

NOTICE
Village of Roberts
Plan Commission Meeting
Thursday, January 7, 2021
7:00 PM

GoTo Meeting Information below for online access

Agenda

The regularly scheduled Plan Commission meeting will begin at 7:00 PM on January 7, 2021 at the Roberts Village Hall.

Regular Plan Commission Agenda

1. Call to order
2. Proper notification
3. Building Inspectors Report
4. Discussion/approval of Extra-territorial for Dianne Enerson located in Part of the Northeast Quarter of the Northwest Quarter of Section 29, Township 29N, Range 18 West, Town of Warren.
5. Discussion/approval of Extra-territorial for Jonathan and Whitney Strate located in the SW1/4 of the SE1/4 and the NW1/4 of the SE1/4 of Section 9, T29N, R18W, Town of Warren – by Joe Granberg
6. Discussion/approval of Bold Oracle Studios/Amy Danielson Business Plan of Operation located at 206 W. Main Street.
7. Discussion/Approval of Patricia Johnson's Application for Variance for the lot located 202 W Maple Street. Patty is looking to build a shed on this property but needs different setbacks for the street frontage setbacks.
8. Discussion/approval of Jim Smith's Application for Variance for the lot located at 314 W Pleasant Street. Jim is looking to construct a 24 x 24 shed and is looking for side yard setback from 12 feet to 5 feet and back yard from 35 feet to 6 feet which is less than the ordinance requires.
9. Discussion/approval of Oevinger Homes Application for Variance for the Rolling Meadows 8th Addition lot size for 22 lots. Looking for a minimum lot area from 9,000 to 8,400sf and minimum lot width from 70 ft to 60 ft.
10. Other Business
11. Adjourn

Items on the agenda may not be presented in this order.
Agenda may change up to 24 hours before meeting

Megan Dull,
Village Clerk

<https://global.gotomeeting.com/join/659744245>

You can also dial in using your phone.
(For supported devices, tap a one-touch number below to join instantly.)

United States (Toll Free): 1 877 568 4106
- One-touch: <tel:+18775684106,,659744245#>

United States: +1 (571) 317-3129
- One-touch: <tel:+15713173129,,659744245#>

Access Code: 659-744-245

RESIDENTIAL CONSTRUCTION

NEW SINGLE FAMILY

Owner/Address	Description/Permit #	Estimated Value
PLEASANT VALLEY PROPERTIES 78 FRANK ST 54023	MAN/MODULAR, NEW B-20-201089	40,000

TOTAL NEW SINGLE FAM CONSTRUCTION:	1	40,000
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RESIDENTIAL RENOVATIONS

Owner/Address	Description/Permit #	Estimated Value
PRUST, SARAH 1107 BRIARWOOD BLVD	WINDOW REPLACEMENT G-20-201138	31,097

TOTAL RESIDENTIAL RENOVATIONS	1	31,097
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TOTAL ALL RESIDENTIAL CONSTRUCTION:	2	71,097
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OTHER BUILDING PERMITS

Owner/Address	Description/Permit #	Estimated Value
MARQUARDT, JEFFREY & KAREN 102 E TERRESA ST 54023	ACCESSORY B-20-201057	3,000

TOTALS:	1	3,000
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SIGN PERMITS

Owner/Address	Description/Permit #	Estimated Value
HARRIS REBAR 678 GRUPE ST 54023	SIGN - NEW S-20-201103	0
WILKEN, DAVID & YVONNE 206 W MAIN ST 54023	SIGN - NEW S-20-201131	0

TOTALS:	2	0
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TOTAL # OF BUILDING PERMITS / VALUE:	5	74,097
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CERTIFICATES OF OCCUPANCY

DATE ISSUED	ADDRESS	TYPE
NO C/O's ISSUED		

TOTAL PERMIT & INSPECTION FEES COLLECTED:	1,478.25
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VILLAGE OF ROBERTS ONLY

PROJECT CODE RECAP

PERMITS BY TYPE	# OF PERMITS	ESTIMATED VALUE
ACCESSORY BUILDING/GARDEN SHED	1	3,000
MAN/MODULAR, NEW	1	40,000
SIGN - NEW	2	0
WINDOW REPLACEMENT	1	31,097
TOTALS	5	74,097

