

**BOARD OF ZONING  
APPEALS**

**Monday, September 14, 2020**

**4:30 PM**

**McFarland Municipal Center**  
*Community Room*

AGENDA

You are invited to this meeting through a Zoom webinar. The Public is strongly encouraged to watch and participate in these meetings remotely through either the webinar or telephone options listed below.

PLEASE CLICK THE LINK BELOW TO JOIN THE ZOOM WEBINAR:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84250711885>

Or Telephone  
Dial US +1 (312) 626-6799

Webinar ID: 842 5071 1885

1. CALL TO ORDER
2. PUBLIC APPEARANCES.
3. APPROVAL OF MINUTES.
  - a. Review and possible approval of the draft minutes from the December 4, 2019 Board of Zoning Appeals meeting.
4. PUBLIC HEARING
  - a. Public Hearing on a request by Jeffrey and Kristin Williams for a variance to construct a detached accessory carport/shed in the front yard. The property is addressed 5219 Glen Road; however, the proposed structure would be located along the Bremer Road frontage of the parcel. The property is zoned R-1B.
5. BUSINESS.
  - a. Discussion and possible action on a request by Jeffrey and Kristin Williams for a variance to construct a detached accessory carport/shed in the front yard. The property is addressed 5219 Glen Road; however, the proposed structure would be located along the Bremer Road frontage of the parcel. The property is zoned R-1B.
6. SCHEDULE NEXT MEETING DATE.
  - a. To be scheduled as needed

## 7. ADJOURNMENT.

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related to Open Meetings Law. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the McFarland Municipal Center at (608) 838-3153 or [cassandra.suettinger@mcfarland.wi.us](mailto:cassandra.suettinger@mcfarland.wi.us).

**Board of Zoning Appeals**  
**Working Draft - MINUTES**

**December 4, 2019**

Members Present: Gordon Kinder, Ken Brost, Art Luetke, Bake Draper, John Robertson, Joe Rademacher (A), Jeff Sorenson (A)

Members Absent:

Staff Present: Andrew Bremer

**1. CALL TO ORDER**

Meeting called to order at 6:30pm by Kinder.

**2. APPROVAL OF MINUTES.**

a. Review and possible approval of minutes from the November 11, 2014 Board of Zoning Appeals meeting.

Motion by Robertson to approve the minutes of the November 11, 2014 meeting. Seconded by Luetke. Motion passed 5-0.

**3. PUBLIC APPEARANCES.**

None

**4. BUSINESS.**

a. Discussion of the roles and responsibilities of applicants, Village Staff, and Board of Zoning Appeals members related to requests for zoning appeals and variances.

Kinder indicated that he called a meeting of the Board of Zoning Appeals for informational purposes. Since the Board has not meet since 2014 and has new members he wanted to review roles and responsibilities of applicants, Village Staff, and Board members related to requests for zoning appeals and variances. Bremer reviewed the material in the meeting packet including Applicant Pre-Meeting Letter, BZA Application, Section 2-233 thru 2-236 and Section 62-362 thru 62-367 of the McFarland Municipal Code. Bremer also reviewed where these documents can be found on the Village's website. Members discussed when packets are provided, rights of members to enter applicant property to gather information, coordination of member questions through Village Staff, avoiding

walking quorums, and the importance of providing written justification for approval or denial of matters brought before them.

5. SCHEDULE NEXT MEETING DATE.

Members expressed a desire to hold another meeting to run through a fictitious variance request for training purposes. Bremer to work with Kinder on this potential training activity for 2020.

6. ADJOURNMENT.

Motion by Brost to adjourn, seconded by Luetke. Motion passed 5-0. Meeting adjourned at 7:02pm.

**VILLAGE OF MCFARLAND  
NOTICE OF PUBLIC HEARING BEFORE  
THE BOARD OF ZONING APPEALS**

NOTICE IS HEREBY GIVEN that there will be a Public Hearing September 14, 2020, at 4:30 p.m. in the Community Room of the Municipal Center, McFarland, Wisconsin, at which time parties in interest and citizens shall have an opportunity to be heard concerning the following:

A request by Jeffrey and Kristin Williams for a variance to construct a detached accessory carport/shed in the front yard. The property is addressed 5219 Glen Road; however, the proposed structure would be located along the Bremer Road frontage of the parcel. The property is zoned R-1B.

Information regarding this request is available for review online at [www.mcfarland.wi.us/activedevelopmentprojects](http://www.mcfarland.wi.us/activedevelopmentprojects) or at the Village of McFarland Municipal Center lobby, 5915 Milwaukee Street, McFarland, WI 53558 (Monday-Friday, 8:00 a.m. to 4:30 p.m.).

**COVID-19 RELATED INFORMATION**

Due to the COVID-19 Pandemic, the Village recommends and **URGES** all residents to view the meeting that evening live on the Charter cable channel 982; TDS channel 1009 or online at [mcfarlandcablechannel.com](http://mcfarlandcablechannel.com) and those who wish to participate and provide public comment do so via Zoom (the Village's virtual meeting software). You can join the Zoom Webinar by visiting <https://us02web.zoom.us/j/84250711885> Or Telephone: Dial (for higher quality, dial a number based on your current location): US: +1 (312) 626-6799 Webinar ID: Webinar ID: 842 5071 1885

Due to limitations from Dane County Public Health, only 10 non-employees are allowed in the Municipal Center at one time. **If you choose to attend the meeting in-person, the Village CANNOT GUARANTEE you will be allowed a spot inside the building to view the meeting.** Those who wish to provide public comment at the meeting will be ushered in and out of the building to accommodate the 10-person gathering limit.

