AGENDA

Eau Claire County

• BOARD OF LAND USE APPEALS •

Date: Monday, June 14, 2021

Time: 5:30 p.m.

*via remote access ONLY.

*Event link below can be used to connect to meeting and interact (by the chair) from computer or through the WebEx Meeting smartphone app.

Join WebEx Meeting: <u>https://eauclairecounty.webex.com</u> Meeting ID: **145 604 3227** Password: JUq3DMYmX55 *Meeting audio can be listened to using this Audio conference dial in information.

Audio conference: 1-415-655-0001 Access Code: 1456043227##

*Please mute personal devices upon entry

For those wishing to make public comment, you must e-mail Sam Simmons at

<u>Samuel.Simmons@co.eau-claire.wi.us</u> at least 30 minutes prior to the start of the meeting. You will be called

on during the public comment period to make your comments.

*Please mute personal devices upon entry

- 1. Call to Order and confirmation of meeting notice
- 2. Roll Call
- 3. Public Comment (15 minute maximum)
- 4. Public Hearings
 - a. Request for a 66-foot Variance from the required 100-foot right-of-way setback from a Class B Highway for an existing structure in the C-3 Highway Business District.
 (Town of Washington) / Discussion – Action PAGES 2 - 38
- 5. Review/Approval of May 3, 2021 Meeting Minutes / Discussion Action PAGES 39 41
- 6. Adjourn

Prepared by: Samuel Simmons, Administrative Specialist III, Planning & Development

Please note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 715-839–6945 (FAX) 715-839–1669 or (TDD) 715-839–4735 or by writing to the ADA Coordinator, Human Resources Department, Eau Claire County Courthouse, 721 Oxford Ave., Eau Claire, Wisconsin 54703



EAU CLAIRE COUNTY BOARD OF LAND USE APPEALS STAFF ANALYSIS AND RECOMMENDATION

VARIANCE NUMBER:	VAR-0002-21
COMPUTER NUMBERS:	018-1046-01-010
PUBLIC HEARING DATE:	June 14, 2021
STAFF CONTACT:	Jared Grande, Land Use Manager
OWNER:	Sharon Thobaben, S 158 Segerstrom Rd, Mondovi, WI 54755
APPLICANT:	All Paws Pet Wash – Keith Caldwell, PO Box 22, Eau Claire, WI 54702
SITE LOCATION:	4079 Deerfield Rd, Eau Claire, WI 54701
ZONING DISTRICT:	C-3 Highway Business District
LEGAL DESCRIPTION:	LOT 1 OF CSM VOL 12 P 5 (#2178) LYG IN THE NW-NW OF SEC 14 & IN THE NE-NE OF SEC 15 CONT 2.24 AC WITH RD R/W OR 2.01 AC WITHOUT RD R/W OLD PROP ADD: 6391 STATE RD 93 STILL APPROVED BY TWN USE 6/2006 MAP# 26.9.14.2-2-B & 26.9.15.1-1-A & BB, Town of Washington, Eau Claire County, Wisconsin.
REQUEST:	66-foot variance from the required 100-foot right-of-way setback from a Class B Highway for an existing accessory structure.

SUMMARY

The applicant is requesting a 66-foot variance from the required 100-foot right-of-way setback to a Class B highway for an existing 8-foot by 13-foot accessory structure. The structure was constructed without obtaining the required land use permit, so any permitting is considered after-the-fact.

The property currently is the location of the "Corner Store" at the intersection of Deerfield/ County Road II and State Road 93 in the Town of Washington. The Corner Store is a one-stop-shop for everything you may need including gas, groceries, hot food, beverages, carwash and more. Since 1986 the store has been family owned and operated; zoning was adopted by the Town of Washington on June 14, 1983.

Staff became aware of the structure through an application for an electrical permit. On March 25, 2021, a violation letter was sent to the owner of the property noting the violation of the accessory structure not receiving a land use permit prior to placement of the structure. There have been subsequent correspondences going over the violation including the rules and regulations, and how to come into compliance. It has been determined the existing setback of the accessory structure is 34 feet, measured and confirmed by the department. The applicant provided a copy of their sanitary permit from the City-County Health Department. To move forward coming into compliance, the applicant decided to move forward with the variance application to avoid moving the structure. The applicant was provided with the variance application including staff discussing the standards for a variance on page 2 of the application.