INSPECTIONS BY TYPE

PERMIT TYPE	# OF INSPECTIONS	RES	COMM
BUILDING PERMIT	36	32	4
FENCE	1	1	0
FOOT/FOUNDATIONS	1	1	0
TOTALS	38	34	4

St Croix County, WI

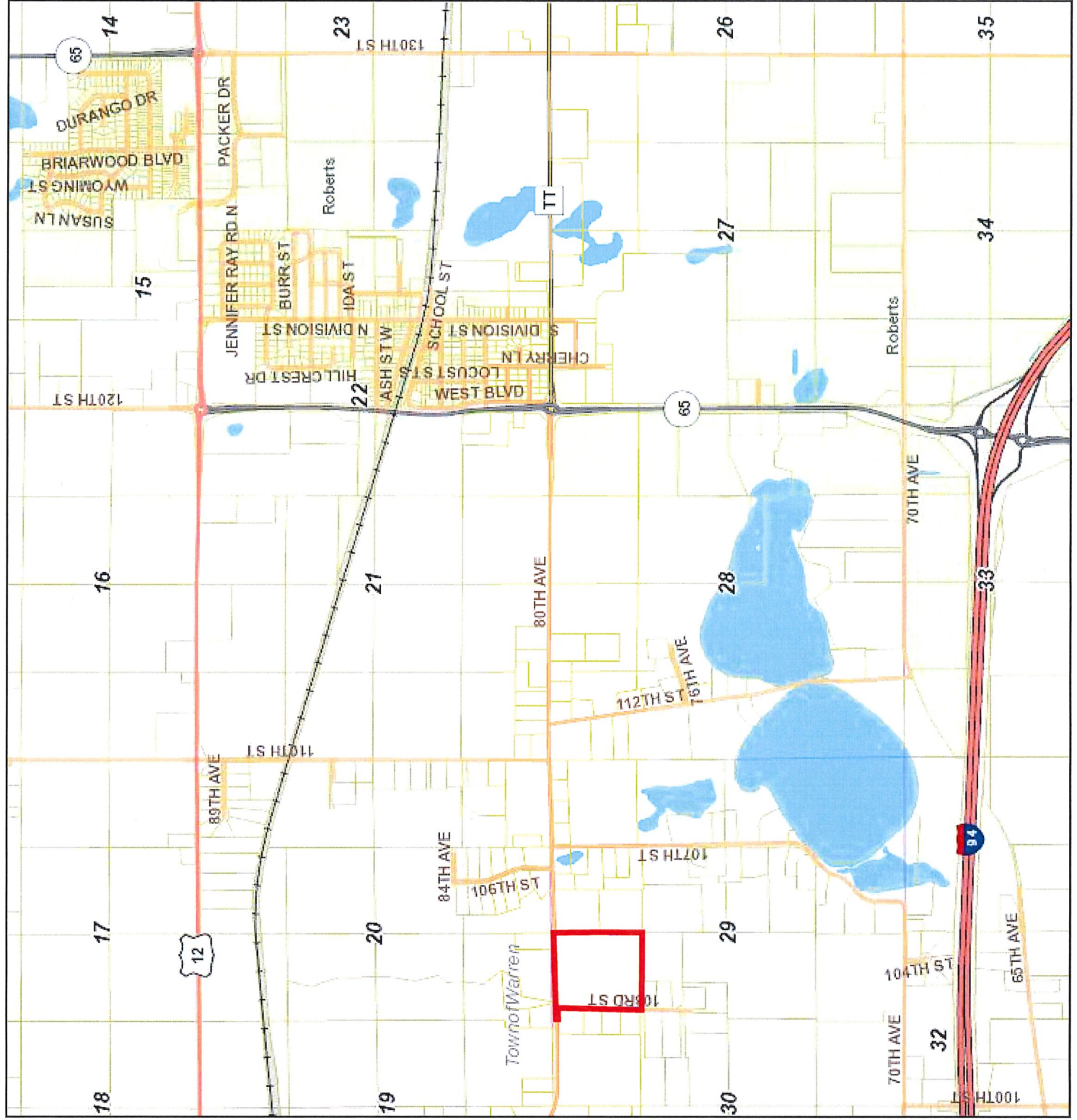
Legend

- Tax Parcels
- Towns
- Cities
- Villages
- Sections
- St Croix Co
- Other Counties
- Lakes and Rivers
- Rivers and Streams
- Interstates
- US Highways
- State Highways
- County Highways
- Local Roads
- Rustic Roads
- Ramps
- Road Right of Way
- Abandoned Railroad
- Private Road
- Railroad
- Road
- Vacated ROW
- Railroads



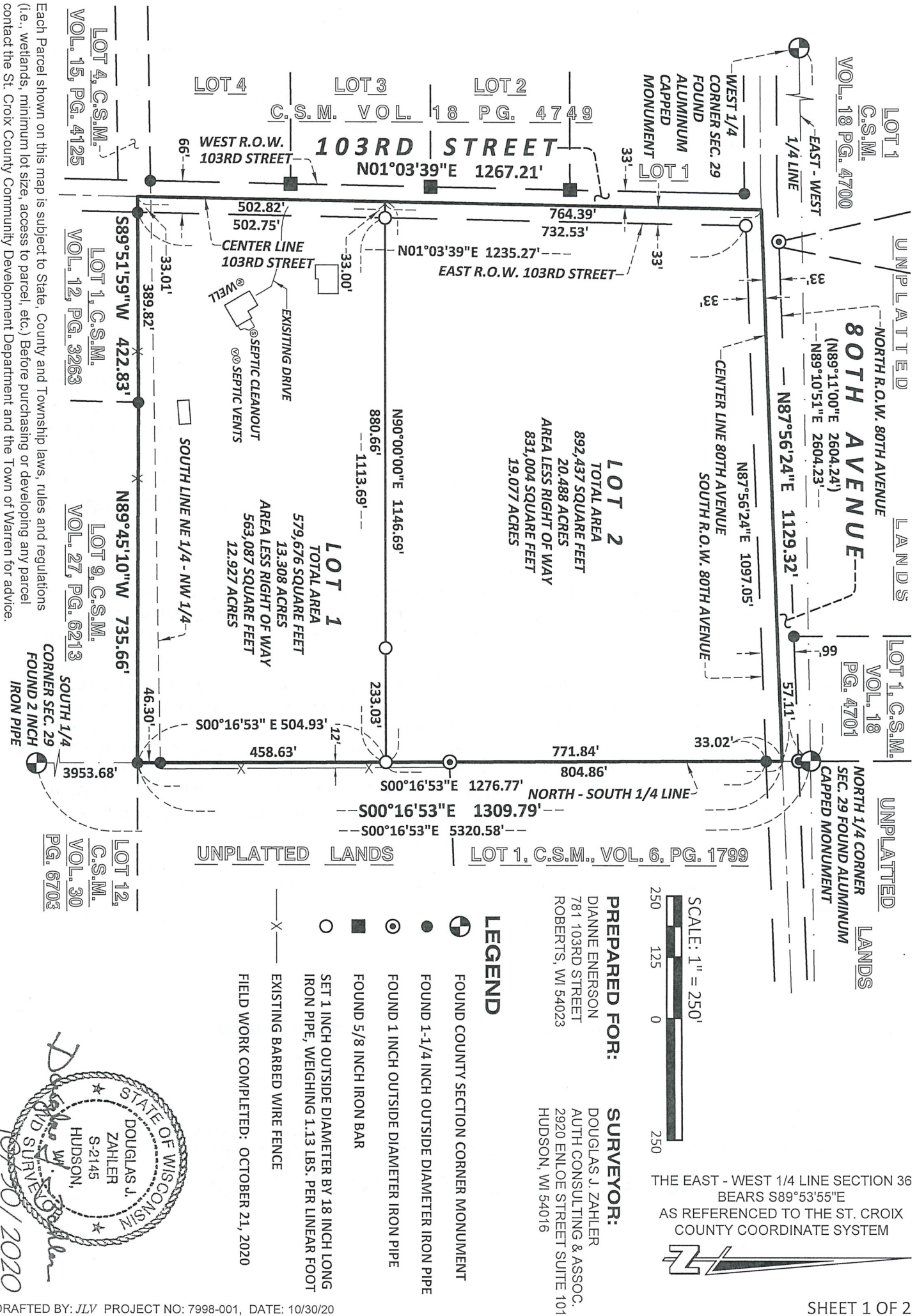
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Author:		
Date Printed:	11/2/20 8:20 AM	
Source:		



CERTIFIED SURVEY MAP

LOCATED IN PART OF THE NORTHEAST QUARTER OF THE NORTHWEST
QUARTER OF SECTION 29, TOWNSHIP 29 NORTH, RANGE 18 WEST,
TOWN OF WARREN, ST. CROIX COUNTY, WISCONSIN.