If you cannot attend the meeting, please submit your written comments to the Board of Zoning Appeals before September 14, 2020. The mailing address is:

Village of McFarland  
Community Development Department  
P.O. Box 110  
McFarland, WI 53558  
[community.development@mcfarland.wi.us](mailto:community.development@mcfarland.wi.us)

Respectfully submitted by,  
Andrew Bremer  
Community and Economic Development Director



**VILLAGE BOARD SUMMARY SHEET**

**MEETING DATE:** Monday, September 14, 2020

**SECTION:** Business

**DEPARTMENT:** Community Development

**CONTACT:** Andrew Bremer, Comm & Eco Dev Director

**AGENDA ITEM:** Discussion and possible action on a request by Jeffrey and Kristin Williams for a variance to construct a detached accessory carport/shed in the front yard. The property is addressed 5219 Glen Road; however, the proposed structure would be located along the Bremer Road frontage of the parcel. The property is zoned R-1B.

**PREVIOUS ACTION:**

**ISSUE SUMMARY:**

**Background and Request**

Jeffrey and Kristin Williams are requesting a variance to construct a detached accessory carport & shed in the front yard of their property located at 5219 Glen Road. The property is zoned R-1B Single Family Residence and is not located in a Floodplain, Wetland or Conservancy District. The property is 5,184 square feet in size and contains an existing single family residence and a detached accessory shed. The shed would be removed as part of the proposed project. The home was built in 1930 according to the Village Assessor's Property Record Card. Private Garage Space and Gardening/Storage Sheds are both permitted uses in the R-1B District. The property is a through lot and the proposed structure would be located along the Bremer Road frontage of the parcel. The packet includes the applicant's application, their responses to standards for why a variance should be granted, site plan and drawings for the proposed structure.

As submitted the structure is 38'x20', or 760 square feet in size, which represents approximately 45% of the rear yard. Sec. 62-227(c)(1), provides that no detached accessory building shall occupy more than 40 percent of the area of the required rear yard. On page seven of the application the applicants have stated that they are going to reduce the size of the carport to be no more than 40% of the rear yard. This would require a structure no larger than 680 square feet.

Assuming compliance with the maximum lot coverage requirement, the remaining request is for a variance to Sec. 62-227(e)(1) which states that no accessory building in a Special or Residential District shall be erected in any yard except a rear yard, and all accessory buildings



shall be located not less than three feet from all lot lines and from any other building or structure on the same lot except as provided hereunder. Based on the definitions in the Zoning Code, the lot is considered a through lot, meaning it has two front yards and two side yards but does not have a rear yard. As proposed the structure would be located 5'8" from the house, 3'9" of the southern side lot line, 9'2" from the northern side lot line, and 3'6" from the Bremer Road ("rear") lot line.

### **Standards for Granting a Variance**

Sec. 62-366(e) provides three standards for granting a variance: unnecessary hardship, hardship may not be self-imposed, and hardships must be unique to the property. The following is an opinion from staff regarding these three standards.

1. Unnecessary Hardship. Per Sec. 62-366(e)(1) Variances shall be granted only where the applicant demonstrates the existence of an unnecessary hardship. An unnecessary hardship exists where compliance with the strict letter of the restrictions governing the property would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome. When considering any variance, the Board of Zoning Appeals shall determine whether the particular restriction in question is unnecessarily burdensome in light of the underlying purpose of that restriction. The purpose of the regulation shall be the primary concern, not the burden upon the property owner. Variances may not be granted where they are contrary to the public interest or where granting the variance would violate the spirit of the regulation. The Board of Zoning Appeals shall consider the following factors to determine whether an unnecessary hardship exists to justify issuance of an area variance:

- The purpose of the zoning restriction in question. In staff's opinion, the purpose of Sec. 62-227(e)(1) is to protect and enhance the aesthetics of a neighborhood by requiring accessory structures to be located in the rear yard where they are less visible to the public as they are screened by the primary residence from street view. In this case, there is no traditional rear yard in which to place a detached accessory structure where it would not be as visible from street view. The property is addressed on Glen Road; therefore, placement of the structure on the Bremer Road side of the lot meets the spirit of Sec. 62-366(e)(1) as a "rear yard" location.
- The effect of the restriction on the property. In staff's opinion, the effect of the restriction of the property unreasonably prevents the owner from using the property for a permitted purpose, albeit an accessory permitted use, as there is no true rear yard in which any accessory structure could be placed given the definition of a through lot rendering conformity with such restrictions unnecessarily burdensome.
- The effect of a variance on the neighborhood and larger public interest. In staff's opinion, the effect of a variance would have limited impact on the neighborhood aesthetics. All of the other existing homes on the same block have either an existing attached or detached garage, except the adjacent 5217 Glen Road. Further, those



properties on the block with detached garages (5211 Glen, 5213 Glen, 5224 Bremer) all are in the Bremer Road yards. In terms of larger public interest, staff's primary concern is with ensuring the proposed structure if approved, is located as far back from Bremer Road as possible for safety reasons. Bremer Road does not have a curb and gutter and placing the structure as far back from the road as possible will help to improve safety or prevent property damage from any potential vehicle that might inadvertently drive off the roadway.

2. Hardship may not be self-imposed. In staff's opinion the hardship is not self-imposed. The property owners did not construct the house or plat the neighborhood creating the condition that currently exists. Based on the pictures in the packet of the property, it appears that the home may have had an attached garage under the residence at one point in the past. There is an existing curb cut on Glen Road, so at least a driveway was located at this location. It is possible that a prior renovation eliminated an attached garage creating the need for a new garage. Staff could not confirm this possibility based on a review of the Department's records for the property.

