



## OFFICIAL NOTICE AND AGENDA

of a meeting of a City Board, Commission, Department, Committee, Agency, Corporation, Quasi-Municipal Corporation, or Sub-unit thereof.

**Meeting:** **ZONING BOARD OF APPEALS**  
**Members:** Nancy Hoffmann, David Burke, Mark Dillman, Dave Oberbeck, Jerry Jarosz, Nan Giese (Alternate), Arlene Kaatz (Alternate)  
**Location:** Council Chambers at City Hall, 407 Grant Street  
**Date/Time:** **Wednesday, January 17th, 2024, at 4:00 p.m.**

### AGENDA ITEMS FOR CONSIDERATION

1. Approve the minutes of the September 20, 2023, meeting.
2. **PUBLIC HEARING:** Travis & Kristi Nowak, owners, of **219 Imm St**, requesting a variance to build a detached garage in excess of the principal building height and to reduce the side yard setback from 10 feet to 5 feet.
3. Discussion and possible action regarding the variance for a detached garage at **219 Imm St**.
4. Adjournment

**Committee Chairperson: Nancy Hoffmann**

*Questions regarding this agenda may be directed to the Division of Inspection and Zoning at 715.261.6780 or [inspections@ci.wausau.wi.us](mailto:inspections@ci.wausau.wi.us)*

This notice was posted at City Hall and emailed to the Wausau Daily Herald Newsroom on 01.11.23 1:00pm

*In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Wausau will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. If you need assistance or reasonable accommodations in participating in this meeting or event due to a disability as defined under the ADA, please call the **Inspections Department at (715) 261-6780** or e-mail [clerk@ci.wausau.wi.us](mailto:clerk@ci.wausau.wi.us) at least 48 hours prior to the scheduled meeting or event to request an accommodation.*

List of Others this Agenda was Distributed to: Wausau Daily Herald, Alderpersons, Mayor, City Attorney, City Clerk

## BOARD OF ZONING APPEALS

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Time and Date: Wednesday, September 20, 2023, at 4:00 p.m. in the Council Chambers at Wausau City Hall  
Members Present: Nancy Hoffmann, Mark Dillman, David Burke, Dave Oberbeck, Jerry Jarosz  
Members Absent: Nan Giese (Alternate), Arlene Kaatz (Alternate)  
Others Present: William Hebert

In compliance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and transmitted to the *Wausau Daily Herald* in the proper manner.

*Nancy Hoffmann called the meeting to order at approximately 4:00 p.m. and a quorum was present.*

### **Review the minutes of June 21, 2023**

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Jarosz motioned to approve the minutes and Burke seconded. The minutes are approved 5-0.

*Hoffmann opened the public hearing.*

#### **Michael Heckendorf, representing Habitat for Humanity of Wausau, seeking a setback variance for a new house at 1407 n 2<sup>nd</sup> St.**

Michael Heckendorf, 1810 Schofield Ave, Weston WI 54476. In the process of building modular home #72 through the senior trades program at DC Everest High School. With it being a modular home, they have a very specific width they work with, because they must split the home in half to transport it. Because of the way the site is situated it only constitutes a 27-foot home, based on the zoning requirements. They could make that work but it makes the bedrooms small. They would like to reduce the 25-foot setback down to 15-foot setback in the front. It allows them to put a 28-foot-wide home to allow for adequate bedrooms and to be able to have the play area in the backyard.

Dillman questioned the site plan and the reason for the attached garage. Heckendorf explained their reasons why they do attached garages.

*Hoffman closed the public hearing.*

Hebert stated the variance request made sense to be closer to the property lines because of how the existing neighborhood is developed with homes closer to the front and corner side property lines. No comments from the neighbors.

