

Rock County Board of Adjustment
51 South Main Street
Janesville, WI 53545
Tel: (608) 757-5587
Fax: (608) 757-5586



ROCK COUNTY, WISCONSIN

ROCK COUNTY BOARD OF ADJUSTMENT
WEDNESDAY – JANUARY 28, 2015 6:00 P.M.
COURTHOUSE CONFERENCE CENTER, SECOND FLOOR
ROCK COUNTY COURT HOUSE
JANESVILLE, WI

ORDER OF PRESENTATION FOR GENERAL HEARING

1. State nature of the case by the Chair.
2. Applicant presents case.
3. Questions by Board Members to applicant.
4. Zoning Administrator/Corporation Counsel rebuttal.
5. Questions by Board Members to Zoning Administrator/Corporation Counsel.
6. Statements verbal or written by interested parties.
7. Questions by Board Members to interested parties in attendance.
8. Applicants rebuttal to Zoning Administrator/Corporation Counsel and/or interested parties in attendance.
9. Zoning Administrator/Corporation Counsel rebuttal to applicant and/or interested parties in attendance.



AGENDA

1. Roll Call
2. Adoption of the Agenda
3. Reading and Approval of Minutes of Board of Adjustment meeting held November 19, 2014.
3. Reading and Approval of Findings of Fact
 - A. John Kinnett
5. Announcement of Decision from Last Meeting
 - A. John Kinnett
6. Communications
7. Reports of Committees
8. Call of Cases on Agenda and Hearing of Requests for Continuance
 - A. Thomas Lorenzin
9. Hearing of Cases
 - A. Thomas Lorenzin
10. Unfinished Business
11. New Business
12. Adjournment

IF YOU DO NOT PLAN TO ATTEND THIS MEETING, PLEASE CONTACT THE
PLANNING AND DEVELOPMENT AGENCY OFFICE AT 757-5587.



January 8, 2015

LEGAL NOTICE

Notice is hereby given that the Rock County Board of Adjustment will hear a request for a variance of the Rock County Shoreland Overlay Zoning Ordinance Section 4.205 Minimum Lot Size and Setbacks for Privately Sewered Lots . The Applicant is requesting a variance to construct a detached garage. The property owner Thomas Lorenzin is making this request.

The property is located in the NE1/4 of the SW1/4 of Section 6, Milton Township, Lot 26 and Lot 27, Block 8, Mallwood Estates. The proposed project is located at 1619 East Road 4, Edgerton, WI.

The Public Hearing will take place in the Courthouse Conference Center, second floor, east wing of the Rock County Courthouse, 51 S. Main Street, Janesville, WI at 6:00 PM on Wednesday, January 28, 2015.

Please contact the Rock County Planning & Development Agency with any questions at 608-757-5587.

Colin Byrnes
Acting Director of Planning, Economic & Community Development

BOARD OF ADJUSTMENT APPLICATION

FOR OFFICE USE ONLY
Appeal No. _____ Date Hearing Advertised _____
Date _____ Fee _____

Name or Owner/Agent Thomas Lorenzin

Address 1619 E. Road Four, Edgerton, WI 53534

Hereby appeal to the Board of Adjustment for:

Appeal relating to: _____

A variance relating to: Minimum lot size & side yard setback Shorelands

The description of the property involved in this application is as follows:

Location/Subdivision:

Lot: 26#27 Lot Size: 12,475 S.F. Present Use: Residential

Present improvements upon land: House

Proposed Use: construct detached garage

Note: Those property owners within 500 feet of the subject property (when located within an urban or rural development area as shown on the County Development Plan) or within 1,000 feet of said property (when located in an agricultural area as shown on the County Development Plan) shall be notified by mail by the County.

This appeal to the Board of Adjustment from the decision of the _____

whereby they denied application to: _____

VARIANCE of the following section of the Rock Co. Code of Ordinances

Ordinance is requested: Zoning of Shoreland 4.205 Minimum Lot Size - 15,000 sq

(a) Strict application of the regulations would produce UNDUE HARDSHIP because Sideyard setback - 8' 20' total both sides

see letter, attached

(b) The hardship created is UNIQUE and not shared by all properties alike in the neighborhood because _____

see letter, attached

(c) The variance would not change the CHARACTER OF THE NEIGHBORHOOD because _____

see letter, attached

DATE FILED JAN 5, 2015 SIGNED [Signature]
(Applicant or Agent)

Members of the Board of Adjustment shall base any decision in a matter coming before the Board solely on those facts established in the record during the public hearing(s) held by the Board of Adjustment, and members shall refrain from communications of any sort with any interested party regarding a matter then pending before the Board.

