Project Dane County Variance Application

Original Submittal Date: August 12, 2025

Updated/Revised Submittal Date: November 13, 2025

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: 8,578± SF Assessment Acres: 0.197± 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

<u>chris.landerud@landerud.design</u> (608) 444-3604

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- F. Letter from the Town Clerk or Administrator

Permission Letter for Agent from Home Owner 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' 39.4' and 38.4' setbacks to assign a 38.9' OHWM setback.

By using this calculated 38.9' for the 3412 west vacant lot and the 31.0' existing setback for the 3406 east neighbor, applying an averaging calculation for the new OHWM at 3408 Quam Drive would result in a 34.95' setback. 35.0' is the minimum required 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 39.4' (32.6' to deck) *

3412 Quam Drive Vacant (1976 aerial image shows a 40'± setback)

3408 Quam Drive 38.4' at the house (30.1' at the deck) *

3406 Quam Drive 31.0 (27.9' to deck) *

3402 Quam Drive 43'± 3400 Quam Drive 52'±

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

The current OHWM setback on the subject property is 30.1' at the existing deck and 38.4' at the existing house; this new proposed setback would increase this existing OHWM setback by 5'+.

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 38.9' 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.

^{*} Note: Listed dimensions noted with "*" have been site located and verified with a Plat of Survey Map dated: 11.12.25.



Dane County Planning & Development Division of Zoning

Appeal No.
Date Received
Date of Public Hearing

VARIANCE APPLICATION:

Owner:	Mike & Lynn Baldwin					
Mailing Addres		3408 Quam Drive				
	Stoughton, WI 53589-3146					
Phone Numbe	r(s): (608) 444-3424 (Mike) (608) 444-7074	: (608) 444-3424 (Mike) (608) 444-7074 (Lynn)				
Email Address	: mike.baldwin837@gmail.com lbaldw	mike.baldwin837@gmail.com lbaldwin9170@gmail.com				
Assigned Age	ent:					
Mailing Address	s: Chris Landerud, Landerud Plan & Design LLC					
	4426 Mahoney Road	4426 Mahoney Road				
Phone Number(s): McFarland, WI 53558						
Email Address: (608) 444-3604						
	chris.landerud@landerud.design					
	County Board of Adjustment:					
	tice that the undersigned was refused a pe					
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 -						
	oreland-Wetland & Inland-Wetland, 17 – Flo					
Regulations. Th	e owner or assigned agent herewith appeals	said refusal ar	nd seeks a varia	ance.		
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						
	ce: Public / Private (Septic System)	y maio. Bo	<u> </u>			
camary corre	ser Sabile / Tittate (Septile System)					
Current Use:	Single Family Residential - Existing House/0	Cabin & Detacl	hed Garage/Sh	ed		
	Single Farmy Residential Existing Pladse,	cabin a becae	ilea ealage, oil			
Proposal: See	attacehd written statement					
	re encouraged to provide a complete and	detailed desc	cription of the	existing use		
	osed project on an attached sheet.	actanea acct		oxioting acc		
and your prope	project on an attached oneot.					
REQUIRED B	Y ORDINANCE					
Section	Description	Required	Proposed	Variance		
Occion	Description	ricquired	or Actual	Needed		
	See attacehd written statement		oi /totuai	INCCUGU		
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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 setback.

(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. <u>Site Plan</u>: 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
- <u>Existing</u> 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.

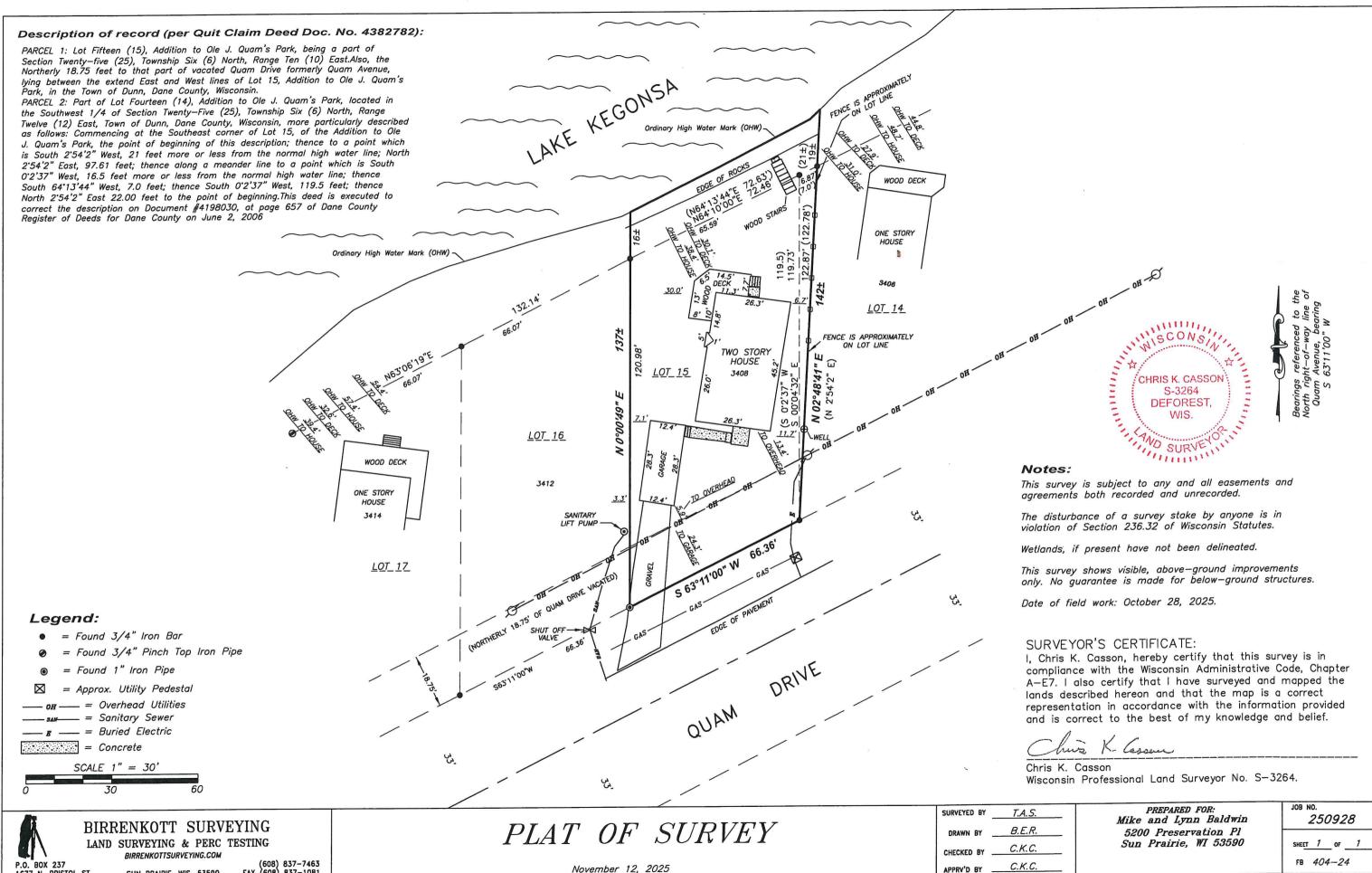
3. Town Acknowledgment: Obtain a signed, dated memo or letter from the Town Clerk or Administrator of the Town where the variance is needed, acknowledging that you have informed them of your intention to apply for the variance(s). You probably will need to appear before the Town Board and/or Plan Commission,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