Dillman motioned to approve as requested and seconded by Jarosz. Motion carried 5-0

### **Adjournment**

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*The meeting was adjourned at 4:15 pm.*



# STAFF REPORT

**To:** Zoning Board of Appeals

**Prepared By:** William Hebert, Chief Inspector/Zoning Administrator

**Date:** January 9, 2024

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## GENERAL INFORMATION

**APPLICANT:** Travis and Kristi Nowak

**LOCATION:** 219 Imm St, Wausau

**EXISTING ZONING:** SR-2

**PURPOSE:** Detached oversize garage exceeding height of principal structure and reduced side yard setback

**EXISTING LAND USE:** Single family home

**SIZE OF PARCEL:** .67 acres

## **SUMMARY:**

This parcel is located entirely in the FEMA mapped floodplain. There is an existing home, approximately 768 square feet. The owners are proposing a new detached garage that will be at or above the floodplain. They wish to have storage trusses which would make the new accessory structure exceed the height of the principal structure. The proposed garage height would still meet the maximum height for a detached structure (21 feet proposed, 22 allowed).

In addition to the height variance request, the owners wish to reduce the side yard setback requirement from 10 feet to 5 feet. This request is being made due to the position of the existing home at an angle to the property line. To match up the detached garage with the home, the setback would be reduced to 5 feet in the southwest corner. If the structure were in the rear 50 percent of the lot, then the required setback would be 5 feet.

## ANALYSIS

1. Evaluate whether the request is in harmony with the Comprehensive Plan or other relevant plans.
2. Evaluate the request based upon the criteria used by the Zoning Board of Appeals in their review. Would it be a hardship or practical difficulty to meet the zoning code requirements, due to the physical surroundings, shape, or topography of the property.

## POSSIBLE ACTION

- Approve as proposed
- Approve with amendments
- Deny



**CITY OF WAUSAU**  
**DEPARTMENT OF INSPECTION AND ZONING**  
 City Hall, 407 Grant Street, Wausau, WI 54403-4783  
 (715) 261-6780 / fax (715) 261-4102

**ZONING BOARD OF APPEALS APPLICATION**

KEY #: 291-2807-021-0178

PROPERTY ADDRESS: 219 IMM Street Wausau, 54401

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Jeff & Linda Manthe

OWNER/AGENT: Travis & Kristi Nowak PHONE #: 715-432-1207

MAILING ADDRESS: 152285 IVY Lane EMAIL: Trod500@gmail.com

CITY: Wausau, STATE: WI ZIP: 54401

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**VARIANCE STANDARDS**

State law sets three standards for granting a zoning variance. Applicants must provide evidence to the Zoning Board that their situation meets **all three of the required standards** for a variance to be granted.

1. **Unnecessary Hardship:** Application of the zoning ordinance to a site must cause unnecessary hardship for a variance to be granted. The property owner must demonstrate that compliance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.

Are you denied reasonable use of the property?	Yes: <u>X</u>	No: _____
Is your hardship self-imposed?	No: <u>X</u>	Yes: _____
Is your loss or hardship profit driven?	No: <u>X</u>	Yes: _____
Would a hardship exist in the absence of the code?	No: <u>X</u>	Yes: _____
Did the parcel pre-exist the code requirement?	Yes: _____	No: _____

The hardship or difficulty shall be peculiar to the subject property and different from that of other properties, and not one which affects all properties similarly. Describe your specific hardship:

There is no basement under the house. The extra  
Height is Required for the attic space above.  
The overall height is under the City's Maximum  
height limit of 22 ft.

Such a hardship or difficulty shall have arisen because of the unusual shape of the original parcel, unusual topography, or elevation. Describe your specific hardship:

We would like the garage closer to the property line the 10ft. The house placement kinda dictates where the garage goes.

Prove why the parcel 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, setback, etc., requirements are observed:

The house is not parallel with the property lines

2. **Unique Property Limitations:** Proof of unnecessary hardship includes the burden of proving "uniqueness". Describe the unique physical characteristics of the subject property that prevent you from developing in compliance with the zoning ordinance:

The placement of the house and current driveway

3. **Public Interest:** Describe why the grant of a variance is in the public's interest and why this is the minimum relief necessary for you to have reasonable use of your property:

getting this garage will allow us to have and clean and picked up yard

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\_\_\_ Attach a scale map of the subject property showing all lands for which the variance is proposed.

\_\_\_ Attach a map showing the general location of the subject property within the City.

\_\_\_ Attach a written description of the proposed variance.

