



The barns sitting behind the farmhouse when we purchased the property in 2014. You can see what they look like today in the prior picture above.

You can also see we made a significant investment in creating driveways to the buildings.

- *Position the house (7036) so it more closely aligned with the existing duplex at 7052/7054*
- *Position the house (7036) so it is feasible to maintain the farming that is currently done with both properties we own, while allowing us to install landscaping between the back of the house, the existing outbuildings and driveways that will allow the farmer to get his equipment on our parcels.*
- *A 60' setback will allow us to keep the mound system in place, keep the electrical service in place, connect to the existing well, and more easily use the existing driveways that we asphalted in 2021. (We may put in a new well, as the current one is shared between all three existing houses.)*

While on paper, a front setback of 75 feet looks doable. The reality is the backyard is very limited because of the existing driveways and buildings. (See picture below which is taken from what would be the back corner of a modest size house placed with a 75' setback.)



While we have made significant improvements to the outbuildings, having the back of the house so close to the gravel path and buildings themselves is very limiting and not what you would expect on a 10-acre parcel.

Our request is to place a new house at a 60-foot setback, which is between the current setback and the front setback rule that is currently in place. (See picture below which is taken from what would be the back yard from the back corner of a modest size house placed at a 60' setback.) While it isn't what we would consider ideal for a parcel that is over 10 acres, it is certainly better in that we will be able to create a somewhat private backyard with views a little more than gravel and barns. Additionally, we will be able to save the healthier large trees in the first outcropping.



A 60 front setback would allow us to keep the healthy trees in this outcropping and create a backyard that is more consistent with a parcel this size.

Note: our true preference would be keeping the existing setback and gain those extra 10 feet between the back of the house on the outbuildings and driveways.

For perspective, the **picture below** is taken from the back door of 7052/7054 which is the neighboring duplex that sits on less than 2 acres. Even with a large mound, this backyard is consistent with what you would expect on a larger rural lot.



The current zoning ordinance of having a 75' front setback places unnecessary limitations on our ability to have an ADA accessible home with full basement and a backyard consistent with a 10-acre parcel; while being visually appealing relative to the hobby farm overall and maintaining the intended A2 use of having the fields farmed.

While the parcel is slightly over 10 acres, all the existing structures that have been in place for many years limit the placement of a new home. Our request is simply to completely remove the house at 7036 and build an ADA accessible 3-bedroom 2.5 bath home with a 60-foot front setback. If you look at Exhibit 1, you will see that doing so keeps the overall property cohesive visually and preserves the substantial property rights of the owners that are also enjoyed in this area. (See Exhibit 4 for what the request placement of a 60' front setback would look like.) A 60' setback also allows us to use the substantial investments that have already been made in the property (septic, electrical, and asphalt driveway).

2) Describe the exceptional, extraordinary or unusual circumstances that are unique to this lot or structure.

This parcel was created in 2014 and no additional structures have been added to the property since that time. Though, projects have been undertaken to improve structures that were in need of repair.

In 2014, the prior owner worked with Racine County Zoning to divide all the land and houses she owned on the corner of Hwy 142 and Hwy J into smaller parcels. As you can see on the GIS, there were 3 lots created with Bushnell Rd frontage. And there were 2 additional parcels created with front on S English Settlement Ave. You can see the corner lot has frontage on both Hwy 142 and Hwy J. (See exhibit 1 for an overhead view.)

Racine County approved creating the parcel as non-conforming as the owner was allowed to keep two houses on the property along with all the accessory buildings. The property is also non-conforming because the house isn't setback 75 feet.

The house at 7036 was moved from Bong at the same time the duplex at 7052/7054 was moved. Our understanding is they dug new foundations prior to the move.

Our understanding is the house located at 28024 Bushnell Rd, which was also owned by the prior owner of this hobby farm, is non-conforming and may have also been moved from Bong. (See Exhibit A for proximity and Exhibit C for setbacks.) It should be noted that the state did recently take additional frontage for a right of way that made the front setback even less.

In addition, the parcel the is East of us has existing building that are much closer than 75 to the road.



These buildings are extremely close to the road and they are actively used.

With all the properties in the immediate area being positioned less than 75 feet from the front, a request to go with a 60-foot setback would keep this property visually aligned with the surrounding homes. And, the adjacent properties are all farm fields so no precedent is being set that would keep the new owners from following the 75-foot front setback for any new structures.

The picture below provides a view on how the buildings currently align from the South front corner:



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 property immediately to the South is 7052/7054 S English Settlement. We own that property and the request for the variance for the setback doesn't have an impact on our investment.*
- *The lot South of 7052/7054 is vacant and is separated from a line of trees. It is currently farmed without any buildings, so anyone building a new house would easily be able to comply with the 75' setback, as there aren't any obstacles. The house closest to them is the duplex and that setback is about 50'. There is a tree line between the two properties.*
- *The lot that is North is a corner lot and it has frontage on both Hwy J and 142. Our goal is to purchase that lot when the owner is ready to sell, as we would like to control what is built as a neighboring house.*
- *The house located at 28024 Bushnell Rd is positioned much closer to the road than our current setback.*
- *The Coyote Ridge subdivision was approved as condominium complex, which is an outlier as it isn't aligned with the A2 zoning of those properties in the immediate area.*
- *The parcel across the street from us is Zoned A2 and the existing buildings are less than the current 75 setback.*

I have spoken with the owners of both properties within 100 feet of us and neither expressed concern about our request and plan.

