

Project **Dane County Variance Application**

Location **3408 Quam Drive
Stoughton, WI 53589-3146
Dane County, Town of Dunn
(On Lake Kegonsa)**

Parcel Number: 028/0610-253-3185-0

Lot Area: 8,916 SF

Assessment Acres: 0.213

Zoning: SFR – 08

Owners **Mike & Lynn Baldwin**

mike.baldwin837@gmail.com (608) 444-3424

lbaldwin9170@gmail.com (608) 444-7074

Agent **Chris Landerud**

Landerud Plan & Design LLC

4426 Mahoney Road, McFarland, WI 53558

chris.landerud@landerud.design (608) 444-3604

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Site Photos

Written Statement

In partnership with the property owners, Mike & Lynn Baldwin, we are petitioning for a variance to current OHWM building setback requirements at 3408 Quam Drive on Lake Kegonsa. There is currently an existing old cabin with deck and an existing detached garage/shed on the property (see enclosed plans for details). The property owners are looking to demo the existing structures, driveway, and walkway in order to build one single family residence with an attached garage to meet their current family needs. The property zoning is SFR-08 Single Family Residential.

The hardship and issue hindering this property is a result of a vacant lot with abandoned structure to the west of the subject property at 3412 Quam Drive. This is also a SFR-08 Single Family Residential lot, but currently the lot is vacant with no structures. That lot is a buildable residential lot, and by evidence from 1976 aerial imagery, there was a house/cabin/structure on that lot at 3412 Quam Drive.

This vacant lot with abandoned structure neighboring our subject property is causing an OHWM setback issue as interpreted under current Dane County zoning regulations:

This vacant lot with abandoned structure (3412 Quam Drive), wedged along a pattern of residential lots, prevents the subject property from utilizing reduced shoreline setback by averaging the two existing neighboring shoreline setbacks.

Proposed Variance

The 11.03 Reduced setback regulations would apply to 3408 Quam Drive. We are seeking an OHWM setback of 35.0' for 3408 Quam Drive (SFR-08 Lot).

Ordinary High Water Mark (OHWM) Setback Calculation Approach:

Establish an OHWM setback for the 3412 vacant lot by using the neighbors' 38'± and 40'± setbacks to assign a 39'± OHWM setback.

By using this calculated 39'± for the 3412 west vacant lot and the 31'± existing setback for the 3406 east neighbor, applying an averaging calculation for the new OHWM at 3408 Quam Drive would result in a 35.0'± setback. 35.0' is the minimum setback in any case.

Quam Drive Existing House OHWM Setback Pattern

Existing Property/Home OHWM Setback based on DCI Map

3418 Quam Drive	51'±
3414 Quam Drive	38'±
3412 Quam Drive	Vacant (1976 aerial image shows a 40'± setback)
3408 Quam Drive	40'± (at the house & 32'± at the deck)
3406 Quam Drive	31'±
3402 Quam Drive	43'±
3400 Quam Drive	52'±

** Note: All OHWM setbacks are accurate estimated measurements based on county data and dated site maps. Exact existing setbacks and dimensions would need to be verified by a licensed site survey.*

This OHWM setback averaging is consistent with the SFR-08 Zoning.

The current OHWM setback on the subject property is 32'± at the existing deck and 40'± at the existing house; this new proposed setback would increase this existing OHWM setback by 3'+.

Because the adjacent western property at 3412 Quam Drive is vacant, as the current zoning is written a 75' OHWM setback would be needed. Current zoning would not allow us to use averaging because technically there is not currently a structure on this residential lot. Given the fact this vacant lot could currently build a structure at on the property at 39' from the OHWM, the OHWM averaging setback as outline by SFR-08 Zoning is fitting for the subject property at 3408 Quam Drive to maintain the existing residential development pattern and allow for a feasible building envelope. These small residential lake lots were platted before the current zoning code requirements, and they need to utilize the OHWM setback averaging simply to allow for the replacement of structures and to maintain the established pattern of development – both these things are already permissible by every residential lot in the area. This completely aligns with the spirit of the Dane County Zoning Code.

Summary:

At the end of the day, the proposed improvements will increase all the existing setbacks (front, sides, & OHWM setbacks). The property will follow all the SFR-08 Zoning regulations like all the other lots along Quam Drive and the surrounding neighborhood.

11.03 SHORELAND REGULATIONS. 2. Reduced setback. Where an existing development pattern exists, proposed principal buildings may have a reduced setback as follows: a. Where there is a principal building on each side of the proposed site, the setback for the proposed building shall be the average of the setbacks of the existing buildings. b. If there is an existing principal building on only one side, the setback for the proposed building shall be the average of the required setback under s. 11.03(2)(a) and the existing building's setback. c. Notwithstanding a. and b. above, under no circumstances shall any building or structure intrude on the vegetative buffer zone described in s. 11.04. 3.



Dane County Planning & Development

Division of Zoning

Appeal No. _____

Date Received _____

Date of Public Hearing _____

VARIANCE APPLICATION:

Owner: Mike & Lynn Baldwin
Mailing Address: 3408 Quam Drive
Stoughton, WI 53589-3146
Phone Number(s): (608) 444-3424 (Mike) (608) 444-7074 (Lynn)
Email Address: mike.baldwin837@gmail.com lbaldwin9170@gmail.com

Assigned Agent: _____
Mailing Address: Chris Landerud, Landerud Plan & Design LLC
4426 Mahoney Road
Phone Number(s): McFarland, WI 53558
Email Address: (608) 444-3604
chris.landerud@landerud.design

To the Dane County Board of Adjustment:

Please take notice that the undersigned was refused a permit by the Dane County Zoning Division, Department of Planning and Development, for lands described below for the reason that the application failed to comply with provisions of the Dane County Code of Ordinances: Chapters 10 – Zoning, 11 – Shoreland, Shoreland-Wetland & Inland-Wetland, 17 – Floodplain Zoning, and/or 76 – Airport Height Regulations. The owner or assigned agent herewith appeals said refusal and seeks a variance.