ABEX SURVEY COMPANY

REGISTERED LAND SURVEYORS
101 E. MAIN, CAMBRIDGE, WI 53523

December 2, 2014, 2014

Rock County Board of Adjustment
Rock County Courthouse
51 S. Main St.
Janesville, WI 53545

Re: Attachment to "Board Of Adjustment Application"
Variance for setback distance and minimum lot size for combining two existing platted lots
Lots 26 & 27, Block 8, Mallwood Estates, Town of Milton
Thomas Lorenzin property, 1619 East Road Four

Dear Rock County Board of Adjustment:

The intent of this letter is amplify the above-referenced variance application, items (a), (b), and (c), for combining two existing platted lots with an existing house and a new garage to be built on the property referenced above. The variance requested applies to minimum lot size and minimum building setback distances. The combined lot would allow the owner to further improve the property with a detached garage in conformance with regulatory setback limits.

The size of the existing two platted lots combined as one lot would be 12,475 square feet. The regulatory requirement for a sewered lot within 1,000 feet of a navigable lake is 15,000 square feet. The width of the combined lots would be 100 feet.

The existing house is located 6.0 feet from the west property line (lot line) and 44.2 feet from the East Road Four right-of-way line on the front. The rear-yard setback is approximately 51 feet. The depth of the existing house 26.3 feet and its width is 35.7 feet.

The following items amplify the enclosed Board Of Adjustment Application.

- (a) "Strict application of the regulations would produce UNDUE HARDSHIP because" further improvement of the property is hindered by a zoning ordinance that must have been created after creation of the parcels. With reference to "Rock County Board Of Adjustment, Standards for Evaluating Ordinances" item 1.(A): 'Hardship arises...because the property was created before the passage of the zoning ordinance'. The parcels are situated within a subdivision (Mallwood Estates) that was created in 1930 (under surveyors statutes revised 1929) with lot sizes that do not meet current zoning standards. Parcels within the Mallwood Estates plat also were improved with houses and other structures in locations in their respective lots with building setbacks that do not meet current ordinances. Item 1.(B), "Loss of profit or pecuniary (financial) hardship..." does not apply. Item 1.(C), "Self imposed hardship..." does

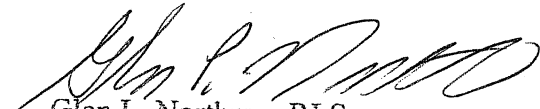
MAIL BOX 369 608 423-3331

not apply. Item 1.(D), the hardship is not "one that would have existed in absence of a zoning ordinance" as evidenced in creation and development of the parcels in Mallwood Estates long before the creation of the zoning ordinance.

- (b) "The hardship is UNIQUE and not shared by all properties alike in the neighborhood because" additional land is not available to alter the property shape and/or size to render the property in conformance with current zoning ordinances created after the creation of the subdivision. Reference also "Rock County Board Of Adjustment, Standards for Evaluating Ordinances" item 2.
- (c) "The variance would not change the CHARACTER OF THE NEIGHBORHOOD because" other properties in the neighborhood are residential structures with accessory buildings on properties of similar size with platted lots that were created prior to creation of existing zoning ordinances.

With reference to "Rock County Board Of Adjustment, Standards for Evaluating Ordinances" item 3, Protection of the Public Interest, the preceding information indicates that the requested variance will "neither harm the public interest nor undermine the purpose of the ordinance."

Thank you for your consideration of this request, which is presented in a good-faith effort to further improve the property located at 1619 East Road Four with addition of a garage.



Glen L. Northrop, RLS
ABEX Survey Company

C: ABEX file AB3986-14
TOM LORENZIN

PRELIMINARY LOT COMBINATION MAP

FOR LOTS 26 & 27, BLOCK 8, MALLWOOD ESTATES, IN THE FRACTIONAL NE 1/4 OF THE SW 1/4 IN GOVERNMENT LOT 3, SECTION 6, T 4 N, R 13E, TOWN OF MILTON, ROCK COUNTY, WISCONSIN

DESCRIPTION:

Lots 26 and 27, Block 8, Mallwood Estates, Frac. NE1/4 SW1/4, Gov. Lot 3, Sec. 6, T4N, R13E, Town of Milton, Rock County, Wisconsin

