

VILLAGE OF EPHRAIM

FOUNDED 1853



Conditional Use – Additional Accessory Building

Michael Larsen - 2951 Valentine Ln

Tuesday – December 17, 2024, 7:00 p.m.

Ephraim Village Hall – 9996 Water St.

NOTE: This Meeting 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:

At the regularly scheduled meeting of the Ephraim Plan committee on Tuesday, December 17, 2024 at 7:00 p.m., the committee will consider a conditional use request from Michael Larsen relating to the construction of an additional accessory building.

This request previously came before the committee in September, that vote ended in a failed motion with a 2-2 vote, however the committee decided to re-hear the request in December.

Notice is being sent to all Ephraim property owners and neighboring municipalities 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, September 24, 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.

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

<https://meet.goto.com/476929373>

You can also dial in using your phone.

Access Code: 476-929-373

United States: [+1 \(571\) 317-3122](tel:+15713173122)

	Date: <u>12/5/2024</u>
Andrea Collak, Clerk	<u>X</u> Village Administrative Office
	<u>X</u> Visitors' Center
	<u>X</u> Post Office
Kim Roberts, Deputy Clerk	<u>X</u> Website www.ephraim-wisconsin.com
	<u>X</u> Emailed to WDOR Radio
	<u>X</u> Emailed to Peninsula Pulse

CONDITIONAL USE PERMIT APPLICATION

Conditional Use Fee - \$125.00

2951 Valentine Lane Ephraim, WI 54211

- I. Location (number and street) _____
N S E W side of _____
N S E W side of _____

- II. Present use: Single Family Residence

- III. Ownership: private (individual, corporate, non-profit, etc.)
 public

- IV. Proposed use of site or structure:
Chicken Coop and run enclosure

- V. Use or Structure requiring the conditional use:
Chicken Coop and run enclosure

- VI. Plans needed (checked items only):
 A. Types and dimensions of structures, existing and proposed
 B. A site plan, drawn to scale, showing dimensions of the site, setbacks and dimensions of all existing and proposed structures and their relationship to property lines, roads, rights-of-way, existing and proposed wells and sanitary waste systems, and (if applicable) ordinary high water mark of navigable waters
 C. Building plans including all floor plans and all elevations.
 D. Documentation of safe and adequate water supply and disposal of sewage.
 E. A parking plan

_____ F. Application fee

Name of property owner: Larsen Family Trust

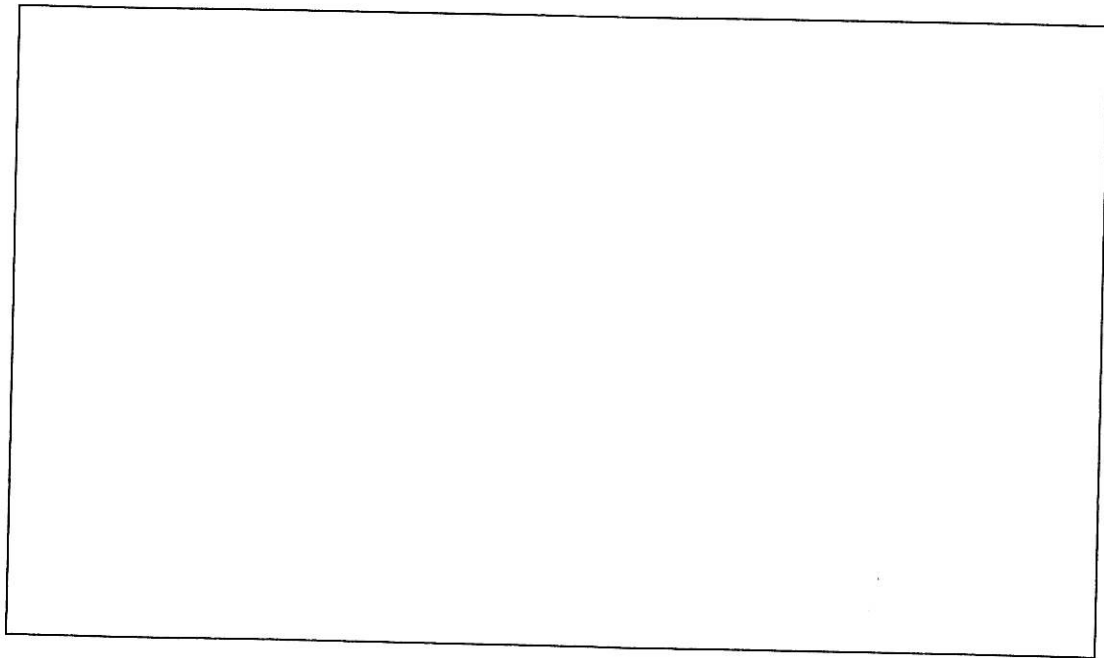
Address of property owner: 2951 Valentine Lane Ephraim, WI 54211

Local address/contact: 2951 Valentine Lane Ephraim, WI 54211

Phone: (818)223-1069 & (920)205-3730

Signature _____

Application Date: 09/13/2024



**VILLAGE OF EPHRAIM
ACCESSORY STRUCTURES PERMIT APPLICATION**

All Structures Must Adhere To All Village of Ephraim Ordinances

OWNER /PROPERTY INFORMATION

Property Owner: Michael & Britteny Larsen

Tax Parcel # _____ - _____ - _____

Phone # (920) 205 - 3730

Location of project: 2951 Valentine Lane Historic District ? Yes No

Contractor/Contact: Owner Builder - Mike Larsen Phone: (818) 223 - 1069

Type of Structure:

Storage Shed Fence - Solid See Through Deck/Patio Other Chicken Coop

Use of Structure: Raising Chickens for Eggs

Type of Material: Wood Cement/Brick Combination

Fabricated Material Stone Metal Other please Specify _____

Repair/Replacement Yes No

Height of Structure: _____ Foot _____ Inches Location on Property Near East property line, between shed and patio / house

Cost of Materials and Labor \$ 2,500.00

INCLUDE WITH THIS APPLICATION

Building plans, including all elevations, floor plans.

