

VILLAGE OF EPHRAIM

FOUNDED 1853



BOARD OF APPEALS

CASE # 155

Diane Taillon

9980 Water St

Variance from 40' Rear Setback

Tuesday, April 30, 2024 – 4:00 pm

Village Hall – 9996 Water Street

NOTE: THIS MEETING OF WILL BE SIMULTANEOUSLY HELD VIA TELECONFERENCING. STAFF, COMMITTEE MEMBERS AND THE PUBLIC ARE WELCOME TO PARTICIPATE IN THIS MANNER. TELECONFERENCING WILL BE AVAILABLE BY COMPUTER, PHONE, TABLET, OR DIAL IN. CONNECTION INFORMATION BELOW:

PUBLIC NOTICE

Notice to Appellants, Zoning Administrator, Plan Committee, and Neighboring Property Owners within 300'

PUBLIC HEARING ON ZONING APPEAL APPLICATION on the following property will be held on April 30, 2024 at 4:00 pm to hear and transcribe testimony both for and against, written and verbal:

Property # 121-24-0033A2

Variance from 40' rear setback standard of Ephraim Zoning Code in the Commercial Center Zoning district of the Ephraim Zoning Code.

Property is zoned Commercial Center. The proposal is for the construction of a 64 square foot addition to the subject property that encloses the SE corner of the building and connects two existing decks above. This new proposed work does not meet the 40' rear setback and requires a 5' variance.

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/691154445>

You can also dial in using your phone.

Access Code: 691-154-445

United States: [+1 \(872\) 240-3212](tel:+18722403212)

A notice is being sent to all property owners within 300'. Comments may be made in person at the meeting or in writing to be received no later than 3:00 p.m. on Tuesday, April 30, 2024. Written comments via email at bbristol@ephrain.wi.gov will also be accepted. All written comments must include name and address of commenting residents.

_____	Date <u>4/19/2024</u>
Andrea Collak, Clerk	<input checked="" type="checkbox"/> Village offices
	<input checked="" type="checkbox"/> Visitors' Center
	<input checked="" type="checkbox"/> Post Office
Kim Roberts , Deputy Clerk	<input checked="" type="checkbox"/> Website Ephraim.wi.gov
	<input checked="" type="checkbox"/> Faxed to WDOR Radio

Administrative Office 10005 Norway Road PO Box 138 Ephraim WI 54211
Phone: (920) 854-5501 Fax: (920) 854-2072 E-Mail: office@ephrain.wi.gov

VILLAGE OF EPHRAIM
BUILDING/ZONING PERMIT APPLICATION

1 of 2

Application Date

Please Print

1. Owner/Property

Tax Parcel No. 121 - 2400 - 3342

Owner Diane Taillon

Mailing Address PO 623 City Ephraim

State WI Zip 54211

Phone(s) 920-421-3272 Email diane@arborcrowneproperties.com

Location of Project East side of building Nearest Cross Street Cherry

Property Use: Boutique hotel

Zoning Area: Historic District? [X] Yes [] No

Contractor/Contact: Address

Phone(s) Cell Phone ()

2. Type of Improvement

- New Building
Addition
Exterior Alteration
Foundation Work Only
Other
Accessory Structures
Garage
Storage Building
Repair/Replacement
Other

3. Describe Proposed Construction: Connect two decks at southeast corner of building adding 8' x 8' corner.

4. Cost

Total cost of improvements as applied for in permit: \$

Structural Improvement Cost (if new building or addition, entire amount of structure; if alteration, renovation or repair, structural portions only): \$

Include with Application:

- Certified Survey
Building plans, including all elevations, floor plans
Site plan showing lot dimensions, setbacks from all lot lines for structures
For commercial structures, parking plans
Parking plan for construction vehicles during construction phase
Permit Fee/Impact Fee
Drainage Plan
Land Disturbance Application
Landscape Plan

For New Buildings or Additions, Complete this Section Also:

Dimensions: Number of Stories: _____
Roof Pitch(es): _____

Height at Peak: _____
Total Footprint, Exterior: _____

Total Square Footage, All Floors Exterior: _____

Total Square Footage, Parking/Drives/Walkways: _____

Type: Wood Frame Structural Steel Reinforced Concrete Other _____

Principal Heating: _____ Propane _____ Oil _____ Electric _____
_____ Other (Explain) _____

