

VILLAGE OF EPHRAIM

FOUNDED 1853



BOARD OF APPEALS

CASE # 156

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 152 square foot glass enclosure of the existing covered patio on the East side of the building. This new proposed work does not meet the 40' rear setback and requires a 4' 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
_____	<input checked="" type="checkbox"/> Website Ephraim.wi.gov
Kim Roberts , Deputy Clerk	<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

Application Date _____

Please Print

1. Owner/Property

Tax Parcel No. 121 - 2400 - 33A2

Owner Diane Taillon

Mailing Address PO 623 City Ephraim

State WI Zip 54211

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

Location of Project Back of Hillside East side of building Nearest Cross Street Cherry St

Property Use: Boutique Hotel

Zoning Area: _____ Historic District? Yes No

Contractor/Contact: _____ Address _____

Phone(s) _____ Cell Phone (____) _____

2. Type of Improvement

- | | |
|---|---|
| <input checked="" type="checkbox"/> New Building | Accessory Structures |
| <input checked="" type="checkbox"/> Addition | <input type="checkbox"/> Garage |
| <input type="checkbox"/> Exterior Alteration | <input type="checkbox"/> Storage Building |
| <input type="checkbox"/> Foundation Work Only | <input type="checkbox"/> Repair/Replacement |
| <input type="checkbox"/> Other _____ | <input type="checkbox"/> Other _____ |

3. Describe Proposed Construction: Add glass wall to patio to increase the size of the dining room.

4. Cost

Total cost of improvements as applied for in permit: \$ not sure yet

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
(if commercial, State-approved plans must be given to the office prior to obtaining your permit)
- 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:

2 of 2

Dimensions: Number of Stories: 1 Height at Peak: n/a
Roof Pitch(es): n/a Total Footprint, Exterior: _____

Total Square Footage, All Floors Exterior: 152

Total Square Footage, Parking/Drives/Walkways: n/a

Type: Wood Frame Structural Steel Reinforced Concrete Other Glass

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 Tailon 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 7, 2024 \$300.00 fee (payable to Village of Ephraim)

Table with 4 columns: Name, Address, Phone, Fax and 3 rows for Owner, Agent, Contractor/Contact. Handwritten entries include Diane Tailon, 9980 Water St., PO 623, Ephraim, WI, 920-421-3272, and n/a.

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

Tax Parcel Number 121-24-0033 A 2

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 _____

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...

(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....

See addendum A attached

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.

Deane Taylor
Applicant/Agent

Date: March 7, 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 Patio

I am requesting a variance from the rear setback of the property to enclose the patio by constructing a glass wall and sky light

Unnecessary hardship:

The dining room at the Hillside is small for the number of guests. Enclosing the patio while removing the wall that separates the patio and the dining room doubles the size of this room. 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:

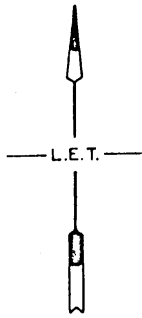
The Hillside is a historic property which existed lawfully prior to the passage of the current zoning ordinance.

Public Safety:

Even though Covid is somewhat in the past, the current dining room is small when all of the guests convene for breakfast. Increasing this space will increase the distance between individuals.







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

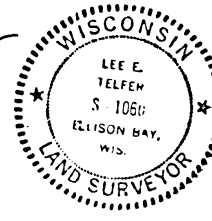
That portion of Lots 25 and 30, Block L in the Plat of Ephraim in Government Lot 1, Section 24, T31N R27E, Village of Ephraim, Door County, Wisconsin, described as follows: Beginning at the NE corner of said Lot 30 marked by a 1/4" iron pipe, thence S06°21'30"W 142.23 feet to the NE corner of said Lot 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



