



**AGENDA**  
**Zoning Board of Appeals**

**Tuesday, October 18, 2016 at 5:30 p.m.**  
City of Burlington Fire Station – 165 W. Washington Street

Amy Zott  
Dan Snyder  
John Lynch, Jr.  
Joel Weis

1. Call to order
2. Roll Call
3. Approval of minutes from July 28, 2016
4. Citizen Comments
5. Public Hearing:
  - A. A Public Hearing to hear Public comment regarding the consideration of a variance from Section 315-18 F(1), setback and yards, and Section 315-57, corner lots, for property located at 400 Dardis Drive, to build an addition to an existing garage which would extend 11.5 feet into the street yard.
  - B. A Public Hearing to hear Public comment regarding the consideration of a variance from Section 315-30 F(3), setback and yards, for property at located at 988 S. Pine Street, to install four storage sheds with less than a 25-foot rear yard setback.
6. New Business:
  - A. Consideration to approve a Zoning Variance application from Margaret Dozemagen for property located at 400 Dardis Drive, to build an addition to an existing garage by 11½ feet in the street yard.
  - B. Consideration to approve a Zoning Variance application from JB Schneider Investments, for property located at 988 S. Pine Street, to install four storage sheds with less than a 25-foot rear yard setback.
7. Adjourn

NOTE: If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 262-342-1161 at least 24 hours prior to the meeting.

City of Burlington  
Board of Zoning Appeals Minutes

Date of Meeting: July 28th, 2016

Members Present: John Lynch Jr., Dan Snyder, Joel Weis

Other Appearances: Gregory Guidry, Zoning Administrator

1. The meeting was called to order at 5:43 p.m.
2. A motion was made to approve the June 14, 2016 minutes by Dan Snyder and seconded by Joel Weis.
3. There were no citizen comments.
4. A public hearing was held on the above date based upon the filing of Zoning Form No.4 Model Appeal or Application to the Zoning Board of Appeals for Zoning Variance.

The appeal was filed on July 1, 2016, by James Rose for a dimensional variance to allow the construction of a 4 foot tall aluminum, of 80% opacity, street side.

The appeal requests:

1. Review, reversal, or modification of the Zoning Administrator's permit refusal, correction order or interpretation.
2. A variance from the City of Burlington Zoning Code specifically the following Ordinances: 315-51 A for street yard fence height

New Business:

Consideration to approve a Zoning Variance application from James Rose for a 4' fence in street yard.

Discussion on Rose variance:

A motion was made to allow a street yard fence height not to exceed 4 feet, with 80% opacity, as long as it was not a visibility / safety concern for motorist the variance request by Joel Weis and seconded by Dan Snyder. Site was to be reviewed by building inspector Gregory Guidry to assure that it did not impede visibility of motorists at the intersection. Motion carried 3-0.

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Board of Zoning Appeals  
Secretary

THE ZONING BOARD OF APPEALS IN AND FOR THE CITY OF BURLINGTON

Notice of Hearing on  
Proposed Zoning Variance Permit  
Rs-3, Single Family Residential

TO WHOM IT MAY CONCERN:

**NOTICE** is hereby given that the Zoning Board of Appeals of the City of Burlington, Racine County, Wisconsin, will conduct a hearing to receive evidence pertinent to its consideration of an appeal from:

**Owner:** Margaret Dosemagen  
**Applicant:** Margaret Dosemagen  
**Location:** 400 Dardis Drive  
**Zoning:** Rs-3, Single Family Residential  
**Use:** Addition to existing garage  
**Variance Requested:** A variance to Section 315-18 F(1) and 315-57 of the Zoning Ordinance. To build an addition to an existing garage which would extend 11.5 feet into the street yard.

**NOTICE IS FURTHER GIVEN** that a hearing on the above-mentioned Zoning Variance Request will be held by the Zoning Board of Appeals at the Fire House, in the City of Burlington on:

**TUESDAY, OCTOBER 18, 2016 DURING THE MEETING OF THE ZONING BOARD OF APPEALS SCHEDULED TO BEGIN AT 5:30 P.M. OR SHORTLY THEREAFTER**

CITY OF BURLINGTON  
ZONING BOARD OF APPEALS

Dated at Burlington, Wisconsin, 26<sup>th</sup> day of September 2016.

Carina Walters, City Administrator

*Published in the Burlington Standard Press  
September 29<sup>th</sup> & October 6<sup>th</sup>, 2016*

THE ZONING BOARD OF APPEALS IN AND FOR THE CITY OF BURLINGTON

Notice of Hearing on  
Proposed Zoning Variance Permit  
M-1, Light Manufacturing District

TO WHOM IT MAY CONCERN:

**NOTICE** is hereby given that the Zoning Board of Appeals of the City of Burlington, Racine County, Wisconsin, will conduct a hearing to receive evidence pertinent to its consideration of an appeal from:

**Owner:** JB Schneider Investments, Inc.  
**Applicant:** Blane Schneider  
**Location:** 988 S. Pine Street  
**Zoning:** M-1, Light Manufacturing District  
**Use:** Rental Storage Units  
**Variance Requested:** A variance to Section 315-30 F(3) of the Zoning Ordinance. To install four storage sheds with less than a 25-foot rear yard setback

**NOTICE IS FURTHER GIVEN** that a hearing on the above-mentioned Zoning Variance Request will be held by the Zoning Board of Appeals at the Fire House, in the City of Burlington on:

**TUESDAY, OCTOBER 18, 2016 DURING THE MEETING OF THE ZONING BOARD OF APPEALS SCHEDULED TO BEGIN AT 5:30 P.M. OR SHORTLY THEREAFTER**

CITY OF BURLINGTON  
ZONING BOARD OF APPEALS

Dated at Burlington, Wisconsin, 26<sup>th</sup> day of September 2016.