Plant Manager Signature _____ **Date** _____

Sewage Disposal:

Current:

- None
- Sewered
- Septic
- Mound/In-Ground
- Other _____

Proposed:

- Current System Continued Demolition/Moving ?
- Connect to Available Sewer
- Extend Sewer to Property
- On-Site System

Type: _____

(copy of permit to be on file with Village)

Year Installed: _____

If On-Site System, Year Last Pumped/Inspected: _____

For sewage disposal planning, your contact is the Ephraim Treatment Plant Manager, 920/854-4991. Please contact him as soon as possible to allow proper planning and discussion of any necessary sewer connection permits or fees involved.

Fire Chief Signature _____ **Date** _____

Fire Department:

Sprinklers needed? Yes No

Driveway width/tree clearance (width/height): _____
Clearance around structures for truck access: _____ Fire # Assigned _____

Fire Department requires driveways at least 12' wide and clearance 12' high; Fire Chief may be in contact with you during construction to check truck access and, if commercial structure, any sprinklering, water sources, or other safety considerations

Application and materials **must be in the Village offices one week prior** to Plan Committee meeting date to allow for proper processing and notification of Committee members. When permits are issued, work must start within 6 months and be completed within one year. The owner of this property and the undersigned agree to conform to all applicable laws of the State of Wisconsin and the Village of Ephraim.

Signature of Applicant Diane Tailon Print Name Diane Tailon

FOR OFFICE USE ONLY

Permit # _____ Permit Fee: \$ _____

Date Permit Issued _____ Zoning Administrator Signature: _____

Restrictions: _____

BOARD OF APPEALS VARIANCE APPLICATION

Village of Ephraim

Petitioner: Diane Taillon hereby appeals to the Board of Appeals of the Village of Ephraim, Wisconsin for a variance from the zoning ordinances of the Village and submits this petition in support of the appeal.

Date filed March 1, 2024 \$300.00 fee (payable to Village of Ephraim)

	Owner	Agent	Contractor/Contact
Name	Diane Taillon		
Address	9980 Water St. PO 623 Ephraim, WI		
Phone	920-421-3272		
Fax	N/A		

Legal description of property: 1/4, 1/4, S, T, N, R, E, Village of Ephraim, County of Door

Tax Parcel Number 121-24-0033A2

Fire Number and Street 9980 Water Street

Lot area and dimensions: 29,494 square feet, x ft. (see survey please)

Zoning District: Commercial

Current Use and Improvements: Boutique Hotel

Identify all non-conforming structures and/or land uses on the property:

Hotel, two cottages, two sheds

Has a previous appeal or application for a variance, or conditional use/special exception, been made with respect to this property? Yes No

If yes, state the nature of the appeal/application:

N/A

Disposition: Granted Denied Date of Decision:

VARIANCE APPLICATION

Ordinance / Section Number

Variance Requested

* Variance from 40'
Rear setback

Estimated Cost of Construction: \$ NOT ESTABLISHED yet

Is Petitioner the owner of the premises? Lessee? Other:

If Lessee, give owner's name & address n/a

Address each of the following criteria for granting a variance as described above (attach additional pages as necessary):

(1) Unnecessary hardship is present because....

(2) Compliance with the terms of the ordinance is prevented by the following unique feature(s) of this property...

See
Addendum
A
attached

(3) A variance will not be contrary to the public interest, will observe the spirit of the ordinance, secure public safety and welfare, and do substantial justice because....

Attach a site plan or other map of your site and detailed construction plans.

I certify that the information I have provided in this application is true and accurate.

Diane Tailon
Applicant/Agent

Date: March 1, 2024

Remit with application fee and materials to:

Village of Ephraim
P.O. Box 138
10005 Norway Road
Ephraim, WI 54211

phone: 920/854-5501

fax: 920-854-2072

e-mail: bbristol@ephrain-wisconsin.com

Addendum A
Deck

I am requesting a variance from the rear setback of the property to connect the two decks.

