



P.O. Box 352 • 150 S. Bridge St. • Markesan, WI 53946 • P: (920) 398-3031 • F: (920) 398-3991

BOARD OF ZONING APPEALS  
Markesan City Hall

March 20, 2023  
6:00 pm

**WORKING AGENDA**

- Call To Order
- Roll Call
- **Public Hearing:**
  - A variance to Section 400-39 (C-2) of the Markesan Municipal Code – SINGLE FAMILY RESIDENTIAL DISTRICT – Lot, Yard and Building Requirements - Principal Building – Side yard minimum of eight feet by Brent Zick for property located at 40 E Summit Street, Markesan, WI. Proposed garage addition to be built on the east side of the garage and to be approximately 5 feet from the lot line.
- Presentation of Variance Request.
- Close Floor; Take Action or Set Date To Do So.
- Adjourn

Any person requiring special assistance to participate in this meeting should contact the Clerk-Treasurer at 398-3031 at least 24 hours prior to the meeting so appropriate accommodations can be made.

Posted: City Hall      www.markesanwi.gov  
Post Office      ERGO Bank

Dated March 14, 2023  
Elizabeth Amend, Clerk-Treasurer

Tim 608-617-6873  
sent to Tim 3-2-23

CITY OF MARKESAN  
GREEN LAKE COUNTY, WISCONSIN

BOARD OF ZONING APPEALS APPLICATION FOR VARIANCE

Application fee of \$250 must be submitted with application. Fees are not refundable.

To apply for a variance from the City of Markesan Zoning Ordinance this completed application, along with the appropriate fees, **eight copies of a site plan** and other requested information and materials, must be submitted to the City Clerk at least 60 days prior to your hearing date. **In addition to the application fee, a fee for the required public notice is required.** This fee varies.

Your completion of this application (no alternatives will be accepted) and **appearance at a public hearing are necessary for the Board to act upon your request.** Depending upon the information the Board receives at the hearing and its application of the law, your request for a variance may or may not be granted. You may use the backside of this application or attach extra sheets if you wish. Fees are non-refundable even if the variance is not granted.

APPLICANT – Please print:

Name: Brent Zick (Doreen)  
Mailing Address: 40 E Summit St  
Phone number: 920-398-2572

PROPERTY OWNER (if different from Applicant) – Please print:

Name: Same  
Mailing Address: \_\_\_\_\_  
Phone number: \_\_\_\_\_

I/We hereby request a hearing before the Zoning Board of Appeals for the following subject property (Physical Address or Legal Description/Tax Parcel number, if no address):

40 E. Summit St. Present Zoning District R-1

For a variance from section(s) 400-39 of the City of Markesan Code of Ordinances.  
C2

Explanation of Variance(s) requested: \_\_\_\_\_

We want to Build closer to the Lot Line on the Eastside of our Garage it would be about ~~10~~ 5 ft from the lot line the Addition we want to add on to the graage would be 11 x 26

This application shall also include a drawn to scale site plan(s) with the following information provided. The Zoning Administrator may authorize omissions that are not applicable to an individual case.

- a) North arrow.
- b) Street address.
- c) Size of property in sq. ft or acres.
- d) Property lines and dimensions.
- e) Location of significant natural features including wetlands, steep slopes, flood-prone areas, unique vegetation, any other unusual land features.
- f) Location of all structures on the land with building dimensions.
- g) Proposed construction
- h) Lot lines and all structure within one hundred feet (100') of the site's property lines including driveways and other access points along both sides of the street where access to the site is proposed.
- i) Identification of all rights-of-way and easements pertaining to the subject land and adjoining parcels.
- k) Photographs of property.

In actions before the Board of Zoning Appeals, the burden of proof falls on the applicant, i.e. if a variance is requested, factual evidence must be presented to satisfy the Board that a hardship exists, which is not generally true of other properties in the area and which is not a self-created hardship. The economic cost of compliance is not legally considered a hardship.

The following five questions are based upon the tests for granting non-use/dimensional variances. Be aware that in every instance, each of the tests MUST be satisfied in order for the Board of Zoning Appeals to legally grant a variance. Thus, it is in your best interest to answer each of the questions in this application clearly and completely, with as much detail as necessary to support your case for *practical difficulty*, which must be proven in order for the Board to grant a variance.

**Practical difficulty** is a legal term. The Board concludes a valid case has been made for the existence of a practical difficulty when it finds:

1. That a unique circumstance or condition relative to your land prevents you from enjoying the use of your property as others in the same zone district are generally able to do.
2. That the requested variance:
  - a. will not be significantly harmful to your neighbors.
  - b. is consistent with the intent of the Ordinance.
  - c. was not made necessary by anything you did in the first place.

The Board will use the five questions in this application to guide its inquiry into your case. After each question, there is a brief explanation to help you understand the kind of information required. A variance cannot be granted merely as a convenience to the property owner.