REGARDING: \_\_\_\_\_ SUBMITTED ON: \_\_\_\_\_

ZONING ADMINISTRATOR REVIEW: Date: \_\_\_\_\_ Application: Complete / Incomplete

\_\_\_\_\_  
WILLIAM D. HEBERT, BUILDING & ZONING ADMINISTRATOR

Notes:

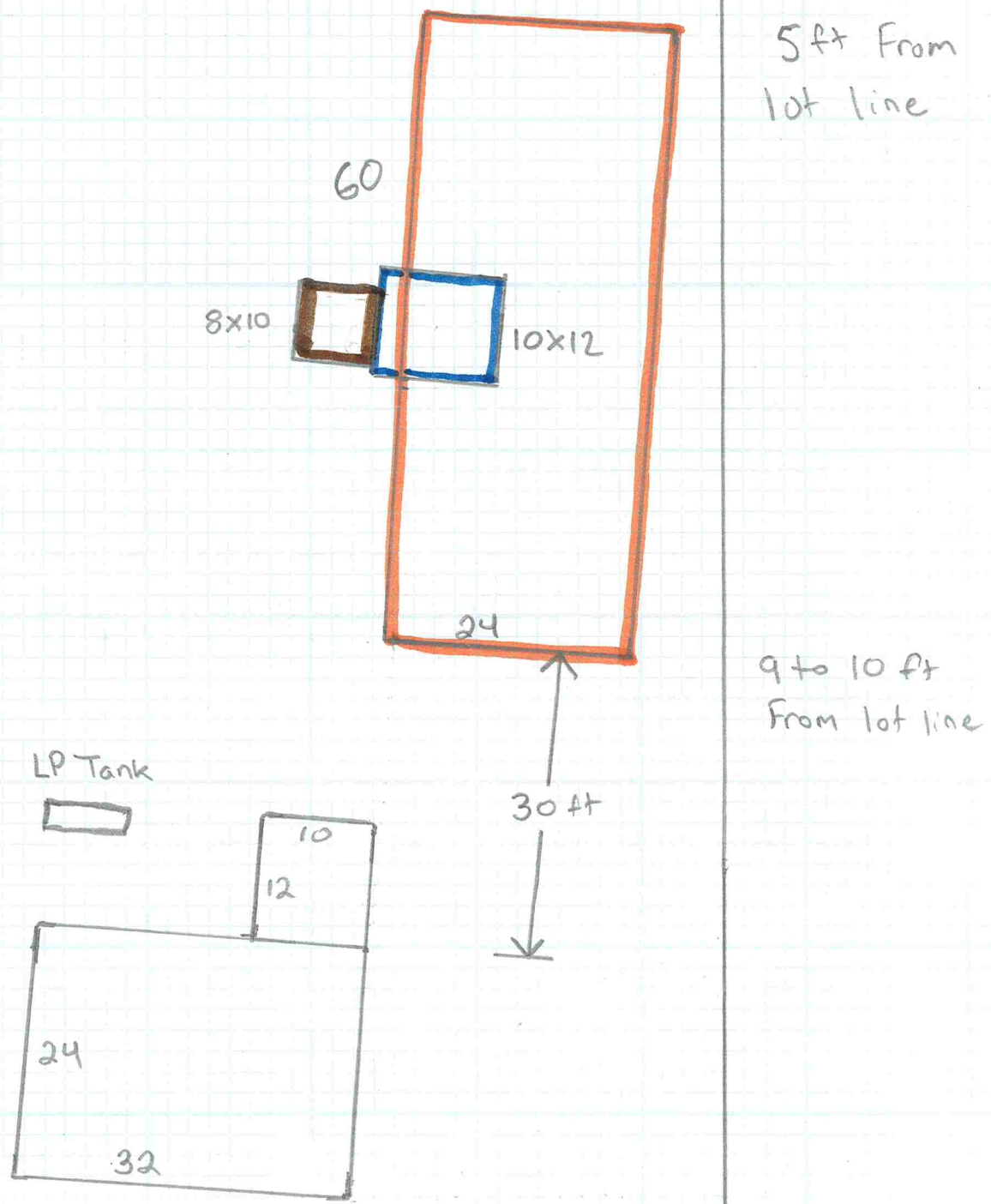
\_\_\_\_\_  
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208