APPLICANT SIGNATURE:

icks.

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.

promises, in relation to the appear request made north, dami,	g reasonable daylight hears.			
Signature Required: Chistoph D. Zandand	Date: August 12, 2025			
Print Name: Christopher D. Landerud (Agent), Landerud Plan & Design LLC				
Specify Owner or Agent: Agent prepared application. See	e attached owner permission letter.			
Agent must provide written permission from the property owner				
STAFF INFORMATION:				
Date Zoning Division Refused Permit (if different from filing da	te)			
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 Operations, Departme	anning and Development			



P.O. BOX 237 1677 N. BRISTOL ST.

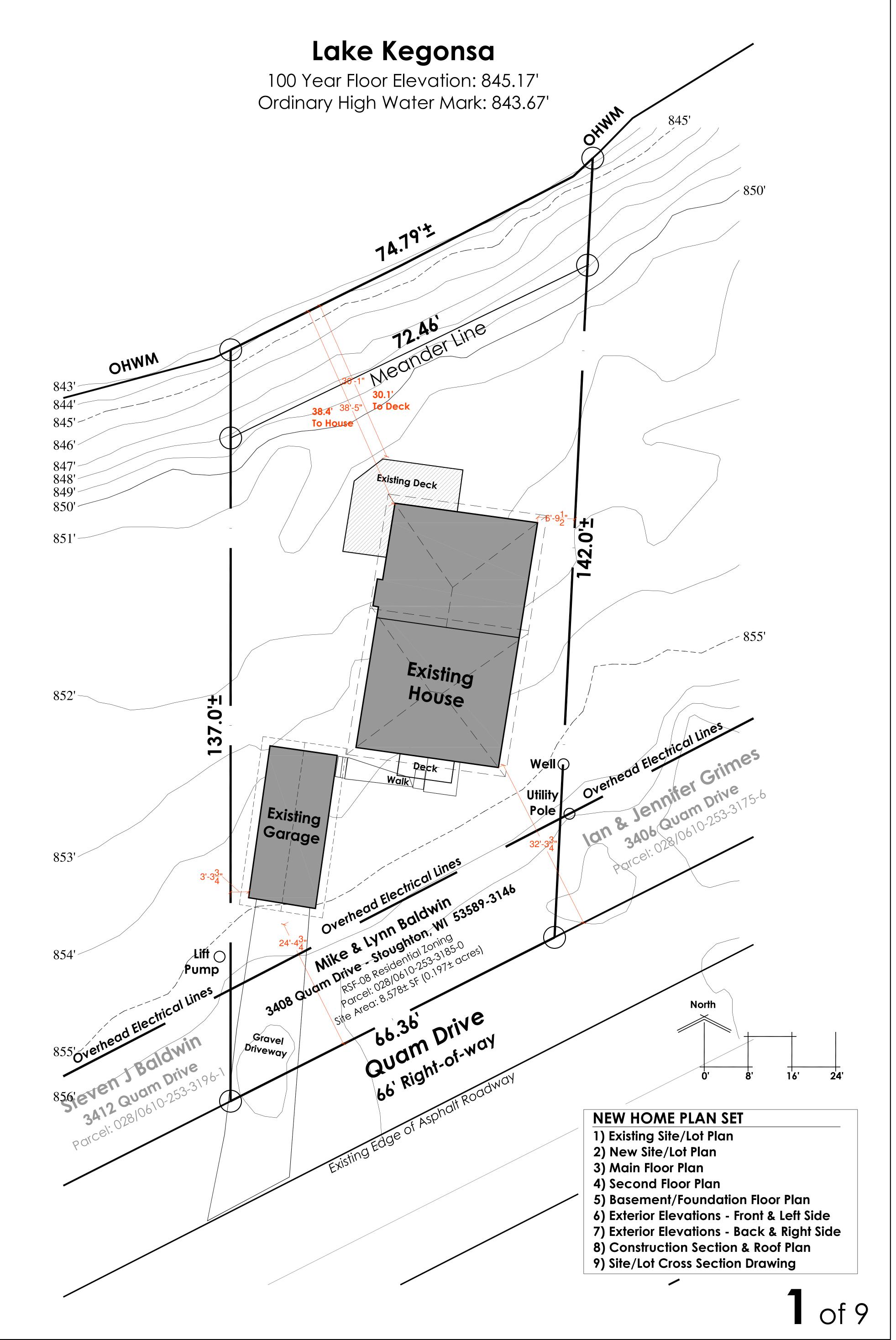
SUN PRAIRIE, WIS. 53590

(608) 837-7463 FAX (608) 837-1081

November 12, 2025

EXISTING SITE/LOT PLAN

3408 Quam Drive - Stoughton, WI



Mike & Lynn Baldwin New Home Plans 3408 Quam Drive Stoughton, WI 53589-3146 Dane County, Town of Dunn Dates: 11.15.24, 11.18.24, 12.2.24, 12.5.24, 12.18.24, 1.8.25, 2.4.25, 2.7.25, **11.13.25**

