

**BOARD OF APPEALS
OF THE CITY OF PLATTEVILLE**



AGENDA

Monday, March 21, 2022 at 7:00 p.m.

Council Chambers at City Hall
75 N. Bonson Street
Platteville, Wisconsin 53818

1. Call to Order
2. Approve Minutes: December 20, 2021
3. Variance: 235 E. Knollwood Way – Gregg & Luann Johnson (BA22-VA01-01)
4. Variance: 1805 Vision Drive – Kwik Trip (BA22-VA02-02)
5. Variance: 530 Broadway – Marilee Lonsberg (BA22-VA03-03)
 - a. Staff Presentation
 - b. Applicant Statement
 - c. Public Statements in Favor
 - d. Public Statements Against
 - e. Public Statements in General
 - f. Applicant Rebuttal
 - g. Board of Appeals Discussion & Action
 - h. Findings of Fact
6. Adjournment

If you have concerns or comments related to an item on this agenda, but are unable to attend the meeting, please send the comments to carrollj@platteville.org or call 608-348-9741 x 2235.

MINUTES
CITY OF PLATTEVILLE ZONING BOARD OF APPEALS

December 20, 2021 at 7:00 p.m.
Council Chambers at City Hall

MEMBERS PRESENT: Joie Schoonover, Isaac Shanley, Angie Donovan, Dana Niehaus, Gene Weber

ALTERNATE MEMBERS PRESENT: None

MEMBERS ABSENT: None

STAFF PRESENT: Joe Carroll (Community Development Director), Ric Riniker (Building Inspector)

A regular Board of Appeals meeting was held at 7:00 p.m., December 20, 2021.

APPROVAL OF MINUTES:

Motion by Schoonover, second by Shanley, to approve the minutes of the August 5, 2021 meeting. Motion carried unanimously.

VARIANCE REQUEST:

Carroll introduced the variance request from Kwik Trip who seeks permission to construct a freestanding sign on the property at 1847 Ubersox Drive, which will not be in conformance with Chapter 22.11 of the City of Platteville Municipal Code.

The property in question is currently vacant property that is used as overflow parking for the Kunes dealership. Kwik Trip is interested in purchasing the current Mobil gas station and convenience store located at the corner of Vision Drive and Ubersox Drive. They would like to remove the existing building and pumps and construct a new Kwik Trip store, fuel pumps and canopy, diesel fuel pumps and canopy, and a carwash building. As part of the project, they would like to install a free-standing sign that exceeds the maximum height limits of the zoning ordinance.

The proposed sign would be located on the far southeast corner of the property, near the diesel fuel pumps and carwash. The proposed sign would have a 100 sq. ft. "Kwik Trip" panel area and two fuel price panels that are each 55.8 sq. ft., so the total sign area will be 211.6 sq. ft. This is within the requirements of the ordinance. The proposed sign will have a height of 60 feet. Section 22.11 of the zoning ordinance limits free-standing signs in the B-3 District to a maximum height of 30 feet. Kwik Trip has applied for a variance to allow the additional sign height so that the sign can be seen from the Highway 151 interchange.

Carroll addressed the three standards that must be considered for each variance request. He stated that it is questionable if the variance request meets all the standards needed for approval.

There was no applicant statement.

Public statements in favor. None

Public statements against. None

Public statements in general. None

Applicant Rebuttal. None

Board Discussion.

There was discussion related to the need for the sign with the availability of the official advertising signs that are along the highway for restaurants and gas stations, etc., and with the availability of apps and GPS devices.

There was discussion related to the benefits of having a taller sign for persons that are traveling on the highway. People like to be able to see the location of the gas station that they want to visit before taking the exit. The addition of the diesel service for trucks is also a benefit because this is not a service that is readily available in Platteville now. The property is not readily visible from the highway without a taller sign.

There was discussion related to concerns about setting a precedent for the taller sign. What happens if other businesses such as Walmart ask for a taller sign? This could be an issue, but if more requests are submitted, the City could look at modifying the ordinance to allow taller signs within a certain distance of the interchange.

Motion by Donovan to approve the variance for the sign as presented. Second by Shanley. Upon roll call vote, motion was approved 5 - 0.

The Findings of Fact were discussed:

The need for improved visibility from the interchange and exits is important to the business and to the public.

This type of signage is typical near interchanges and is beneficial.

The proposed business will be beneficial to the community and fills a need that is not being met.

The property is in a hole relative to the bypass and is hard to see without a taller sign.

ADJOURN:

Motion by Weber, second by Schoonover, to adjourn. Motion carried unanimously.

Joe Carroll
Community Development Director

Approved: _____

STAFF REPORT TO THE BOARD OF APPEALS

From: Community Planning & Development Department

Date: March 21, 2022

Re: Variance from Zoning Ordinance

Case #: BA22-VA01-01

Request: Variance from Section 22.04(B) of the Zoning Ordinance regarding the size of accessory structures.

Applicant: Gregg & Luann Johnson

Location: 235 E. Knollwood Way

Surrounding Uses and Zoning:

Direction	Land Use	Zoning	Comprehensive Plan
Property in Question	Residential	R-1	Low Density Residential
North	Park	C-1	Conservancy
South	Agriculture	R-2 (ET)	Low Density Residential
East	Residential	R-1	Low Density Residential
West	Residential	R-1	Low Density Residential

BACKGROUND

1. The property at 230 E. Knollwood Way contains a single-family home, a garage and a storage shed. The applicant would like to remove the existing garage and shed and replace them with a larger shed, which would result in the property exceeding the maximum area for accessory structures allowed by the zoning ordinance

PROJECT DESCRIPTION

2. The property has an existing detached garage that is 396 sq. ft., and there is also an existing shed that is 120 sq. ft., which results in a total area for the accessory structures of 516 sq. ft. The applicant would like to remove these existing buildings and construct a 30' x 50' (1,500 sq. ft.) shed in the southwest corner of the property.
3. Section 22.04(B) of the zoning ordinance limits the area of accessory structures to a maximum of 1,200 sq. ft., so the proposed 1,500 sq. ft. shed would exceed this amount by 300 sq. ft.

STAFF ANALYSIS

4. As with any variance request, there are three standards that must be considered. The first standard requires the applicant to show that a strict application of the dimensional standards in the Zoning Ordinance would lead to an unnecessary hardship. The Wisconsin State Supreme Court has determined that a hardship exists only when the applicant can show that the regulations would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome. The property currently has an existing single-family use and existing storage buildings that can continue to be used. The applicant is also able to construct a shed that provides more space that currently is on the property – up to 1,200 sq. ft. in total. Is the difference between the allowable 1,200 sq. ft. and the requested 1,500 sq. ft. critical to the point of becoming a hardship? It does not appear that the first standard has been met for the variance request.
5. The second standard requires the applicant to show that the hardship is due to some unique feature of the property, such as an odd shape or the presence of natural features. The lot is relatively large for a single-family residential lot in the City but it is not that much different than other lots in that neighborhood. There are no other unique features that are related to the request. It is questionable if this meets the uniqueness standard.
6. The third standard requires the applicant to show that the variance, if granted, will not have a negative impact on the public interest. The primary impact of the project will be to the neighboring properties to the west and south based on the location of the building. The property to the south is used for agriculture and has farm buildings on the property, so will not be negatively impacted. The property to the west has somewhat of a buffer of trees and a hill, but the shed will still be visible. The other potential concern is setting a precedent for other properties to exceed the allowable area. Again, it is questionable if the third standard has been met for the variance request.

