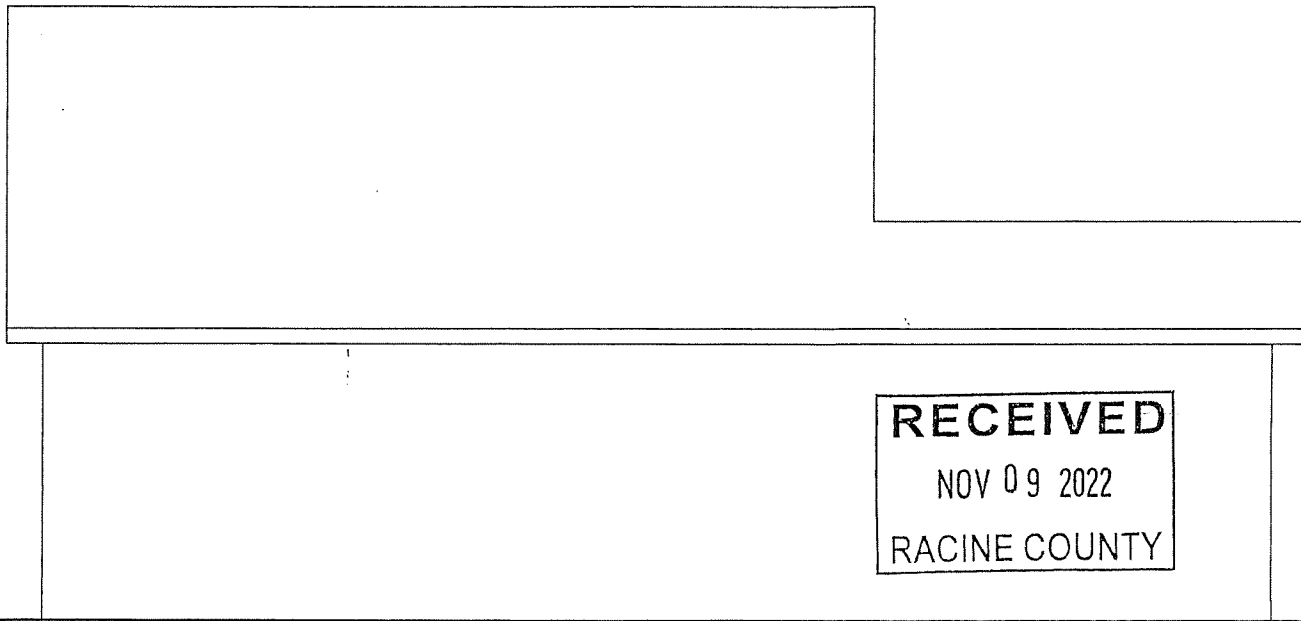


SOUTH ELEVATION

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RACINE COUNTY

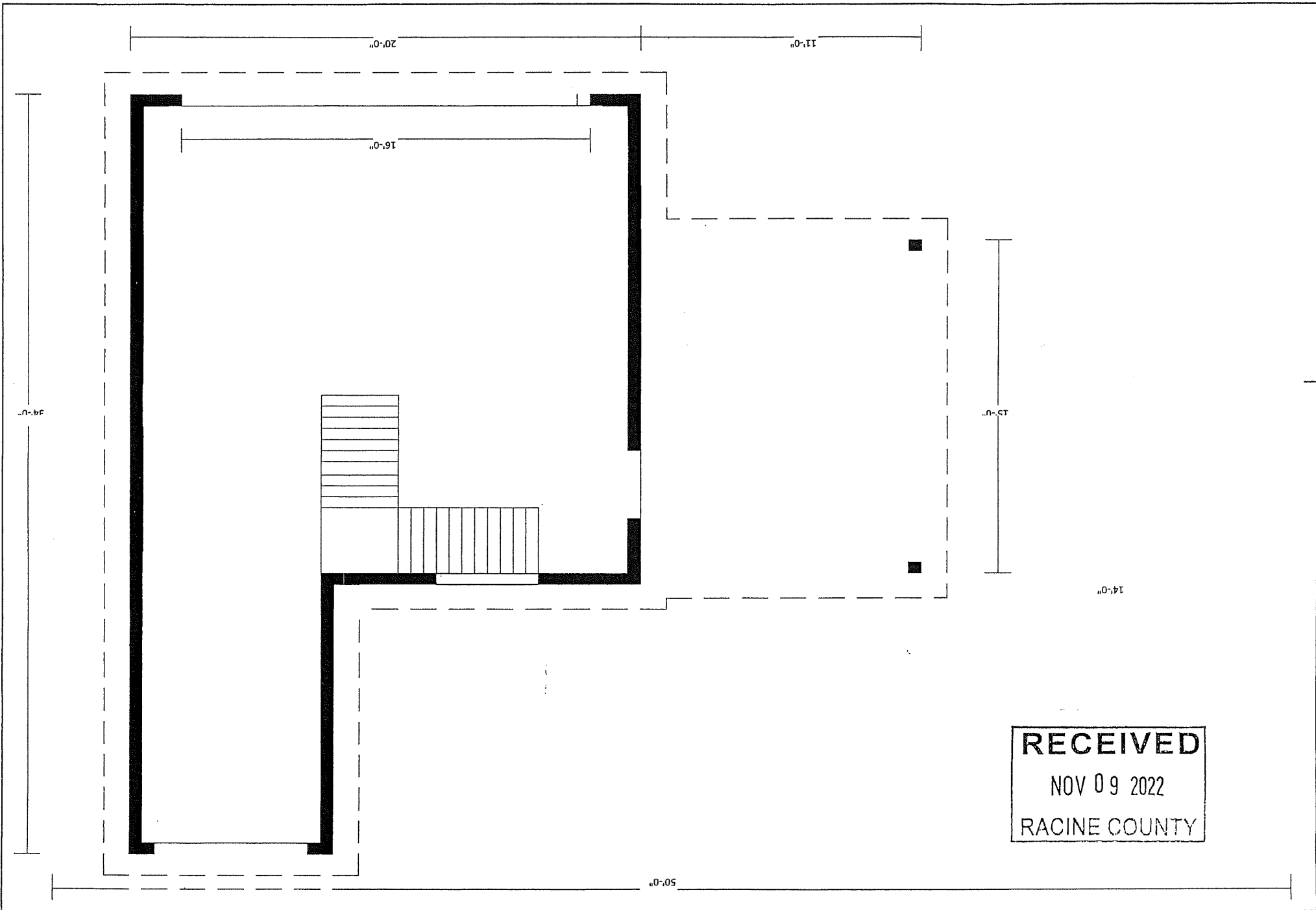


WEST ELEVATION



RECEIVED
NOV 09 2022
RACINE COUNTY

NORTH ELEVATION



RECEIVED
NOV 09 2022
RACINE COUNTY

PLAT OF SURVEY

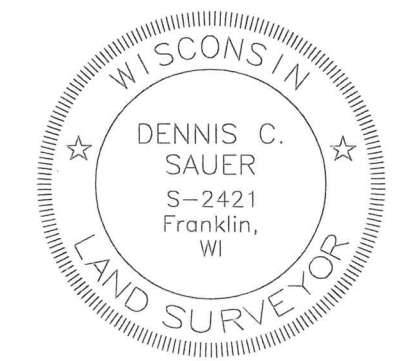
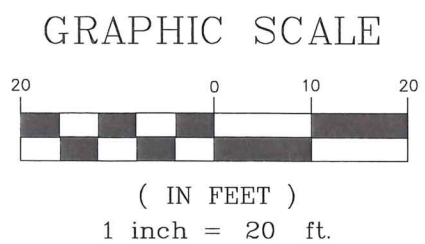
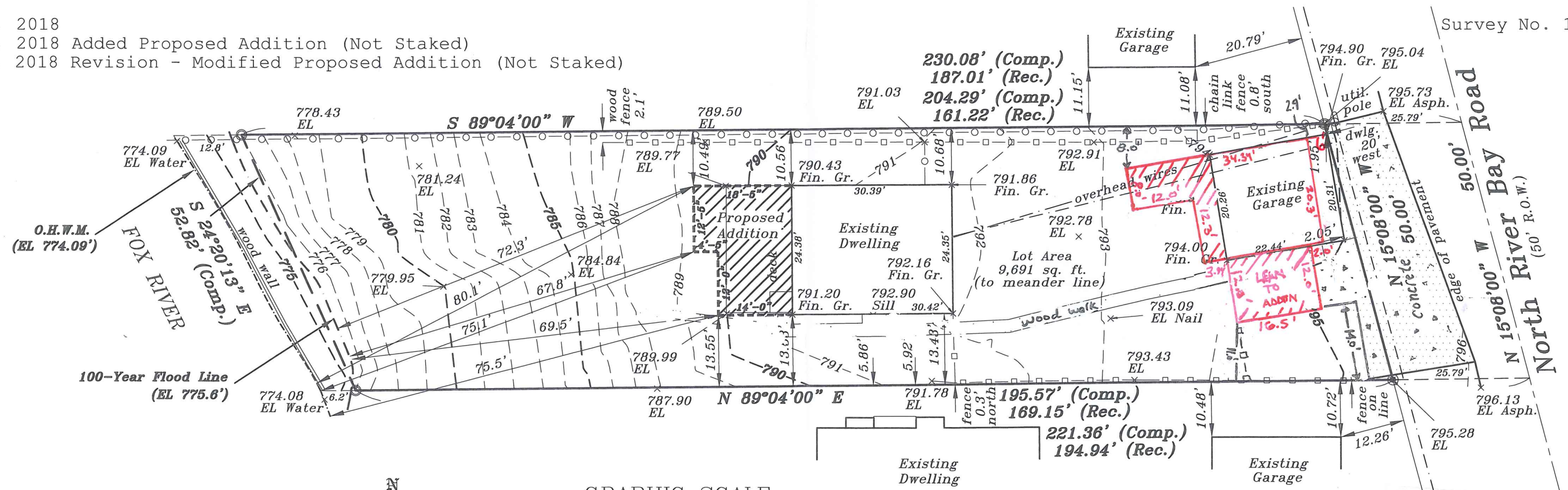
LOCATION: 5826 North River Bay Road, Waterford, Wisconsin

LEGAL DESCRIPTION:

That part of the Northwest 1/4 of Section 24 and that part of the Northeast 1/4 of Section 23, Town 4 North, Range 19 East, bounded as follows to wit: Beginning at the West 1/4 corner of Section 24, Town 4 North, Range 19 East; run thence N 50°31' E 263.50 feet to a concrete monument; thence N 89°23' E 225.00 feet to a concrete monument; thence N 30°56' W 566.00 feet to a concrete