The application materials include a narrative, site map(s), sanitary permit, materials for a sanitary permit application, a letter form CCSI International Inc., building floor and elevation plans, HVAC plans, plumbing plans, and electrical plans. Staff did include site photos with measured setback.

BACKGROUND

ADJACENT ZONING & LAND USES:

DIRECTION	ZONING	LAND USE
North	-	Deerfield Rd/County Rd II
West	-	State Rd 93
South	C-3	Vacant
East	C-3	Vacant

AUTHORITY

Chapter 18.31 of the zoning code establishes the Board of Land Use Appeals and its authority. Variances granted by the Board of Land Use Appeals are required to meet the standards as defined by the code. The board must find that due to literal enforcement of the code an "unnecessary hardship" would result. Unnecessary hardship is defined as an unusual or extreme decrease in the adaptability of the property to the uses permitted by the zoning district, caused by such facts as rough terrain or soil conditions uniquely applicable to the property and not generally other properties in the same zoning district.

The statutory authority for the Board of Land Use Appeals is found in Wis. Stats. 59.694.

APPLICABLE ZONING REGULATIONS

Section 18.01.010 Purpose. This section describes the purpose of the zoning code. Generally, the purpose of the zoning ordinance is as follows: to separate incompatible land uses from one another; to maintain public health and safety; to protect and conserve natural resources; to prevent overcrowding; to preserve property values; and to maintain the general welfare of the citizens.

Section 18.02.020.A Definition. This section defines a structure as the following:

"Structure" means any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

Section 18.14.001 Purpose The C-3 highway business district is established to provide an area for the development of those commercial activities that require large lots or attract concentrations of automobile traffic which make the uses incompatible with the predominantly retail uses in other commercial districts.

Section 18.22.001 Purpose. The purpose of this chapter is to promote the public safety, welfare and convenience by easing congestion on the public highways through a system of standards and regulations for limiting access to public highways and establishing setbacks from highway right-of-way.

Section 18.22.020 B. Class B Highways. All federal or state highways not designated as Class A highways are designated as Class B highways.

1. Setbacks. The setback for Class B highways shall be 150 feet from the centerline or 100 feet from the right-of-way line, whichever is greater.

Section 18.31.040 permits required. This section describes when permits are required. Section 18.21.040.A.1 specifies when land use permits are required. A land use permit shall be issued before any building or structure is erected, moved or structurally altered, or any use of a building, structure or land is changed to another use, including the development or use of vacant land.

VARIANCE STANDARDS

Section 18.31.020 C. 6. Standards for Granting Variances. The following are standards and principals to guide the board's decisions:

a. The burden is upon the appellant to prove the need for a variance.

The petitioner must prove that the strict letter of the restrictions governing highway setbacks for the existing structure would unreasonably prevent them from using the property for the uses that are allowed in the zoning district or would render conformity with such restrictions unnecessarily burdensome.

b. Pecuniary hardship, loss of profit, self-imposed hardships, such as that caused by ignorance, deed restrictions, proceeding without a permit, or illegal sales are not sufficient reasons for getting a variance.

The application states safety is the first reason for placement of the unit in addition to maintaining required parking stalls.

Staff has not reviewed the site related to Title 18 (no land use permit was reviewed/issued). The county code for parking requirements state, "Convenience stores with gas sales: 1 stall per 200 sq. feet of retail area; each parking area adjacent to a pump island or fuel area may count as a parking stall."

c. The plight of the applicant must be unique, such as a shallow or steep parcel of land or situation caused by other than his or her own action.

The applicant does not appear to address this standard in the narrative provided with the application.

d. The hardship justifying a variance must apply to the appellant's parcel or structure and not generally to other properties in the same district.

This was specifically addressed in the application; the applicant does state location of the unit was selected for safety purposes and not to disrupt daily operations as the gas station / convenience store. The location was also chosen for access to the utilities, sewer, water, and electric.

Granting of this variance may lead to other similar variance requests in the future given this is an after-thefact request. There is nothing provided to show how other locations on the property would not meet county code requirements. The development of the site for this type of use does not appear unique. e. Variances allowing uses not expressly listed, as permitted or conditional uses in a given zoning district shall not be granted.

This is not a use variance request. The underlying C-3 district would allow for this type of accessory use in the C-3 district.

f. The variance must not be detrimental to adjacent properties.

It does not appear granting the variance would be detrimental to adjacent properties.

g. The variance must by standard be the minimum necessary to grant relief.

This standard does not appear to be addressed in the application.

h. The variance will not be in conflict with the spirit of this subtitle or other applicable ordinances, nor contrary to state law or administrative order.