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Description of the Subject Site

Address of premises affected: 400 Dardis Drive; Burlington, WI, 53105

Lot: 17 Block: 6 Subdivision: Sunset Ridge Third Addition

Lot size: \_\_\_\_\_

Metes and bounds description (please attach: \_\_\_\_\_

Zoning district classification: RS - 3

Description of existing operation or use: garage

Description of the proposed operation or use: 2 car garage & breezeway

Number of employees: \_\_\_\_\_

Type of structure: garage (1 car)

Terms of ordinance: \_\_\_\_\_

Variance requested: garage (2 car) & small breezeway

Reason for petition: \_\_\_\_\_

Attachments

The following required items shall be attached for all appeals and applications:

Plat of Survey prepared by a registered land surveyor showing the location, boundaries, dimensions, elevations, uses, and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets, and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street, side and rear yards. In addition, the plate of survey shall show the location, elevation and use of any abutting lands their structures within forty (40) feet of subject site.

Names and Addresses of all abutting and opposite property owners within 300 feet of the area.

Additional Information as may be required by the Plan Commission, City Engineer, Zoning, Building, Plumbing or Health Inspectors.

Fee Receipt from the Treasurer in the amount of \$ 150.00.

An appeal of the Zoning Administrator's permit refusal, correction order or interpretation shall be accompanied by a statement as to why the Zoning Administrator's decision is in error. An appeal for a variance shall be accompanied by a statement of facts listing the appellant's special conditions that would cause a literal enforcement of the Zoning Ordinance to result in practical difficulty or unnecessary hardship. An application for a determination of unclassified uses shall be accompanied by a complete description of the process, operation of use and comparisons with similar uses.

Date: Aug 15, 2016 Owner/Owner's Agent: MARGARET M. DOSEMAGEN

Print  
Margaret M. Dosemagen  
Signature

400 Dardis Drive  
Burlington, WI, 53105  
August 15, 2016

Dear City Zoning Board,

Mr. Greg Guldry referred me to you with my request for a variance for a home improvement project.

My house is located on the southeast corner of Lincoln Street and Dardis Drive. I purchased it in 1988 when I moved to Burlington for a new job. I grew up in Kenosha, but after 28 years, Burlington is also home to me.

I am blessed with wonderful neighbors who not only take pride in their homes but also are, for the most part, considerate, quiet, and helpful. I feel very safe in my home and would like to stay here until either my legs or memory fail me - whichever comes first!

My house is a basic three bedroom ranch. I have made a lot of changes since 1988 and try hard to maintain it so that it is neat and clean and pleasing to the eye for my neighbors. My request for a variance is for a project to enlarge my garage by  $11\frac{1}{2}$  feet.

Currently, I have a small one car garage. When I purchased my house, there was a concrete driveway leading up to the garage, with an asphalt side portion to accommodate one car for off-street parking. In 2012, since both the asphalt and concrete were cracked, bumpy, and looked awful, I replaced same with new concrete. My present garage gets very crowded, especially in the fall, winter, and spring when I store my patio furniture, snow-blower, hoses, lawn and garden tools, firewood, ladder, and recycle and garbage bins.

May I please be granted variance so that I may add  $11\frac{1}{2}$  feet to the existing garage (north side), in effect, creating a 2 car garage and small breezeway?

I have walked around my house and yard, several times trying to envision this extra space with an eye toward how it would look and how it might impact my neighbors. It does not seem to me that it might be "unnecessarily burdensome" to anyone.

In fact, I think it would look very nice! And - just think how many local people would be employed because of this project!!

Please consider allowing me this variance so that I can proceed with this improvement.

Thank you very much for your time and opinion.

Respectfully,  
Margaret M. (Peggy)  
Dremagen

My neighbors:

to the south - Mrs and Mrs. Mike Weis

↙ across the street - Mrs and Mrs. Jim Pederson

↖ across the street - I'm sorry, I don't know -

- (1) Community living arrangements which have a capacity for nine or more persons.
  - (2) Utilities.
  - (3) Greenhouses with associated sales.
  - (4) Churches.
  - (5) Bed-and-breakfast establishments providing adequate off-street parking facilities.
- D. Lot area and width (also see Article VI). Lots shall have a minimum of 11,000 square feet in area and shall be not less than 70 feet in width.
- E. Building height (also see Article VI). No building or parts of a building shall exceed 35 feet in height.
- F. Setback and yards (also see Article VI).
- (1) A minimum street yard of 25 feet from the right-of-way of all public streets shall be required.
  - (2) There shall be a minimum side yard of not less than eight feet on a side nor less than 20 feet total for both side yards.
  - (3) There shall be a rear yard of not less than 25 feet.

### § 315-18 Rs-3 Single-Family Residence District.

The Rs-3 Residence District is intended to provide for single-family residential development on lots at densities not to exceed 5.4 dwelling units per net acre served by municipal sewer and water facilities.

