



RECEIVED

Dane County Planning & Development
Division of Zoning

MAR 8 2016

Appeal No. 3675
Date Received 3/8/16
Date of Public Hearing 4/28/16

DANE COUNTY PLANNING & DEVELOPMENT

VARIANCE APPLICATION:

Owner: West Dane Conservancy LLC (a private land trust owned by Kristine Euclide and Doug Steege)
Mailing Address: 2910 Lakeland Ave, Madison WI 53704
Phone Number(s): 608-712-1630 (Kris); 608-213-9641 (Doug)
Email Address: kaeuclide@aol.com; dsteege@aol.com

Assigned Agent: None
Mailing Address:
Phone Number(s):
Email Address:

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: 0806-312-8520-0 Zoning District: A1 Ag Exc Acreage: see below
Town: Black Earth (T8N, R6E) Section: 31 1/4 NW 1/4 NW
Property Address: 4987 Reeve Road, Black Earth
CSM: Lot: / Subdivision: Block/Lot(s):
Shoreland: Y/N / Floodplain: Y/N / Wetland: Y/N / Water Body
Sanitary Service: Public / (Private) (Septic System) Holding Tanks
Total acreage is approx. 140 acres; acreage of this Parcel Number is approx 25 acres
Current Use: residential, recreational and conservancy

Proposal: See Attachment A

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

Table with 5 columns: Section, Description, Required, Proposed or Actual, Variance Needed

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:

See Attachment B for answers to questions 1-4 below.

(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.

See Attachment B

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

(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.

See Attachment B

(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.

See Attachment B

(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.

See Attachment B

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: Kristina A. Euclide Douglas Steege Date: 3/7/16

Print Name: Kristina A. Euclide Douglas Steege

Specify Owner or Agent: None

~~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

H:\Zoning\Board of Adjustment\Checklists and Forms\VARIANCE APPLICATION FORM – CURRENT 04162008.doc

Dane County Zoning - Variation Application

March 1, 2016

Applicant: West Dane Conservancy LLC, a private land trust owned by
Douglas Steege and Kristine Euclide
2910 Lakeland Avenue
Madison, Wisconsin 53704
dsteege@aol.com
608-213-9641
kaeuclide@aol.com
608-712-1630

Property location:

4987 Reeve Road
Black Earth Township
Section 31, T 08 N, R 06 E

Parcel Number:

0806-312-8520-0

Description of proposed project:

Applicants have owned the property since 1978 and used it for full-time residential purposes from 1980 to late 1986 and part-time residential/recreational and conservancy uses since then. Applicant is requesting a variance from the 75 foot wetland setback requirement to add a second story on an existing house and enclose part of an old barn foundation. It is recognized that each existing building is likely within 75 foot of a wetland although at the outer edge of the 75 foot setback (see wetland and setback map, Exhibits 1 and 2 to Att. A). The existing house was built in 1980 (with an attached garage added in 1982) on the location of the original settlement farm house dating back to the first half of the 1800s. That building location is unique because it is a local high spot approximately eight feet above a natural surface water pond to the south of the house. There also is an artesian well at this location that has served as the water supply for the house since before 1978. This location was, and still is, for all practical purposes, the only building site on the property. The existing storage shed was built in 2010 on part of the original barn foundation, again in existence at that location since the 1800's. In order to minimize any additional encroachment into the wetland setback, and in order to maintain the habitability and utility of the two structures already on the property, the project plans are to utilize, to the greatest extent possible, the existing building foundations and footprints. (See site plans showing existing structures and proposed project). This will also minimize any need to extend the

driveway , involve minimal excavation or other disturbance of the site and avoid the need to drill another well on the property.

More specifically, the two buildings and planned projects are as follows:

1. Remodel and add a second floor to the existing house and attached garage.

- Remodel and add a second story on the existing house. The existing house is 960 gross square foot slab on grade construction. A large dormitory like bedroom is planned for the second floor. The first floor would include a single bedroom, bathroom, kitchen and dining area and small office.
- Remodel and add a second story to the attached garage to be two story living space with a family room and outdoor accessible bathroom on the first floor and a bedroom and bathroom on the second floor. The stairs to the second floor will be in this garage area. There may also be access to a balcony that may be enclosed or open depending on budget and final layout of usable space.
- The existing building foundation and footprints will be utilized to the extent possible except a small amount of new foundation will be added on the side away from the wetland to allow for the stairs between floor levels and to better integrate roof lines between the existing house and the existing garage portions of the proposed new home. See Site Plan drawings.

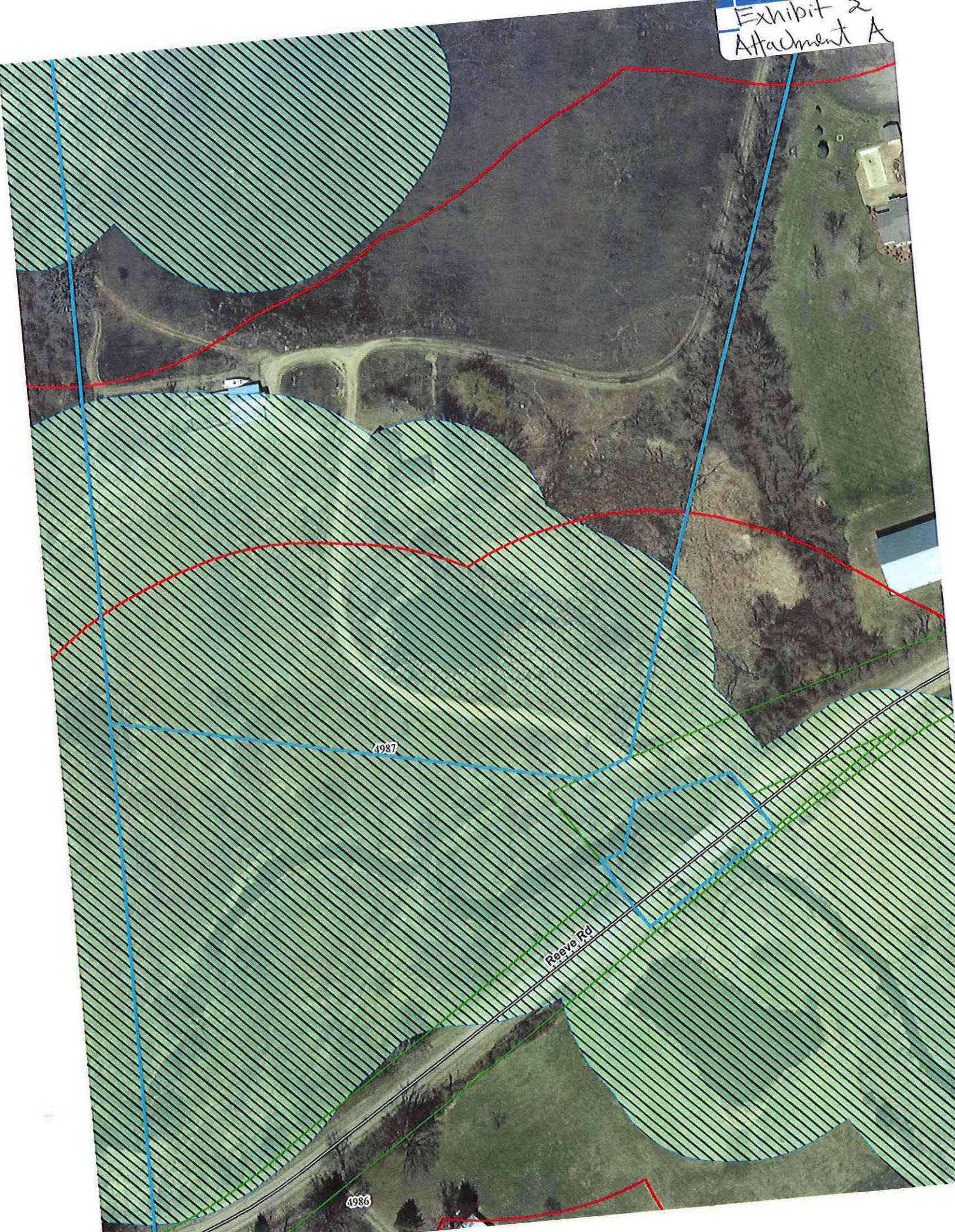
2. Addition to the existing storage shed.

