

# **NOTICE**

The City of Stoughton will hold a meeting of the **Board of Appeals** on **Tuesday, September 6, 2011** at **5:00 p.m. or as soon as this matter may be heard** in the **Public Safety Building, Council Chambers, Second Floor, 321 S. Fourth Street**, Stoughton, Wisconsin.

## **AGENDA:**

1. Call meeting to order.
2. Consider approval of the August 1, 2011 Board of Appeals minutes.
3. Micheal Carpenter, owner of the property at 410 Veterans Road, Stoughton, Wisconsin, Parcel # 281/0511-092-6010-2, with a legal description of: VETERANS ROAD CONDOMINIUM UNIT 1, has appealed the requirements of the City of Stoughton zoning ordinance sections 78-105(2)(f)7bA, B, and C which requires (for a twin home) a minimum lot area of 5,000 square feet; minimum lot width of 40 feet; and a minimum street frontage of 50 feet respectfully. This property is zoned TR-6 – Two Family Residential. The applicant requests variances to allow the creation of a twin home by zero-lot line.
4. Adjournment.

8/10/11mps

## **SENT TO:**

Al Wollenzien, Chair  
Kristin Ott, Vice-Chair  
David Erdman, Secretary

Russ Horton  
Robert Busch

Robert Barnett, Alternate #1  
Gilbert Lee, Alternate #2

cc: Mayor Donna Olson (Packet)  
Deputy Clerk Pili Hougan (via-email)  
Building Inspector Steve Kittelson (via-email)  
Zoning Administrator Michael Stacey (3 packets)  
Stoughton Newspapers (via-fax)  
Micheal Carpenter, 410 Veterans Road, Stoughton (Packet)  
Derek Westby (via-email)

Department Heads (via-email)  
Council Members (via-email)  
Receptionists (via-email)  
City Attorney Matt Dregne (Packet)  
Area Townships

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, PLEASE CALL MICHAEL STACEY AT 608-646-0421

“IF YOU ARE DISABLED AND IN NEED OF ASSISTANCE, PLEASE CALL 873-6677 PRIOR TO THIS MEETING.”

**NOTE: AN EXPANDED MEETING MAY CONSTITUTE A QUORUM OF THE COUNCIL.**

## **Board of Appeals Meeting Minutes**

**Monday, August 1, 2011 5:00 p.m.**

**Public Safety Building, Council Chambers, 321 S. Fourth Street, Stoughton WI.**

**Members Present:** Al Wollenzien, Chair; Kristin Ott, Vice-Chair; David Erdman, Secretary; and Russ Horton

**Members Absent and Excused:** Robert Barnett; Robert Busch and Gilbert Lee.

**Staff:** Michael Stacey, Zoning Administrator.

**Guests:** Wayne and Judith Lynn; Maureen and Jim Martin.

1. **Call meeting to order.** Wollenzien called the meeting to order at 5:00 pm.
2. **Consider approval of the October 25, 2010 minutes.** Motion by **Ott** to approve the October 25, 2010 Board of Appeals minutes as presented, 2<sup>nd</sup> by **Horton**. Motion carried 4 – 0. (Wollenzien, Ott, Erdman, and Horton)
3. **Elect Vice-Chair and Secretary.**

Under one motion, **Erdman** nominated **Ott** as Vice-Chair and himself as Secretary, 2<sup>nd</sup> by **Horton**. There were no other nominations. Nomination carried 4 – 0. (Wollenzien, Ott, Erdman, and Horton)

4. Wayne & Judith Lynn, owners of the property at 425 S. Fifth Street, Stoughton, Wisconsin, Parcel # 281/0511-081-3946-1, with a legal description of: ORIGINAL PLAT BLOCK 42 S 32 FT OF LOTS 5 & 6, have appealed the requirements of the City of Stoughton zoning ordinance section 78-105(2)(e)8bD, F, J and Q related to the SR-6 zoning district, which requires a minimum front yard setback of 20 feet to a house, minimum side yard setback of 6 feet to a house, minimum rear yard setback of 20 feet to a house, and a maximum of 35 feet for a dwelling height. The owner/applicant requests a variance to allow the property at 425 S. Fifth Street, Stoughton to be rezoned from HI – Heavy Industrial to SR-6 – Single Family Residential. Additionally, a variance is requested to construct a roof addition to the east end of the building.

Wollenzien introduced the request.

Wayne Lynn provided a survey of the property at 425 S. Fifth Street and explained the request for a variance as follows: Wayne stated he bought the building in 1997 and since that time he has updated the property by installing a drain and retaining wall to eliminate the stormwater issue coming from properties to the north along Fifth Street. Wayne stated he is requesting a variance to be allowed to construct a roof to eliminate the safety hazard of snow and ice buildup in the driveway at the east end of the building. Wayne stated that he is also requesting a variance to be allowed to rezone the property to single family residential to be able to acquire low interest loans.