Brief description of construction: 2x4 and plywood with plastic roofing and chicken wire. Replaced previous chicken run and coop structure that was too short and vulnerable to predator attacks. Our 3 sons raise the chickens, but their first 8 were killed by predators

Site plan showing lot dimensions, setbacks from all lot lines for proposed structure.

Diagram of completed structure

Color Sample of completed structure

Note: Application and materials must be in the Village Offices one week prior to Plan Committee meeting date to allow for proper processing and notification on Committee members. Construction may not begin prior to approval and permit issuance.

Required Signature: The owner of this property and the contractor agree to conform to all applicable laws of the State of Wisconsin and the Village of Ephraim. Failure to do so may result in increased permit fees or complete removal of non approved structure.

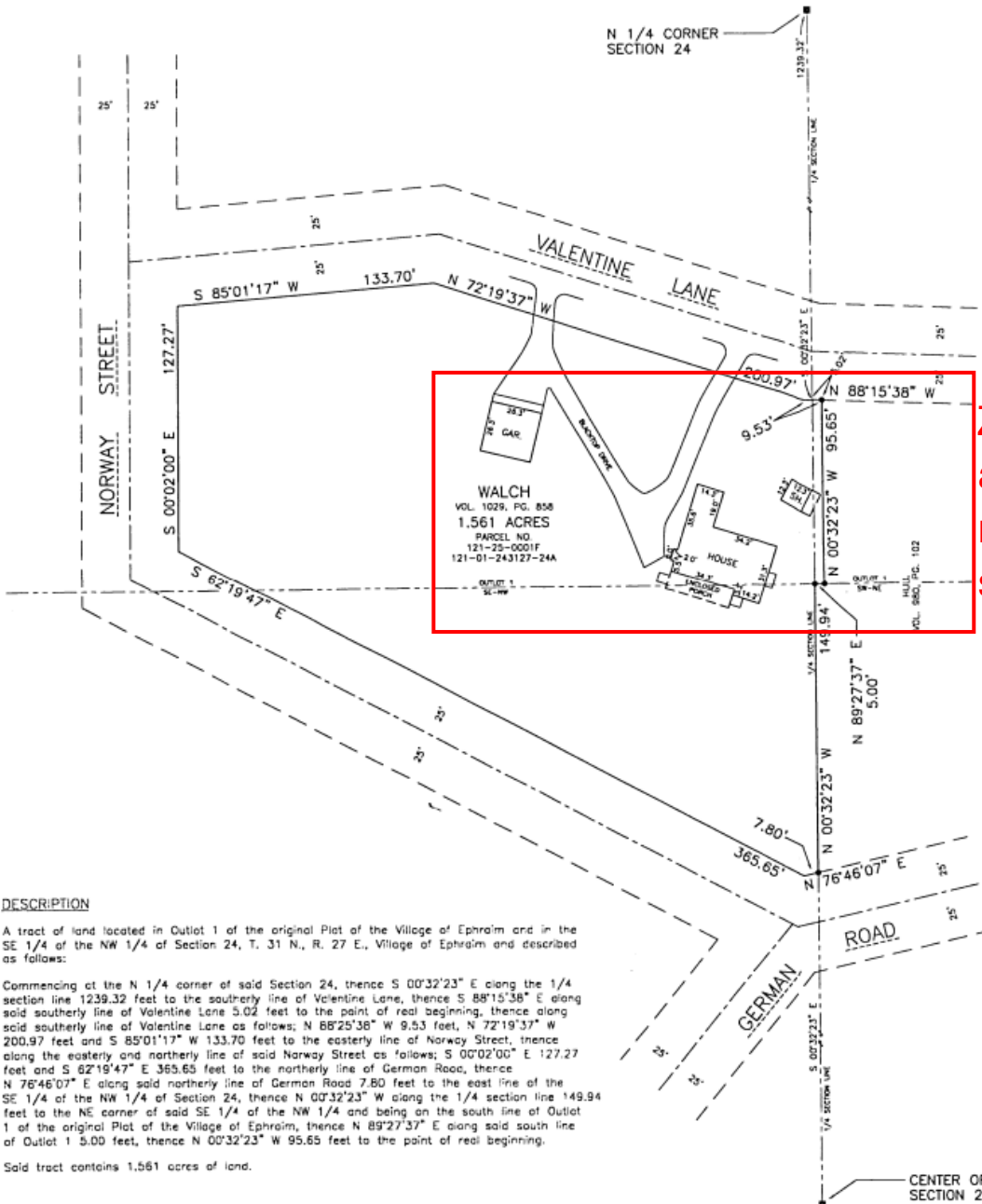
Signature of Applicant: _____ Application Date: 8/5/2024

Print Name: Michael S. Larsen

Approved Yes No **FOR OFFICE USE ONLY** Permit # _____

Permit Fee: \$ _____ Date Permit Issued _____

Zoning Administrator Signature: _____



LEGEND

- = DOOR COUNTY MONUMENT
- = 1" IRON PIPE FOUND

PLAT BEARINGS ARE REFERENCED TO THE EAST LINE OF THE NW 1/4 OF SECTION 24, AS S 00°32'23" E, FROM PREVIOUS SURVEYS.

Zoom in area on next slide

SURVEYOR'S CERTIFICATE

I, Kenneth J. Brey, Jr., registered land surveyor for Brey - Stuewe & Braun Surveys, Ltd., do hereby certify that I have surveyed the property described herein and that the adjacent map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures and dimensions of all principal buildings thereon, boundary fences, apparent easements, roadways and visible encroachments, if any.

This survey is made for the use of the present owners of the property and also those who purchase, mortgage or guarantee title thereto.

