



ZONING BOARD OF APPEALS MEETING

April 14, 2022

2:00 PM

PUBLIC MEETING NOTICE

Zoning Board of Appeals

Dave Laspa, Chairperson
Jerry Feith
Lee Gossick
Mike Hittner
Dennis Polach
Peggy Montag, 1st Alternate
Vacant, 2nd Alternate

AGENDA ITEM RECIPIENTS

Sue Schill, City Attorney
Erika Esser, Secretary
Jennifer Gossick, City Clerk

Notice is hereby given of a meeting of the Wisconsin Rapids Zoning Board of Appeals within the Council Chambers at City Hall, 444 West Grand Avenue, Wisconsin Rapids, and via remote audioconferencing on **April 14, 2022, at 2:00 PM. The public can listen to the meeting by calling 1-312-626-6799, Access code: 829 5487 9180.** The meeting will also be streamed LIVE on the City of Wisconsin Rapids Facebook page. This meeting is also available after its conclusion on the City's Facebook page and Community Media's YouTube page, which can be accessed at www.wr-cm.org. If a member of the public wishes to submit comments to the Board regarding an agenda item, please contact Kyle Kearns via email or phone at kkearns@wirapids.org or 715-421-8225 before the meeting.

AGENDA

1. Approval of the report from the February 23, 2022, Zoning Board of Appeals meeting
2. **VARI-22-000182: Chad Wirl** – Public hearing and action on a request for a variance from the side/rear yard setback to construct an accessory structure at 850 Rosecrans Street (Parcel ID 3401550).
3. **VARI-22-000164: Betty Jean Liezen** – Public hearing and action on a request for a variance from front and side yard setbacks and the maximum building coverage ratio to construct an enclosed porch at 331 9th Street North (Parcel ID 3407138).
4. Adjourn

The City of Wisconsin Rapids encourages participation from all its citizens. If participation at this meeting is not possible due to a disability or other reasons, notification to the city clerk's office at least 24 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. Call the clerk at (715) 421-8200 to request accommodations.



REPORT OF THE ZONING BOARD OF APPEALS

February 23, 2022

The Zoning Board of Appeals met at 1:00 p.m. on February 23, 2022 in the Council Chambers at City Hall. There was no one present via Zoom. Attending Board members were: Chairperson Dave Laspa, Mike Hittner, Dennis Polach, Jerry Feith, and Peggy Montag (1st alternate). Absent was Lee Gossick. Others in attendance included Community Development Director Kyle Kearns, Associate Planner Carrie Edmondson, Chad Wirl, Tom Rayome, City Attorney Sue Schill and Shane Blaser.

The meeting was called to order at 1:05 p.m.

1. Approval of the report from the December 15, 2021 Zoning Board of Appeals meeting.

Motion by Hittner to approve the reports from the December 15, 2021 Zoning Board of Appeals meeting; second by Polach.

Motion carried (5 – 0)

2. **VARI-22-0031; Chad Wirl** – Public hearing and action on a request for a variance to reduce the front, rear, and side yard setbacks to construct an accessory structure at 850 Rosecrans Street (Parcel ID 3401550).

Associate Planner Carrie Edmondson provided background on the property located at 850 Rosecrans Street and summarized the findings in the Staff report. Denial of the variance was recommended due to standards of review not being met.

Chairperson Laspa asked about lot lines, specifically about construction easements and stormwater runoff, to which the applicant (Chad Wirl) responded by indicating permission does not exist from the neighboring railroad. He then clarified that the proposed building may be set back greater than 1 foot but wants leeway in the setback. Mr. Wirl also provided details on the cul-de-sac right-of-way and stormwater features. Member Montag further inquired about lot lines and Mr. Wirl stated that he was told that no one really knew the legal lot line to the east and talked about other historic issues regarding the property.

Mr. Hittner compared the desire for the intensity for residential properties versus commercial, stating that a dichotomy existed between the two types of properties and the differing densities, to which Associate Planner Edmondson responded about recent trends in housing and development.

Mr. Wirl continued to discuss the history, characteristics, future development, and his reasons for wanting to expand his business at its current location. He included a summary of the recent improvements to the concrete driveway on the property and in the right-of-way, as well as the proposed City improvements to the right-of-way slated in Spring of 2022. Mr. Wirl continued, noting that none of the previous requests to the Zoning Board of Appeals met the standards, and his request is cut and dry. The applicant presented six letters to the Board from neighbors in the area, who were all in favor of the proposed project. Mr. Kearns asked Mr. Wirl to submit the letters to Staff to become part of the record.

Chairperson Laspa asked Mr. Wirl if he had obtained permission from the neighbor to the north to be on their property, to which the applicant said yes.

Public hearing opened at 1:33 p.m.

Speaking in favor: Shane Blaser – 2830 12th St. S

Speaking against: none

Public hearing closed at 1:35 p.m.

Mr. Feith stated that the impact to the neighbors is low and acknowledged the fact that he is in favor of the expansion. Feith also indicated that the Zoning Board of Appeals panel and other panels in the City give great weight to the desires of people wanting to make investments in the City and there is no reason not to grant the variance, although the setbacks are a technicality.

Motion by Hittner to grant **VARI-22-0031**, a request for a variance to reduce the front, rear, and side yard setbacks to 1 foot in order to construct an accessory structure at 850 Rosecrans Street (Parcel ID 3401550); second by Feith.

Director Kearns asked the Board to indicate their reasoning for the motion being made as it relates to the standards of review.

Member Hittner stated that the variance should be granted due to the circumstances of the lot, the neighbors most affected by the project are not opposed, and the ability for the project to affect the neighboring properties is limited. Mr. Polach agreed with Mr. Hittner and felt that the proposal was nothing but a plus to the City. Member Feith said that there is already equipment which is allowed to be parked on the Expressway side and the addition would improve the appearance of the area.

Motion carried (4 – 1; Board member Laspa voting against)

3. Adjourn

Motion by Hittner to Adjourn; second by Feith.

Motion carried (5 – 0)

Meeting adjourned at 1:38 p.m.

Respectfully submitted by Erika Esser, Secretary

Administrative Staff Report

Detached Accessory Structure

Area Variance from Setbacks

850 Rosecrans Street

April 6, 2022



<p>Applicant(s):</p> <ul style="list-style-type: none"> • Chad Wirl <p>Staff:</p> <ul style="list-style-type: none"> • Kyle Kearns, Director • Carrie Edmondson, Associate Planner <p>Parcel Number(s):</p> <ul style="list-style-type: none"> • 3401550 <p>Lot Information:</p> <ul style="list-style-type: none"> • Effective Frontage: 70 feet • Effective Depth: 165 feet • Square Footage: 10,019 • Acreage: 0.230 Acres <p>Zone(s):</p> <ul style="list-style-type: none"> • "M-1" General Industrial <p>Council District:</p> <ul style="list-style-type: none"> • District 1: Ryan Austin <p>Master Plan:</p> <ul style="list-style-type: none"> • Industrial <p>Current Use:</p> <ul style="list-style-type: none"> • Manufacturing <p>Applicable Regulations:</p> <ul style="list-style-type: none"> • Chapter 11 - Zoning 	<p>Request</p> <p>VARI-22-000182: Chad Wirl – Public hearing and action on a request for a variance from the side/rear yard setback to construct an accessory structure at 850 Rosecrans Street (Parcel ID 3401550).</p> <p>Attachment(s)</p> <ol style="list-style-type: none"> 1. Application 2. Site Plan 3. Map 4. Property Data <p>Findings of Fact</p> <ol style="list-style-type: none"> 1. The applicant is requesting a variance from setbacks for a detached accessory structure. Specifically, the rear yard setback is approximately 1 foot (25 feet required), and the side yard setback is approximately 1 foot (15 feet required). 2. The property is zoned "M-1" General Industrial District 3. The Zoning Board of Appeals granted a previous approval for the proposed accessory structure in February to allow encroachment into the front, side, and rear yard setbacks. 4. The Zoning Board of Appeals shall base its decision upon the standard for a variance described in s. 62.23(7)(e)(7), Wis. Stats., and applicable judicial interpretations of such statute. <p>Staff Recommendation</p> <p>Deny the request from Chad Wirl for a variance to reduce the rear yard setback and side yard setback to construct an accessory structure at 850 Rosecrans Street (Parcel ID 3401550) due to the following:</p> <ol style="list-style-type: none"> 1. No unique property characteristic exists. 2. Any hardship claimed appears to be self-created
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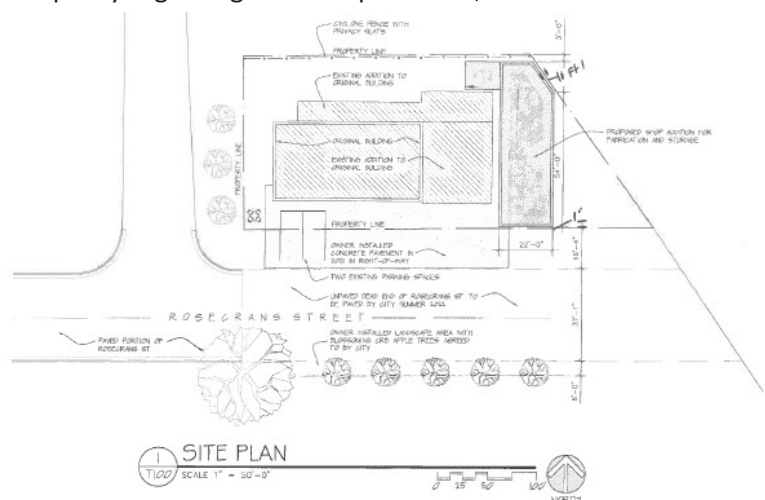
Vicinity Map



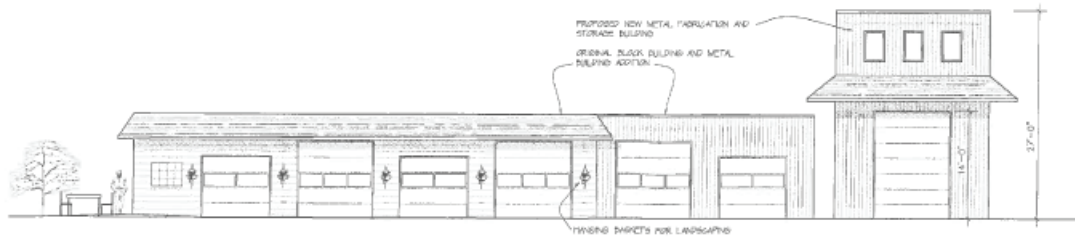
Background

The applicant, Chad Wirl, is requesting a variance from side and rear yard setback standards for a proposed detached accessory structure. This item was previously before the Zoning Board of Appeals in February. When submitting plans for Plan Commission Site Plan Review, staff noted that the dimensions of the proposed accessory structure did not match those that were included in the previous Zoning Board of Appeals approval. The Zoning Board Handbook, which provides an analysis of court decisions which shape state policy regarding variance processes, states that:

“A variance grants only the specific relief requested (as described in the application and plans for the project) and as modified by any conditions by the zoning board. The variance applies only for the current project and not for any subsequent construction on a lot.” Zoning Board Handbook for Wisconsin Zoning Boards of Adjustment and Appeals page 99



Therefore, it is necessary that the application return to the Zoning Board of Appeals for review and determination about the revised dimensions for the proposed accessory structure. The applicant is still proposing a one foot setback from the side and rear property lines. However, the width of the rear portion of the accessory building is now approximately 30 feet along the northern property line and approximately 11 feet deep. Additionally, the elevation is substantially changed with stairs up to a second story level with offices and windows.