Ott questioned how many people are living in the building since she has seen many vehicles outside at night. Stacey provided the definition of family unit as used with the most recent zoning ordinance. Wayne stated he and his wife live there with his son and girlfriend. They also have a friend that lives there with them. Wayne also noted that many vehicles from properties on the south/other side of West South Street also park in front of his property, or on his side of the street.

Stacey gave some history background of the property as follows: City staff believes that Mr. Lynn may have been told by the previous owner (Jensen) that Residential was allowed in the building, so Mr. Lynn bought the property and converted the warehouse to a residential home. What Wayne did not know is that residential was a conditional use, so the property was converted without a conditional use permit and without building permits. Stacey stated that City staff has not been in the building for many years including the Building Inspector, Fire Department or himself. Stacey stated that City staff needs to get in the building to see what has been done and make sure it was done according to building and fire codes. Stacey stated that since Wayne has purchased the building and converted it to residential the City has updated the zoning map and code, so at this time the building is legal non-conforming.

Wayne stated he always considered the building single family because they do eat together a lot, although Wayne stated there are separate kitchens, bathrooms and living quarters. Wayne said he did not get building permits because the permits are based on the cost and it did not cost him anything. Stacey stated a building permit is always necessary, in some cases a fee is not charged.

Additional questions were asked of the applicant and a lengthy discussion took place regarding what has been done to the structure, the variance request(s) currently being considered by the Board of Appeals and relationship of one variance request to any pending rezoning request, and whether or not the variance application can move forward.

Stacey gave the staff review of the proposed variance request according to the 3 standards necessary to approve a variance request as follows:

A. Unnecessary Hardship:

*Does the ordinance in place today unreasonably prevent the landowner from using the property for a permitted purpose or are the standards unnecessarily burdensome?*

For the rezoning, the City believes the zoning should match the use and changing the zoning from Industrial to Single Family should not impact the property or the neighborhood. Based on discussions and information provided at this meeting, City staff will need to review and confirm whether any pending rezoning request should be for single family or another classification.

For the roof addition, under the circumstances, the ordinance today does not unreasonably prevent the landowner from using the property for the current legal non-conforming purpose. The property owner installed a driveway that has caused the burden. The ordinance did not cause this burden. The standards for the SR-6 district are very accommodating for historic areas of the community.

B. Unique Property Limitation:

*Are there any unique property limitations such as the shape, slope or size? The limitations should not be common to a number of properties and the circumstances of the individual are not justification.*

The property is 4,224 square feet in size compared to the minimum lot size of 6,600 for the SR-6 district. There are a number of properties in the SR-6 district that are under the minimum lot size of 6,600 square feet, although the common size for a residential lot is 8,712 square feet in area.

#### C. Protection of Public Interest.

*What are the potential negative impacts of the request such as environmental, aesthetics, safety, etc...?*

For the rezoning, this will not have any physical affect on the existing property and the rezoning will at least bring the property into compliance with the current use. Again, based on discussions and information provided at this meeting, City staff will need to review and confirm whether any pending rezoning request should be for single family or other. The owners would still have to go through the rezoning process which requires Common Council approval.

For the roof addition, there may be some negative impacts to the neighborhood related to aesthetics and safety. How is the roof addition going to look? The standard building setback is 10 feet for fire protection. The addition will be closer than 10 feet to the adjacent garage. Setback requirements were established for obvious reasons.....for fire safety, to provide open space, protection of property rights, for adequate light and air. The survey provide by Mr. Lynn at the start of this meeting indicates the building and retaining wall are over the lot line. Finally, there are no accurate plans showing how the addition will work in this case.

#### Alternative solutions.

*Are there any alternative solutions to the request that would meet the requirements of the ordinance?*

The driveway possibly could have been designed differently to eliminate some of the snow & icing issues or the driveway could not have been installed there at all. Alternatives may be to redesign the driveway or eliminate the driveway altogether.

#### Recommendations.

Recommendation is to allow the rezoning to move forward if a single family use can be confirmed, because a residential zoning more closely meets the Comprehensive Plan and Redevelopment Plan for that area. However, careful consideration should be taken when considering the variance for the roof addition. Variances are to provide an increment of relief from a physical dimensional restriction.

#### Public Hearing.

Maureen Martin, 1952 Quam Point, Stoughton registered to speak in opposition of the variance request. Maureen indicated they are the owners of two garage buildings on the lot that is immediately to the east of the applicant's property. Maureen further indicated there is no place for stormwater to go but on her property if the addition is allowed and she is also concerned about the appearance.

In rebuttal, Wayne suggested a way for Ms. Martin to handle the stormwater on her property. Wayne stated this request was just to clear up an unsafe condition and rezone the property to allow them to get

low interest loans. Stacey further clarified that storm water management matters related to the proposed project would need to be addressed pursuant to other provisions of City ordinances.