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1. What are the exceptional or extraordinary circumstances or unique property limitations that apply to your property, circumstances and conditions that do not generally apply to other properties in the same zoning district as your property?

Side Set Back

What makes your parcel, your property, your *land*, so unusual -- say in its size or shape or location or other physical characteristics? You must show that you truly have a practical difficulty, one not shared generally by others in your zoning district. ("Zoning district," means all other property owners in R-1, R-2, B-1, etc. -- not just your immediate neighbors.)

2. If you are not granted this variance, will others in your zoning district be able to enjoy substantial rights and privileges that you are unable to?

No

The Board will also need to be convinced that the nature of your parcel does not allow you to do with your property what others in your district are rightfully able to do. If you claim your lot is too narrow to allow you to build a garage without a variance, yet other residents in your zone district with the same size lots are able to do so, you would not have a strong case for a variance.

3. Will granting this variance be significantly detrimental to your adjacent neighbors and surrounding neighborhood?

No

Applicants should realize that the neighbors' signatures on a petition or testimony at the hearing is not necessarily sufficient in itself to convince the Board that granting the variance will not be detrimental to the neighborhood. Variances go with the land, not with the current land owner. Consequently, the Board may take a broader and longer view, one that may be more impartial than your neighbors.

4. Will granting this variance harm the intent and purpose of this Ordinance?

No

The Board must consider whether or not granting a variance will hinder the community in achieving the very goals and objectives the Ordinance is trying to accomplish. You should explain *how* your application is consistent with and does not violate the intent of the particular chapter(s) that applies to it; merely saying it does not is not enough.

5. Has the immediate practical difficulty been caused by anything the applicant has done?

NO

So-called "self-created" practical difficulties may not be used to justify granting a variance. Some examples of such difficulties are purchasing property that is nonconforming, trying to undo the effect of a previously granted variance, or having previously constructed/placed structures in a location which hinders your plan for the property.

The undersigned hereby certifies the information given in this application and supplementary materials is true and correct to the best of their knowledge. It is also understood that any information requested, and not included with the application, may cause delays in making a decision on the variance requested.

I hereby grant permission for members of the City of Markesan Board of Zoning Appeals to enter the above described property (or as described in the attached) for the purposes of gathering information related to this application/request/proposal. (NOTE TO APPLICANT: This is optional and will not affect any decision on your application but could help the Board understand the reason for application.)  YES  NO

Signature of Applicant Brent Sick Date Feb 28, 23

This application, **eight (8) copies** of required site plan, and filing fee received by:  
Administrative Official Ephtha Alford Date 3-1-2023



FOR CITY USE ONLY

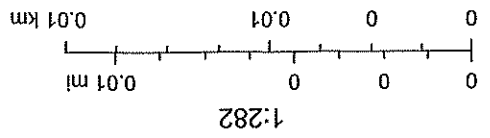
DATE FILED \_\_\_\_\_  
\$250 FEE PAID CK#9598 CLASS 2 NOTICE PUBLISHED (REZ) \_\_\_\_\_  
HEARING DATE - BOA \_\_\_\_\_ INDIVIDUAL NOTICES MAILED \_\_\_\_\_

