

**APPLICATION FOR ZONING PERMIT**  
**RACINE COUNTY, WISCONSIN (Rev. 07/22)**

PERMIT NO. \_\_\_\_\_  
 DATE PERMIT ISSUED \_\_\_\_\_

**PH ITEM # 3**

OWNER Tacnary & Amber Bartz  
 Mailing Address STLW22320 Knoll Drive  
Big Bend WI 53103  
City State Zip

APPLICANT Don Janczak  
 Mailing Address Unique Design + Build LLC  
 \_\_\_\_\_  
City State Zip

Phone 202.470.6934  
 Email libbambe@yahoo.com  
 Parcel Id. # 014.04.19.23.045.340

Phone 414-588-7793  
 Email Don@UniqueDBLLC.com  
 Site Address 30900 Grand Dr.

Municipality Waterford Section(s) 23 Town 04 North, Range 19 East  
 Lot 34 Block — Subdivision Name RIVERS TURN Addition #1 CSM# —  
 Proposed Construction/Use Single family residence with attached garage, full walkout basement and covered porch. (3 bedrooms)

New	<input checked="" type="checkbox"/>	Principal Bldg.	<input checked="" type="checkbox"/>	Size	(84' x 38')	(29' x 8')	(24' x 40')
Addition	<input type="checkbox"/>	Accessory	<input type="checkbox"/>	Area (sq ft)	2390 (per plans)	232'	960'
Alteration	<input type="checkbox"/>	Deck	<input type="checkbox"/>	Peak Ht. (ft.)	23'	100-Yr. Floodplain Elev.	N/A
Conversion	<input type="checkbox"/>	Sign	<input type="checkbox"/>	Eave Ht. (ft.)	10'	Flood Protection Elev.	N/A
Temporary	<input type="checkbox"/>	Other	<input type="checkbox"/>	Building Ht.-Avg. (ft.)	10.5'		

Contractor	<u>Unique Design &amp; Build</u>	Est. Value w/Labor \$	<u>500,000</u>	ZONING DISTRICT	<u>C.2</u>
Existing Nonconforming?	<u>N/A</u> <input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Structure in Shoreland? (per map)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Mitigation or Buffer Needed?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Structure in Floodplain? (per map)	<input type="checkbox"/>	*Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
*Structure's Fair Market Value \$	_____	Cumulative %	_____	_____	_____
*>50% of Fair Market Value?	<u>N/A</u> <input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Structure in Wetland? (per map)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Substandard Lot?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
BOA Variance Needed?	<input checked="" type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Conditional Use/Site Plan Needed?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Shoreland Contract Needed?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Additional Zoning Permit Stipulations Listed on Back of this Form?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input checked="" 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 Amber Bartz 12/6/22  
 CC Date/Check#/Cash 1022 Signature of Owner/Applicant/Agent Date  
 Shoreland Contract Fee Pd: \$ \_\_\_\_\_ Amber Bartz  
 CC Date/Check#/Cash \_\_\_\_\_ Print Name(s)  
 Zoning Permit Fee Pd: \$ 500.00  
 CC Date/Check#/Cash \_\_\_\_\_ Notes (revisions, extensions, etc.)  
 Other: \_\_\_\_\_ Pd: \$ \_\_\_\_\_  
 \_\_\_\_\_ (Staff Initials)

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

PIN 014.04.19.23.045.340

Zachary and Amber Bartz 576 W 22320 main drive  
APPLICATION FOR A VARIANCE/APPEAL 576 W 22320 main drive  
Bis Bann, WI 53103

Racine County, Wisconsin

Owner: Amber + Zach Bartz Applicant/Agent: Don Janiczak  
Address: 30900 Grand Drive Date petition filed: 12.06.2022 Hearing Date: 01.03.2023  
Waterford, WI 53185 Municipality: Waterford  
Phone (Hm) (262) 470-6934 (Wk) Zoning district(s): C-2

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: single family residence with attached garage, full (walkout) basement and covered porch.

at site address 30900 Grand Drive, Section 23, T 04 N, R 19 E  
Lot(s) 34 Blk - Subd/CSM RIVERS TOWN Add #1 Parcel Id. # 0112-04-19-23-045-340  
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: insufficient street yard setback

Applicant is subject to: Article VI Division 15.5 C-2 upland Resource Conservation District 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)

- N/A Property is all/partially located in the shoreland area of \_\_\_\_\_
- Project is all/partially located in the shoreland area of \_\_\_\_\_
- Property is all/partially located in the floodplain area of N/A
- Project is all/partially located in the floodplain area of \_\_\_\_\_
- 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. 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.

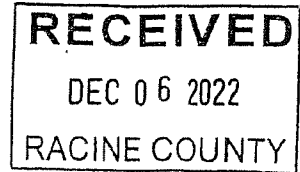
4) Explain how the request is not based on economic gain or loss and is not self-imposed. see attached.