STAFF RECOMMENDATION

7. Staff believes it is questionable if the variance meets all the standards needed for approval; if the Board agrees, the variance should be denied.

The above constitutes the opinion and report of the Community Planning and Development Department.

ATTACHMENTS:

1. Application, Location Maps, Building Details

APPLICATION TO THE
BOARD OF APPEALS
 CITY OF PLATTEVILLE, WISCONSIN



GENERAL INFORMATION

	APPLICANT/AGENT	OWNER
NAME(S):	GREGG & LUANN JOHNSON	
MAILING ADDRESS:	235 E KNOLLWOOD WAY PLATTEVILLE, WI 53818	
PHONE:	608-778-6155	
EMAIL:	GAJ4762@YAHOO.COM	

TYPE OF REQUEST: Variance from Code Requirements Appeal of Administration Decision

PROPERTY INFORMATION

SITE ADDRESS:	235 E KNOLLWOOD WAY	PARCEL ID:	
LEGAL DESCRIPTION:			
CURRENT USE & IMPROVEMENTS:	RESIDENTIAL + DETACHED GARGAGE (1200 SQ FT)		
PROPOSED USE & IMPROVEMENTS:	REMOVE AND REPLACE DETACHED GARAGE (1500 SQ FT)		

DIMENSIONS	REQUIRED (FT OR SQ FT)	REQUESTED (FT OR SQ FT)	CORNER LOT?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
STREET YARD:			ZONING DISTRICT:	
LEFT SIDE YARD:			CODE REFERENCE (SECTION NO.):	
RIGHT SIDE YARD:				
REAR YARD:				
AREA:		1500		
OTHER:				

OFFICE USE ONLY

Date Application Filed: 2/8/2022 Fee Paid (\$): 157.00 Receipt Number: 14-008115
 Board of Appeals Action: _____ BoA Date: _____ Permit Number: _____
 Conditions: _____

APPLICATION TO THE
BOARD OF APPEALS
 JUSTIFICATION FOR THE REQUEST



VARIANCE: State in the spaces below how your variance request conforms to the Three Standards Test as described in the "Zoning Variance FAQ" document.

1. <u>UNNECESSARY</u> <u>HARDSHIP IS</u> <u>PRESENT</u> <u>BECAUSE:</u>	NO HARDSHIP
2. <u>THE HARDSHIP IS</u> <u>DUE TO THE</u> <u>UNIQUE FEATURES</u> <u>OF THE PROPERTY</u> <u>IN THAT:</u>	NO HARDSHIP
3. <u>THE VARIANCE</u> <u>WILL NOT BE</u> <u>CONTRARY TO THE</u> <u>PUBLIC INTEREST</u> <u>BECAUSE:</u>	SHED ALREADY EXISTS

APPEAL OF AN ADMINISTRATIVE DECISION: Provide a description of your appeal.

CITY OFFICIAL(S) WHO MADE THE DECISION YOU ARE APPEALING:	
DECISION OF OFFICIALS:	
DESCRIBE YOUR APPEAL:	

SIGNATURES: The undersigned person(s) hereby give notice to the Board of Zoning Appeals of the City of Platteville, Wisconsin, of an appeal and/or request for a variance. *Typing your name(s) below signifies your application to the Board.*

APPELLANT: 

DATE: 2-7-22

APPELLANT: _____

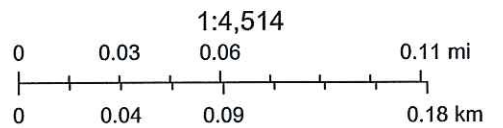
DATE: _____

City of Platteville



3/15/2022, 4:25:08 PM

- Centerline
- City Boundary
- Parcel Data (2022)
- Landmark Names





Imagery ©2022 Maxar Technologies, Map data ©2022 20 ft

Measure distance
 Total area: 34,629.43 ft² (3,217.18 m²)
 Total distance: 766.04 ft (233.49 m)

→ replace shed with 1500 sqft shed.

Eastman Cartwright Platteville, LLC

January 11, 2022

Gregg Johnson

RE: estimate for 30x50 x9' building.

A. Building permit. By owner

B. Excavation. By owner

C. Concrete work. By owner

D. General construction. Projected cost
Includes: Sill sealer, 2x6 treated plate, 2x6 104 5/8" wall studs, 11 7/8" LVL headers. 7/16" OSB wall sheathing covered with Tyvek. 30' 4/12 pitch roof truss system. 2x6 fascia board. 1/2" OSB roof sheathing with winter guard on bottom 3' with remainder of roof covered with RhinoGuard roof felt. ODE roof edge. LandMark 30 yr shingle with hip & ridge shingles & roll Omni venting. Alum soffit system. D/4 standard vinyl siding with accessories. 1 each 16'x8' steel insulated raised panel garage door with steel back. Garage door weatherstrips. 1 each 3'0" steel insulated 1/2 glass walk door prefinished in alum. clad frame. Ceiling covered with steel liner panels & accessories. Blown fiberglass insulation with R-19 value. R-21 wall insulation with vapor barrier & covered with 1/2" CDX plywood. All misc materials for building. Tax on materials. Labor to build. NOTE: no gutters or downspouts figured at this time.

E. Electrical. By owner

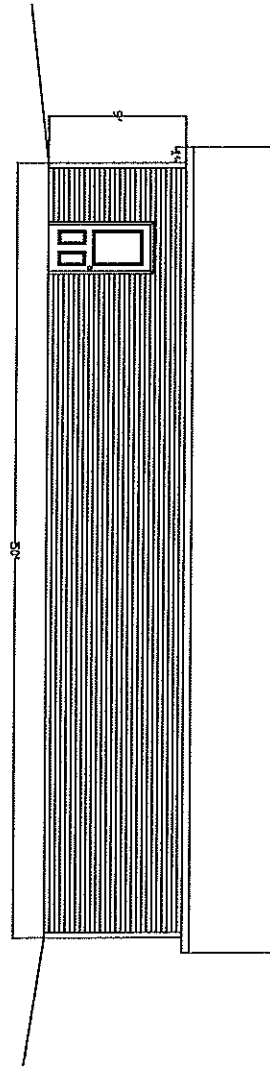
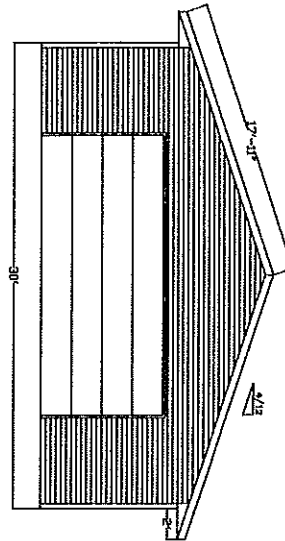
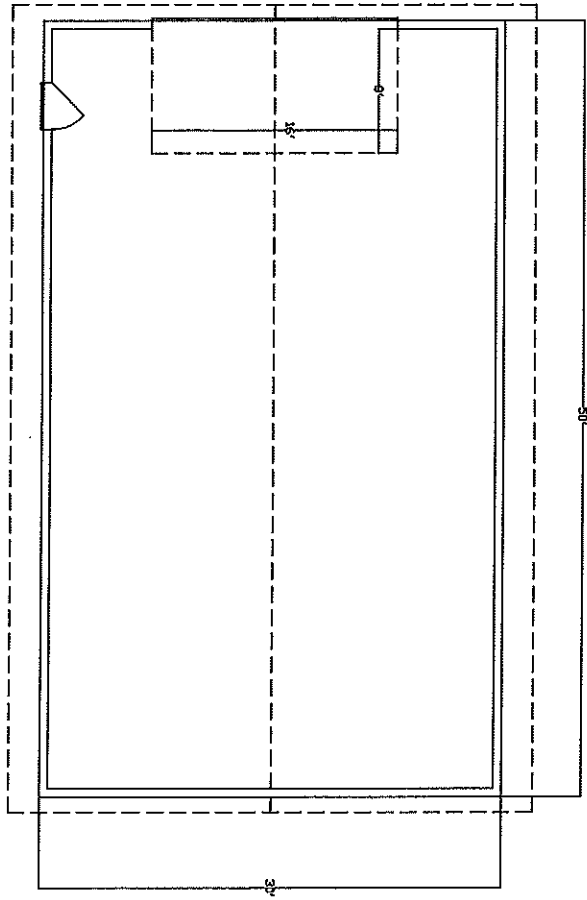
F. Plumbing & HVAC By owner

Thank you,



Mike LeGrand, owner

Materials cost subject to change depending on market fluctuations.