3. Hardships must be unique to the property. In staff's opinion the hardship is unique to property. While there are other through lots in the Village that also would not have a true rear yard, this particular lot may be the narrowest of all such lots. Staff notes that the lot in question is substandard in size, 5,184 square feet, minimum lot size in the R-1B District is 6,000 square feet and the minimum lot width is 50 feet. The dimensional length of the lot is 92 feet on the south side and 97 feet on the north side. The lot width is 59 feet on Glen Road and 55 feet on Bremer Road. Sec. 56-142(1) of the Village Subdivision Code provides that the optimal lot depth (or new lots) is a minimum of 100 feet and a proportion of two to one shall be considered a desirable ratio under normal conditions. In staff's opinion, under normal conditions, as a through lot, the lot would have twice the depth. The packet includes the relevant lot line and yard definitions from the zoning code and a representative image of the types of lots. Note, that as shown on the representative image, typically a through lot will be twice as deep as an interior lot. The lots on this block of Glen Road are not configured with the extra depth of a typical through lot which would then permit a deeper setback for the proposed structure to meet the minimum front yard setback for primary structures to provide a consistent street wall with other adjacent residences along the block.

#### **Additional Staff Comments**

- **Alternative Designs.** The extent to which alternative designs have been investigated should be discussed with the applicant as part of the BZA's decision making process. One such option may be to construct an attached garage on the south side of the house facing Bremer Road. The property survey identifies the existing home is 25'1" from the south side lot line. The R-1B District requires a minimum side yard setback of 7', thereby leaving 18'1" for the addition of an attached garage. An attached garage in this



location should also be able to meet the minimum front setback requirements of 20'. There are likely some limitations or drawbacks to this alternative. An 18' wide garage is smaller than a typical two vehicle garage so the attached garage would like serve as a 1.5 vehicle garage, for one vehicle and the associated shed storage desired. In addition, there are several windows along the south side of the house were solar access would be removed and there is the potential that additional tree removal may be necessary along the side lot line, thus reducing natural screening to the southern neighbor.

- Granting minimal relief. As previously stated, in order to meet the requirements of Sec. 62-227(c)(1), the proposed accessory structure should be 680 square feet or less. The BZA should discuss with the applicant how they would revise the proposed length and width of the carport/shed to meet this standard. Staff's preference is to locate the structure as far back from the Bremer Road lot line as feasible. The proposed structure is shown as 3'6" from the Bremer Road lot line and 5'8" from the primary structure. Sec. 62-227(c)(1) requires accessory structures to be at least three feet from a primary structure; therefore, it may be possible to move the structure two feet closer to the primary structure for an offset of 3'8". This would then allow the structure to be at least 5'6" from the Bremer Road lot line. Further setback distances could be possible if the width of the structure is reduced from the proposed 20 feet in order to bring the structure at or under 680 square feet.

**FINANCIAL/BUDGET IMPACT:**

**VILLAGE PLAN REFERENCE:**

The property is planned for Single Family Residential use in the Village's Comprehensive Plan.

**ORDINANCE REFERENCE:**

Sec. 62-3, General Purpose

Sec. 62-4, Definition of Lot, Through; Yard, Rear; Lot Line, Rear; Yard, Front

Sec. 62-68, Statement of Purpose, R-1B District

Sec. 62-69, Permitted Uses, R-1B District

Sec. 62-227(c)(1), Placement Restrictions for Accessory Buildings

Sec. 62.227(e)(1), Accessory Buildings in Special and Residence Districts

Chapter 62, Article II, Division 5, Appeals

**BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:**

If the Board of Zoning Appeals moves to grant the variance, staff recommends the following conditions of approval:

1. The proposed carport/shed shall be no larger than 680 square feet to meet the spirit of



Sec. 62-227(c)(1).

2. Specify the minimum setback from the structure to the existing residence be no less than three feet to meet the provisions of Sec. 62-227(e)(1).
3. Specifying the minimum setback from the structure to the side lot lines be no less than three feet to meet the provisions of Sec. 62-227(e)(1).
4. Specifying the minimum setback from the structure to the property line on Bremer Road to be no less than 5'6".

**ATTACHMENTS:**

1. 9.14.20 - 5219 Glen Road - BZA application 8.7.20
2. 5219 Glen Road Aerial
3. 5219 Glen Road Photos
4. Lot Line Definitions and Image
5. Sec. 62-366 Variances

# McFarland VILLAGE OF

*Community Development*

RECEIVED

AUG 07 2020

VILLAGE OF McFARLAND

Notice of Appeal and Application for Review

**TO: The Board of Zoning Appeals, Village of McFarland, WI**

\$380.00 filing fee required with each application.  
 Applicant is responsible for publication fees and notification charges, plus actual legal, engineering and financial consulting costs incurred by the Village, to be billed later. No permits can be issued until all monies owed are paid. Filing fee is non-refundable.

- 1) Name of Appellant/Applicant Jeffrey + Kristin Williams  
 Address 5219 Glen Road  
McFarland, WI 53558  
 Phone 608.335.1623
  
- 2) Address of Property Street 5219 Glen Road, McFarland  
 Parcel No. 154/0710-343-4972-8  
 Lot 4/UNT 61 Block: \_\_\_\_\_ Plat name: Idlewood  
 Present use of property Residential  
 Proposed use of property Residential  
 Zoning classification Residential  
 Owner's name/address same as above  
 (if other than shown in #1) \_\_\_\_\_
  
- 3) Has a previous appeal or application been made with respect to this property?  Yes  No If "yes", state nature of previous appeal:  
 \_\_\_\_\_  
 Disposition of previous appeal: N/A  
 Date of decision in previous case: N/A
  
- 4) Date of decision or order of administrative official from which appeal is taken:  
N/A  
 \_\_\_\_\_  
 Date of notice of such decision received by applicant N/A

5915 Milwaukee St. • P.O. Box 110 • McFarland, WI 53558-0110 • FAX: (608) 838-3619

Administration 838-3153	Community Development 838-3154	EMS 838-3152	Fire 838-3278	Outreach 838-7117	Police 838-3151
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5) **Purpose and grounds of appeal.**  
Check below the relief requested by this appeal.