CERTIFIED SURVEY MAP

LOCATED IN PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29,
TOWNSHIP 29 NORTH, RANGE 18 WEST, TOWN OF WARREN, ST. CROIX COUNTY, WISCONSIN.

PREPARED FOR:

DIANNE ENERSON
781 103RD STREET
ROBERTS, WI 54023

SURVEYOR:

DOUGLAS J. ZAHLER
AUTH CONSULTING & ASSOC.
2920 ENLOE STREET SUITE 101
HUDSON, WI 54016

SURVEYOR'S CERTIFICATE

I, Douglas J. Zahler, Wisconsin Professional Land Surveyor, hereby certify that by the direction of Dianne Enerson, I have surveyed, divided and mapped a part of the Northeast Quarter of the Northwest Quarter of Section 29, T29N, R18W, Town of Warren, St. Croix County, Wisconsin, described as follows:

Commencing at the North Quarter corner of said Section 29; thence along the north - south quarter line of said Section 29, S00°16'53"E a distance of 57.11 feet to the centerline of 80th Avenue and the point of beginning; thence continuing along said line, S00°16'53"E a distance of 1309.79 feet; thence N89°45'10"W a distance of 735.66 feet; thence S89°51'59"W a distance of 422.83 feet to the centerline of 103rd Street; thence along said centerline, N01°03'39"E a distance of 1267.21 feet to said centerline of 80th Avenue; thence along last said centerline, N87°56'24"E a distance of 1129.32 feet to the point of beginning. Containing 77.795 acres of land. Subject to right-of-way for 80th Avenue along the north boundary and for 103th Street along the west boundary and subject to all other easements, restrictions and covenants of record.

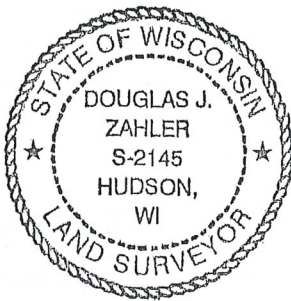
I also certify that this Certified Survey Map is a correct representation to scale of the exterior boundaries surveyed and described; that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Land Division regulations of St. Croix County and the Town of Warren in surveying and mapping same.

Douglas J. Zahler

Douglas J. Zahler PLS 2145
S & N Land Surveying
2929 Enloe St. Suite 101
Hudson, WI. 54016
(715)386-2007

10/30/2020

Date



COUNTY TREASURER'S CERTIFICATE

State of Wisconsin)
County of St. Croix)SS

I, Denise Anderson, being the duly appointed, qualified and acting treasurer of St. Croix County, do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of _____ affecting the land included on this Certified Survey Map.

Denise Anderson
County Treasurer

Date

CERTIFIED SURVEY MAP

LOCATED IN THE SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ AND THE NW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 9,
T29N, R18W, TOWN OF WARREN, ST. CROIX COUNTY, WISCONSIN.

N $\frac{1}{4}$ CORNER,
SEC. 9
(0.75" IRON
REBAR FND.)

S00°11'53"E
3441.02'

UNPLATTED LANDS

N89°45'45"W 545.07'

O.H.W.M. = 1018'

LOT 3

POND
WATER ELEV. =
1015.80'

75'

BUILDABLE
AREA
=0.915
ACRES

SOIL TEST
LOCATION

DRAINAGE SWALE

UNPLATTED
LANDS

BEARINGS REFERENCED TO THE
NORTH - SOUTH $\frac{1}{4}$ SECTION
LINE OF SECTION 9. LINE
BEARS S00°11'53"E, ST. CROIX
COUNTY COORDINATE SYSTEM.



UNPLATTED LANDS

NORTH - SOUTH $\frac{1}{4}$
SECTION LINE

1816.85'

S00°11'53"E

66'

1384.02'

1284.06'

N00°11'53"W

1317.06'

UNPLATTED LANDS

LOT 3 CONTAINS:
359,454 SQ. FT. (8.25 AC.)
INCLUDING RIGHT-OF-WAY
357,277 SQ. FT. (8.20 AC.)
EXCLUDING RIGHT-OF-WAY

NOTE: THERE IS MORE
BUILDABLE AREA TO THE
EAST OF THE SOIL TEST
LOCATION THAT IS NOT
INCLUDED IN THE 0.915
ACRES.

LOT 1 OF
C.S.M.
VOL. 11,
PG. 3107

S $\frac{1}{4}$ CORNER,
SEC. 9
(R.R. SPK. FND.)

S89°34'01"E
66.00'

100TH AVENUE

SE CORNER,
SEC. 9
(ALUM CAP FND.)

S89°34'01"E
2590.15'

S89°34'01"E
66.00'

SCALE IN FEET
0' 100' 200'
1" = 200'

G LAND SOLUTIONS
GRANBERG & SONNENTAG

SURVEYOR:

JOSEPH GRANBERG
1428 134TH AVENUE
NEW RICHMOND, WI 54017

PREPARED FOR:

WHITNEY & JONATHAN STRATE
401 DURANGO DRIVE
ROBERTS, WI 54023

DRAFTED BY: JWG
JOB NO. 100-707 SHEET
DATE: 12/21/2020 1 OF 2

CERTIFIED SURVEY MAP

LOCATED IN THE SW¼ OF THE SE¼ AND THE NW¼ OF THE SE¼ OF SECTION 9,
T29N, R18W, TOWN OF WARREN, ST. CROIX COUNTY, WISCONSIN.

DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SW¼ OF THE SE¼ AND THE NW¼ OF THE SE¼ OF SECTION 9, T29N, R18W, TOWN OF WARREN, ST. CROIX COUNTY, WISCONSIN, FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE S¼ CORNER OF SAID SECTION 9; THENCE S89°34'01"E 66.00' ALONG THE SOUTH LINE OF THE SE¼ OF SAID SECTION 9; THENCE N00°11'53"W 1317.06' TO THE SOUTH LINE OF THE NW¼ OF THE SE¼ OF SAID SECTION 6; THENCE S89°45'45"E 479.07' ALONG SAID SOUTH LINE; THENCE N00°11'53"W 500.01'; THENCE N89°45'45"W 545.07" TO THE NORTH - SOUTH ¼ SECTION LINE OF SAID SECTION 6; THENCE S00°11'53"E 1816.85' ALONG SAID NORTH - SOUTH ¼ SECTION LINE TO THE POINT OF BEGINNING, CONTAINING 359,454 SQUARE FEET (8.25 ACRES) MORE OR LESS AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS OR COVENANTS OF RECORD.