- A. Rs-3 permitted uses.
- (1) Single-family dwellings.
  - (2) Foster homes; treatment foster homes.<sup>[1]</sup>  
[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
  - (3) Family day-care home.  
[Added 10-1-1991 by Ord. No. 1349(19)]
  - (4) Community living arrangements which have a capacity for eight or fewer persons served by the program.
  - (5) Adult family homes.<sup>[2]</sup>  
[2] *Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
  - (6) Essential services.
- B. Rs-3 permitted accessory uses.  
[Amended 3-18-2003 by Ord. No. 1716(30)]
- (1) Private garages and carports (see Article V).
  - (2) Gardening, tool and storage sheds incidental to the residential use.
  - (3) Home occupations.
- C. Rs-3 conditional uses.
- (1) Community living arrangements which have a capacity for nine or more persons.
  - (2) Utilities.

- (3) Greenhouses with associated sales.
- (4) Churches.
- (5) Bed-and-breakfast establishments providing adequate off-street parking facilities.
- (6) Modified two-family dwelling. A single-family dwelling in the Rs-3 District may be utilized as a two-family dwelling upon the issuance of a conditional use for such purpose as approved by the City Plan Commission pursuant to § 315-130 and if the parcel and premises meet the following minimum standards:  
[Added 7-3-1990 by Ord. No. 1309(7)]
  - (a) The premises is owner-occupied.
  - (b) The parcel abuts an Rd-1 or Rd-2 Residence District.
  - (c) The parcel has a minimum lot area not less than 90% of the area of the Rd-2 District.
  - (d) The parcel is large enough to provide off-street parking, and no more than three vehicles will be permitted to park on the parcel.
  - (e) The structure complies with the Building Code<sup>[3]</sup> as it pertains to the requirements of a two-family structure.  
[3] *Editor's Note: See Ch. 115, Building Construction.*
  - (f) The dwelling is occupied by no more than six permanent residents/occupants.
  - (g) Any alterations, improvements or remodeling necessary to comply with the Building Code do not require a violation of the setback requirements nor encroach on the setback requirements to an extent greater than exists at the time of the application.
  - (h) No objection is received from any abutting property owner within 300 feet of the parcel.
  - (i) The conditional use, if granted, will expire upon the transfer of ownership, either legal or equitable, in any way whatsoever.

D. Lot area and width (also see Article VI). Lots shall have a minimum of 8,000 square feet in area and shall be not less than 60 feet in width.

E. Building height (also see Article VI). No building or parts of a building shall exceed 35 feet in height.

F. Setback and yards (also see Article VI).

- (1) A minimum street yard of 25 feet from the right-of-way of all public streets shall be required.
- (2) There shall be a minimum side yard of eight feet.
- (3) There shall be a rear yard of not less than 25 feet.

### § 315-19 TN-R Traditional Neighborhood Residence District.

[Added 12-7-1999 by Ord. No. 1611(13)]

- A. Intent. The TN-R Traditional Neighborhood Residence District is intended to:
  - (1) Be used exclusively in areas of the City planned for traditional neighborhood development of a residential nature as indicated on the City's Comprehensive Master Plan or element of the City's Comprehensive Master Plan.
  - (2) Be served by public sanitary sewer and water supply facilities.
  - (3) Provide areas of open space.

shall not be allowed to be placed closer to a street right-of-way line than the minimum required building setback of the zoning district within which such accessory uses and detached accessory structures are placed;

- (3) Shall not be closer than five feet to the principal structure;
  - (4) Shall not exceed the height of the principal structure or 25 feet, whichever is less, in all residential districts and in the B-1, B-2, B-2A, B-3, I-1, M-1, M-2, M-3, M-4, PUD (nonresidential) and Q-1 Districts shall not exceed the maximum height limitations of the zoning district within which such accessory uses and detached accessory structures are placed;  
[Amended 11-9-2006 by Ord. No. 1812(16); 6-7-2011 by Ord. No. 1925(2)]
  - (5) Shall not occupy more than 20% of the existing rear yard area in all districts except in the B-1, B-2, B-2A, B-3, I-1, M-1, M-2, M-3, M-4, PUD (nonresidential) and Q-1 Districts where such accessory uses and detached accessory structures shall not occupy more than 50% of the rear yard area or side yard area; and  
[Amended 11-9-2006 by Ord. No. 1812(16)]
  - (6) Shall not be closer than three feet to any lot line nor 10 feet to any alley line in all residential districts, except in residential districts the required ten-foot setback from the alley line may be reduced to the average of the setback of the abutting structures on each side, but in no case less than five feet.  
[Amended 6-3-2008 by Ord. No. 1861(3)]
- D. Off-street parking is permitted in all yards of all districts but shall not be closer than eight feet to a street right-of-way line and four feet to other property lines. Parking lots located within the B-2 Central Business District are exempt from this requirement in accordance with §315-48.  
[Amended 10-1-1991 by Ord. No. 1352(22)]
- E. Essential services, utilities, and electric power and communication transmission lines are exempt from the yard and distance requirements of this chapter.
- F. Landscaping and vegetation are exempt from the yard requirements of this chapter.

### § 315-55 Additions.

Additions in the street yard of existing structures shall not project beyond the average of the existing street yards on the abutting lots or parcels.

