

APRIL 28, 2016 BOA PUBLIC HEARING STAFF REPORT

1. Appeal 3675. Appeal by West Dane Conservancy LLC (Kristine Euclide & Doug Steege) for a variance from minimum required setback to a wetland as provided by Section 11.06(5)(a), Dane County Code of Ordinances, to permit proposed residential addition at 4987 Reeve Road being a parcel of land in the NW ¼ of the NW ¼ Section 31, Town of Black Earth.

OWNER: Kristine Euclide & Doug Steege
ZONING DISTRICT: A-1 Exclusive Agriculture

COMMUNICATIONS: Town of Black Earth: 2/22/2016; Acknowledgement and acceptance that Town will not take any position on the request.

WDNR, request for comment sent April 8, 2016.

Facts of the Case:

Existing:

- Existing use of property consists of a single family residence and barn, portions of property are located in a conservation easement.

Proposed

- Applicants propose to remodel a portion of the existing residence, including a second story, and a small expansion of the existing footprint opposite the mapped wetland. Applicants also propose to enclose the existing barn foundation.

Zoning Notes:

- 2005 – 2016 History of appeals of wetland setback is attached.
- Chapter 11 requires all structures to be setback at least 75 feet from a wetland boundary.

History

- Existing house was remodeled and the porch facing the wetlands was enlarged in 1980.
- In 2009 the current owners obtained a permit to use the existing barn foundation to construct a storage building. At the time the barn foundation was entirely outside of the required 75 foot setback to wetlands as mapped in the Wisconsin Wetland Inventory.
- In 2011 the current owners met with zoning staff to discuss a possible addition to the residence. At the time the ordinance allowed existing residences located within 75 feet of a wetland boundary a one-time increase up to 150% of the existing foundation as long as the addition did not encroach any further towards the wetlands. The applicants did not obtain a permit at this time.
- In 2012 Chapter 11 was amended significantly to incorporate changes in NR115 of the Wisconsin Administrative Code. After the change, structures within 75 feet of a wetland boundary were no longer grandfathered and the 150% provision was removed.
- In 2013 the Wisconsin Wetland Inventory was remapped to include additional lands on the applicants property.
- Violation History: No zoning violation history found.

VARIANCES REQUESTED: Purpose: Residential remodel and addition

Setback from Wetland Variance:

Minimum setback required: 75 feet.

Actual Setback:

Residential addition: 37 feet.

Shed: 34 feet.

VARIANCE NEEDED:

Proposed addition to residence 38 feet.

Shed: 41 feet.