Unnecessary hardship:

Water has damaged the decks at the and their structural walls at the Southeast corner of the main hotel building. Currently there are two decks at this corner and they do not connect. They are also of different heights all of which may have contributed to the water damage.

These decks do not connect leaving one of the decks without access to the stairway to the ground level. This addition does not conflict with neighboring properties, does not alter the basic nature of the site, does not harm public interests and only requires one variance.

Compliance:

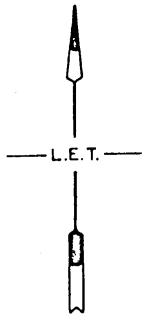
The Hillside is a historic property which existed lawfully prior to the passage of the current zoning ordinance.

Public Safety:

1. The addition of a corner 8' x 8' at the south east corner of the building is at the back of the building which the public doesn't see from Highway 42 or Cherry Street.
2. Safety is enhanced because the entire deck would now have access to the stairway from the second floor to the ground level.







BASIS OF BEARINGS
Bearing assigned to the northerly line of Lot 30 shown.

- = 1" IRON PIPE SET
- = IRON PIPE FOUND
- - - = WOOD FENCE
- · - · = FENNER-BREY MAP OF EPHRAIM, APRIL 8, 1954

AUTHENTIC PRINTS HAVE SEAL, SIGNATURE AND THIS NOTE IN CONTRAST TO SURVEY DATA

DESCRIPTION OF TRACT SURVEYED

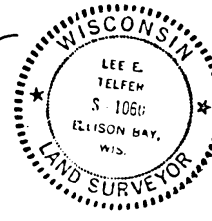
That portion of Lots 25 and 30, Block L in the Plat of Ephraim in Government Lot 1, Section 24, T31N R27E, Village of Ephraim, Door County, Wisconsin, described as follows: Beginning at the NE corner of said Lot 30 marked by a 1/4" iron pipe, thence S06°21'30"W 142.23 feet to the NE corner of said Lot 25, thence continue S06°21'30"W along the easterly line of said Lot 25 91.00 feet to a 1" iron pipe, thence S89°47'45"W 55.05 feet to the easterly R/W of Water Street, thence along said R/W N24°49'45"W 91.87 feet, thence continue along said R/W N37°23'04"W 186.19 feet to the NW corner of said Lot 30 marked by a P.K. nail, thence N89°50'10"E along the northerly line of said Lot 30 232.51 feet to the place of beginning containing 31,461 square feet.

SURVEYOR'S CERTIFICATE

I hereby certify that the above tract was surveyed to the best of my knowledge and belief and that the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, dimensions of all principal buildings thereon, boundary fences, apparent easements, roadways and visible encroachments, if any.

DS.