### § 315-56 Average street yards.

The required street yards may be decreased in any residential or business districts to the average of the existing street yards of the abutting structures on each side but in no case less than 15 feet in any residential district and five feet in any business district except in the B-2 Central Business District.

### § 315-57 Corner lots.

Structures shall provide a street yard as required by this chapter on the street that the structure faces. A second street yard shall be provided on the side of the structure abutting a second public or private street. The setbacks on each street shall be the same distance.

### § 315-58 Floodway lands eligible for meeting area requirements.

Where a lot is located partially within the FW Floodway District and a minimum of 50% of the lot is located within any other adjoining use district, that portion of the lot in the FW Floodway District may be utilized to meet the area requirements of the adjoining use district.

### § 315-59 Existing substandard lots.

- A. A lot located in a residential district which does not contain sufficient area to conform to the dimensional requirements of this chapter but which is at least 50 feet wide and 6,000 square feet in area may be used as a single building site,

Tables - Sub back + parking  
 ZONING

315 Attachment 1

City of Burlington  
 Appendix A  
 Summary of Area, Yard, Height and Lot Coverage Requirements  
 [Amended 11-9-2006 by Ord. No. 1808(12);  
 11-9-2006 by Ord. No. 1812(16); 6-2-2009 by Ord. No. 1881(2)]

Zoning District	Minimum Lot Size			Minimum Yard Requirements			Maximum Building Height (feet)
	Total Area (square feet)	Area per Family (square feet)	Lot Width at Setback (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	
A-1 Agricultural/Holding District	217,800 (5 acres)	217,800 (5 acres)	300	25	25	50	60
Rs-1 Single-Family Residence District	14,000	14,000	80	25	8 per side; 20 total	25	35
Rs-2 Single-Family Residence District	11,000	11,000	70	25	8 per side; 20 total	25	35
Rs-3 Single-Family Residence District	8,000	8,000	60	25	8	25	35
TN-R Traditional Neighborhood Residential District (See § 315-19 and Table 1)							
Rd-1 Two-Family Residence District	14,000	7,000	80	25	8 per side; 20 total	25	35
Rd-2 Two-Family Residence District	11,000	5,500	75	25	8 per side; 20 total	25	35