Dated 10-06-05
 Kenneth J. Brey, Jr.
 R.L.S. S-1280



OCT 15 2005



121-25-0001F

DESCRIPTION

A tract of land located in Outlot 1 of the original Plat of the Village of Ephraim and in the SE 1/4 of the NW 1/4 of Section 24, T. 31 N., R. 27 E., Village of Ephraim and described as follows:

Commencing at the N 1/4 corner of said Section 24, thence S 00°32'23" E along the 1/4 section line 1239.32 feet to the southerly line of Valentine Lane, thence S 88°15'38" E along said southerly line of Valentine Lane 5.02 feet to the point of real beginning, thence along said southerly line of Valentine Lane as follows; N 88°25'38" W 9.53 feet, N 72°19'37" W 200.97 feet and S 85°01'17" W 133.70 feet to the easterly line of Norway Street, thence along the easterly and northerly line of said Norway Street as follows; S 00°02'00" E 127.27 feet and S 82°19'47" E 365.65 feet to the northerly line of German Road, thence N 76°46'07" E along said northerly line of German Road 7.80 feet to the east line of the SE 1/4 of the NW 1/4 of Section 24, thence N 00°32'23" W along the 1/4 section line 149.94 feet to the NE corner of said SE 1/4 of the NW 1/4 and being on the south line of Outlot 1 of the original Plat of the Village of Ephraim, thence N 89°27'37" E along said south line of Outlot 1 5.00 feet, thence N 00°32'23" W 95.65 feet to the point of real beginning.

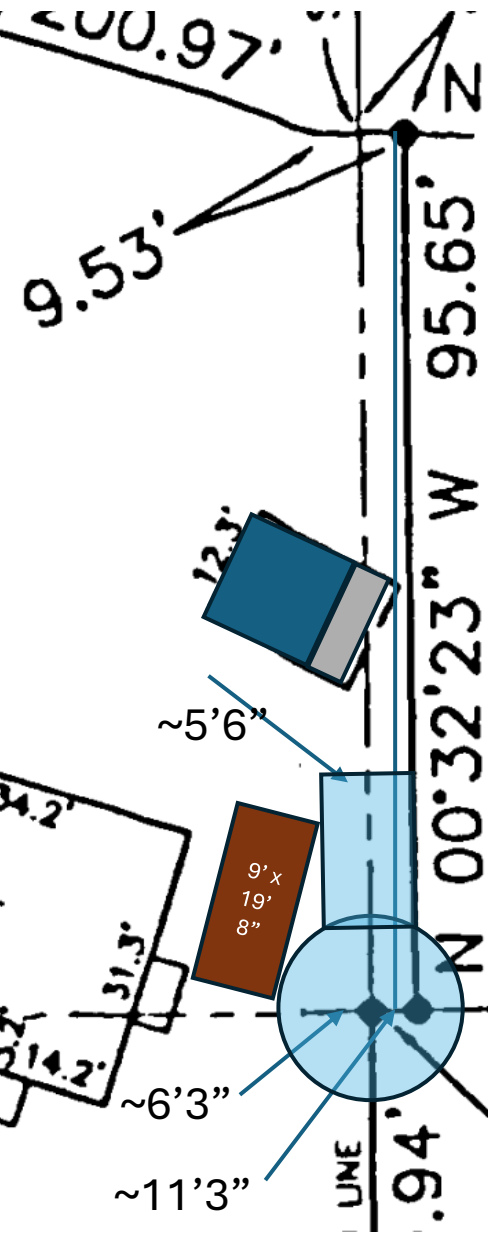
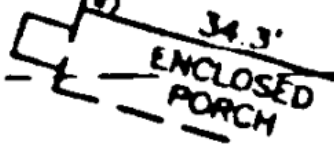
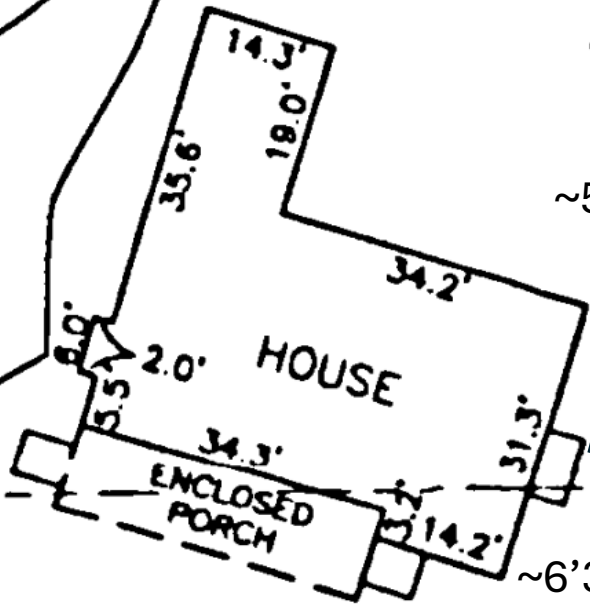
Said tract contains 1.561 acres of land.

SURVEY IN
 OUTLOT 1 OF THE ORIGINAL PLAT OF THE VILLAGE OF EPHRAIM & THE SE 1/4 OF THE NW 1/4 OF SECTION 24, T. 31 N., R. 27 E., VILLAGE OF EPHRAIM
 FOR
 JUDITH WALCH - OWNER
 BY
 BREY-STUEWE & BRAUN SURVEYS, LTD.
 LAND SURVEYORS
 208 S. 4TH AVE. STURGEON BAY D-05250
 OCTOBER 6, 2005



BLACKTOP DRIVE

WALCH
 VOL. 1029, PG. 858
 1.561 ACRES
 PARCEL NO.
 121-25-0001F
 121-01-243127-24A



N 88°15'38" W 25

OUTLOT 1
SE-NW

OUTLOT 1
SW-NE

HULL
VOL. 980, PG. 102

~6'3"
~11'3"

LINE

.94'

Structure as it is now



The outer chicken run enclosure will be painted to match the house (cream with burgundy trim) once we have permission to finish the structure. There will be no plastic left on it by the end of today (8/5) since it is not secure against predators)