In 2010 we erected a storage shed on top of 30 feet of a the pre-existing 75 foot long old barn foundation. With more prairie restoration and conservation work being conducted on the property, we have a need for more equipment storage. As a consequence we would like to expand the storage shed by enclosing the remaining 45 feet of the existing barn foundation. The construction style would match the current shed.

Exhibit 1
Attachment A



Exhibit 2
Attachment A



4987

Reeve Rd

4986

February 29, 2016

Dear Dane County Board of Adjustment--

This letter is in support of the variance application sought by West Dane Conservancy (Kristine Euclide and Doug Steege) from the 75 foot wetland setback requirements and addresses each of the questions required on the variance application. Some brief background on the property may also be useful.

BACKGROUND AND HISTORY-- We bought this approximately 134 acre property in 1978 primarily because of its unique natural features--high quality prairie remnants located to the north and a creek and wetland located to the south of the existing buildings that are the subject of this variance application. In 1980, we built a small, one-story house at the same location of the then existing house on the property and added an attached garage in 1982. We lived there full-time from 1980 to late 1986. Since that time, we use the house on a part-time basis as we devote substantial time and resources to preservation and land management activities on the wetland and prairie. In 2010, we enclosed approximately half of the pre-existing old barn concrete foundation for use as a storage shed for our land management tools and equipment. We have a very small "lawn" around the house and a gravel driveway. The amount of impervious surface is extremely small with most of our land being retained or restored to a natural vegetative state.

In 2011, we granted a permanent conservation easement to a well respected land trust, The Prairie Enthusiasts (TPE) covering our entire property. The easement requires maintenance activities in accordance with a land management plan, approved by and monitored by TPE, for the preservation and enhancement of the creek/wetland area south of the existing buildings as well as the prairie remnant and woodland areas to the north. It should be noted that the conservation easement on our land specifically advances the purpose and intent of Chapter 11 of the Dane County Ordinances in that the conservation easement's express purpose is to preserve and protect the creek/wetland/prairie and woodlands on our land in their natural state in perpetuity.

The variance we seek would allow us to add a second story on the current house and garage, essentially utilizing the existing building foundation and footprint so that we have room to accommodate our children and their families and others when they come to assist with land conservation/management activities. Additionally, we seek a variance to enclose the remainder of the old barn foundation because with increased conservation activities on the property, we have a need for more tools and equipment storage.

Both the existing house and the storage shed/barn foundation are located at the outside edge of the 75' wetland setback so the encroachment in the required setback is minimal and the relief we seek does not significantly expand the existing encroachment.

1. DESCRIBE ALTERNATIVES TO YOUR PROPOSAL SUCH AS OTHER LOCATIONS, DESIGNS AND CONSTRUCTION TECHNIQUES.

We are extremely limited regarding any alternative locations to build due to a number of physical factors unique to the parcel. First, the property we own is a deep, irregularly shaped parcel with relatively narrow frontage on Reeve Road--the only road access to our entire property (see Exhibit 1 to Att. B). The existing driveway location is the only driveway access

possible due to the creek and wetland along Reeve Road and the natural pond in the front of the property. The existing driveway access has existed since the mid-1800's. Second, the protected wetland to the south and prairie lands and steep ridges to the north make the current building locations the only realistic building location. The current house site sits on a local high spot approximately 8 feet above the natural pond to the south of the house which, except for the prairie ridges is the only "high" spot on the property. There is also a pre-existing artesian well at this location which serves as the water supply for the house.

Because of the lack of other suitable building locations, we made the alternative construction design decision to limit the house addition to building a second story on the existing house and attached garage (with a small expansion on the side away from the wetland) rather than going with a design that calls for an at-grade expansion which would involve more land disturbance and more encroachment .

Similarly, with the storage shed, our construction/design decision is to simply enclose the existing old barn structure, thereby not increasing the existing foundation's encroachment in the wetland setback area.

In summary, the proposed approach will involve only a minimal increase in the existing encroachment in the wetland setback area and will clearly also result in the least overall disturbance to the site, involve minimal excavation, eliminate the need for significant extension of the driveway and eliminate the need to drill a new well that could unintentionally affect the wetland area.

2. WILL THERE BE AN UNNECESSARY HARDSHIP TO THE PROPERTY OWNER TO STRICTLY COMPLY WITH THE ORDINANCE?

Yes, strict conformity to the 75' wetland setback requirement in this case would pose unnecessary hardship and be unnecessarily burdensome on the property owners who have lovingly cared for and maintained this land in its natural state since the late 1970s. As noted above, this variance would simply allow for continued residential and equipment storage uses at the locations that have been used for these purposes for over 150 years. Pre-existing structures would be utilized for the additions.

It would be an unnecessary hardship to deny the use of the preexisting structures to meet the property owners needs, especially here, where the existing encroachment is on the outside edge of the 75' setback, the additional encroachment sought is minimal, and the proportion of total impervious surface compared to preserved natural land on the applicant's property is extremely small.

3. DO UNIQUE CHARACTERISTICS OF YOUR PROPERTY PREVENT COMPLIANCE WITH THE ORDINANCE?

Yes, finding any alternative building location would be extremely difficult due to the unique characteristics of this parcel. The deep property parcel is narrow in the front and its only access is Reeve Road. There is no alternative location for a driveway. The current house and shed/barn foundation site are the only local high spots that are buildable without significant additional fill. As described above, the property owners cannot build on the prairie

or woodlands to the north as they are protected by the conservation easement held by TPE. Any other location would be more disruptive to the property in that it would likely involve demolition of the existing house or construction of additional structures, substantial fill at another building location, extension of the driveway and drilling of a new well - all of which could have unintended consequences and may adversely affect the wetlands much more than continued use of the existing structures, even with the minimal expansion proposed.

4 WHAT WOULD BE THE EFFECT ON THE PROPERTY, COMMUNITY OR NEIGHBORHOOD AND THE GENERAL PUBLIC INTEREST IF THE VARIANCE WERE GRANTED? DESCRIBE HOW THE NEGATIVE IMPACTS WOULD BE MITIGATED.