RECEIVED  
DEC 06 2022  
RACINE COUNTY

Owner/Applicant's Signature Amber M. Bartz Date 12/6/22

Fee pd: \$ 450.00 Ck # 1022 (Payable to Racine County Development Services) Attach required documentation

Racine County Variance  
Zach and Amber Bartz  
30900 Grand Drive  
Waterford, WI 53185  
(262) 470 - 6934



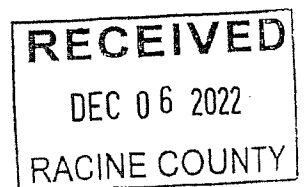
We, Amber and Zach Bartz agree to grant permission for an agent to act on our behalf, if applicable.

We found out about this private road through our builder when he went to apply for a Zoning Permit back on July 21<sup>st</sup>, 2021. We were not made aware of this private road when we purchased the lot in October of 2020.

To then find out we can terminate this private road if all five neighbors were to sign off on it. With that said, our adjacent neighbor being the only one to not be in agreement. Since July 21<sup>st</sup>, 2021 we had to hire an attorney acquiring thousands of dollars in legal fees due to this neighbor. Our adjacent neighbors have made us jump through hoops to get to the point of agreement, to then pull back on signing off; going on for well over a year now.

We truly have exhausted every single option in attempt to properly vacate the road. Leaving the only option left for us; filing for this variance.

- 1 - We have exhausted our options in attempt to properly vacate the private road. The sole purpose of the private road, according to the Declaration for the Private Road - recorded on February 13<sup>th</sup>, 2006 states that Lot 35-36 were to have no vehicular access to Buena Park Road. This was then also the reason for the private road going through our lot. Lots 35-36 indeed do have driveways on Buena Park Road. Therefore, those lots do not need this private road at all for those properties.
- 2 - Due to the natural terrain of our property, and the many kettles that vary in elevation. When we looked at building, we had to take into consideration the odd topographic of our lot. After spending hours with our builder, home designer and the survey company this was the only suitable option for our home to be built on.
- 3 - The approval of the variance would not create detriment to the surrounding neighbors, as 4/6 of the properties do not use this private road to enter and exit their properties (refer to neighbor letters). The private road would still give our adjacent neighbors and us a way to get to our homes off of Grand Drive. It would then stop, right as our personal driveway would start. All property owners will not use the back half of the private road at it is solely on our property.
- 4 - This variance request is to solely let our builders start to build the home of our dreams. We have not been able to build our home for over a year and a half now, as there have been many obstacles that we have been trying to solve. We are emotionally drained, have put many hours into this with no outcome, and have obtained unexpected lawyer fees. We truly just want to finally be able to start the building process that has been delayed for so long.