It is questionable if the variance request conflicts with the purpose of section 18.14.001 and 18.22.001. Setbacks for development are required to promote public safety, welfare, and convenience. The C-3 district is intended for those commercial activities that require large lots. The variance request will not be contrary to state law.

i. The variance shall not permit any change in established flood elevations or profiles.

The request does not impact the floodplain following 2017 WI Act 242

j. Variances shall not be granted for actions, which require an amendment to Chapter 18.20, the Floodplain Overlay District.

This variance request does not require amendments to Chapter 18.20.

k. Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE.

The property is not in the floodplain following 2017 WI Act 242.

I. Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.

It is unknown if the minimum necessary to grant relief has been requested; this was not specifically addressed in the narrative. It is questionable if increased risks to public safety is present with placing commercial structure(s) within the required setback. There does not appear to be nuisance costs for rescue and relief efforts. Staff believes this request could be contrary to the purpose of the particular code sections of the ordinance.

RELEVANT CASE LAW

In 2004, the Wisconsin Supreme Court decided two cases of relevance regarding area variances. In the first case, <u>STATE EX REL. ZIERVOGEL V. WASHINGTON COUNTY BOARD OF ADJUSTMENT</u>, CASE NO. 02-1618 (2004), the Supreme Court reaffirmed the definition of the statutory term "unnecessary hardship" set forth in the <u>Snyder</u> case as follows: "We have stated that unnecessary hardship is present when compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner for using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome."

In the second case, <u>STATE OF WISCONSIN VS. WAUSHARA COUNTY BOARD OF ADJUSTMENT</u>, CASE NO. 02-2400 (2004), the Supreme Court stated that the Board of Adjustment should focus on the purpose of the zoning law at issue in determining whether an unnecessary hardship exists for the property owner seeking the variance.

In the second case in 2005, <u>LAMAR CENTRAL OUTDOOR, INC. VS. BOARD OF ZONING APPEALS OF CITY OF</u> <u>MILWAUKEE, 2005 WI 117</u> (Wis. Sup. Ct. July 12, 2005), the Supreme Court held that a board of appeals may not simply grant or deny an application with conclusory statements that the application does or does not satisfy the statutory criteria, but shall express, on the record, its reasoning why an application does or does not meet the statutory criteria.

STAFF REVIEW AND CONCLUSIONS:

In evaluating this variance application, the Board must consider the twelve ordinance standards for granting a variance and relevant Wisconsin case law. An approval or denial requires that the board state its reasoning why an application did or did not meet the statutory criteria.

The board must carefully weigh each argument and fact against the appropriate variance standards, the purpose statement of the respective ordinance and relevant case law before making a decision to grant or deny the request. An unnecessary hardship exists when compliance would render conformity with such restrictions unnecessarily burdensome.

To determine if a hardship is present, an evaluation of the purpose statements for the zoning code and section 18.32 and 18.22 is required.

A hardship is not present because compliance with the strict letter of the restrictions governing setbacks would not render conforming to such restriction unnecessarily burdensome.

A consideration for granting the variance is to determine if unique physical limitations exist

The hardship is not unique to this property and the applicant does not provide specifics why other locations on the property meeting county code requirements could not be used. The applicant has not identified any unique physical limitations, and pecuniary hardship, loss of profit, self-imposed hardships, such as that caused by ignorance or proceeding without a permit are not sufficient reasons for getting a variance.

Granting this variance will not result in harm to public interests

It is questionable if increased risks to public safety is present with placing commercial structure(s) within the required setback and may result in harm to public interests; granting this variance may lead to additional variance requests with similar after-the-fact circumstances.

FINDINGS

The board must create findings to support its decision to grant or deny the variance request per <u>LAMAR CENTRAL</u> <u>OUTDOOR, INC. VS. BOARD OF ZONING APPEALS OF CITY OF MILWAUKEE, 2005 WI 117</u> (Wis. Sup. Ct. July 12, 2005).

If the Board denies the variance request, the Board may incorporate any or all of the following findings in its decision:

- Pecuniary hardship or self-imposed hardship, such as that caused by ignorance, are not sufficient reasons for granting a variance.
- The literal enforcement would not create an unnecessary hardship that would prevent the applicant from using the property as currently situated.
- No unique physical limitation exists on this property, such as a steep slope. The 'need' requested in this variance application is self-imposed.
- The hardship justifying a variance is not specific to the appellant's parcel or structure.