Eastman Cartwright Platteville, LLC

Date: March 2, 2022

Client: Gregg Johnson

Scale: 1/4" = 1'-0"

Drafter: Michael LeGrand

Drawing: 30' x 50' x 9' Garage

Location: 235 E. Knollwood Way

STAFF REPORT TO THE BOARD OF APPEALS

From: Community Planning & Development Department

Date: March 21, 2022

Re: Variance from Zoning Ordinance

Case #: BA22-VA02-02

Request: Variance from Section 22.11 of the Zoning Ordinance regarding the area of free-standing signage.

Applicant: Kwik Trip Inc.

Location: 1805 Vision Drive

Surrounding Uses and Zoning:

Direction	Land Use	Zoning	Comprehensive Plan
Property in Question	Vacant	B-3	Business
North	Platteville Gas	B-3	Business
South	Vacant	B-3	Business
East	Kunes Country	B-3	Business
West	Business/ Stormwater pond	B-3	Business

BACKGROUND

1. Kwik Trip recently purchased the Mobil gas station and convenience store located at the corner of Vision Drive and Ubersox Drive, and vacant property that has been used as overflow parking for the Kunes dealership. They will be replacing the building and pumps and constructing a new Kwik Trip store, fuel pumps and canopy, diesel fuel pumps and canopy, and a carwash building. As part of the project, they would like to install two free-standing signs with a total area that exceeds the maximum area limits of the zoning ordinance.
2. Kwik Trip received a variance at the December 2021 meeting to allow one of the signs to exceed the maximum height limits of the ordinance (60 feet instead of the allowable 30 feet).

PROJECT DESCRIPTION

3. Kwik Trip is proposing to install two free-standing signs on the property. One sign would be located on the northwest corner of the property near the Vision Drive and Business Highway 151 intersection. This will be the primary store sign and will have an area of 118.57 sq. ft. The other sign will be located on the far southeast corner of the property near the diesel fuel pumps and

carwash. This proposed sign will be a high-rise sign that is intended to be visible from Highway 151 and will have an area of 211.6 sq. ft. The total area of both signs will be 330.17 sq. ft.

4. Section 22.11 of the zoning ordinance limits free-standing signs in the B-3 District to a maximum area of 200 sq. ft. per property. Kwik Trip has applied for a variance to allow the additional 130.17 sq. ft. of sign area.
5. When this project was first proposed, the site consisted of two properties; the former Mobil station property and the vacant parcel that Kunes was using for vehicle parking. The ordinance allows 200 sq. ft. of signage per property, so with two properties they would have been allowed a total of 400 sq. ft. of signage. When Ubersox Drive was discontinued these two properties were combined into one lot, so the allowable signage area was reduced to the 200 sq. ft. maximum.

STAFF ANALYSIS

6. As with any variance request, there are three standards that must be considered. The first standard requires the applicant to show that a strict application of the dimensional standards in the Zoning Ordinance would lead to an unnecessary hardship. The Wisconsin State Supreme Court has determined that a hardship exists only when the applicant can show that the regulations would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome. The applicant is allowed free-standing signage up to 200 sq. ft. Is the difference between the allowable sign area and the sign area that is being requested critical to the operation of the businesses on this property, or create an unnecessary burden? The ordinance does not prevent the applicant from installing signage or using the property for the desired use. A smaller sign would still advertise the business from Business Highway 151, but it would be difficult to also provide signage visible from Highway 151 with the size limitations. It is questionable if a legal hardship is present.
7. The second standard requires the applicant to show that the hardship is due to some unique feature of the property, such as an odd shape or the presence of natural features. The property does not have a unique physical characteristic that impacts the signage; therefore, it appears the uniqueness standard is not met for the variance request.
8. The third standard requires the applicant to show that the variance, if granted, will not have a negative impact on the public interest. The surrounding properties are either vacant or larger commercial properties. The proposed signs will not block any other signage or cause a problem with surrounding properties. There should be limited negative impact on other properties in the area. The only potential area of concern would be setting a precedent for allowing larger signs for other properties that are in the vicinity of the highway interchange. Overall, it appears the third standard may have been met for the variance request.
9. As discussed at the December 2021 meeting, the Board of Appeals determined that properties near the Highway 151 interchange had a different situation regarding the need for signage and should be given some latitude with the size of signage.

STAFF RECOMMENDATION

10. Variance requests must meet all three standards of the Three Standards Test; however, it is questionable if the variance request meets all three legal standards. However, based on the determination from the December 2021 meeting, some consideration should be given for larger signage at this location.

The above constitutes the opinion and report of the Community Planning and Development Department.

ATTACHMENTS:

1. Application, Location Map, Sign details

APPLICATION TO THE
BOARD OF APPEALS
 CITY OF PLATTEVILLE, WISCONSIN



GENERAL INFORMATION

	APPLICANT/AGENT	OWNER
NAME(S):	Trent Kastenschmidt	Kwik Trip, Inc.
MAILING ADDRESS:	Store Engineering 1813 Kramer Street La Crosse, WI 54603	
PHONE:	(608) 793-6456	
EMAIL:	TKastenschmidt@kwiktrip.com	

TYPE OF REQUEST: Variance from Code Requirements Appeal of Administration Decision

PROPERTY INFORMATION

SITE ADDRESS:	1805 Vision Drive	PARCEL ID:	Part of 271-03100-0440, 271-0
LEGAL DESCRIPTION:	Lot 1 of CSM No. 1548		
CURRENT USE & IMPROVEMENTS:	Gas station and lot for car dealership		
PROPOSED USE & IMPROVEMENTS:	Kwik Trip is proposing a convenience store with a 10 dispenser gas canopy, two-lane side diesel canopy and a detached carwash.		

DIMENSIONS	REQUIRED (FT OR SQ FT)	REQUESTED (FT OR SQ FT)	CORNER LOT?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
STREET YARD:			ZONING DISTRICT:	B-3 Highway Business
LEFT SIDE YARD:			CODE REFERENCE (SECTION NO.):	Chapter 22.11 SIGNS - G-6-a-5-a
RIGHT SIDE YARD:				
REAR YARD:				
AREA:				
OTHER:				

OFFICE USE ONLY

Date Application Filed: 3/2/2022 Fee Paid (\$): _____ Receipt Number: _____
 Board of Appeals Action: _____ BoA Date: 3/21/2022 Permit Number: BA 22-VA02-D2
 Conditions: _____

APPLICATION TO THE
BOARD OF APPEALS
 JUSTIFICATION FOR THE REQUEST



VARIANCE: State in the spaces below how your variance request conforms to the Three Standards Test as described in the "Zoning Variance FAQ" document.