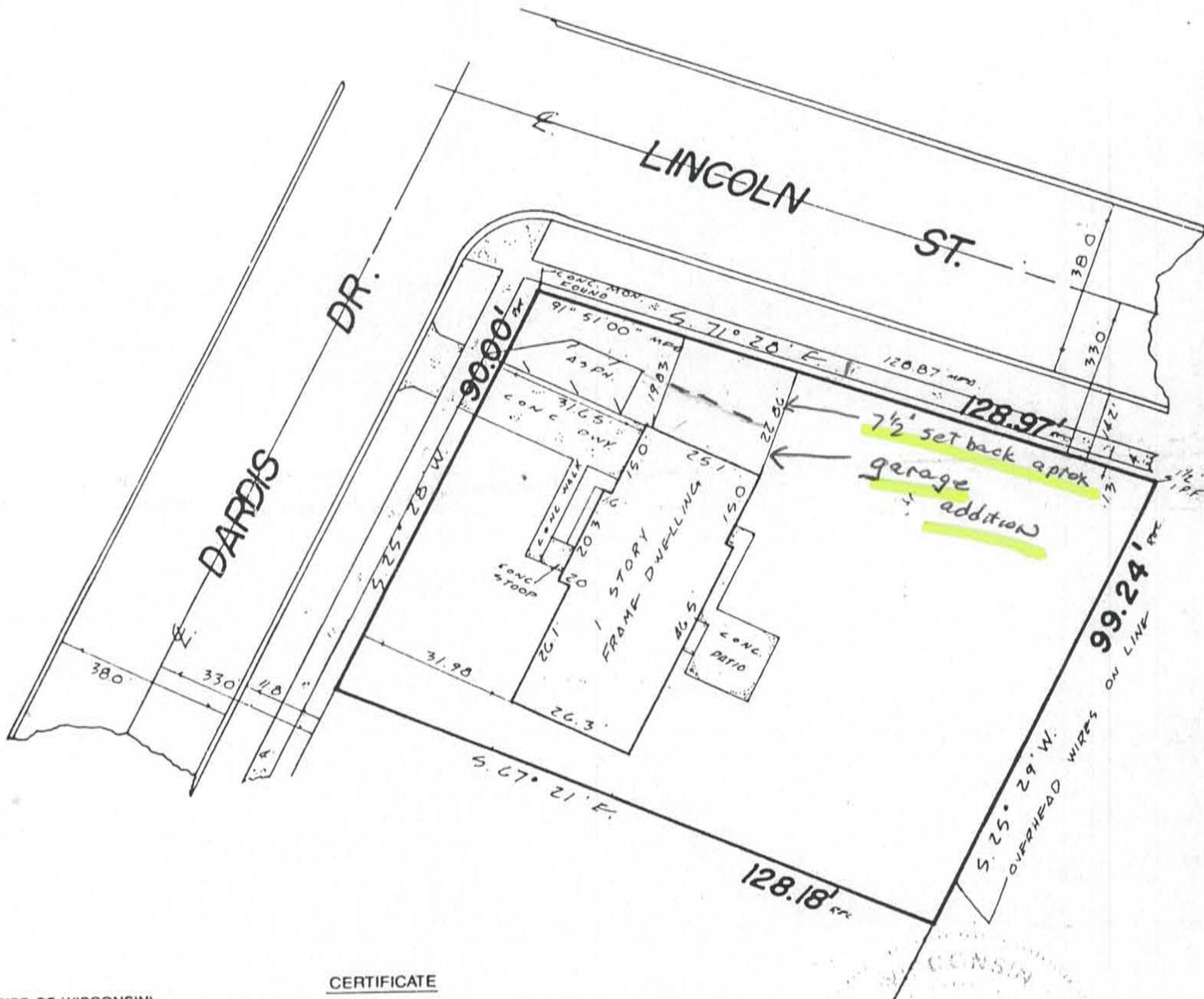


*Peggy Doremagen* **Plat of Survey**  
 262-763-5001

8/29

FOR: FIRST BANKING CENTER - KEVIN & NANCY GRADY  
 PROPERTY ADDRESS: 400 Dardis Drive; Burlington, Wisconsin

DESCRIPTION: Lot 17, Block 6, SUNSET RIDGE THIRD ADDITION, being a Subdivision of a part of the Southeast 1/4 of Section 31, Township 3 North, Range 19 East, in the City of Burlington, Racine County, Wisconsin.



**CERTIFICATE**

STATE OF WISCONSIN) SS  
 WAUKESHA COUNTY )

I CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY, AND THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION AND DIMENSIONS OF ALL STRUCTURES THEREON, FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, 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 DATE HEREOF.

THIS SURVEY IS COPYRIGHTED AND THE REPRODUCTION THEREOF, IS PROHIBITED.

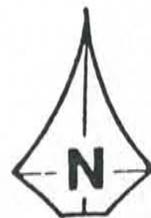
MONUMENTATION OF MISSING BOUNDARY CORNERS HAS (NOT) BEEN WAIVED BY THE ABOVE CLIENT AS PER CHAPTER A-E-5.01(b) OF THE WISCONSIN ADMINISTRATIVE CODE.

*Donald Chaput* 3/8/87  
 REGISTERED LAND SURVEYOR DATE



**TERRA TECHNOLOGY, Inc.**  
 Land Surveyors - Land Planners  
 909 Blackstone Avenue  
 Waukesha, WI 53186  
 (414) 549-1111

JOB NUMBER: 4195



SCALE: 1" = 30'



**Building & Zoning Department**  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1163 – (262) 763-3474 fax  
www.burlington-wi.gov

For Office Use Only	
Date Filed	<u>8/23/16</u>
Amount Paid \$	<u>150-</u>
Received By	<u>KA</u> (Initials)

ZONING FORM NO. 4  
MODEL APPEAL OR APPLICATION

TO THE ZONING BOARD OF APPEALS FOR ZONING VARIANCE

Instructions

Appeals and applications shall be filed with the Zoning Administrator. The Zoning Administrator shall refuse appeals or applications that are not complete or are not legible.

Appeals

I hereby acknowledge of written notification of the Zoning Administrator's permit refusal or notice of violation and do, therefore, appeal to the Board of Zoning Appeals for one of the following (check one):

- 1. Review, reversal or modification of the Zoning Administrator's permit refusal, correction order or interpretation.
- 2. A variance to Section 315-30F(3) of the Zoning Ordinance.

Date of previous appeal (if any): NONE

Application

I hereby apply for one of the following (please check one):

- 1. An interpretation of the regulations of the Zoning Ordinance or the boundaries of the Zoning Map.
- 2. Permission to substitute a more restrictive non-conforming use for an existing one.
- 3. A determination that an unspecified or unclassified use is permitted in a district.
- 4. A temporary use permit.

Date of previous application (if any): \_\_\_\_\_

Disposition of previous application: \_\_\_\_\_

Names and Addresses

Applicant or Appellant: JB SCHWEIDER INVESTMENTS

Owner of the site: BLAKE SCHWEIDER

Architect: \_\_\_\_\_

Professional Engineer: \_\_\_\_\_

Contractor: \_\_\_\_\_

Description of the Subject Site

Address of premises affected: 988 S. PINE ST. BURLINGTON.

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Lot size: \_\_\_\_\_

Metes and bounds description (please attach: \_\_\_\_\_

Zoning district classification: M1

Description of existing operation or use: EMPTY LOT

Description of the proposed operation or use: SMALL SHEDS FOR SMALL RENTAL UNITS

Number of employees:                     

Type of structure: WOOD CONSTRUCTION

Terms of ordinance: ORDINANCE SAYS 30 FOOT REAR YARD SETBACK.

Variance requested: WOULD LIKE TO PUT 4 SHEDS IN THAT 30 FEET.

Reason for petition: TO GET MORE SHED IN THERE. THEY STILL WOULD BE INSIDE EXISTING FENCE.

Attachments

The following required items shall be attached for all appeals and applications:

Plat of Survey prepared by a registered land surveyor showing the location, boundaries, dimensions, elevations, uses, and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets, and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street, side and rear yards. In addition, the plate of survey shall show the location, elevation and use of any abutting lands their structures within forty (40) feet of subject site.

Names and Addresses of all abutting and opposite property owners within 300 feet of the area.

Additional Information as may be required by the Plan Commission, City Engineer, Zoning, Building, Plumbing or Health Inspectors.

Fee Receipt from the Treasurer in the amount of \$ 150.00.