DISPOSITION \_\_\_\_\_

S

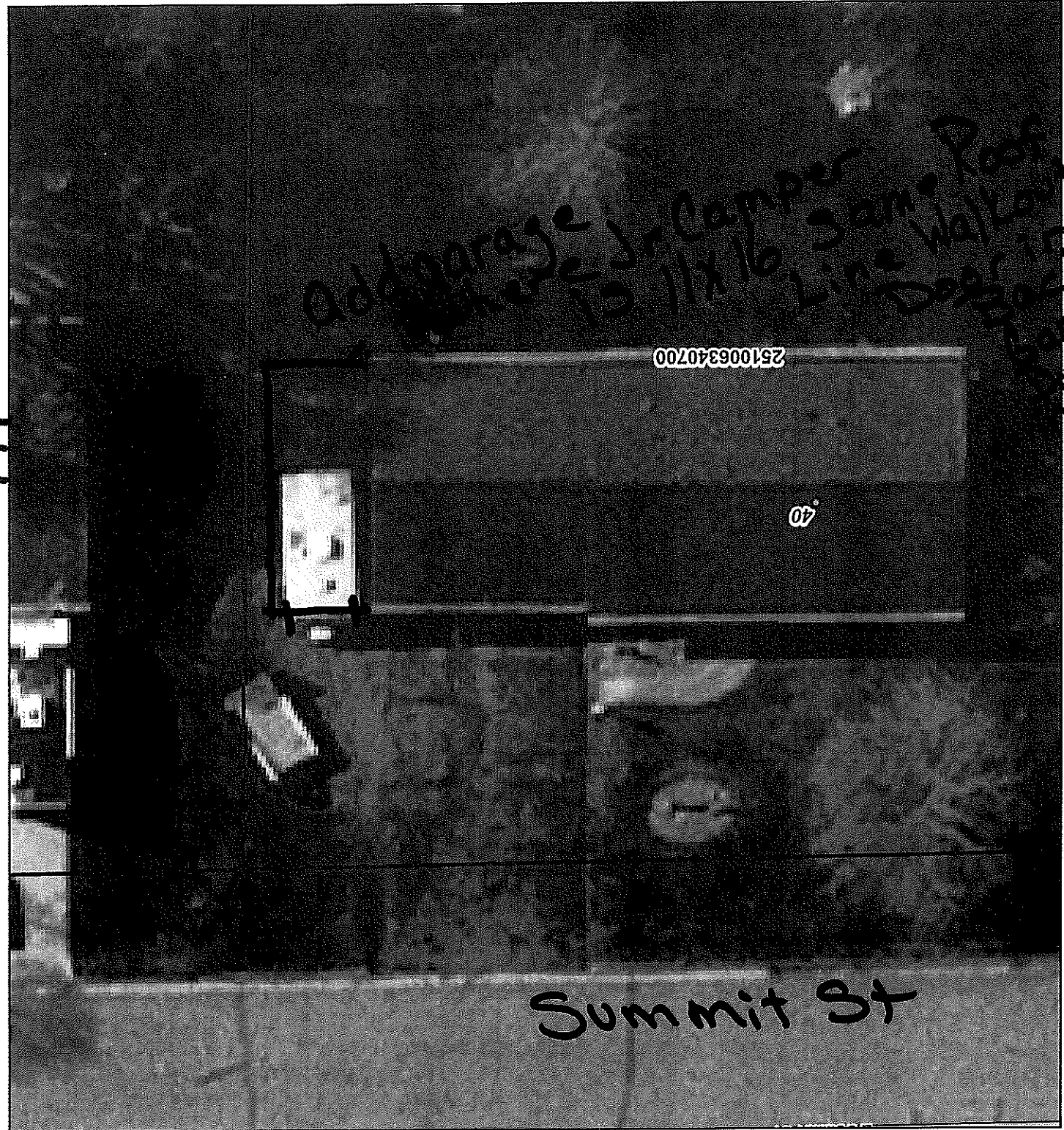
Address   
Section   
Tax Parcel

1/14/2023, 2:48:42 PM



1:282

add garage  
to  
Copper  
251006340700  
same roof  
line  
walkout  
to  
garage  
door  
W



Summit St

GIS Viewer Map

N

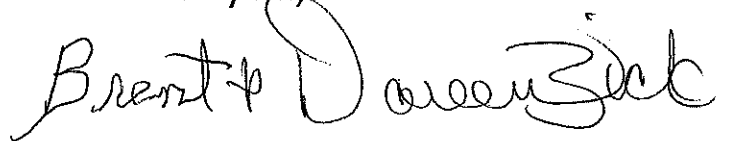
Feb 27, 2013

Dear Neighbors,

We would to add on to the East side of our garage. The new addition will be about ~~11x26~~.  
11x26

We are contacting you before we go in front of the City Building Committee for your permission for this addition.

Thank you,



Brent & Doreen Zick

Name	Address	Phone No
Nancy F. Luano	39 Summit St,	608-751-0641
Russell Neumann	98 Summit St	920-388-3253
Karen Zech (Karen zech)	60 E. Summit st	858-395-7175
Sharon Evans	20 E Summit St	920-767-1103
Doug Stoll	95 E Summit	920-697-1792
Jim Bengry	41 E Summit St	920-767-0085

There are 2 neighbors that where not home Jimmy B. & Mike Z.

GIS Viewer Map

N

775



N

S

E



## Chapter 400. Zoning

### Article VIII. R-1 Single-Family Residential District

#### § 400-39. Lot, yard and building requirements.

[Amended by Ord. No. 144; by Ord. No. 203]  
See also Article III of this chapter.

- A. Lot frontage at setback: minimum 75 feet.
- B. Lot area: minimum 12,000 square feet.
- C. Principal building:
  - (1) Front yard: minimum 25 feet.
  - (2) Side yards: minimum eight feet.
  - (3) Rear yard: minimum 35 feet.
  - (4) Building height: maximum 35 feet.
- D. Accessory buildings:
  - (1) Front yard: minimum 25 feet.
  - (2) Side yards: minimum three feet.
  - (3) Rear yard: minimum three feet.
  - (4) Building height: maximum 16 feet.
  - (5) Garage: maximum 900 square feet.
  - (6) Garden shed: maximum 120 square feet.
- E. Off-street parking: minimum two spaces per unit. (See also Article XXI of this chapter)