



City of Lake Geneva, 626 Geneva St, Lake Geneva, WI 53147- 262.248.3673- www.cityoflakegeneva.gov

CITY OF LAKE GENEVA ZONING BOARD OF APPEALS

MONDAY, MAY 22, 2023 - 5:00 PM

CITY HALL, CONFERENCE ROOM 2A

Members:

Chairperson Al Kupsik, Robert McCormick, Todd Krause, 1st Alternate, and Wesley (Pete) Peterson

AGENDA

1. Meeting called to order by Chairperson Al Kupsik
2. Roll Call
3. Approve minutes of the March 1, 2022 Zoning Board of Appeals meeting as distributed
4. Comments from the public as allowed by Wis. Stats. §19.84(2), limited to items on this agenda, except for public hearing items. Comments will be limited to five (5) minutes.
5. Acknowledgment of Correspondence
6. Public Hearing and Action on an application for a Variance Request filed by Jayson P. Nordstrom 510 Franklin Ave Lake Geneva, 53147. For a variance request to the side, rear, and allowable lot coverage for a property located in the Single Family – 4 (SR-4) zoning district Tax Key No. ZMA00026
7. Adjournment.

QUORUM OF CITY COUNCIL MEMBERS MAY BE PRESENT

Requests from persons with disabilities, who need assistance in order to participate in this meeting, should be made to the City Clerk's office, in order for appropriate Accommodations.

ZONING BOARD OF APPEALS MEETING
Tuesday, March 1, 2022 – 5:00 PM
COUNCIL CHAMBERS, CITY HALL – VIRTUAL MEETING VIA ZOOM

Chairman, Al Kupsik called the meeting to order 5:00 PM

Roll Call: present: Al Kupsik Chairperson, Todd Krause, Bob McCormick, Frank Marsala, and Thomas Anthony, Absent (Excused) Bernie Williams. Also Present: City Attorney Dan Draper, Building and Zoning Administrator Fred Walling.

Approve Minutes of the January 18, 2021 Zoning Board of Appeals meeting as distributed.
Krause / McCormick motion to approve. Motion carried unanimously.

Comments from the public as allowed by Wis. Stats. 19.84(2), limited to items on this agenda, except for public hearing items. Comments will be limited to 5 minutes. None.

Acknowledgement of Correspondence. correspondence from Tom Jacobsen, 1154 Rolling Ln., with concerns of the proposed lot alterations. All correspondence has been distributed to the members of the Zoning Board of Appeals.

Attorney Draper explained the Zoning Board of Appeals process and the specific items to be agreed upon before a vote can be recorded.

Public Hearing and Action on an application for a Variance Request filed by John and Deborah Duggan d/b/a, Lincoln Holdings Group, LLC. W3234 McDonald Rd. Lake Geneva for a request to allow for the incursion into the public right of way with a paved parking lot & a reduction of the side setback to allow for a paved parking area. Located in the Two-Family - 6 (TR-6) zoning district Tax Key No. ZOD00001B. Zoning Administrator Fred Walling summarized the variance request. Board members asked questions of the applicant on their request.

Attorney Thomas Gardiner explained the request of his clients that would require a variance to allow for the pavement incursions.

Bill Huntress, 1015 Pleasant St. spoke in favor of the request.
Len Jegerski, 1804 Conant St. spoke in favor of the request.

Kupsik/McCormick motion to close the public hearing, Motion carried unanimously.

Kupsik stated the board must vote on all 5 criteria to record a vote to approve or deny this variance request.

Roll Call: Kupsik, Fran Marsala, and Krause voted yes, Bob McCormick & Thomas Anthony voted no.

98-934(3)(b) states that “the concurring vote of four (4) members of the Board of Appeals shall be necessary to reverse any order, requirement decision, or determination appealed from or to decide in favor of the applicant on any matter on which it is required to pass or to effect any variations in requirements of this Code.” The Zoning Board of Appeals denied the request for a variance because the requisite number of votes to grant the variance were not obtained.

See the attached 5 conditions for granting a variance with roll call vote on each item.

