



## 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, September 20, 2023, at 4:00 p.m.

### AGENDA ITEMS FOR CONSIDERATION

1. Approve the minutes of the June 21, 2023, meeting.
2. **PUBLIC HEARING:** Mike Heckendorf, representing the Habitat for Humanity of Wausau, seeking a setback variance for a new house at 1407 N 2<sup>nd</sup> St.
3. Discussion and possible action regarding the setback variance for a new house at 1407 N 2<sup>nd</sup> 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 09.14.23 12:00pm

*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, June 21, 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 May 17, 2023**

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

*Hoffmann opened the public hearing.*

### **Darak and Beth Hutchinson, owners of 713 Kent St, seeking a setback variance for a detached garage.**

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Darak Hutchinson resides at 713 Kent St and looking to replace the current garage. The foundation is bad, and everything needs to be torn down. They would like to make it bigger than what they currently have, a 14 x 21 and want to make it 14 x 40, so they can fit 2 cars in there. A couple of issues there are, setback from the lot line, the corner of their house and the length. Seeking approval for keeping it where it is at but making it longer in the back.

Burke questioned if the garage is original to the house and property. Hutchinson responded that it is, and it was built in 1947. It is currently being resided and new windows, the new garage would have matched siding and new patio being poured.

*Hoffman closed the public hearing.*

Hebert stated no neighbors weighed in with any concerns.

Burke questioned if it is an issue with distance from the property to the garage, the length of it, distance to the alley? Hutchinson replied it is 8ft off the alley way. Hebert stated accessory buildings can be as little as 3 ft to the property line, but we do encourage that if you park and are able to back out of the garage that you are able to do it within the alleyway. Hutchinson stated there are a number of garages that use the alley way as their entrances.

Burke questioned what if you took this 40 ft garage and pulled it ahead toward the street, to gain more space to the alley what would be the issues. Hutchinson states if they moved it forward, there would only be 4 feet between the house and the garage. They could move it forward a little bit, but it would block the window of 1 bedroom and moved it forward more it would block kitchen window and their side entrance to the house. If they attached it, it would be cost prohibitive, because of having to put in frost walls and for the amount of gain vs the cost they didn't want to do that.

Dillman ask if the alley is used are their other garages that are this distance or closer to the alley. Hutchinson explained that his next-door neighbor, has to park at an angle when parking. She can make the turn into the garage, but when she backs out of the garage, she uses the corner of their property.

Motion to approve as requested by Oberbeck and seconded by Burke. Motion carried 5-0

### **Adjournment**

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*The meeting was adjourned at 4:10 pm.*



## STAFF REPORT

**To:** Zoning Board of Appeals  
**Prepared By:** William Hebert, Zoning Administrator & Chief Inspector  
**Date:** September 14, 2023

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### GENERAL INFORMATION

**APPLICANT:** Habitat for Humanity  
**LOCATION:** 1407 N 2<sup>nd</sup> St.  
**EXISTING ZONING:** TF-10, Two-Flat Residential  
**PURPOSE:** Corner side yard setback reduction  
**EXISTING LAND USE:** Single Family Home  
**SIZE OF PARCEL:** 60' x 114, .16 acres  
**VARIANCE BEING REQUESTED:** Corner side yard 25 feet required, 15 proposed.

### **SUMMARY:**

Habitat for Humanity is placing a new single-family home on this vacant lot. The zoning code requires a 25-foot corner side yard setback and an 8-foot interior side yard setback.

When looking at existing homes in the blocks around this property, the corner lot homes are much closer to the street than the 15-foot setback that is being proposed. By allowing the reduced setback, the homes placement will fit better with the neighborhood, and it will allow for an established tree to be kept on the south side of the property and a private yard for children to play.

### 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**

STATE OF WISCONSIN

MARATHON COUNTY

**CITY OF WAUSAU**

**ZONING BOARD OF APPEALS APPLICATION / ACCEPTANCE FORM**

KEY #: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_  
 \*\*\*\*\*

OWNER/AGENT: \_\_\_\_\_ PHONE #: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ EMAIL: [mheckendorf@habitatwausau.org](mailto:mheckendorf@habitatwausau.org)

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
 \*\*\*\*\*

**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** in order for a variance to be granted.

- Unnecessary Hardship:** Application of the zoning ordinance to a site must cause unnecessary hardship in order for a variance to be granted. The legal standard of unnecessary hardship requires that the property owner 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: _____	No: _____
Is your hardship self-imposed?	No: _____	Yes: _____
Is your loss or hardship profit driven?	No: _____	Yes: _____
Would a hardship exist in the absence of the code?	No: _____	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:

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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:

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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:

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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:

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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:

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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, describing which of the authorized variances is being requested.