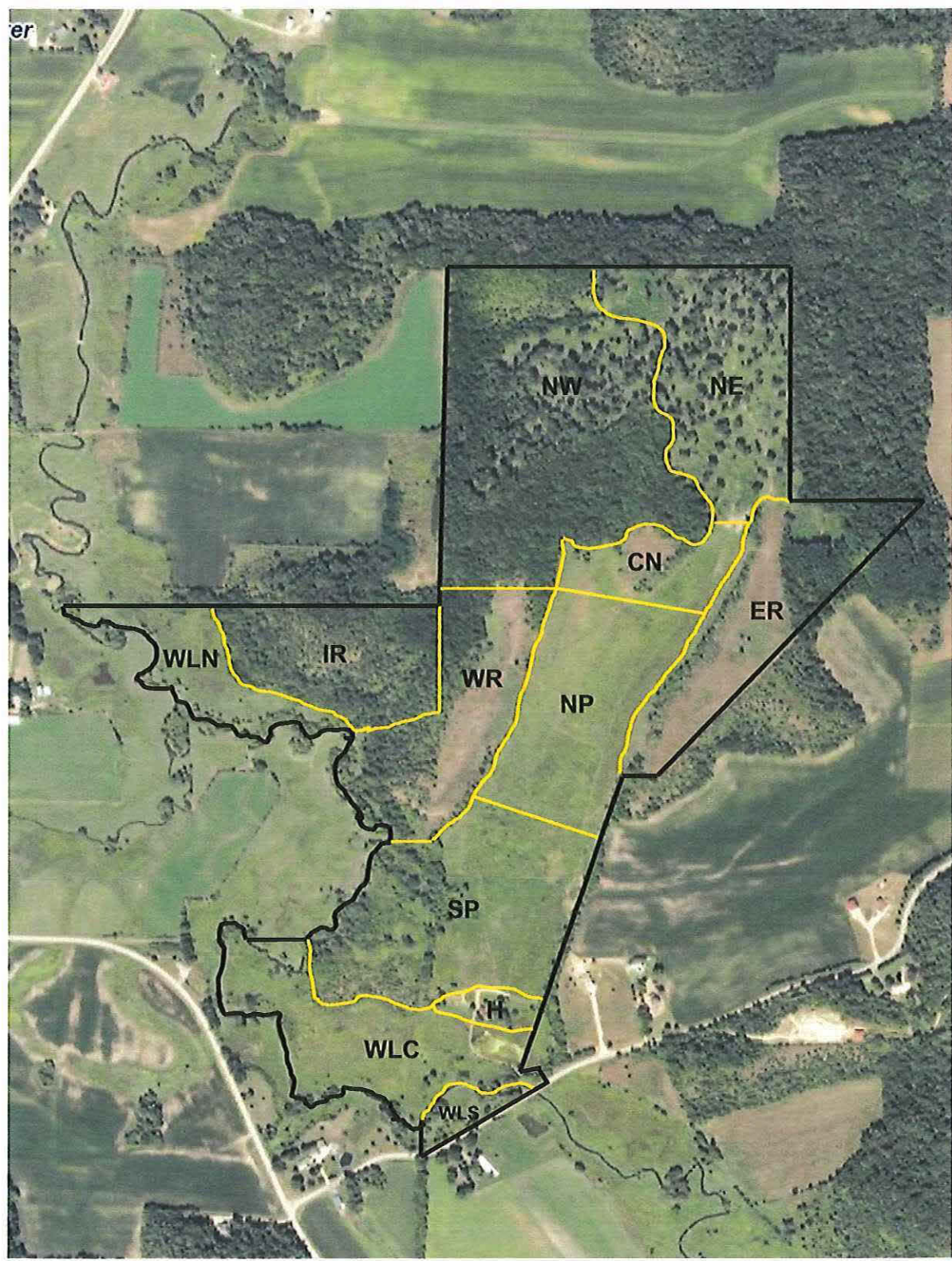
Granting the variance would actually serve the neighborhood and public's interests for all the reasons stated above. As noted above, the TPE conservation easement on this property is wholly consistent with the purposes of Chapter 11 of the Dane County ordinances in that its purpose is to preserve and protect the covered wetlands, prairie remnants and woodlands in their natural state in perpetuity. Furthermore, there is a land management which is jointly implemented by the property owners and TPE to ensure the continued maintenance and enhancement of the covered lands.

In addition the TPE conservation easement requires the property be open to the public for tours organized by TPE, up to four times annually. Granting the requested variance will involve the least amount of disturbance of the property and will result in the fewest number of structures to visually disrupt the natural landscape. The relief sought is minimal and makes the best use of existing structures and materials.

We believe the proposed variance is consistent with the spirit and intent of the ordinance. Thank you for your consideration.

West Dane Conservancy January 2016 Management Parcels

August 9, 2008 Photo



H = Homestead, **WLS** = Wet Land South, **WLC** = Wet Land Central, **WLN** = Wet Land North
SP = South Prairie, **NP** = North Prairie, **CN** = Center Nob, **ER** = East Ridge, **WR** = West Ridge
IR = Iowa Ridge, **NE** = North East, **NW** = North West

TOWN OF BLACK EARTH

P.O. BOX 426 BLACK EARTH WISCONSIN 53515

(608) 795-4986 ddreisclerk@gmail.com

February 22, 2016

Dane County Planning & Development
210 Martin Luther King Jr. Blvd.
Madison WI 53703

Mr. Hans Hilbert,

On Monday February 22, 2016, Kristine Euclide contacted the Town informing them of their intent to apply for a variance with the County to make improvements to the structures at 4987 Reeve Rd. Mazomanie WI.

I have informed the Town's Chair and the Town takes no position on this application.

Regards,
Dayna Dreis
Town of Black Earth clerk

West Dane Conservancy, 4987 Reeve Road, Black Earth, Wisconsin

Wetland identification and building setbacks from property lines.



1/11

Existing buildings and improvements.



Location of 2-1000 gallon holding tanks installed as part of 1980 house construction.

Two wooden storage sheds and wood deck built of recycled barn wood when barn fell down.

Historic barn foundation that is 34 feet wide by 75 feet long. Equipment shed was erected in 2010 on the eastern portion of the barn foundation measuring 34 feet wide by 30 feet long.