SURVEYOR'S CERTIFICATE

I, JOSEPH W. GRANBERG, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT BY THE DIRECTION OF THE, JONATHAN & WHITNEY STRATE, I HAVE SURVEYED AND DIVIDED THE LANDS SHOWN HEREON IN ACCORDANCE WITH OFFICIAL RECORDS, CHAPTER 236.34 OF THE WISCONSIN STATUTES, THE ST. CROIX COUNTY SUBDIVISION ORDINANCE AND THE TOWN OF WARREN SUBDIVISION ORDINANCE AND THAT THIS MAP AND DESCRIPTION ARE A TRUE AND CORRECT REPRESENTATION TO SCALE OF THAT SURVEY.

JOSEPH GRANBERG
G&S LAND SOLUTIONS, LLC.
1428 134TH AVENUE
NEW RICHMOND, WI 54017
715-246-7529

DATE

TREASURER'S CERTIFICATE

I, DENISE ANDERSON, BEING THE DULY APPOINTED, QUALIFIED AND ACTING TREASURER OF THE COUNTY OF ST. CROIX, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNPAID TAXES OR SPECIAL ASSESSMENTS AS OF _____, AFFECTING THE LANDS INCLUDED IN THIS CERTIFIED SURVEY MAP.

BY: _____ DATE _____
TREASURER

GENERAL NOTICE STATEMENT

EACH PARCEL SHOWN HEREON IS SUBJECT TO STATE, COUNTY AND TOWNSHIP LAWS, RULES AND REGULATIONS (i.e., WETLAND RESTRICTIONS, ACCESS TO PARCEL, MINIMUM LOT SIZE, ETC.). BEFORE PURCHASING OR DEVELOPING ANY PARCEL CONTACT THE ST. CROIX COUNTY COMMUNITY DEVELOPMENT OFFICE AND THE APPROPRIATE TOWN BOARD FOR ADVICE.



SURVEYOR:

JOSEPH GRANBERG
1428 134TH AVENUE
NEW RICHMOND, WI 54017

PREPARED FOR:

WHITNEY & JONATHAN STRATE
401 DURANGO DRIVE
ROBERTS, WI 54023

DRAFTED BY: JWG
JOB NO. 100-707 SHEET
DATE: 12/21/2020 2 OF 2

**PLAN OF BUSINESS OPERATION
VILLAGE OF ROBERTS
ROBERTS, WI 54023**

1. Name of Business Operation: Bold Oracle Studios
2. Address of Operation: 206 West Main Street, Roberts, WI 54023
3. Name and Address of Owner/Application: Amy Danielson, 206 West Main Street, Upper Level Phone Number: (715) 222-4897
4. Name and Address of Building Owner: Yvonne and David Wilken, 2235 Upham St., Lakewood, CO 80214
5. New Use? _____ Or Expansion of Existing Use? ☒
6. Retail? ☒, Wholesale? _____, Manufacturing? _____ Other _____
7. Description of Operation: Sales of clothing and jewelry, affordable goods during the covid-19 crisis.
8. Outside Storage? no. If yes, what is stored and where? _____
How is it screened? _____
9. Expected # of Trucks/Day: _____ When? _____ And, # of Autos/Day _____
10. Overnight Parking of: Trucks _____ Autos _____ Equipment _____
11. Available Offstreet Parking Spaces: no Offstreet Loading Spaces no
12. Expected Hours of Operation: 1 AM to 7 PM, 7 Days/Week _____
13. Maximum # of Employees: Full Time 1 Part Time 4
14. Sewer Disposal by: Public Sewer ☒ Holding Tank _____
15. Water Supply by: Public Water Main ☒ Private Well _____
16. Method and Sequence of Solid Waste Disposal: _____
17. Flammable Substance Storage _____ Where _____ Type of Container _____
18. Hazardous Materials Used _____ Stored _____ Quantity _____
19. Method of Building/Grounds Maintenance: _____
20. Any Special or Required Provisions or other pertinent information _____
21. Method of Property Security locks on each door
Signature of Owner/Applicant: [Signature]

Submitted for Review on: _____ / _____ / _____ Zoning _____

Approved by Planning Commission: _____ / _____ / _____ Notes: _____

Approved by Village Board: _____ / _____ / _____

NOTE: Under State Statutes (SS134.65) Cigarette Licenses must be obtained. Applications may be obtained from the Village Clerk.

Date Draft Submitted _____
Date Application Submitted _____
Fee Paid _____

Application for Variance *Alvin E. Johnson & Patricia Kueb Johnson Living Trust*

Owner (must be the applicant) Patricia Kuebker Johnson, Trustee
 Parcel Address Lot 5 Block E 202 W. Maple Parcel Number 176-1014-60-000
 Owner Address 101 W. Ash St. Roberts, WI Daytime Phone 715 381-3782
 Present Use of the Property Empty lot
 Zoning Classification RS-8

The following items must be submitted with each application. Additional site plan information as described in Section 70-325 may be required by the Zoning Administrator (Ordinance section referenced in this application are available upon request):

(1) **Map of the property showing the following:**

- Entire property
- All lot dimensions
- Existing structures with dimensions to property lines (buildings, fences, walls etc)
- Proposed structures with written dimensions to property lines
- Existing paved surfaces (driveways, walks, decks, etc)
- Proposed paved surfaces with dimensions to property lines
- Written dimensions to buildings on adjoining properties if setback variance is requested
- Zoning of adjacent parcels
- Street(s) which are adjacent to the parcel
- Graphic scale and north arrow
- Changes in land use intensity due to the variance (additional dwelling units, more customers, more parking, outside lighting, outside storage, etc)

(2) **Written description of proposed variance** answering the following questions:

Village of Roberts Ordinance Section # _____ cannot be entirely satisfied because:

Lot is non-conforming. Setbacks make structure not possible

In lieu of complying with the ordinance, the following alternative is proposed (please describe the proposal in detail):

Allow different setbacks

(3) **Written justification of the requested variance** with reasons why the Applicant believes

the proposed variance is appropriate. Before the Zoning Board of Appeals can grant a variance, they must find that the following criteria have been satisfied. Describe how your request meets the following criteria: (section 70-327)

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 that are not present on other properties in the same zoning district.