(A) Request for interpretation of zoning ordinance and reversal of order, requirement, decision, or determination of administrative official. Use the lines provided below stating the reasons why you claim this order, requirement, decision, or determination is erroneous.

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(B) Request for variance.

- > Use lines below each item for the purpose of explanation.
- > For the Board of Appeals to grant a variance, it must find that all six items are met:

1. Why the denial of the variance may result in hardship to the property owner due to physiographical consideration. There must be exceptional, extraordinary or unusual circumstances or conditions applying to the lot or parcel, structure, use or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Code should be changed.

see attached Response/  
Answer

2. The hardship must not be self-created.

see attached answer

3. The conditions upon which a petition for a variance is based are unique to the property for which the variance is being sought and that such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and vicinity.

See attached Response/  
answer

4. The purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the property.

See attached  
Response/ answer

5. The granting of the variance will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.

See attached  
Response/ answer

6. The proposed variance will not undermine the spirit and general and specific purposes of the Zoning Code, specifically the purpose in Subdivision II – Conditional Uses – Section 62-105.

See attached Response  
answer

(C) Other: see attached  
State relief requested on the lines given below giving reasons why appellant is entitled to such relief.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6) Do you grant permission for the Board of Zoning Appeals and staff, either individually or as a group, to enter onto the subject property for a site inspection?  Yes  No

Each application for appeal must be accompanied by a scale drawing showing the location and size of property, existing improvements, all abutting properties and improvements thereon and the requested change or addition.

I hereby swear that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.

Jeffrey Williams  
Justin Williams  
Signature of Applicant

8/06/2020  
Date

Office Use Only	
Received By	
Date Received	8-7-2020
Fee Received	380.-
Hearing Date	
Notice Published	
Notice Mailed	
Billed	

RECEIVED

AUG 07 2020

VILLAGE OF McFARLAND

Kristin & Jeffrey Williams  
5219 Glen Road, McFarland  
Variance Application Answers

5. (B)

1. The property in question is 5219 Glen Rd. There are exceptional or extraordinary circumstances with our property that do not generally apply to other properties in our neighborhood. Our lot is considered to have "two" front yards, and is considered to be built on what is called a through street. Our property is considered to have two lot lines, on both Bremer Rd and Glen Rd and those are both considered to be our "Front Yards". This therefore makes it impossible to place a detached structure of any type and anywhere on our property if we are considered to NOT have a true "Rear Yard"

2. This unique situation was not created by us. This property also sat vacant for about 25 years with no one living there. Our home was then bought by a gentleman who never lived there, he just remodeled the property for about 2 years, and then sold it to us. We are the first true family living in this home in close to 30 years. We just were informed that we have "Two front Yards" from the building inspector and are now seeking this variance.

3. This variance is necessary for us to truly use our home as it should be intended. Currently we really have no safe place to park our vehicles and use our home as intended. We need a safe place to park our vehicles at our home. We also have no place to safely/nicely put our lawnmower or snow blower. These items are currently stored in a shed that was existing on the property when we bought it. The shed is literally falling apart. We are looking for an open air carport to provide this for us with a safe place to park our vehicles, with attached storage for safely securing basic household needs like a lawnmower.

4. The variance is not to increase the property value, but rather to be able to have a safe place to park our automobiles and to use our property as it should be intended. The property situation is unique and inhibits us to use our property as intended.

5. The variance will not be detrimental to the public welfare or injurious to the other property improvements in our neighborhood. This should grant more safety on our street, as our vehicles will be "out of the street" and in a safe carport. The proposed structure would be an "open air" carport structure/with attached storage built by a professional. It would not create any undue burden to any neighboring residences. The proposed structure would also comply with the 40% requirement to "not occupy more than 40% of an area in the rear yard".

6. I believe that this proposed variance will not undermine the spirit and general and specific purposes of the zoning code.

© Other

This property was, as previously stated, sitting empty with no one living there for about 25 years. We are the first family to live in the home in 25 plus years. The property was literally rat infested and a huge eye sore for the neighborhood. After it was sold to Noel Johnson and he remodeled it and made huge improvements, we bought the house. The Old shed (original) is still on the property and the new carport we are proposing would have an attached shed. If you drive by our house, you will see the "old Shed" and it is literally falling apart, but we do use it to store our lawn mowers, snow blower etc as we have no garage. So with the property, at no fault of ours, being deemed to have "Two Front Yards" it inhibits us from using our property as it should be intended. We should have a safe place to park our vehicles, we should be able to store basic needs in a small attached shed as well. We are hoping the village will allow this variance to us. Thank you for your consideration.

Parcel Number - 154/0710-343-4972-8

Current

**Parcel Summary**

Municipality Name	VILLAGE OF MCFARLAND
Parcel Description	IDLEWILD ADDN LOT 62 & NLY 20 FT LOT 61 ...
Owner Names	JEFFREY B WILLIAMS KRISTIN S EWERT
Primary Address	5219 GLEN RD
Billing Address	5219 GLEN RD MCFARLAND WI 53558

**Parcel Map**



**Current Year Assessment**

Assessment Year	2020
Valuation Classification	G1
Assessment Acres	0.119
Land Value	\$42,400.00
Improved Value	\$204,900.00
Total Value	\$247,300.00

**Current Year Taxes (2019)**

Assessed Land Value	Assessed Improvement Value	Total Assessed Value
\$42,400.00	\$192,700.00	\$235,100.00
<b>Taxes:</b>		\$4,715.71
<b>Lottery Credit(-):</b>		\$220.11
<b>First Dollar Credit(-):</b>		\$79.33
<b>Specials(+):</b>		\$141.00
<b>Amount:</b>		\$4,557.27