EXHIBITS

- 1. Staff report
- 2. Variance application

District 10: Nancy Coffey



Department of Planning and Development Eau Claire County Courthouse 721 Oxford Avenue, Room 3344 Eau Claire, Wisconsin 54703 715-839-4741

Application Accepted:	05/24/2021
Accepted By: Ja	ared Grande
Receipt Number:	66774
Town Hearing Date:	
Scheduled Hearing D	ate: 06/14/2021
Application No:	VAR-0002-21
Application Status:	Pending

Variance Request

Owner/Applicant Name(s):		
Owner: SHARON THOBABEN		
Applicant: All Paws Pet Was		
Telephone: 815-509-8717	EMail: keith@allpawspetwash.com	
Site Address(es):	Property Description:	Sec 14 Twn 26 Rge 09
4079 DEERFIELD RD		Town of Washington
Zoning District(s):	Lot Area(s) - Acres:	
C3 - Highway Business District	2.24	
	2.24	
PIN	Legal (partial)	
1802422609142209000	LOT 1 OF CSM VOL 12 P 5 (#2178) LYG IN THE NW-N	
1802422609142209000	LOT 1 OF CSM VOL 12 P 5 (#2178) LYG IN THE NW-N	N OF SEC 14 & IN THE NE-NE OF

Request

Type:

Description: 66-foot variance from the required 100-foot right-of-way setback from a Class B Highway for an existing structure.

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence, and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

Office Use Only

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Department of Planning and Development Eau Claire County Courthouse 721 Oxford Avenue, Room 3344 Eau Claire, Wisconsin 54703 (715) 839-4741

Date Application Accepted:	4/21/21
Accepted By:	Jarce Grande
Receipt Number:	
Town Hearing Date:	
Scheduled Hearing Date:	

VARIANCE APPLICATION

Property Owner Name:	Gres Hansen Phone# 715-495-3551
Mailing Address:	5158 Segerstron Rd, Mondovi, WI 54755
Email Address:	greghan 2000 @gmail.com
Agent Name:	Keith Caldell . Phone# 815-509-8777
Mailing Address:	PO Box ZZ Eau Claire, WI 54702.
Email Address:	thathe all paus petwesh. an
	SITE INFORMATION

Site Address:	4079	Duer fic	ld Rd	1 6391 State Rd. 93	
Property Description	:¼	¼ Sec	, T	N, RW, Town of	
Zoning District:		Code	Section(s):		
Overlay District: Check Applicable	□ Shoreland	□ Floodplain	□ Airport	Wellhead Protection Inon-Metallic Mining	
PIN #(s):			-	· · · · · · · · · · · · · · · · · · ·	

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

 \blacksquare A detailed written statement that specifically identifies what is being requested.

Written argument that justifies the need for the variance and addresses the variance standards. It is the applicant's responsibility to prove that an "unnecessary hardship" exists and that a variance can be granted. (See reverse for additional information.)

The applicant must flag/stake the property/project corners and label them accordingly (e.g., NE Lot corner, NE building corner).

A scaled site plan of the site and surrounding area for a distance of 100 feet, including buildings and other structures. Also, include the proposed addition/structure/location of septic system, well, driveway, property lines, navigable water ways, wetlands, floodplains, slopes in excess of 20%, and any other unique limiting condition of the property. All maps and engineering data to be no larger than 11" x 17".

Provide a \$525.00 application fee (non-refundable), make checks payable to the Eau Claire County Treasurer or online payments.

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

hull

Date 4/21/21

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence, and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

Owner/Agent Signature

STANDARDS FOR VARIANCES

The Board of Land Use Appeals has the authority to issue variances only when the standards are met. The variance standards are located in Section 18.31.020 C. 6. Of the Eau Claire County Code. Those standards are as follows:

- 1. The burden is upon the appellant to prove the need for a variance.
- 2. Pecuniary hardship; loss of profit; self-imposed hardships, such as that caused by ignorance, deed restrictions, proceeding without a permit, or illegal sales; are not sufficient reasons for getting a variance.
- 3. The plights of the applicant must be unique, such as a shallow or steep parcel of land or a situation caused by other than his or her own action.
- 4. The hardship justifying a variance must apply to the appellant's parcel or structure and not general to other properties in the same district.
- 5. Variances allowing uses not expressly listed as permitted or conditional uses in a given zoning district shall not be granted.
- 6. The variance must not be detrimental to adjacent properties.
- 7. The variance must by standard be the minimum necessary to grant relief.
- 8. The variance will not be in conflict with the spirit of this subtitle or other applicable ordinances, nor contrary to state law or administrative order.
- 9. The variance shall not permit any change in established flood elevations or profiles.
- 10. Variances shall not be granted for actions, which require an amendment to Chapter 18.20, the Flood Plain Overlay District.
- 11. Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE.
- 12. Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.