Parcel Number: 028/0610-253-3185-0 **Zoning District:** SFR – 08 **Acreage:** 0.213
Town: Town of Dunn **Section:** 25 **1 / 4** S W **1 / 4** S W
Property Address: 3408 Quam Drive, Stoughton, WI 53589-3146
CSM: _____ **Lot:** 15 / **Subdivision:** Ole J Quams Park Add **Block/Lot(s):** _____
Shoreland: Y / **N** / **Floodplain:** **Y** / N / **Wetland:** **Y** / N / **Water Body** Lake Kegonsa
Sanitary Service: Public / **Private** (Septic System)

Current Use: Single Family Residential - Existing House/Cabin & Detached Garage/Shed

Proposal: See attacehd written statement

NOTE: You are encouraged to provide a complete and detailed description of the existing use and your proposed project on an attached sheet.

REQUIRED BY ORDINANCE

Section	Description	Required	Proposed or Actual	Variance Needed
	<u>See attacehd written statement</u>			

PRESENTING YOUR CASE TO THE BOARD OF ADJUSTMENT:

An Area Variance may be authorized by the Dane County Board of Adjustment to vary one or more of the dimensional or physical requirements of the applicable ordinance in connection with some proposed construction.

The burden will be on you, as property owner or authorized agent, to provide information upon which the board may base its decision. At the hearing, any party may appear in person or may be represented by an agent or attorney. You or your agent must convince the zoning board to make a ruling in your favor. The board must make its decision based only on the evidence submitted to it at the time of the hearing, including the staff report. Unless you or your agent is present, the board may not have sufficient evidence to rule in your favor and may then deny your application.

Please answer the four questions below. You are encouraged to attach a separate sheet, labeling the answers (1) through (4), to provide enough detail to support your appeal:

(1) Describe alternatives to your proposal such as other locations, designs and construction techniques. **Attach a site map showing alternatives you considered in each category below:**

(A) Alternatives you considered that comply with existing standards: If you find such an alternative, you can move forward with this option with a regular permit. If you reject compliant alternatives, provide the reasons you rejected them.

An alternative site and house design that maintained the existing building footprints was considered and explored, but given the age of the existing structures, nonconformity to both current zoning and building codes, proximity to neighboring lots, and overall design and construction feasibility, it was deemed impractical or even impossible to build new replacement structures that met current building codes and the basic needs of the homeowners.

(B) Alternatives you considered that require a lesser variance: If you reject such alternatives, provide the reasons you rejected them.

The proposed variance is simply a clear cut calculation that is 100% based on existing site conditions of the subject and neighboring properties, and the general guidance of Dane County Zoning. The proposed variance establishes an OHWM setback line that conforms to the general zoning code and the established neighborhood pattern. The proposed improvements on the property are within the setback lines to build a replacement structure.

(2) Will there be an unnecessary hardship to the property owner to strictly comply with the ordinance?

Unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome.

An applicant may not claim unnecessary hardship because of conditions which are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home or claiming that they need more outbuilding space than that permitted to store personal belongings). Courts have also determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel. The property owner bears the burden of proving unnecessary hardship.
The subject property at 3408 Quam Drive faces unnecessary hardships that were not self-created. This results in increased and infeasible restrictions of setbacks, and inefficient, poor, and unreasonable building and site design opportunities. The consequences include unnecessary and unreasonable burdens that are inconsistent with current Dane County zoning ordinances. These unnecessary hardships don't apply to any other property owners within this zoning code or within this wide neighborhood development.

- (3) Do unique physical characteristics of your property prevent compliance with the ordinance? If yes, please explain. **The required Site Plan and/or Survey submitted with your application must show these features.**

Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with the ordinance requirements. The circumstances of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances, or lack of objections from neighbors do not provide a basis for granting a variance.

The hardship and issue hindering this property is a result of a vacant lot with abandoned structure to the west at 3412 Quam Drive. That lot is a buildable residential lot, and by evidence from 1976 aerial imagery, there was a house/cabin on that lot at 3412 Quam Drive. This vacant lot with abandoned structure neighboring our subject property is causing an OHWM setback issue as interpreted under current Dane County zoning: This vacant lot (3412 Quam Drive), wedged along a pattern of residential lots, prevents the subject property from utilizing reduced shoreline setback by averaging the two existing neighboring shoreline setbacks.

- (4) What would be the effect on this property, the community or neighborhood, and the general public interest if the variance were granted? Describe how negative impacts would be mitigated. **The required Site Plan and/or Survey submitted with your application must show any proposed mitigation features.**

These interests may be listed as objectives in the purpose statement of an ordinance and may include: Promoting and maintaining public health, safety and welfare; protecting fish and wildlife habitat; maintaining scenic beauty; minimizing property damages; ensuring provision of efficient public facilities and utilities; requiring eventual compliance for nonconforming uses, structures and lots; drainage; visual impact; fire safety and building code requirements; and any other public interest issues.