Wollenzien closed the public hearing.

Motion by **Erdman** to approve the variance request to allow the property to move forward with the rezoning process from HI – Heavy Industrial to SR-6 – Single Family Residential. Motion died for lack of a 2<sup>nd</sup>.

Motion by **Horton** to approve the variance request to allow the property to move forward with the rezoning process from HI – Heavy Industrial to SR-6 – Single Family Residential contingent on City staff confirming the single family status, 2<sup>nd</sup> by **Ott**. Motion carried 4 – 0 (Wollenzien, Ott, Erdman, and Horton).

Motion by **Ott** to deny the variance request for the roof addition to the building, 2<sup>nd</sup> by **Horton**. Motion carried 4 – 0 on roll call vote (Wollenzien, Ott, Erdman, and Horton).

The applicant expressed negative comments to the Board of Appeals for their actions on the requested variances and also commented to Maureen Martin that they should never plan to do anything on their property (which is located immediately to the east of the applicants).

**5. Adjournment.** Motion by **Erdman** to adjourn at 5:55 pm, 2nd by **Horton**. Motion carried 4 - 0

Respectfully Submitted,  
Michael Stacey

## **Board of Appeals – Variance Information & Application**

### **City of Stoughton**

A variance is a relaxation of a standard in a zoning ordinance and is decided by the Zoning Board of Appeals. The Board is a quasi-judicial body because it functions similar to a court. The Board is appointed and governed by the State of Wisconsin zoning enabling law, contained in 62.23 Wis. Stats. The five regular members and two alternates of the Board are citizens appointed by the Mayor and approved by Council, who give their time without compensation. The Board's duty is not to compromise ordinance provisions for a property owner's convenience rather to apply legal criteria provided in state laws, court decisions and the local zoning ordinance to a specific fact situation. The board may only approve a variance request that meets the "Three Step Test" which is part of the application process. Typically, there are five voting members present for a hearing and it takes a majority of a quorum or three affirmative votes to approve a variance when five members are present. There must be at least four board members present to conduct a hearing. The alternates are used in case of an absence or conflict of interest. Variances are meant to be an infrequent remedy where an ordinance imposes a unique and substantial burden. There are two types of variances; a "use variance" would allow a landowner to use a property for an otherwise prohibited use; while an "area variance" provides an incremental relief (normally small) from a physical dimensional restriction such as a building height or setback.

#### **Next Steps:**

**Complete the variance review and approval** form (attached) and submit a fee according to the current fee schedule;

**Locate and mark lot corners and/or property lines**, the proposed building footprint and all other features of your property (if applicable) related to your request so that the planning staff and/or Board members may inspect the site. There are copies of plats in the planning office at City Hall that may help an applicant locate property stakes with the use of a metal detector. In some cases a surveyor may need to be hired.

**After submitting the application and fee**, a planning staff member will contact the Board Chair to determine a hearing date. The Board typically will meet on the first Monday of the month as necessary, though in some cases a hearing may be necessary on a different date at the discretion of the Board Chair. Once a date has been determined, planning staff will publish a notice of the request for a variance in the city's official newspaper noting the location, reason and time of the public hearing. All property owners within 300 feet of your property and any affected state agency will also be given notice of the hearing. At the hearing, any party may appear in person or may be represented by an agent and/or attorney. The burden will be on the property owner or applicant to provide information upon which the Board may base its decision. The owner and/or representative must convince the Board to make a ruling in the owner/applicant's favor. City planning staff will provide a review of the variance request as it relates to the Three Step Test. The Board must make its decision based only on the evidence provided at the time of the hearing. The owner or representative must be present at the hearing to explain the request and answer questions because the board may not have sufficient evidence to rule in favor of the request and must then deny the application.

**Note:** While Wisconsin Statutes do not specifically prohibit *use variances*, there are a number of practical reasons why they are not advisable:

- Unnecessary hardship must be established in order to qualify for a variance. This means that without the variance, no reasonable use can be made of the property.
- Many applications for *use variances* are in fact administrative appeals. Often the Board of Appeals is asked to determine whether a proposed use is included within the meaning of a particular permitted or conditional use or whether it is sufficiently distinct as to exclude it from the ordinance language. Such a decision is not a *use variance* but an appeal of the administrator's interpretation of ordinance text.
- Zoning amendments are a more comprehensive approach than *use variances*. Elected officials consider the larger land area to avoid piecemeal decisions that may lead to conflict between adjacent incompatible uses or may undermine comprehensive plan and/or ordinance objectives. Cities have approval authority for zoning ordinance amendments.
  - Zoning map amendments can change zoning district boundaries so as to allow uses provided in other zoning districts.
  - Zoning text amendments can add (or delete) permitted or conditional uses allowed in each zoning district.