The Wisconsin Supreme Court's opinion in <u>State Ex. rel. Ziervogel v. Washington County Board of Adjustment</u>, found that the property owner will have to prove unnecessary hardship utilizing the 1976 <u>Snyder</u> Wisconsin Supreme Court decision. In the 2004 <u>Ziervogel</u> decision, the Supreme Court reaffirmed the 1976 <u>Snyder</u> standard for determining the existence of an unnecessary hardship sated as "...whether compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome." (at pages 3-4) Whether the standard is met depends upon "...a consideration of the purpose of the zoning restriction in question, its effect on the property, and the effect of a variance on the neighborhood and the larger public inters." (at page 4) The hardship must be unique to the property and not self-created (at page 4). The burden of proving unnecessary hardship remains on the property owner (at page 4). In the <u>Ziervogel</u> decision the Supreme Court affirmed the following rules of unnecessary hardship:

- 1. The hardship must be based on conditions unique to the property rather than considerations personal to the property owner.
- 2. The hardship cannot be self-created.
- 3. The Board is to evaluate the hardship in light of the purpose of the zoning restriction at issue.
- 4. The variance cannot be contrary to the public interest.
- 5. The property owner bears the burden of proving unnecessary hardship.

If it is found that there is a hardship and that the other criteria are present, the Board can grant a variance. In that case, the variance should only provide for the minimum relief needed to overcome the hardship. (Anderson, American Law of Zoning 3d, (9189) Vol. 3, S.20.86, pp. 624-5).

A variance grants relief from a **numerical standard**, such as a setback, that allows development that is inconsistent with the dimensional standards contained in the ordinance. Variances cannot be issued to approve uses that are inconsistent with the ordinance. The Board of Land Use Appeals is authorized by statute to grant variances to the strict terms of the Eau Claire County Zoning Ordinance only when certain criteria exist. Those criteria are listed above. It is the applicant's responsibility to prove that those criteria exist at the site and that a variance can be granted.

If you believe your request meets the criteria necessary to grant a variance, please summarize your request, the facts that show those standards have been satisfied, and arguments that support this conclusion.

All Paws Pet Wash Variance Petition

Dear Members of The Board: All Paws Pet Wash would like to thank all involved parties for taking the time to review our applications. This letter is concerning our pet wash unit at BP Corner Store located at WI -93 Eau Claire WI. 54701 on the southwest corner of the lot located near the car wash. The current location of the unit does not meet set back requirements in section 18. It was not in any way to deviate from the current code. The next paragraphs will include the reasons we would like to have a variance approved.

When choosing a location for placing our units there are many things to consider. First is safety, we chose to place above mentioned unit off the main driveway and in the back of the store. This area was widened to accommodate trailer traffic as well as ADA equipped vehicles. This location also keeps the required number of parking stalls required for the convenience store & gas station. When placing the unit, we also did not want to disrupt daily operations at gas station / convenience store. The location was chosen for access to the utilities, sewer, water, & electric.

Our pet wash units offer residents a safe & convenient way to wash their pets. The wash has been in operation for nearly 8 months & already has a loyal following. Speaking with residents & businesses we have the full support of the community. We as a company are heavily involved in local charities & many other community events.

In closing I would like to thank you for your time & assistance with this matter. And I hope you agree to the benefits of having the pet wash at the current location. We look forward to building a healthy working relationship between our company & your office. Please contact us if with any questions or more information is needed.