There would not be negative impacts. The proposed improvements would conform to all zoning regulations, shoreland regulations, and erosion control measures that also apply to the community. The proposed improvements would provide significant benefits to the neighborhood and environment. The improvements would have the following benefits: increase all the existing setbacks (front, sides, & OHWM setbacks), and remove non-conforming structures that pose health and safety risks to occupants and neighborhood.

REQUIRED PLANS AND SPECIFICATIONS:

In addition to providing the information required above, you must submit:

1. **Site Plan:** Complete and detailed plans of your lot or lots, drawn to a standard and easily readable scale. **In most cases, a survey by a Registered Land Surveyor is needed.** The Site Plan/Survey should include the following, as applicable, as well as any unique existing features of the lot and any proposed mitigation features, as described above:
 - ❑ Scale and North arrow
 - ❑ Road names and right-of-way widths
 - ❑ All lot dimensions
 - ❑ Existing buildings, wells, septic systems and physical features such as driveways, utility easements, sewer mains and the like, including neighboring properties and structures.
 - ❑ Proposed new construction, additions or structural alterations.
 - ❑ For property near lakes, rivers or streams:
 - ❑ Location of Ordinary High Water Mark (OHWM) Elevation
 - ❑ Location of Floodplain Elevation
 - ❑ For property near Wetlands, a Wetland Boundary determination by a qualified professional consultant may be required.
 - ❑ Topographic survey information may be desirable or necessary.
 - ❑ Setbacks from any existing or proposed structures (building) to lot lines, right-of-way lines, Ordinary High Water Mark, and/or Wetland Boundary, as applicable.
 - ❑ For setback from Ordinary High Water Mark Variance Appeals, the setbacks of the two neighboring structures from the OHWM may be required.

2. Floor Plans and Elevations: Professionally-prepared plans and elevations are not required, but the plans submitted must be drawn to a standard and easily readable scale, must show each story of the building or structure, and must include all parts of existing and proposed structures, including any balconies, porches, decks, stoops, fireplaces and chimneys. Exterior dimensions must be included. Show all exit door locations, including sliding doors, and any windows or other features that are pertinent to your appeal. The plans may be a preliminary version, but are expected to represent your actual proposal for the use of your lot.

Please consult with the Assistant Zoning Administrator regarding required plans for non-conventional structures such as signs, construction cranes, etc.

3. Town Acknowledgment: Obtain a signed, dated memo or letter from the Town Clerk or Administrator of the Town where the variance is needed, acknowledging that you have informed them of your intention to apply for the variance(s). You probably will need to appear before the Town Board and/or Plan Commission, which will provide advisory input requested by the Board of Adjustment.

APPLICANT SIGNATURE:

The undersigned hereby attests that all information provided is true and accurate, and further gives permission to Planning & Development staff and Board of Adjustment members to view the premises, in relation to the Appeal request made herein, during reasonable daylight hours.

Signature Required: Christopher D. Landerud Date: August 12, 2025

Print Name: Christopher D. Landerud (Agent), Landerud Plan & Design LLC

Specify Owner or Agent: Agent prepared application. See attached owner permission letter.
Agent must provide written permission from the property owner

STAFF INFORMATION:

Date Zoning Division Refused Permit (if different from filing date)

Filing Date

Filing Materials Required:

Site Plan

Floor Plans

Elevations

Fee _____ Receipt No. _____

Town Acknowledgement Date

Notices Mailed Date

Class II Notices Published Dates

Site Visit Date

Town Action Received Date:

Public Hearing Date

Action by B.O.A. _____

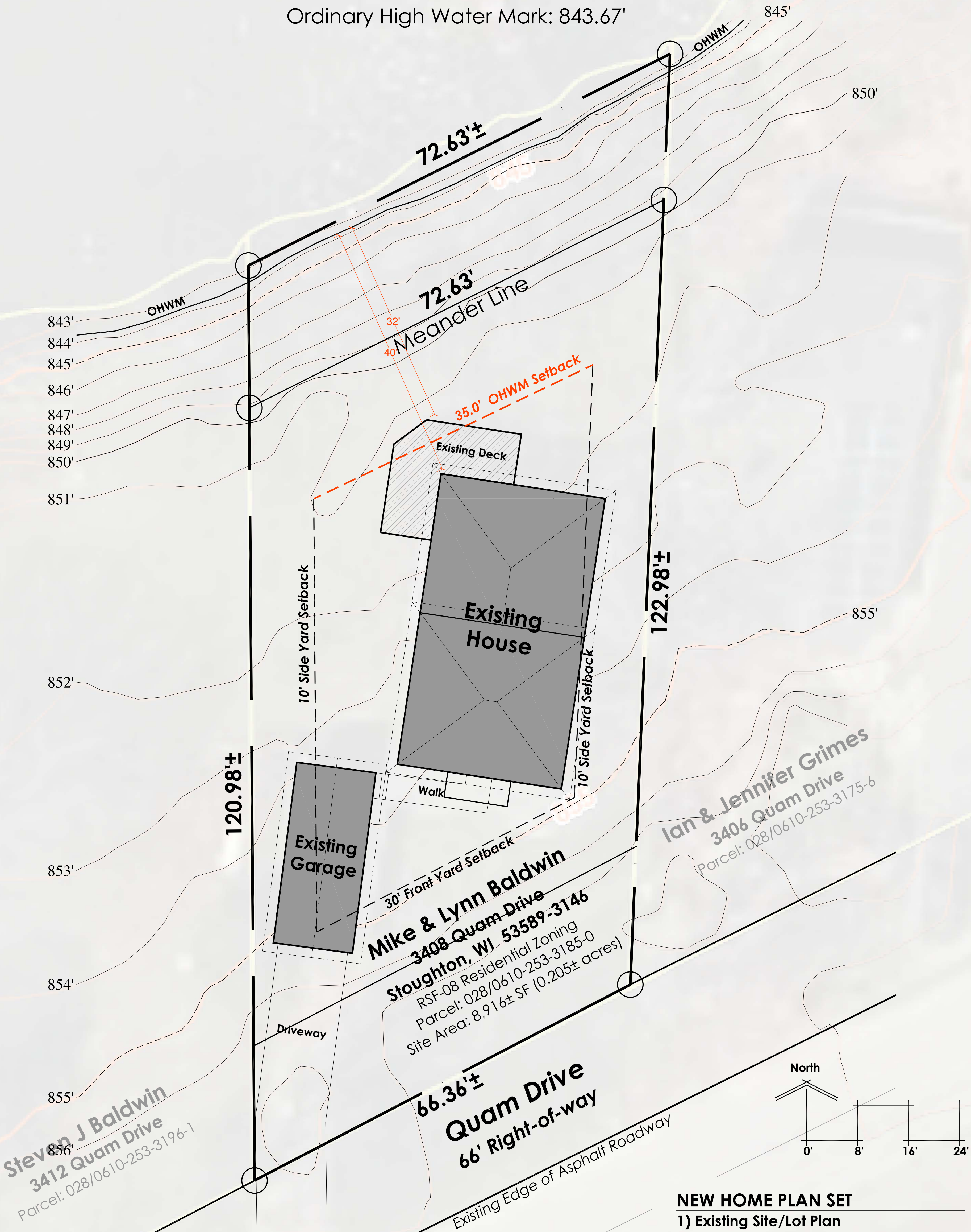
Approved by: _____ Date: _____
Director, Division of Planning Operations, Department of Planning and Development