1. UNNECESSARY HARDSHIP IS PRESENT BECAUSE:	Unnecessary hardship is present because the signage code drastically restricts the amount of signage for the given property. Without counting the private access road to the south, this property offers over 900 linear feet of street frontage. If the property lines were to remain as before, minor tweaks could be made to maintain the current signage code. By cleaning up the lot lines Kwik Trip is punished by the restrictive code.
2. THE HARDSHIP IS DUE TO THE UNIQUE FEATURES OF THE PROPERTY IN THAT:	The hardship is due to the unique features of the property in that lot consolidation was considered necessary to fully display the street vacation and updated property lines. Merging the two lots cuts the allowable signage in half while nearly doubling the size of the property.
3. THE VARIANCE WILL NOT BE CONTRARY TO THE PUBLIC INTEREST BECAUSE:	The variance will not be contrary to the public interest because each sign has been positioned to advertise over different areas. Signs are presented in opposite corners of the lot. Given the distance between the two, the amount of signage will not feel crowded around the property. In addition, a vacated roadway splits the lot that can provide a visual break.

APPEAL OF AN ADMINISTRATIVE DECISION: Provide a description of your appeal.

CITY OFFICIAL(S) WHO MADE THE DECISION YOU ARE APPEALING:	
DECISION OF OFFICIALS:	
DESCRIBE YOUR APPEAL:	

SIGNATURES: The undersigned person(s) hereby give notice to the Board of Zoning Appeals of the City of Platteville, Wisconsin, of an appeal and/or request for a variance. *Typing your name(s) below signifies your application to the Board.*

APPELLANT: Trent Kastenschmidt

DATE: 03/02/2022

APPELLANT: _____

DATE: _____



Print Date: 10/6/2021

General Reference Map
Grant County, WI

□ Tax Parcel Boundaries

1:2,257

The data provided in this document is for informational purposes only and Grant County assumes no legal responsibility for the information contained in this data. The burden for determining fitness for use rests entirely upon the user. Grant County assumes no liability for the accuracy of the data or responsibility for direct, indirect, special, consequential, exemplary or other damages. This document is not a legal survey nor is it intended to be used as such.

Source: Esri, DeLorme, GeoEye, "Satellite-Images.com", IGN, USGS, AeroGRID, IGN, and the GIS User Community and additional data from Grant County, Wisconsin. Wisconsin Regional Information Authority, (2020).

**KWIK
TRIP**

**KWIK
STAR**

KWIK TRIP, Inc.
P.O. BOX 2107
1826 OAK STREET
LA CROSSE, WI 54602-2107
PH. (608) 781-8888
FAX (608) 781-8860

SITE PLAN

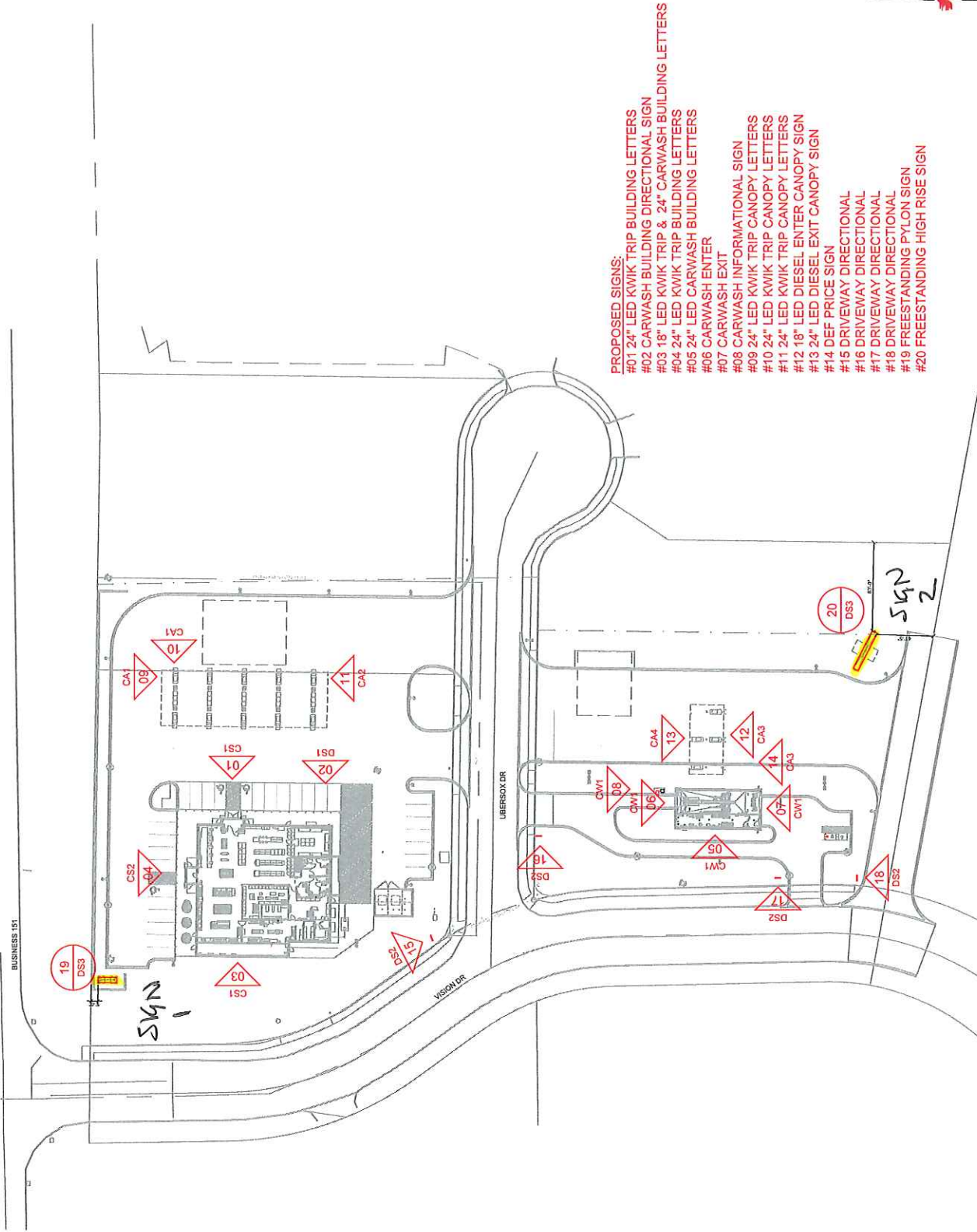
CONVENIENCE STORE #1196
W. DETACHED CW & SIDE DIESEL
BUSINESS 151 & VISION ST
PLATEVILLE, WI