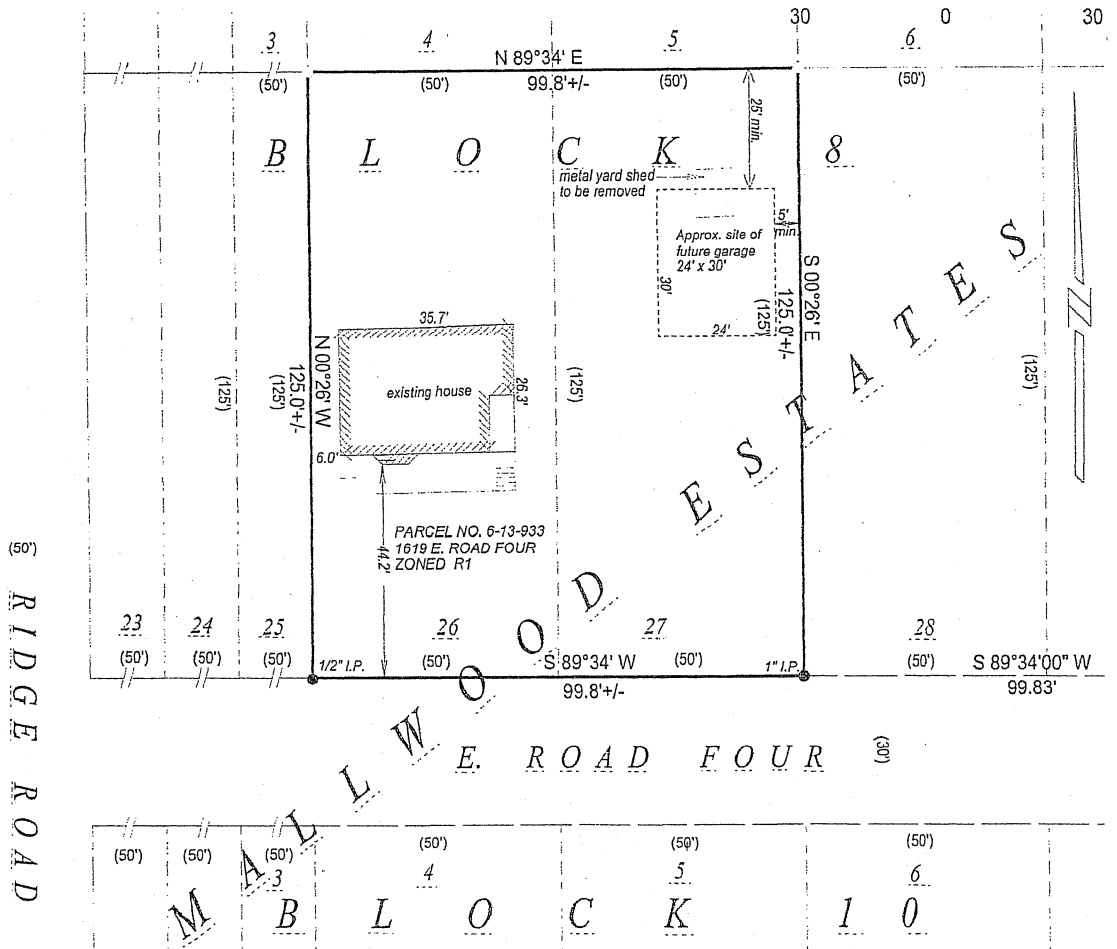
Notes:

- 1) Surveyed for Thomas J. and Jennifer L. Lorenzin, 1619 E. Road Four, Edgerton, WI 53534, owners of record per Doc. No. 2012177.
- 2) Property address is 1619 East Road 4, Edgerton, WI 53534
- 3) Bearings are referenced to the north line of E. Road Four per plat bearings.

LEGEND

- Property corner to be set.
- 3/4" iron pipe found unless noted different.
- () Recorded plat data.

Scale: 1" = 30'



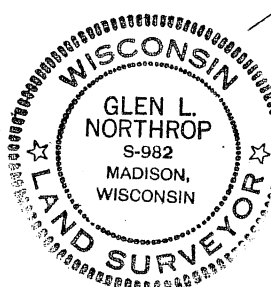
SURVEYOR'S CERTIFICATE

I hereby certify that I have prepared this map and description from a field survey conducted by me and under my direction and that this map is a true representation thereof and is correct to the best of my knowledge and belief.

Dated DEC 15, 2014

Glen L. Northrop
Glen L. Northrop, S-982

ORDER NO. AB 3986-14
Drafted at ABEX Survey Company
101 E. Main St. P.O. Box 369
Cambridge, WI 53523
608-423-3331



PRELIM DRG. NO. 3986
Sheet 1 of 1