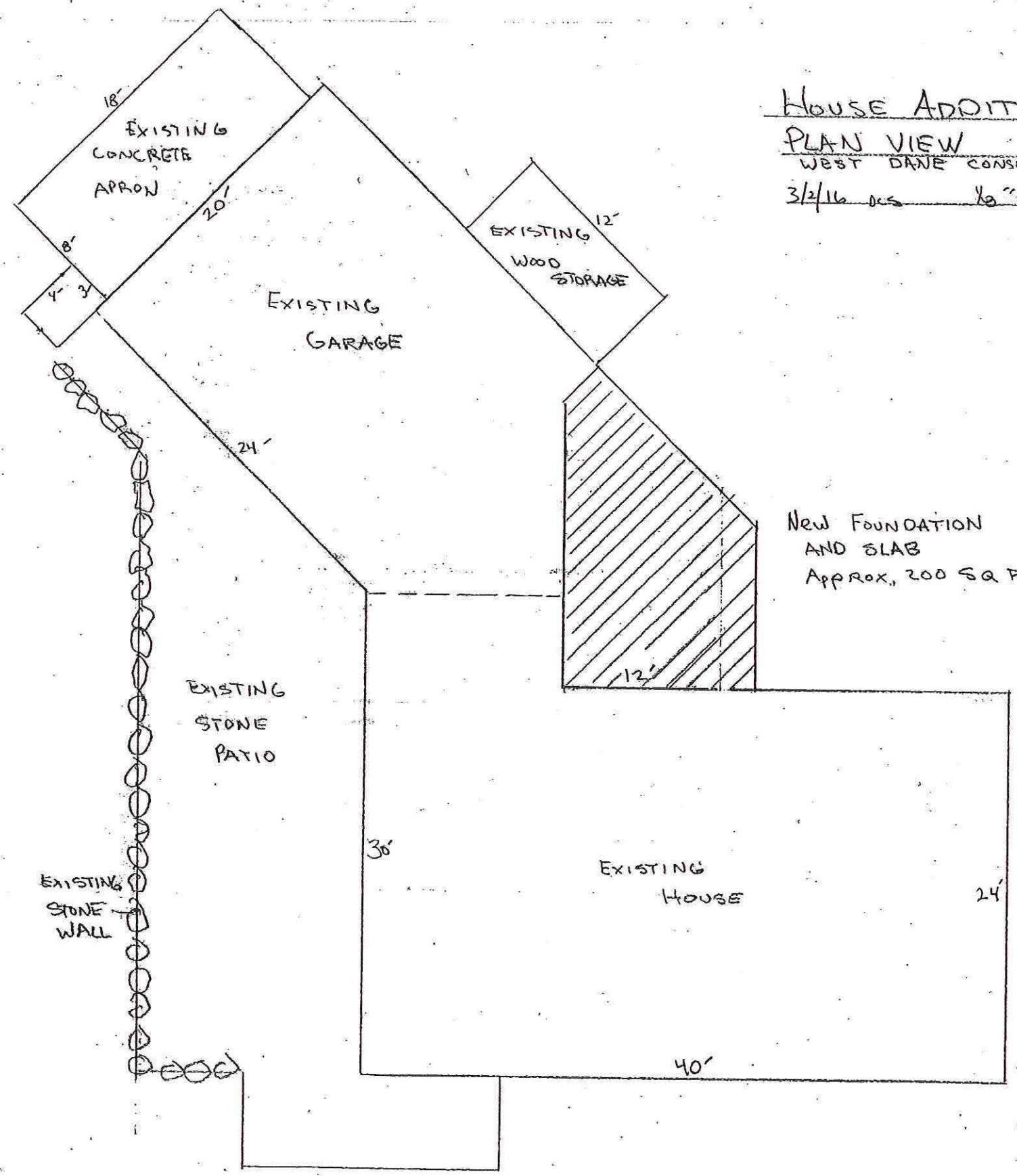
Historic stone terrace and stone wall.

20 by 24 foot garage with irregular shaped connector to house built in 1982. A 12 by 8 foot woodshed was also constructed at that time connected to the north facing garage wall.

Current house built in 1980 on location of at least two previous houses dating back to first settlement. 24 foot by 40 foot house build on existing foundation.

2/11

HOUSE ADDITION
PLAN VIEW
WEST DANE CONSERVANCY
3/2/16 DCB 1/8" = 1'

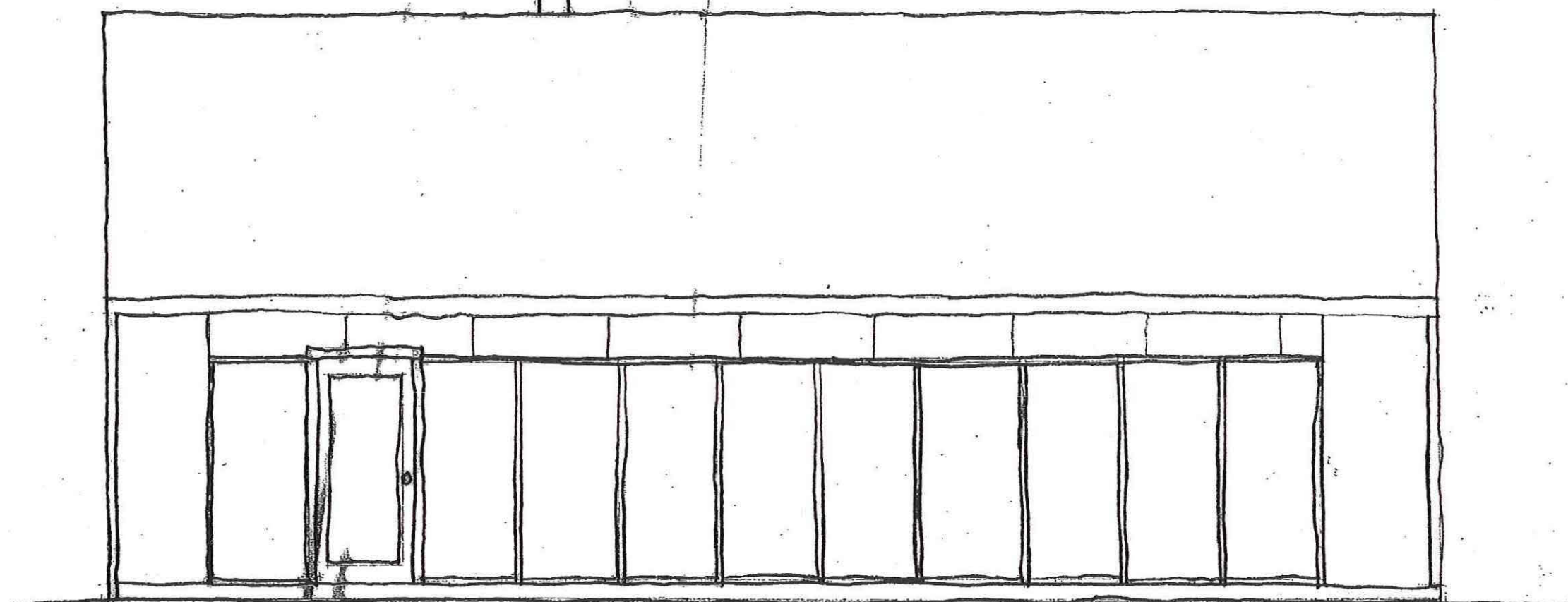
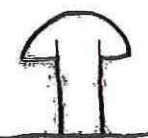
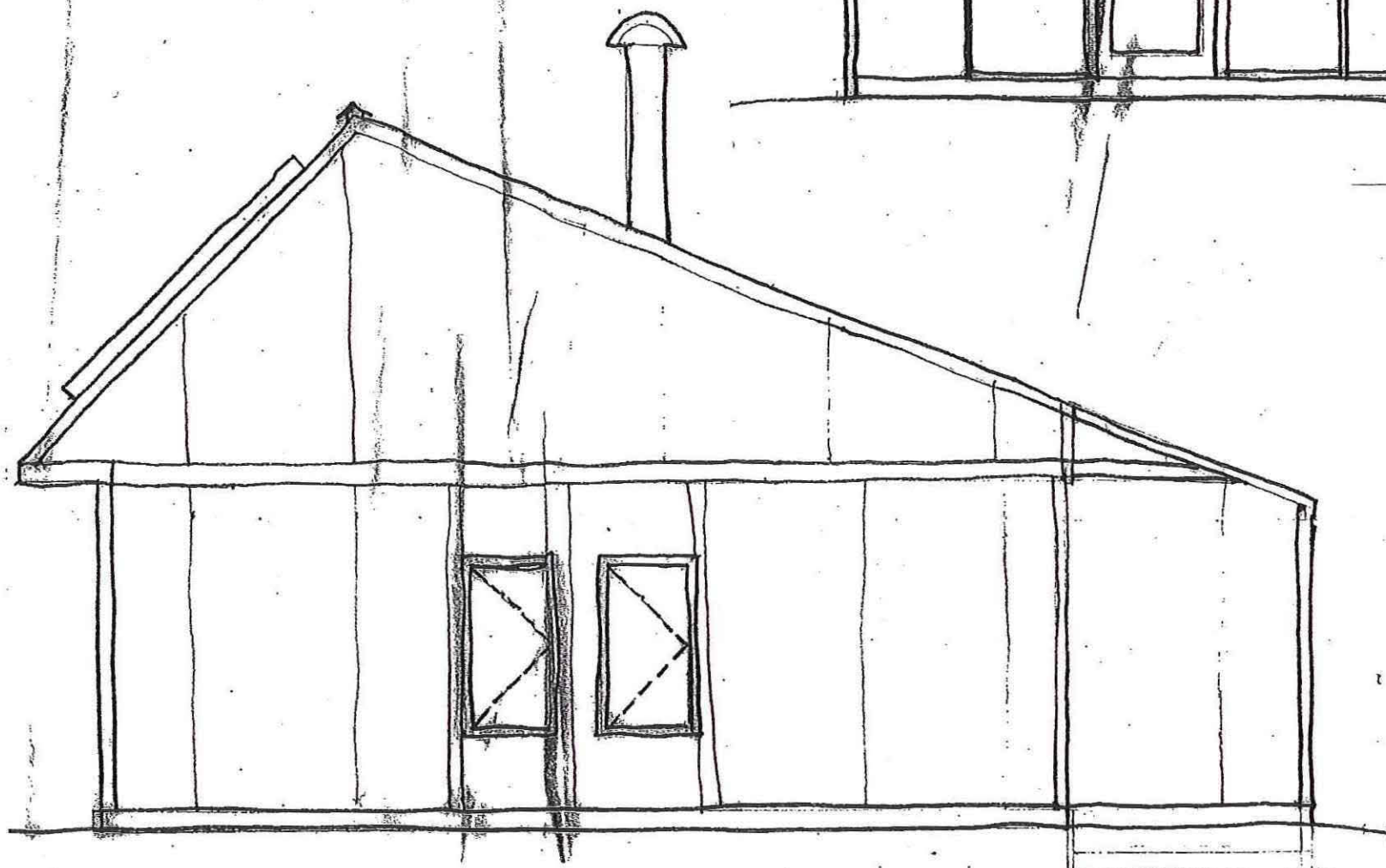


