

Variance

Document No

Grantor: City of Green Lake

Grantee: 372 Lawson LLC

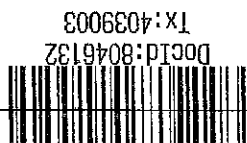
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RENEE A. THIEM-KORTH
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City of Green Lake
534 Mill Street
Green Lake, WI 54941



**City of Green Lake
Zoning Board of Appeals
FINDINGS OF FACT, CONCLUSIONS, and DECISIONS**

June 23, 2024

372 Lawson LLC
Agent: Matt Rogatz
372 South Lawson Drive
Green Lake, Wisconsin 54941

RE: Variance request for 372 South Lawson Drive, Green Lake WI, for a variance to replace the existing dilapidated cottage on the property within the same footprint.
Parcel No. 231-00575-0000

Legal Description: Lot 1 and Lot 2 of Certified Survey Map No. 1966 as recorded in the Office of the Register of Deeds for Green Lake County, Wisconsin in Volume 8, page 1966, being Lot 2 of the Plat of Sherwood Point and part of Government Lot 1 of Section 20, and part of Government Lot 1 of Section 29, T16N, R13E, City of Green Lake, Green Lake County, Wisconsin.

The Board of Appeals, having held a public hearing on March 18, 2024, and having heard all interested parties, makes the following:

FINDINGS OF FACT

1. The Applicant has shown that there is an unnecessary hardship or exceptional, extraordinary, unusual circumstances or conditions applying to this parcel and intended use that do not apply generally to other properties or uses in the district. The hardship for the property would allow the footprint to remain smaller to not reduce the yard space on the narrow lot.
2. The applicant has shown that conditions upon which the variance is based are necessary for the preservation and employment of substantial property rights possessed by other properties in the Single-Family Residential Lakeshore District.
3. Applicant has shown that the purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the property.
4. Granting the variance would not undermine the spirit and general and specific purposes of the Zoning Code, specifically the standards of Section 13-1-66. Proposed use does not violate flood plain regulations governing the site. When applying the standards, the variance does not defeat the purposes and objectives of the Single-Family Residential Lakeshore District.
5. The proposed use would not be hazardous, harmful, noxious, offensive or nuisance to the neighborhood.

6. The proposed use with respect to location, construction, maintenance, or operation would not adversely affect adjacent properties and the public.
7. The establishment, maintenance or operation of the variance is not unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
8. Granting the request would not injure the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impair property values with the neighborhood.
9. Establishment of the variance would not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the Single-Family Lakeshore Residential District.
10. The utilities, access roads, drainage and other necessary facilities will not be inadequate.
11. Ingress and egress will not cause traffic congestion in the public streets.

**BASED ON THE ABOVE FINDINGS OF FACT, THE BOARD OF ZONING APPEALS
MAKES THE FOLLOWING CONCLUSIONS:**

Variance Application from Matt Rogatz, 372 Lawson LLC, Green Lake WI, for a variance to raze and replace the existing dilapidated cottage on the property within the same footprint.

Board reviews standards in Sections 13-1-25 and 13-1-66 of the Zoning Ordinance:

1. Denial of the variance may result in a hardship to the property owner due to physiological consideration.
2. The conditions upon which a petition for a variation is based are unique to the property for which variation is being sought and that such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.
3. The purpose of the variation is not based exclusively upon a desire to increase the value or income of the property.
4. The granting of the variation will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.
5. The proposed variation will not undermine the spirit and general and specific purposes of the Zoning Code, specifically the standards of Section 13-1-66:
 - a. The establishment, maintenance, or operation of the variance will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
 - b. The uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the variance and the proposed use is compatible with the use of adjacent land.
 - c. The establishment of the variance will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
 - d. Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
 - e. The proposed use does not violate flood plain regulations governing the site.

- f. When applying the above standards to the variance to decrease the side setback, it does not defeat the purposes and objective of the Single-Family Residential Lakeshore District.

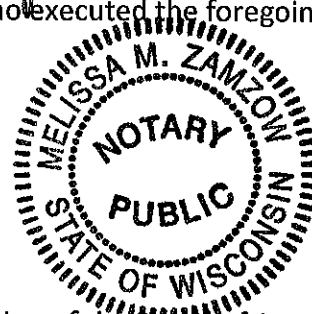
Based upon the **FINDINGS OF FACT AND CONCLUSIONS**, the Board of Appeals motioned, seconded, and voted to **APPROVE** the variance as requested with the **CONDITION** that the cottage will not be used for short term rental, by a vote of 6 ayes, 0 nays. Tax Key Parcel No. 231-00575-0000.

Board of Appeals

Barbara L. Dugenske
Barbara L. Dugenske, Acting Chairman

Personally came before me, this 11th day of July, 2024. The above named Barbara L. Dugenske to me known to be the person who executed the foregoing instrument and acknowledged the same.

Melissa M. Zamzow
Melissa M. Zamzow, Notary Public
My Commission expires 4/25/2026



Further Appeal: Any person or persons aggrieved by any decision of the Board of Appeals, or any taxpayer, or any officer, department, board, or bureau of the municipality may appeal from a decision in the manner provided in Section 62.23 of the Wisconsin Statutes.

Drafted by:
Susan K. Leahy, Zoning Administrator
City of Green Lake
Grand Valley Inspection Services, LLC