Anthony / McCormick motion to adjourn 5:52PM.

Administrators Additional Documents
STAFF REPORT
To Lake Geneva Zoning Board of Appeals
Meeting Date: April 17, 2023

Agenda Item: 6

Applicant:

Jayson P. Nordstrom
510 Franklin Ave.
Lake Geneva WI 53147

Request: Variance Review for building setback reductions for the side and rear & allowable lot coverage in the Single-Family Residential - 4 (SR-4) zoning district.
510 Franklin Ave.
Tax Key No. ZMA00026

Description:

The applicant is submitting a request for a review by the Zoning Board of Review (ZBA) for a reduction in the required side and rear yard setback to include maximum allowable lot coverage with buildings and paved areas for the installation of an attached garage located at 510 Franklin Ave., located in the Single-Family Residential - 4 (SR-4) zoning district Tax Key No. ZMA00026.

Staff Review Comments:

I have provided the documents to assist in your review of the variance request.

1. The existing legal non-conforming lot is 46' X 89' = approx. 4,094 sqft.
2. Standard lots in this area zoned SR-4 are typically 60' X 150' = 9,000 sqft.
 - a. The 2 lots adjacent to this property were divided many years ago to create
3. Survey from 2012 included, existing lot coverages will be increased minimally.
 - a. The lot is almost fully covered with buildings and pavement currently
4. Site alterations – if approved the owner will be placing a new “attached garage” +/- (**6 inches**) from the property line, whereas the current home setback is 6 feet.
 - a. This proposal is not a “detached” accessory building, once the garage is attached to the home as proposed, it becomes part of the home as the primary structure.
5. Current EXISTING site with legal non-conforming alterations:
 - a. Existing Non-conforming lot size.
 - b. Maximum lot coverage already exceeded by approx. 90%
 - c. Building setbacks to rear property line.

6. Proposed FUTURE site alterations: Variance requests
 - a. Exceed maximum lot coverage.
 - b. Build a garage addition within the required side yard setback.
 - c. Build a garage addition within the required rear yard setback.

Required building and fire codes will be enforced and maintained should an approval be granted.

APPLICATION FOR VARIANCE

Name of Applicant: JAYSON P. NOROYTLON

Address: 510 FRANKLIN AVE.
LAKE GENEVA, WISCONSIN

Telephone No. & Email: 815 263-0183 JNOROYTLON@RHC.NET

Property Owner: JAYSON P. NOROYTLON

Telephone No. & Email: SAME

Owner Signature: [Signature]

Legal description of property (include separate sheet if necessary):
510 FRANKLIN AVE
5 46' OF 90' LOT 25 DAVID D MARSH'S ASSOCIATES
LAKE GENEVA 0.070 ACRES