New FOUNDATION
AND SLAB
Approx. 200 SQ FT



3/11

EAST ELEVATION



SOUTH ELEVATION

EXISTING HOUSE

3/3/2016 DCS

1/4" = 1'

West Done CONSERVANCY

4/11

EXISTING PLAN VIEW

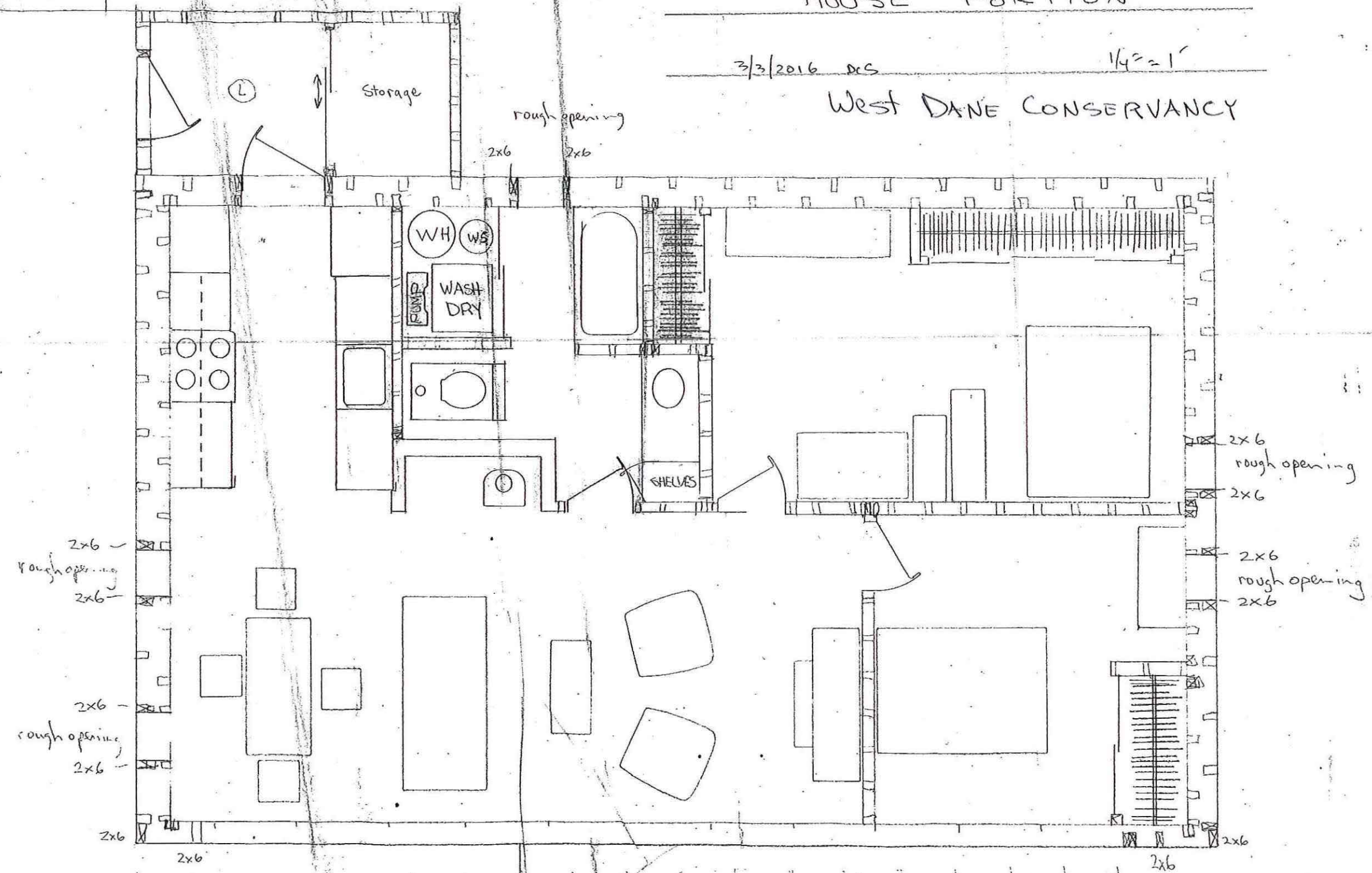
HOUSE PORTION

3/3/2016 DC

1/4" = 1'