## OFFICIAL NOTICE

Please take notice that Micheal Carpenter, owner of the property at 410 Veterans Road, Stoughton, Wisconsin, Parcel # 281/0511-092-6010-2, with a legal description of: VETERANS ROAD CONDOMINIUM UNIT 1, has appealed the requirements of the City of Stoughton zoning ordinance section 78-105(2)(f)7bA, B, and C which requires (for a twin home) a minimum lot area of 5,000 square feet; minimum lot width of 40 feet; and a minimum street frontage of 50 feet respectfully. This property is zoned TR-6 – Two Family Residential. The applicant requests variances to allow the creation of a twin home by zero-lot line.

Notice is hereby given that the Board of Appeals will conduct a hearing on this matter on Tuesday, September 6, 2011 at 5:00 p.m. in the Council Chambers, Second Floor, Public Safety Building, 321 S. Fourth Street, Stoughton.

For questions related to this notice contact the City Zoning Administrator at 608-646-0421

Board of Appeals  
Al Wollenzien, Chair  
AW:mps

Published: August 18, 2011 HUB



## City of Stoughton Procedural Checklist for Variance Review and Approval (Requirements per Section 78-910)

This form is designed to be used by the Applicant as a guide to submitting a complete application for a variance *and* by the City to process said application. Part II is to be used by the Applicant to submit a complete application; Parts I - IV are to be used by the City as a guide when processing said application.

### I. Recordation of Administrative Procedures for City Use.

Pre-submittal staff meeting scheduled:

Date of Meeting: 8/5/2011 Time of Meeting: 2:00 pm

Follow-up pre-submittal staff meetings scheduled: N.A.

Date of Meeting: \_\_\_\_\_ Time of Meeting: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

Date of Meeting: \_\_\_\_\_ Time of Meeting: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

Application form filed with Zoning Administrator Date: 8/5/2011 By: MPS

Application fee of \$365.00 received by Zoning Administrator Date: 8/5/2011 By: MPS

Professional consultant costs agreement executed (if applicable): N.A. Date: \_\_\_\_\_ By: \_\_\_\_\_

### II Application Submittal Packet Requirements for Applicants Use.

Prior to submitting the final complete application as certified by the Zoning Administrator, the Applicant shall submit 1 initial draft application packet for staff review, followed by one revised draft final application packet based upon staff review and comments.

*Initial Packet (1 copy to Zoning Administrator)*

↓ *Draft Final Packet (1 copy to Zoning Administrator)* Date: 8/5/2011 By: MPS

↓

↓ ☒ (a) A map of the subject property:

- ☐ Showing all lands for which the variance is proposed.
- ☐ Map and all its parts are clearly reproducible with a photocopier.
- ☐ Map scale not less than one inch equals 800 feet.
- ☐ All lot dimensions of the subject property provided.
- ☐ Graphic scale and north arrow provided.

☐ ☒ (b) A map, such as the Planned Land Use Map, of the generalized location of the subject property to the City as a whole.

☐ ☒ (c) A written description of the proposed variance describing the type of specific requirements of the variance proposed for the subject property.

☐ ☒ (d) A site plan of the subject property as proposed for development.

☐ ☒ (e) Written justification for the requested variance consisting of the reasons why the Applicant believes the proposed variance is appropriate, particularly as evidenced by compliance with the standards set out Section 78-910(3)1- 6. (See part III below.)

### III Justification of the Proposed Variance for City Use.

1. What exceptional or extraordinary circumstances or special factors are present which apply only to the subject property? The response to this question shall clearly indicate how the subject property contains factors which are not present on other properties in the same zoning district.

Describe the hardship or that of other properties, and not one which affects all properties similarly. Such a hardship or difficulty shall have arisen because of the unusual shape of the original acreage parcel; unusual topography or elevation; or because the property was created before the passage of the current, applicable zoning regulations, and is not economically suitable for a permitted use or will not accommodate a structure of reasonable design for a permitted use if all area, yard, green space, and setback requirements are observed.

Due to the lot size and configuration the property at 410 Veteran's Road was made into a condominium. We cannot sell our property while it is listed as a condominium because of the restrictions on condo financing. Buyers cannot get financing which is creating a hardship for the property owners at 408 & 410 Veteran's Road.

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#### NOTES:

- Loss of profit or pecuniary hardship shall not, in and of itself, be grounds for a variance.
- Self-imposed hardship shall not be grounds for a variance. Reductions resulting from the sale of portions of a property reducing the remainder of said property below buildable size or cutting-off existing access to a public right-of-way or deed restrictions imposed by the owner's predecessor in title are considered to be such self-imposed hardships
- Violations by, or variances granted to, neighboring properties shall not justify a variance
- The alleged hardship shall not be one that would have existed in the absence of a zoning ordinance. (For example, if a lot were unbuildable because of topography in the absence of any or all setback requirements.)