Proposed Use: GARAGE
Single Family - 4 Zoning

TERMS OF ORDINANCE:
BUILDING NEED TO BE
3' OFF LOT LINE

*Correction:
Building Needs to be
6' off of the Property Line

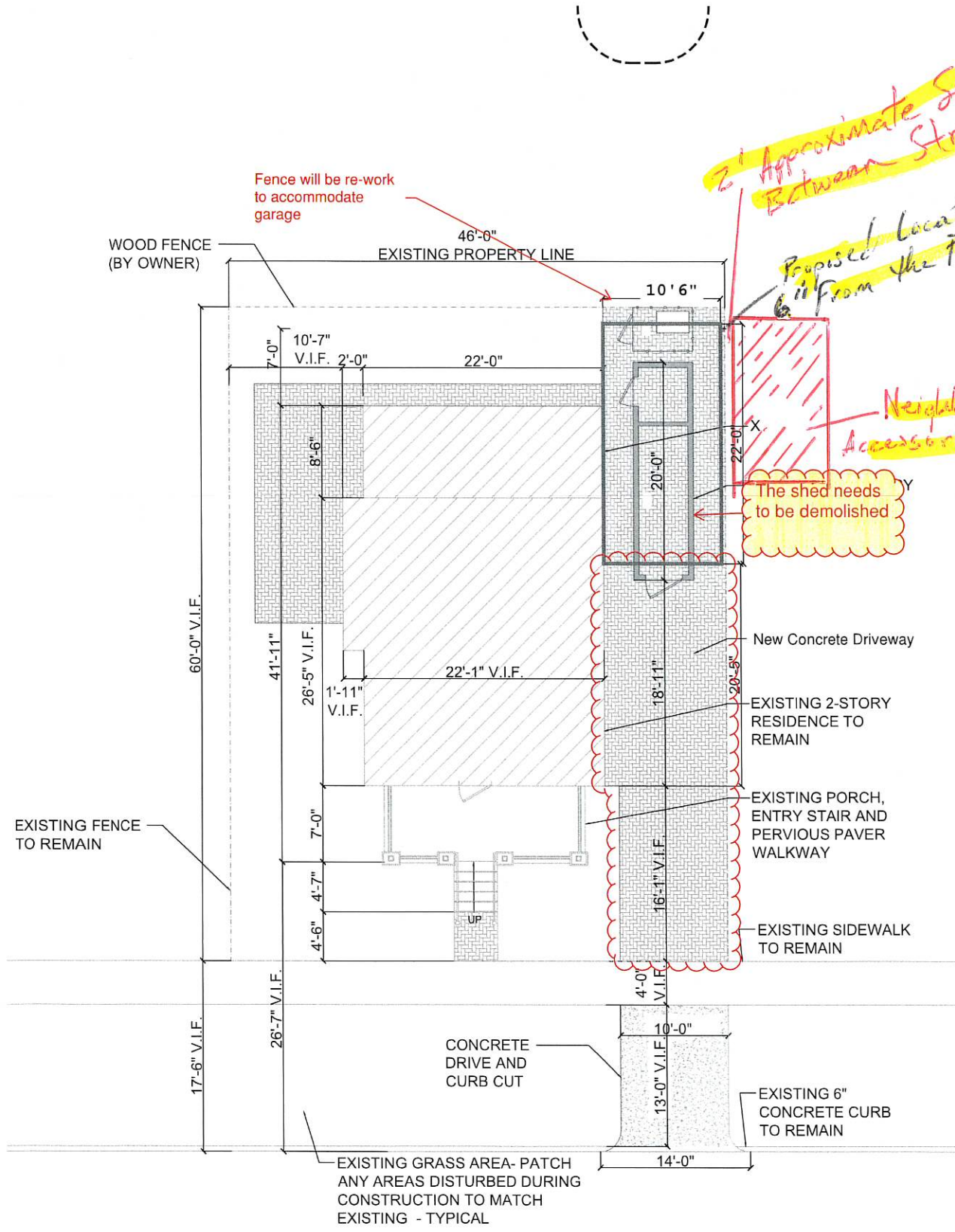
VARIANCE REQUESTED:
BUILD 6" OF LOT LINE
CONNECT GARAGE TO
HOUSE

SEE ATTACHED CHECKLIST FOR SUBMITTAL REQUIREMENTS.

VARIANCE FEE: \$400.00 PAYABLE UPON FILING APPLICATION.