DATE	DESCRIPTION
10/21/2010	PERMITS

DRAWN BY	DATE

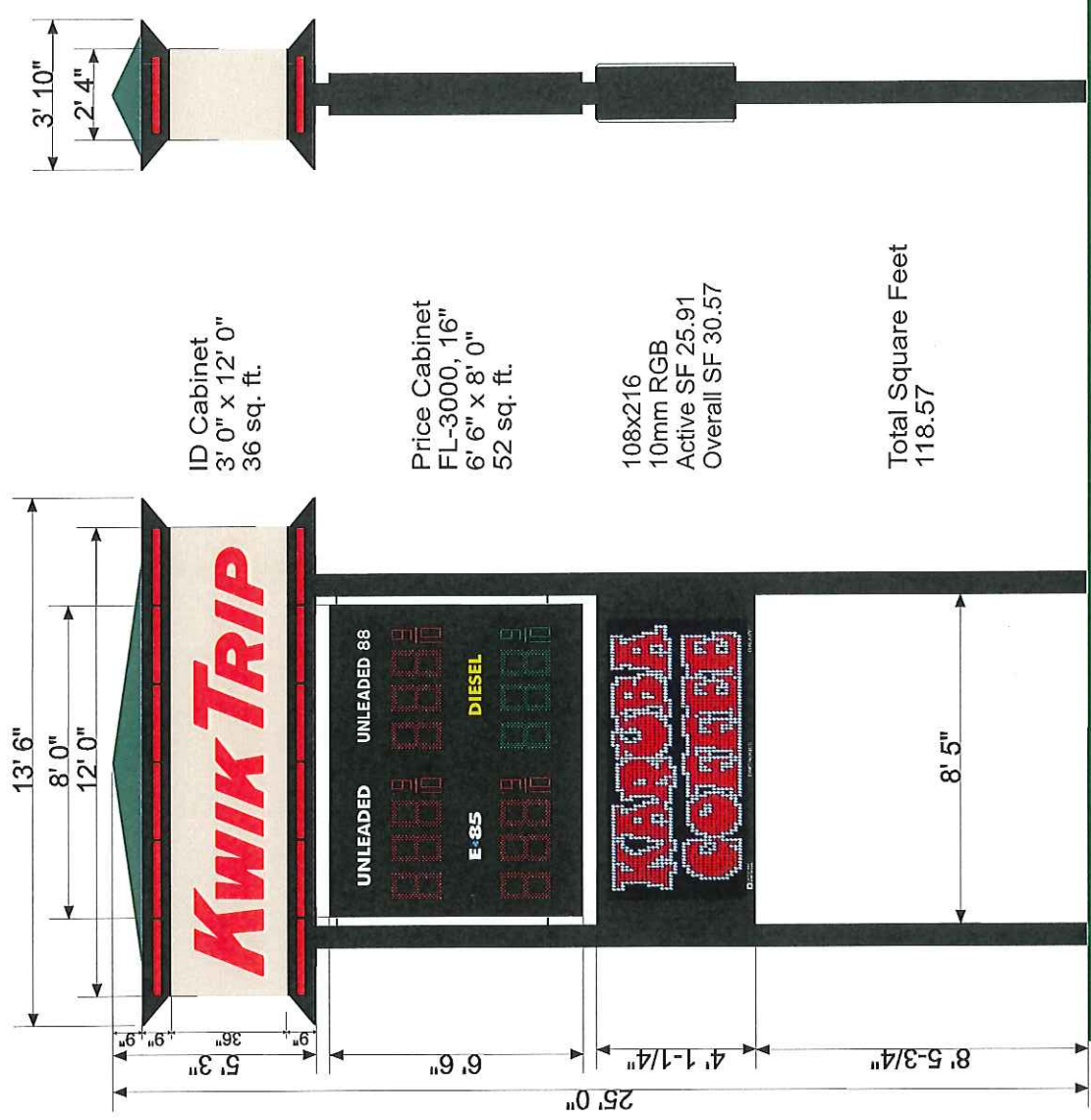
11/12/2010
SHEET

SP1



- PROPOSED SIGNS:
- #01 24" LED KWIK TRIP BUILDING LETTERS
 - #02 CARWASH BUILDING DIRECTIONAL SIGN
 - #03 18" LED KWIK TRIP & 24" CARWASH BUILDING LETTERS
 - #04 24" LED KWIK TRIP BUILDING LETTERS
 - #05 24" LED CARWASH BUILDING LETTERS
 - #06 CARWASH ENTER
 - #07 CARWASH EXIT
 - #08 CARWASH INFORMATIONAL SIGN
 - #09 24" LED KWIK TRIP CANOPY LETTERS
 - #10 24" LED KWIK TRIP CANOPY LETTERS
 - #11 24" LED KWIK TRIP CANOPY LETTERS
 - #12 18" LED DIESEL ENTER CANOPY SIGN
 - #13 24" LED DIESEL EXIT CANOPY SIGN
 - #14 DEF PRICE SIGN
 - #15 DRIVEWAY DIRECTIONAL
 - #16 DRIVEWAY DIRECTIONAL
 - #17 DRIVEWAY DIRECTIONAL
 - #18 FREESTANDING PYLON SIGN
 - #19 FREESTANDING PYLON SIGN
 - #20 FREESTANDING HIGH RISE SIGN

SITE PLAN
1" = 70'-0"



Approved by: _____ Date: _____ Landlord: _____ Date: _____

lacrossesign.com

La Crosse Sign Group
 1450 Oak Forest Drive • Onalaska, WI 54650 • 608-781-1450
 2242 Mustang Way • Madison, WI 53718 • 608-222-5353
 2502 Melby Street • Eau Claire, WI 54703 • 715-835-6189

DESIGN
 Drawing by: Danielle Haldey
 Sign Type: Pylon
 Date Created: 3/7/2019
 Last Modified:
 Scale: 3/16" = 1' 0"

SALES
 Job Name: Kwik Trip
 Job Address:
 Salesperson: Cindy Bluske
 Job Number:

FILE
 Revision Number:
 Job File Location:

COLOR KEY
 (a) NA 208080 Beige
 (b) Black S/G paint
 (c) #2283 Red Acrylic
 (d) White of Acrylic
 (e) Red LED
 (f) NA 307880 Hemlock Green
 (g) Green LED
 (h) Black (230-22)
 (i) Yellow (230-015)
 (j) Blue (230-167)

This artwork is copyrighted and may not be otherwise used without permission. It is the property of La Crosse Sign Co., Inc. and must be returned to them.

COLORS ON SWATCH ARE ONLY A REPRESENTATION. ACTUAL COLOR OF FINISHED PRODUCT MAY DIFFER.

Kwik Trip

1196 Plateville, WI

● 100 sq. ft.
I.D. Panel area

● 22" Prices
55.8 sq. ft. each
111.6 Total Price Area



TOTAL SQ FT: 211.6

LACROSSE SIGN CO.
MAKE A STATEMENT!

Date: 1-9-2015
Artist: Danielle Waas
Order #
Sales: Cindy Bluske
Scale: 1/8"=1'

© Copyrighted Artwork

This artwork is copyrighted and may not be otherwise used without permission. It is the property of La Crosse Sign Co., Inc., and must be returned to them.

APPROVED BY: _____

STAFF REPORT TO THE BOARD OF APPEALS

From: Community Planning & Development Department

Date: March 21, 2022

Re: Variance from Zoning Ordinance

Case #: BA22-VA03-03

Request: Variance from Section 22.052(E) of the Zoning Ordinance regarding the minimum street yard and side yard setbacks.

Applicant: Marilee Lonsberg

Location: 530 Broadway Street

Surrounding Uses and Zoning:

Direction	Land Use	Zoning	Comprehensive Plan
Property in Question	Vacant	R-2	Medium Density Residential
North	Single-family Residential	R-2	Medium Density Residential
South	Single-family Residential	R-2	Medium Density Residential
East	Single-family Residential	R-3	Medium-High Density Residential
West	Single-family Residential	R-2	Medium Density Residential

BACKGROUND

1. The applicant owns a vacant parcel of land at 530 Broadway. She would like to construct a new single-family home on the property that doesn't conform to the minimum street-yard and side-yard setbacks. The property previously contained a single-family home, which was demolished in 2010.

PROJECT DESCRIPTION

2. The applicant would like to construct a one-story house with an attached garage on the property that is shown as Lot 1 on the attached certified survey map. The proposed house would be 10 feet from the front lot line (east), rather than the required 25 feet. The house would also be approximately 5 feet from the left side lot line (south), rather than the required 10 feet.

