

APPLICATION FOR A VARIANCE/APPEAL

Racine County, Wisconsin

Owner: Randy Wrycza *Randal and Gina Wrycza*

Applicant/Agent: Randy Wrycza

Address: 5601 E. Peninsula Dr.

Date petition filed: 7-10-2024 Hearing Date: 8-6-2024

Waterford, WI 53185

Municipality: Waterford

Phone (Hm) 262-332-1815 (wk)

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:

The construction of an attached uncovered deck/stairs addition to the existing residence

at site address 5601 E Peninsula Drive, Section 23, T 04 N, R 19 E Lot(s) 52+1/453 Blk - Subd/CSM Buena Park Subd. Parcel Id.# 016041923108000

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 attached uncovered deck will have an insufficient shore yard setback.

Applicant is subject to: Article VI Division 6 R-3A, Suburban Residential District (Sewered); Section 20-191 Substandard Nonconforming lots; Section 20-1017 Reduction or Joint Use; and Section 20-1045 Shoreland Setbacks and exempt structures.

_____, 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 (Buena Lake)
- Project is all located in the shoreland area of Buena Lake
- Property is partially located in the floodplain area of Buena Lake
- ____ Project is all/partially located in the floodplain area of _____
- ____ Project 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. The house was designed and approved to have a patio door open to a deck. The proposed deck is to be built within the buildable setbacks but within 75' of a waterway

2) Describe the exceptional, extraordinary or unusual circumstances that are unique to this lot or structure. Our proposed deck is within 75' off the shoreline. However, majority of our neighbor's decks, are in the same proximity to the shoreline as our proposed deck. There are other homes on our waterway with new decks that are even closer.

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. Our recently built home has an unusable patio door. To access the back yard, you must exit the front door and walk around the house. This also poses a safety concern as we would only have one fire exit through the front door.

4) Explain how the request is not based on economic gain or loss and is not self-imposed. We are simply trying to install a deck within our buildable lot setbacks. The home could have been built in this space but we left it open to allow for the deck off the back of the home to lead to the water.

Owner/Applicant's Signature Randy Wrycza Date 7/9/2024

Fee pd: \$ 450.00 Ck # 723 (Payable to Racine County Development Services) · Attach required documentation

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

PERMIT NO. _____
 DATE PERMIT ISSUED _____

OWNER Randy Wrycza *Randel card*

APPLICANT Randy Wrycza

Mailing Address: 5601 E. Peninsula Dr.

Mailing Address: 5601 E. Peninsula Rd

Waterford WI 53185
 City State Zip

Waterford WI 53185
 City State Zip

Phone: 262-332-1815

Phone: 262-332-1815

Email: rwrycza@gmail.com

Email: rwrycza@gmail.com

Parcel Id. # 016041923108000

Site Address _____

Municipality Waterford Section(s) 23 Town 04 North, Range 19 East

Lot S2+1/2S3 Block - Subdivision Name Buena Park Subdivision CSM # -

Proposed Construction/Use Attached Uncovered Deck/stairs

New	<input checked="" type="checkbox"/>	Principal Bldg.	Size	<u>(9.5' x 11.33')</u>	<u>(6.83' x 11')</u>	<u>(4' x 5.5')</u>
Addition	<input type="checkbox"/>	Accessory	Area (sq ft)	<u>(107.64 +)</u>	<u>(75.13 +)</u>	<u>(22 = 204.77) +/-</u>
Alteration	<input type="checkbox"/>	Deck	Peak Ht. (ft.)	<u>4'</u>	100-Yr. Floodplain Elev. <u>776.1</u>	
Conversion	<input type="checkbox"/>	Sign	Eave Ht. (ft.)	<u>-</u>	Flood Protection Elev. _____	
Temporary	<input type="checkbox"/>	Other	Building Ht.-Avg. (ft.)	<u>4'</u>		