Even with the proposed building, the applicant is at 50 percent building coverage ratio (70 percent maximum is allowed) and 68 percent impervious surface ratio (90 percent is allowed). After staff review of this application, clearly the applicant owns and operates a successful business. However, staff again has determined that the site is not sufficient to accommodate the existing needs including building space, storage, and access requirements, along with the proposed accessory structure. The applicant is proposing a significant encroachment into the front, side, and rear yard setbacks. The purpose of setbacks is as follows:

11.06.106 Building setbacks

(a) Purpose. Setback standards, in conjunction with other dimensional standards, are established to define a pattern of development in each of the zoning districts. The established setback standards provide for a varying degree of (1) privacy between neighbors; (2) separation to mitigate noise and odor; (3) space for light and air circulation; (4) land for landscaping, recreational use, pleasure, and stormwater management; (5) land for maintaining the exterior of buildings and other structures; (6) room for the placement and maintenance of underground and above-ground utilities; and (7) room for emergency vehicles between and around buildings and other structures

The Zoning Board of Appeals shall base its decision upon the standard for a variance described in s. 62.23(7)(e)(7), Wis. Stats., and applicable judicial interpretations of such statute which are further analyzed below, including staff findings and recommendations.

Note that the analysis and findings for the standards of review below are similar to those in the original variance request.

Standards of Review

- 1) Do unique physical limitations exist on the property including steep slopes or wetlands that are not generally shared by other properties that prevent compliance with ordinance requirements?

Analysis: The applicant has identified the angled rear property line and existing non-compliance with setbacks as property limitations on the application. The property has one angled property line; however, two clear front property lines (street frontages), rear property line, and side property line are evident. The property is 10,019 square feet and has a combined frontage of approximately 235 feet.

Findings: It is not unusual to have angled property lines within the City. Although the property would not meet the minimum lot size of 40,000 square feet required to develop a property in the M-1 General Industrial District today, it

is of similar size to those within the vicinity. Also, this owner has some increased ability to utilize the land to the east and to the south.

Additionally, existing structures and their placement are not considered property limitations. This property does not contain any elements that are not generally shared with other properties. In addition, it could be argued that the proximity to the railroad right-of-way and street to the south allow the applicant to utilize some benefits not typically experienced by similar properties in the M-1 General Industrial District.



- 2) Is the request due to the existence of an unnecessary hardship? An unnecessary hardship cannot be due to conditions which are self-imposed or created by a prior owner. It has also been determined by the Courts that economic or financial hardship does not justify a variance. For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity unnecessarily burdensome.

Analysis: The property and existing building allow an owner to operate a multitude of uses permitted in the M-1 General Industrial District. It appears that over time the applicant has continued to expand the business on the site. Expansion is allowed when dimensional standards are met as outlined in the Zoning Code. The circumstances of the applicant, including the need to expand the operations to meet the needs of a growing business, are not a hardship under the law. This is also not a case where compliance with the code would render conformity unnecessarily burdensome. To determine whether this standard is met, the purpose of the zoning ordinance in question, its effects on the property, and the short-term, long-term, and cumulative effects of granting the variance shall be considered.

Findings: The applicant has stated that the unnecessary hardship is not making total use of the property to fulfill the future needs of the business (through expansion). It seems that the applicant is defining “total use” as building the site beyond the capacity of what is presently permitted by the Zoning Code. Any hardship claimed from the applicant’s desire to construct an accessory structure within setbacks appears to be self-created. Under current allowances, this site may be developed to M-1 District setbacks lines, building coverage requirements, and other dimensional standards. However, if more building area is required to operate and expand a business, then another site may be required to accommodate such use and expansion. This is not atypical, when businesses require more space than the present site allows it often results in a relocation. Regarding the claim for unnecessarily burdensome restrictions, the purpose of setbacks is identified in the background section (page 3). Granting of a variance for relief from setback standards in order to construct a building may set precedent for similar nonconforming lots.

- 3) Does the requested variance impact the interests of the neighbors, the entire community and the general public? These interests include:

- Public health, safety and welfare;
- Water quality;
- Fish and wildlife habitat;
- Natural scenic beauty;
- Minimization of property damages;
- Provision of efficient public facilities and utilities; and
- Any other public interest issues.

Analysis: The subject property is located within a transitional area, with a single-family residence zoned M-1 General Industrial to the north, CN property to the south, the CN railway line to the east, and R-2 Mixed Residential District single family residences to the west. The requested variance would allow for an accessory structure to be constructed within the required side and rear setbacks. A public hearing notice was provided as well as notice to surrounding property owners within 300 feet of the property.

The purpose of general setbacks was provided in the background section (page 3).

Findings: Allowing for the variance could possibly set precedent for other adjacent properties that could make similar requests. Expansion of the use, with the granting of a variance, would arguably increase the intensity of the use, which exists in a transitional area adjacent to residential. Increases to the intensity of the use could result in additional noise, traffic and lighting, which could negatively impact the adjacent residences. At the previous Zoning Board of Appeals meeting for this property, six support letters were submitted for public record. There is no way to determine if these surrounding property owners would support the continuation of encroachment into the setbacks. To date, no additional information has been received.

Based upon the findings for this request, staff recommends denial of VARI-22-000182 due to the following:

- 1. No unique property characteristic exists.**
- 2. Any hardship claimed appears to be self-created**



Variance Application
City of Wisconsin Rapids, Wisconsin
 Version: January 3, 2019

Community Development Department
 444 West Grand Avenue
 Wisconsin Rapids, WI 54495-2780
 P: (715) 421-8228 Fax: (715) 421-8291

Overview: A variance is a relaxation of requirements found within the City's zoning code. Variances are considered by the Board of Zoning Appeals on a case-by-case basis and decisions of the Board are based on the evidence and testimony received as part of the application, during a site visit, and through the public hearing process. The Board's job is not to compromise the requirements for a property owner's convenience, but to apply legal criteria provided in State law, court decisions, and the zoning code. Variances are meant to be an infrequent remedy where a zoning requirement imposes a unique and substantial burden and a variance would be appropriate to alleviate such hardship without circumventing or undermining the intent of the zoning code.

If you submit an application, do not contact any member on the Board of Zoning Appeals before the scheduled meeting.

Governing regulations: The procedures and standards governing the review of this application are found in Article 5 of the City's zoning code (Chapter 11 of the municipal code).

General instructions: Complete this application and submit one copy to the Community Development Department. Alternatively, you can submit your application online at <https://wisconsinrapids.zoninghub.com/>

Application fee: \$250.00

Application submittal deadline: Applications must be submitted at least 3 weeks prior to the Zoning Board of Appeals meeting, which are typically held the second Tuesday of the month at 1:00 pm.

Mandatory meeting with staff: To ensure that all the required information is provided and that there is a complete understanding of the process, the applicant must meet with City staff to discuss the request and necessary items. Please contact the Community Development Department to schedule an appointment.

Office Use Only

Date Received 3/28/22
 Received By CE
 Fee 250.00
 Case # 22-600182
 Aldermanic District 1-Austin
 ZBA Date 4/14/22

1. Applicant information

Applicant name CHAD WIRL

Street address 631 12th Ave N

City, state, zip code WIS. RAPIDS, WI 54495

Daytime telephone number 715-213-3352

Email CWSHOPMASTER@YAHOO.COM

- 2. Agent contact information.** Include the names of those agents, if any, that helped prepare this application including the supplemental information. Agents may include surveyors, engineers, landscape architects, architects, planners, and attorneys.

Agent 1

Agent 2

Name

Company

Street address

City, state, zip code

Daytime telephone number

Email

3. Type of application (select one)

- ☒ Dimensional variance - Provides an increment of relief from a bulk regulation such as building height or setback.
☐ Use variance - Permits a use of land that is otherwise prohibited.

4. Subject property information

Physical address 850 ROSECRANS ST. WIS. RAPIDS, WI 54495

Parcel number(s) 3401550

Variance Application
City of Wisconsin Rapids, Wisconsin
Page 2

Note: The parcel number can be found on the tax bill for the property or it may be obtained from the Community Development Department.

Is the subject property currently in violation of the City's zoning ordinance as determined by the City's zoning administrator?

- ☒ No
☐ Yes

If yes, please explain.

Comment: Pursuant to Section 11.04.10 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, special charges, or other required payments that are specifically related to the subject property?

- ☒ No
☐ Yes

If yes, please explain.

Comment: Pursuant to Section 11.04.11 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land where taxes, special assessments, special charges, or other required payments are delinquent and unpaid.

5. Zoning information (refer to the City's current zoning map)

The subject property is located in the following base zoning district(s). (check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> RR Rural Residential | <input type="checkbox"/> R-8 Manufactured Home Park | <input checked="" type="checkbox"/> M-1 General Industrial |
| <input type="checkbox"/> R-1 Single-family Residential | <input type="checkbox"/> B-1 Downtown Commercial | <input type="checkbox"/> M-2 Heavy Industrial |
| <input type="checkbox"/> R-2 Mixed Residential | <input type="checkbox"/> B-2 General Commercial | <input type="checkbox"/> I-1 Institutional |
| <input type="checkbox"/> R-3 Multi-family Medium Density Residential | <input type="checkbox"/> B-3 Neighborhood Commercial | <input type="checkbox"/> P-1 Park and Recreation |
| <input type="checkbox"/> R-4 Multi-family High Density Residential | <input type="checkbox"/> B-5 Mixed Use Commercial | <input type="checkbox"/> C-1 Conservancy |

The subject property is also located in the following overlay zoning district(s). (check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Planned Development (PDD) | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Floodplain |
| <input type="checkbox"/> Downtown Design | <input type="checkbox"/> Shoreland-Wetland | <input type="checkbox"/> Wellhead Protection |

6. Current use. Describe the current use of the subject property.

CUSTOM WELDING AND FABRICATING SHOP

7. Previous variance applications for the subject property. Describe any variance applications that have been submitted for the property; include the year, a general description, and whether the application was approved or not.

NONE

Note: If a variance application has been denied, an application for the same variance may not be submitted for a period of 12 months following the date of decision, except if the zoning administrator determines that factors have changed or there is new evidence in support of the variance request. (See Section 11.05.381 of the zoning code.)

12. **Unique property limitations.** Describe how the hardship is due to unique or special conditions or limitations affecting the subject property and/or structure that are not typical or generally shared by other properties in the City. Attach additional pages as necessary.

THE LOT IS NOT SQUARED OFF & PROPERTY IS NON-CONFORMING TO SET BACK CODES AS IT IS - EXISTING BUILDING IS 12' FROM SOUTH PROPERTY LINE. THERE IS NO CURB & GUTTER ON ROAD - 9TH OR ROSECRANS - WHEN I PURCHASED PROPERTY IN 2013 MOST OF DEAD END WAS WOODED - NO TURN AROUND I WORKED WITH CITY TO MAKE A GRAVEL CUT-DE-SAC FOR DELIVERY TRUCKS - 2021 CITY AUTHORIZED ME TO POUR CONCRETE IN RIGHT OF WAY TO STREET - THEY ARE SET TO BLACK TOP STREET IN SPRING 2022
* SEE ATTACHED PHOTOS

13. **Public interest.** Describe why the variance, if granted, would not be contrary to the public interest by creating or having the potential for creating an adverse impact on the public, health, safety, or welfare of adjoining and surrounding residents, properties or the community. Attach additional pages as necessary.

* WITH THE RAILROAD SWITCH YARD TO THE EAST - WOODED RAILROAD DITCH TO THE NORTH - MY EXISTING BUILDING TO WEST - DEAD END STREET & WOODED GRAVEL LOT TO THE SOUTH, THE NEW BUILDING WILL NOT BLOCK ANY VIEW OR HARM ANYONE IN SURROUNDING AREA - SEE ATTACHMENT PHOTOS
NOTE: THERE ARE NO UTILITIES ABOVE OR UNDERGROUND IN THE DEAD END STREET!!