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

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

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

Notes:

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**Proposed 3 Bedroom home:**

Habitat for Humanity is proposing to put a 3-bedroom 1-bath home on the corner of North 2<sup>nd</sup> St and DeKalb. This lot is in the TF-10 zoning districts. The regulations require the home to be setback 25'-0" from Dekalb and then 8'-0" from interior lot line. The lot is only 60'-0" wide so this reduces the home to a maximum width of 27'-0". As habitat works with the school trades courses the home must be able to be split into two equal halves for transport. With the current required width, the bedroom and living room become less than ideal for the homeowners. This also requires the removal of an established tree on the property. The family selected for the home has younger children and the front yard near the street is less than ideal for the play area. The neighborhood currently has both older homes along with brand new construction that does not meet the 25'-0" requirements.

**Zoning Regulations:**

**23.02.41 (TF-10) Two Flat Residential-10 Zoning District.**

- (1) *Intent.* This district intended to create, preserve, and enhance areas for single family detached and two flat dwellings at an approximate density of ten dwelling units per acre.
- (7) *Density, intensity, and bulk regulations for the (TF-10) Two Flat Residential-10 District.*

	Requirement
Minimum Lot Area	7,000 square feet
Maximum Impervious Surface Ratio	55 percent
Minimum Lot Width	60 feet
Minimum Lot Depth	120 feet
Minimum Lot Frontage at Right-of-Way	30 feet
Minimum Front Setback	17 feet
Minimum Attached Garage Setback	17 feet
Minimum Porch Setback (front and side yard)	10 feet
Minimum Street Side Setback (on corner lots)	25 feet
Minimum Side Setback	8 feet
Minimum Rear Setback	25 feet
Maximum Principal Building Height	35 feet
Minimum Number of Stories	1 story
Minimum Principal Building Separation	10 feet
Minimum Pavement Setback (lot line to pavement, excludes driveway entrances)	2 feet on side and rear yards 10 feet from any street right-of-way
Minimum Parking Required	See article III
Minimum Dwelling Unit Structure Area	800 square feet

**Variance Requested:**

HFHoW requests the required street setback to be reduced to 15'-0". This would allow the 28'-0" home to be placed on the site along with a more usable backyard.