**Assessment Contacts**

<b>Assessment Contact Information</b>	
For questions or to schedule an appointment contact:	
<b>Assessor</b>	ACCURATE APPRAISAL LLC
<b>Phone</b>	920-749-8098
<b>Email</b>	INFO@ACCURATEASSESSOR.COM
<b>Clerk</b>	CASSANDRA SUETTINGER
<b>Phone</b>	608-838-3153
<b>Email</b>	CASSANDRA.SUETTINGER@MCFARLAND.WI.US

**Districts**

Type	State Code	Description
REGULAR SCHOOL	3381	MCFARLAND SCHOOL DIST
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE
OTHER DISTRICT	49MF	MCFARLAND FIRE
METRO SEWERAGE	5150	MADISON METRO SEWER DIST

**Open Book/Board Of Review Dates**

<b>Board Of Review</b>
Starts: 05/28/2020 - 09:00 AM
Ends: To Adjourn

**Recorded Documents**

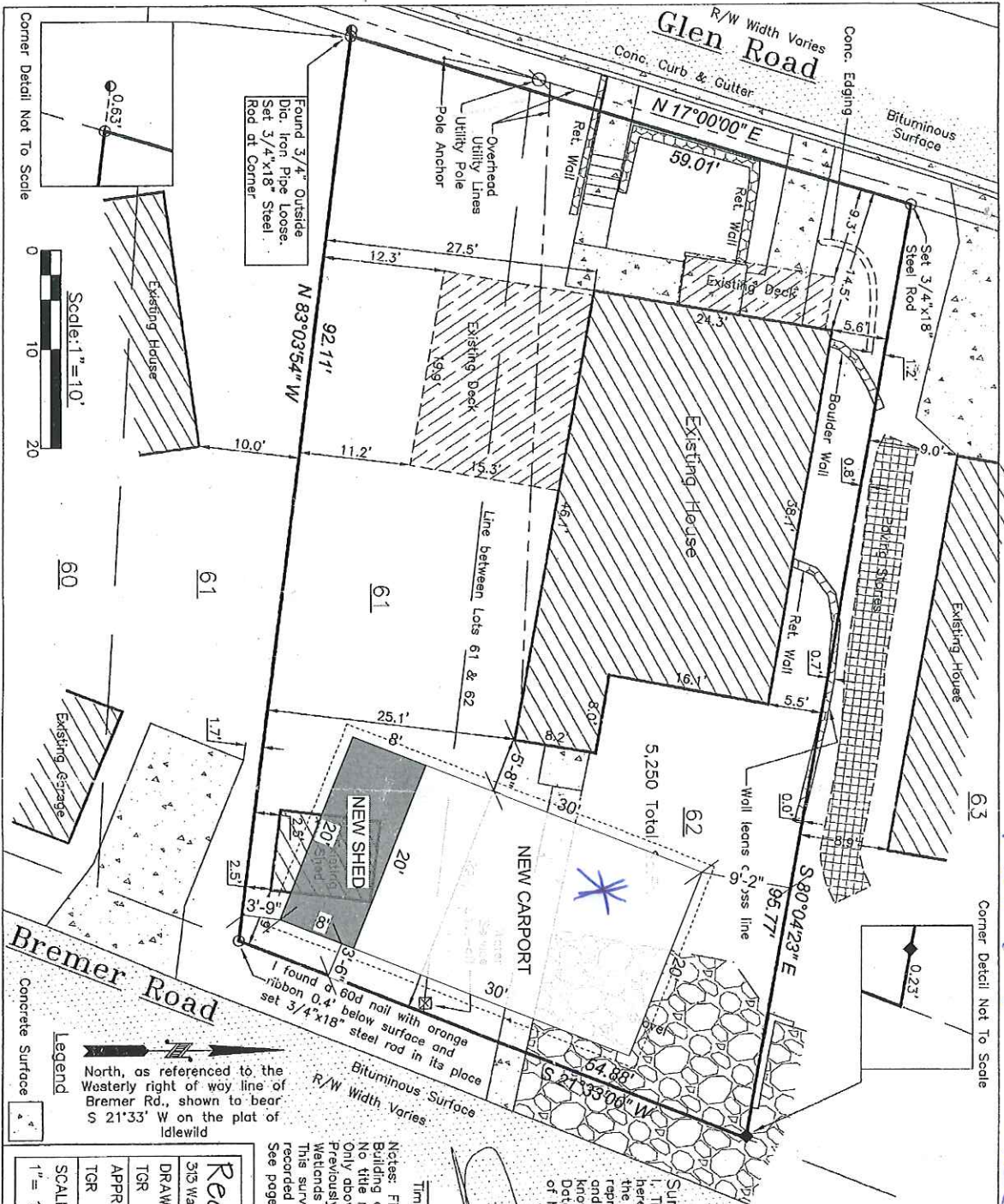
Doc. Type	Date Recorded	Doc. Number	Volume	Page
WD	02/16/2016	5215126		
WD	10/17/2013	5032039		
WD	08/14/2013	5016542		
QCD	10/15/2003	3827929		
WD	05/15/1969	1240923	105	509

Our Property,

---

Kristin & Jeff Williams

PER McFarland's staff, Mr. Bremner, we are going to carpet 15530' of 11' rear yard + Gen not Exceed 40% - Reduce size



**PLAT OF SURVEY**  
 Lot 62 along with the Northernly 20 feet of Lot 61, Idlewild, being a part of the SW 1/4 of the SW 1/4 of Section 34, T7N, R10E, Village of McFarland, Dane County, Wisconsin.