Our current zoning makes almost every property noncompliant. This is an old lot. If current setbacks are enforced any structure could only be 10' wide deep. Buildings on either side have different setbacks due to time they were built are nonconforming.

- The hardship or difficulty shall be peculiar to the subject property and different from that of other properties and not one that 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, or will not accommodate a structure of reasonable design for a permitted use if all area, yard, green space, and setback requirements are observed;
- 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.)

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.

Setbacks would limit size too greatly

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.

Giving the variance will reflect what already
exists on either side of the proposed
structure

Would the granting of the proposed variance as depicted on the required site plan, 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 this Chapter, the Master Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the Village 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.

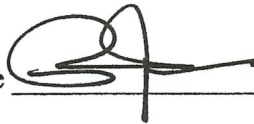
I do not believe there is a detrimental
effect on the Village or private owners.

Have the factors causing the variance request 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, lotting pattern, or grading) after the effective date of this Chapter. The response to this question shall clearly indicate that such factors existed prior to the effective date of this Chapter and were not created by action of the Applicant, a previous property owner, or their agent.

N/A ?

Does the proposed variance involve the regulations of Subsection 22.304 or the district use regulations in each zoning district of Section 22.700? The response to this question shall clearly indicate that the requested variance does not involve the provisions of this Subsection.

Verification by applicant: I, Patricia Kuebker Johnson, trustee, owner for which relief is sought, certify that the application and the above information is truthful and accurate to the best of my ability.

Applicant Signature  Date 11/24/20
Applicant Signature _____ Date _____

Consideration for Approval: Granted _____ Denied _____ _____ Date _____
Chairman, Village of Roberts Zoning Board of Appeals

Revised date 8/11/2009

Parcel # 176-1014-60-000

Lot 5 Block E Roberts, WI
202 W. Maple St.

I would like to construct a garage/storage building.

① Street Frontage

I would like to have the front of the building line up with Cobr Crossing (201 N. Vine St) and the white concrete building (Maple Street)

② New structure to be not less than 16 feet to the east of the white concrete building

③ Building not to exceed 32'x40'
32' along street
40' deep

④ Height of sidewall to 14'

Patricia Kuebker Johnson, Trustee.

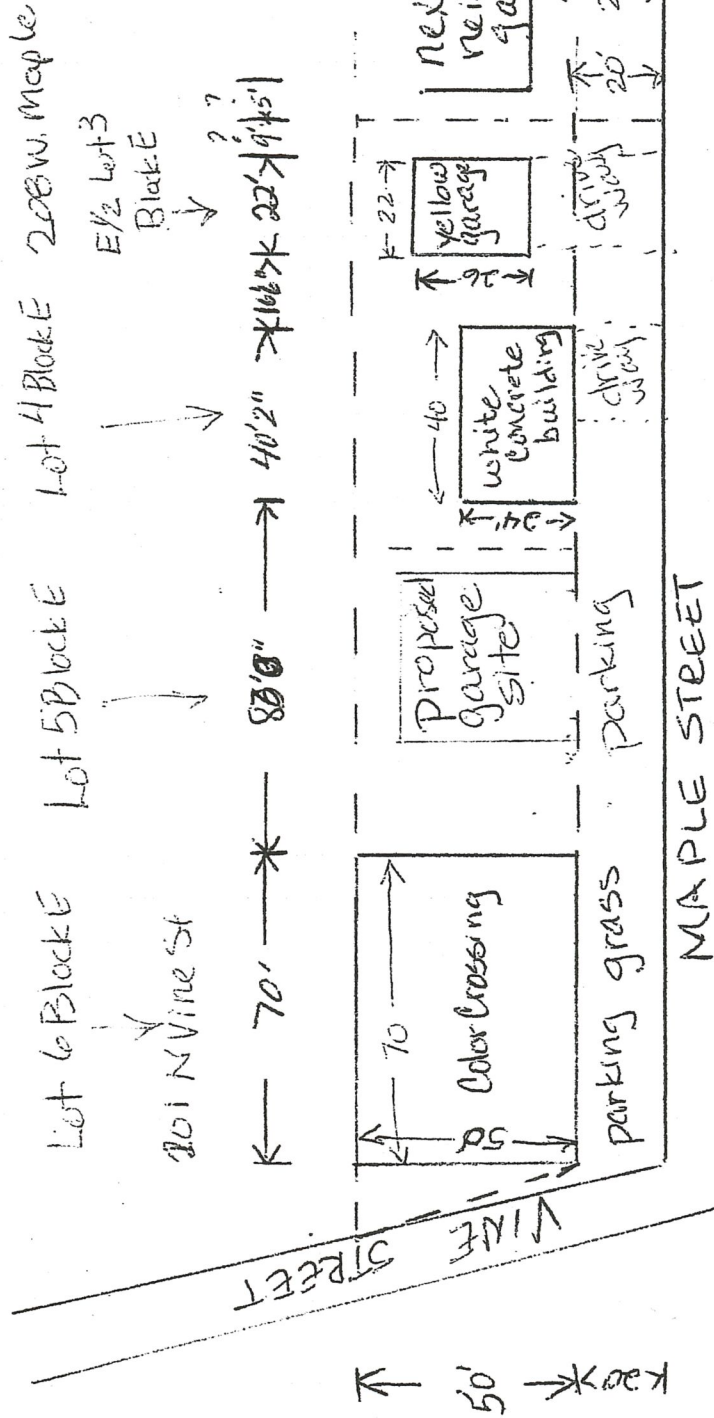
Alvin E Johnson & Patricia Kuebker Johnson, Living Trust

Patty Kuebker Johnson
715-381-3782

NOTE!!