West DANE CONSERVANCY

REMOVE WINDOW
ROUGH OPEN - 38" x 50"



5/11

Foundation Plan: STEEGE/EUCLIDE GARAGE

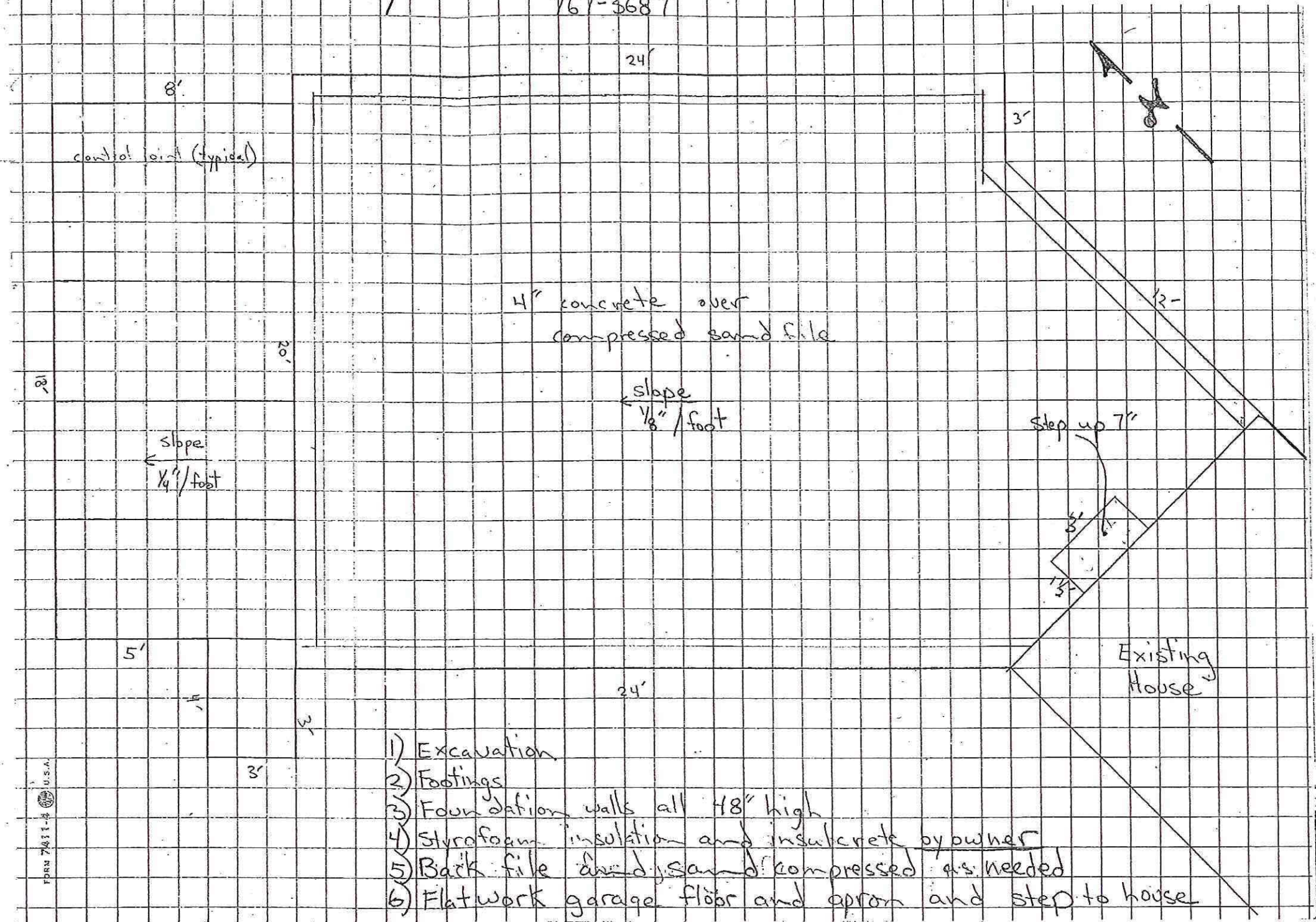
1/4" = 1'