An appeal of the Zoning Administrator's permit refusal, correction order or interpretation shall be accompanied by a statement as to why the Zoning Administrator's decision is in error. An appeal for a variance shall be accompanied by a statement of facts listing the appellant's special conditions that would cause a literal enforcement of the Zoning Ordinance to result in practical difficulty or unnecessary hardship. An application for a determination of unclassified uses shall be accompanied by a complete description of the process, operation of use and comparisons with similar uses.

Date: 8/23/16

Owner/Owner's Agent: BLAKE SCHWEIDER

Print Blake Schweider

Signature

---

# JB SCHNEIDER INVESTMENTS, INC.

Gregory Guidry and Burlington City Council  
300 N Pine St.  
Burlington, WI 53105

Date: August 4, 2016

Gregory/City Council:

Thanks for taking the time to look my project over.

I have an open, but fenced in lot behind my building at 988 S Pine St. My idea is to install 13 or 14 sheds as storage rental units. Each unit will be unfinished inside with no electrical or water of any kind needed. Each client would have a key or combination to get in the fence (shown in pink on the print.) We have assisted and unassisted elder living, several 6 unit condos, and one 8 unit apartment (soon to be 2) directly across from my shop, so I think there would be a market for them.

Some units would be 8x16, and some 8x10. All units would meet side yard setbacks of 10 feet. Four of the units would be inside the 30 foot backyard setback. I would ask for a variance on these 4. All units are built on skids so they are moveable to a point. No foundations. Enclosed with this letter are some pictures so you can see what they look like. They would be built by Manus Construction so they are built right. Roof trusses on these are engineered to handle snow load in this area. He said he can produce papers to prove that if needed. That is the main part of his business.

The lot is currently open so it does not get the attention it needs all the time. If we put these in, it will remain totally clean, mowed where needed, buildings kept of up, and nothing allowed outside of the sheds. Nothing!

I'm not sure who to, or how to approach the city, so any suggestion on what I need to do next would be greatly appreciated.

Sincerely,  
Blane Schneider

---

residential quarters shall be occupied by one or more persons employed by the property owner.

[Added 6-6-1989 by Ord. No. 1265(5)]

- (13) Retail stores and services.
- (14) **Self-service storage facilities (mini-warehousing)**, provided that parking for a self-service storage facility shall consist of one space per employee on the largest shift plus adequate loading and access to each storage cubicle; that traffic aisles shall be no less than 24 feet wide if the aisle is 150 feet or less in length and no less than 30 feet wide if the aisle is more than 150 feet in length; that no perishable products or flammable or explosive materials may be stored on the premises; that sales of merchandise from a self-service storage facility shall be prohibited; that the perimeter of the project visible from a public street or abutting a residential use or district shall be screened from such street or use by a fence, evergreen planting of sufficient visual density, or other effective means, built and maintained at a minimum height of six feet; that landscaping consisting of trees and shrubs should be provided between property lines and required fences or walls; that garage door openings for self-service storage units shall not be constructed so as to face any street right-of-way, residential use or district; and that outside storage of all materials, equipment and vehicles shall be prohibited.
- [Added 1-2-1991 by Ord. No. 1326(33)]
- (15) Construction services, including general building contractors, carpentry, wood flooring, concrete services, masonry, stonework, tile setting, plastering services, roofing, sheet metal services, and water well drilling services.
- [Added 1-2-1991 by Ord. No. 1326(33)]
- (16) Veterinary clinic, provided no service, including the boarding of animals, is offered outside of an enclosed building.
- [Added 4-7-1993 by Ord. No. 1422(38)]
- (17) Recycling center, provided no chemicals or hazardous materials are collected, stored or processed and all storage and processing operations are conducted in an enclosed building.
- [Added 4-7-1993 by Ord. No. 1421(37)]
- (18) Indoor skate parks. Issues that the Plan Commission should consider are as follows, but are not limited to:
- [Added 5-1-2001 by Ord. No. 1654(2)]
- (a) The use shall be housed completely indoors.
  - (b) Outdoor skating and/or bicycling on the premises shall not be allowed.
  - (c) No outdoor storage is permitted, and all skates, bicycles, and equipment used in the operation of said use shall be stored indoors.
  - (d) All trash and debris shall be removed or contained weekly.
  - (e) Any repair of skates, bicycles, and equipment used in the operation of said use shall be done indoors.
  - (f) The indoor skate park conditional use permit shall be reviewed by the City Plan Commission one year after issuance to assure compliance with the conditions stated herein.
- (19) Vocational schools, including data processing, business, and secretarial schools, provided that adequate off-street parking is provided as determined by the Plan Commission.

Textiles, dyeing and finishing  
 Tire cord and fabric  
 Toys, amusement, sporting and athletic goods  
 Typesetting  
 Umbrellas, parasols and canes  
 Venetian blinds and shades  
 Wallpaper  
 Warehousing  
 Watches, clocks, clockwork-operated devices and parts  
 Women's, misses', juniors', girls' and infants' furnishings and work and dress garments  
 Wool scouring, worsted combing  
 Yams and threads

B. M-1 permitted accessory uses.

[Amended 3-18-2003 by Ord. No. 1716(30)]

- (1) Garages for storage of vehicles used in conjunction with the operation of an industry.
- (2) Off-street parking and loading areas (see Article V).
- (3) Office, storage, power supply, and other uses normally auxiliary to the principal industrial operations.