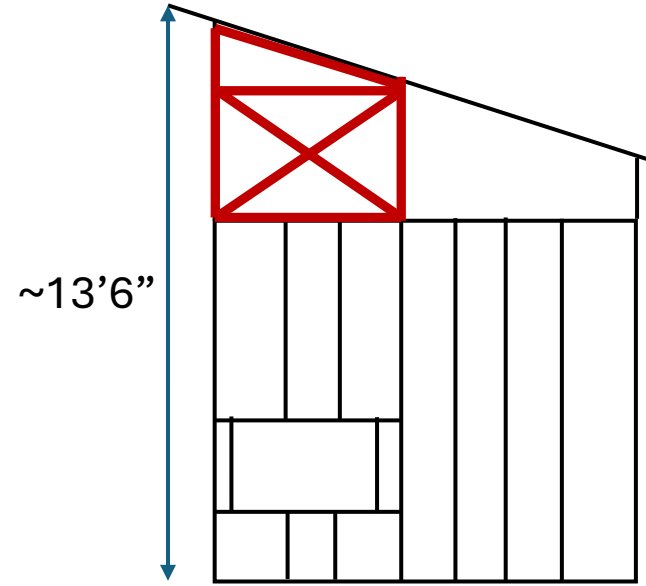
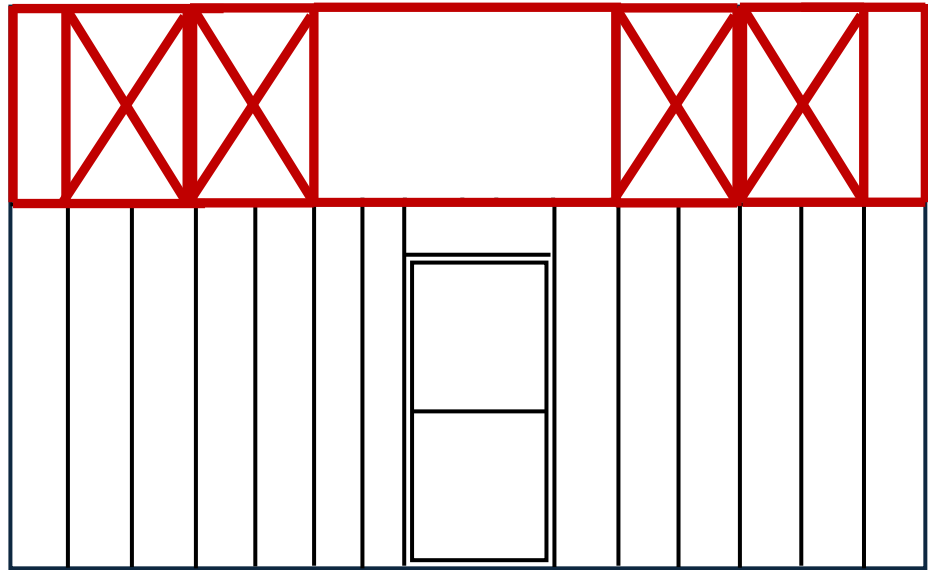
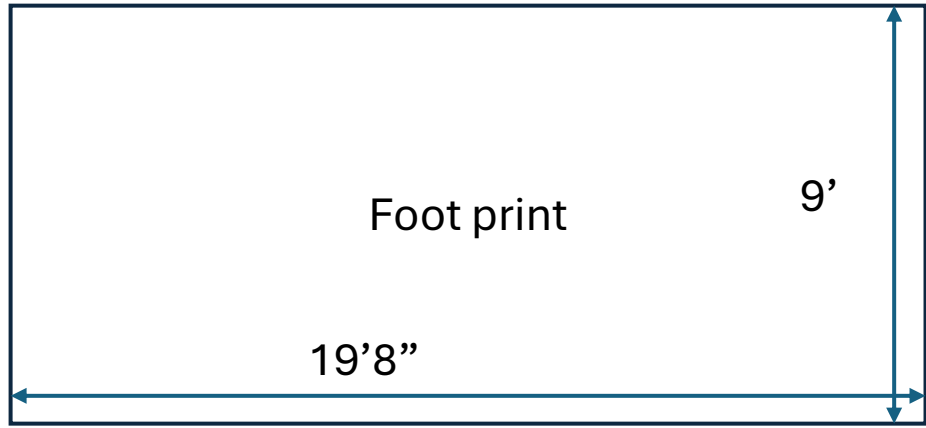
Proposed new concept