NOTE: These plans are intended to give an accurate scope of the project. Details may adjust to reflect building practices and each contractor's specifications. Verification of dimensions, structure, and engineering is the responsibility of the contractor. These plans are not survey maps; any necessary survey work will be completed by a licensed surveyor. These plans are not engineering plans; any necessary engineering will be completed by a licensed engineer. These plans are not construction documents; any necessary construction details and specifications will be completed by a licensed contractor.

Drawings By: Chris Landerud chris.landerud@landerud.design 608.444.3604

Landerud Plan & Design LLC

NEW SITE/LOT PLAN

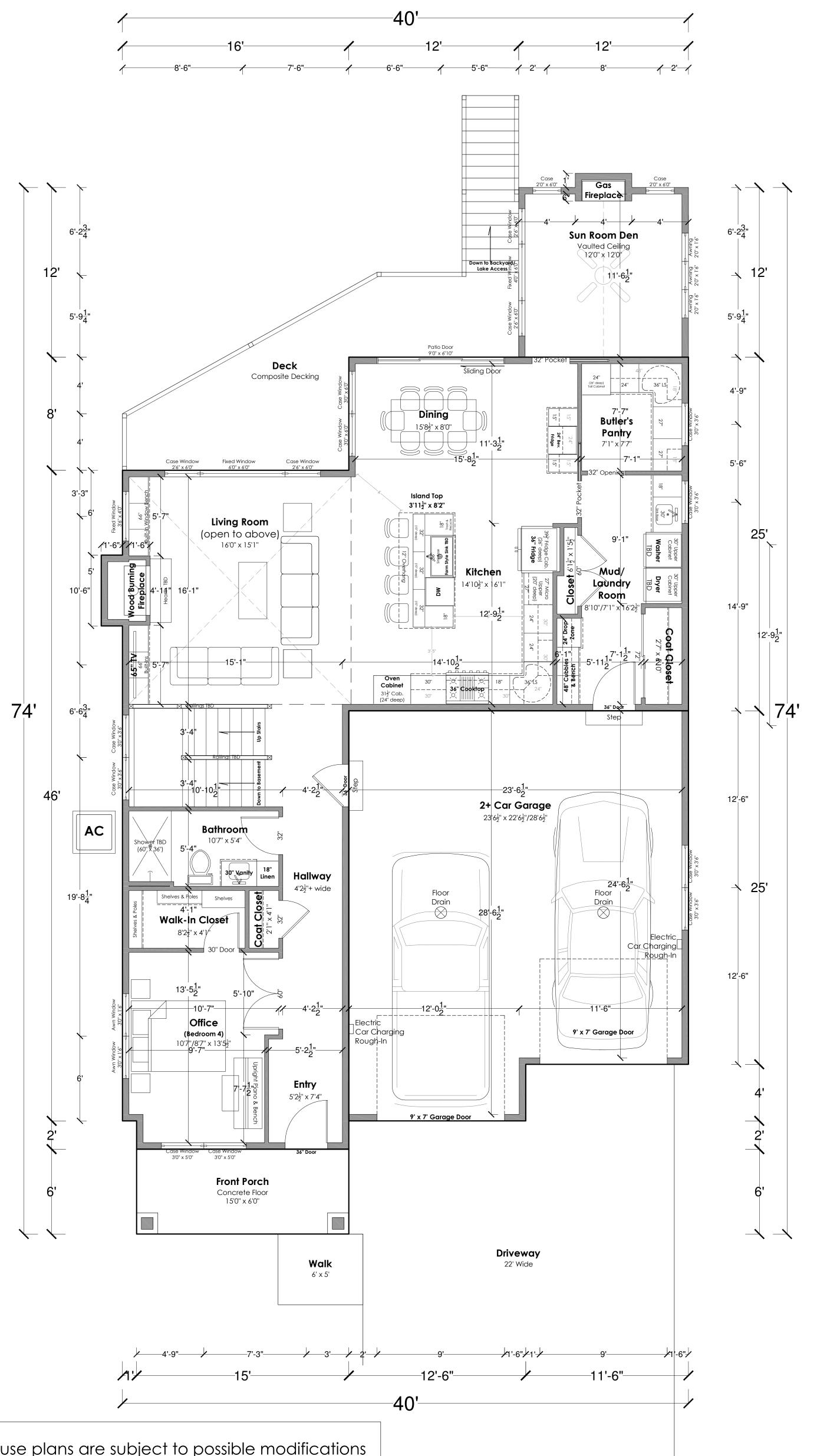
3408 Quam Drive - Stoughton, WI



MAIN FLOOR PLAN

Main Floor 1,521.5 SF, Second Floor 1,480 SF, Basement Finished 862 SF Total Finished: 3,863.5± SF