4987 Reeve Rd Black Earth 53515
767-3687

DS

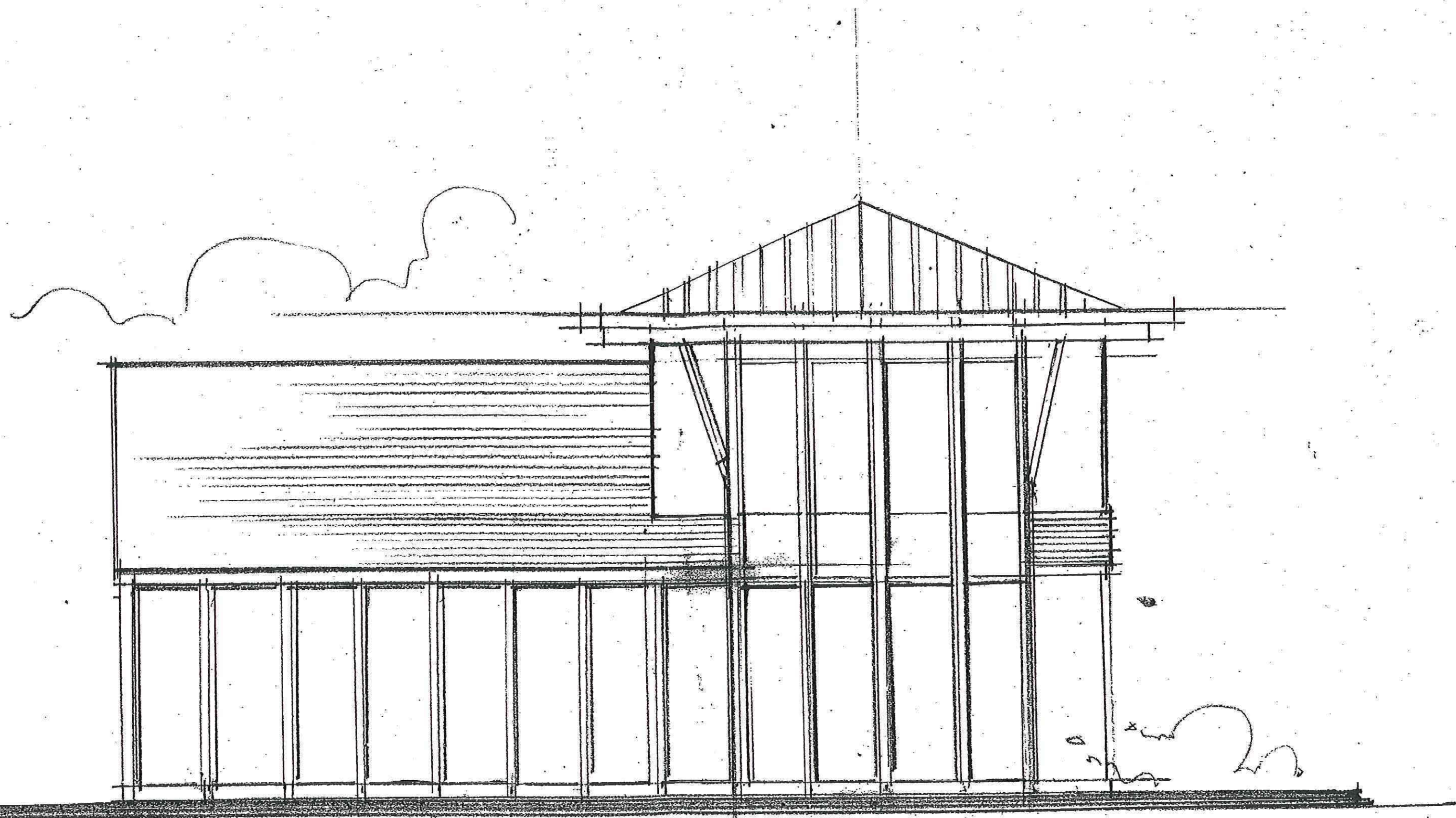
EXISTING GARAGE

WEST DANE CONSERVANCY



FORM 7411-8 U.S.A.

6/11



PROPOSED (Rough Preliminary)
SOUTH ELEVATION EXISTING HOUSE
STEEGE / EVCLIDE INITIAL CONCEPT
WEST DANE CONSERVANCY

7/11

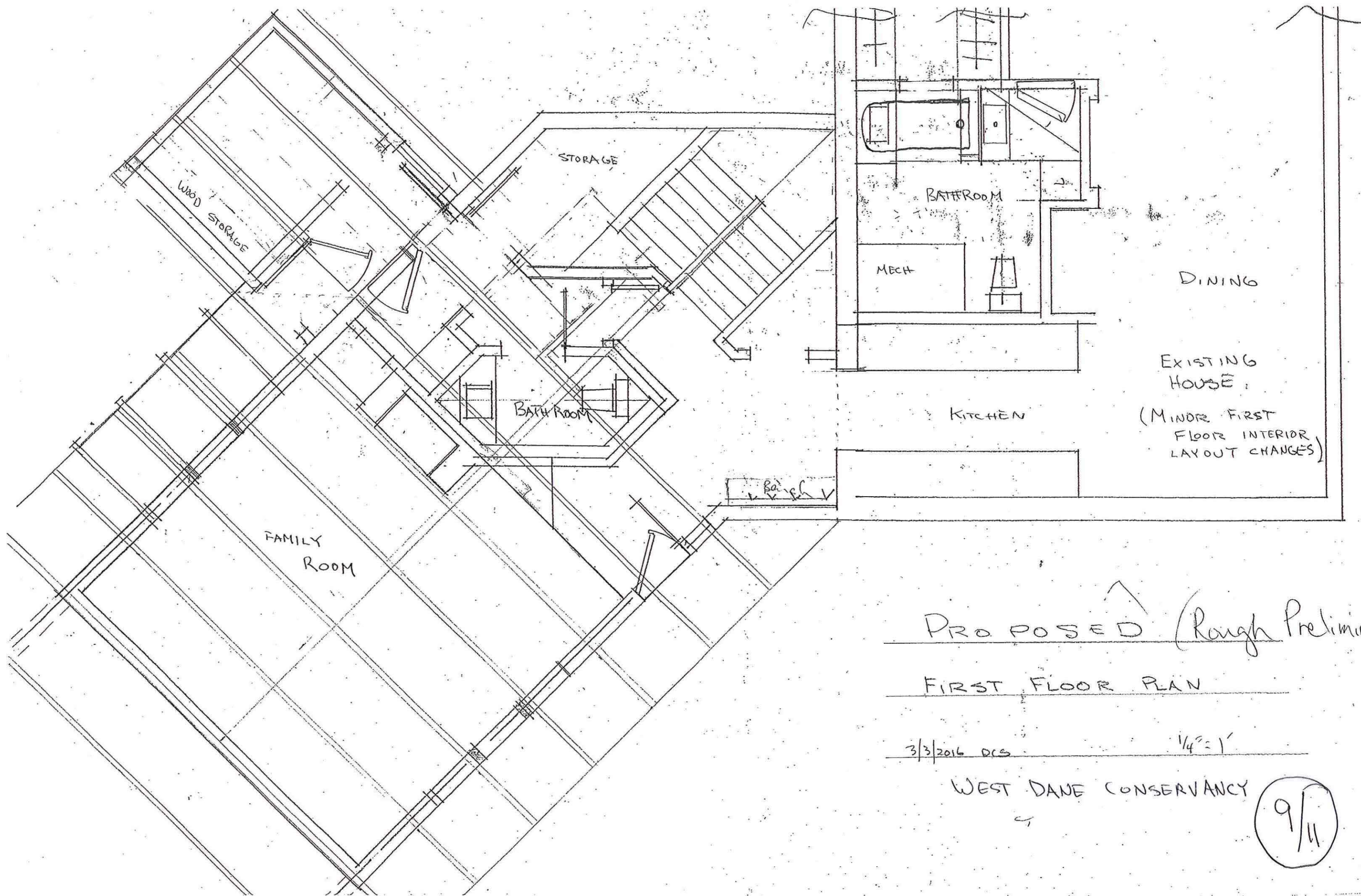


PROPOSED (Rough Preliminary)

SOUTH WEST ELEVATION
GARAGE PORTION OF HOUSE

WEST DANE CONSERVANCY

DS
8/11



PROPOSED (Rough Preliminary)