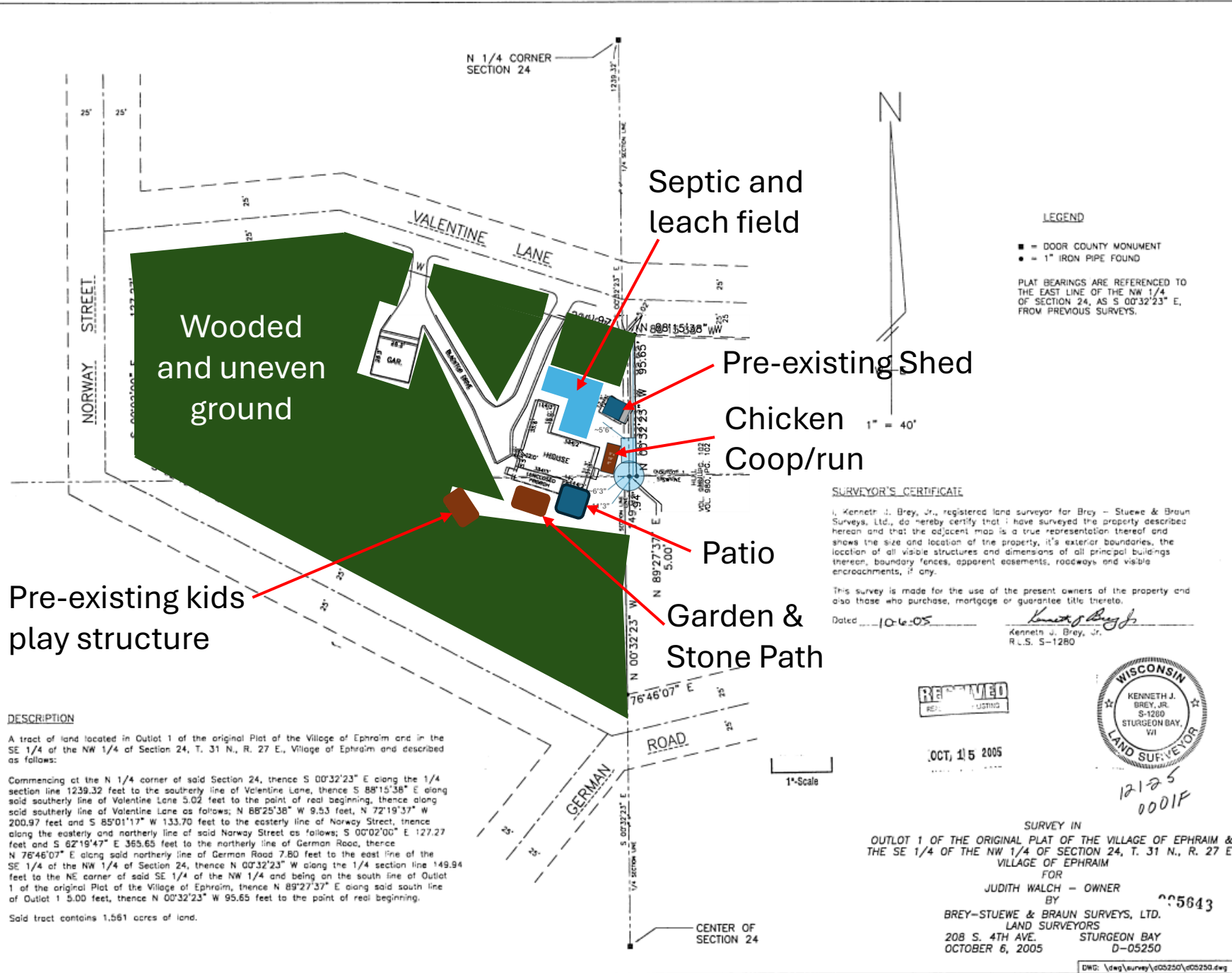


Move the coop to the side near the house

Narrow the structure from 13.6 feet to 9 feet at base with 6" roof overhand, giving a >10' setback from side property line







LEGEND

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This survey is made for the use of the present owners of the property and also those who purchase, mortgage or guarantee title thereto.

Dated 10-15-05
 Kenneth J. Brey, Jr.
 R.L.S. 5-1280



OCT 15 2005

12125
0001F

SURVEY IN
 OUTLOT 1 OF THE ORIGINAL PLAT OF THE VILLAGE OF EPHRAIM &
 THE SE 1/4 OF THE NW 1/4 OF SECTION 24, T. 31 N., R. 27 E.,
 VILLAGE OF EPHRAIM
 FOR
 JUDITH WALCH - OWNER
 BY
 BREY-STUEWE & BRAUN SURVEYS, LTD.
 LAND SURVEYORS
 208 S. 4TH AVE. STURGEON BAY
 OCTOBER 6, 2005 D-05250

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Said tract contains 1.561 acres of land.

Background: In the Spring of 2022 some friends offered our 3 sons 8 chickens for them to raise. They were very excited for the opportunity, and it is not something that was an option in California. We picked up a small coop from Tracker Supply and placed it on top of what had been a planter box out back of the house (convenient for care and watering and generally secluded from direct view from the street). To try and protect the chickens, my father-in-law constructed a modest run enclosure (~4' tall) to try and contain the chickens and protect them from predators when we could not be out with them. Besides the inconvenience of such a short enclosure, once a net was put over top of it, for someone my height, the protection from predators was not very good. All eight chickens were killed in late winter/early spring 2023. My children had loved taking care of the chickens and collecting eggs, so we decided to replace them. I was determined to fix the downsides of the previous enclosure, so I took it down and built a new run enclosure that is more substantial and safe against predators. It is also tall enough for me to walk upright inside of (I am 6'8" tall) so that now I can help my boys more easily when needed (they are now 5, 7, and 8 years old, and their sister is starting to get involved, she's 3). I thought our placement of the enclosure was good and it never occurred to me that I might be encroaching on a property line, certainly no more than the pre-existing buildings already did. This placement allowed us to keep all the trees and not need to disturb the natural landscape. We talked with our closest neighbors and they said it was fine with them (trying to be considerate neighbors). The construction is currently halted now that I realize a permit is required and a variance for the distance from the property line. When finished we plan to paint it to match the look of the house and other buildings on the property. It never occurred to me that I needed such formal documentation for what I saw as a replacement for the chicken run enclosure that we had before.

I had been told by friends that Ephraim allowed up to 12 chickens / per acre and that a chicken coop from Tracker Supply would be no issue. Everything else just sort of grew from there as we dealt with the challenges of chicken husbandry.

