

3. Appeal 3677. Appeal by Tom Bobek for a variance from minimum required setback from a Class C Highway as provided by Section 10.17(3)(b) , Dane County Code of Ordinances, to permit proposed deck addition to existing building at 6925 Elder Ln being Lot 1, CSM 9796, Section 22, Town of Bristol.

OWNER: Tom Bobek  
ZONING DISTRICT: C-1 Commercial

COMMUNICATIONS: Requested acknowledgement from the Town of Bristol April 21, 2016. E-mail from Town clerk stating that the Town is aware of the request and has no objection to the deck, May 6, 2016.

Facts of the Case:

Existing:

- Property and existing structure is currently under construction to be repurposed as a supper club.

Proposed

- Applicant requests a variance to allow the construction of an open air deck on the southwest corner of the supper club building.

Zoning Notes:

- Chapter 10 requires a 30 ft setback from a Class C Highway to any structure. Section 10.16 allows exceptions, with limitations, to front setback requires only for the purpose of entry to buildings.

History

- 11/11/1977 Garage addition and additional storage zoning permit issued with variance relief from required highway setback.
- 10/01/1979 Tavern entry way addition zoning permit issued with variance relief from required highway setback.
- 09/30/1986 Enclosed entry way and garage/basement addition zoning permit issued with variance from required highway setback.
- 05/04/1990 Covered Entry and uncovered handicap ramp addition zoning permit issued.
- 1990 Zoning permit for game room and 2<sup>nd</sup> floor entry issued. Permit file lost.
- 2008-2009 Violations for illegal storage of junk vehicles on shared parking area for tavern.
- 2014 Application for rezone and conditional use permit approved to allow for tavern use.
- October 2014, variance granted with conditions to allow addition to existing tavern building within the required setback to a Class C Highway.
- September 2015, variance extension granted to allow the owner additional time to obtain a zoning permit for the approved addition.
- December 2015, zoning permit DCPZP-2015-00952 issued for an addition to a supper club.
- April 2016, Stop Work Order placed on property for non-compliance with the conditions of variance approval. After the violation was corrected the Stop Work Order was removed.
- Construction related to permit DCPZP-2015-00952 is currently on-going.

**VARIANCES REQUESTED: Purpose: Deck addition to supper club**

**Setback from Road Variance:**

Minimum setback from centerline/right-of-way required: 63 / 30 feet.

Actual Setback: From front lot line: 1.9 feet.

**VARIANCE NEEDED: 28.1 feet.**