2. In what manner do the factors identified in 1. above, prohibit the development of the subject property in a manner similar to that of other properties under the same zoning district? The response to this question shall clearly indicate how the requested variance is essential to make the subject property developable so that property rights enjoyed by the owners of similar properties can be enjoyed by the owners of the subject property.

All other surrounding properties have been split by zero lot line with the exception of ours.

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3. Would the granting of the proposed variance be of substantial detriment to adjacent properties? The response to this question shall clearly indicate how the proposed variance will have no substantial impact on adjacent properties.

It would have no impact on adjacent properties.

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4. Would the granting of the proposed variance as depicted on the required site plan (see (d), above), result in a substantial or undue adverse impact on the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the intent, provisions, and policies of the Zoning Ordinance, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide growth and development? The response to this question shall clearly indicate how the proposed variance will have no substantial impact on such long-range planning matters.

It would have no impact on any of the above.

5. Have the factors which present the reason for the proposed variance been created by the act of the Applicant or previous property owner or their agent (for example: previous development decisions such as building placement, floor plan, or orientation, lot pattern, or grading) after the effective date of the Zoning Ordinance (see Section 78-011.) The response to this question shall clearly indicate that such factors existed prior to the effective date of the Ordinance and were not created by action of the Applicant, a previous property owner, or their agent.

These factors have existed prior to our ownership and were not created by us.

6. Does the proposed variance involve the regulations of Section 78-203, Appendix C (Table of Land Uses)? The response to this question shall clearly indicate that the requested variance does not involve the provisions of this Section.

The requested variance does not involve the provisions of this section.

#### **IV. Final Application Packet Information for City Use.**

Receipt of Final Application Packet by Zoning Administrator                      Date: 8/5/2011 By: MPS

Notified Neighboring Property Owners (within 300 feet)                      Date: 8/17/2011 By: MPS

Notified Neighboring Township Clerks (within 1,000 feet)                      Date: 8/17/2011 By: MPS

Class 1 legal notice sent to official newspaper by Zoning Administrator                      8/11/2011 By: MPS

Class 1 legal notice published on August 18, 2011                      By: MPS

I certify that the information I have provided in this application is true and accurate. I understand that Board of Appeals members and/or City of Stoughton staff may enter and inspect the property in question.

Signed: (owner)

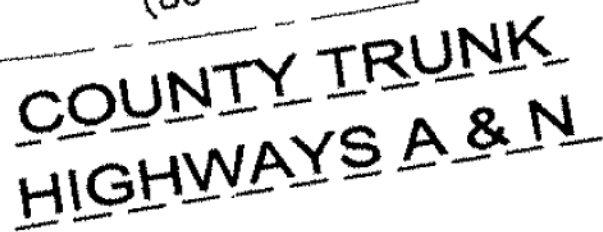
A handwritten signature in black ink, appearing to be "J. H. Smith", written over a horizontal line.

Date:

8/3/11

Remit to:  
City of Stoughton  
Department of Planning & Development  
Zoning Administrator  
381 E. Main Street  
Stoughton, WI. 53589

Questions? Call the Zoning Administrator at 608-646-0421



RECEIVED FOR RECORDING THIS  
20<sup>th</sup> DAY OF MARCH  
2003 AT 2:55 O'CLOCK P M, AND  
RECORDED IN VOLUME 4-030B  
OF CONDOMINIUM PLATS ON PAGE 1 AS  
DOCUMENT NUMBER 3674049

*Jane C. Licht*  
JANE C. LICHT, REGISTER OF DEEDS,  
DANE COUNTY, WISCONSIN

BEARINGS REFERENCED TO THE SOUTHEASTERLY  
LINE OF CERTIFIED SURVEY MAP NO. 8672  
BEARING N53°04'03"E.