EXISTING SITE/LOT PLAN

3408 Quam Drive - Stoughton, WI

Lake Kegonsa

100 Year Floor Elevation: 845.17'
Ordinary High Water Mark: 843.67'



- NEW HOME PLAN SET**
- 1) Existing Site/Lot Plan
 - 2) New Site/Lot Plan
 - 3) Main Floor Plan
 - 4) Second Floor Plan
 - 5) Basement/Foundation Floor Plan
 - 6) Exterior Elevations - Front & Left Side
 - 7) Exterior Elevations - Back & Right Side
 - 8) Construction Section & Roof Plan
 - 9) Site/Lot Cross Section Drawing

NEW SITE/LOT PLAN

3408 Quam Drive - Stoughton, WI

Lake Kegonsa

100 Year Floor Elevation: 845.17'
Ordinary High Water Mark: 843.67'



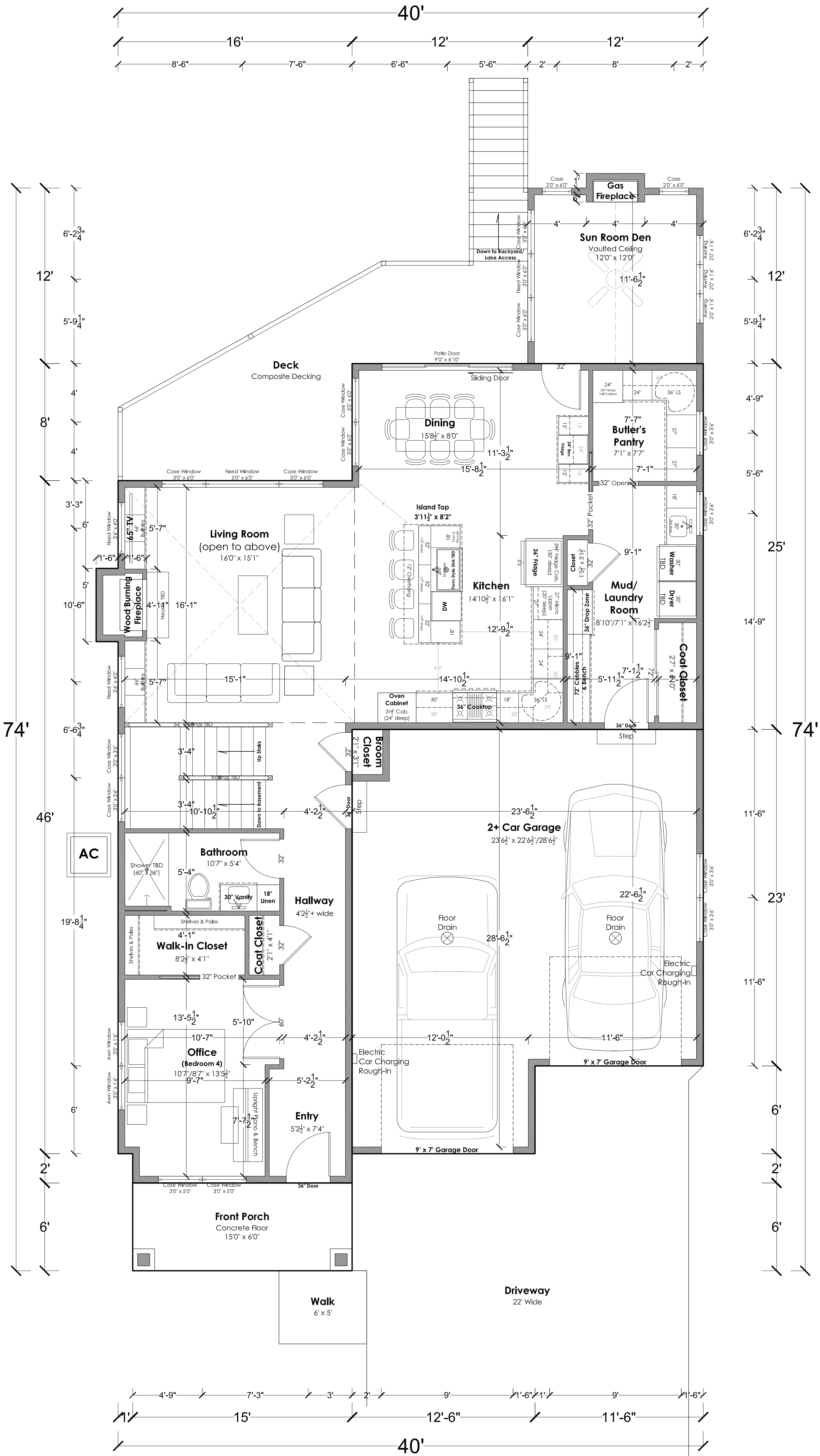
Note: These site & house plans are subject to possible modifications based on the Dane County review and permitting process. The following reviews, approvals, permits, survey, and engineering may require site plan and/or house plan adjustments:

- Dane County Shoreland Zoning Approval & Permit
- Licensed Survey Map
- Engineered Erosion Control & Stormwater Mitigation Plan
- Dane County Land & Water Resources Review & Approval

MAIN FLOOR PLAN

Main Floor 1,373.5 SF, Second Floor 1,480 SF, Basement Finished 862 SF
Total Finished: 3,718.5± SF

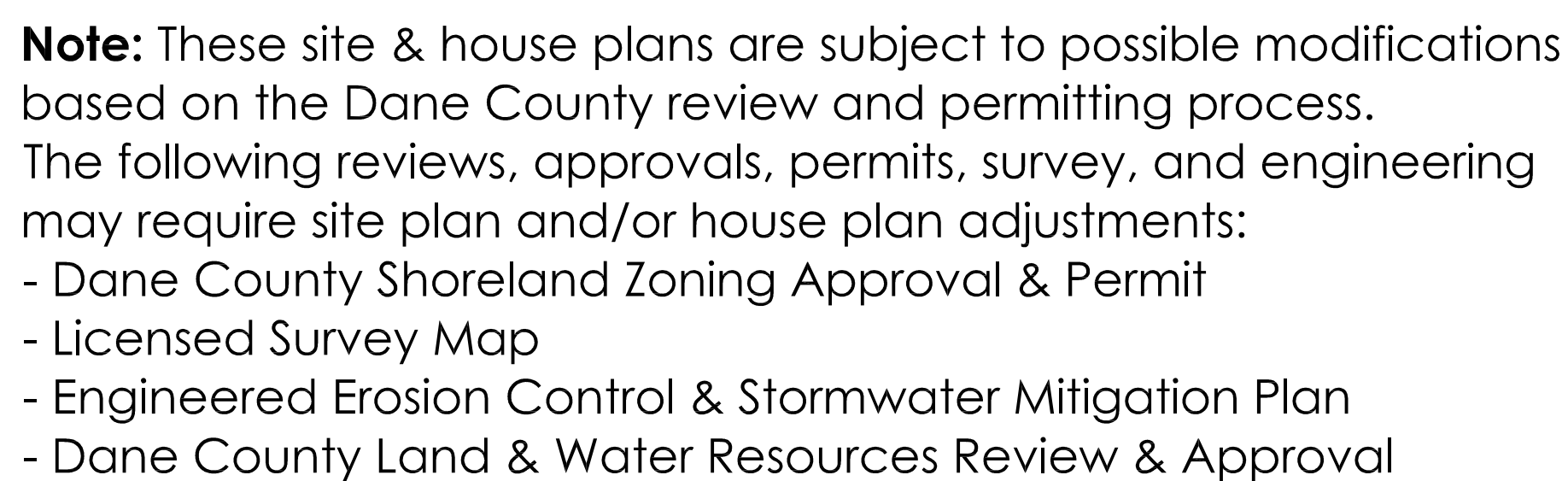
Garage 627 SF, Sun Room Den 144 SF, Deck 234 SF, Front Porch 90 SF



Note: These site & house plans are subject to possible modifications based on the Dane County review and permitting process. The following reviews, approvals, permits, survey, and engineering may require site plan and/or house plan adjustments:

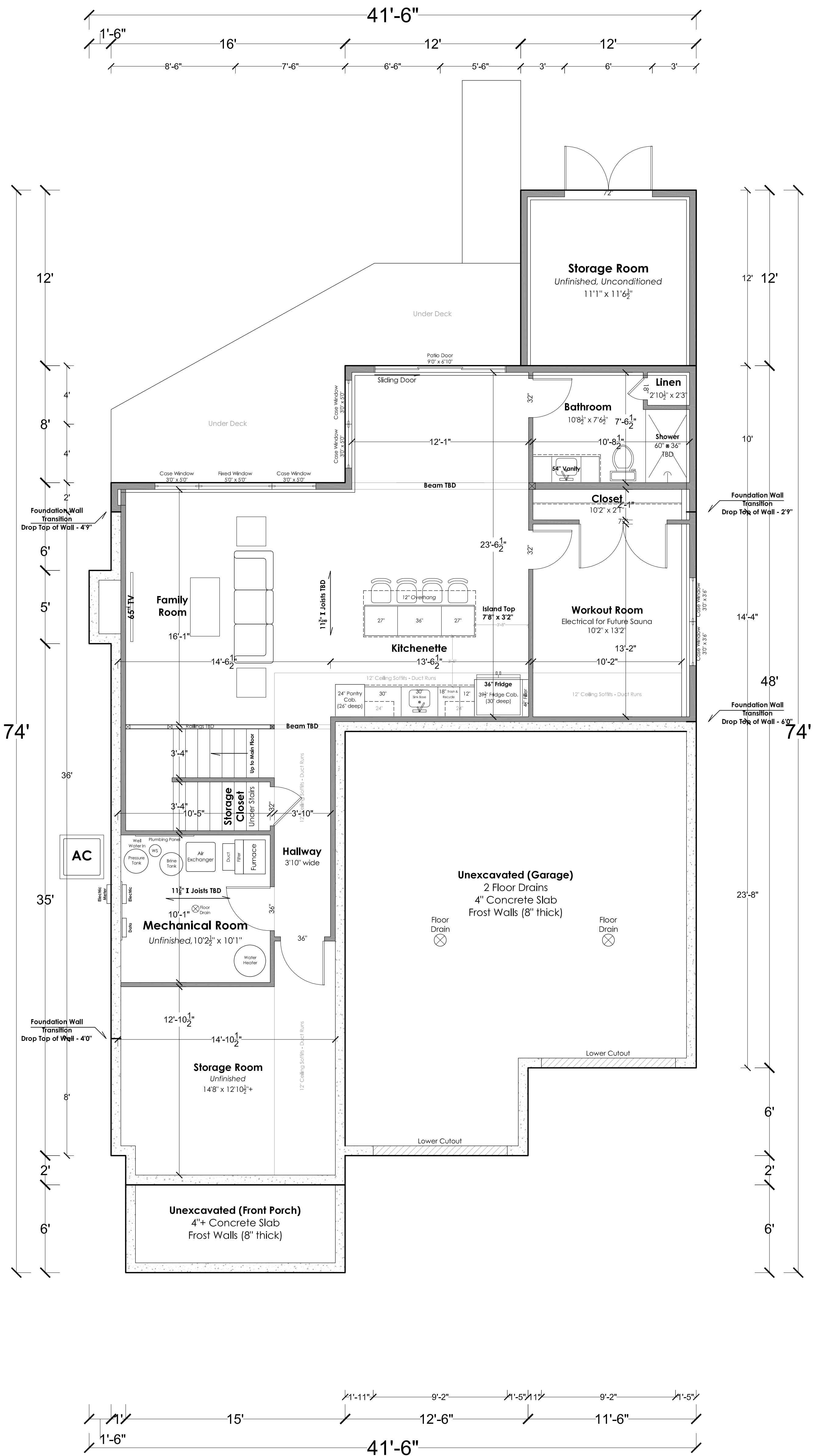
- Dane County Shoreland Zoning Approval & Permit
- Licensed Survey Map
- Engineered Erosion Control & Stormwater Mitigation Plan
- Dane County Land & Water Resources Review & Approval

Main Floor 1,373.5 SF, **Second Floor 1,480 SF**, Basement Finished 862 SF
Total Finished: 3,718.5± SF



BASEMENT/FOUNDATION FLOOR PLAN

Main Floor 1,373.5 SF, Second Floor 1,483 SF, **Basement Finished 862 SF**
Total Finished: 3,718.5± SF



Note: These site & house plans are subject to possible modifications based on the Dane County review and permitting process. The following reviews, approvals, permits, survey, and engineering may require site plan and/or house plan adjustments:

- Dane County Shoreland Zoning Approval & Permit
- Licensed Survey Map
- Engineered Erosion Control & Stormwater Mitigation Plan
- Dane County Land & Water Resources Review & Approval