3. The applicant also owns the Lot 3 to the south that contains an existing single-family rental, and the Lot 2 to the rear that contains a garage/storage building. The applicant is working with a surveyor to adjust the lot lines between these parcels to provide more area for the vacant lot and increase the buildable area of the parcel. However, the ability to move the lot lines is limited by the locations of the existing structures on the other lots, the location of the driveway, and the need to maintain a minimum street frontage for Lot 2.

STAFF ANALYSIS

4. As with any variance request, there are three standards that must be considered. The first standard requires the applicant to show that a strict application of the dimensional standards in the Zoning Ordinance would lead to an unnecessary hardship. The Wisconsin State Supreme Court has determined that a hardship exists only when the applicant can show that the regulations would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome. The applicant is able to construct a smaller home on the property without the need for a variance. It is questionable if the inability to construct a certain sized home meets the legal standards necessary to be considered a hardship.
5. The second standard requires the applicant to show that the hardship is due to some unique feature of the property, such as an odd shape or the presence of natural features. The lot is fairly small for a single-family lot, but the size is similar to the other parcels in that part of the City. The lot also has an unusual triangle shape, which does have an impact on the ability to construct a home within the buildable area. It appears that the uniqueness standard may have been met.
6. The third standard requires the applicant to show that the variance, if granted, will not have a negative impact on the public interest. Many of the other homes in that neighborhood are also closer to the street than the required 25 feet, with some closer than the requested 10 feet. The house that was previously located on this lot was approximately 12 feet from the lot line. The proposed house would be located adjacent to a 40' wide easement to the south, so it wouldn't have any direct impact on the adjacent property. Overall, the proposed construction should have little impact on the neighborhood or the general public. It appears that this standard may have been met for the variance request.

STAFF RECOMMENDATION

7. It is questionable if this request meets all of the standards needed for approval. If the Board feels the standards have not been met, then the variance should be denied.
8. A street-yard setback variance was approved in 2019 for the property at 620 Boldt Street, which is around the corner from this parcel. That variance allowed the structure to be 15'-6" from the lot line.

ATTACHMENTS:

Application, Location Map, existing Certified Survey Map, proposed Certified Survey Map/Site Map, photos of neighboring building setbacks.

APPLICATION TO THE
BOARD OF APPEALS
 CITY OF PLATTEVILLE, WISCONSIN



GENERAL INFORMATION

	APPLICANT/AGENT	OWNER
NAME(S):	MARILEE LONBERG	same
MAILING ADDRESS:	495 BROADWAY ST. PLATTEVILLE, WI 53818	
PHONE:	608-778-1942	
EMAIL:	M.LONBERG@HOTMAIL.COM	

TYPE OF REQUEST: Variance from Code Requirements Appeal of Administration Decision

PROPERTY INFORMATION

SITE ADDRESS:	530 BROADWAY ST.	PARCEL ID:	271-00465-0000
LEGAL DESCRIPTION:	ASSESSMENT PLAT LOT 1, BLOCK 13 PRT EXC W150'		
CURRENT USE & IMPROVEMENTS:	VACANT LOT - HOME WAS TORN DOWN SEVERAL YEARS AGO.		
PROPOSED USE & IMPROVEMENTS:	BUILD A 1 STORY RANCH STYLE HOME WITH AN ATTACHED 3 CAR GARAGE.		

DIMENSIONS	REQUIRED (FT OR SQ FT)	REQUESTED (FT OR SQ FT)	CORNER LOT?
STREET YARD:	25'	10'	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ZONING DISTRICT: R-2 CODE REFERENCE (SECTION NO.):
LEFT SIDE YARD:	10'	5'	
RIGHT SIDE YARD:	10'	10'	
REAR YARD:	25'	25'	
AREA:	8000 sq.ft.		
OTHER:			

OFFICE USE ONLY

Date Application Filed: _____ Fee Paid (\$): _____ Receipt Number: _____
 Board of Appeals Action: _____ BoA Date: _____ Permit Number: _____
 Conditions: _____

APPLICATION TO THE
BOARD OF APPEALS
 JUSTIFICATION FOR THE REQUEST



VARIANCE: State in the spaces below how your variance request conforms to the Three Standards Test as described in the "Zoning Variance FAQ" document.

1. UNNECESSARY HARDSHIP IS PRESENT BECAUSE:	Due to my age & health conditions, I need a 1 story home with an attached garage. The unusual lot shape & required setbacks would not allow a buildable area large enough to fit my house design.
2. THE HARDSHIP IS DUE TO THE UNIQUE FEATURES OF THE PROPERTY IN THAT:	The property has plenty of frontage on Broadway but the unique triangular shape, angles & depth of the lot make it difficult to conform to the required setbacks.
3. THE VARIANCE WILL NOT BE CONTRARY TO THE PUBLIC INTEREST BECAUSE:	There are several homes across the street & in adjacent blocks that are much closer to the street than the required 25 ft. With all these variances, being less than 25 ft. is the "norm" on Broadway St..

APPEAL OF AN ADMINISTRATIVE DECISION: Provide a description of your appeal.

CITY OFFICIAL(S) WHO MADE THE DECISION YOU ARE APPEALING:	
DECISION OF OFFICIALS:	
DESCRIBE YOUR APPEAL:	

SIGNATURES: The undersigned person(s) hereby give notice to the Board of Zoning Appeals of the City of Platteville, Wisconsin, of an appeal and/or request for a variance. *Typing your name(s) below signifies your application to the Board.*

APPELLANT: Mailee Lonsberg
 APPELLANT: _____

DATE: 3-10-2022
 DATE: _____

City of Platteville

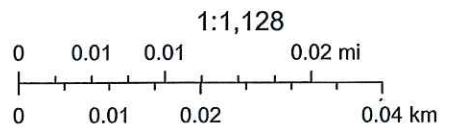


3/16/2022, 11:28:59 AM

- Centerline
- City Boundary

Address Points (Data in Progress)