Garage 627 SF, Deck 206 SF, Front Porch 90 SF

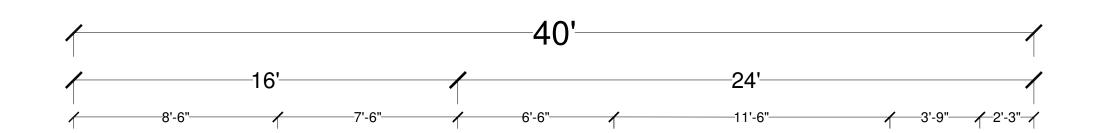


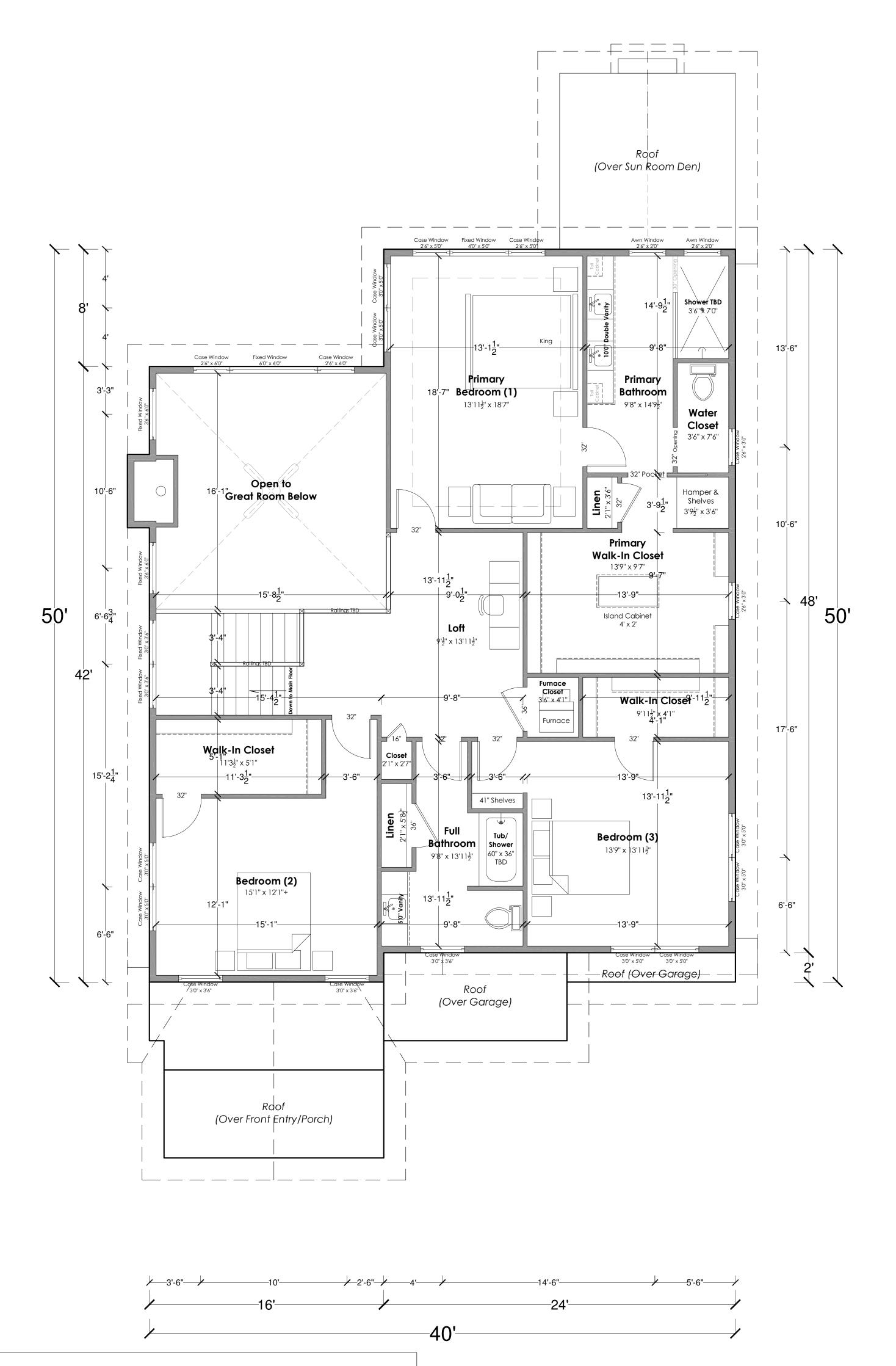
Note: These site & house plans are subject to possible modifications based on the Dane County review and permitting process. The following reviews, approvals, permits, survey, and engineering may require site plan and/or house plan adjustments:

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

SECOND FLOOR PLAN

Main Floor 1,521.5 SF, Second Floor 1,480 SF, Basement Finished 862 SF Total Finished: 3,863.5± SF