Tax Year	Prop Type	Parcel Number	Municipality	Property Address	Billing Address
2024	Real Estate	121250001F	121 - VILLAGE OF EPHRAIM	2951 VALENTINE LN	LARSEN FAMILY TRUST PO BOX 292 EPHRAIM WI 54211

Tax Year Legend: = owes prior year taxes = not assessed = not taxed Delinquent Current

Property Summary

Parcel #:	121250001F
Alt. Parcel #:	15 121 4 31 27 24 2 01 001
Parcel Status:	Current Description
Creation Date:	1/1/2006
Historical Date:	
Acres:	1.800

Property Addresses

Primary	Address
<input checked="" type="checkbox"/>	2951 VALENTINE LN 54211

Owners

Name	Status	Ownership Type	Interest
LARSEN FAMILY TRUST	CURRENT OWNER		
CRANE TRST, JAMES S & CAROLE D	FORMER OWNER		
EPHRAIM SHORES LLC	FORMER OWNER		
WALCH, JUDITH T	FORMER OWNER		
WALCH, PETER V.	FORMER OWNER		

Parent Parcels

No Parent Parcels were found

Child Parcels

No Child Parcels were found

Workflow History and Messages

No Flag/Messages were found

Abbreviated Legal Description

(See recorded documents for a complete legal description)
 EPHRAIM PLAT COM 1239.32'S & 5.02'S88°E N1/4 COR SEC 24: N88°W9.53' N72°W200.97' S85°W133.70' S127.27' S62°E365.65' N76°E7.8' N149.94' N89°E5' N95.65' 'BG. (PART OF OUTLOT 1)

Public Land Survey - Property Descriptions

Primary	Section	Town	Range	Qtr 40	Qtr 160	Gov Lot	Block/Condo Bldg	Type	#	Plat
<input type="checkbox"/>	24	31 N	27 E	SE	NW					METES AND BOUNDS
<input checked="" type="checkbox"/>	24	31 N	27 E			1				EPHRAIM PLAT (OUTLOTS)

District

Code	Description	Category
	DOOR COUNTY	OTHER DISTRICT
	LOCAL	OTHER DISTRICT
	STATE OF WISCONSIN	OTHER DISTRICT
2114	GIBRALTAR SCHOOL	REGULAR SCHOOL
	EPHRAIM - 2	OTHER DISTRICT
	N.W.T.C.	TECHNICAL COLLEGE

Associated Properties

No Associated properties were found

- [View GIS Map](#)
- [Property Summary Report](#)
- [View Survey Document](#)
- [View Permits](#)

VILLAGE OF EPHRAIM

FOUNDED 1853



Plan Committee Meeting Minutes Tuesday, September 24, 2024 – 7:00 PM

Present: Andrew Bartelt, Grace Held, Susie Samson, BD Thorp

Absent: Monique McClean, Michael McCutcheon, Kenneth Nelson

Staff: Brent Bristol- Administrator, Andrea Collak – Clerk/Treasurer

Guests: Michael Larsen, Roy Harsch, Diane Taillon, Duska Pearson, Kelsey Stone, Lane Methner, Paul Wilson

1. **Call to order:** Bristol – Administrator/Zoning Administrator called the meeting to order at 7:00 PM. Bristol asked committee members to appoint the chair for this meeting.

Held moved, Bartelt seconded to appoint Thorp to chair this meeting, all ayes, and the motion carried.

2. **Quorum:** A quorum is present for this meeting.

3. **Approval of previous minutes**

Samson moved, Bartelt seconded to approve the Plan Committee meeting minutes from August 27, 2024, as presented, all ayes, and the motion carried.

4. **Changes in Agenda:** None

5. **Visitors' comments:** None

6. **Michael Larsen – 2951 Valentine Ln – Conditional Use – Additional Acc. Structure**

Bristol noted that the Board of Appeals request for a variance was denied at the August 22, 2024, Board of Appeals hearing. Two applications on the Board of Appeals agenda were seeking after-the-fact variances for structures that were partially constructed without a permit. The applicant was before the Plan Committee last month for a concept review. The applicant applied for a conditional use to build an additional accessory structure on the property. By ordinance, every additional structure over one requires Conditional Use.

Notice was sent to all Ephraim property owners and neighboring municipalities within 300' regarding this Conditional Use application. Bristol has received two pieces of written correspondence regarding this application.

Kim Barkmeyer, 2964 Valentine Lane, lives across the street from the Larsen's and has no objection to my neighbor building a chicken coop and run enclosure.

Scott and Duska Pearson, 2928 Valentine Lane, are not in support of approval of the new additional accessory structure at 2951 Valentine Lane. They believe that the village requires special approval for conditional use of accessory structures with an aim towards furthering the aesthetics of the village. The property currently has multiple accessory structures visible from village streets and neighboring properties. They believe that modifications to the existing garage or shed on the property could accommodate a chicken coop and if designed appropriately, would mitigate aesthetic impact on Valentine Lane.

Larsen stated that in the Spring of 2022, some friends offered their 3 sons 8 chickens to raise. They picked up a small coop from Tracker Supply and placed it on the top of a planter box out back of the house. They had no idea that those pre-existing planter boxes were already encroaching on a 10'

setback from the side property line. To try and protect the chickens, a modest 4' tall run enclosure was built. Once a net was put over the top, the protection from predators was not very good. All 8 chickens were killed in late winter/early spring 2023. Because children loved taking care of the chickens and collecting eggs, they decided to replace them and built a new run enclosure that is more substantial and safer against predators. It is tall enough so that he could help the children when needed. Larsen mentioned that it never occurred to him that they might be encroaching on a property line, certainly no more than the pre-existing buildings and planters already did. The construction is currently halted.

The applicant explained that they would like to use the chicken run and coop for raising chickens for eggs. The structure would be located near the east property line, between the shed and patio/house. The structure is made of plywood with plastic roofing, chicken wire, and dirt floor. The chicken coop and run enclosure area was modified after the Board of Appeals hearing. It is smaller and has a 9'x 19'8" footprint with a single rake roof reaching a maximum height above the ground of approximately 13" (at the peak of the roof and lowest point of the ground). It will comply with the 10' setback from the side property line requirement.

The placement of the coop/run is the least visible from all but the closest neighbor. They talked with the closest neighbors, and they said it was fine with them. The location minimizes the visibility from the streets and most other neighbors and preserves the most trees. This is the most convenient and best location for the enclosure. The applicant has no issue with screening the side that is visible from the street with either plants or firewood. He suggested extending the overhang of the roof on that side and making it a place for storing the firewood to keep it dry.

M. Larsen concluded that when complete the outer chicken run enclosure will be painted to match the house and the shed (cream and burgundy trim) once they have permission to finish the structure. They would like to make it a very appealing-looking and visually pleasing structure. Larsen highlighted that the structure has been intentionally built as screw together structure so that one day when his kids are done wanting to raise chickens it can be easily disassembled and taken down. He always looked at it as a temporary structure.