Sincerely

thigh Chill 5/19/2021

All Paws Pet Wash

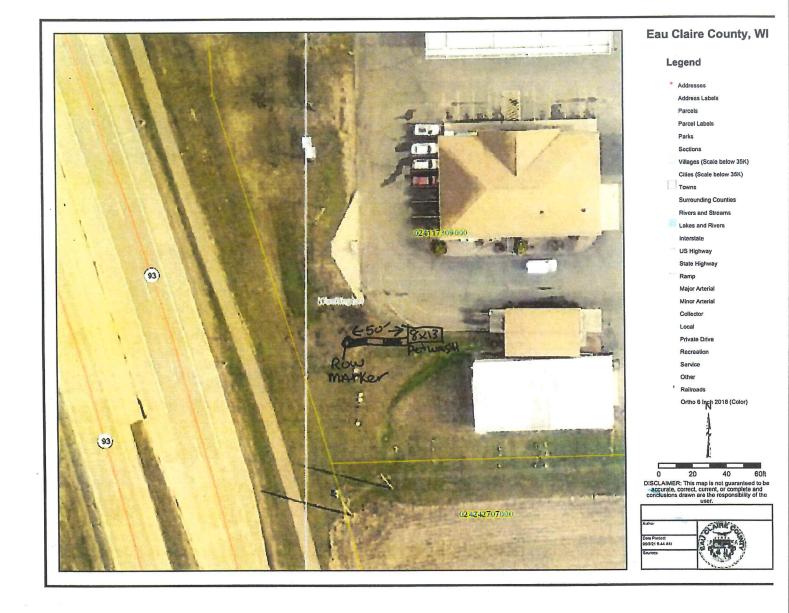


All Pours Ret Wash @ 6931 WI.93 Truck Eau Chine WI. 54201

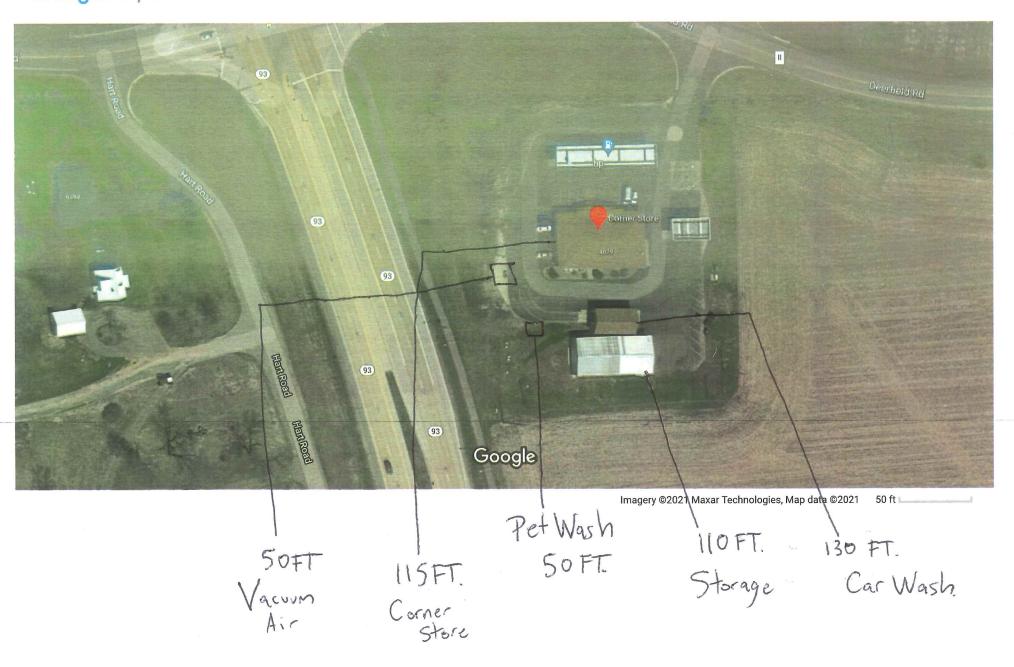
Note: Pet Wash UNit is 8 x 13

The (Right of WAY) ROW has been established off the permanent ROW MARKER 4×4 post marked ROW. The measurement of 50 was established using a 100 Lukin Measuring tapes and Rolotype Model 400 measuring wheel. The set back of petwash unit is 50 from ROW Marker

.. . .



Google Maps Corner Store



14

Eau Claire County Sanitary Permit

No 2020-14

Owner Greg Hansen	
Address 6391 State Hwy 93	
Town of Washington	·
Legal 14 14 Sec14, T_26N, R_9	
Subdivision Lot	Blk
This permit expires 10 - 21 - 22	
Plumber Fred Gardner	
Authorized Issuing Agent Date	10/21/20

Post In Plain View



2020 - 16 County Sanitary Permit No.

