

## **April 23, 2026 BOA PUBLIC HEARING STAFF REPORT**

**Appeal 3742.** Appeal by Jake Swank on behalf of Stefan & Julie Swartzmiller (owners) for a variance from minimum required setback to a highway as required by Chapter 10.102(9)(a)2.d., Dane County Code of Ordinances, to permit the removal and replacement of a single family residence at 2992 Waubesa Ave, being Lot 1, Block 2, Waubesa Beach Plat, Section 5, Town of Dunn.

OWNER: Stefan and Julie Swartzmiller

AGENT: Jake Swank (purchaser)

LOCATION: 2992 Waubesa Ave

ZONING DISTRICT: SFR-08 Single Family Residential

COMMUNICATIONS: Town of Dunn: 3/17/26 acknowledgement; Action PENDING

### Facts of the Case:

#### Existing:

- Applicant proposes to purchase the property in for redevelopment. Property contains a single family residence, detached garage, and boathouse.
- Property is corner lot bound by Waubesa Avenue and the undeveloped Second Street right-of-way.

#### Proposed

- Applicant proposes to remove existing residence and detached garage and reconstruct a single family residence.

### Zoning Notes:

- The typical setback required from a front property line for a lot platted prior to the adoption of the county zoning ordinance is 20 feet, but the ordinance provides an exception for corner lots. The setback along the long side of a corner lot is reduced to 1/5 lot depth, but no less than 12 feet. Condition required Town to grant a permanent easement for a portion of the right-of-way or to vacate the road negating the need for a variance.

### History

- 1974: Permit for addition to front of residence
- 1997: Permit for deck addition to residence
- 1998: Permit for detached garage
- The property on the north side of the Second St right-of-way has previously received variances to the required setback. In 2000, appeal 3085, the Board of Adjustment granted 2.9 feet of relief from the setback to Second St to permit a detached garage. In 1991, appeal 2196, the Board of Adjustment granted, with conditions, 10.3 feet of relief to the setback to Second St to permit a new residence.
- Violation History: No violation history was found.

**VARIANCES REQUESTED: Purpose: Allow replacement of single family residence**

#### **Town Highway Setback:**

Minimum required setback from right-of-way of town highway (corner lot): 12 feet.

Proposed Setback: 7.4 feet.

**VARIANCE NEEDED: 4.6 feet.**