Address:  
408 Veterans Road  
Stoughton, WI 53589  
  
410 Veterans Road  
Stoughton, WI 53589

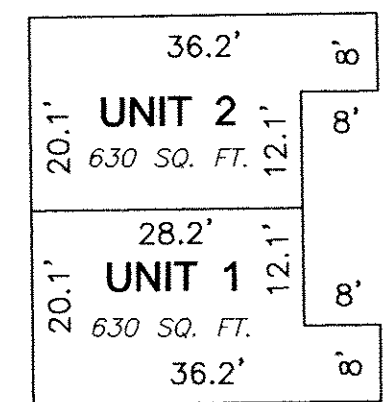
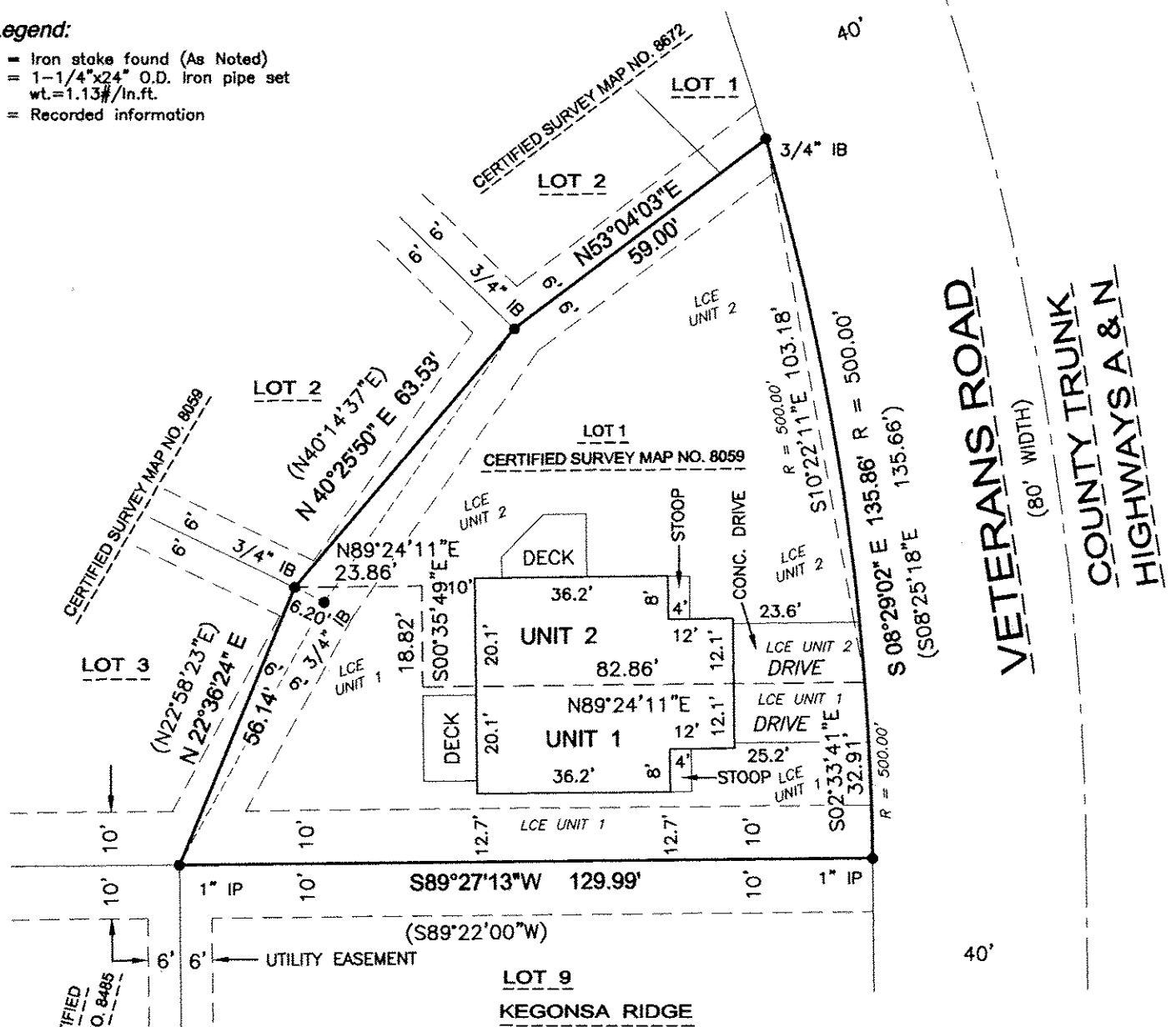
Description:  
Lot 1, Certified Survey Map No. 8059,  
being Lot 10 and part of Lots 2 and 3,  
Kegonsa Ridge, located in the Northeast  
1/4 of the Northwest 1/4 and the  
Northwest 1/4 of the Northeast 1/4 of  
Section 9, T5N, R11E, City of Stoughton,  
Dane County, Wisconsin.