2/13/2023
Date filed

[Signature]
Signature of Applicant

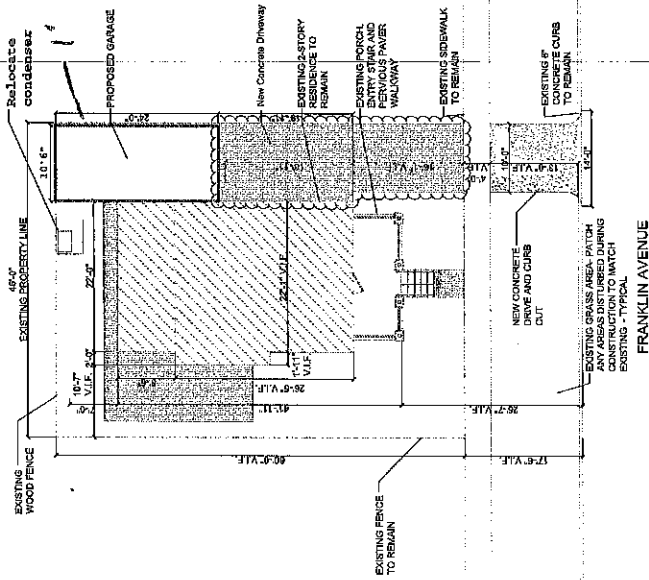


EXTERIOR RENOVATION FOR:
NORDSTROM RESIDENCE
510 FRANKLIN AVENUE, LAKE GENEVA, WI

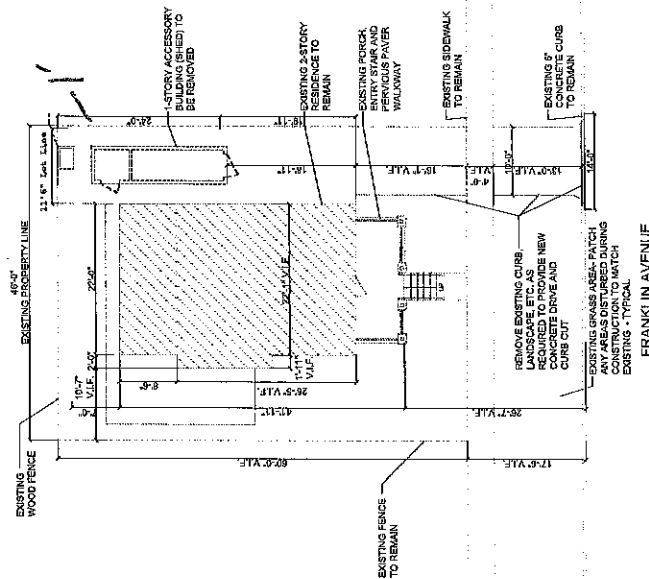
OWNER INFORMATION:
JAYSON & KRISTINA
NORDSTROM
510 N. BERNARD
CHICAGO, IL 60655
(773) 786-2222
(773) 847-8743