All measurements
are approximate

Request for Zoning to allow
building garage on Lot 5 Block E



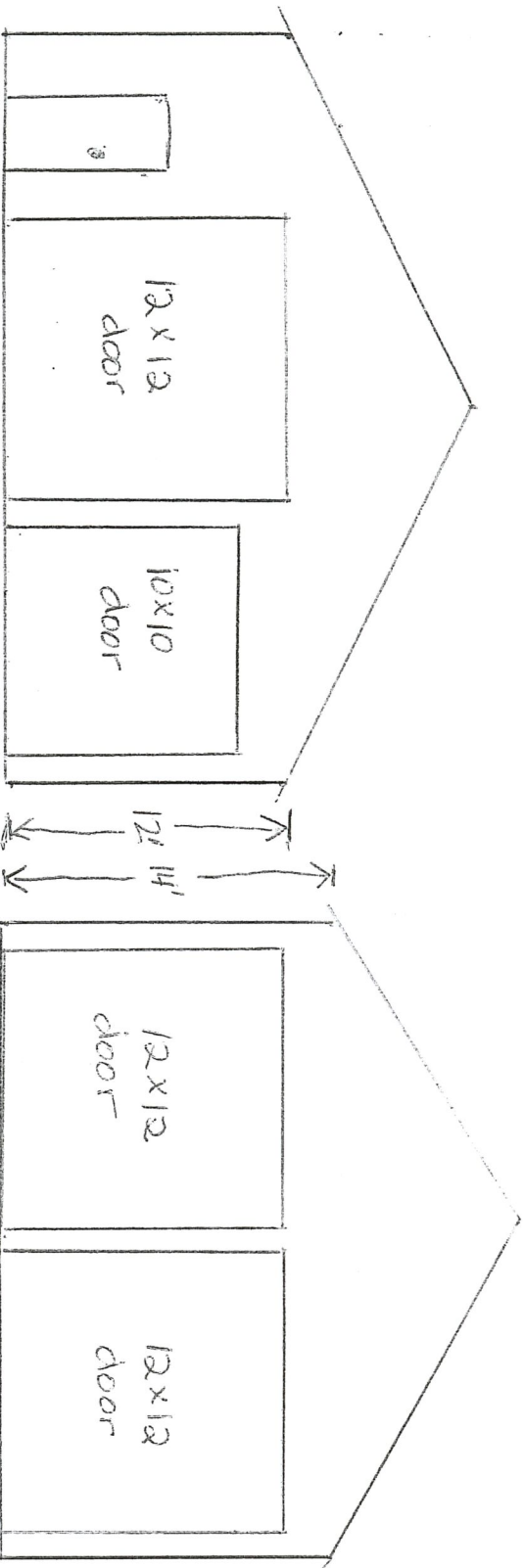
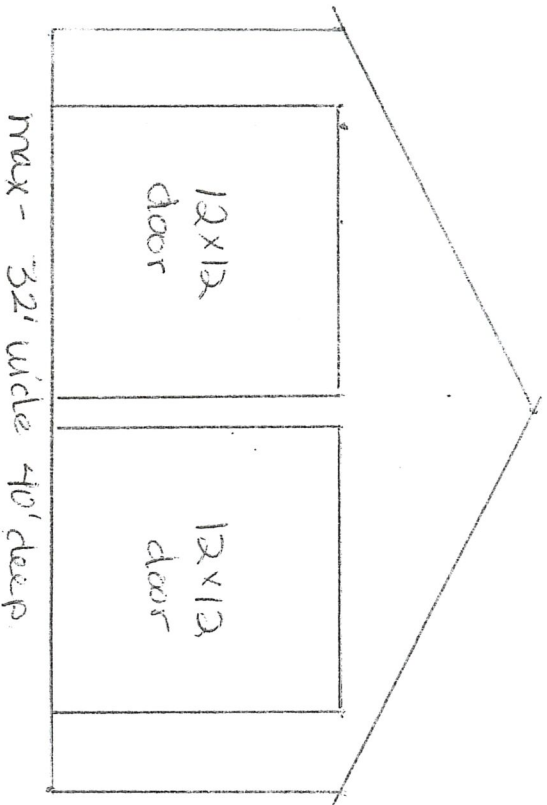
N

Possibilities

I have not had design work done due to lack of zoning rules.

I would not build larger than 32' x 40'

I plan to have an entry door on any option



max 32' wide
max 40' deep

28' wide
max 40' deep

Date Draft Submitted _____
Date Application Submitted _____
Fee Paid _____

Application for Variance

Owner (must be the applicant) JAMES SMITH

Parcel Address 314 W. PLEASANT ST Parcel Number _____

Owner Address SAME Daytime Phone 715-222-8709

Present Use of the Property SINGLE FAMILY HOME

Zoning Classification _____

The following items must be submitted with each application. Additional site plan information as described in Section 70-325 may be required by the Zoning Administrator (Ordinance section referenced in this application are available upon request):

(1) **Map of the property showing the following:**

- Entire property
- All lot dimensions
- Existing structures with dimensions to property lines (buildings, fences, walls etc)
- Proposed structures with written dimensions to property lines
- Existing paved surfaces (driveways, walks, decks, etc)
- Proposed paved surfaces with dimensions to property lines
- Written dimensions to buildings on adjoining properties if setback variance is requested
- Zoning of adjacent parcels
- Street(s) which are adjacent to the parcel
- Graphic scale and north arrow
- Changes in land use intensity due to the variance (additional dwelling units, more customers, more parking, outside lighting, outside storage, etc)

(2) **Written description of proposed variance** answering the following questions:

Village of Roberts Ordinance Section # _____ cannot be entirely satisfied because:

I've been in this house for 28 years and would like additional
space for storage and parking.

In lieu of complying with the ordinance, the following alternative is proposed (please describe the proposal in detail): None.

I thought about bumping the existing garage to the west, but that would
encroach on the banks trees and the house would no longer be centered

(3) **Written justification of the requested variance** with reasons why the Applicant believes on the property, and I feel that would be more of a detriment to the neighborhood than just sticking a garage out back where it is pretty much out of site.

the proposed variance is appropriate. Before the Zoning Board of Appeals can grant a variance, they must find that the following criteria have been satisfied. Describe how your request meets the following criteria: (section 70-327)

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 that are not present on other properties in the same zoning district.

- The hardship or difficulty shall be peculiar to the subject property and different from that of other properties and not one that 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, or will not accommodate a structure of reasonable design for a permitted use if all area, yard, green space, and setback requirements are observed;
- 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.)

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.

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.

I don't believe so. The neighbor to the east has large trees at the fence line, so there's not much site into my back yard. To the west is similar plus the fact it's the bank. To the south is the garages and parking lot for the 8-plex which would have the most visual, but I don't think it would look worse than their garages and parking lot.

Would the granting of the proposed variance as depicted on the required site plan, 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 this Chapter, the Master Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the Village 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.

No for much the same reasons as above

Have the factors causing the variance request 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, lotting pattern, or grading) after the effective date of this Chapter. The response to this question shall clearly indicate that such factors existed prior to the effective date of this Chapter and were not created by action of the Applicant, a previous property owner, or their agent.