Contractor	<u>Self</u>	Est. Value w/Labor	<u>\$2,500</u>	ZONING DISTRICT	<u>R-3A</u>
Existing Nonconforming?	<u>N/A</u>	Yes	<u>X</u>	Yard Setbacks	Proposed <u>OK?</u>
Structure in Shoreland? (per map)	<u>N/A</u>	Yes	<u>X</u>	Street-1 st	<u>25.33'</u> <u>YES</u>
Mitigation or Buffer Needed?	<u>N/A</u>	Yes	<u>N/A</u>	Street-2 nd	<u>-</u> <u>-</u>
Structure in Floodplain? (per map)	<u>N/A</u>	*Yes	<u>N/A</u>	Side-1 st	<u>10'</u> <u>YES</u>
*Structure's Fair Market Value \$	<u>N/A</u>	Cumulative %	<u>N/A</u>	Side-2 nd	<u>10.43'</u> <u>YES</u>
*>50% of Fair Market Value?	<u>N/A</u>	Yes	<u>N/A</u>	Shore	<u>40'</u> <u>-</u>
Structure in Wetland? (per map)	<u>N/A</u>	Yes	<u>N/A</u>	Rear	<u>-</u> <u>-</u>
Substandard Lot?	<u>N/A</u>	Yes	<u>X</u>	Total Acc. Structures	<u>-</u>
BOA Variance Needed?	<u>N/A</u>	Yes	<u>X</u>	Date of Approval	_____
Conditional Use/Site Plan Needed?	<u>N/A</u>	Yes	<u>N/A</u>	Date of Approval	<u>-</u>
Shoreland Contract Needed?	<u>N/A</u>	Yes	<u>N/A</u>	Date of Approval	<u>-</u>
Additional Zoning Permit Stipulations Listed on Back of this Form? Yes <u>X</u> 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 Randy Wrycza 7/9/2024
 CC Date/Check#/Cash 723 Signature of Owner/Applicant/Agent Date
 Shoreland Contract Fee Pd: \$ _____ Randy Wrycza
 CC Date/Check#/Cash _____ Print Name(s)
 Zoning Permit Fee Pd: \$ 60.00 _____
 CC Date/Check#/Cash _____ Notes (revisions, extensions, etc.)
 Other: _____ Pd: \$ _____ JTM

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)

PIN 0160419-23-108000

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 ≥ _____'

Date: 6/23/2024 - 12:54 PM
Design ID: 321253185242
Estimated Price: \$2,473.28

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS
Design & Buy™
DECK

How to recall and purchase your design at home:



OR

1. On Menards.com, enter "Design & Buy" in the search bar
2. Select the Deck Designer
3. Recall your design by entering Design ID: 321253185242
4. Follow the on-screen purchasing instructions

How to purchase your design at the store:

1. Enter Design ID: 321253185242 at the Design-It Center Kiosk in the Building Materials Department
2. Follow the on-screen purchasing instructions



Illustration intended to show general deck size and shape. Some options may not be shown for picture clarity.

Layout dimension sheets are intended as a construction aid. Not all options selected are shown.

Final design should be performed by a registered professional engineer to ensure all applicable building codes and regulations are met. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. **MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN.** All information on this form, other than price, has been provided by the guest. Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. **MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF THE WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS.**

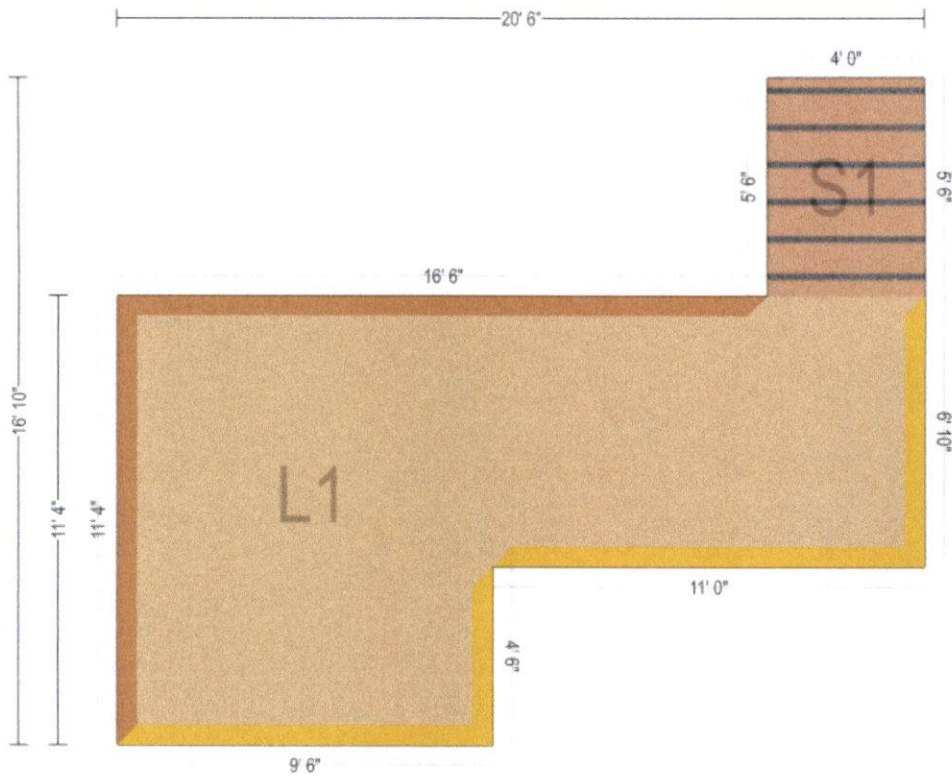
For other design systems search "Design & Buy" on Menards.com