Drawn By: SRS
Checked By: SRS
Date: 12/15/21
AS NOTED
Proj. No.: 2101

Sheet: A-1



2 PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"
0' 100' 200' 300' 400'

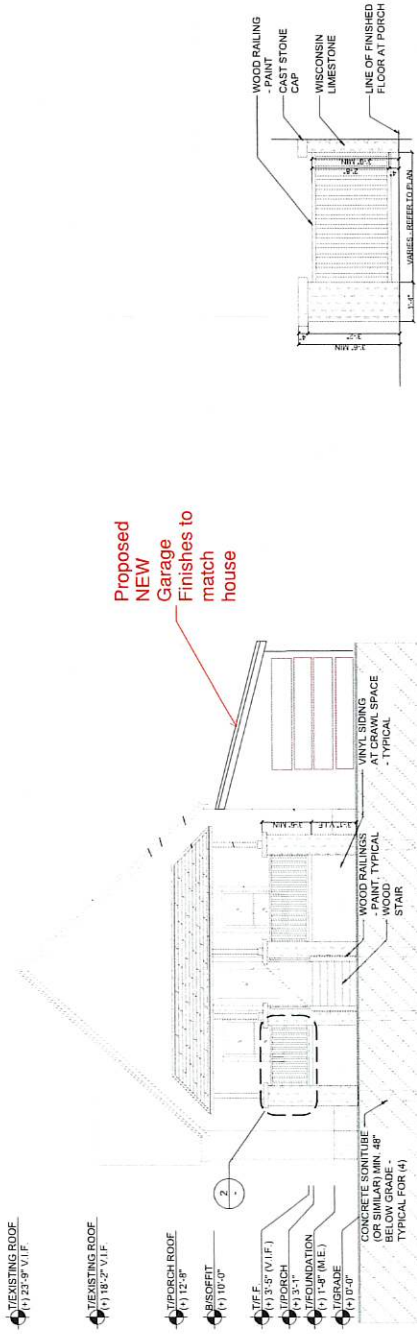


1 EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"
0' 100' 200' 300' 400'

EXTERIOR RENOVATION FOR:
NORDSTROM RESIDENCE
510 FRANKLIN AVENUE, LAKE GENEVA, WI

OWNER INFORMATION:
JAYSON & KRYSZYNA
NORDSTROM
3000 N. BURNHAM
CHICAGO, IL 60625
(P) 847.769.7154
(F) 847.570.0939

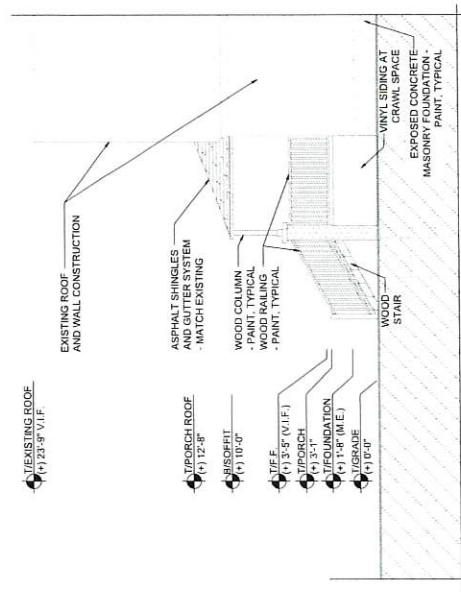
ISSUED FOR PERMIT:
Drawn By: SRR
Checked By: SRR
Date: 05/01/13
AS NOTED: 05/01/13
Proj. No.: 1201
Sheet: A-3.0



1 EXTERIOR ELEVATION - EAST
SCALE: 1/4"=1'-0"



2 ENLARGED ELEVATION - RAILING
SCALE: 1/2"=1'-0"



3 PARTIAL EXTERIOR ELEVATION - NORTH
SCALE: 1/4"=1'-0"



PREPARED FOR
 JAY NORDSTROM
 5340 N BERNARD
 CHICAGO, ILL. 60625

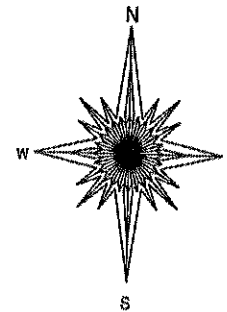
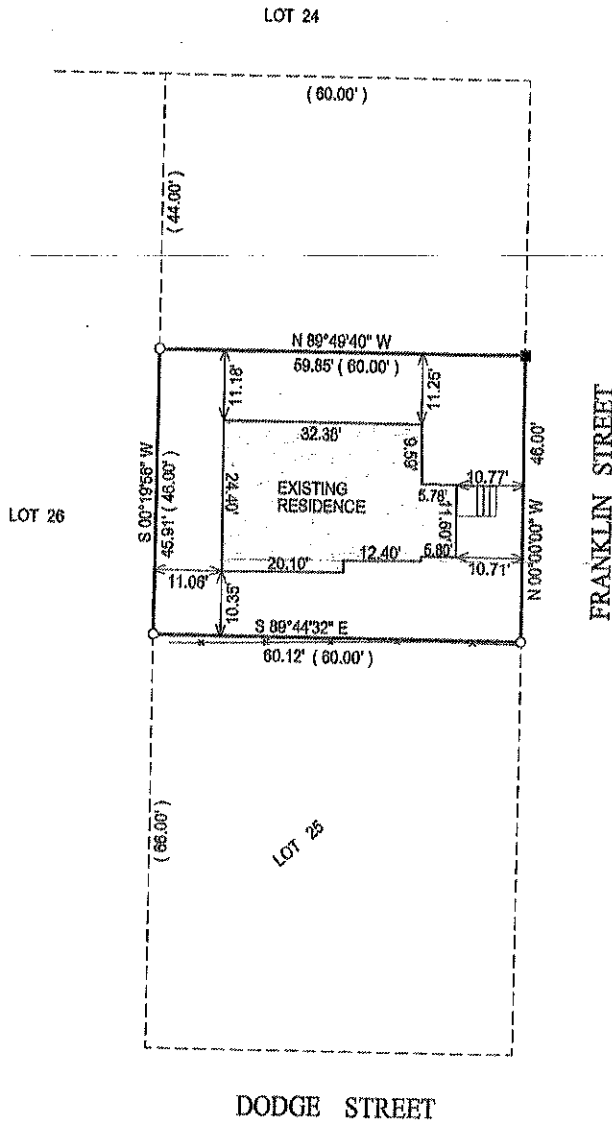
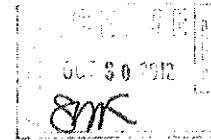
PLAT OF SURVEY