Lee E. Telfer



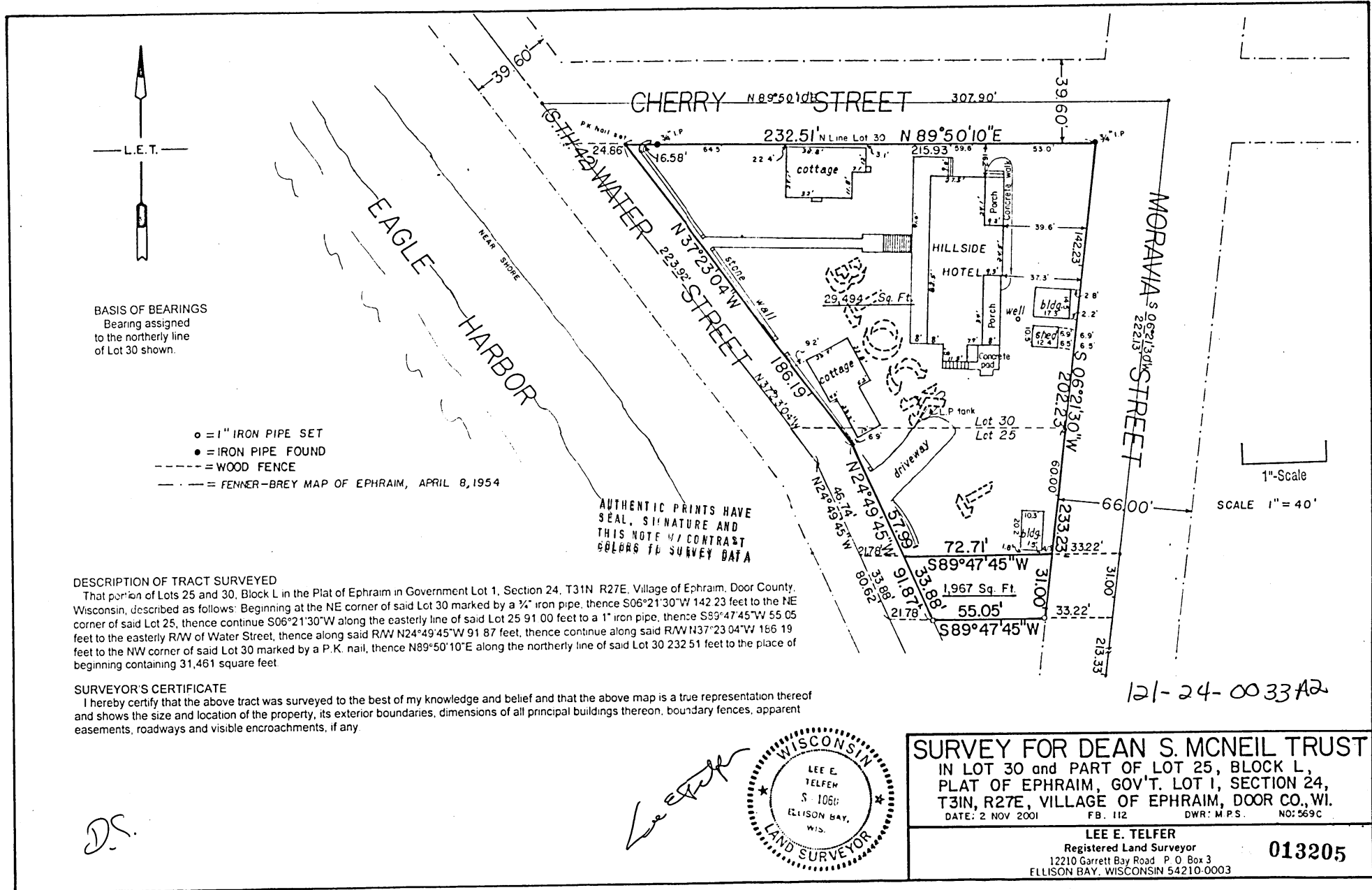
SURVEY FOR DEAN S. MCNEIL TRUST
IN LOT 30 and PART OF LOT 25, BLOCK L,
PLAT OF EPHRAIM, GOV'T. LOT 1, SECTION 24,
T31N, R27E, VILLAGE OF EPHRAIM, DOOR CO., WI.
DATE: 2 NOV 2001 FB: 112 DWR: M.P.S. NO: 569C

LEE E. TELFER
Registered Land Surveyor
12210 Garrett Bay Road P. O. Box 3
ELLISON BAY, WISCONSIN 54210-0003

013205

121-24-0033A2

1" Scale
SCALE 1" = 40'



April 19, 2024

**Staff Report
Board of Appeals
Case # 155 & 156**

#155

The property parcel # is 121-24-0033A2 which is owned by Diane Taillon and located at 9980 Water Street. The property is zoned Commercial Center and is used as a hotel.

The proposal calls for a 64 square foot addition on the SE side of the structure that will be enclosed by walls and connect the two existing decks above.

A regular zoning permit cannot be issued because the new work is subject to current setbacks and the 40' rear yard setback is not met.

The applicant is requesting a 5' variance from 40' rear yard setback minimum of the Ephraim code of ordinances.

#156

The property parcel # is 121-24-0033A2 which is owned by Diane Taillon and located at 9980 Water Street. The property is zoned Commercial Center and is used as a hotel.

The proposal calls for a 152 square foot addition on the E side of the structure that will enclose the existing covered patio with glass walls and alter the existing deck above.

A regular zoning permit cannot be issued because the new work is subject to current setbacks and the 40' rear yard setback is not met.

The applicant is requesting a 4' variance from 40' rear yard setback minimum of the Ephraim code of ordinances.

Respectfully submitted,

Brent Bristol
Zoning Administrator.