- Current shed
- New garage
- Plastic shed

1 square is = To 2 feet

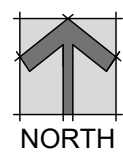


120

219 Imm St



IMM STREET



PRELIMINARY  
SITE PLAN  
SCALE: 1" = 20'-0"

PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

PRELIMINARY SHEET DATES:

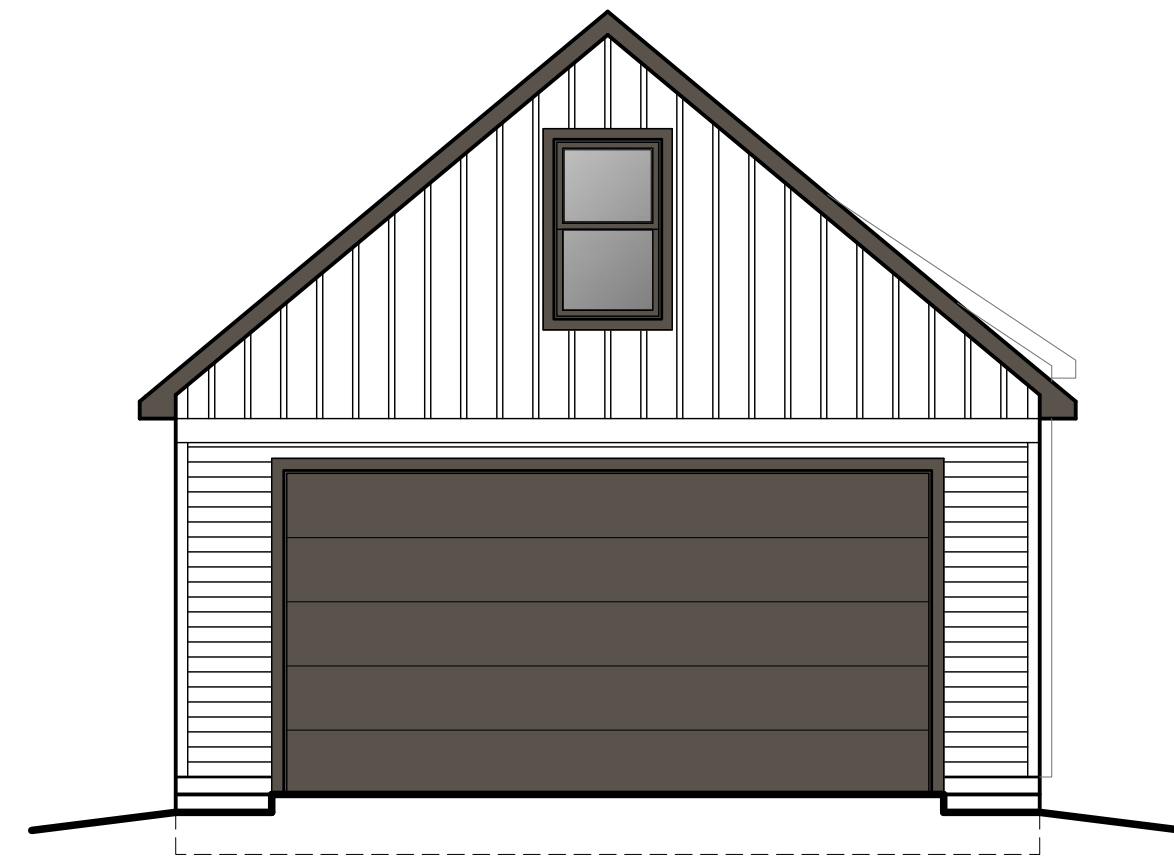
RESIDENTIAL GARAGE:  
**NOWAK GARAGE**

219 IMM ST.  
WAUSAU, WI

JOB NUMBER:  
2023.96  
SHEET  
C1.0

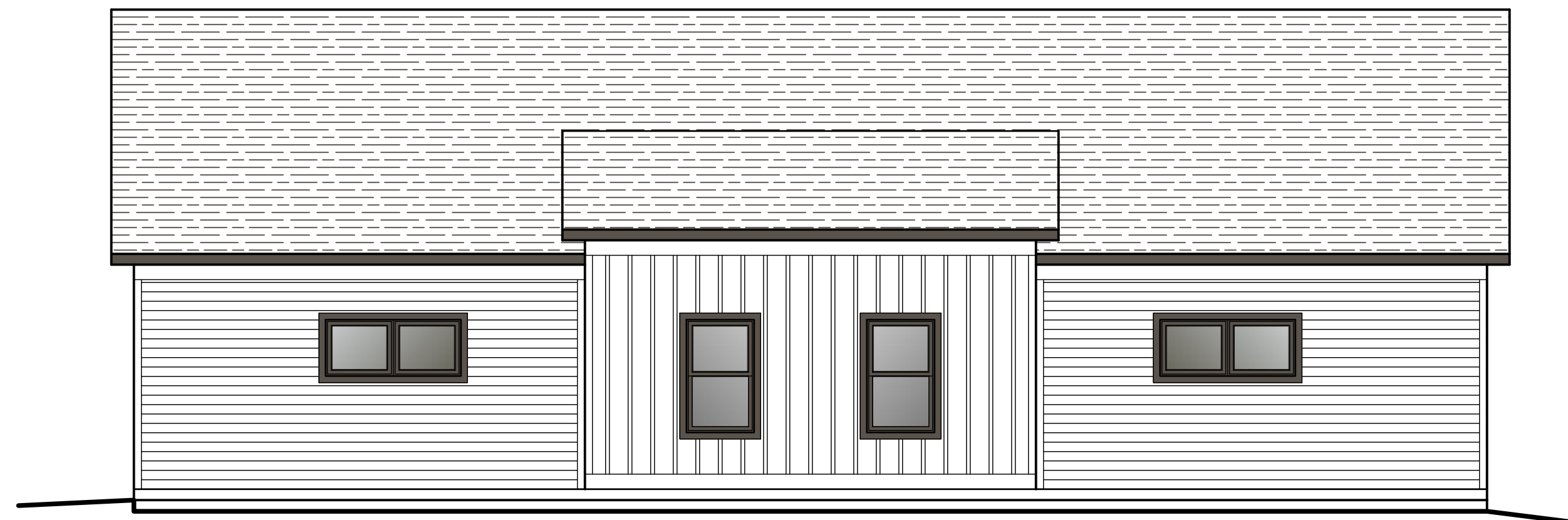