- OF -

PATHFINDER SURVEYING INC.
 (formerly)
 J.K. SURVEYING INC.
 P.O. BOX 322
 LAKE GENEVA, WI. 53147
 WWW.PATHFINDERSURVEYING.NET
 262-248-8303

THE SOUTH 46 FEET OF THE NORTH 80 FEET OF LOT 26,
 DAVID O. MARSH ADDITION TO THE CITY OF LAKE GENEVA,
 WALWORTH COUNTY, WISCONSIN.

PROPERTY ADDRESS
 510 FRANKLIN ST
 LAKE GENEVA, WI

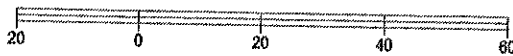


- () = recorded as
- = found iron bar
- = found iron pipe
- = set iron pipe
- = set iron bar

SCALE 1" = 20'

JOB # 12-159

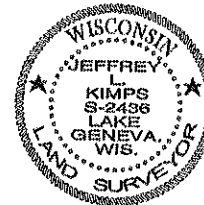
TAX ID #
 ZMA 00026



BASIS OF BEARING OF THIS PLAT: THE WEST LINE OF FRANKLIN ST.
 WAS ASSUMED TO BEAR NORTH / SOUTH.

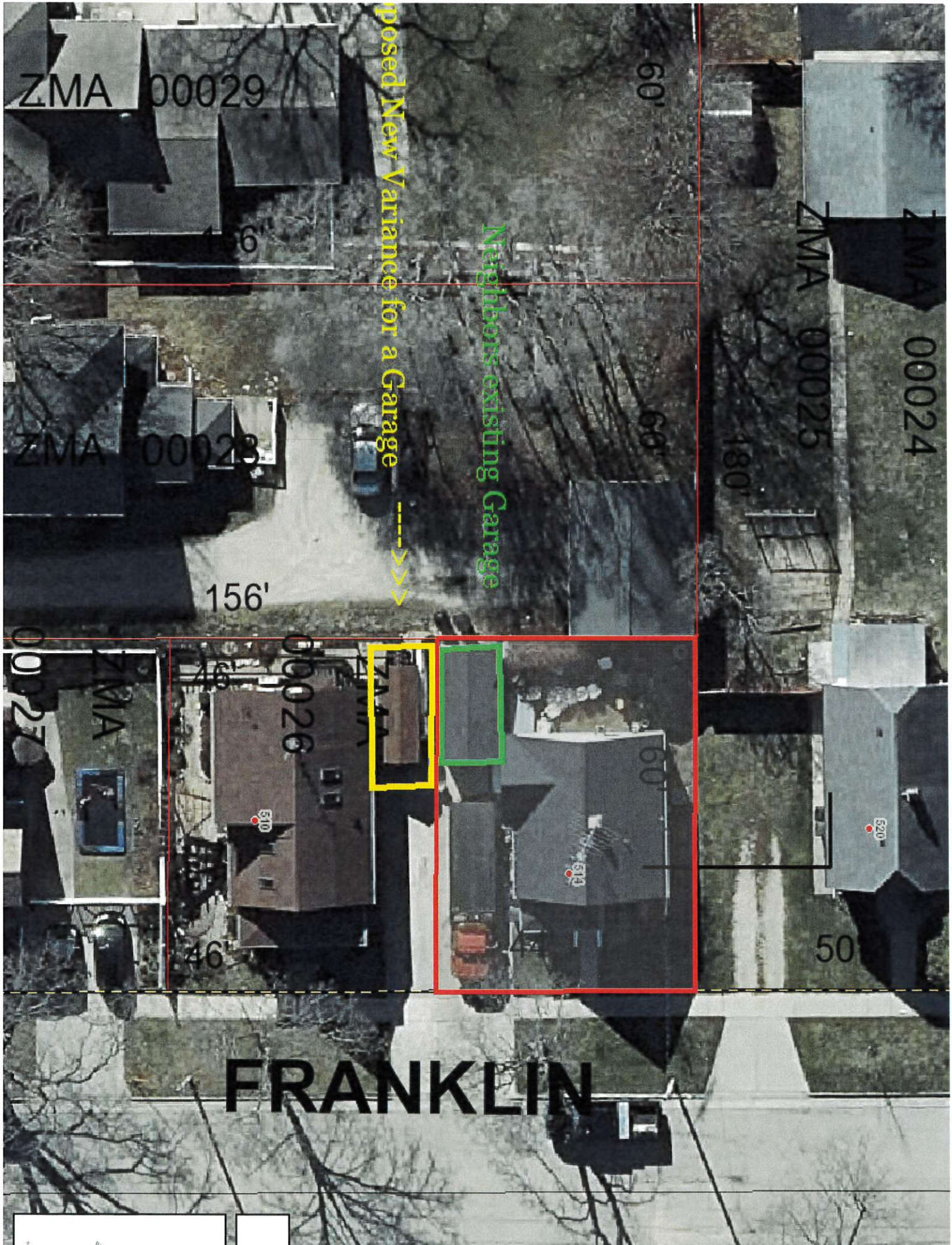
I hereby certify that I have surveyed the above- described property and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all structures thereon, fences, apparent easements and roadways and visible encroachments if any.