14. **Supplemental materials.** Attach the following to this application form.

1. A project map with the information listed in Appendix F of the zoning code.
2. Proposed construction plans (if applicable)

15. **Attachments.** List any attachments included with your application.

- ① PROPOSED SITE PLAN
- ② CITY MAP W/PROPERTY LINES & MEASUREMENTS
- ④ MISC. PHOTOS OF EXISTING BUILDING - ANGLES & SURROUNDING AREA

16. **Other Information.** You may provide any other information you feel is relevant to the review of your application.

THIS ADDITION IS IMPORTANT + MOVING FORWARD - WE NEED AN OVERSIZE HEATED STALL - SO WE CAN TAKE ON LARGE PROJECTS TO INCLUDE HEAVY EQUIPMENT & TRAILER REPAIR WITH AN OFFICE/BREAKROOM ABOVE + POSSIBLY HIRE ON MORE HELP!

17. **Applicant certification**

- * NOTE: THE RAILROAD DID GIVE ME PERMISSION TO PARK STORAGE CONTAINER & TRAILERS ON THEIR PROPERTY AS YOU WILL SEE IN PHOTOS
- I understand that I, or any of my agents, may not discuss this application with any member of the Board of Zoning Appeals until after the Board renders a final written decision.
 - I certify that all of the information in this application, along with any attachments, is true and correct to the best of my knowledge and belief.
 - I understand that submission of this application authorizes City officials and employees, and other designated agents, including those retained by the City, to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.

8. **Variance request.** Provide the requested information for each variance that may be required. If you need any assistance determining what variances may be required you should seek counsel from an attorney, surveyor, consultant, or other professional who is familiar with the City's zoning code.

Section number of zoning code	Describe the requirement from that Section	Proposal
1. 11.06.106	FRONT YARD AND REAR YARD SETBACK OF 25 FEET	NEW BUILDING NEEDS TO BE 1 Foot From Front (South) Property Line AND 3 FEET FROM REAR (North) Property Line
2.		
3.		
4.		

9. **Proposed project.** Describe what you would like to do (e.g., build a house, garage, fence) that cannot be done because of the section of the zoning code listed above.

NEW BUILDING ADDITION ON EAST END OF EXISTING Building - 20'x50' - HIGH BAY STALL

10. **Project alternatives.** Please describe the alternatives, if any, that were considered in designing the project so the variance request would not be necessary in the first place and/or the request is minimized and how they were incorporated or why they were deemed to be unacceptable.

Description	Was the alternative used? If not, why was it rejected?
1. This is the alternative - ON going negotiations	
2. SINCE 2014 - BETWEEN CANADIAN NATIONAL RAILROAD	
3. & CITY - RAILROAD REFUSES TO SELL THEIR	
4. 33' HALF OF ROADWAY BACK TO ME!!	

11. **Unnecessary hardship.** Describe how the section(s) of the zoning code listed above create(s) a practical difficulty or is unreasonably burdensome in terms of severely limiting or prohibiting the reasonable use of the subject property as generally allowed under the City's zoning code. Attach additional pages as necessary.

THE HARDSHIP - IS NOT MAKING TOTAL USE OF MY PROPERTY TO FULFILL THE FUTURE NEEDS OF MY BUSINESS - OUR ONLY OPTION IS TO EXPAND TO THE EAST OF MY EXISTING BUILDING - *SEE ATTACHMENTS

Note: The parcel number can be found on the tax bill for the property or it may be obtained from the Community Development Department.

Is the subject property currently in violation of the City's zoning ordinance as determined by the City's zoning administrator?

☐
☐

No

Yes

If yes, please explain.

Comment: Pursuant to Section 11.04.10 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, special charges, or other required payments that are specifically related to the subject property?

☐
☐

No

Yes

If yes, please explain.

Comment: Pursuant to Section 11.04.11 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land where taxes, special assessments, special charges, or other required payments are delinquent and unpaid.

5. Zoning information (refer to the City's current zoning map)

The subject property is located in the following base zoning district(s). (check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> RR Rural Residential | <input type="checkbox"/> R-8 Manufactured Home Park | <input type="checkbox"/> M-1 General Industrial |
| <input type="checkbox"/> R-1 Single-family Residential | <input type="checkbox"/> B-1 Downtown Commercial | <input type="checkbox"/> M-2 Heavy Industrial |
| <input type="checkbox"/> R-2 Mixed Residential | <input type="checkbox"/> B-2 General Commercial | <input type="checkbox"/> I-1 Institutional |
| <input type="checkbox"/> R-3 Multi-family Medium Density Residential | <input type="checkbox"/> B-3 Neighborhood Commercial | <input type="checkbox"/> P-1 Park and Recreation |
| <input type="checkbox"/> R-4 Multi-family High Density Residential | <input type="checkbox"/> B-5 Mixed Use Commercial | <input type="checkbox"/> C-1 Conservancy |

The subject property is also located in the following overlay zoning district(s). (check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Planned Development (PDD) | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Floodplain |
| <input type="checkbox"/> Downtown Design | <input type="checkbox"/> Shoreland-Wetland | <input type="checkbox"/> Wellhead Protection |

6. Current use. Describe the current use of the subject property.

7. Previous variance applications for the subject property. Describe any variances applications that have been submitted for the property; include the year, a general description, and whether the application was approved or not.

THIS APPLICATION IS NOT FOR A NEW VARIANCE - My proposed sketch DOES NOT MATCH NEW Drawing Submitted For Planning Commission ON 4-4-22 - * SEE NEW site plan & new photos attached #1-#2

Note: If a variance application has been denied, an application for the same variance may not be submitted for a period of 12 months following the date of decision, except if the zoning administrator determines that factors have changed or there is new evidence in support of the variance request. (See Section 11.05.381 of the zoning code.)

8. **Variance request.** Provide the requested information for each variance that may be required. If you need any assistance determining what variances may be required you should seek counsel from an attorney, surveyor, consultant, or other professional who is familiar with the City's zoning code.

	Section number of zoning code	Describe the requirement from that Section	Proposal
1.			
2.			
3.			
4.			

9. **Proposed project.** Describe what you would like to do (e.g., build a house, garage, fence) that cannot be done because of the section of the zoning code listed above.

* New Building Addition on East End of Existing Building - Approx 22'x65' site
With an additional 12'x15' addition to the Northwest corner (see plan)
this addition is needed to meet code requirements for length of staircase
FDR 2nd Floor!

10. **Project alternatives.** Please describe the alternatives, if any, that were considered in designing the project so the variance request would not be necessary in the first place and/or the request is minimized and how they were incorporated or why they were deemed to be unacceptable.

	Description	Was the alternative used? If not, why was it rejected?
1.		
2.		
3.		
4.		

11. **Unnecessary hardship.** Describe how the section(s) of the zoning code listed above create(s) a practical difficulty or is unreasonably burdensome in terms of severely limiting or prohibiting the reasonable use of the subject property as generally allowed under the City's zoning code. Attach additional pages as necessary.

12. **Unique property limitations.** Describe how the hardship is due to unique or special conditions or limitations affecting the subject property and/or structure that are not typical or generally shared by other properties in the City. Attach additional pages as necessary.

13. **Public interest.** Describe why the variance, if granted, would not be contrary to the public interest by creating or having the potential for creating an adverse impact on the public, health, safety, or welfare of adjoining and surrounding residents, properties or the community. Attach additional pages as necessary.

14. **Supplemental materials.** Attach the following to this application form.

1. A project map with the information listed in Appendix F of the zoning code.
2. Proposed construction plans (if applicable)

15. **Attachments.** List any attachments included with your application.

-  16. **Other information.** You may provide any other information you feel is relevant to the review of your application.

I think AFTER talking to other Builders & PLANNERS in the Community, there are still some CONFUSION why coming BACK to Zoning Board WAS NECESSARY HEARING city STAFF'S INTERPRETATION of this Situation? I AM Requesting THE Zoning BOARD VOTE IN FAVOR OF Approving my Addition AND I ALSO AM requesting that my 2ND App. FEE Be refunded Full amount OF \$250.00

17. **Applicant certification**

- I understand that I, or any of my agents, may not discuss this application with any member of the Board of Zoning Appeals until after the Board renders a final written decision.
- I certify that all of the information in this application, along with any attachments, is true and correct to the best of my knowledge and belief.
- I understand that submission of this application authorizes City officials and employees, and other designated agents, including those retained by the City, to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.

Variance Application
City of Wisconsin Rapids, Wisconsin
Page 5

- I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of this application and related materials or view it online.
- I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Property Owner:

CHAD WIRL
Name - print

CHAD WIRL
Name - print

[Signature]
Name - Signature

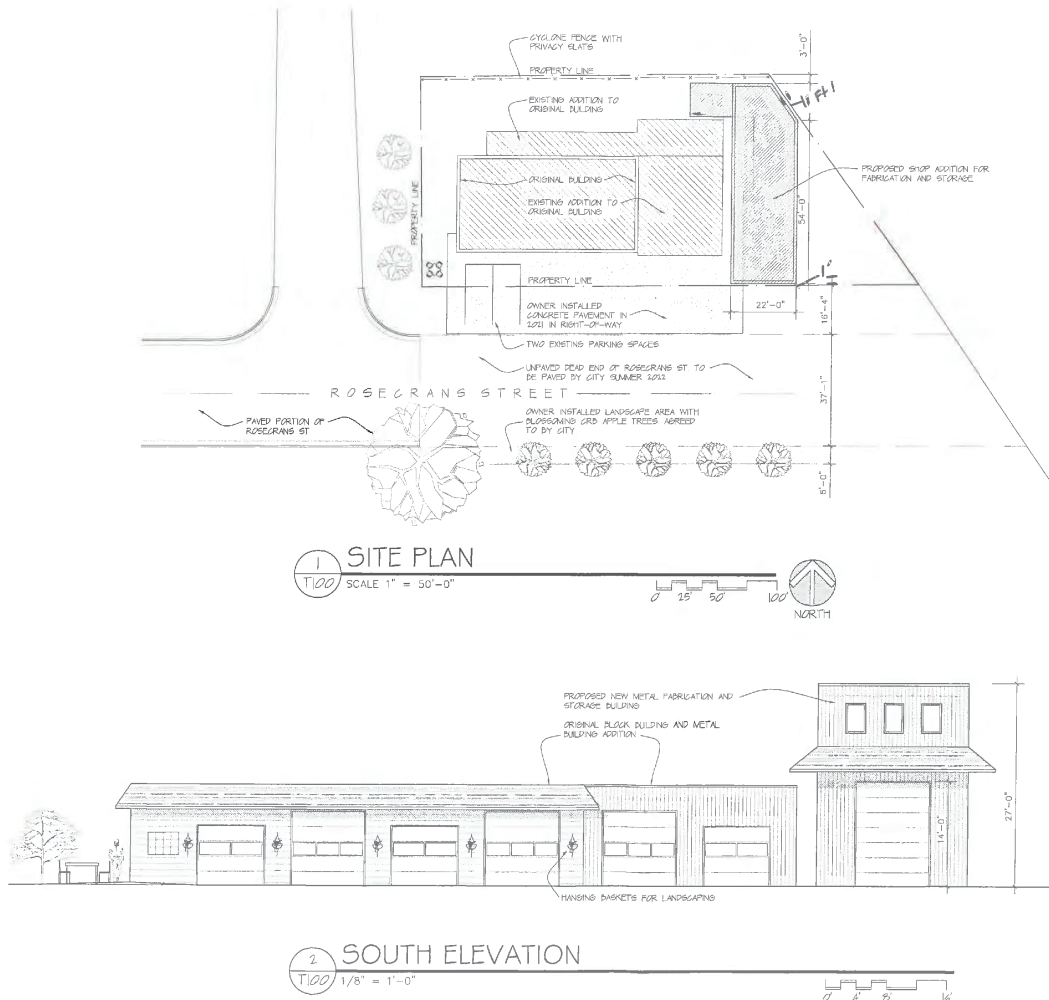
[Signature]
Name - Signature

1-16-2022
Date

3-27-2022
Date

New Commercial Addition for Shopmaster LLC

850 Rosecrans Street Wisconsin Rapids, WI 54495



© arc central llc, 2022

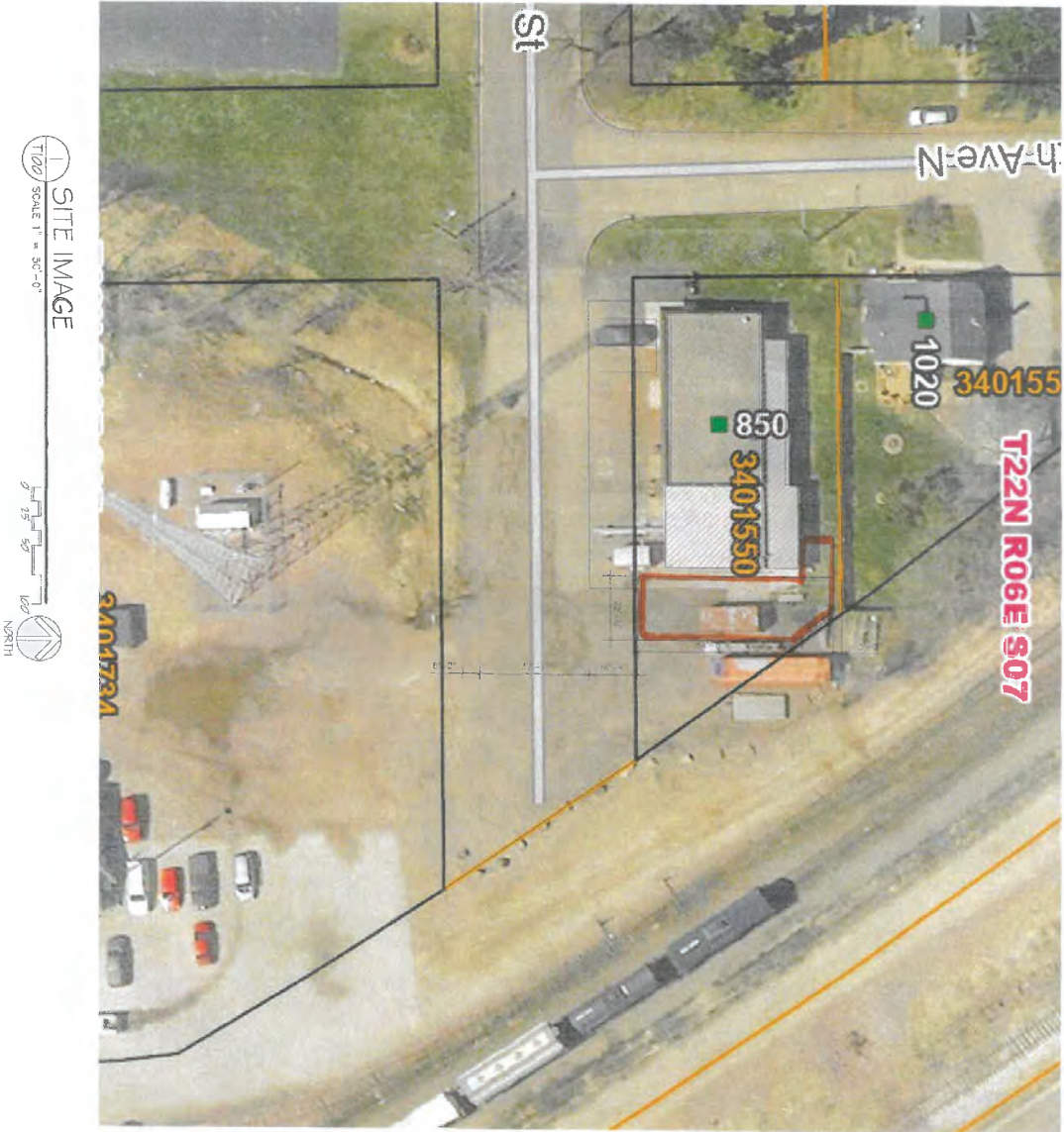
ARC CENTRAL LLC
ARCHITECTURE CONSTRUCTION
MANAGEMENT DESIGN
715.572.2898
arccentralllc@outlook.com

TITLE SHEET
SITE PLAN &
CODE INFORMATION

PROPOSED ADDITION
FOR
SHOPMASTER LLC
850 ROSECRANS STREET
WISCONSIN RAPIDS, WI 54495

REVISIONS

DATE	DATE	DATE
Prelim 9/6/22	Con Docs	Approval
July 21, 21	Rev 1	
PROJECT NO. 22-007		



PRELIMINARY
NOT FOR CONSTRUCTION

T|01

REVISIONS	DATE	DATE
Prelim	5/16/22	
Gen Doc's	DATE	
Approval	DATE	
Rev. I	DATE	

Jul 17 21 21
Project No
22 0075

PROPOSED ADDITION
FOR
SHOPMASTER LLC
850 ROSECRANS STREET
WISCONSIN RAPIDS, WI 54485

TITLE SHEET
SITE PLAN &
CODE INFORMATION

ARC CENTRAL LLC
ARCHITECTURE CONSTRUCTION
MANAGEMENT INTERIOR DESIGN
715.672.2898
arccentralinc@outlook.com



© arc central llc, 2022

Tax key number: 34-01550

Property address: 850 Rosecrans St

Owner: Chad A. Wirl
631 12th Ave N
Wisconsin Rapids, WI 54495

Zoning: M-1, General Industrial
Traffic / water / sanitary: Light / City water / Sewer
Legal description:

Summary of Assessment	
Land	\$13,500
Improvements	\$63,800
Total value	\$77,300

Land									
Qty	Land Use	Width	Depth	Square Feet	Acres	Water Frontage	Tax Class	Special Tax Program	Assess Value
1	Commercial			10,019	0.230	None	Commercial		\$13,500

Commercial Building (The Shopmaster)

Section name:	Section 1
Year built:	1975
% complete:	100%
Stories:	1.00
Perimeter:	244 LF
Total area:	2,880 SF (all stories)



Occupancies	Table 1. Occupancy Use and Construction						
	Designed Use	Actual Use	Units	Area per Unit	Construction Class	Avg Ht	CDU
	Service repair garage	Garage, service repair	1	896	Masonry bearing walls	12.00	Fair
	Service repair garage	Garage, service repair	1	1,984	Masonry bearing walls	11.00	Fair
Exterior walls HVAC	Table 2. Exterior Wall and HVAC Details						
	Component Description	Count	Stops	Area (sf)	Area (%)	Quality	
	Concrete Block			2,880	100.0%	C (AV)	
	Space heater			2,656	92.2%	C (AV)	
	Package unit			224	7.8%	C (AV)	
Other features	Table 3. Other Features and Details						
	Qty	Description	Units	Grade	Location	Yr Blt	Condition
Other features	1	Concrete Block addition	208	C		1975	Fa
	1	Metal storage addition	524	C		1975	Fa

	8'	26' 1sCB/Slab	27' Mtl Enclosure	28' Mtl Enclosure	11'
7'	41'			28'	
	11' ht			12' ht	
7'	1sCB/Slab			Shop	32'
	2880 sf				
14'	Shop				
	14'				
	Paint Booth				

2021 Property Records for City of Wisconsin Rapids, Wood County

February 16, 2022

# of identical OBLs: 1		Other Building Improvement (OBI)				Photograph	
		Main Structure		Modifications (Type, Size)			
OBL type:	Paving	Width:	1,300 LF	Grade:	D	not available	
Const type:	Asphalt	Depth:	1 LF	Condition:	Average		
Year built:	1975	Fir area:	1,300 SF	% complete:	100%		
				Assessed \$:	\$1,400		
		Building Permits		Sales History			
Issued	Permit #	Purpose	\$ Amount	Completed	Date	Price	Type
12/26/2001	49346	New commercial heating	\$1,900	12/26/2003	5/1/2013	\$68,000	Valid improved sale

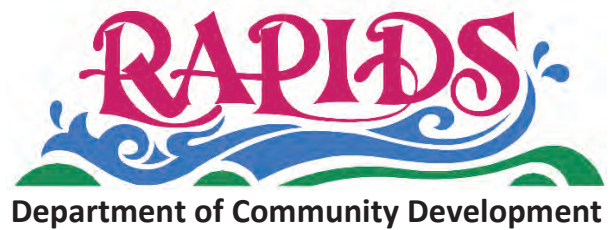


Proposed New Photo - Match Site Plans

Att. #1



* Proposed new photo - match site plan Att # 2



Administrative Staff Report

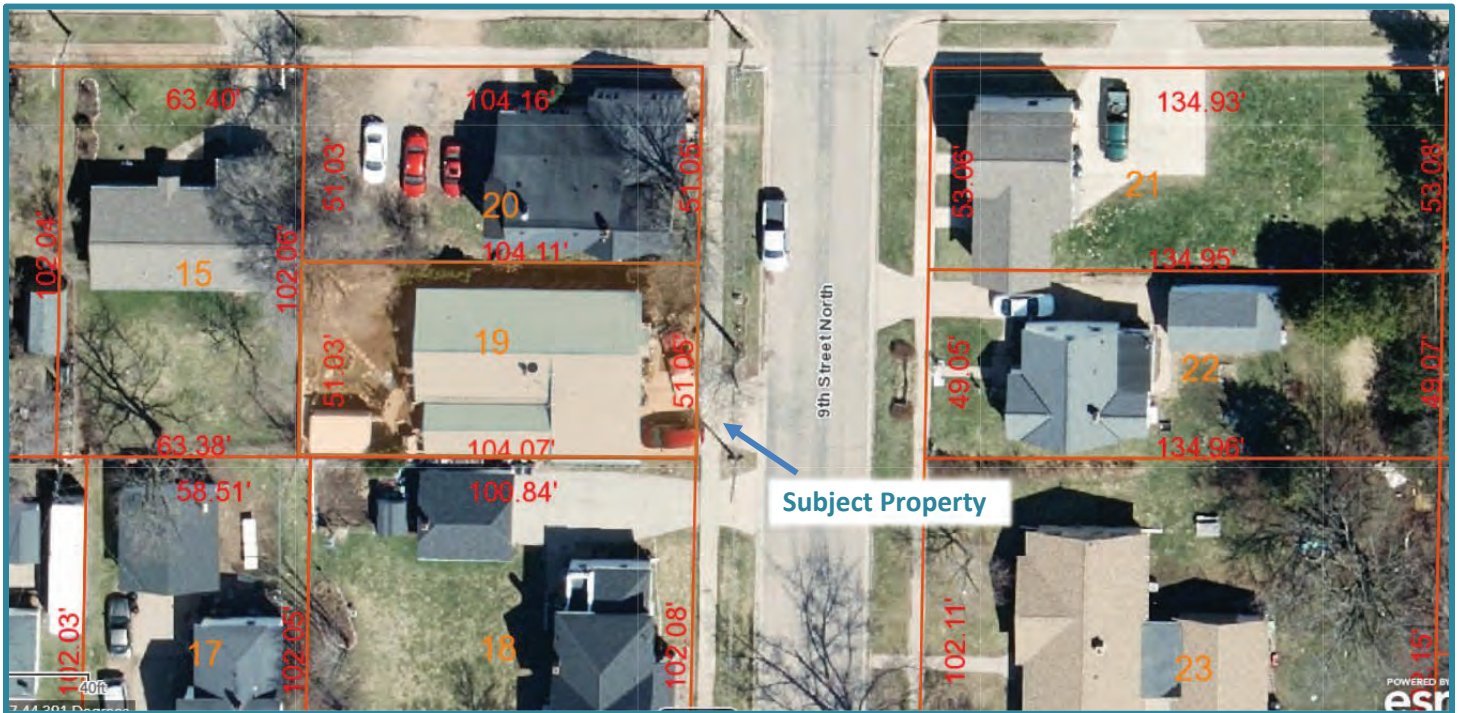
Variance – Front and Side Yard Setbacks and Maximum Building Coverage Ratio