# VETERANS ROAD CONDOMINIUM

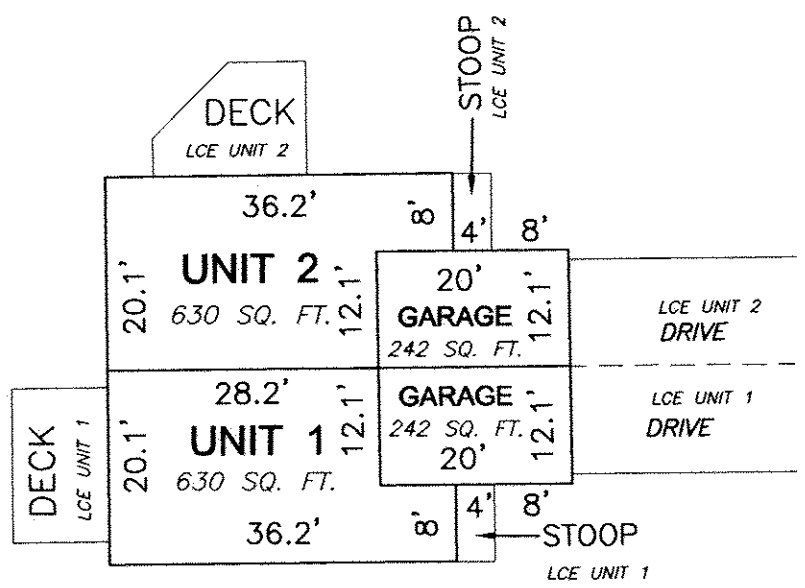
CITY OF STOUGHTON, DANE COUNTY, WISCONSIN

# 3674049

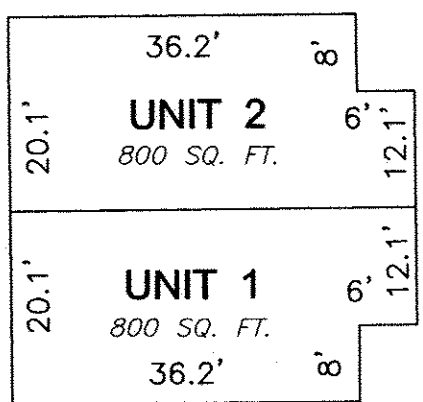
Legend:  
● = Iron stake found (As Noted)  
○ = 1-1/4"x24" O.D. iron pipe set  
wt.=1.13#/in.ft.  
( ) = Recorded information



FOUNDATION PLAN  
SCALE: 1"= 20'



FIRST FLOOR PLAN  
SCALE: 1"= 20'



SECOND FLOOR PLAN  
SCALE: 1"= 20'

NOTE:

- 1) This survey is subject to any and all easements, agreements and restrictions recorded and unrecorded.
- 2) MAP: Improvements per field survey, dated December 2, 2002.
- 3) BUILDING PLANS: Building shape and dimensions, size and shapes of concrete stoops, drives, walks and decks, taken from field survey dated December 2, 2002..
- 4) Unit areas are approximate and do not supersede unit boundaries as set forth in the condominium declaration.
- 5) Building dimensions shown on unit floor plans are taken from information provided to this office.

Surveyor's Certificate:

I, Daniel V. Birrenkott, Wisconsin Registered Land Surveyor No. 1531, do hereby certify that I have surveyed and mapped the property described and pictured hereon in accordance with official records. I further certify that this plat is prepared in accordance with Wisconsin Statutes Section 703.11 and 703.365 (4) and is a correct representation of the condominium described and the identification and location of each unit and the common elements can be determined from this plat.

*Daniel V. Birrenkott*  
Daniel V. Birrenkott, R.L.S. No. S-1531



PREPARED BY:  
BIRRENKOTT SURVEYING, INC.  
1677 N. BRISTOL STREET  
P.O. BOX 237  
SUN PRAIRIE, WI 53590  
(608) 837-7463 office  
(608) 837-1081 fax

PREPARED FOR:  
TRENT STEIN  
1225 NYGAARD STREET  
STOUGHTON, WI 53589  
(608) 258-6544  
comp: V:\021265  
SHEET 1 OF 1  
OFFICE MAP NO. 021265

## Public Agency Access System

Public Access | Public Agency Access | Subscription Access | Log Out

Tuesday, August 9, 2011

Parcel information updated on Tuesday, August 09, 2011 unless otherwise noted.

**Parcel Number - 281/0511-092-6010-2**[Return to Previous Page](#)**Parcel Status:** Active Parcel[Show Map](#)  
[Map Questions?](#)**Parcel Information**

Municipality CITY OF STOUGHTON  
 State Municipality Code 281  
 Township 05  
 Township Direction N  
 Range 11  
 Range Direction E  
 Section 09  
 Quarter NW  
 Quarter-Quarter SE  
 Plat Name VETERANS ROAD CONDOMINIUM  
 Block/Building  
 Unit 1

**Assessment Information**

Assessment Year	2011	2010
Valuation Classification	G1	G1
Assessment Acres	0.125	0.125
Land Value	\$26,700.00	\$26,700.00
Improved Value	\$112,400.00	\$115,900.00
Total Value	\$139,100.00	\$142,600.00
Valuation Date	04/05/2011	03/24/2010

[About Annual Assessments](#)**Tax Information****July 31st is the deadline For current year taxes.**

The Treasurer's Office is still processing payments. Delinquent taxes may or may not be owed on this parcel.

