CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

AGENDA
Zoning Board of Appeals

Wednesday, February 15, 2017 at 5:30 p.m.
City of Burlington Fire Station – 165 W. Washington Street

John Lynch, Jr.
Dan Snyder
Lori Clarke
Jake Hanson

1. Call to order
2. Roll Call
3. Approval of minutes from November 15, 2016
4. Citizen Comments
5. Letter and Communications: None
6. Old 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 that was tabled at the October 18, 2016 and November 15, 2016 meeting.
7. Public Hearing: None
8. New Business: None
9. 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: November 15, 2016

Members Present: John Lynch, Jr., Dan Snyder, Lori Clarke

Other Appearances: Gregory Guidry, Zoning Administrator and John Bjelajac, City Attorney

1. The meeting was called to order at 5:30 p.m.

2. A motion was made to approve the October 18, 2016 minutes by Dan Snyder and seconded by Lori Clarke.

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 October 11, 2016 by Dale Hintz and siblings, for the property located at 225 E. Jefferson for a zoning variance from Section 315-27, B-2 Central Business District, to allow the first floor unit at this property to be reused as a residential rental unit.

The appeal requests:

_____1. Review, reversal, or modification of the Zoning Administrator's permit refusal, correction order or interpretation.

__XX___2. A variance from the City of Burlington Zoning Code specifically the following Ordinances: 315-27

New Business:

A Consideration to approve a Zoning Variance application from Dale Hintz and siblings, for property located at 225 E. Jefferson Street, to allow the first floor unit at this property to be reused as a residential rental unit.

Discussion on zoning variance:

A public hearing was held, and the board was presented with two letters from second district Alderpersons Dawidziak and Grandi, along with a letter from Terence and Marian McCarthy, owners of property located at 217 E. Jefferson Street. The board also heard from Peter Ludwig, on behalf of Dale Hintz and siblings. Additionally, City Attorney John Bjelajac made a statement recommending the variance using a non-conforming residential status.

A motion was made to deny the variance request. The property was zoned B-2 in 2001, as such, and because there are no extraordinary circumstances, this was established based on contents of Chapter 315 Zoning, Article X. Zoning Board of Appeals. Motion to deny was made by John Lynch, seconded by Lori Clarke. Motion carried 3-0.

Discussion on Margaret Dosemagen variance was tabled. The applicant has not supplemented the board with alternative plans.

_____

Board of Zoning Appeals
Secretary

400 Dardis Drive
Burlington, WI 53105
January 27, 2017

Dear Ms. Anderson,

Thank you for your note relating to the Zoning Board meeting. I would really appreciate another opportunity to plead my case.

In addition to my prior reasons, I have one more which I'm not sure I presented in October. That being the fact that I have several family members and friends ever older than me (!) and I am concerned for their safety when they visit. With a two car garage, they could arrive and depart under cover and avoid my sometimes slippery driveway.

Please, may I talk to the Board again? I promise to make my comments quickly and not impose on their time.

Thank you very much,
Margaret M. (Peggy) Doemagen

CITY OF BURLINGTON

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 8/15/16
Amount Paid $ 150
Received By KJ
(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 315-18 F(1) & 315-57 of the Zoning Ordinance.

Date of previous appeal (if any): Ø

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): Ø

Disposition of previous application: —

Names and Addresses
Applicant or Appellant: Margaret M. Doeernagen
Owner of the site: (same)
Architect:
Professional Engineer:
Contractor: Ma Mike Strohm

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 c̄ breezeway

Number of employees: _____

Type of structure: garage (1 car)

Terms of ordinance: _____

Variance requested: garage (2 car) c̄ 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 Guidry 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 11½ 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 accomodate 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 a variance so that I may add 11½ 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)
Doremeyer

My neighbors:

to the south - Mr and Mrs. Mike Weis

across the street - Mr and Mrs. Jim Pederson

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

PLAT OF SURVEY
-OF-

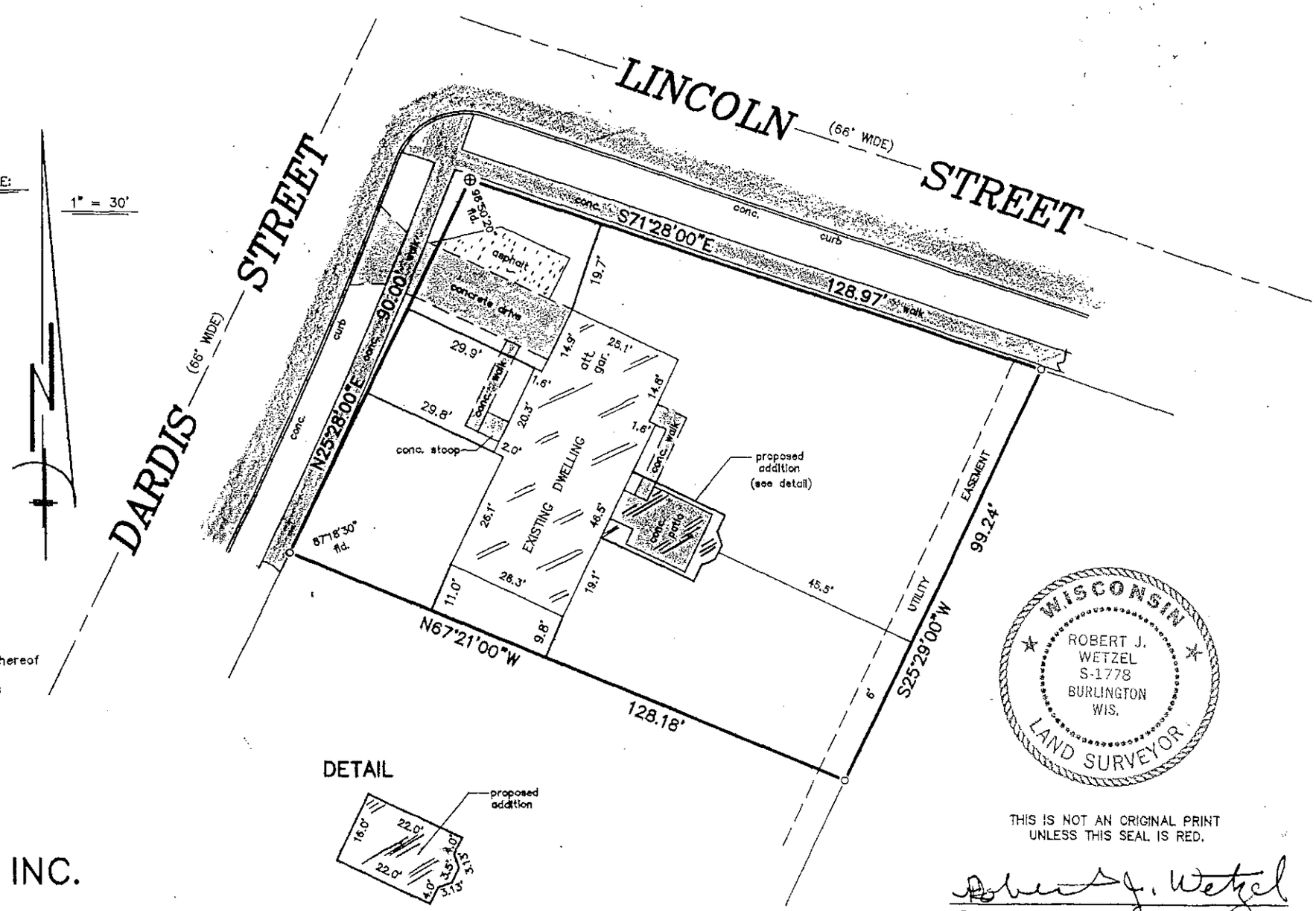
LOT 17, BLOCK 6, SUNSET RIDGE THIRD ADDITION, BEING A SUBDIVISION OF A PART OF THE SOUTH-EAST 1/4 OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 19 EAST, IN THE CITY OF BURLINGTON, RACINE COUNTY, WISCONSIN.

SURVEY FOR: SCHERRER-STROHM INC.
SURVEY LOCATION: 400 DARDIS DRIVE

SCALE: 1" = 30'

LEGEND

- ○ FOUND IRON PIPE
- ⊕ FOUND CONCRETE MONUMENT
- ● SET IRON PIPE



DETAIL

"I hereby certify that I have surveyed the above described property and that the above map is a correct 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, 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."

WISCONSIN
ROBERT J. WETZEL
S-1778
BURLINGTON WIS.
LAND SURVEYOR

THIS IS NOT AN ORIGINAL PRINT UNLESS THIS SEAL IS RED.

Robert J. Wetzel
ROBERT J. WETZEL S-1778

NOVEMBER 13, 2000 — DATE

4733 — JOB NUMBER

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