331 Ninth Street North

April 7, 2022

<p>Applicant(s):</p> <ul style="list-style-type: none"> Betty Jean Kay Liezen <p>Staff:</p> <ul style="list-style-type: none"> Kyle Kearns, Director Carrie Edmondson, Associate Planner <p>Parcel Number(s):</p> <ul style="list-style-type: none"> 3407138 <p>Lot Information:</p> <ul style="list-style-type: none"> Effective Frontage: 51 feet Effective Depth: 104 feet Square Footage: 5,227 Acreage: 0.12 Acres <p>Zone(s):</p> <ul style="list-style-type: none"> "R-2" Mixed Residential District <p>Council District:</p> <ul style="list-style-type: none"> District 5 <p>Master Plan:</p> <ul style="list-style-type: none"> Residential <p>Current Use:</p> <ul style="list-style-type: none"> Residential Single-Family Home <p>Applicable Regulations:</p> <ul style="list-style-type: none"> Chapter 11 - Zoning 	<p>Request</p> <p>VARI-22-000164: Betty Jean Liezen – Public hearing and action on a request for a variance from front and side yard setbacks and the maximum building coverage ratio to construct an enclosed porch at 331 9th Street North (Parcel ID 3407138).</p> <p>Attachment(s)</p> <ol style="list-style-type: none"> Application(s) Map Photos Property Data <p>Findings of Fact</p> <ol style="list-style-type: none"> The applicant is requesting a variance from the setback standards and maximum allowable building coverage to construct an enclosed porch. The property is zoned "R-2" Mixed Residential District The Zoning Board of Appeals shall base its decision upon the standard for a variance described in s. 62.23(7)(e)(7), Wis. Stats., and applicable judicial interpretations of such statute. <p>Staff Recommendation</p> <p>Deny the request from BeeJay Betty Jean Kay Liezen, for a variance to construct an enclosed porch within the setbacks and exceeding the maximum allowable building coverage at 331 9th Street North (Parcel ID 3407138), due to the following:</p> <ol style="list-style-type: none"> The lot and building are nonconforming. The building is non-conforming due to the number of additions which have transpired through the years. There is no uniqueness present that justifies additional construction. An unnecessary hardship doesn't seem to exist, and any claimed appears to be self-created. Construction within the required setbacks has implications for pedestrian and homeowner safety and privacy, and for the environment. Further exceeding the maximum allowable building coverage requirement disrupts the scale of development when compared to surrounding properties. It also creates privacy issues, property maintenance issues, and natural resource management issues.
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Vicinity Map



Background

The applicant, Betty Jean Kay Liezen, is requesting a variance from setback requirements and maximum allowable building coverage requirements. A variance application was submitted (attached) requesting an enclosed porch to encroach within the front and side yards. In 2003 the applicant received a building permit to construct a 10 foot by 29 foot addition to the back of the house and a 16 foot by 16 foot patio area. Later that year, a separate permit was received to extend the roof over the front entry and add a 12 foot by 12 foot addition. The front patio area has been enclosed since that time.

The applicant is now requesting to construct an enclosed front porch. At present the home has side yard setbacks of 5 foot 6 inches and 6 feet, with a front yard setback of 11 feet 7 inches. The home is currently at 48.3 percent for building coverage ratio. The proposed addition would expand the nonconformity by extending the 6 foot side yard setback, creating an 8 foot 7 inch front yard setback, and expanding building coverage to 50.9 percent.

The applicant has expressed their desire to add the enclosed porch based on the need to make the front entrance accessible for those with limited mobility (i.e. wheelchair access). A wheelchair ramp (uncovered) is allowable by code, as the Zoning Code does allow for the building inspector to approve them within setbacks, provided this is the only reasonable location based upon building configuration. The applicant has expressed the desire to have the ramp constructed within an enclosed porch, although they have stated that they do have an enclosed wheelchair lift within the garage.

The following sections from the Zoning Code apply to this project:

11.06.106 Building Setbacks

(g) **Decks and porches.** Decks and porches are considered to be part of the building to which they are attached, and therefore must comply with all applicable setback requirements.

h) **Wheelchair access ramps.** The building inspector may, upon written petition, allow the construction of an unenclosed wheelchair access ramp in a setback area, provided the proposed location for the ramp is the only reasonable location based on the existing configuration of the building and the ramp encroaches into the offset area no more than is necessary to provide access to the building. Also see Article 21 for additional provisions relating to reasonable accommodations.

Mixed Residential (R-2) district			
Description: This district is intended to accommodate single-family dwellings and two-family dwellings along with compatible community and civic uses.			
Dimensional Standards:			
Lot Standards	Additional Details	Illustration Symbol	
Lot area, minimum	s. 11.06.102	A	7,500 square feet for single-family; 10,000 square feet for two-family
Lot width, minimum	s. 11.06.103	B	75 feet
Street frontage, minimum	s. 11.06.104	C	50 feet for single-family; 85 feet for two-family
Water frontage, minimum	s. 11.06.105	~	75 feet
Building Setbacks			
Front yard setback, minimum	s. 11.06.106	D	25 feet for principal buildings; 5 feet behind the front face of the principal building for detached accessory building, but not less than 25 feet [1,2,3]
Side yard setback, minimum	s. 11.06.106	E	7 feet on one side and 10 feet on the other for principal buildings; 3 feet for detached accessory building [4]
Rear yard setback, minimum	s. 11.06.106	F	20 percent of lot depth for principal buildings; 3 feet for detached accessory building without an alley; 5 feet for detached accessory building with an alley
Building Standards			
Building height, maximum	s. 11.06.108	~	2 stories, but not more than 30 feet for principal buildings; 1 story, but not more than 15 feet for detached accessory building
Building coverage, maximum	s. 11.06.109	G	30 percent for principal buildings; 20 percent of rear yard area, but not greater than 900 square feet for detached accessory building

Photos



Standards of Review

- 1) Do unique physical limitations exist on the property including steep slopes or wetlands that are not generally shared by other properties that prevent compliance with ordinance requirements?

Analysis: The property is existing and considered nonconforming, due to the lot size and width. The house has been built on the center of the lot, has undergone extensive expansion, and has driveway access from 9th Street North. Furthermore, the building appears nonconforming as well, due to setbacks and maximum building coverage.

Findings: The lot size is consistent with the surrounding properties. The original home and garage were keeping in scale with the property and the surrounding neighborhood. However, the property has been heavily built out as compared to surrounding properties. There is no remaining room to physically expand, except for the possibility of a second small accessory structure. The location and construction of a wheelchair ramp would be considered separately within the Community Development Department. Given the above finding, staff has not determined that a unique property characteristic exists.

- 2) Is the request due to the existence of an unnecessary hardship? An unnecessary hardship cannot be due to conditions which are self-imposed or created by a prior owner. It has also been determined by the Courts that economic or financial hardship does not justify a variance. For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity unnecessarily burdensome.

Analysis: The applicant indicates that meeting the expansion is necessary for them to fully utilize their property. They stated in the application that it would enable better accessibility for an ambulance stretcher or gurney and that the applicant would be more able to answer the door when people arrive at the home. Because they have the ability to construct a traditional wheelchair ramp and have an existing front door and covered porch area, staff feels that they do have full ability to utilize their property. Therefore, staff has determined that even with physical limitations, the owner is able to utilize the home in a traditional fashion and utilization is not unnecessarily burdensome, especially as an uncovered ramp could be constructed within setbacks.

Findings: Any hardship claimed by the applicant seems to be out of desire or a perceived need. The covered porch area does not seem essential to move a gurney into the home or to answer the door while in a wheelchair. The property has been built out to such an extent that any additional development creates multiple issues. It is also important to note that establishment of yards and associated setbacks are to allow safety to passing vehicles and pedestrians, privacy both for the property owner and for those within the public right-of-way, and to provide environmental protection. Similarly, building coverage requirements regulate intensity. They ensure that development on each lot is keeping in appropriate scale. This also ensures neighbor privacy and protection of natural resources.

- 3) Does the requested variance impact the interests of the neighbors, the entire community and the general public? These interests include:

- | | |
|--------------------------------------|---|
| ➤ Public health, safety and welfare; | ➤ Minimization of property damages; |
| ➤ Water quality; | ➤ Provision of efficient public facilities and utilities; |
| ➤ Fish and wildlife habitat; | and |
| ➤ Natural scenic beauty; | ➤ Any other public interest issues. |

Analysis: The subject property is located within a primarily single-family residential neighborhood. The requested variance would allow for an enclosed porch within the required setbacks and in excess of the maximum building

coverage requirement. As a result, the construction would increase the clear disproportionate build-out of this site. A public hearing notice letter was provided as well to surrounding property owners within 300 feet of the property.

Findings: Allowing for the variance could impede the safety and privacy of pedestrians utilizing the sidewalk and public right-of-way. Properties require a balance of developed or constructed areas and undeveloped areas for privacy, maintenance access, and natural resource management. Additionally, it may set precedent for other residential lot owners that are seeking to substantially over-build upon their property. At the date of this staff report the Community Development Department has not received any comments from the public regarding the request. With regards to public health, safety and welfare, additional information may be received prior to the meeting or during the public hearing which may relate to the interest of the neighbors and general public.

Based upon the findings for this request, staff recommends denial of VARI-22-000164 due to the following:

- 1. The lot and building are nonconforming. The building is non-conforming due to the number of additions which have transpired through the years. There is no uniqueness present that justifies additional construction.**
- 2. An unnecessary hardship doesn't seem to exist, and any claimed appears to be self-created.**
- 3. Construction within the required setbacks has implications for pedestrian and homeowner safety and privacy, and for the environment. Further exceeding the maximum allowable building coverage requirement disrupts the scale of development when compared to surrounding properties. It also creates privacy issues, property maintenance issues, and natural resource management issues.**



Variance Application
City of Wisconsin Rapids, Wisconsin
 Version: January 3, 2019

Community Development Department
 444 West Grand Avenue
 Wisconsin Rapids, WI 54495-2780
 P: (715) 421-8228 Fax: (715) 421-8291

Overview: A variance is a relaxation of requirements found within the City's zoning code. Variances are considered by the Board of Zoning Appeals on a case-by-case basis and decisions of the Board are based on the evidence and testimony received as part of the application, during a site visit, and through the public hearing process. The Board's job is not to compromise the requirements for a property owner's convenience, but to apply legal criteria provided in State law, court decisions, and the zoning code. Variances are meant to be an infrequent remedy where a zoning requirement imposes a unique and substantial burden and a variance would be appropriate to alleviate such hardship without circumventing or undermining the intent of the zoning code.

If you submit an application, do not contact any member on the Board of Zoning Appeals before the scheduled meeting.

Governing regulations: The procedures and standards governing the review of this application are found in Article 5 of the City's zoning code (Chapter 11 of the municipal code).

General Instructions: Complete this application and submit one copy to the Community Development Department. Alternatively, you can submit your application online at <https://wisconsinrapids.zoninghub.com/>

Application fee: \$250.00

Application submittal deadline: Applications must be submitted at least 3 weeks prior to the Zoning Board of Appeals meeting, which are typically held the second Tuesday of the month at 1:00 pm.