Larsen provided the committee with a visual demonstration of what the chicken enclosure looks like now and what is proposed.

Held asked whether the applicant considered using the shed as a temporary chicken coop and converting it back to a shed once they were done raising chickens. Larsen said that they did not consider that option. The shed has other functions. It is a finished shed with a concrete floor foundation, insulation, and drywall. It will turn into unhealthy conditions that chickens face in large farm environments with no natural connection to the dirt and healthy microbes in the soil. Larsen believes that would be a poor choice to house the chickens.

Thorp asked whether they considered adding on to the garage. Larsen said that would require cutting down the trees. There is no perfect solution no matter how much land anyone has. The proposed location is the least visible location from most of the neighbors and streets and does not require cutting down the vegetation.

Bartelt noted that the applicant has done everything the Committee has asked. Bartelt likes it would be painted to match the other structures on the property.

Thorp mentioned that some of the neighbors in that area are concerned about the unfinished look, health concerns, and property values. Thorp would like to keep neighbors happy.

Thorp asked the committee members to consider putting on a couple of conditions if this item is approved.

The short discussion regarding the deadline for a fully finished structure, what section of the chicken structure should be paneled, and what section should have a chicken wire. The committee discussed whether the chickens should have free run, or they should always be contained in the chicken run enclosure, so they do not cross on neighboring property. The applicant is willing to keep them in the enclosure if that is required. Bristol said the committee should consider the whole property in case the applicant decides to make a little fenced area for chickens to forage.

Duska Pearson said that the property in question has land where the chicken enclosure can be built. Also, what is the application for the rest of the village residents? Pearson said she would also apply for an additional accessory structure. People would ask for one more structure on their property. Are we prepared for 3 additional structures on every property in Ephraim? Pearson feels that the standard has changed, and the applicant was not required to present the committee with architectural drawings or materials. Pearson believes that the aesthetic of Ephraim should be maintained everywhere in Ephraim. It is not a chicken opposition but a standard opposition, concluded Pearson.

The committee members discussed how to include a "temporary" component in the motion.

Larsen is happy to receive inputs from neighbors either directly or through the Village. He would like to support his kids independent of these challenges. If there are conditions, he would like to do his best to fulfill those conditions.

Pearson believes that fencing should be discussed as part of this plan. Especially, if the chickens should be contained within the whole property and not just the chicken enclosure.

Bristol noted that it is a burden of the applicant to keep the chickens on their property, with or without a fence. Otherwise, the permit will be revoked. The process is outlined in the ordinance for conditional use. If there is evidence that something is out of compliance, it will come before the Plan Committee for discussion.

Diane Taillon cannot say with certainty whether the approval of this will affect the property values. However, if the potential buyers were looking at a home and chickens were out on the neighboring property, they might not consider purchasing the home because of it. Thorp added that the appeal of the neighborhood can go down. That may bring the prices down. Bartelt noted that there is an ordinance that allows chickens. Maybe such an ordinance should not exist.

Bartelt moved, Samson seconded to approve the Conditional Use application for an Additional Accessory Structure for Michael Larsen at 2951 Valentine Lane for the purpose of keeping chickens with the conditions that the structure would be finished within 120 days with proposed modifications such as painting, paneling and screening of the structure from neighboring properties and street, chickens should be contained within the property at all times, the structure should only be temporary structure for no longer than 18 years, and that the structure should be taken down within 12 months when done raising chickens; any violation of above conditions would result in voiding of the permit; Samson aye, Held nay, Bartelt aye, Thorp nay, and the motion failed 2 to 2.

7. Lisa Forsman – 2940 Wilder Ln – Concept Review - Greenhouse

Bristol noted that the contractor for Portside Builders Inc. reached out to him regarding adding a greenhouse to 2940 Wilder Lane. It is a 15-acre parcel in a Rural Residential District. This would be a Conditional Use application for an additional accessory structure and might need an exception for being sided in front of the principal building. The picture was attached.

Kyle Daoust, Remodel Salesman/Designer from Portside Builders Inc explained in his letter that the lot size is just over 15 acres. It has a long driveway hidden deep in the woods. The new well is being drilled to be a seasonal well and no new septic is being run anywhere. The well will be within 25' of the proposed greenhouse. The unit will go on top of Portside's subbed-out foundation system.

The committee members are concerned about another accessory structure on the property. Thorp said that discussion on the number of accessory structures was supposed to be discussed this afternoon at the Plan Committee Working Session meeting but there was no quorum. It will be discussed the next month.

Bartelt has no concerns with the structure. Held likes the concept of the greenhouse. Also, it is a big property and not in view of anyone. Samson said that the proposed structure is very attractive. However, it is adding another building.

8. Roy Harsch – 9931 Water St – Concept Review – PW footprint modification

Bristol noted that the applicant was before the Board of Appeals for a variance from the 15' side yard setback standard of the Ephraim Zoning Code as well as variance from the footprint increase standard in the Protected Waterfront (PW) district of Ephraim Zoning Code. Ultimately both variances were denied.

The property is zoned Protected Waterfront. The proposal is for the construction of 56 square foot addition to the subject property. Structures in the PW district are limited to those in existence. Additions to existing structures in the PW district that add footprint can only occur with a variance or with Conditional Use review by the Plan Committee if the footprint from a structure existing on the property that is to be removed can be reclaimed. Additionally, the proposed addition is noncompliant with the 15' side yard setback requirement of the zoning code, placing it 1 foot from the property line. Construction on the project began without a permit and stop work orders were given at the time.