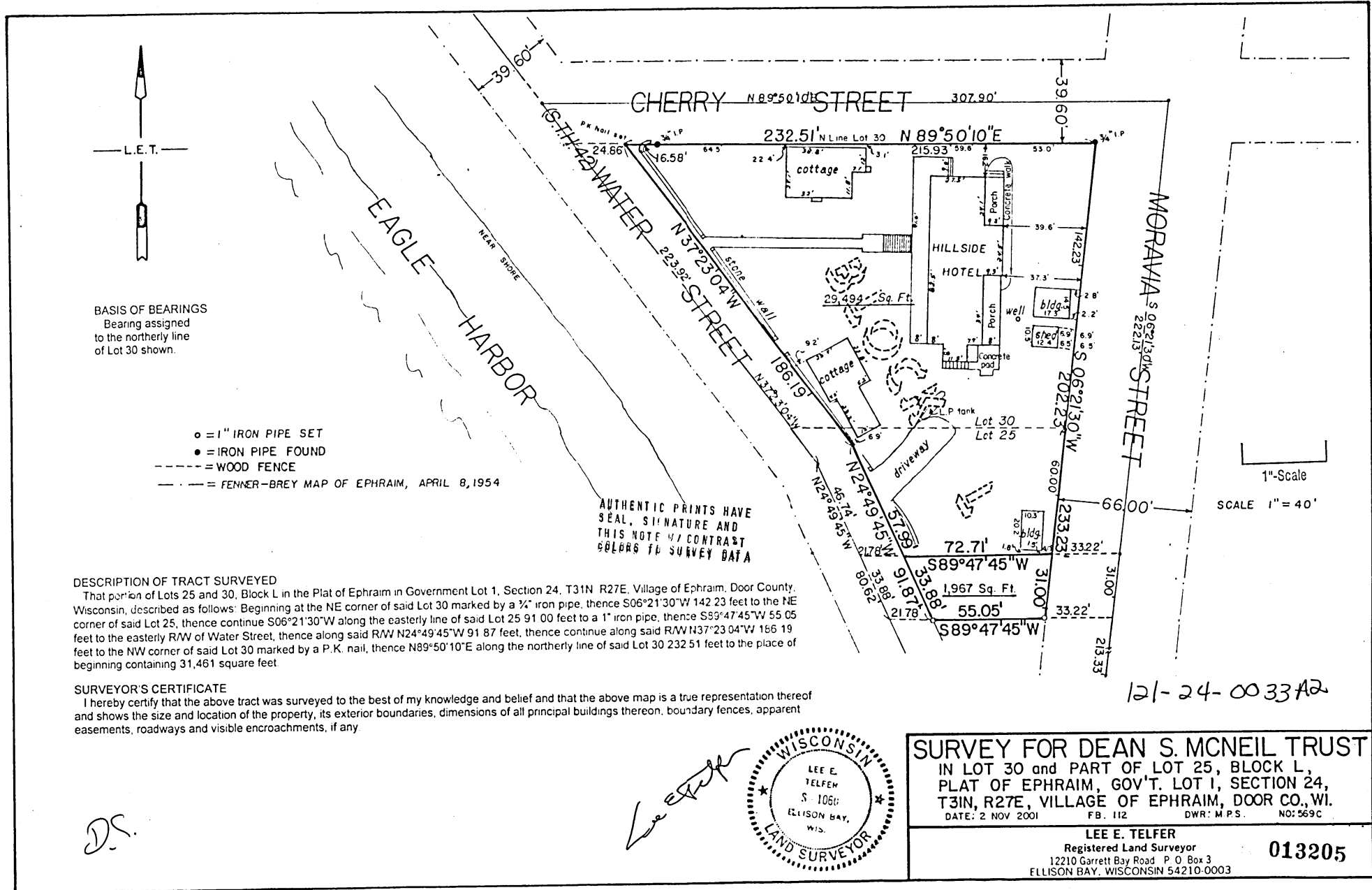
SURVEY FOR DEAN S. MCNEIL TRUST
IN LOT 30 and PART OF LOT 25, BLOCK L,
PLAT OF EPHRAIM, GOV'T. LOT 1, SECTION 24,
T31N, R27E, VILLAGE OF EPHRAIM, DOOR CO., WI.
DATE: 2 NOV 2001 FB: 112 DWR: M.P.S. NO: 569C

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.