C. M-1 conditional uses (see § 315-130).

- (1) Automobile upholstery, body repair, and engine repair.  
[Added 10-2-1990 by Ord. No. 1317(25)]
- (2) Fur goods.
- (3) Airports, airstrips, and landing fields, provided that the site is not less than 20 acres.
- (4) Utilities.
- (5) Heliports and bus and rail depots, provided all principal structures and uses are not less than 100 feet from any residential district boundary.
- (6) Transmitting towers; receiving towers; relay and microwave towers without broadcast facilities or studios; and wireless communications towers, antennas, and associated accessory structures and facilities.  
[Amended 3-18-2003 by Ord. No. 1716(30)]
- (7) Processing and manufacturing of feeds prepared for animals and fowl, wholesale and/or retail warehousing of animal feeds, fertilizer, seeds, garden and lawn supplies, animal health products and lawn equipment, provided that all operations are conducted within an enclosed building.
- (8) Experimental, testing, and research laboratories.
- (9) Manufacturing and processing of dimension hardwood and flooring, veneer, and plywood.
- (10) Millwork, lumberyards, sawmills, and planing mills.
- (11) Office use unrelated to principal industrial operations.
- (12) Residential quarters for the owner or caretaker, provided that an occupancy separation is provided in accordance with state code (Chs. Comm 61 to 65, Wis. Admin. Code). The

[Added 5-1-2001 by Ord. No. 1654(2)]

(20) Metal machining and fabricating.

[Added 2-6-2001 by Ord. No. 1649(53)]

(21) Metal stamping uses not to exceed 5,000 square feet in area.

[Added 2-6-2001 by Ord. No. 1649(53)]

D. Lot area and width (also see Article VI). Lots in the M-1 District shall have a minimum of 7,200 square feet in area and shall be not less than 60 feet in width.

E. Building height (also see Article VI). No building or parts of a building shall exceed 40 feet in height.

F. Setback and yards (also see Article VI).

[Amended 1-2-1991 by Ord. No. 1326(33)]

(1) There shall be a minimum building setback of 30 feet from the right-of-way line of all streets.

(2) There shall be a side yard on each side of all buildings of not less than 10 feet in width.

(3) There shall be a rear yard of not less than 25 feet.

G. Site plans to be submitted to Plan Commission. Every builder of any building hereafter erected or structurally altered for manufacturing use shall, before a building permit is issued, present detailed site plans pertaining to the proposed structure to the City Plan Commission, which will approve said plans only after determining that the proposed building will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or traffic congestion or otherwise endanger the public health or safety or substantially diminish or impair property values within the neighborhood.

H. Exterior lighting standards and lighting plan required. Exterior lighting plans shall be required for new development or redevelopment of existing exterior lighting in the M-1 Light Manufacturing District. At the time any exterior light is installed or substantially modified in the M-1 District, and whenever a zoning permit application is made for new development or redevelopment, an exterior lighting plan shall be submitted to the Plan Commission in order to determine whether the requirements of this subsection have been met and that adjoining property will not be adversely impacted by the proposed lighting.

[Added 6-6-2006 by Ord. No. 1798(2)]

(1) A lighting plan submitted pursuant to the requirements of this subsection shall have, at a minimum, the following elements:

(a) A catalog page, cut sheet, or photograph of the luminaire, including the mounting method, a graphic depiction of the luminaire lamp (or bulb) concealment, and graphic depiction of light cutoff angles.

(b) A photometric data test report of the proposed luminaire graphically showing the lighting distribution in all angles vertically and horizontally around the luminaire.

(c) A plot plan, drawn to a recognized engineering or architectural scale, indicating the location of the luminaire(s) proposed, mounting and/or installation height in feet, the overall illumination levels (in footcandles) and lighting uniformities on the site, and the illumination levels (in footcandles) at the property boundary lines. This may be accomplished by means of an isolux curve or computer printout projecting the illumination levels.

(2)

Exterior lighting in the M-1 District shall be limited to total-cutoff-type luminaires (with angle greater than 90°). The maximum permitted illumination shall be two footcandles and the maximum permitted luminaire height shall be 30 feet as measured from surrounding grade to the bottom of the luminaire. (Note: This standard does not address illumination levels or fixture height which may be required by the City of Burlington for the adequate lighting of public street rights-of-way. It represents maximum illumination levels on private property.)

- (3) For the purposes of this subsection, light shall be measured as follows:
  - (a) Metering equipment. Lighting levels shall be measured in footcandles with a direct-reading, portable light meter. The meter shall be read within an accuracy of plus or minus 5%. The meter shall have been tested, calibrated, and certified by an independent commercial photometric laboratory or the manufacturer within 30 days of its use.
  - (b) Method of measurement. The meter sensor shall be mounted not more than six inches above ground level in a horizontal position at the interior line of the bufferyard or at the property line, as required herein. Readings shall be taken only after the cell has been exposed long enough to provide a constant reading. In order to eliminate the effects of moonlight and other ambient light, measurements shall be made after dark with the light source in question on, then with the same sources off. The differences between the two readings shall be compared to the maximum permitted illumination allowed under this subsection.