5

CITY-COUNTY HEALTH DEPARTMENT Eau Claire City/County Health Department

Eau Claire City/County Health Departmer 720 Second Avenue Eau Claire, WI 54703

Application for Eau Claire County Sanitary Permit

I. APPLICA	TION INFO	DRMATION -	- PLEASE PRINT ALL INFORMATION	
Property Owner N	COLUMN A REMOVABILITY ARE NAME ADDRESS OF TAX	e en general de la faite de la constant de la const	Desparty Logation	Address April
Greg Har	sen		4 NW 4 NWS 19 T26. N. R 9 .E (or)	
Property Owner's	Mailing Ad	dress	Subdivision Name: Lot Number Block Number	a state of the second
City, State	Zip Code	Phone No.	Parcel Address:	
Ewildin	54703	(715)834-784	1 6391 St. Hwy 93	and a second
		G (check one)	r: City	
X Public		nily Dwelling	D Village	
	No. of Be	drooms	& Town of Washington	net set of set o
III. BUILDIN			Parcel Identification Number:	Industrial
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B) (7 Permit	Renewal Bef	ore	1 1	
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C Vault Priv		u eveton Tu	Dravious ID # 571477	
111	D.L.	ig system - Ty	pe of System: Previous ID #: 57/472	
VI. RESPONS	SIBILITY S	TATEMENT	ling to existing skeptre	
			for the installation shown on the attached plans.	
Name: (Print)	Δ		ignature: (No Stamps) MDMPRSW No. Business Phone #	
Fred Gave	ner	-	JALL 222202 715.874-777	77
Address (Street, C	south descent room of a second state second state.	p Code)		
	rhun pr	A Contraction of the second se	in Claire WI . 54703	4
VII. COUNTY I	an an and a subscription of the second strends of the second stren	·		1
& Approved	Dis Dis	sapproved	Sanitary Permit Fee Date Issued Signature	l í
		1.	\$70 10-21-20	Y
VIII. CONDITI	IONS OF AI	PPROVAL/RE	EASONS FOR DISAPPROVAL: be conducted and Submitted to the	1
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Health	Vatati	nent Mc	other for the first year after int. lla	1-10
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			Sanitary	Perm	it Apr	olicat	tion	CIT	VCOL	INITV	-010	State Trans	action	Number			
Ina	Sanitary Permit ApplicationCITy-COUNTY In accordance with SPS 383.21(2), Wis. Adm. Code, submission of this form to the proprint program unit is required prior to obtaining a sanitary permit. Note: Application forms for state-owned POWTS are submitted to																
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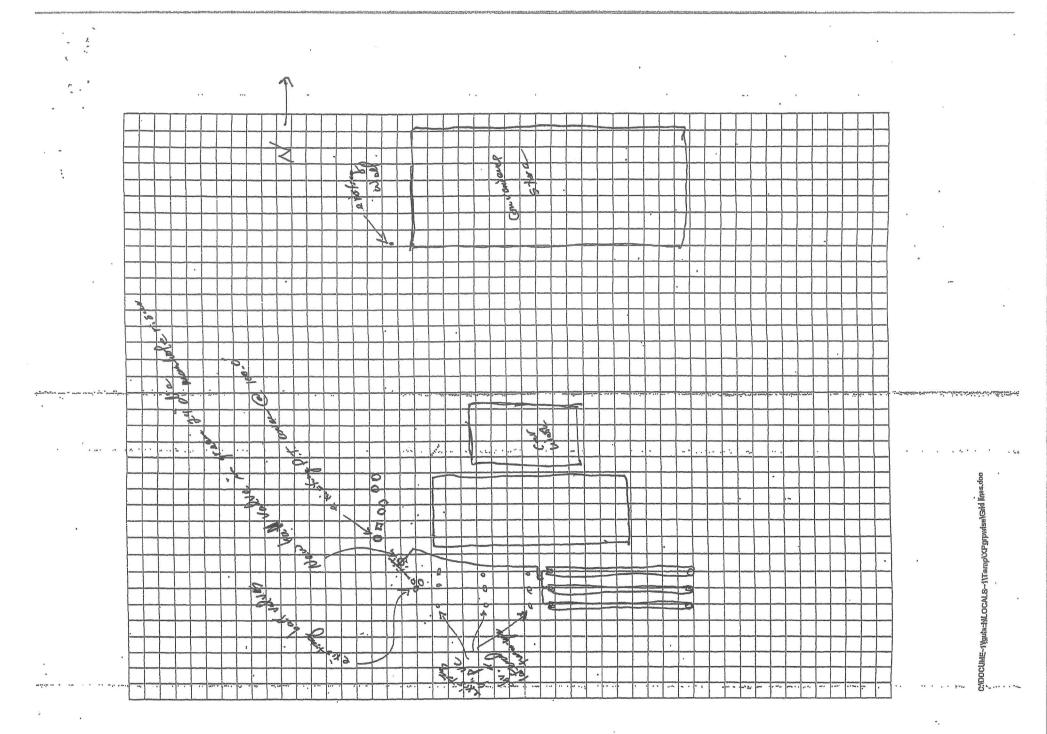
Attach to complete plans for the system and submit to the County only on paper not less than 8 1/2 x 11 inches in size

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# **CCSI** International Inc.