Date: 6/23/2024 - 12:54 PM
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MENARDS
Design & Buy™
 DECK



Deck Side Color Legend

	Open Side/No Railing		Railing
	Unattached Walls		Attached Walls



RECEIVED
JUL 10 2024
RACINE COUNTY



PLAT OF SURVEY

LOCATION: East Peninsula Drive, Waterford, Wisconsin

LEGAL DESCRIPTION: Lot 52 and the South 1/2 of Lot 53 in BUENA PARK SUBDIVISION, a subdivision of all that part of Section 23, Township 4 North, Range 19 East of the Fourth Principal Meridian in the Township of Waterford, County of Racine and State of Wisconsin.

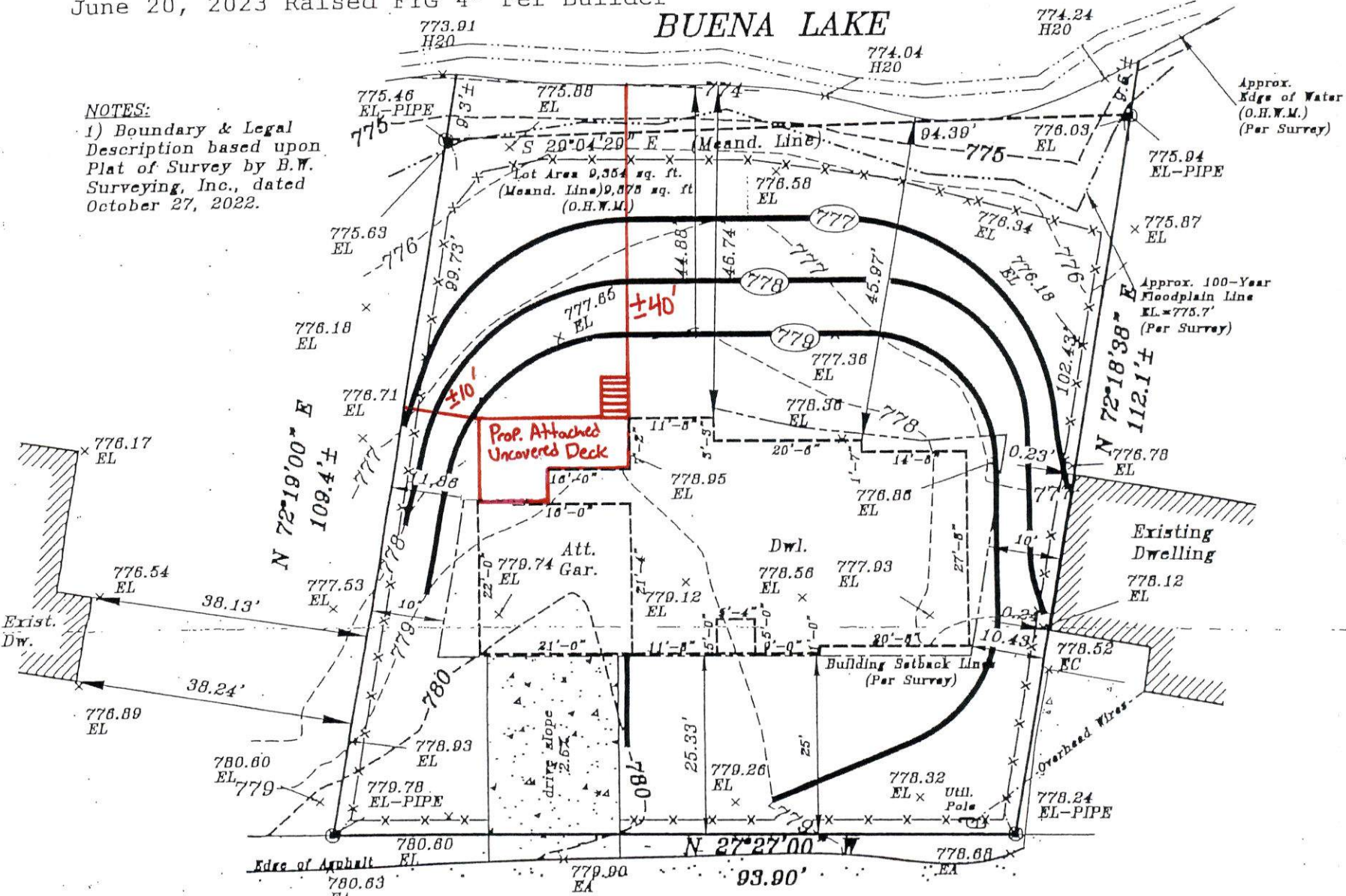
Survey No. 113982-S

- December 2, 2022 (Drawing Only)
- December 8, 2022 Added First Floor Plan (Do Not Stake)
- December 16, 2022 Topography Added
- March 23, 2023 Revised First Floor Plan
- April 4, 2023 Added Foundation Plan (Not Staked)
- April 17, 2023 Revised Foundation Plan (Not Staked)
- May 2, 2023 Revised Foundation Plan (Not Staked)
- May 5, 2023 Staked Proposed Dwelling
- June 15, 2023 Added Proposed Grades and Proposed Grading Plan
- June 20, 2023 Raised FYG 4" Per Builder



NOTES:

1) Boundary & Legal Description based upon Plat of Survey by B.W. Surveying, Inc., dated October 27, 2022.