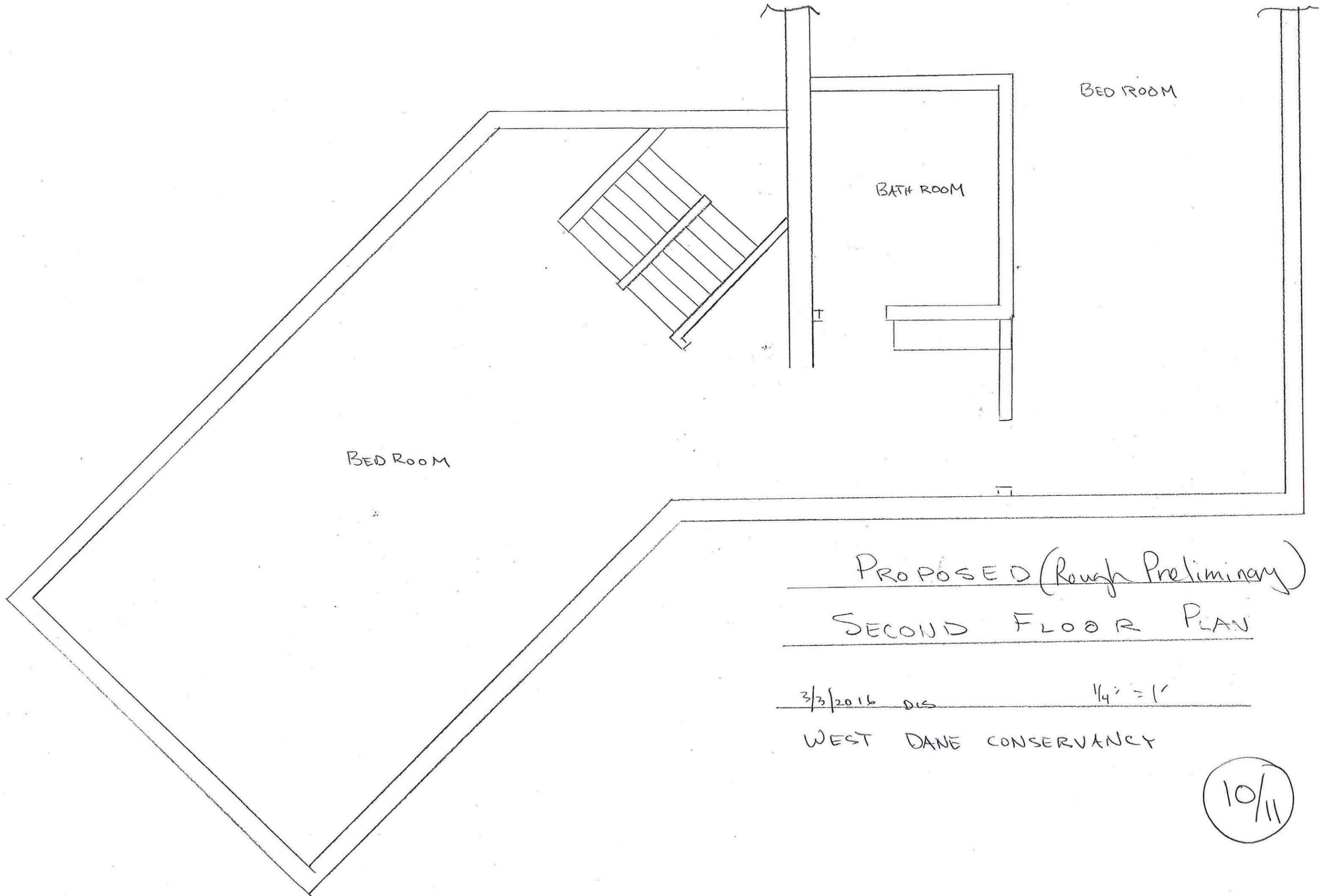
FIRST FLOOR PLAN

3/3/2016 DCS

1/4" = 1'

WEST DANE CONSERVANCY

9/11



BED ROOM

BATH ROOM

BED ROOM

PROPOSED (Rough Preliminary)

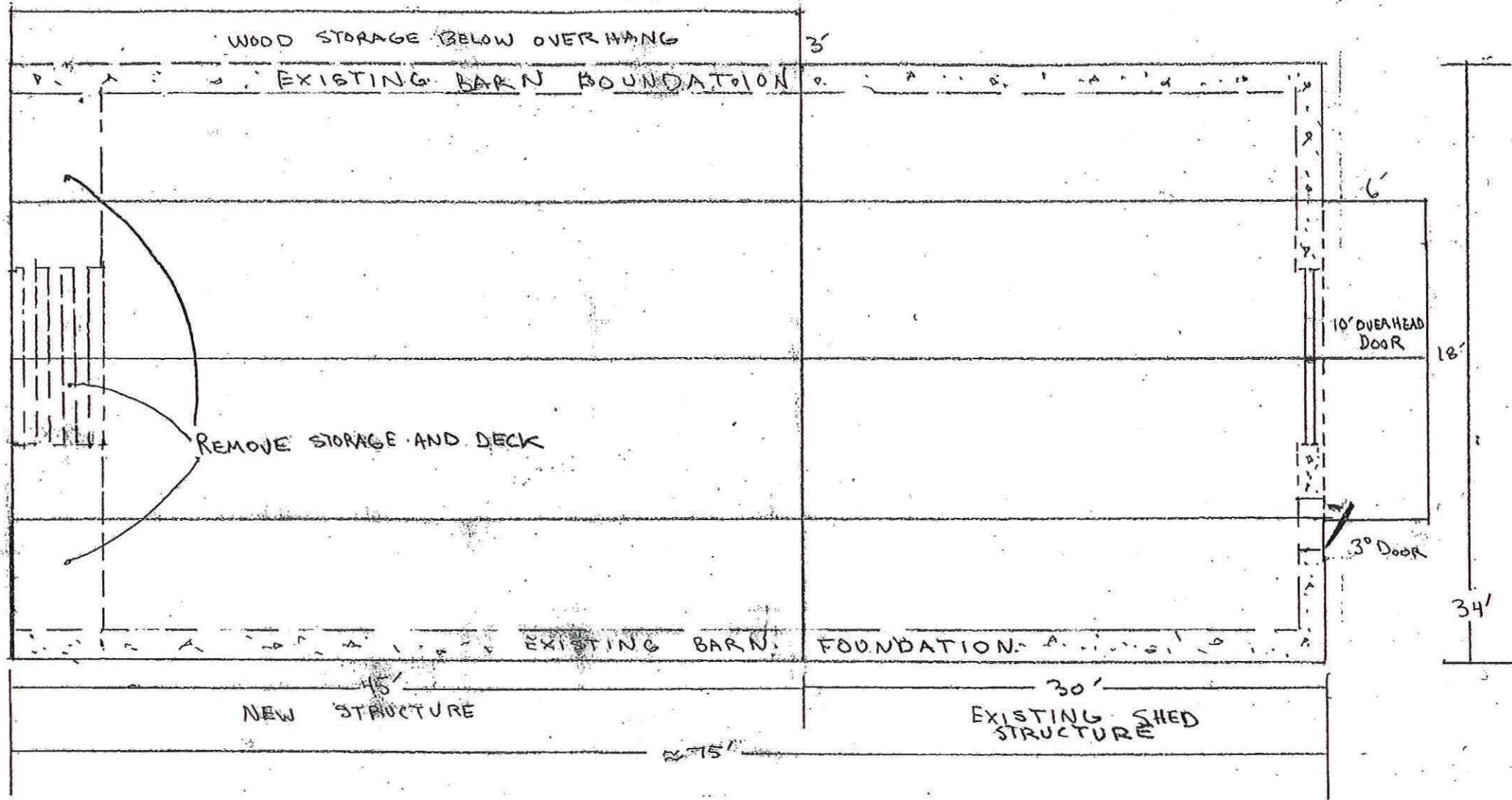
SECOND FLOOR PLAN

3/3/2016 DIS

1/4" = 1'

WEST DANE CONSERVANCY

10/11



SHED ADDITION
PLAN VIEW
WEST DANE CONSERVACY
2/16/16 OCS 1/8" = 1"



11/11