The Board approved the new Protected Waterfront Ordinance, and the applicant would like to opinion of the committee on whether there is a mechanism within the code to get the kitchen addition. The biggest piece of this request that is outside of the purview of the Plan Committee is that the proposed

addition is noncompliant with the side yard setback requirement. However, the Harsch family is talking with their neighbor; the Munns family; about doing a property swap through a quick claim deed. The Munns family would give the Harsch family a small triangle to make a new kitchen addition to become more conforming than the present corner of the building. In exchange, the Munns family will get a little sliver of the property closer to the water. The swap will make the Munns family slightly more non-conforming to the same side yard setback standards. For this item to be considered by Conditional Use, the Munns family will have to go before the Board of Appeals to get a variance to create a new property boundary. If the Board of Appeals variance is settled, does it still meet a definition of the Ephraim zoning code?

The applicant would like to start the process of asking for a PW Design Review of a modification to their existing cottage located at 9931 Water Street consisting of a small addition to the existing kitchen under the recent adoption of the Village of Ephraim Ordinance No. 05-2024. It will possibly be the first request to be submitted under a newly adopted ordinance.

Harsch apologized for his mistake. It was a bad decision, and he has been paying the consequences. Harsch explained that they would like to obtain a building permit to construct an 80-inch by 90-inch or 6-foot 8-inch by 7-foot 6-inch addition to the kitchen. This addition would occupy the space inside the rectangle formed by the extension of the west side of the cottage out to the extension of the north wall of the existing screened-in porch. The existing house, as it was originally constructed and expanded, was built at an angle very close to the original property line dividing 9931 and 9929. The existing cottage's southwest corner is 8 feet from the property line, the existing northwest corner is 1.3 feet from the existing property line and the corner of the existing screened porch is 10 1/2 feet. Therefore, the cottage's existing west wall is currently nonconforming with the present 15-foot setback requirement.

By way of background, the present cottage was originally built by his wife's family in 1920 as a boat house. The Vail family at that time had built the original house on the adjacent property at 9933 Water Street and the original house up the hill at 3024 German Road. As was the common practice at that time, all these Vail houses were built without kitchens because summer residents took their meals at the various hotels located throughout the Village. These houses were built prior to the enactment of zoning restrictions and building codes by the Village of Ephraim. As commonly occurred throughout the Village of Ephraim, the Vail family remodeled these three houses to build kitchens. Their cottage was created when the original boat house was remodeled in 1940 to include a kitchen, bathroom, two bedrooms, and screened porch. The cottage footprint has remained the same footprint for the past 84 years. When the Village of Ephraim enacted their zoning restrictions, the Vail houses at both 9931 and 9933 were nonconforming with respect to both the front yard setback requirement of 30 feet and the side yard setback of 15 feet. Harsch and his wife purchased a half interest in the 9931 Water Street cottage in 1988 from the two members of the Vail family who also owned the 9933 Water Street house. Leslie's father owned the other half interest. In 2015 they obtained ownership of his half interest from her mother following the death of her father. Vail family members have owned both the 9931 Water Street and the 3024 German Road houses for more than 100 years.

In 1940 the existing kitchen at 9931 Water Street was constructed in a very small 7 by 10 feet space. It is very cramped and is impossible to have more than two people in the kitchen when cooking or serving. Because of the very small space between the stove and the opposite cabinet and refrigerator, it is impossible to open the refrigerator door while someone is cooking. This

21-inch space precludes standing in front of the stove and opening the oven door. When putting something into the oven or removing it, you must stand by the side of the stove and open the door. This is very difficult to do for anyone and is increasingly harder for both Leslie and Roy. It also is not a safe way to cook. There have been a few times that hot pans have been dropped, the contents spilled, and people burned.

Because the new northwest corner of the proposed addition wall would extend to the existing property line, they reached an agreement with Tom Munns (9929 Water Street) to change their respective property boundaries. They would like to obtain ownership from Munns of a small triangle. This triangle is shown on the attached Site Map prepared by Stantec. This Site Map also shows the identical triangle that would be transferred to Mr. Munn that starts at our common highwater mark. Given these changes the kitchen addition will not be as close to the property line as the existing northwest corner of their cottage is now.

The excavation for the proposed addition, the removal of several stumps, and the concrete footing, concrete floor, and stone foundation will allow them to correct a water problem that has existed for some time. Rainwater from their roof and two downspouts from the roof of the house on 9929 Water Street have contributed to ponding in the corner area between the existing stone foundation of the screen porch and the existing kitchen. This has caused some damage to the foundation and has contributed to the wetness of the crawl space below the house. They believe that the concrete footing and floor will tie the existing stone foundation together, contributing to its longevity. Along with the thick foundation, it will provide a barrier for the rainwater that will direct it to the proposed gravel French drains that will allow it to be absorbed into the ground or be diverted downgrade through the existing landscaped bed to the stone drains they installed as part of the shoreline protection that they installed jointly with 9929 Water Street.

It is and will remain a traditional cottage that has cedar siding that is painted white, a green gabled roof and continues to maintain its present vegetation and topography. They made a significant effort to construct their shoreline protection in conjunction with their adjacent neighbors to provide a pleasing view out to the bay and a traditional view from the water. The manner of the original placement of the buildings close to the existing property boundaries on 9931 and 9933 by the Vails afforded the public-wide expanse of a view of the bay between the two houses which remains today. The shoreline protection they implemented at their cottage maintains this public view and the proposed addition does not impact this view in any manner.

Harsch concluded that he would not like to be in a position where he would have to tear down the family house. The alternative would be tearing it down and building to the maximum extent that will do nothing to maintain the look of Ephraim that makes Ephraim quaint. Harsch does not want to replace the house with a modern structure. However, that is the option.

Thorp asked the applicant to obtain well-drawn plans of his project and suggested discussing this concept at the next meeting when all 7 members of the Plan Committee are present.

9. **New business for next meeting/next meeting date:** The next meeting is Tuesday, October 22, 2024, at 7:00 PM.

10. **Adjournment:**

Held moved, Bartelt seconded to adjourn the Plan Committee Meeting at 8:45 PM, all ayes, and the motion carried.

Recorded by,

Andrea Collak-Clerk/Treasurer

DRAFT