monument; thence N 15°08' W 291.37 feet to a point; thence S 89°04' W 187.01 feet to a point; said point marks the place of beginning of parcel of land hereinafter described; run thence S 89°04' E 187.01 feet to a point; thence S 15°08' E 50.00 feet to a point; thence S 89°04' W 194.94 feet more or less to the Easterly shore of Fox River; thence Northerly along the Easterly shore of the Fox River to a point that is S 89°04' W 18.00 feet more or less, from the place of beginning; thence N 89°04' E 18.00 feet more or less to the place of beginning. Also known as Lot 9, Rose Hill Unrecorded Plat. Said land being in the Town of Waterford, County of Racine and State of Wisconsin.

May 25, 2018
May 28, 2018 Added Proposed Addition (Not Staked)
June 4, 2018 Revision - Modified Proposed Addition (Not Staked)

Survey No. 109490



I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY. ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENT, IF ANY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM THE DATE HEREOF.

SIGNED _____
Dennis C. Sauer
Professional Land Surveyor S-2421

FLOOD DATA This property is in Zone AE + X of the Flood Insurance Rate Map, Community Panel No. 55101 C0037D which has an effective date of May 2, 2012 and IS in a Special Flood Hazard Area. Field surveying was not to determine this zone. An elevation certificate may be needed to verify this determination or apply for an amendment from the Federal Emergency Management Agency.

METROPOLITAN SURVEY SERVICE, INC.
PROFESSIONAL LAND SURVEYORS AND CIVIL ENGINEERS
9415 West Forest Home Avenue, Suite 202
Hales Corners, Wisconsin 53130
PH. (414) 529-5380 FAX (414) 529-9787
email address: survey@metropolitansurvey.com
⊙ — Denotes Iron Pipe Found
○ — Denotes Iron Pipe Set