2023 © TIGHT LINES ARCHITECTS





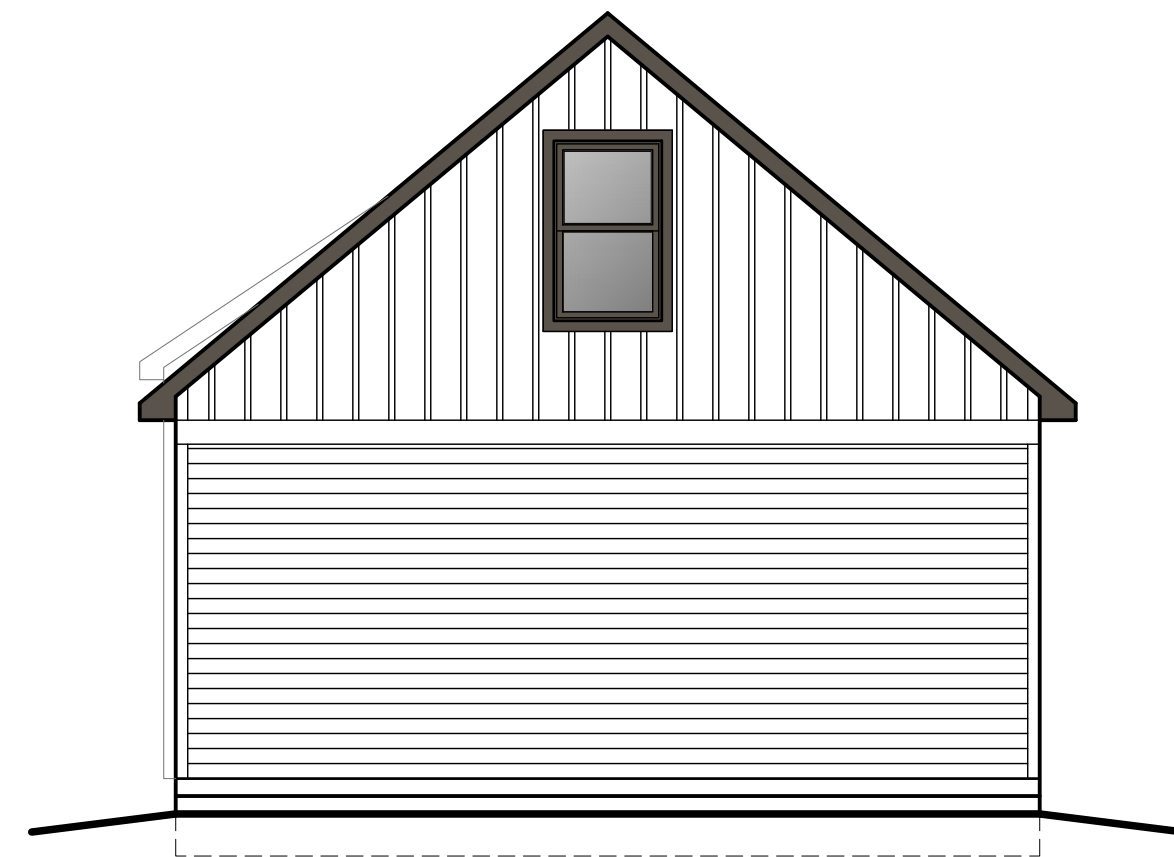
**NORTH ELEVATION**

SCALE: 3/16" = 1'-0"



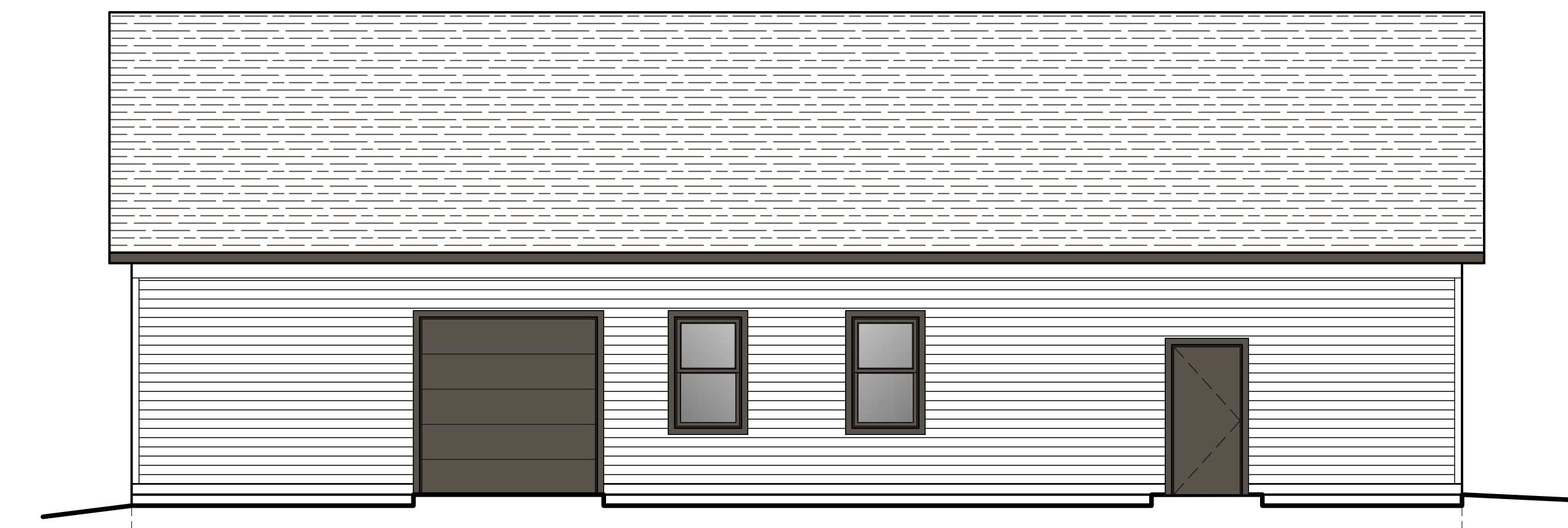
**WEST ELEVATION**

SCALE: 3/16" = 1'-0"