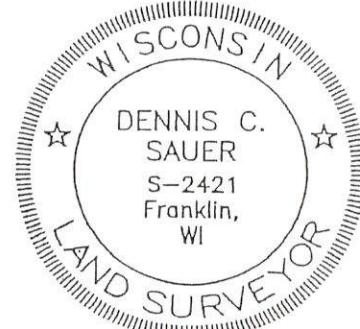
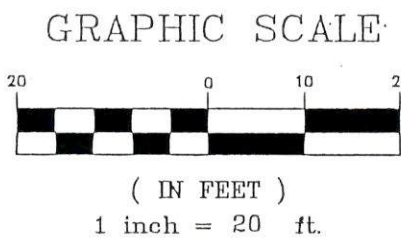


- Prop. Top of Footing: 776.33
- Prop. 1st Floor EL: 785.50
- Prop. Gar. Slab: 780.66
- Prop. T.O.W.: 784.33
- Prop. Fin. Yd. Gr.: 780.33

---780--- Denotes Existing Contour
 (780) Denotes Proposed Contour

IMPERVIOUS SURFACES
 House Area= 1,459 sq. ft.
 Garage Area= 451 sq. ft.
 Porch Area= 27 sq. ft.
 Walk Area= T.B.D.
 Drive Area (to R.O.W.)= 456 sq. ft.
 Estimated Impervious Surface= 2,393 sq. ft.
 Estimated % Use of Total Lot Area= 24.2%

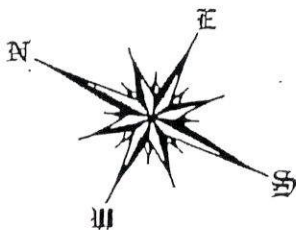
Proposed finished yard, 1st floor or top of foundation grade shown on this drawing is a suggested grade and should be verified by the owner, builder or municipality



METROPOLITAN SURVEY SERVICE, INC.

PROFESSIONAL LAND SURVEYORS
 9415 West Forest Home Avenue, Suite 202
 Hales Corners, Wisconsin 53130
 PH. (414) 529-5380
 survey@metropolitansurvey.com
 www.metropolitansurvey.com

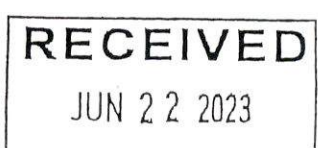
- ⊙ — Denotes Iron Pipe Found
- — Denotes Iron Pipe Set
- 000.0 — Denotes Proposed Grade
- x—x—x— Denotes Proposed Silt Screen



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*
Dennis C. Sauer
 Professional Land Surveyor S-2421