**Build Site:**



**Existing Corner Lots in Neighborhood:**

1408 N 2<sup>nd</sup> St



1408 N 3<sup>rd</sup> St



1302 N 2<sup>nd</sup> St



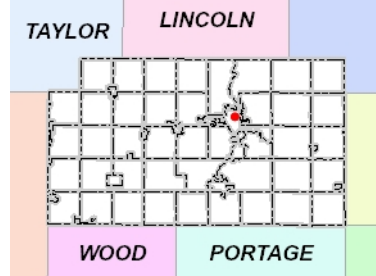
1301 N 2<sup>nd</sup> St



1300 N 3<sup>rd</sup> St

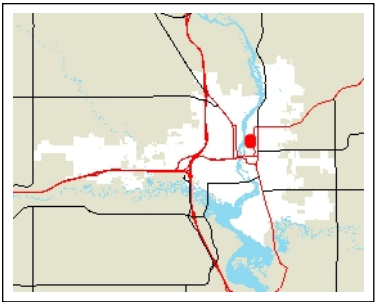
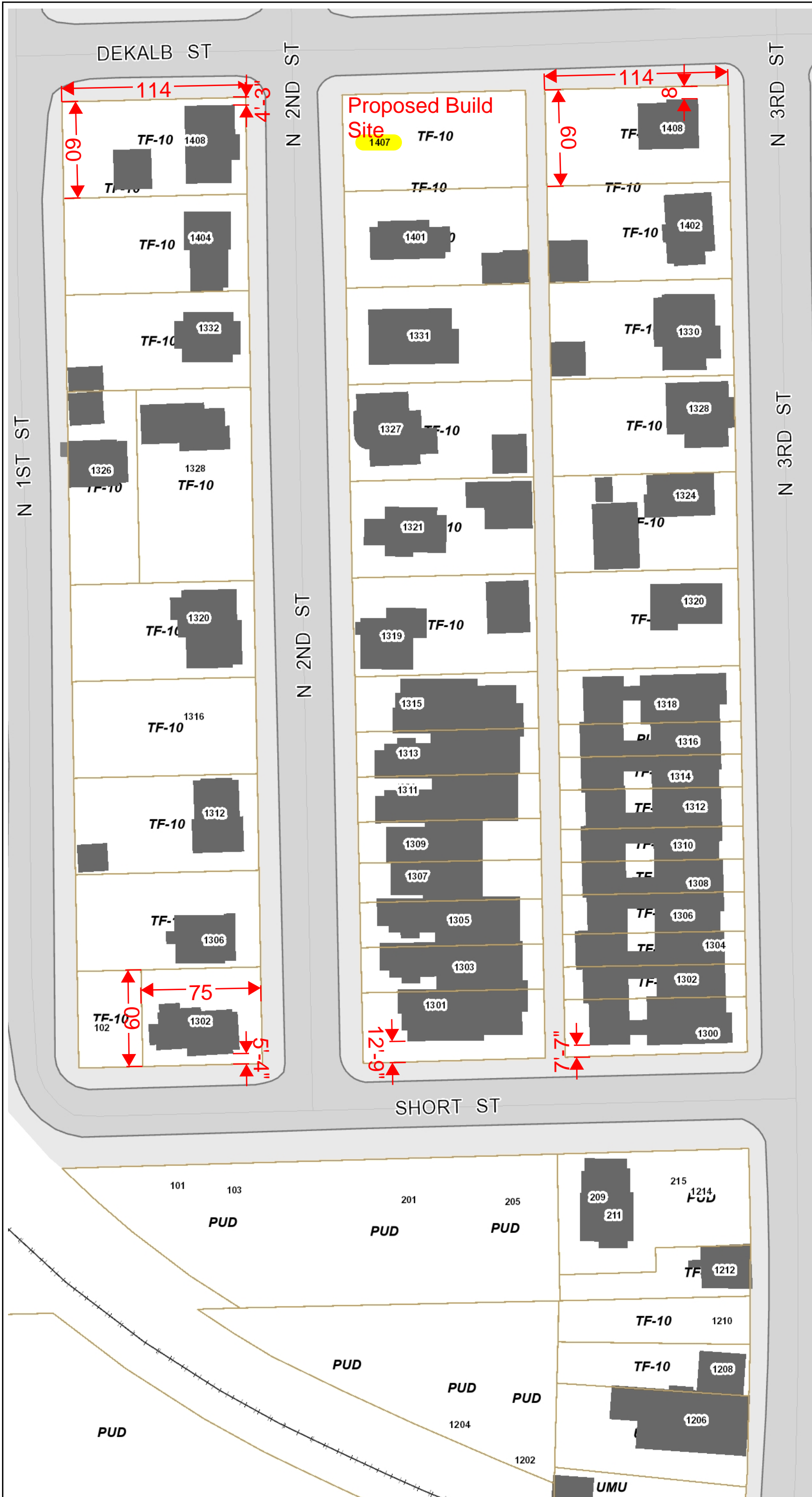






- Legend**
- Road Centerlines
    - US
    - State
    - County
    - Local
    - Private
    - Forest
    - Park
  - Road Names
  - Parcels
  - Parcel Lot Lines
  - Land Hooks
  - Section Lines/Numbers
  - Right Of Ways
  - County-wide Buildings 2020
  - Named Places
  - Municipalities
  - 2020 Orthos Countywide
    - Red: Band\_1
    - Green: Band\_2
    - Blue: Band\_3