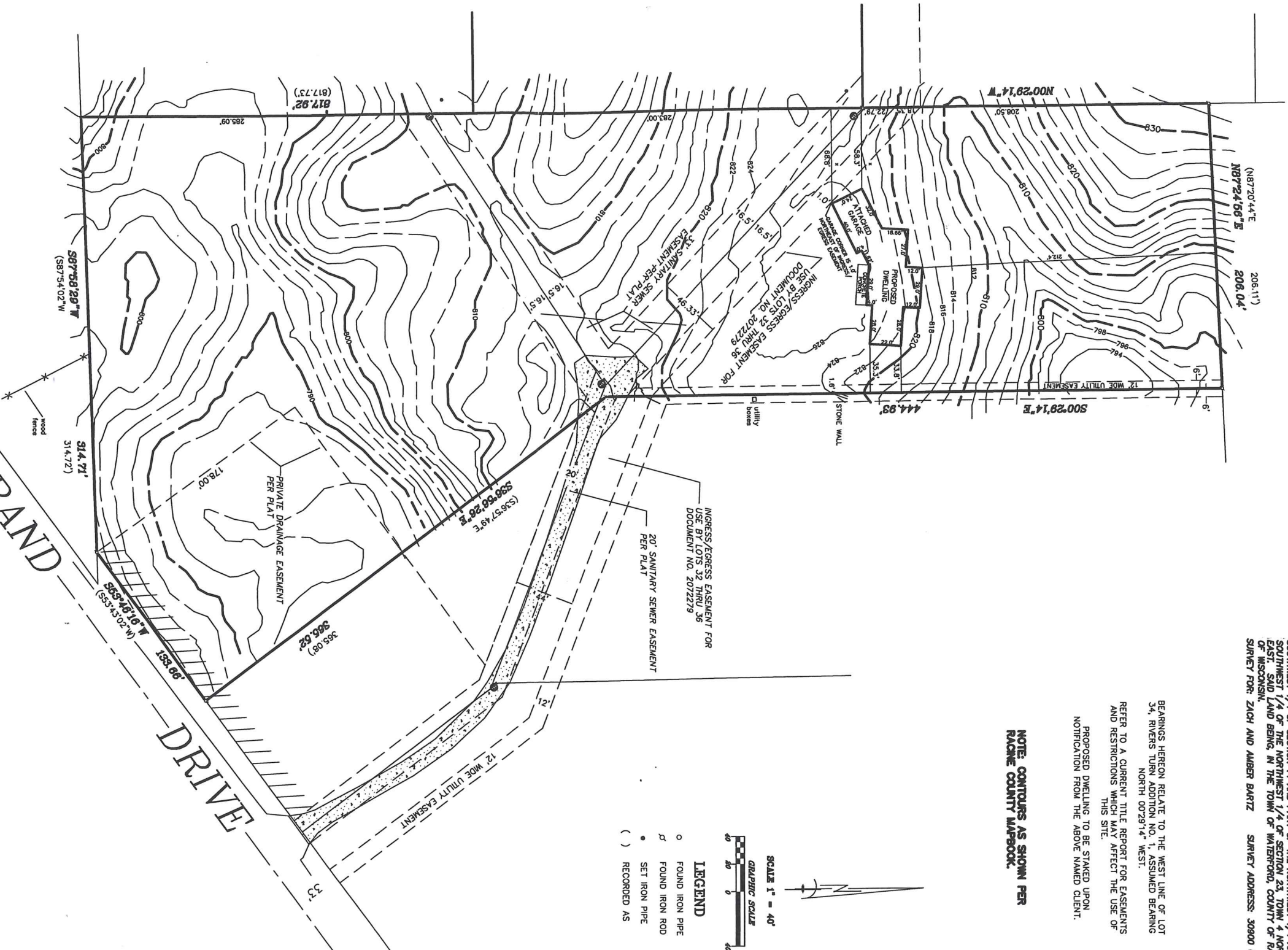
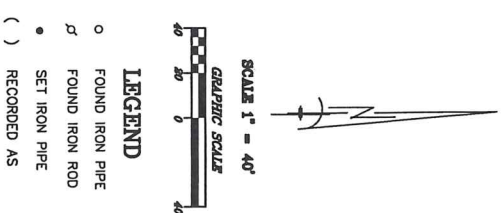


**PLAT OF SURVEY**  
-OF-

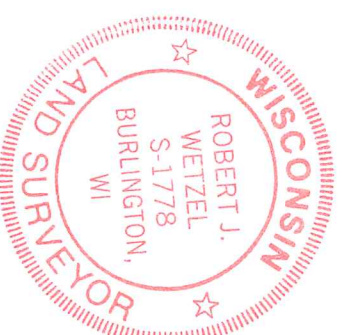
LOT 34, RIVERS TURN ADDITION NO. 1, BEING PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14 AND PART OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 14 AND PART OF SECTION 23, TOWN 4 NORTH, RANGE 19 EAST, COUNTY OF WAUKESHA, COUNTY OF RACINE STATE OF WISCONSIN. SURVEY FOR: ZACH AND AMBER BARTZ SURVEY ADDRESS: 30900 GRAND DRIVE

BEARINGS HERON RELATE TO THE WEST LINE OF LOT 34, RIVERS TURN ADDITION NO. 1, ASSUMED BEARING NORTH 00°29'14" WEST.  
REFER TO A CURRENT TITLE REPORT FOR EASEMENTS AND RESTRICTIONS WHICH MAY AFFECT THE USE OF THIS SITE.  
PROPOSED DWELLING TO BE STAKED UPON NOTIFICATION FROM THE ABOVE NAMED CLIENT.

**NOTE: CONTOURS AS SHOWN PER RACINE COUNTY MAPBOOK.**



I, hereby certify that I have prepared the above described property and that the same map is a correct representation thereof and shows the site and location of the property, the relative positions of all principal buildings thereon, boundary lines, easements, roadways and encroachments, if any.  
This survey is made for the use of the present owners of the property, and those who purchase, mortgage, or guarantee the title thereto within one year from date hereof.



**RECEIVED**  
DEC 06 2022  
RACINE COUNTY

REVISED: DECEMBER 7, 2022  
REVISED: NOVEMBER 30, 2022  
REVISED: JUNE 3, 2021

DRAWN BY:	ML/bw	DATE:	MAY 6, 2021
CHECKED BY:	rw/dw	DRAWING NO.:	10395d2
JOB NO.:	10395-A	SHEET 1	OF 1



**B.W. SURVEYING, INC.**  
412 N. PINE STREET  
BURLINGTON, WI 53105  
(262)-767-0225

THIS IS NOT AN ORIGINAL PRINT  
UNLESS THIS SEAL IS RED.  
*Robert J. Wetzel*  
ROBERT J. WETZEL  
S-1778