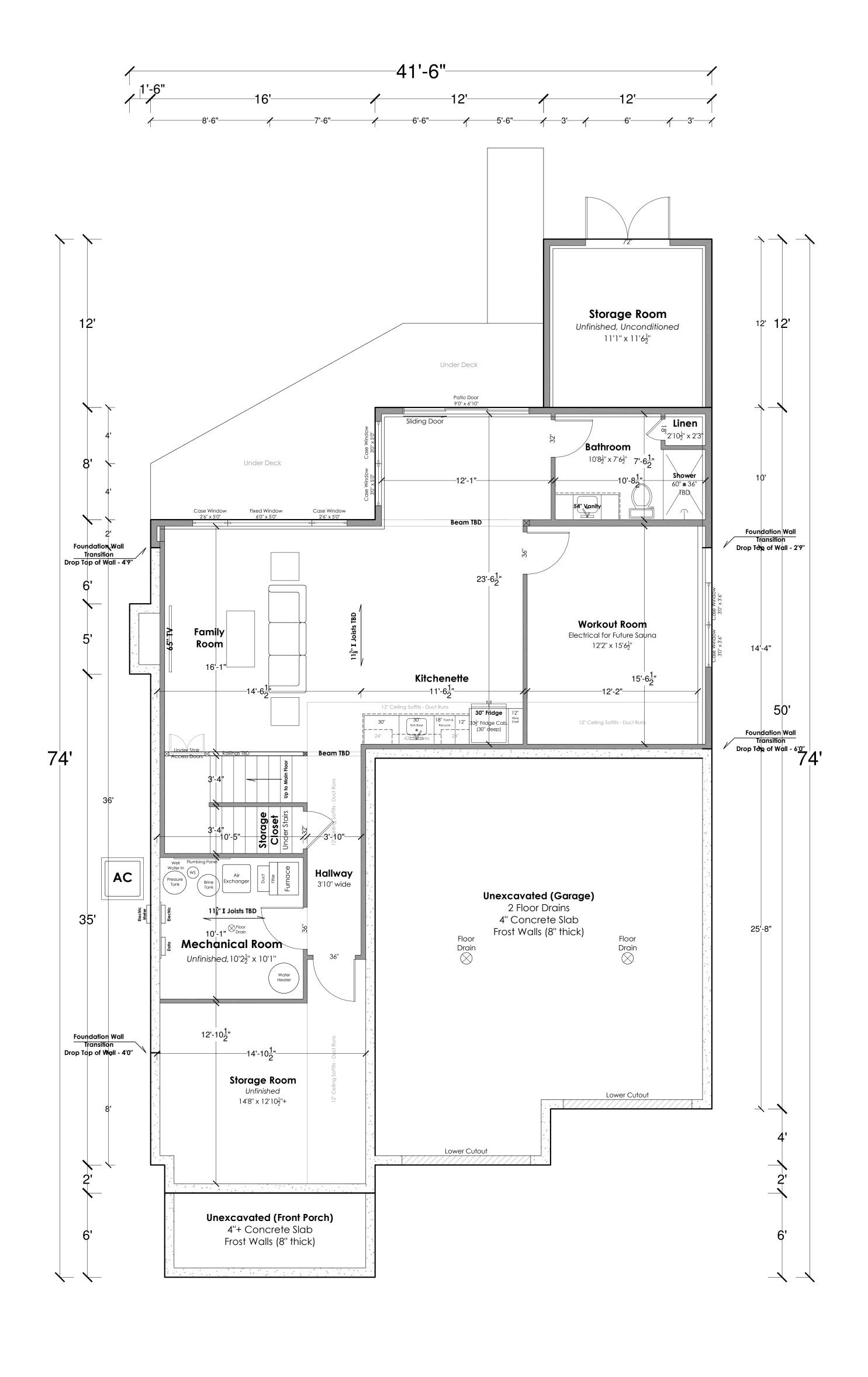


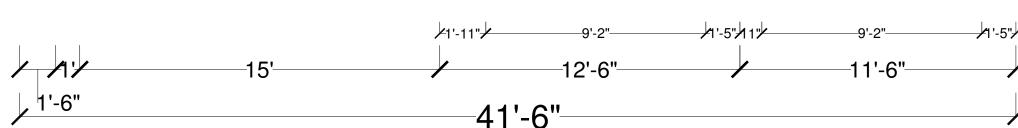
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- Dane County Shoreland Zoning Approval & Permit
- Licensed Survey Map
- Engineered Erosion Control & Stormwater Mitigation Plan
- Dane County Land & Water Resources Review & Approval