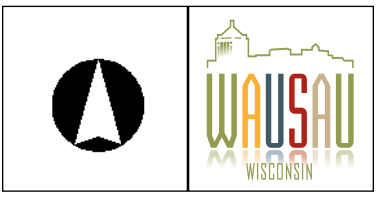




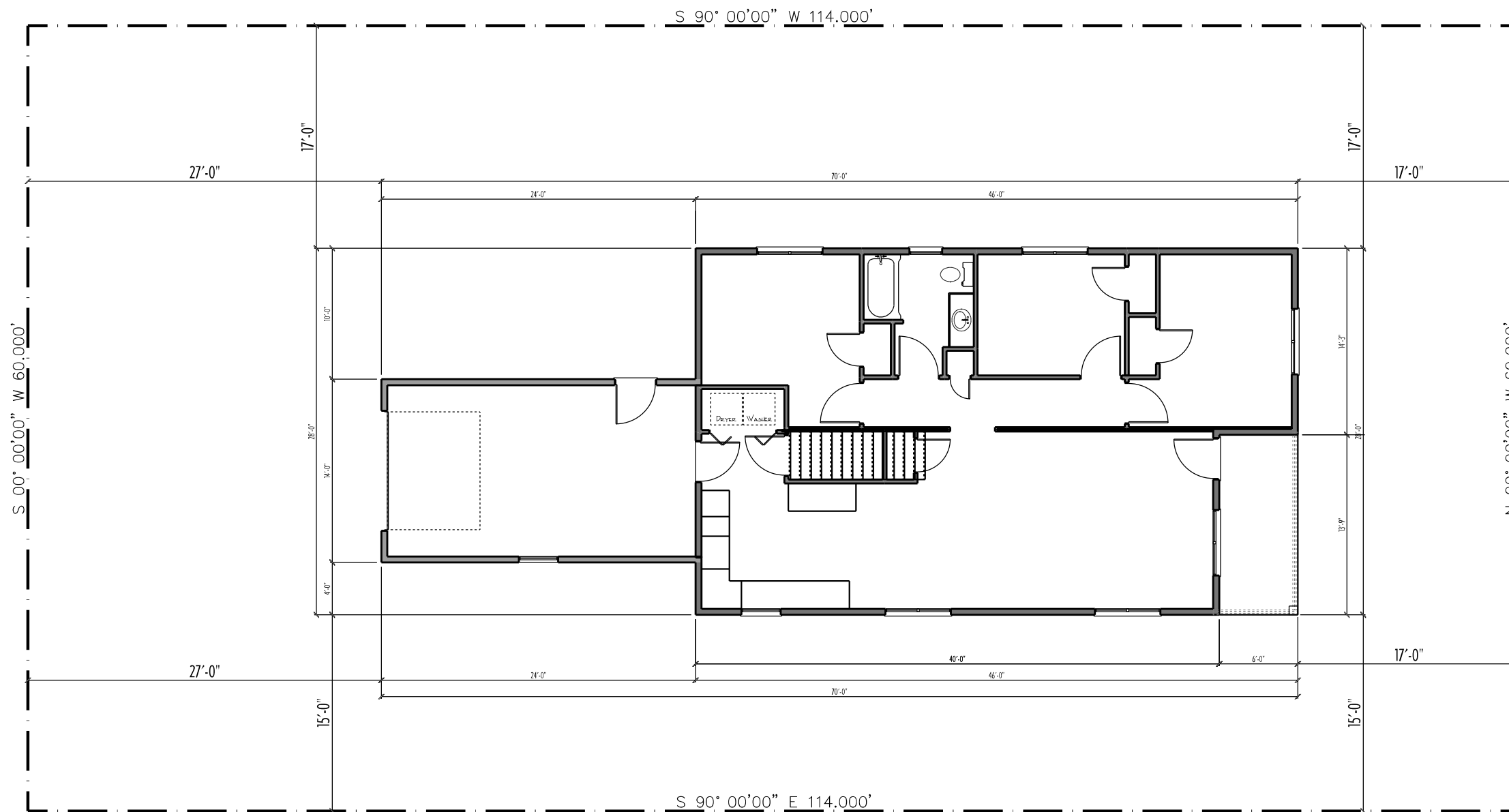
- Legend**
- Parcel
  - Land Hook
  - Address Point
  - Right Of Way
  - ▨ Official City Feature
  - Building
  - Railroad
  - ▭ Bridge
  - ▭ Overpass
  - ▭ Paved Road
  - ▭ Divided Highway
  - Right Of Way
  - Lake - Pond
  - River - Stream
  - ▨ Wausau Wetland
  - ▨ Swamp
  - Centerline
  - US Hwy
  - State Hwy
  - County Hwy
  - Local
  - + Railroad
  - Water
  - ▭ Municipal Boundary

Map Created: 7/30/2023  
 30.00 0 30.00 Feet  
 NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

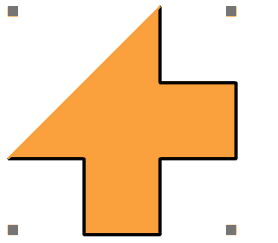
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 THIS MAP IS NOT TO BE USED FOR NAVIGATION



**Notes**



DeCalb



**FOUR CORNERS  
DESIGN STUDIO**

**4 Corners  
Design Studio**  
230867 N. 152nd Ave  
Marathon, WI 54448  
715-370-7846

Residential  
Design Services

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Written dimensions take precedence over scaled; contractor shall check all details and dimensions and shall be responsible for same.