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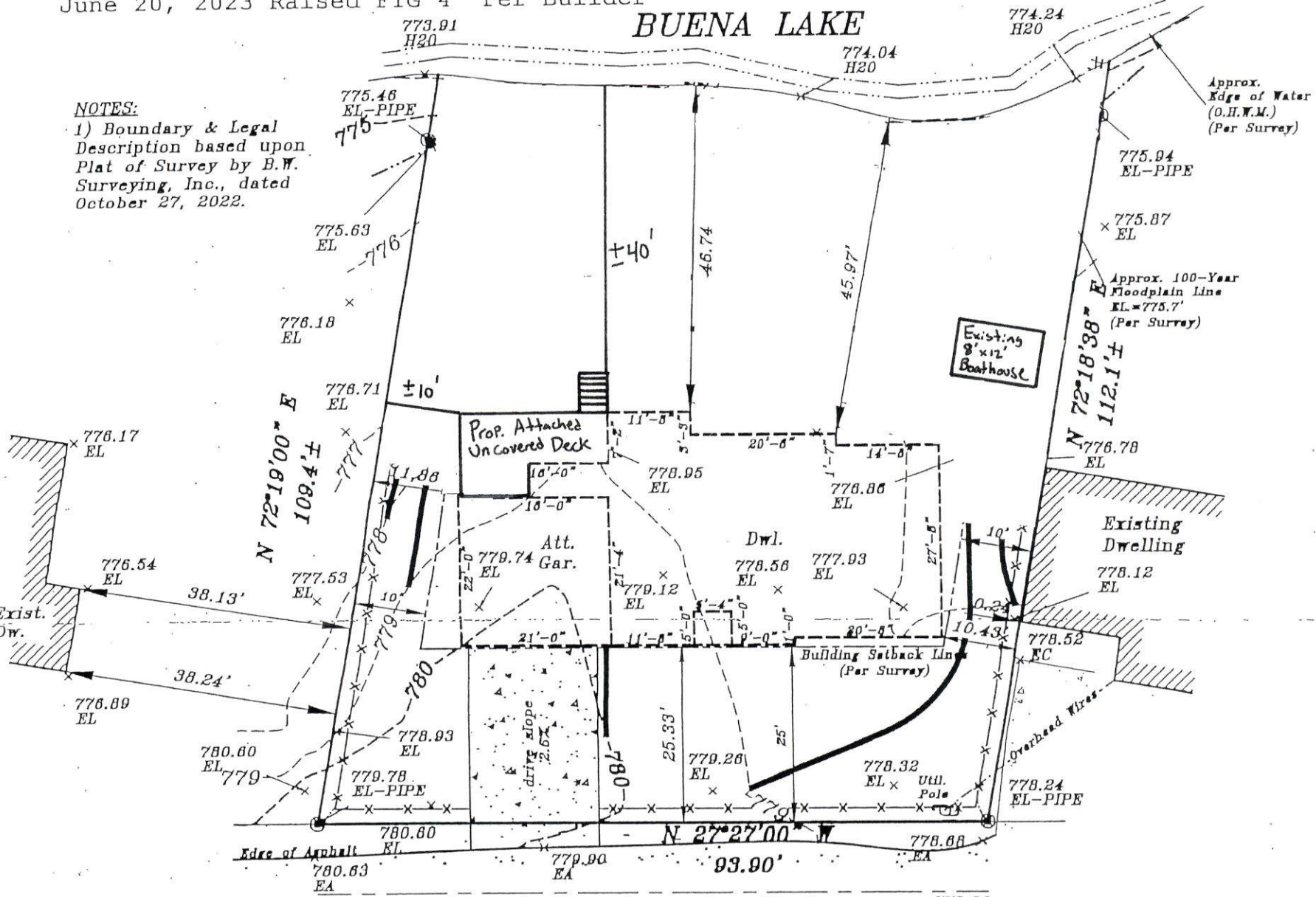
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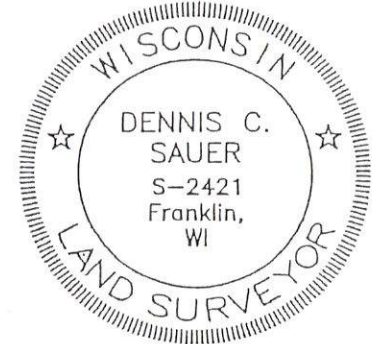
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GRAPHIC SCALE



(IN FEET)
 1 inch = 20 ft.

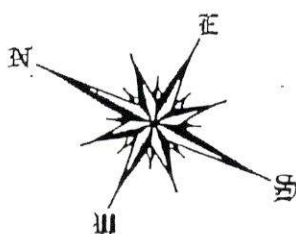


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SIGNED

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

RECEIVED

JUN 22 2023