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**



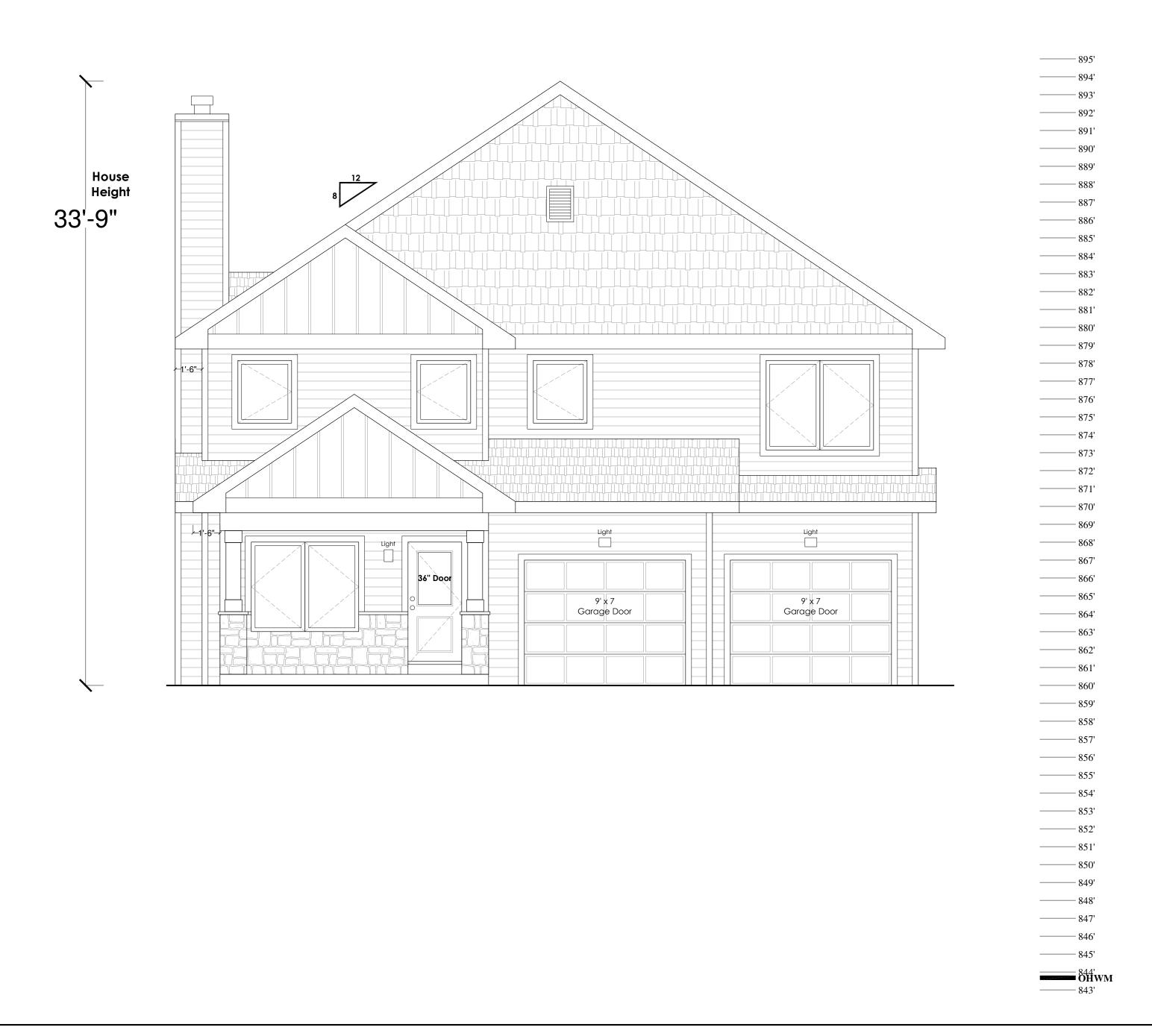


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- Dane County Shoreland Zoning Approval & Permit
- Licensed Survey Map
- Engineered Erosion Control & Stormwater Mitigation Plan
- Dane County Land & Water Resources Review & Approval