Owner/Builder:  
**HABITAT FOR HUMANITY**

Job Name/Project: **NEW RESIDENCE FOR JOB #72 (DC EVEREST)**  
1407 N 2ND ST, VAUSAU WI 54401

Date:  
**8/25/2022**

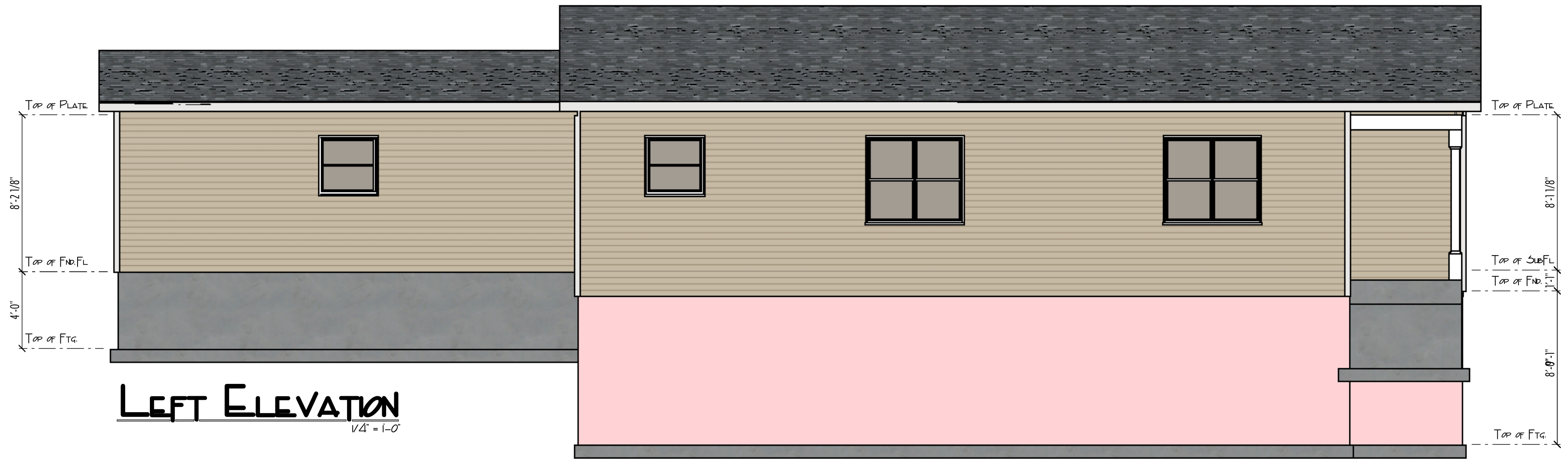
Drawn By:  
**RH Roerig**

Checked By:  
**RH Roerig**

Scale:  
**As Shown**

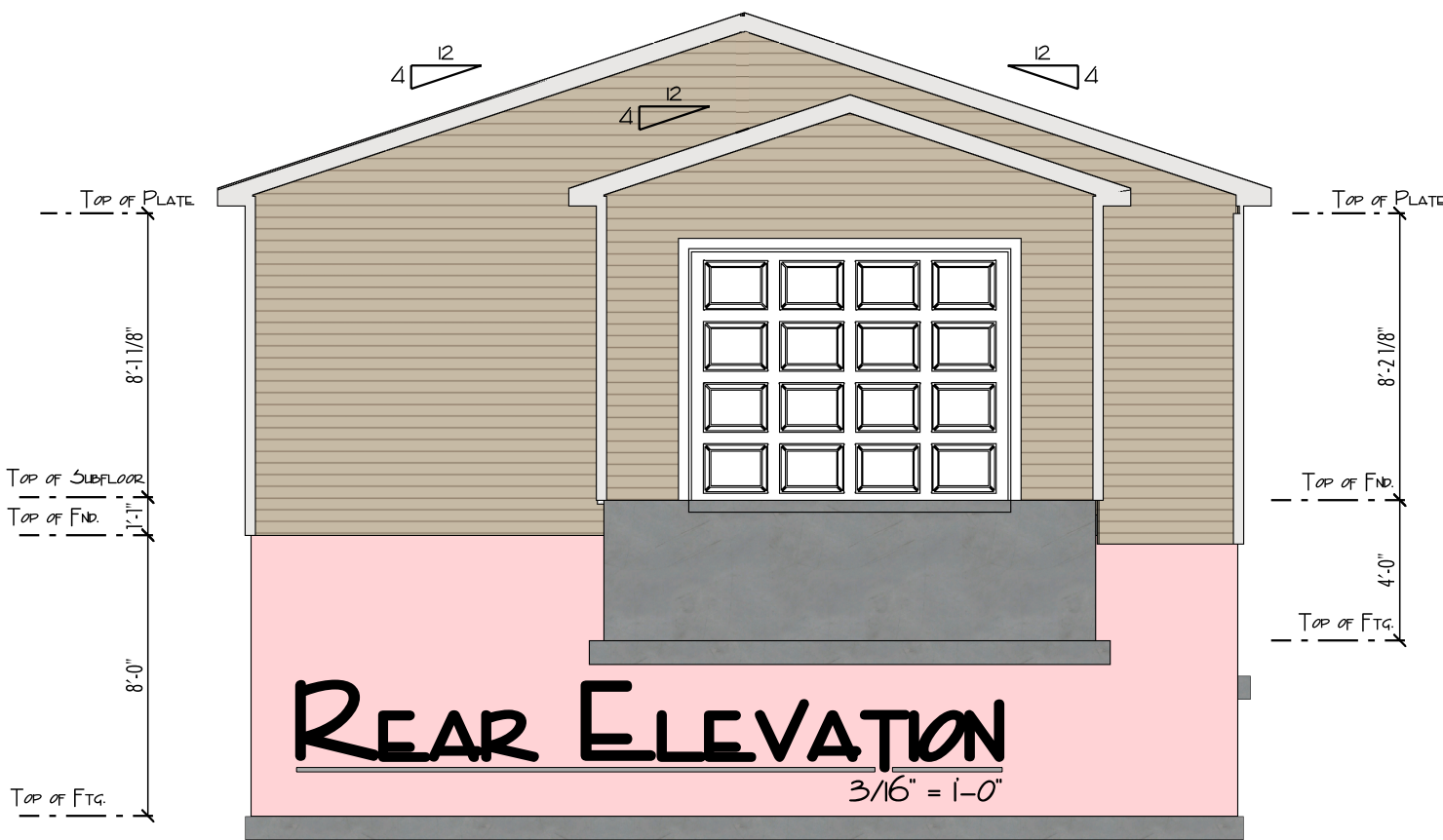
Elevations

**1**  
of **5**  
Sheets



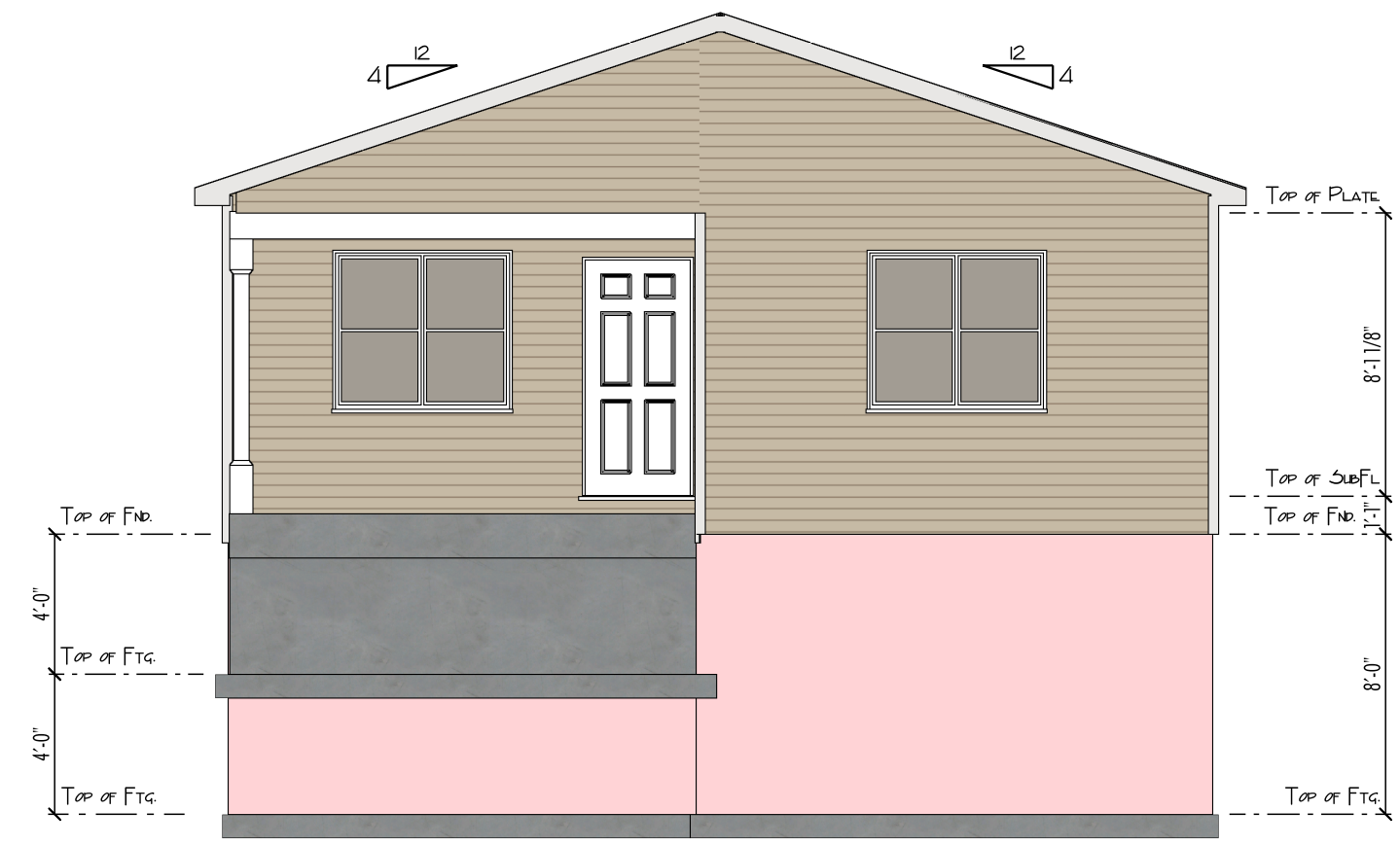
**LEFT ELEVATION**

1/4" = 1'-0"



**REAR ELEVATION**

3/16" = 1'-0"



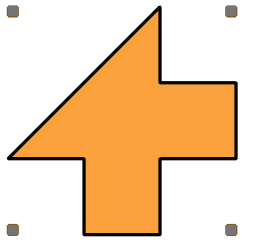
**FRONT ELEVATION**

3/16" = 1'-0"



**RIGHT ELEVATION**

1/4" = 1'-0"



FOUR CORNERS  
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HABITAT FOR HUMANITY  
Job Name/Project: NEW RESIDENCE FOR JOB #72 (DC EVEREST)  
1407 N 2ND ST. WAUSAU, WI 54401

Owner/Builder:

Date:  
8/25/2022

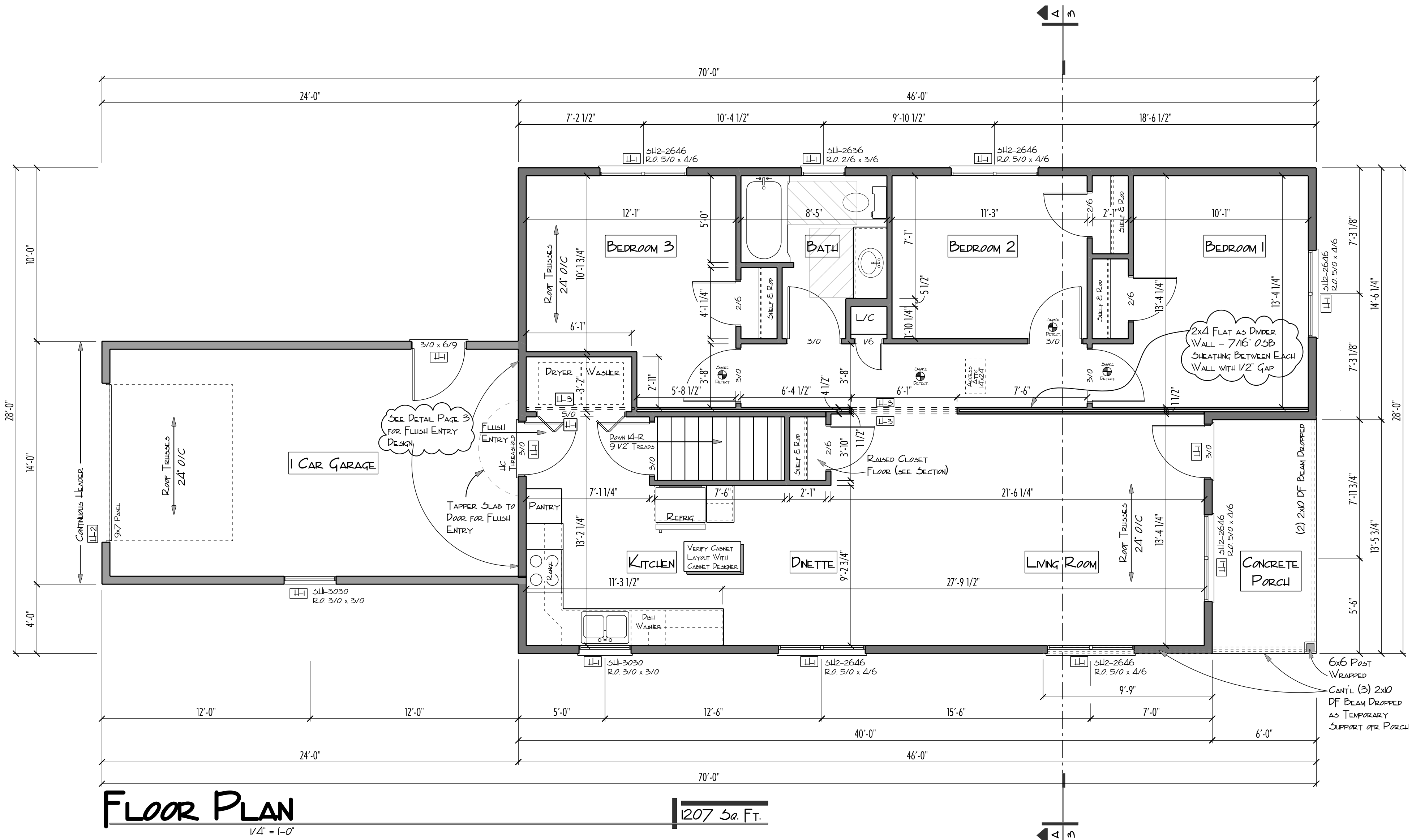
Drawn By:  
RH Roerig

Checked By:  
RH Roerig

Scale:  
As Shown

Floor Plan

4  
of 5  
Sheets



### General Information

- 1) ALL DIMENSIONS ARE FACE OF STUD TO FACE OF STUD
- 2) EXTERIOR HOUSE WALLS ARE 2X6 92 5/8" STUDS 16' O/C [TOTAL WALL HEIGHT 97 1/8" UNLESS NOTED]
- 3) INTERIOR HOUSE WALLS ARE 2X4 92 5/8" STUDS 16' O/C [TOTAL WALL HEIGHT 97 1/8" UNLESS NOTED]
- 4) GARAGE WALLS ARE 2X4 STUDS 16' O/C AS REQ'D
- 5) BUILDER TO LOCATE AND PROVIDE 2X6 PLUMBING WALL
- 6) BUILDER TO LOCATE AND PROVIDE ATTIC SCUTTLE MINIMUM 14" x 24"
- 7) BOTTOM OF WINDOW HEADERS SHOWN AT 83 3/8" UNLESS OTHERWISE NOTED
- 8) ALL CANTILEVERED FLOORS TO BE DESIGNED BY JOST MFG. AND MUST BE VERIFIED BY BUILDER BEFORE FRAMING - SEE WISC. LDC COMM. 2166 (6)

### Header Schedule

LOC.	SIZE & TYPE	END BEARING
H-1	(2) 2 X 10'S DF #2EBTR	(1) 2 X 6'S
H-2	(2) 2 X 12'S DF #2EBTR	(1) 2 X 4'S
H-3	(1) 2 X 12'S DF SEL STR	(2) 2 X 4'S

ALL INT. NON-LOAD BEARING HEADERS (2) 2 X 4 (TYP) w/ (1) TRIMMER

### Roof Design Loads

- 1) TCLL = 40#/ SF
- 2) TCFL = 7#/ SF
- 3) BCDL = 10#/ SF
- 4) 24" O/C SPACING (TYPICAL)
- 5) DURATION = 15% INCREASE
- 6) DEFLECTION = L/240 MINIMUM
- 7) ROOF PITCH PER ELEVATIONS

KALBE & KALBE SINGLE HUNG  
VINYL WINDOWS

### Floor Design Loads

- 1) TCLL = 40#/ SF
- 2) TCFL = 10#/ SF
- 3) BCDL = 5#/ SF