- Active

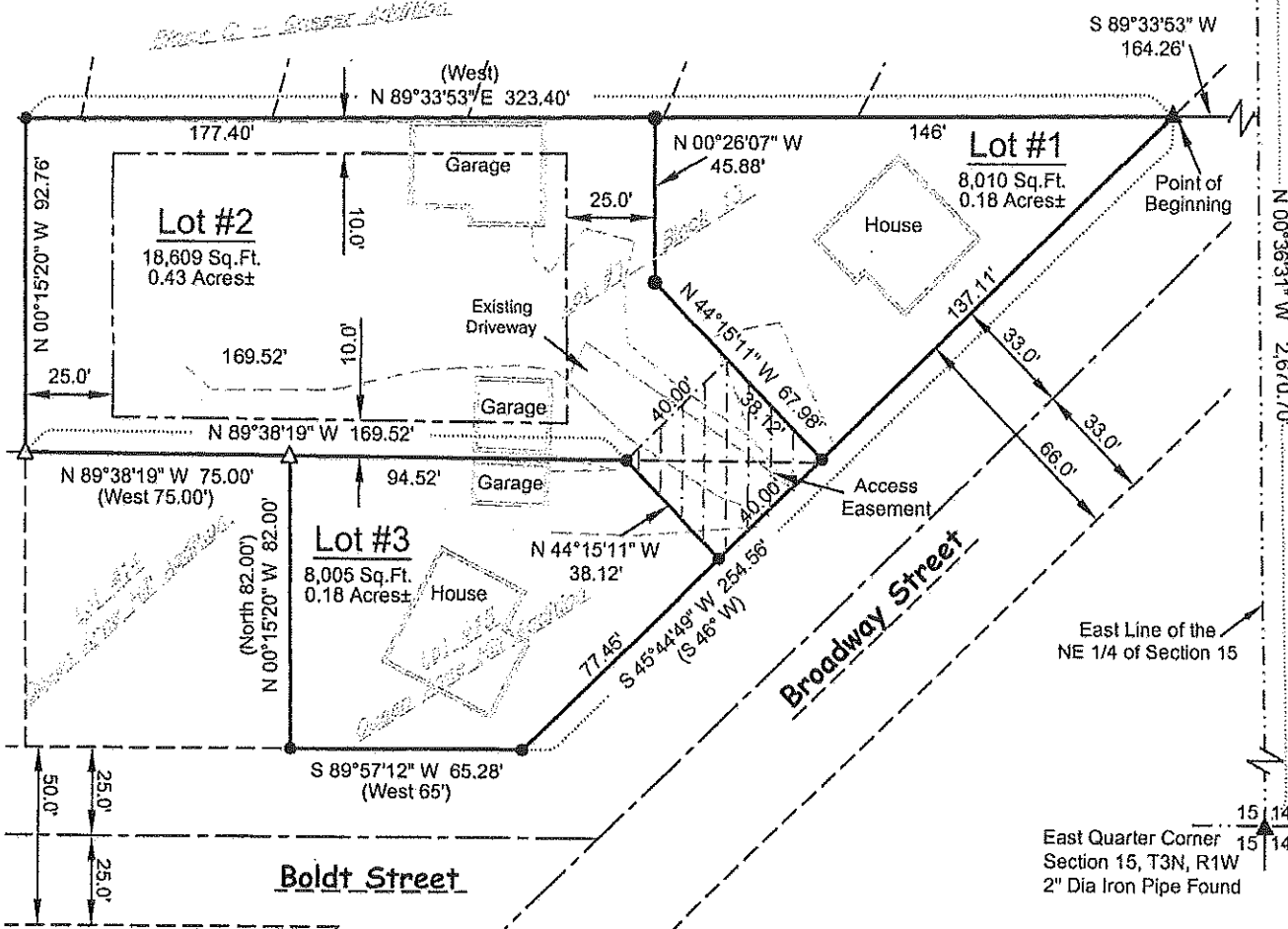


CERTIFIED SURVEY MAP NO. 1442

Being located in Lot 15 of Queen Anne Hill Addition and part of Lot 1 of Block 13 of the Assessor's Plat to the Village(now City) of Platteville, being located in the NE1/4 of the NE1/4 of Section 15, Town 3 North, Range 1 West of the 4th P.M., Grant County, Wisconsin

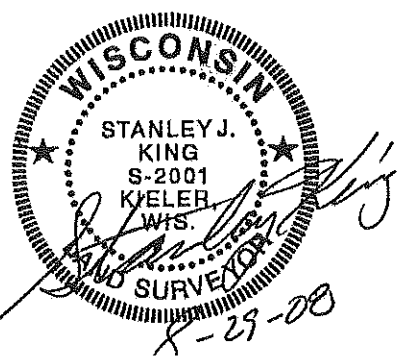
Legend

	Boundary Line	●	Set No. 6 x 24" rebar - wt = 1.50 #/l.f.		North arrow
	Section Line/ 40 Line	○	No. 6 Rebar Found		Northeast Corner
	Center Line Road	△	1" Diameter Iron Pipe Found		Section 15, T3N, R1W
	ROW / Property Lines	()	Recorded As		County Monument found with aluminum cap
	Access Easement	▲	2" Diameter Iron Pipe Found		
	Building Setback	⊕	Grant County Aluminum Monument Found		



Grandpa's House in Lot #1 was torn down several years ago. Original frontage was close to 10 ft.

House on Lot #3 is less than 10' on Boldt St + almost 16' on Broadway



Bearings are referenced to the East line of the

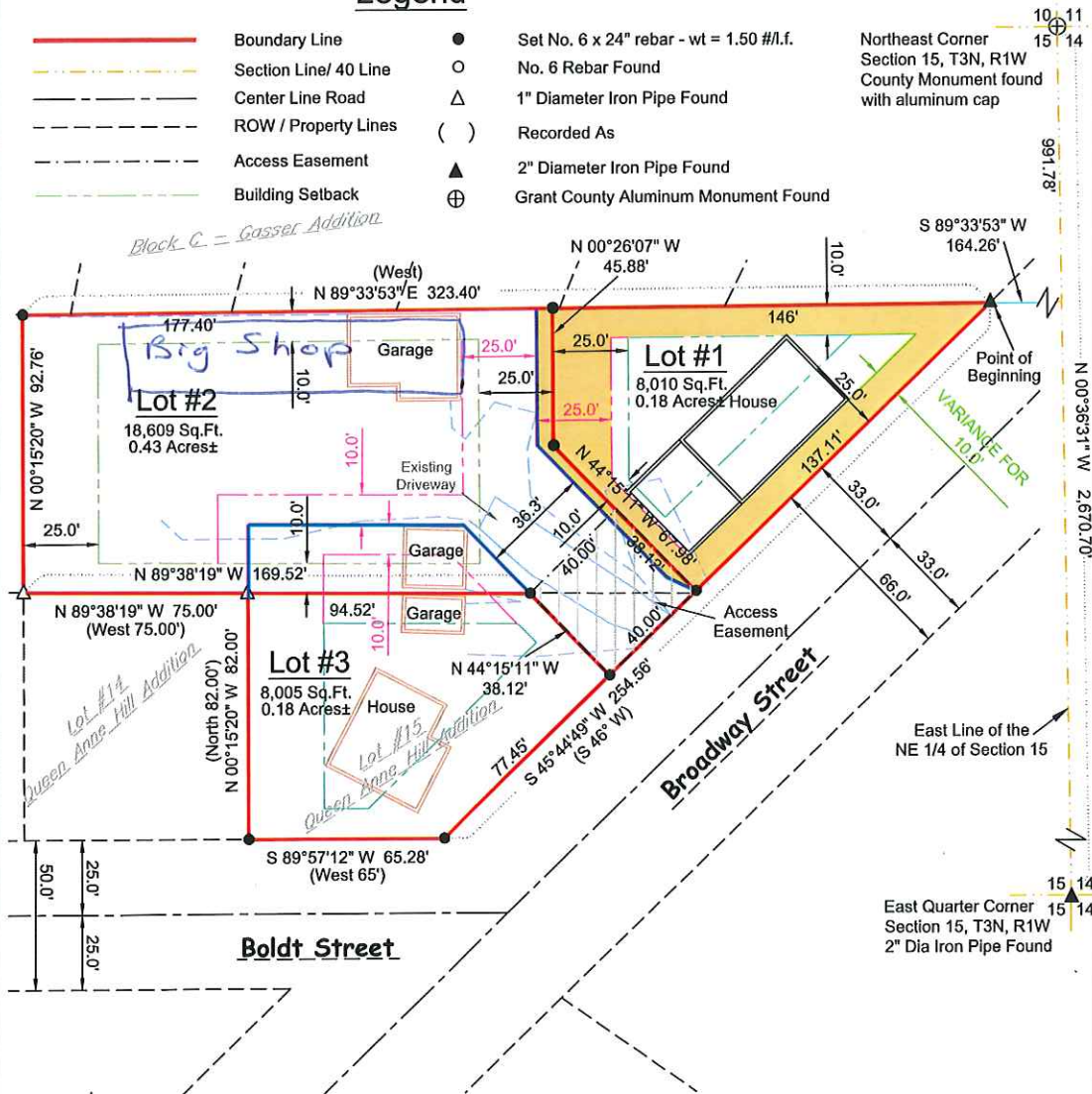
CERTIFIED SURVEY MAP NO. _____

Being located in Lot 15 of Queen Anne Hill Addition and part of Lot 1 of Block 13 of the Assessor's Plat to the Village(now City) of Platteville, being located in the NE1/4 of the NE1/4 of Section 15, Town 3 North, Range 1 West of the 4th P.M., Grant County, Wisconsin

