

AGENDA
BOARD OF APPEALS
THURSDAY, APRIL 22ND, 2021 5:30 p.m.
City Hall Council Chambers
108 N. Capron St., Berlin, Wis.

- 1) Roll Call
- 2) Request by AARON CHIKOWSKI, 192 SPRING ST. BERLIN, WI for area variance at 192 Spring Street. Property description is First Addition N 62' Of Lot 5 & N 66' Of Lot 6 Blk 10, City of Berlin, Green Lake County, Wisconsin. Parcel #206-00421-0000
- 3) Adjourn

DATE: April 12th, 2021

TO: BOARD OF APPEALS

FROM: LINDSEY KEMNITZ

RE: Area Variance for 192 Spring Street

BACKGROUND: This request is for an area variance for 192 Spring Street. The applicant is requesting for a variance for three foot setback. Currently there is an existing basement that extends 8 feet beyond the footprint of the house on the main floor, attached are photos showing the existing basement.

CITY OF BERLIN, WISCONSIN

VARIANCE APPLICATION

CITY OF BERLIN ☒

Or

EXTRATERRITORIAL ZONING AREA ☐

(I)(WE) Aaron Chikowski of 192 Spring St.
(name) (mailing address)

hereby petition the Board of Appeals for the review and approval of a variance to the Zoning Code of the City of Berlin.

SUBJECT PARCEL

Address: 192 Spring St. Berlin WI. 54923

Parcel: 206-00421-0000 Zoning: Residential

The undersigned, does hereby respectfully petition the City of Berlin Zoning Board of Appeals to appeal the following zoning regulation as it applies to the above subject property:

The Petitioner is requesting

To add top structure to the
existing Basement that is within 3' foot
of North side lot line

Variance Requested from Chapter

Type of Variance Requested:

- ☐ Use Variance - Permits a landowner to put a property to an otherwise permitted use.
- ☒ Area Variance - Provides an increment of relief from a physical dimensional restriction such as a building height or setback.

The Board of Appeals shall have the power to authorize, upon appeal in specific cases, such variance from the terms of this chapter as will not be contrary to public interest where, owing to special conditions peculiar to a specific lot or tract of land, a literal enforcement will result in practical difficulty or unnecessary hardship so that the spirit of the chapter shall be observed, public safety and welfare secured, and substantial justice done. In every case where a variance from these regulations has been granted by the Board, the minutes of the Board shall affirmatively show that an "unnecessary hardship" or "practical difficulty" would be created.

I understand that the Zoning Ordinance does not permit the above improvement on this property and that in order for this Variance to be granted, the request must satisfy all of the criteria stated below.

I submit the following grounds for a Variance in this case.

1. Unnecessary Hardship

The applicant shall explain how the regulation (e.g. setbacks, height, bulk or density restrictions) unreasonably prevents or unnecessarily burdens the activity. Stating that a zoning regulation prevents or burdens the planned activity is not enough of a hardship for variance approval.

The current or prospective property owner shall not create a need for this Variance.

North side where addition is planned
has existing Basement.

South side has concrete driveway and
garage in space

Front of house is over the 25' setback
already

2. A Unique Property Condition

There is something unusual or exceptional about the lot or the use of the lot (which does not apply to similar lots or uses) which causes the applicant to request this Variance. This may be defined as a special physical feature of the property i.e. soil conditions, steep slope, wetlands, etc. that is not shared by nearby land.

The Basement is Already Existent
and already within the variance

3. No Harm to the Public Interest

The Variance requested shall not have any negative effects on the neighboring properties. The request shall be able to demonstrate how the public health, safety, and welfare will not be compromised in granting such variance.

There will be no negative effect on neighboring house, I plan on acquiring property soon and adding lot to ~~the~~ existing property

Alternatives

Describe alternatives to your proposal such as other locations, designs and construction techniques. Attach a site map showing alternatives you consider in each category below.

- a. Alternatives you considered that comply with existing standards. If you find such an alternative, you can move forward with this option with a regular permit. If you reject compliant alternatives, provide the reasons you reject them.

No other alternatives reason
Front of house is too close to Road
South side of house is next to garage

- b. Alternatives you considered that require a lesser variance and reasons you rejected them. If you reject such alternatives, provide the reasons you rejected them.

Basement is Already There
Front of house is outside of variance
South side of house is next to garage

Discuss impacts that would result if the variance was granted. For each impact, describe potential mitigation measures and the extent to which they reduce project impact.

- a. Short Term Impacts:

would Reduce the 38' ft gap
Between houses to 32'

- b. Long Term Impacts:

Plan on acquiring property
to the North to make bigger lot

- c. Cumulative Impacts: (What would happen if a similar variance requested was granted for many properties?)

Basement Unique Situation of existing
Structure in place

I further understand that it is my responsibility to provide the following information as well as any additional information, if necessary, to show that these criteria have been met.

PETITIONER: The following are to be provided at the time of submission:

- ☐ 2 Copies of the current survey or dimensioned sketch (drawn to scale) showing all existing and proposed improvements.
- ☐ Additional information – a typed narrative describing use of proposed structure.
- ☐ Color photos illustrating existing condition of property.
- ☐ Stake out lot corners or lines- the proposed building footprint and all other features of your property to your request so that the zoning board may inspect the site.
- ☐ \$200.00 Variance application fee payable to the City of Berlin.

Property Owner

Owner's Agent

Name Aaron Chikowski

Name _____

Signature Aa Chikowski

Signature _____

Address 192 Spring St.

Address _____

City Berlin State WI Zip 54923

City _____ State _____ Zip _____

Phone 920-216-4799

Phone _____

Fax _____

Fax _____


*The current property owner shall acknowledge a Variance Petition on behalf of an agent (i.e., prospective buyer) prior to submission of the petition.

(For Office Use Only)

Date Filed: _____

Fee: \$200.00

Receipt No: _____



Existing
Basement

Lot
Line



Proposed
New
Addition

Lot
Line

13'4"