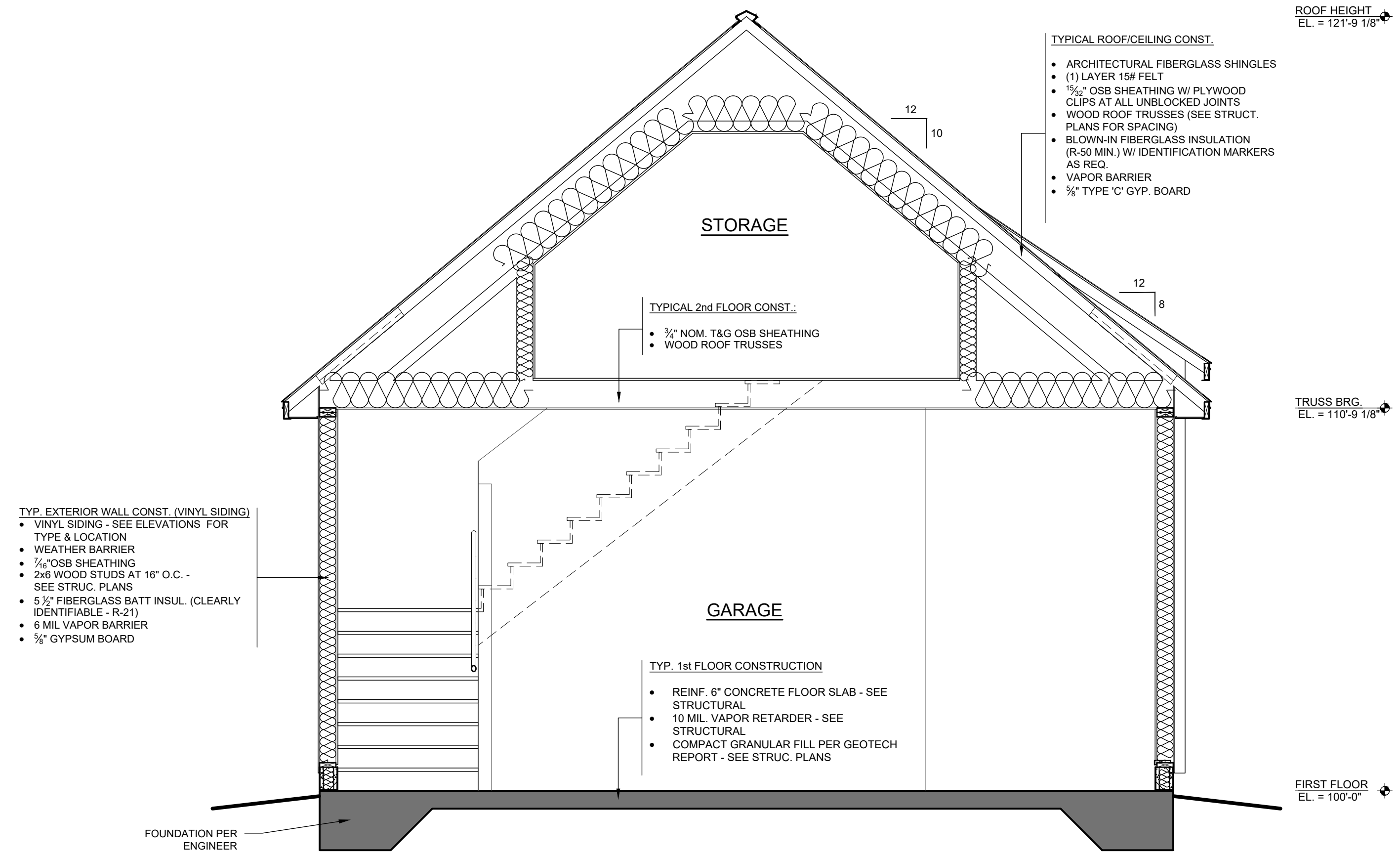
**SOUTH ELEVATION**

SCALE: 3/16" = 1'-0"