- 4) 16' O/C SPACING (TYPICAL)
- 5) DURATION = 100%
- 6) DEFLECTION = L/480 MINIMUM
- 7) ADD DL 10#/ SF FOR TILE

### Wall Design Loads

- 1) WIND LOAD 20#/ SF
- 2) SUPPORT APPLIED VERT. LIVE & DEAD LOADS
- 3) MAX HEIGHT OF 2X6 STUDS 16' O/C 10'
- 4) WALLS OVER 10' BY STRUCTURAL DESIGN
- 5) WALL CORNER BRACING PER 2125(8) & (9)
- 6) DEFLECTION = L/120 SPONG - L/180 WINDOWS  
L/240 BRICK/STONE - L/360 STUCCO

Based upon the standards set forth in the Zoning Code and State Statutes, the Zoning Board of Appeals makes the final decision to grant or deny a variance. The Board of Appeals may impose conditions and restrictions to protect the interests of both parties.

If the Zoning Board of Appeals approves your variance request, you can then apply for your building permit and any other required permits. A variance, once approved, is valid for twelve months; therefore necessary permits must be obtained and the project started or the use commenced within such period, or the project must go through the variance process again.

Final decision by the Zoning Board of Appeals may be appealed, aggrieved, or restrained by any interested party to the Marathon County Circuit Court. A denied variance may not be re-applied for within twelve months of the denial.

If you have any questions regarding the zoning variance process, contact the Zoning Administrator.