It's just my wish for more space

Does the proposed variance involve the regulations of Subsection 22.304 or the district use regulations in each zoning district of Section 22.700? The response to this question shall clearly indicate that the requested variance does not involve the provisions of this Subsection.

Verification by applicant: I, JAMES SMITH, owner for which relief is sought, certify that the application and the above information is truthful and accurate to the best of my ability.

Applicant Signature James A Smith Date 10/1/20
Applicant Signature _____ Date _____

Consideration for Approval: Granted _____ Denied _____ _____ Date _____
Chairman, Village of Roberts Zoning Board of Appeals

Revised date 8/11/2009

JIM SMITH
314 W PLEASANT ST
24X24 GARAGE

 = EXISTING

 = CHAIN LINK FENCE

 = APPROXIMATE PROPERTY LINE

NOTES:

A = 8X12 GARDEN SHED PROBABLY ROTATED 90° FOR MORE ROOM FROM GARAGE

B = 9X12 GARDEN SHED TO BE REMOVED

C = 8X12 FLOATING DECK TO BE MOVED/ALTERED TO MAKE SPACE NEAR GARAGE

D = HOT TUB TO BE REMOVED

* ALL MEASUREMENTS ARE APPROXIMATE FROM FENCE

PROPERTY LINES ARE APPROXIMATELY:

WEST LINE - 2' BEYOND FENCE

SOUTH LINE - 2'-3' BEYOND FENCE

PLEASANT ST.

PARKING
LOT

BANK

Asphalt
Driveway

314

312

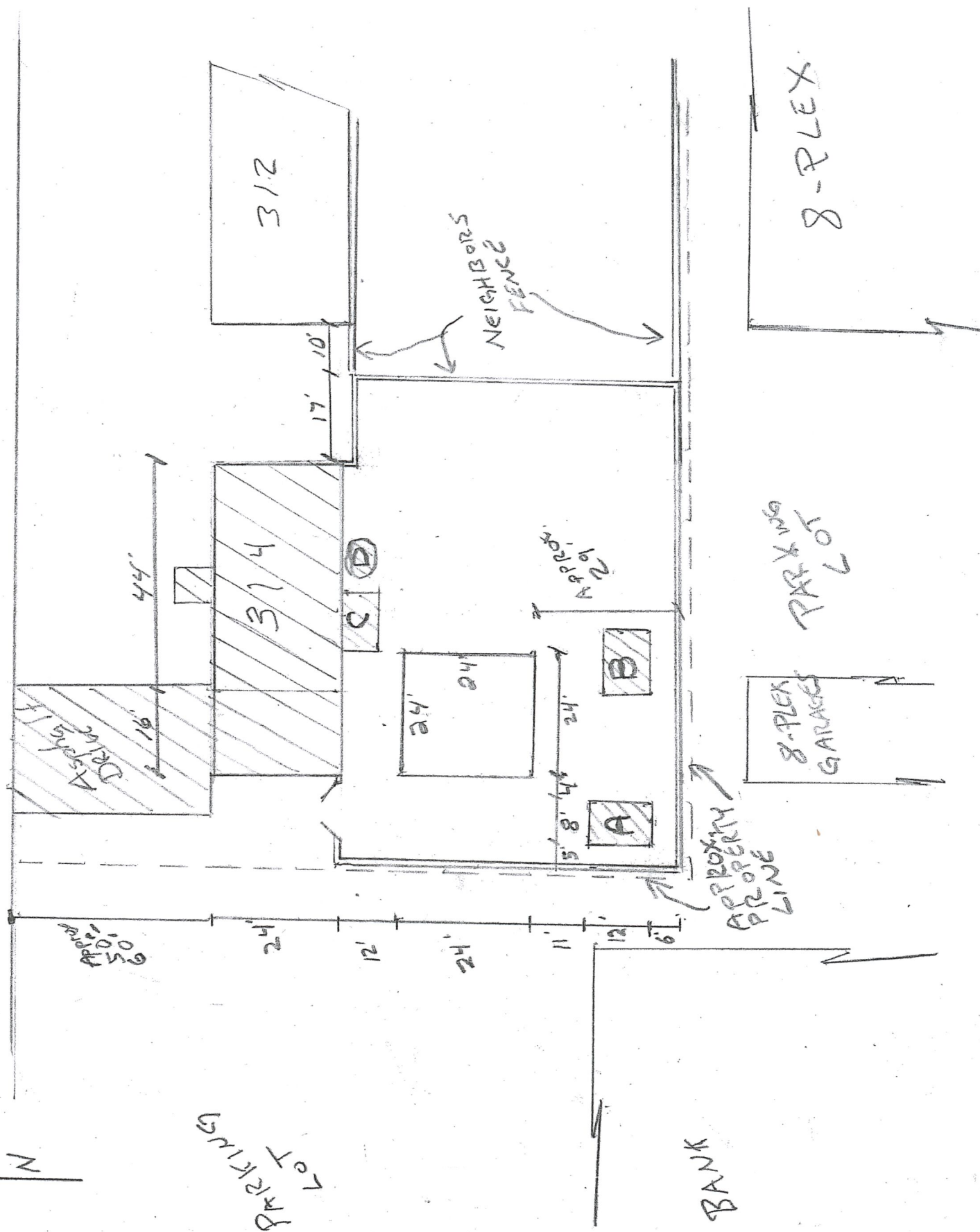
NEIGHBORS
FENCE

APPROXIMATE
PROPERTY
LINE

8-PLEX
GARAGES

PARKING
LOT

8-PLEX



MEMORANDUM

To: Roberts Plan Commission / Village Board

From: Angi Goodwin

Date: November 24, 2020

Project No.: 23-0737.19

Re: Rolling Meadows 8th Addition Variance Request – Ayres Review

Summary

The developer is requesting a zoning variance for the 8th addition of Rolling Meadows. This request affects 22 of the 26 lots proposed for this addition. This addition also includes dedicated parkland for the Village.

The table below shows the requirements in the zoning code for Rs-6 zoning. It also shows what Rs-6 allows for a Planned Unit Development (PUD). The two items highlighted in **red** are the items they are requesting a variance for. The other items meet the minimum code requirements as shown.