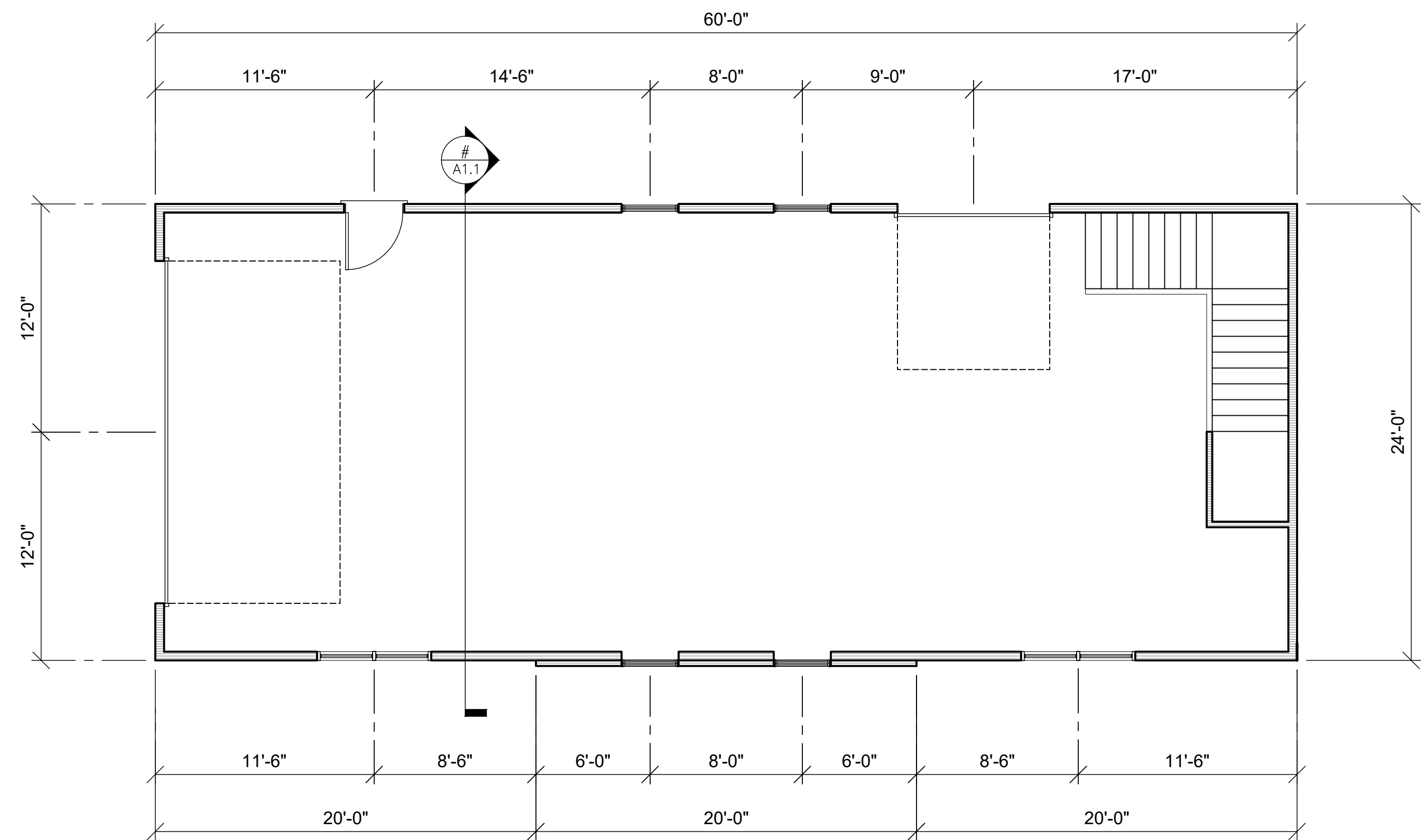
**EAST ELEVATION**

SCALE: 3/16" = 1'-0"



**BUILDING SECTION**

SCALE: 3/8" = 1'-0"



**FLOOR PLAN**

SCALE: 3/16" = 1'-0"

PRELIMINARY SHEET DATES:


PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

RESIDENTIAL GARAGE:

**NOWAK GARAGE**

219 IMM ST.  
WAUSAU, WI

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JOB NUMBER:

2023.96

SHEET

A1.0