Not only does our request not impede the neighbors, but it actually creates a more visually appealing parcel when looking at the hobby farm as a whole.

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

As a property owner, we would expect to be able to make improvements to the homes and accessory buildings, in order to keep them from deteriorating. As evidenced by the condition of the properties today versus when we purchased them, we make investments to improve our real estate.

The reality is the current rules for this non-conforming property are creating a substantial financial loss for us, as we are going to need to give up the income from 7050 to create a wheelchair accessible home with an attached garage at 7036. That loss is not self-imposed, as we are working with around all the buildings that are in place.

Our experience in working with both homes is the foundations don't meet today's standards in terms of structure and/or functionality (i.e. cinder blocks wasn't reinforced with cement or rebar, drain tile wasn't installed on the interior or exterior, and they didn't install sump pumps. In addition, when we installed new windows and siding at 7052/7054 we discovered that the building construction isn't aligned with today's standards. While we expected poor insulation, we weren't expecting windows to be installed without flashing, scrap lumber as wall framing, and walls that are very out of plumb.

In Summary:

Without a solid 'foundation', making a significant investment to complete repairs/replace and additions to the farmhouse truly doesn't make sense.

Thank you for considering our request to continue to make substantial improvements to this property while maintaining accessibility for the current crop farmer.

C.I.D.

Exhibit 2: Remodel and additional existing keep South and East corner setbacks

S01°17'15"E

50'

277.79'

178.41'

75'

garage

shed

Tanks

N01°17'15"W

N88°42'33"E

129.42'

75'

dwelling

25'

pole bldg.

barn

pole bldg.

sheds

dwelling

garage

25'

428.13'

N87°53'46"E

LOT 3

80,195 sq. ft.

1.84 acres

EE7 RR'

1107.01



outbuilding

C.I.P.

Exhibit 3 - with Current buildings marked

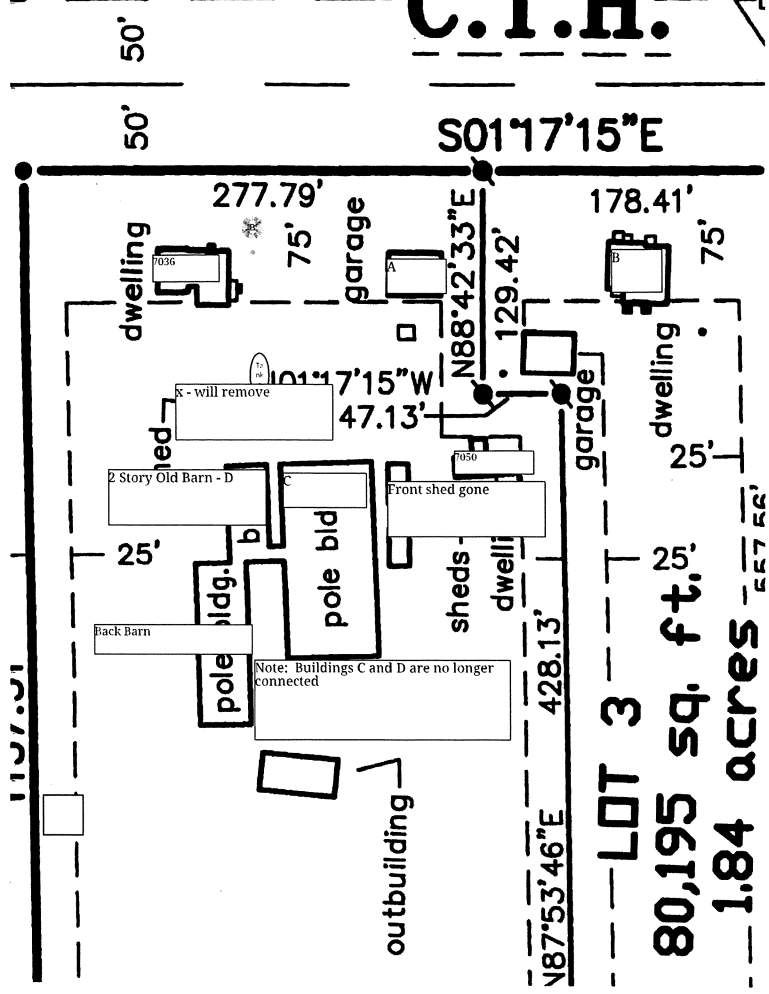


Exhibit 5

Corner house that didn't meet the front setback requirements and was made worse when the state acquired additional frontage a few years back.

Racine County GIS - 28024 Bushnell Rd