ZONING

Zoning District	Minimum Lot Size			Minimum Yard Requirements			Maximum Building Height (feet)
	Total Area (square feet)	Area per Family (square feet)	Lot Width at Setback (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	
B-2 Central Business District	4,800	--	40	--	8 if provided	25**	60
B-2A Central Business Transition District	10,000	--	75	25	8; 20 total for both sides	25	35
B-3 Professional Office District	10,000	--	80	25	10	25	35
M-1 Light Manufacturing District	7,200	--	60	30	10	25	40
M-2 General Manufacturing District	7,200	--	60	30	10	25	50
M-3 Manufacturing and Office Park District (see Table 3)							
M-4 Manufacturing District	7,200	--	60	30	10	25	50
Q-1 Quarrying/Extractive District	--	--	80	See § 315-34F	See § 315-34F	See § 315-34F	75
I-1 Institutional District	10,000	--	80	25	10	25	60
P-1 Park District	--	--	--	40	40	40	35
C-1 Conservancy District	--	--	--	--	--	--	--
FW Floodway District	--	--	--	--	--	--	--
GFP General Floodplain District	--	--	--	--	--	--	--
FFO Floodfringe Overlay District (See underlying district)							
SWO Shoreland Wetland Overlay District (See underlying district)							

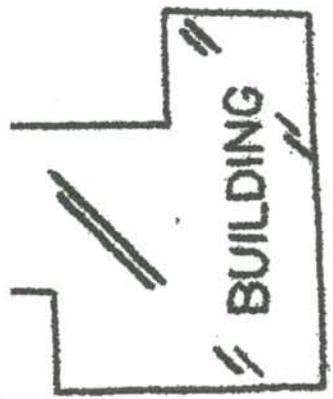
**12' WIDE EASEMENT**  
FOR INGRESS AND  
EGRESS FOR USE  
BY LOTS 1 AND 2

10' side  
EXISTING  
FENCE

25' Rear

LOT 2  
30' BACKYARD  
SETBACK

GATE



ACCESS  
EASEMENT  
FOR LOT 2

531°22'12"E

76.12'

35'  
78.13'

52.76'

N58°37'48"E

260.80'

39.0'

39.0'

76.0'

109.91'

BUILDING

BUILDING

BUILDING

164.6

172.05'

S58°36'10"W

22.22'

25.0'

25.0'

10.0'

10.0'

N 23° 23' 30" W  
133.13'

69.12'

6'

13.2



0.0'

N22°13'33"E

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

REDIVISION OF LOT 2 OF CERTIFIED SURVEY MAP NO. 2339 AS RECORDED  
 ME 7 OF CERTIFIED SURVEY MAPS ON PAGE 223 IN THE OFFICE OF THE  
 R OF DEEDS IN AND FOR RACINE COUNTY, WISCONSIN, AND BEING PART OF  
 TTHEAST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND  
 F THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP  
 1, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE CITY OF  
 TON, COUNTY OF RACINE AND STATE OF WISCONSIN.

TAX PARCEL NO. 206-02-19-04-022-020

PREPARED FOR: J.B. SCHNEIDER INVESTMENTS, LLC  
 2900 BIENEMAN ROAD  
 BURLINGTON, WI 53105  
 C.S.M. LOCATION: 5837 S. PINE ST.

PREPARED BY: B.W. SURVEYING, INC.  
 412 N. PINE STREET  
 BURLINGTON, WI 53105  
 (262)-767-0225  
 JOB NO. 8713-CSM

**LEGEND**

- FOUND RACINE COUNTY STANDARD MONUMENT (CONCRETE WITH CAP)
- FOUND 1-5/16" O.D. IRON PIPE
- SET 1-5/16" O.D. X 18" IRON PIPE WEIGHING NOT LESS THAN 1.68 POUNDS PER LINEAL FOOT.

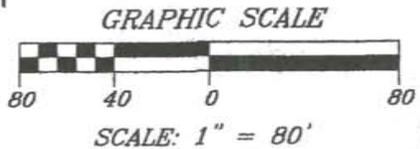


*Robert J. Wetzel*  
 J. WETZEL S-1778  
 FEBRUARY 11, 2014

WEST 1/4 CORNER SECTION 4-2-19  
 N. 246,015.27  
 E. 2,466,209.59

N89°02'24"E 1324.09'

SOUTH LINE SOUTHEAST 1/4 SECTION 4-2-19  
 N89°02'24"E 2643.98'



SHEET 2 OF 3

**ZONED: M-1**  
**SETBACK REQUIREMENTS**  
 MINIMUM FRONT SETBACK: 30 FEET  
 (FROM THE STREET RIGHT-OF-WAY LINE)  
 MINIMUM SIDE YARD: 10 FEET  
 MINIMUM REAR YARD: 25 FEET

**CURVE DATA**

A-B  
 $\Delta = 01^{\circ}23'42''$   
 $R = 8910.37'$   
 $CH = 216.92'$   
 $S32^{\circ}36'36''E$

LOT 1  
 $\Delta = 01^{\circ}23'42''$   
 $R = 8910.37'$   
 $CH = 52.27'$   
 $S33^{\circ}08'22''E$

LOT 2  
 $\Delta = 01^{\circ}03'32''$   
 $R = 8910.37'$   
 $CH = 164.65'$   
 $S32^{\circ}26'31''E$



BEARINGS HEREON RELATE TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 4-2-19, ASSUMED BEARING NORTH 89°02'24" EAST.