Mandatory meeting with staff: To ensure that all the required information is provided and that there is a complete understanding of the process, the applicant must meet with City staff to discuss the request and necessary items. Please contact the Community Development Department to schedule an appointment.

Office Use Only

Date Received 3/23/22
 Received By KK
 Fee 250.00
 Case # 22 - 00164
 Aldermanic District -
 ZBA Date TBD

1. Applicant Information

Applicant name BeeJay Betty Jean Kay Liezen
 Street address 331 Ninth St North
 City, state, zip code Wis Rapids Wis.
 Daytime telephone number 715 421 2634
 Email [signature]

2. Agent contact information. Include the names of those agents, if any, that helped prepare this application including the supplemental information. Agents may include surveyors, engineers, landscape architects, architects, planners, and attorneys.

Agent 1	Agent 2
Name <u>David Mann</u>	
Company <u>Mann Power Construction</u>	
Street address <u>4315 Ridge Road</u>	
City, state, zip code <u>Wisconsin Rapids Wis</u>	
Daytime telephone number <u>715 421 4567</u>	
Email <u>dmann@wpc.net</u>	

3. Type of application (select one)

- ☐ Dimensional variance - Provides an increment of relief from a bulk regulation such as building height or setback.
☒ Use variance - Permits a use of land that is otherwise prohibited.

4. Subject property Information

Physical address 331 Ninth Street North
 Parcel number(s) _____

Variance Application
City of Wisconsin Rapids, Wisconsin
Page 2

Note: The parcel number can be found on the tax bill for the property or it may be obtained from the Community Development Department.

Is the subject property currently in violation of the City's zoning ordinance as determined by the City's zoning administrator?

- ☒ No
☐ Yes

If yes, please explain.

Comment: Pursuant to Section 11.04.10 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, special charges, or other required payments that are specifically related to the subject property?

- ☒ No
☐ Yes

If yes, please explain.

Comment: Pursuant to Section 11.04.11 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land where taxes, special assessments, special charges, or other required payments are delinquent and unpaid.

5. Zoning Information (refer to the City's current zoning map)

The subject property is located in the following base zoning district(s). (check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> RR Rural Residential | <input type="checkbox"/> R-8 Manufactured Home Park | <input type="checkbox"/> M-1 General Industrial |
| <input type="checkbox"/> R-1 Single-family Residential | <input type="checkbox"/> B-1 Downtown Commercial | <input type="checkbox"/> M-2 Heavy Industrial |
| <input checked="" type="checkbox"/> R-2 Mixed Residential | <input type="checkbox"/> B-2 General Commercial | <input type="checkbox"/> I-1 Institutional |
| <input type="checkbox"/> R-3 Multi-family Medium Density Residential | <input type="checkbox"/> B-3 Neighborhood Commercial | <input type="checkbox"/> P-1 Park and Recreation |
| <input type="checkbox"/> R-4 Multi-family High Density Residential | <input type="checkbox"/> B-5 Mixed Use Commercial | <input type="checkbox"/> C-1 Conservancy |

The subject property is also located in the following overlay zoning district(s). (check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Planned Development (PDD) | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Floodplain |
| <input type="checkbox"/> Downtown Design | <input type="checkbox"/> Shoreland-Wetland | <input type="checkbox"/> Wellhead Protection |

6. Current use. Describe the current use of the subject property.

home

7. Previous variance applications for the subject property. Describe any variances applications that have been submitted for the property; include the year, a general description, and whether the application was approved or not.

None

Note: If a variance application has been denied, an application for the same variance may not be submitted for a period of 12 months following the date of decision, except if the zoning administrator determines that factors have changed or there is new evidence in support of the variance request. (See Section 11.05.381 of the zoning code.)

8. **Variance request.** Provide the requested information for each variance that may be required. If you need any assistance determining what variances may be required you should seek counsel from an attorney, surveyor, consultant, or other professional who is familiar with the City's zoning code.

	Section number of zoning code	Describe the requirement from that Section	Proposal
1.			
2.			
3.			
4.			

9. **Proposed project.** Describe what you would like to do (e.g., build a house, garage, fence) that cannot be done because of the section of the zoning code listed above.

fix the front porch & at same time enlarge it & put screens on it to make it more use able to use & get it ready to go in & out if an ambulance (the front porch is sinking in)

10. **Project alternatives.** Please describe the alternatives, if any, that were considered in designing the project so the variance request would not be necessary in the first place and/or the request is minimized and how they were incorporated or why they were deemed to be unacceptable.

	Description	Was the alternative used? If not, why was it rejected?
1.		
2.		
3.		
4.		

11. **Unnecessary hardship.** Describe how the section(s) of the zoning code listed above create(s) a practical difficulty or is unreasonably burdensome in terms of severely limiting or prohibiting the reasonable use of the subject property as generally allowed under the City's zoning code. Attach additional pages as necessary.

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- 13. Public interest.** Describe why the variance, if granted, would not be contrary to the public interest by creating or having the potential for creating an adverse impact on the public, health, safety, or welfare of adjoining and surrounding residents, properties or the community. Attach additional pages as necessary.

it would be better to fix the problem now so as not to let the home look run down because if the base of the porch is not fixed it will cause problems with the roof.

- 14. Supplemental materials.** Attach the following to this application form.

1. A project map with the information listed in Appendix F of the zoning code.
2. Proposed construction plans (if applicable)

- 15. Attachments.** List any attachments included with your application.

the front porch would replace the one they now only made bigger to be more useable.

- 16. Other information.** You may provide any other information you feel is relevant to the review of your application.

I would be better able to get to the door to when people come to the door.

- 17. Applicant certification**

- I understand that I, or any of my agents, may not discuss this application with any member of the Board of Zoning Appeals until after the Board renders a final written decision.
- I certify that all of the information in this application, along with any attachments, is true and correct to the best of my knowledge and belief.
- I understand that submission of this application authorizes City officials and employees, and other designated agents, including those retained by the City, to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.

Variance Application
City of Wisconsin Rapids, Wisconsin
Page 5

- I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of this application and related materials or view it online.
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Property Owner:

BeeJay Betty Jean
Name - print Kay Luke Liezen

BeeJay Betty Jean
Kay Luke Liezen
Name - Signature

Mar 22, 2022
Date

Name - print

Name - Signature

Date

Mann Power Construction
Dave Mann, Owner
4315 Ridge Road
Wisconsin Rapids, WI 54495
Phone (715) 421-4567
dmmann@wctc.net

Bee Jay Liesen
331 9th Street North
Wisconsin Rapids, WI 54494

May 30, 2020

Estimate for Concrete Front Porch Project 8' x 12' 8"

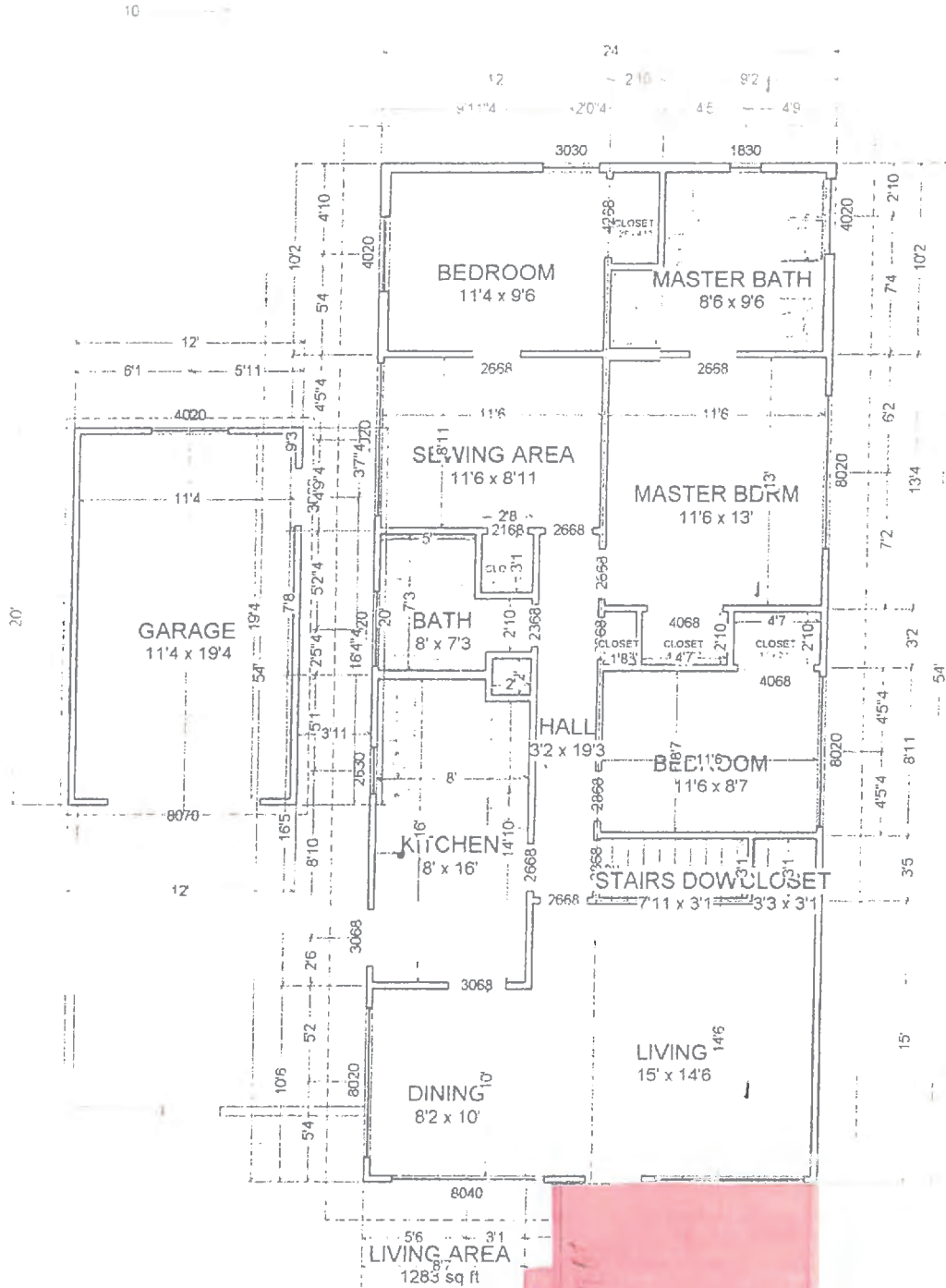
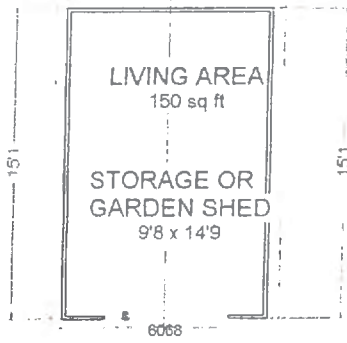
Project Includes:

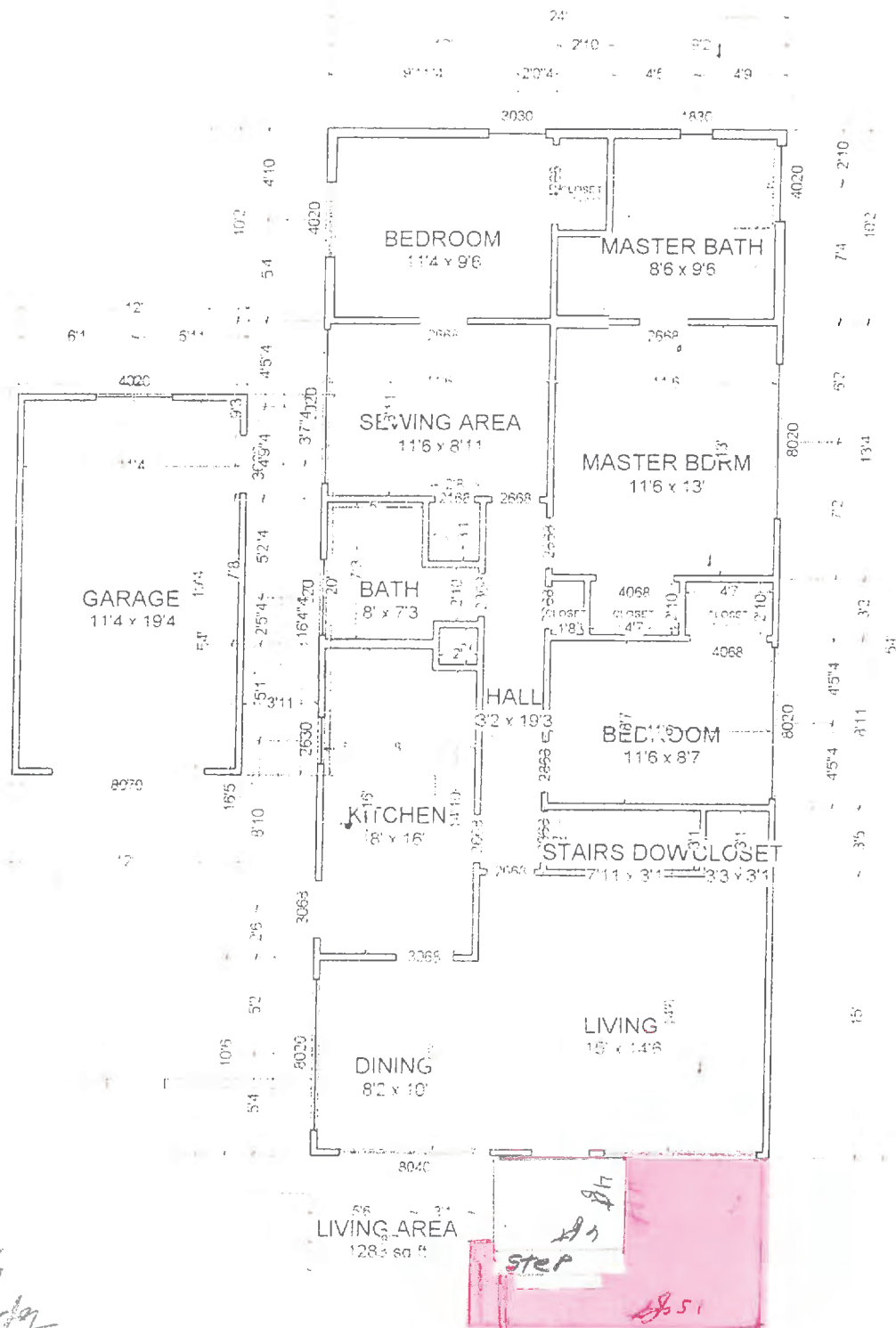
- Removing concrete steps, sidewalk. Porch roof and decorative roof line.
- Dig 4' footing, block walls and concrete porch floor 8' x 12' 8"
- 4 x 4 treated sidewalls, with header, 2 x 6 rafter, ½" sheeting with metal roofing.
- Aluminum fascia, soffit and ceiling
- Knee wall with vinyl siding 2' high
- Aluminum storm and screen windows on 3 sides
- Aluminum storm door to side steps and new sidewalk

Total estimate for above \$19, 772.00

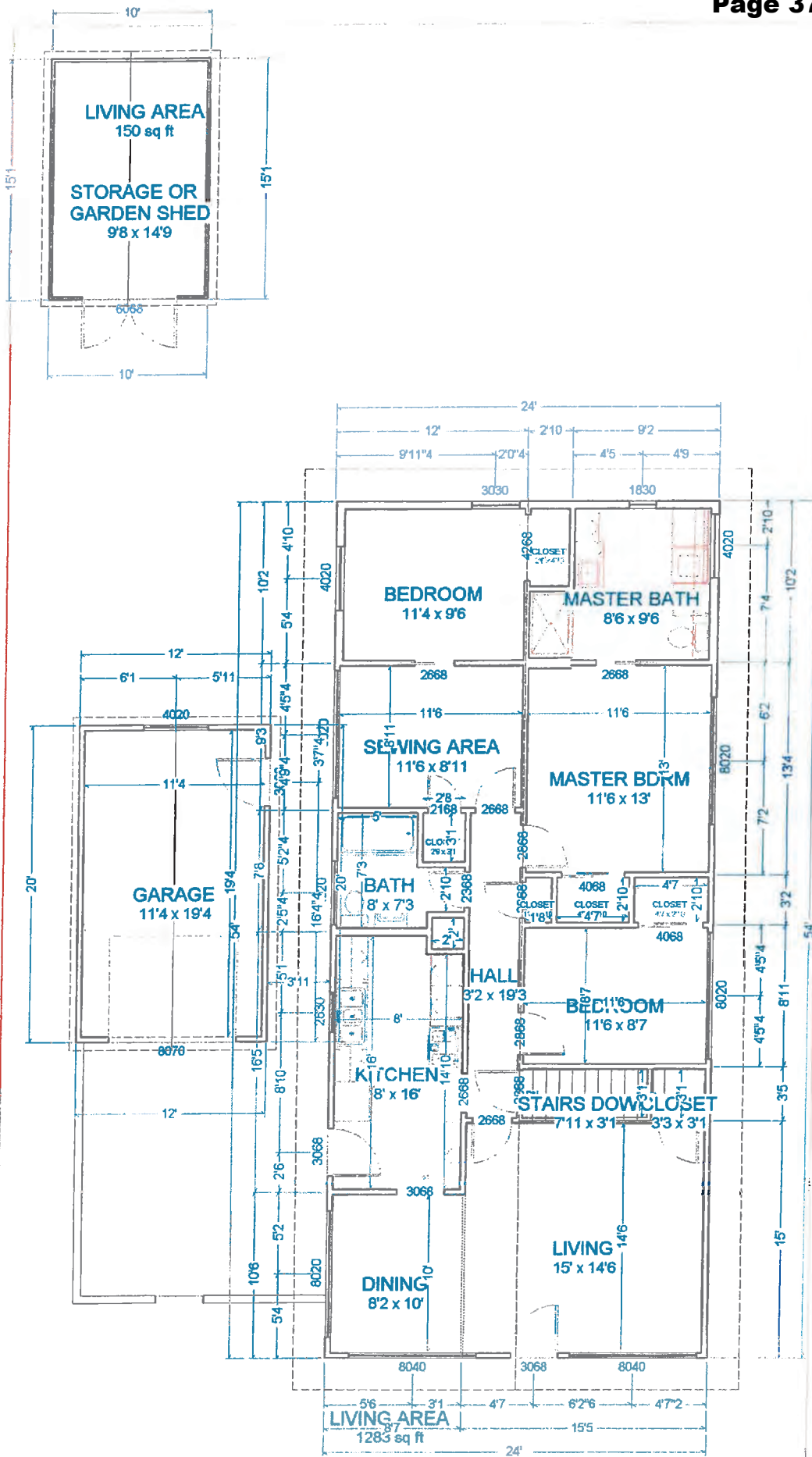
Dave Mann

Sign and date below to begin your project:





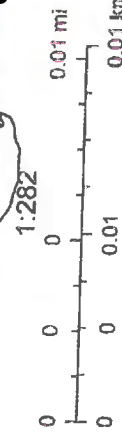
49 X 16
10 10 12



FRONT OF Proch To Side Walk Is 11ft 7in

FRONT OF House
To Side Walk 17ft 4 7/8 inch

9 ft off
Rear porch
8 ft 7 in
to side
walk



front of house
to Side Walk
17ft 7 in

house
to property
6 ft

North
Side
City Viewers



South Side
garage
Property line

5 ft 5 in
(715)
421-2636

yellow house
blue Roof over
hang house
pink over hang
proch
Add yellow
Room For Proch
part

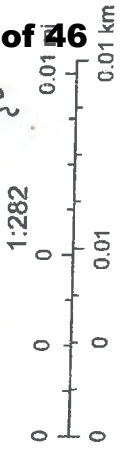
3/29/2022, 3:29:34 PM

Streets
Streets
Parcels
Schools

West end

FRONT of House to Side Walk
17ft 4 in. | Proch now with
steps 8 11ft 7 in
take away 9ft.

8ft 7 in



South
Side
garage
Proch line

5ft 5 in

Streets
Schools

Streets
Parcels

3/29/2022, 3:29:34 PM



West end



North
Side
City Viewer

yellow house
Blue Roof over
hang house
pink over hang
proch

Porch

Porch to be 9 ft by 15 ft. From North corner of house past front door, 17" south pass of the front door.

Dave Mann, owner of Mann Power Construction will do the front porch with his crew.

Dave will get the city permit to fix an enlarge front porch.

Eight-inch blocks will be used under the floor for the foundation. The foundation, will be going four feet below ground level. The floor will be sealed with a layer of concrete and topped with a wooden floor. Frame of porch of wood. Vinyl scallops trim in front of porch, on the top gable part of porch, to match house. Because I am not able to get same size siding to go parallel, I am having white vertical vinyl siding placed around porch under windows and where needed.

The roof will be Hubbell Steel same as what was put on the house roof, in the same Hawaii Blue. A Turbine Ventilator will be placed on top of roof on the north side of roof. Over-hang of roof will be the same as the house over-hang, around the porch. Match roof level on the north side of porch.

Sides and ceiling will be insulated.

Walls 4 inch thick, by time finished outside and inside walls will be closer to 6 inches.

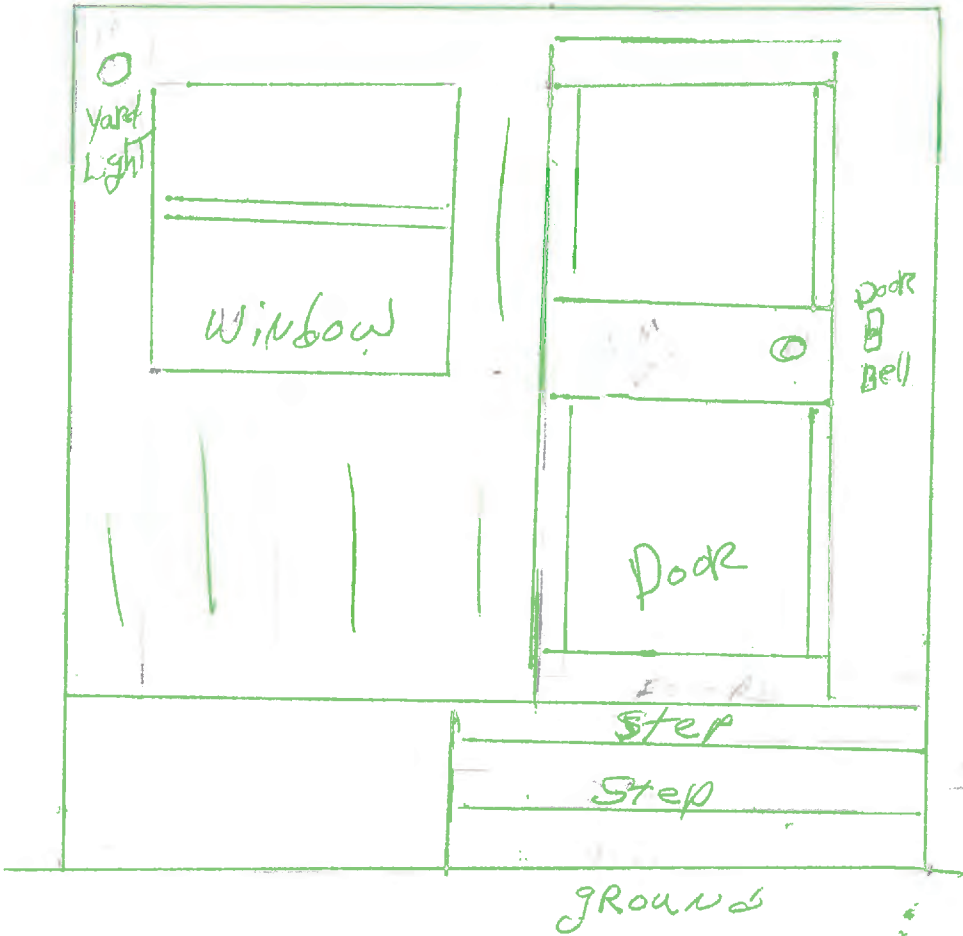
Double hung, vinyl casement windows with screens. 2 Windows on the north end of porch, 3 windows across front the east side, on south end a door and one window.