Legend

	Boundary Line	●	Set No. 6 x 24" rebar - wt = 1.50 #/l.f.
	Section Line/ 40 Line	○	No. 6 Rebar Found
	Center Line Road	△	1" Diameter Iron Pipe Found
	ROW / Property Lines	()	Recorded As
	Access Easement	▲	2" Diameter Iron Pipe Found
	Building Setback	⊕	Grant County Aluminum Monument Found

Northeast Corner
Section 15, T3N, R1W
County Monument found
with aluminum cap

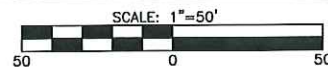


Bearings are referenced to the East line of the Northeast One-Quarter (NE 1/4) of Section 15, which bears N 00°36'31" W.

DELTA 3 ENGINEERING, INC
52 MEANS DRIVE, SUITE 101 PLATTEVILLE, WI 53818
PHONE: 608-348-5355 FAX: 608-348-5455

For: Lenny Lonsberg
495 Broadway Street
Platteville WI, 53818

DRAWN BY: C.Coyer
APPROVED: S.J.King
CREW:
Data: G:\Projects\2008\08-074\CAD\Project.dwg
Drawing: G:\Projects\2008\08-074\CSM\Lonsberg_North.dwg



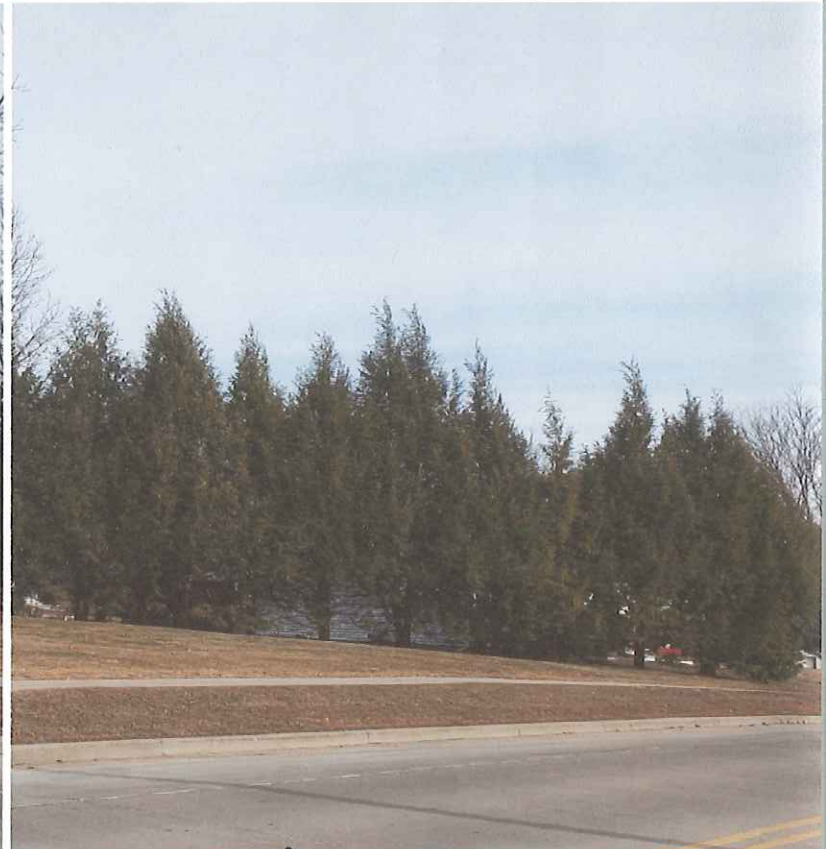
Lonsberg Properties

520 Broadway

Lot # 2

Lot # 1

530 Broadway



530 Broadway Lot #1
Proposed Building Site

Properties w/in same block area as 530 Broadway.
All Setback Variances

450

470

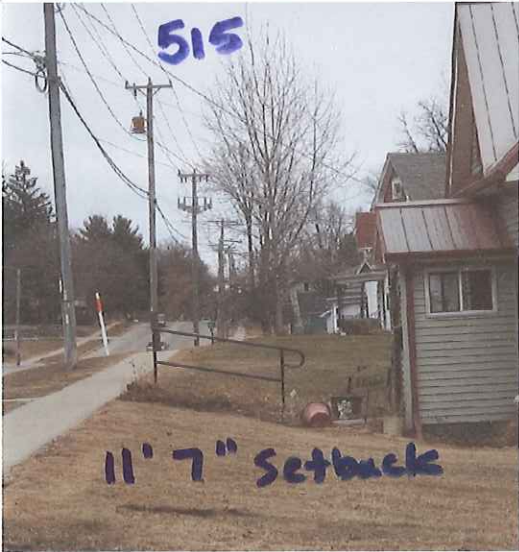
500



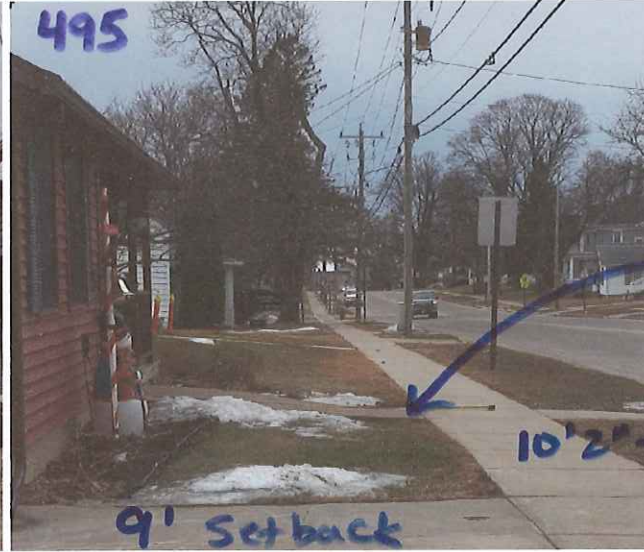
6' setback

12' setback

16'



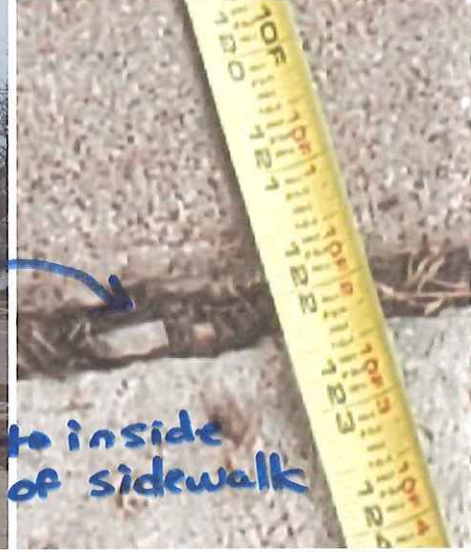
11' 7" setback



495

9' setback

10' 2" to inside of sidewalk



450

6' setback

470



12' setback to house

No Photo:

455 = 11' 10"

475 = 15' 6"