This survey is made for the present owners of the property, and those who purchase, mortgage, or guarantee the title thereto, within one year from the date hereof.



JEFFREY L. KIMPS S-2436
 Wisconsin Registered Land Surveyor
 (original if signed in red)

DATED THIS 29TH DAY OF OCTOBER, 2012.



ZMA 00029

ZMA 00028

ZMA 00027

ZMA 00024
ZMA 00025

FRANKLIN

Proposed New Variance for a Garage

Neighbors existing Garage

60'

60'

60'

180'

156'

46'

46'

50'

00026





proposed garage addition

FRANKLI

1561

Legal Landscape

WALWORTH COUNTY, WISCONSIN



Author:

Map Produced on: 2/27/2023

Wisconsin State Plane Coordinate System, South Zone
Horizontal Datum: NAD83/2011

Walworth County Information Technology Department
Land Information Division

1000 Lakeshore Drive, Suite 200
Oshkosh, Wisconsin 54901



Google Maps 514 Franklin Ave

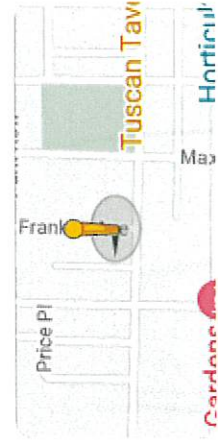
Lake Geneva, Wisconsin

Google Street View

Sep 2022 See more dates



Image capture: Sep 2022 © 2023 Google





**CITY OF LAKE GENEVA PROCEDURAL CHECKLIST FOR:
VARIANCE REVIEW AND APPROVAL (Requirements per Section 98-910)**

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

I. RECORDATION OF ADMINISTRATIVE PROCEDURES

___ Pre-submittal staff meeting scheduled:

Date of Meeting: _____ Time of Meeting: _____ Date: _____ by: _____

Follow-up pre-submittal staff meetings scheduled for:

___ Date of Meeting: _____ Time of Meeting: _____ Date: _____ by: _____

___ Date of Meeting: _____ Time of Meeting: _____ Date: _____ by: _____

___ Application form filed with Zoning Administrator: Date: _____ by: _____

___ Application fee of \$ _____ received by Zoning Administrator: Date: _____ by: _____

___ Reimbursement of professional consultant costs agreement executed: Date: _____ by: _____

II. APPLICATION SUBMITTAL PACKET REQUIREMENTS

Prior to submitting the 8 final complete applications as certified by the Zoning Administrator, the Applicant shall submit 1 initial draft application packet and 1 digital copy for staff review, followed by one revised draft final application packet based upon staff review and comments.