Door will be a aluminum storm door. Door opening 36" – 38"

The roof will be Hubbell Steel same as what was put on the house, in the same Hawaii Blue. A Turbine Ventilator will be placed on top of roof on the north side of roof

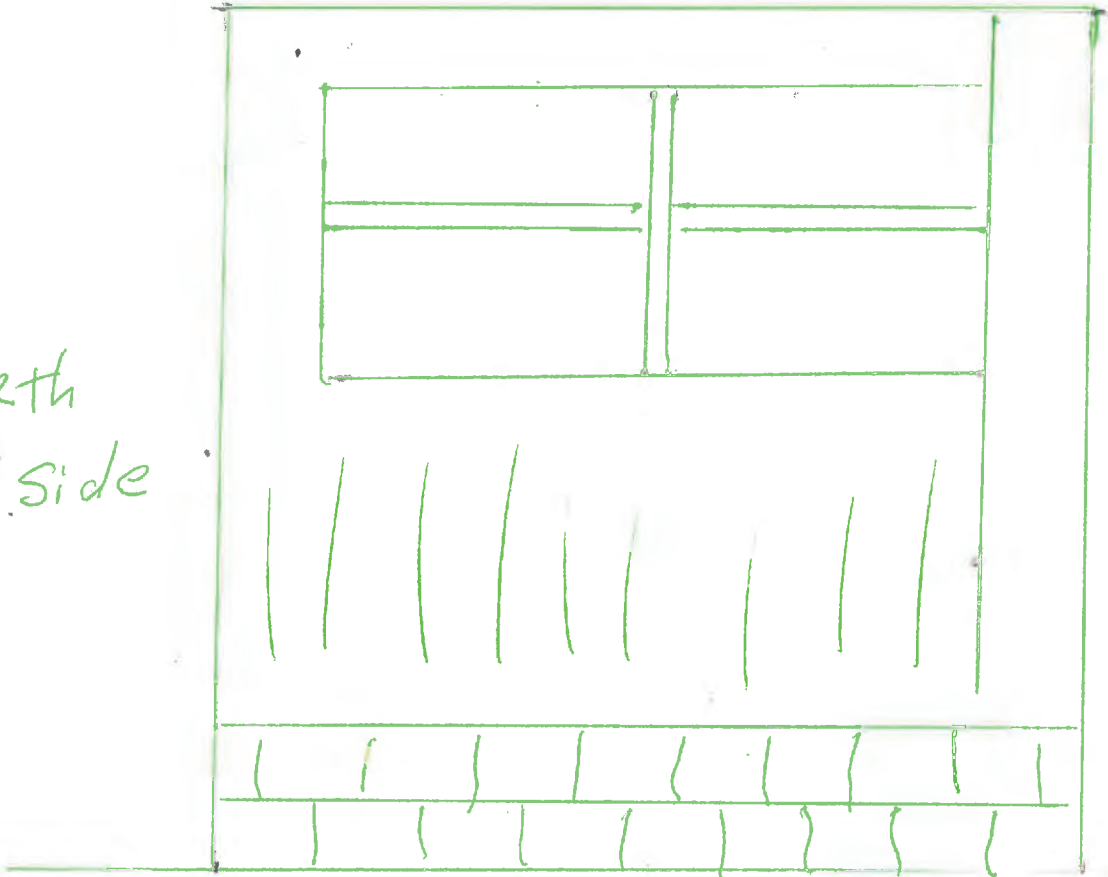
Cement steps on the south side in front of door. Vinyl hand rails by the steps.

Mann Power Construction well be taken care of electrical hook up, for outlets & lights inside, outdoor light by front porch door and a doorbell.



2 Steps
about 6 high

North
end side





From: 7152135858@mms.uscc.net

Date: 3/26/2022, 12:35 PM

To: beejay@wctc.net



Thank you for using Picture and Video Messaging by U.S. Cellular. See www.uscellular.com for info.

Attachments:

IMG952364.jpg

237 KB

Tax key number: 34-07138

Property address: 331 9th St N

Owner: Bettyjean Liezen

331 9th St N

Wisconsin Rapids, WI 54494

Zoning: R-2, Mixed Residential

Traffic / water / sanitary: Light / City water / Sewer

Legal description:

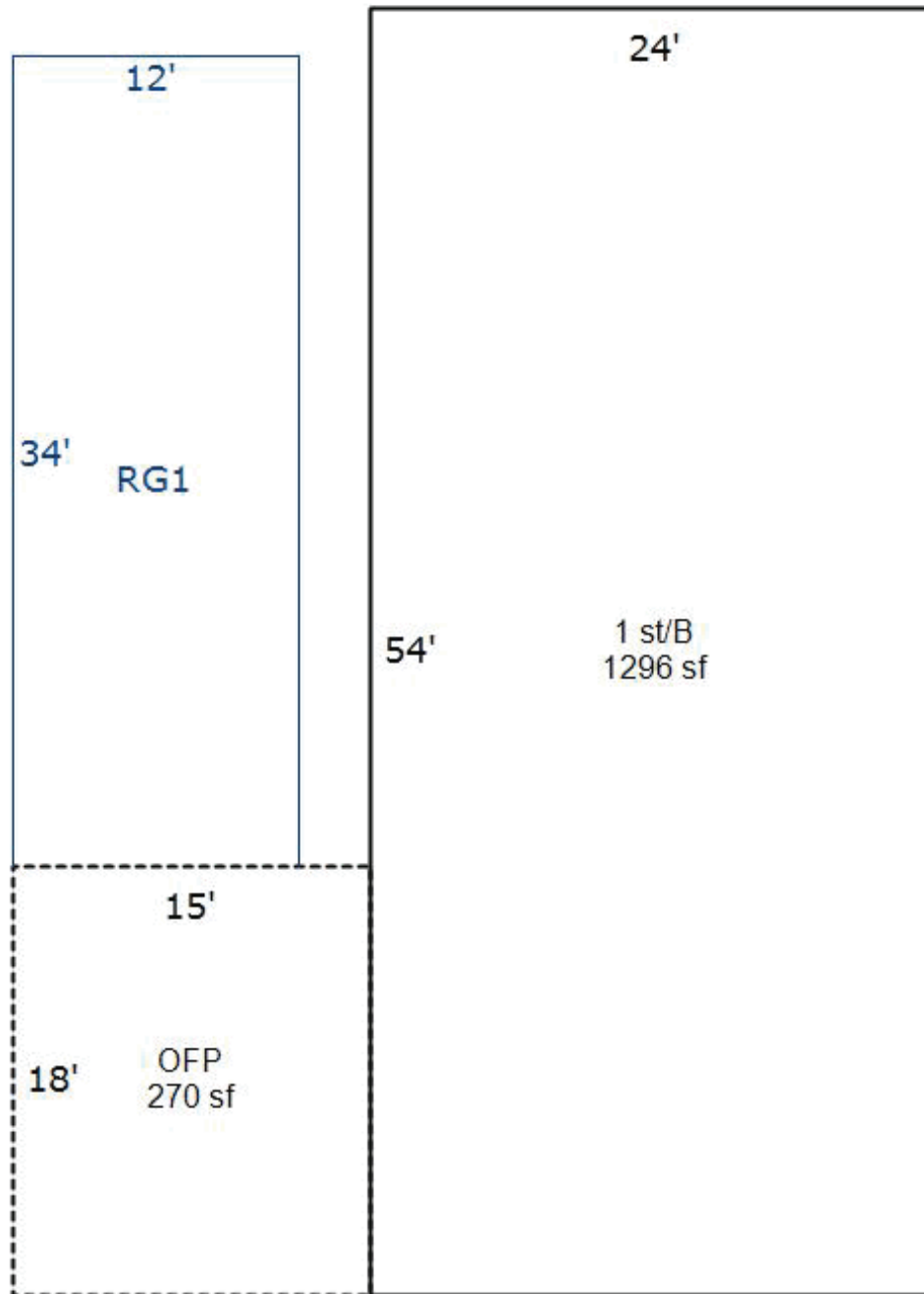
Summary of Assessment		
Land		\$5,800
Improvements		\$76,500
Total value		\$82,300

		Land						
Qty	Land Use	Width	Depth	Square Feet	Acres	Water Frontage	Tax Class	Assess Value
1	Residential	51	104	5,227	0.120	None	Residential	\$5,800

		Residential Building						
Year built:	1956	Full basement:					1,296 SF	
Year remodeled:		Crawl space:						
Stories:	1 story	Rec room (rating):					288 SF	
Style:	Ranch	Fin bsmt living area:						
Use:	Single family	First floor:					1,296 SF	
Exterior wall:	Alum/vinyl	Second floor:						
Masonry adjust:	48 SF	Third floor:						
Roof type:	Asphalt shingles	Finished attic:						
Heating:	Gas, forced air	Unfinished attic:						
Cooling:	A/C, same ducts	Unfinished area:						
Bedrooms:	5	Open porch					270 SF	
Family rooms:								
Baths:	3 full, 0 half							
Other rooms:	2							
Whirl / hot tubs:								
Add'l plumb fixt:	1							
Masonry FPs:								
Metal FPs:	1 stacks, 1 openings							
Gas only FPs:								
Bsmt garage:								
Shed dormers:		Energy adjustment:					No	
Gable/hip dorm:		Percent complete:					100%	



Total living area is 1,296 SF; building assessed value is \$72,900



2021 Property Records for City of Wisconsin Rapids, Wood County

April 8, 2022

# of identical OBIs: 1		Other Building Improvement (OBI)				Photograph	
Main Structure		Modifications (Type, Size)				Photograph	
OBI type: Garage	Width: 12 LF	Grade: D					
Const type: Detached, frame or cb	Depth: 34 LF	Condition: Average					
Year built: 1956	Flr area: 408 SF	% complete: 100%					
		Assessed \$: \$2,900					

# of identical OBIs: 1		Other Building Improvement (OBI)				Photograph	
Main Structure		Modifications (Type, Size)				Photograph	
OBI type: Utility shed, residential	Width: 10 LF	Grade: C					
Const type: Frame	Depth: 14 LF	Condition: Average					
Year built: 2003	Flr area: 140 SF	% complete: 100%					
		Assessed \$: \$700					

Sales History		
Date	Price	Type

Building Permits			
Issued	Permit #	Purpose	Completed
7/23/2007	57059	REPAIR ROOF	7/23/2009
12/30/2003	52171	PLBG BASMT BATH	12/30/2005
8/18/2003	51725	ELEC RAISE MAS	8/18/2005
8/14/2003	51714	OFF, RAILINGS,	8/14/2005
7/3/2003	51541	PLBG BASMT BATH	7/3/2005
5/27/2003	51320	PLBG NEW ADDN	5/27/2005
5/27/2003	51319	ELEC FOR ADDN	5/27/2005
5/27/2003	51318	ADDN SIDG ROOF	5/27/2005