**Surveyor's Certificate**  
 I, Timothy G. Radl, Professional Land Surveyor S-2959, hereby certify I have surveyed, mapped and monumented the lands described herein; that such map correctly represents all exterior boundaries of the land surveyed; and that this survey is correct to the best of my knowledge and belief.  
 Dated this 27th day of March, 2020.



Timothy G. Radl S-2959 Professional Land Surveyor  
 Notes: Fieldwork performed March 23th 2020. Building offsets are to concrete foundation. No title report was furnished for this survey. Only above-ground features have been located. Previously recorded dimensions enclosed in parenthesis. Wetlands or flood zones, if present, have not been delineated. This survey subject to all agreements and easements recorded and unrecorded.  
 See page 2 for complete boundary retracement data.

**Red Oak Land Surveying LLC**  
 513 Waverly Pl. Madison, WI 53705 (608)233-3142 redakls.com

DRAWN	DATE	Prepared for:
TGR	3/25/2020	Kristen Williams
APPROVED	DATE	5219 Glen Rd.
TGR	3/27/2020	McFarland, WI
SCALE	SHEET	PROJECT NO.
1" = 16'	1 of 2	2020014

**WAUNAKEE REMODELING, INC.**

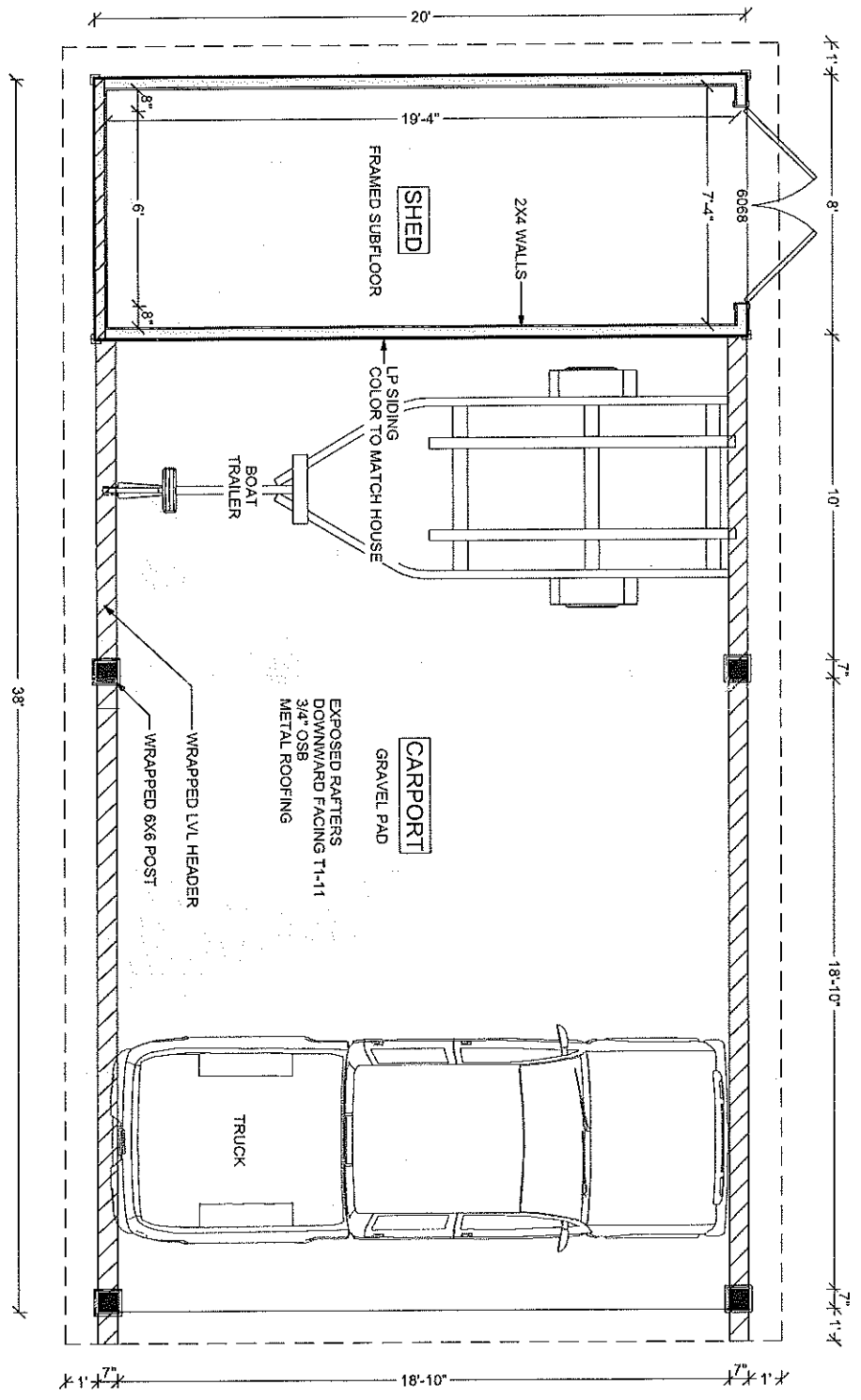
1001 FRANK H. STREET, WAUNAKEE, WI 53597