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FRONT/SOUTH ELEVATION



LEFT SIDE/WEST ELEVATION





BACK/NORTH ELEVATION

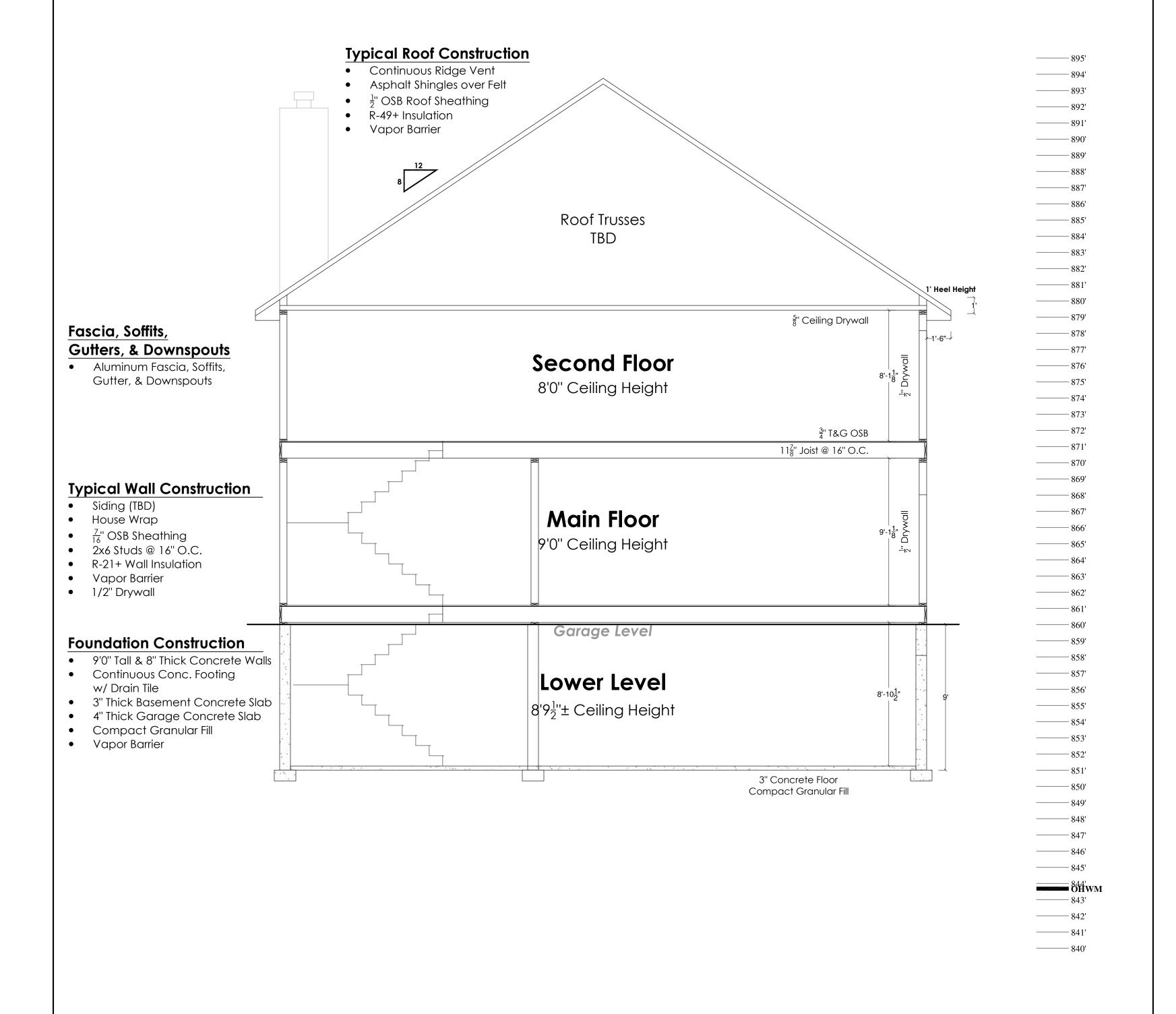


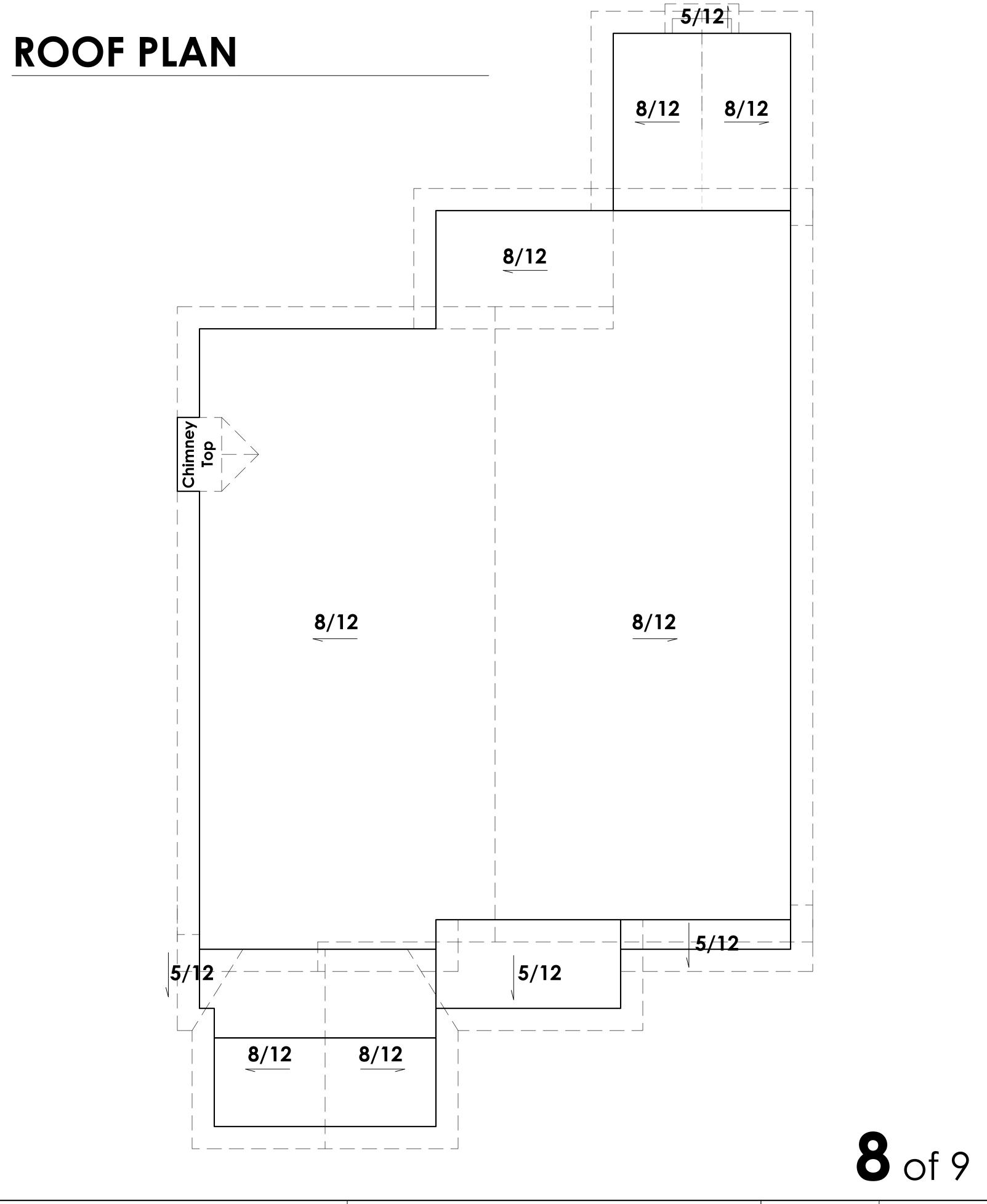
RIGHT SIDE/EAST ELEVATION



Dates: 11.15.24, 11.18.24, 12.2.24, 12.5.24, 12.18.24, 1.8.25, 2.4.25, 2.7.25, **11.13.25**

TYPICAL CONSTRUCTION SECTION DRAWING





Mike & Lynn Baldwin New Home Plans 3408 Quam Drive Stoughton, WI 53589-3146 Dane County, Town of Dunn Dates: 11.15.24, 11.18.24, 12.2.24, 12.5.24, 12.18.24, 1.8.25, 2.4.25, 2.7.25, **11.13.25** **BALDWIN NEW HOME PLANS**