FRONT/SOUTH ELEVATION



LEFT SIDE/WEST ELEVATION



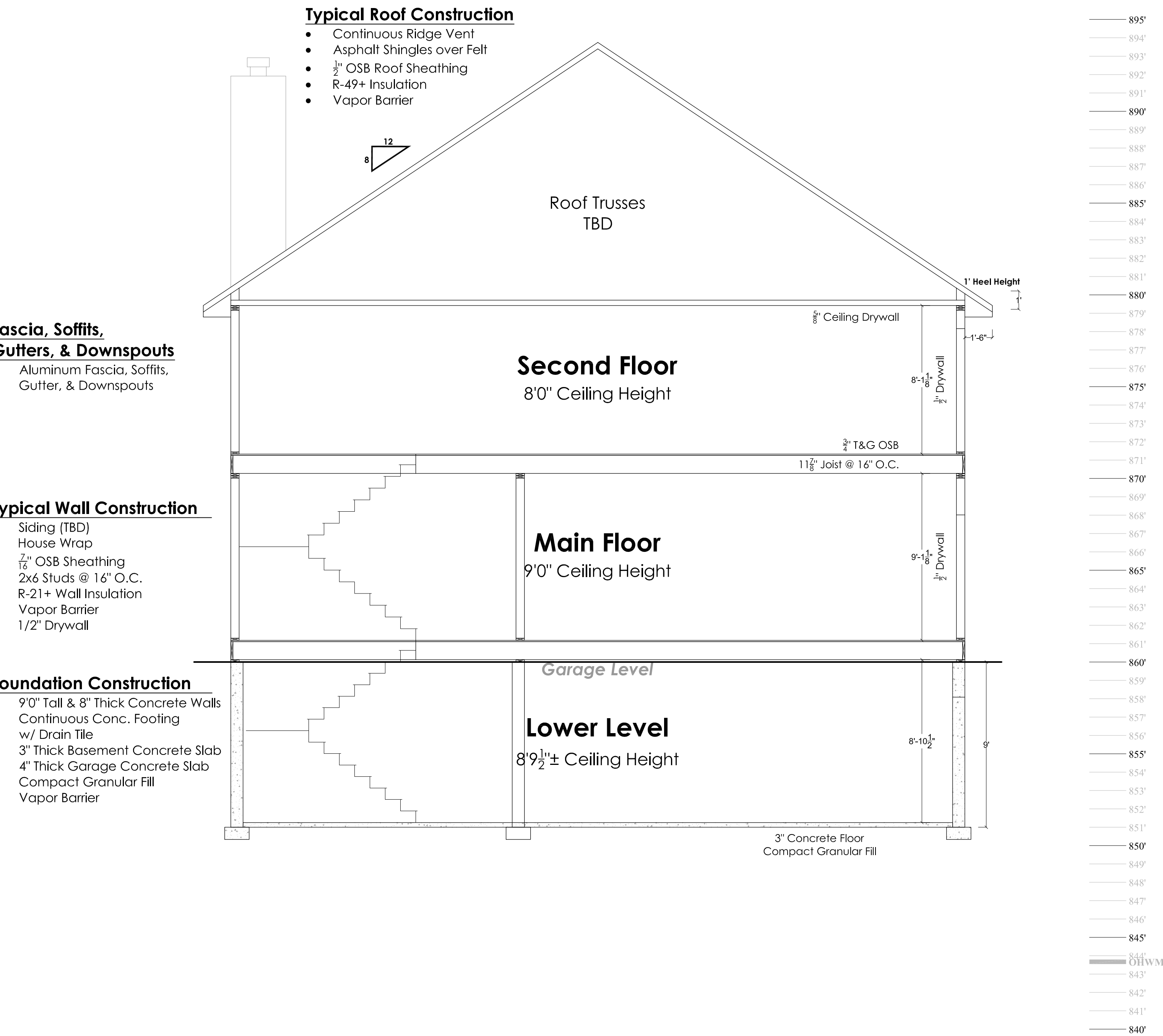
BACK/NORTH ELEVATION



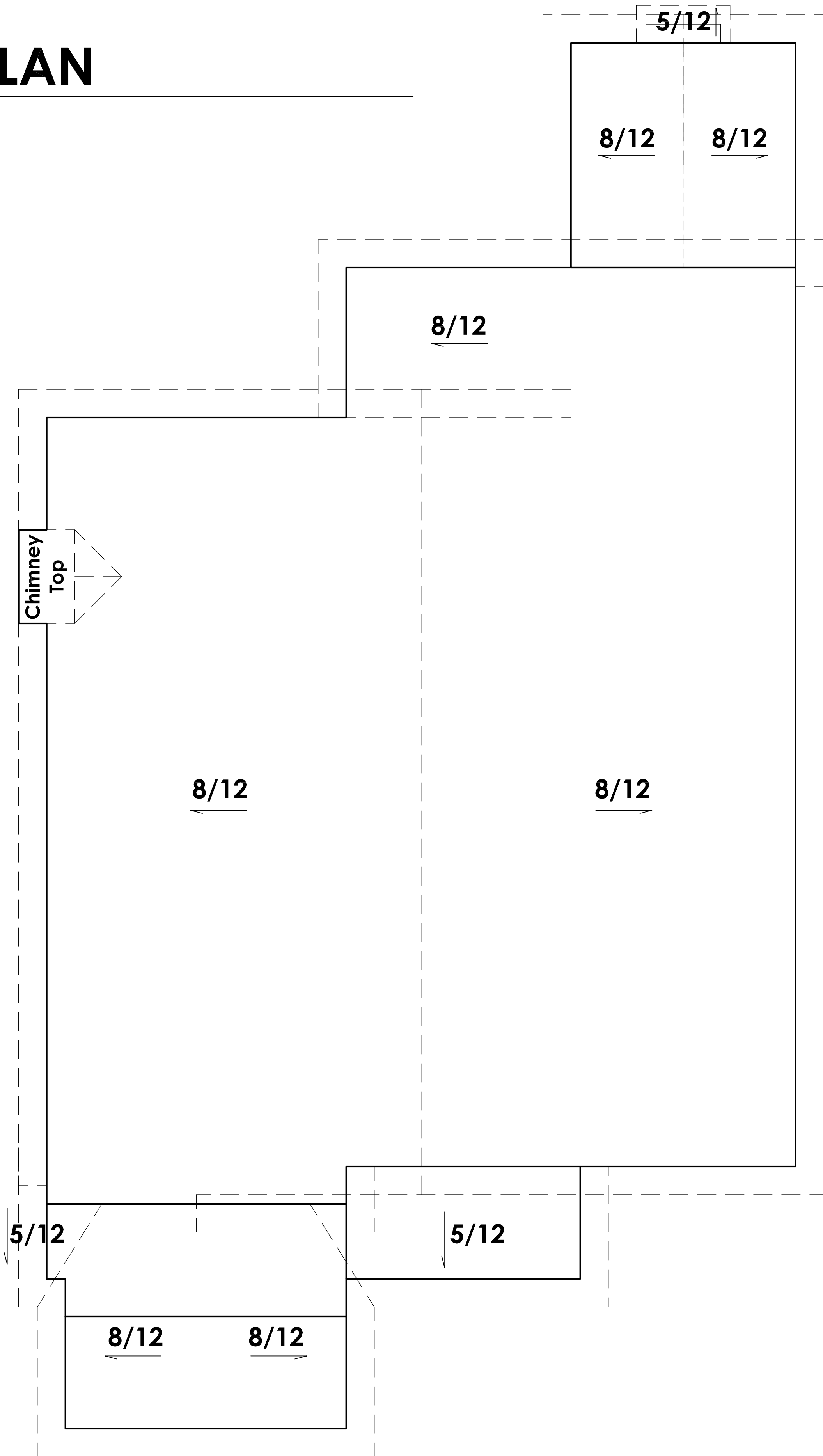
RIGHT SIDE/EAST ELEVATION



TYPICAL CONSTRUCTION SECTION DRAWING



ROOF PLAN

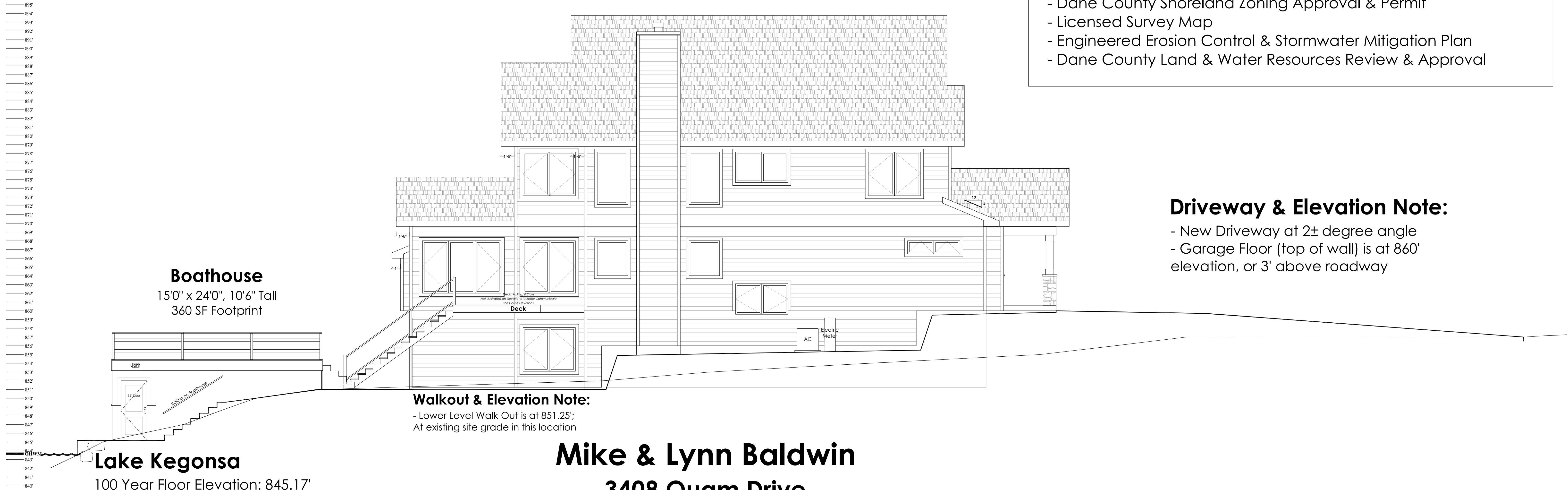


NEW SITE/LOT CROSS SECTION

3408 Quam Drive - Stoughton, WI

Note: These site & house plans are subject to possible modifications based on the Dane County review and permitting process. The following reviews, approvals, permits, survey, and engineering may require site plan and/or house plan adjustments:

- Dane County Shoreland Zoning Approval & Permit
- Licensed Survey Map
- Engineered Erosion Control & Stormwater Mitigation Plan
- Dane County Land & Water Resources Review & Approval



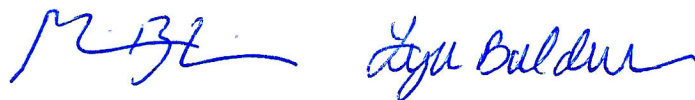
Permission Letter for Agent from Home Owner

August 12, 2025

Dane County Board of Adjustment –

This is a letter of permission acknowledging Chris Landerud of Landerud Plan & Design LLC is acting on our behalf to represent our best interests for our property, while at the same time upholding the values and intent of the Dane County Zoning Codes.

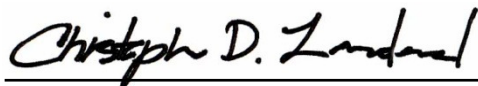
As the property owners, we acknowledge that Chris Landerud is the acting agent and is submitting a variance on our behalf for our property at 3408 Quam Drive.



Mike & Lynn Baldwin

August 12, 2025

3408 Quam Drive
Stoughton, WI 53589-3146
Dane County, Town of Dunn



Christopher D. Landerud, Landerud Plan & Design LLC

August 12, 2025

cc.

Dane County Zoning Department, Hans Hilbert Zoning Administrator
Town of Dunn, Kelsey Shepperd – Land Use & Conservation Manager
Chris Landerud, Landerud Plan & Design LLC

Site Photos

3408 Quam Drive (existing backyard and shoreline; existing house & deck in foreground)

– looking east (right side) down the shoreline toward the adjacent residential home (3406 Quam Dr) and existing development pattern for neighboring residential structures (3402, 3400)



3408 Quam Drive (existing backyard and shoreline; existing deck on left edge)

– looking west (left side) down the shoreline toward the adjacent vacant lot (3412 Quam Dr) and existing development pattern for neighboring residential structures (3414, 3418,)