**WILLIAMS RESIDENCE**  
 DETACHED CARPORT W/ SHED

**RECEIVED**  
 AUG 07 2020

Proposed Design  
 7/1/2020

WILLIAMS McFARLAND



# FLOOR PLAN

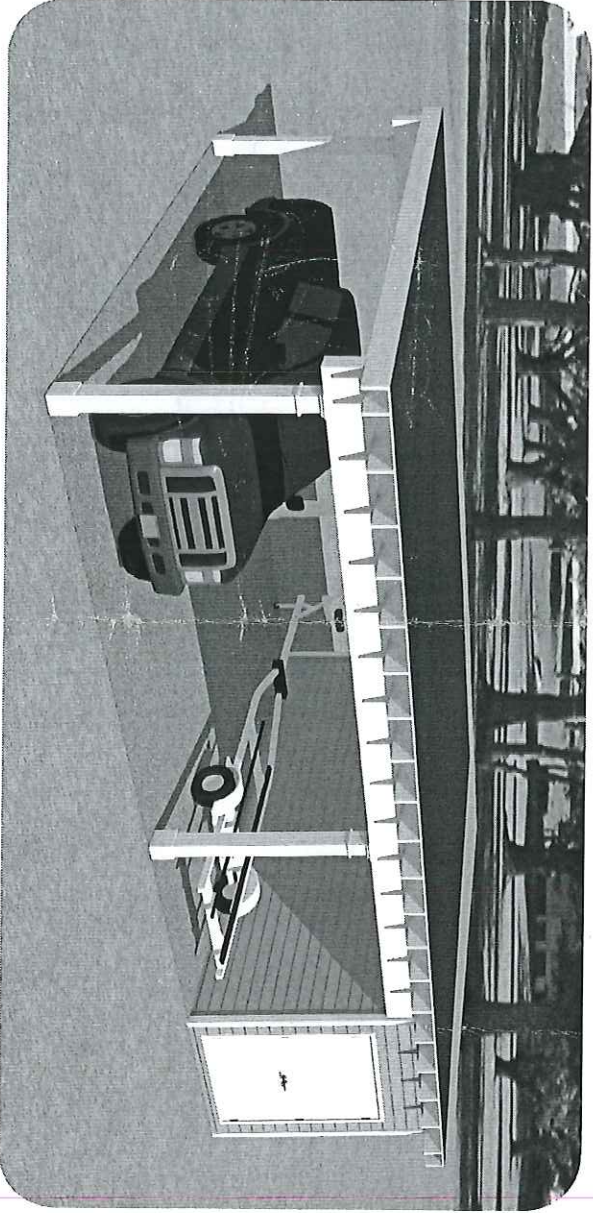
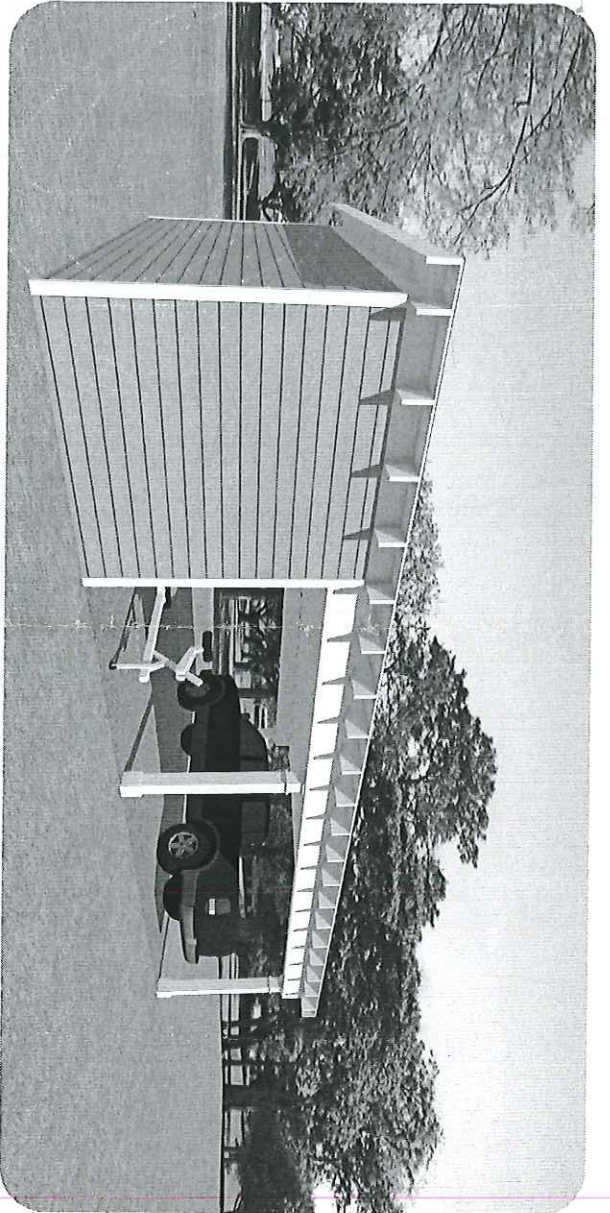
SCALE: 3/16" = 1'-0"

**WAUNAKEE  
REMODELING, INC.**

1001 FRANK H. STREET, WAUNAKEE, WI 53597

**WILLIAMS RESIDENCE**  
DETACHED CARPORT W/ SHED

Proposed Design  
7/1/2020



**RECEIVED**

**AUG 07 2020**

**VILLAGE OF McFARLAND**

**WAUNAKEE  
REMODELING, INC.**

1001 FRANK H. STREET, WAUNAKEE, WI 53597

**WILLIAMS RESIDENCE  
DETACHED CARPORT W/ SHED**

Proposed Design  
7/11/2020













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*Lot line, front.* In the case of a lot abutting upon only one street, the line separating such lot from such street. In the case of any other lot, the owner shall, for the purpose of this Chapter, have the privilege of electing any street lot line the front lot line, providing that such choice, in the opinion of the Zoning Administrator, will not be injurious to the existing, or to the desirable future development of the adjacent properties

*Lot line, rear.* The lot line that is opposite the most distant from the front lot line. In the case of an irregular, triangular or gore-shaped lot, a line 20 feet in length, entirely within the lot parallel to and most distant from the front lot line shall be considered to be the rear lot line for the purpose of determining depth of rear yard.