Please click on the [Show Tax Payment History](#) link to verify if a recent payment has been processed. Processed payments and payment history are updated nightly.If you have additional questions, or need to obtain the exact total due, please email the [Treasurer's Office](#). Our goal is to respond within 4 hours (In times of heavy demand response times could be up To 48 hours)**2010 Tax Values**[E-Bill](#) [E-Receipt](#)

Category	Assessed Value	Average Assessment Ratio	Estimated Fair Market Value
Land	\$26,700.00 /	0.972	\$27,470.00
Improvement	\$115,900.00 /	0.972	\$119,239.00
Total	\$142,600.00 /	0.972	\$146,708.00

**2010 Taxes: \$2,899.30****2010 Lottery Credit(-): \$82.88****2010 First Dollar Credit(-): \$65.73****2010 Specials(+): \$153.00****2010 Amount: \$2,903.69**[Show Tax Information Details](#)[Show Tax Payment History](#)**District Information**

Type	State Code	Description
SCHOOL DISTRICT	5621	STOUGHTON SCHOOL DIST
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE

**Tax Property Description**For a complete legal description, see the recorded documents  
VETERANS ROAD CONDOMINIUM UNIT 1**Zoning Information**

Contact your local city or village office for municipal zoning information.

**Owner Name and Address**

Owner Status CURRENT OWNER  
 Name MICHAEL D CARPENTER  
 Property Address 410 VETERANS RD  
 City State Zip STOUGHTON, WI 53589  
 Country USA

- Edit Owner Address



Property owner has requested confidentiality

Owner Status CURRENT CO-OWNER  
 Name SARAH E VANDENLANGENBERG  
 Property Address 410 VETERANS RD  
 City State Zip STOUGHTON, WI 53589  
 Country USA

- Edit Owner Address

**Parcel Address**

Primary Address 410 VETERANS RD

- Edit Parcel Address

- Add More Addresses

**Billing Address**

Attention  
 Street 410 VETERANS RD

## **DEPARTMENT OF PLANNING & DEVELOPMENT REVIEW**

Name and Address of Applicant: Micheal Carpenter  
410 Veterans Road  
Stoughton, WI. 53589

THE FOLLOWING IS THE SPECIFIC ZONING ORDINANCE SECTION(S) THE APPLICANT IS REQUESTING RELIEF FROM:

*Zoning ordinance sections 78-105(2)(f)7bA, B, and C which requires (for a twin home) a minimum lot area of 5,000 square feet; minimum lot width of 40 feet; and a minimum street frontage of 50 feet respectfully.*

### **Summary of Request**

The applicant requests variances to allow the creation of a twin home by zero-lot line, certified survey map at 410 Veterans Road, Stoughton.

DATE OF APPLICATION: August 5, 2011

DATE PUBLISHED: August 18, 2011

DATE NOTICES MAILED: August 22, 2011

DATE OF HEARING: September 6, 2011

### **FACTUAL AND LEGAL BASIS FOR THE DEPARTMENT OF PLANNING & DEVELOPMENT RECOMMENDATIONS, BASED UPON THE STANDARDS FOR VARIANCES:**

1. The particular physical surroundings, shape or topographical conditions of the specific property involved would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

*The property at 410 Veterans Road is part of a condominium that includes 408 Veterans Road. A condominium was previously created because the duplex was positioned on the uniquely shaped lot in such a manner as to limit the ability to split the lot by zero lot line in compliance with the zoning code. The shape of the property is the primary physical hardship.*

2. The conditions upon which the application for a variance is based would not be applicable generally to other property within the same zone classification.

*The conditions upon which the application is based are not applicable to similar properties within the TR-6 – Two Family Residential District. City Staff has had very few requests for a zero lot line that did not meet all zoning code requirements. There have been at least 2 variances approved in the past for zero lot line properties, both of which were due to the location of the building.*



3. The purpose of the variance is not based exclusively upon a desire for economic or other material gain by the applicant or owner.

*We believe the purpose of the variance is not based exclusively for the economic gain of the owner/applicant. Due to changes in the financial and real estate markets, it is now more difficult to gain financing for a condominium.*

4. The alleged difficulty or hardship is caused by this ordinance and has not been created by any persons presently having an interest in the property.

*We believe the difficulty or hardship is caused by the irregular shaped lot; the location of the duplex and changes in the market place related to how condominiums are treated.*

5. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvement in the neighborhood in which the property is located.

*We believe the granting of this variance should not harm the public interest. The neighbor's and the public in general will not even know anything has changed at the property. The only difference will be instead of a condominium, the property would be split into two single family lots or twin home.*

6. The proposed variance will not impair the use and enjoyment of adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

*We believe the proposed variance should not impair the use and enjoyment of adjacent property. A notice has been sent to all property owners within 300 feet of the applicant's property to give them a chance to provide input on this variance request.*