	Rs-6	Rs-6 (PUD)	Proposed
Lot Area	12,500 sf	9,000 sf	8,400 sf
Lot width	90 ft	70 ft	60 ft
Front Setback	30 ft	30 ft	30 ft
Side yard Setback	12 ft	8 ft	8 ft
Rear yard Setback	35 ft	23 ft	35 ft
Driveway	10 feet from lot lines	10 feet from lot lines	10 feet from lot lines

Comments/Discussion

1. Terminations at the park will need to be consistent with the park master plan concept. This also needs to include snow clearing turn arounds.
2. Things to consider:
 - a. Small yards in lots located near a park is advantageous, as people will tend to use the park for their outdoor space.
 - b. Narrow lots limit the type of home you can put on them, but many options for floor plans. Smaller lots are trending and allowed in many other communities right now. And many floor plans exist for this type of lot.
 - c. There is less maintenance on a small lot.
 - d. There is less room for snow removal on the street because driveways are closer together.
 - e. There is less room for parking on the street because driveways are closer together. However, the two floor plans provided indicate 2-stall garages, this will provide off-street parking in addition to 2 stalls within the driveways.
 - f. It can be good to provide a mixed cost point for homes in a development. However, twin homes are available in other parts of the development.



TO: ZONING BOARD OF APPEALS

FROM: ZACHARY FAGAN

DATE: 11/18/2020

SUBJECT: VARIANCE REQUESTS TO RS-6 SINGLE FAMILY
RESIDENTIAL PUD FOR ROLLING MEADOWS 8TH ADDITION

JOB #: 5307-007

Corporate Office:
406 Technology Drive E., Suite A
Menomonie, WI 54751
715-232-8490, fax 715-232-8492

Hudson Office:
2920 Enloe Street, Suite 101
Hudson, WI 54016
715-381-5277

Included is a Site Plan for Rolling Meadows 8th Addition Subdivision.

SITE

18.2 Acres (including ROW & Park/Open Space)

7.3 Acres (excluding ROW & Park/Open Space)

Zoning—RS-6 PUD

OVERALL 8th ADDITION SUMMARY

Single Family Rs-6 PUD	4 Lots	67,621 sf (1.55 Acres)
Single Family Rs-6 PUD w/ Variances	22 Lots	248,064 sf (5.69 Acres)
Dedicated Park/Open Green Space	Outlot	417,759sf (9.59 Acres)
New Dedicated ROW		59,246 sf (1.36 Acres)
900 Lineal Feet of New Roadway		

RS-6—SINGLE FAMILY PUD

Zoning requirements

Minimum PUD Area = 10 Acres

Maximum Density = 3.5 Dwelling Units/Net Acre

Minimum Lot Area = 9,000 sf

Minimum Lot Width = 70 ft

Street building setback = 30 ft

Side Yard Building Setback = 12 ft

Rear Yard Building Setback = 35 ft

This PUD Development

PUD Area RS-6 = 16.8 Acres (Includes Park/Open Space)

Actual Density = 3.50 Dwelling Units/Net Acre with 7,905 sf park credit

Actual Minimum Lot Area = 8,400 sf

Actual Minimum Lot Width = 60 ft

Actual Minimum Side Yard Setback = 8 ft (Allowed Per Sec. 70-110.(3)d.)

****Requested PUD Variances***

- Minimum Lot Area Variance from Zoning requirement of 9,000 sf to 8,400sf
- Minimum Lot Width Variance from Zoning Requirement of 70 ft to 60ft

Date Draft Submitted	
Date Application Submitted	
Fee Paid	

Application for Variance

Owner (must be the applicant) Devening Homes Investments
 Parcel Address Rolling meadows - see map Parcel Number _____
 Owner Address Devening Homes Investments LLC Daytime Phone 715 760 0001
 Present Use of the Property new construction - homes
 Zoning Classification RS-6

The following items must be submitted with each application. Additional site plan information as described in Section 70-325 may be required by the Zoning Administrator (Ordinance section referenced in this application are available upon request):

(1) **Map of the property showing the following:**

- Entire property
- All lot dimensions
- Existing structures with dimensions to property lines (buildings, fences, walls etc)
- Proposed structures with written dimensions to property lines
- Existing paved surfaces (driveways, walks, decks, etc)
- Proposed paved surfaces with dimensions to property lines
- Written dimensions to buildings on adjoining properties if setback variance is requested
- Zoning of adjacent parcels
- Street(s) which are adjacent to the parcel
- Graphic scale and north arrow
- Changes in land use intensity due to the variance (additional dwelling units, more customers, more parking, outside lighting, outside storage, etc)

(2) **Written description of proposed variance** answering the following questions:

Village of Roberts Ordinance Section # 70.110(3) b/c cannot be entirely satisfied because:

smaller lot sizes proposed; square footage and width - See narrative.

In lieu of complying with the ordinance, the following alternative is proposed (please describe the proposal in detail):

Proposed lot sizes provide additional housing type options for owners who don't want large lots to maintain.

- (3) **Written justification of the requested variance** with reasons why the Applicant believes the proposed variance is appropriate. Before the Zoning Board of Appeals can grant a variance, they must find that the following criteria have been satisfied. Describe how your request meets the following criteria: (section 70-327)

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 that are not present on other properties in the same zoning district.

The layout allows a transition to additional housing types.

- The hardship or difficulty shall be peculiar to the subject property and different from that of other properties and not one that 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, or will not accommodate a structure of reasonable design for a permitted use if all area, yard, green space, and setback requirements are observed;
- 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.)

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.

Homeowners are requesting smaller lots to have less maintenance and have a smaller environmental footprint.

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.

There is a transition from existing
homes to the smaller ~~home~~ lot sizes.

Would the granting of the proposed variance as depicted on the required site plan, 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 this Chapter, the Master Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the Village 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.

The density of development is increased
by negligible amount.

Have the factors causing the variance request 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, lotting pattern, or grading) after the effective date of this Chapter. The response to this question shall clearly indicate that such factors existed prior to the effective date of this Chapter and were not created by action of the Applicant, a previous property owner, or their agent.

Providing additional housing type.

Verification by applicant: I, _____, owner for which relief is sought, certify that the application and the above information is truthful and accurate to the best of my ability.

Applicant Signature _____

Date _____

11/18/2020

Applicant Signature _____

Date _____

11/18/2020

Consideration for Approval:

Granted _____

Denied _____

Date _____

Chairman, Village of Roberts Zoning Board of Appeals

Revised date 8/11/2009

PROPERTY LINE

PROPOSED RIGHT-OF-WAY

PROPOSED LOTLINE

BUILDING SETBACK

TOWER SETBACK

WETLAND LIMITS

PHASE 1 BOUNDARY