Initial Packet (1 Copy and 1 Digital Copy to Zoning Administrator) Date: _____ by: _____

↓ *Draft Final Packet (8 Copies and 1 Digital Copy to Zoning Administrator)* Date: _____ by: _____

↓

- ___ (a) **A map of the subject property:**
 - ___ Showing all lands for which the variance is proposed;
 - ___ Indicating current zoning of the subject property and environs, and the jurisdiction(s) which maintains that control;
 - ___ 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 Land Use Plan Map, of the generalized location of the subject property in relation 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 conforming to all requirements of Section 98-908(3). (See "Site Plan Approval checklist")
- _____ (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 98-910(4)(c)1.-6. (See below)

III. JUSTIFICATION OF THE PROPOSED VARIANCE

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.

a. Describe the hardship or difficulty that is peculiar to the subject property and different from 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;

A GARAGE IS REQUIRED AS I RETIRE AND AGE.
THE WINTERS WITH SNOW & ICE WILL BE A SAFETY
ISSUE THE OLDER I GET

- NOTE:**
- *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.

I WOULD GET BACK THE GARAGE BY 1 FOOT
ALLOWING 2 FEET BETWEEN STRUCTURES
FOR MAINTENANCE/DEVELOPMENT

A GARAGE IS ENJOY BY 95% OF LAKE GENESA
RESIDENCE

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.

I WOULD SET BACK THE GARAGE BY (FOOT ALLOW) 2 FEET BETWEEN STRUCTURES FOR MAINTENANCE OR PURPOSES

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.

THE GARAGE WOULD BE BUILT AND TRIMMED TO CAPTURE THE SAME ARCHITECTURAL FEATURES AS THE HOUSE

5. Have the factors which present the reason for the proposed variance been created by the act of the Application 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 the Zoning Ordinance (see Section 98-011.) 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.

NA

6. Does the proposed variance involve the regulations of Section 98-203 (Table of Land Uses)? The response to this question shall clearly indicate that the requested variance does not involve the provisions of this Section.

NA

IV. FINAL APPLICATION PACKET INFORMATION

____ Receipt of Final Application Packet by Zoning Administrator: Date: _____ by: _____

____ Receipt of 8 Copies of Final Applications by Zoning Administrator: Date: _____ by: _____

____ A digital copy of Final Application Packet shall be emailed to the Building and Zoning Department upon submittal deadline. Date: _____ by: _____

____ Certification of complete Final Application Packet and required copies to the Zoning Administrator by City Clerk: Date: _____ by: _____

____ Class 2 Legal Notice sent to official newspaper by City Clerk: Date: _____ by: _____

____ Class 2 Legal Notice published on _____ and _____ by: _____

**NOTICE OF PUBLIC HEARING
CITY OF LAKE GENEVA
Zoning Board of Appeals**

Notice is hereby given that a Public Hearing will be held before the City of Lake Geneva Zoning Board of Appeals on Monday May 22, 2023 at 5:00 P.M. at the City Hall, 626 Geneva Street, Lake Geneva, Wisconsin, on an Application for a Variance request filed by Jayson P. Nordstrom 510 Franklin Ave. Lake Geneva WI 53147. To allow for the proposed home garage addition to a legal non-conforming property. Located at 510 Franklin Ave. in the Single-Family Residential – 4 (SR-4) zoning district:

TAX KEY No. ZMA00026

All interested in the above matter are invited to attend. Copies of the application are on file at the Lake Geneva City Hall and are available for public inspection during regular office hours from 8:30 am to 5:00 pm Monday through Friday.

Dated this 17th day of April 2023.

Al Kupsik
Chairperson Zoning Board of Appeals
City of Lake Geneva, WI

A QUORUM OF ALDERMEN MAY BE IN ATTENDANCE

Please publish as small Legal on May 4th & 11th, 2023.