

BOARD OF APPEALS
CITY OF WISCONSIN DELLS
MUNICIPAL BUILDING ~ 300 LACROSSE STREET
WISCONSIN DELLS, WI 53965
OCTOBER 9, 2013

1. Chairperson Ben Borchert called the meeting to order at 5:00P.M.

Present: Ben Borchert, Tom Collins, Jim Pugh, and Alt. #1 member Joe Gussel

Excused: Tara Draper, Adam Makowski and Alt. #2 member Troy Ryan

Others: City Clerk Nancy R. Holzem, Zoning & Planning Administrator Chris Tollaksen, John Tollaksen, Shirley Tollaksen, Pete Tollaksen, and Kay James from the *Dells Events*.

City Clerk Nancy Holzem verified that a quorum was present and no conflicts of interest were noted by any board members. Notice of the meeting had been given to the Dells Events, WNNO Radio and posted in accordance with State Statutes. Official Notice of the Public Hearing was published in the *Dells Events*. Property owners within 300 feet were notified via mail by copy of the Public Hearing Notice. A packet of information detailing the request had been distributed to Board Members, the Director of Public Works, Planning & Zoning Administrator, Council Members, the Appellant and other interested persons by the City Clerk.

2. Motion by Pugh seconded by Collins to approve the minutes from the September 8, 2010 meeting as presented with no corrections. Motion carried unanimously.

3. Chairperson Borchert declared the Public Hearing open on the following variance application received from John Tollaksen:

- **A Variance from Municipal Zoning Ordinance Division 3, Allowable Uses** for City of Wisconsin Dells, Sauk Co. Parcel No. 0097, which does not permit defined Land Use 3.2 Residence, Single-Family Detached in the C-4 Commercial, Large-Scale Zoning District.

City Zoning Administrator Chris Tollaksen gave a summary of the variance requested. Speaking on behalf of granting the variance was the applicant John Tollaksen. He stated that his home, which was outside the city limits, was burned due to arson. He stated that he does not want to rebuild his home in the exact location of his previous home due to traffic and safety concerns since it is so close to the road. There is also a natural gas line located behind the former house. He would like to rebuild in a safer location which is close to where his former home was but is in the city limits. The property is zoned C-4 Commercial, Large-Scale which does not allow single family homes. Mr. Tollaksen stated that he does not want to rezone all of the property as he feels the best use of the property is commercial. Shirley Tollaksen stated that the property is for sale and if they could see it they would and build somewhere else. She also noted safety concerns with their existing driveway. Pete Tollaksen spoke in favor of the variance. He stated that he advised John not to rebuild at his current location due to pending and proposed changes

to Trout Road. With no one else came forward to speak Chairperson Borchert declared the Public Hearing closed.

4. Zoning Administrator Chris Tollaksen reviewed this Staff Report with the board. Chairperson Borchert questioned if that area was serviced by city utilities. C. Tollaksen stated that the city utilities end in the area by Beaver Springs so they would be unable to connect to city utilities. Alliant would be the electric provider and a private well and mound system would have to be put in. Chairperson Borchert informed the applicant that private utilities would need separate city approval. Member Jim Pugh questioned if a new driveway would be put in on Trout Road. J. Tollaksen stated that an existing driveway in that area would be used.

It was moved by Collins seconded by Gussel to **Grant a Variance from Municipal Zoning Ordinance Division 3, Allowable Uses for City of Wisconsin Dells, Sauk Co. Parcel No. 0097, which does not permit defined Land Use 3.2 Residence, Single-Family Detached in the C-4 Commercial, Large-Scale Zoning District to John & Shirley Tollaksen and allow them to construct a single family home on Parcel No. 0097;** citing the fire caused by arson as an unnecessary hardship; Trout Road in front of their former home site and the natural gas line behind it as unique property limitations, and that by granting the variance there would be no harm to public interests. Upon roll call vote the motion carried 4-0. Chairperson Borchert declared the variance **granted**.

6. There were no items for referral.
7. Motion by Collins seconded by Gussel to adjourn the meeting. Motion carried unanimously and the meeting adjourned at 5:15P.M.

Nancy R. Holzem
City Clerk