3408 QUAM DRIVE, STOUGHTON, WI 53589-3146

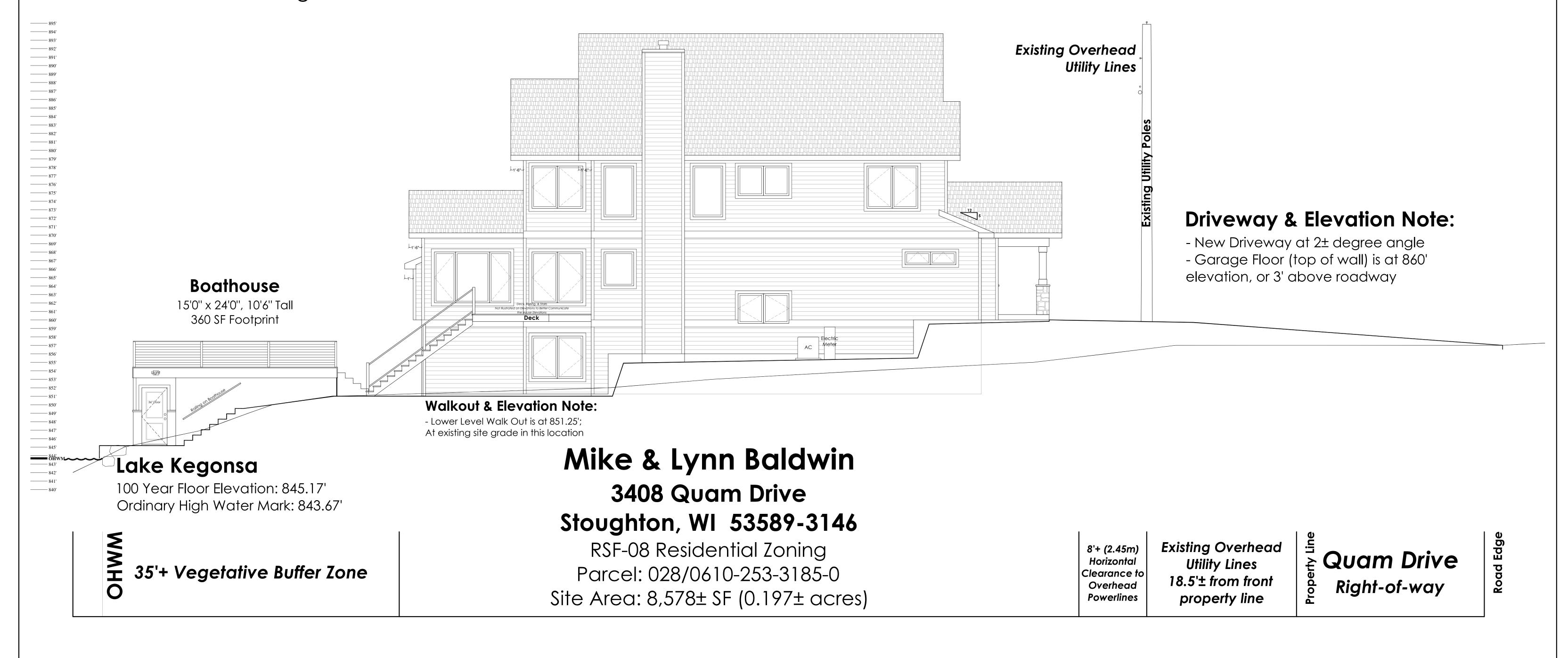
NOTE: These plans are intended to give an accurate scope of the project. Details may adjust to reflect building Drawings By: practices and each contractor's specifications. Verification of dimensions, structure, and engineering is the responsibility of the contractor. These plans are not survey maps; any necessary survey work will be completed by a licensed surveyor. These plans are not engineering plans; any necessary engineering will be completed by chris.landerud@landerud.desigr a licensed engineer. These plans are not construction documents; any necessary construction details and specifications will be completed by a licensed contractor. Scale: $\frac{1}{4}$ " = 1' (when printed on 24x36 paper)

Chris Landerud 608.444.3604

Landerud Plan & Design LLC

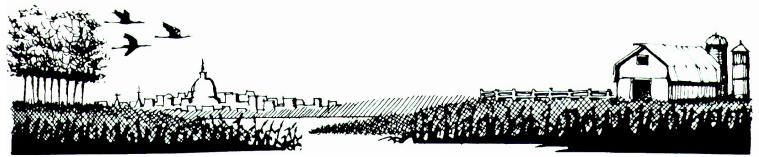
NEW SITE/LOT CROSS SECTION

3408 Quam Drive - Stoughton, WI



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3408 QUAM DRIVE, STOUGHTON, WI 53589-3146



TOWN OF DUNN - 4156 COUNTY ROAD B, McFARLAND, WI 53558

Website: www.townofdunnwi.gov E-mail: townhall@townofdunnwi.gov

FAX: (608) 838-1085

Phone: (608) 838-1081

August 13, 2025

To: Mike and Lynn Baldwin

Re: Proposed variance for parcel 0610-253-3185-0

This letter confirms that the Town of Dunn has been contacted by the landowner or their representative regarding a proposed variance for the lot referenced above.

After an application has been submitted to Dane County Zoning, the Town Board must make a recommendation to the Dane County Board of Adjustment regarding the proposed variance. The recommendation will be considered at a public meeting of the Town Board.

<u>To have the variance placed on a future Town Board agenda you need to:</u> provide the Town with a copy of the <u>completed and processed</u> Dane County Board of Adjustment variance application. Include any supporting documentation, diagrams, or information that explains the variance requested.

We recommend contacting your neighbors to let them know you are pursuing a variance. Your adjacent neighbors will receive a notice from the Town when the variance is placed on the Town Board agenda. Neighbors may be more supportive of a variance if they have spoken with the landowner and understand how the variance will affect them before they receive a notice from the Town.

Sincerely,

Kelsey Shepperd Town of Dunn, Land Use and Conservation Manager kshepperd@townofdunnwi.gov (608) 838-1081, ext 2

Email copy: Hans Hilbert, Dane County Zoning, Hilbert.hans@danecounty.gov

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,)



Site Photos

3408 Quam Drive (existing front yard, existing front elevation, and existing overhead power lines)



3408 Quam Drive (existing front yard and overhead power lines – looking east down Quam Dr)



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.

Lyn Buldun

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