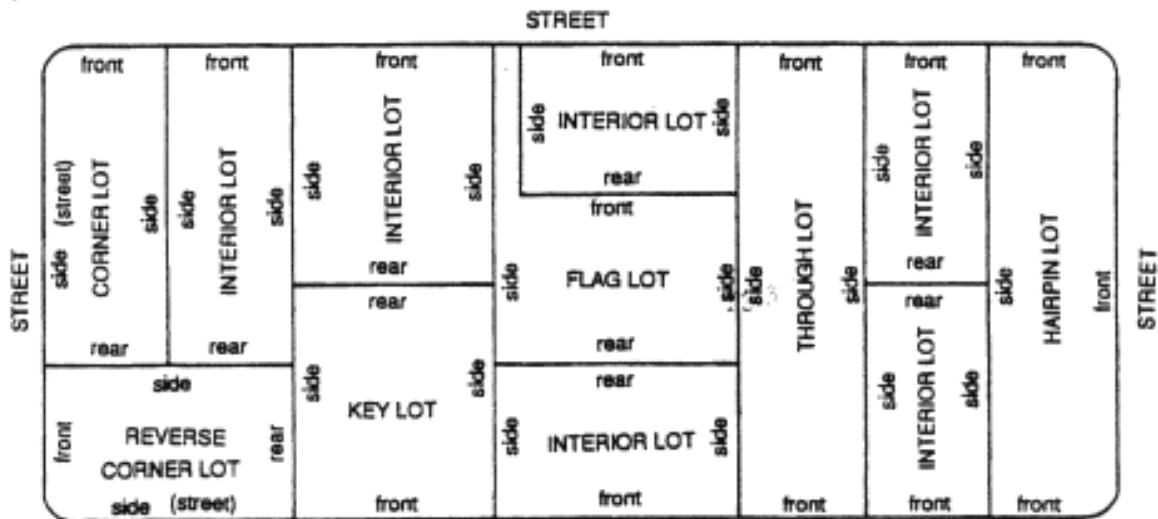
*Lot line, side.* Any lot line not a front lot line or a rear lot line.

*Lot, through.* A lot that has a pair of opposite lot lines along two substantially parallel streets and which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines.

*Yard, front.* A yard extending across the full width of the lot and lying between the front line of the lot and the nearest line of the building. The side where the address is shall be considered the front yard.

*Yard, rear.* A yard extending across the full width of the lot and lying between the rear lot line and the nearest line of the principal building.

*Yard, side.* A yard extending from the front yard to the rear yard, lying between the main building and a side lot line. The width of a side yard shall be the minimum horizontal distance between the side lot line and a line parallel thereto through the nearest point of the principal structure. A side yard does not include any yard that is a street yard.



## Sec. 62-366. - Variances.

- (a) *Purpose.*
- (1) A request for a variance may be made when an aggrieved party can submit proof that strict adherence to the provisions of this Zoning Code would cause the aggrieved party undue hardship or create conditions causing greater harmful effects than the initial condition. A variance granted to a nonconforming use brings that use into conformance with the district and zoning requirements.
  - (2) Persons requesting a variance shall submit such request to the Board of Zoning Appeals, who shall make a determination on the request following notice and hearing.
  - (3) The Board of Zoning Appeals may authorize upon appeal, in specific cases, such variance from the terms of the Zoning Code as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the Zoning Code will result in unnecessary hardship and so that the spirit of the Zoning Code shall be observed and substantial justice done. No variance shall have the effect of allowing in any district, permit a lower degree of flood protection than the flood protection elevation for the particular area or permit standards lower than those required by state law.
- (b) *Application for variances.* The application for a variance shall be filed pursuant to Section 62-363.
- (c) *Public hearing of application.* The public hearing for a variance shall be conducted pursuant to Section 62-364.
- (d) *Prohibited variances.* The Board of Zoning Appeals shall not grant use variances in Floodplain or Wetland and Conservancy Districts. In all other districts, no use variance shall be granted unless the applicant has first petitioned for a zoning amendment or a conditional use permit, if applicable, and upon a showing that no lawful and feasible use of the subject property can be made in the absence of such variance. Any use variance granted shall be limited to the specific use described in the Board of Zoning Appeals' decision and shall not permit variances in yard, area or other requirements of the district in which located.
- (e) *Standards for granting variances.*
- (1) *Unnecessary hardship.* Variances shall be granted only where the applicant demonstrates the existence of an unnecessary hardship. An unnecessary hardship exists where compliance with the strict letter of the restrictions governing the property would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome. When considering any variance, the Board of Zoning Appeals shall determine whether the particular restriction in question is unnecessarily burdensome in light of the underlying purpose of that restriction. The purpose of the regulation shall be the

primary concern, not the burden upon the property owner. Variances may not be granted where they are contrary to the public interest or where granting the variance would violate the spirit of the regulation. A use variance may not be granted unless it is proved that there can be no reasonable use of the property absent a variance. The Board of Zoning Appeals shall consider the following factors to determine whether an unnecessary hardship exists to justify issuance of an area variance:

- a. The purpose of the zoning restriction in question;
  - b. The effect of the restriction on the property; and
  - c. The effect of a variance on the neighborhood and the larger public interest.
- (2) *Hardship may not be self-imposed.* Variances may not be granted to remedy self-imposed hardships.
- (3) *Hardships must be unique to the property.* Where the same hardship is imposed upon other properties in the zoning district, a variance shall not be granted.

(Code 1998, § 13-1-264; Ord. No. 2003-03, § 1(13-1-264), 3-24-2003; Ord. No. 2006-08, § 7, 4-24-2006)