8642 US Hwy 20, Garden Prairie, IL 61038

City of Eau Claire, WI

April 13, 2021

### RE: All Paws Pet Wash 6391 WI-93 Trunk, Eau Claire, WI 54701 / Quality Control

To Whom it May Concern:

CCSI International, Inc. is the manufacturer of the All Paws Pet Wash unit. This is a modular, self-contained vending station; as any other vending station, it is able to be relocated as needed. The vending station is delivered completely assembled and is manufactured under the quality control procedure detailed below:

### I. CCSI International, Inc.: Quality Control Plan Summation/Dog Wash Systems USA Division

CCSI International, Inc. has always set high standards when it comes to quality control in each and every project we work on. A review of complete projects helps us to refine our process to ensure quality work again and again.

The Quality Control Plan instituted by CCSI International, Inc. is the primary asset in the completion of any *pet wash unit*. Excellence upon project completion is solely achievable upon the collaboration of quality materials used in fabrication and skilled workmanship and installation. Evidenced through the safety documents submitted, this is attainable through compliance with the requirements listed in the **coded** standards, as well as federal, state, and local regulations.

CCSI International, Inc. approaches every project in a distinctive and whole manner, which can be defined in three phases:

- Preliminary Activities: These activities are summed by the daily pre-inspection checklist for materials, understanding of day's objectives, and the outlining of process to achieve stated objectives.
- Work Activity: These activities are summed by the step-by-step completion of previously stated objectives to the highest standard of achievement.
- Report Activity: These activities are summed by the analysis of progress and the manner in which work activity object were achieved. At this time, methods are adapted so as to create more productive work activity methods, which will be outlined in the following days' preliminary activities.

The phases listed above point to the whole manner in which CCSI International, Inc. approaches every project. With compliance to all contractual requirements, coded standards, and federal, state, and local regulations along with the in-depth safety analysis submitted, CCSI International, Inc. is determined to provide the very best in quality control for any *pet wash unit*.

# **CCSI** International Inc.

8642 US Hwy 20, Garden Prairie, IL 61038

### II. <u>CCSI International, Inc.: Management Structure for Quality Control/ETL/PFS-TECO as applicable/Dog Wash</u> Systems USA Division

CCSI International, Inc. is unique in the fact that the management structure network is defined to a limited number of individuals, thus providing a tight knit foundation from which quality control emerges. The management structure as pertaining to quality control for CCSI International, Inc. for any *pet wash unit* is summed by a quality control operation manager. **Tom Caldwell is the quality control operations manager** for the all *pet wash units*. Tom Caldwell has been employed in similar positions for nearly twenty-five years. His adherence to policies and procedures related directly to quality control is something he has always held in high esteem. The operations manager for CCSI International, Inc. is strictly held to the work phases as outlined above. Furthermore, the quality manager is held in strict compliance with all safety standards as submitted. In this manner, the responsibilities of the quality control manager for CCSI International, Inc. include:

- Developing the quality control plan for the project, as it pertains to the phases listed above.
- Acts as an operation safety representative.
- Adheres to standards laid out by the company.
- Adheres to and maintains all HAZCOM protocols.
- Forwards complaints to company headquarters for immediate resolution.
- Makes adjustments to the quality control plan as it relates to the report activity listed above.
- Coordinates to ensure that all operations are in proper conjunction with quality control standards.
- Ensures proper daily paperwork is filed, specifically in regards to safety and quality control.

### Project Manager

The strict adherence to contractual requirements, specifically as it pertains to quality is a joint effort of the executives of CCSI International, Inc. Their responsibilities include:

- Makes certain all quality control policies and procedures are followed.
- Ensures that all employees understand tasks and quality programs.
- Performs preliminary, work, and report inspections to ensure adherence and quality.
- Follows up on all submittal procedures and documentation.
- Maintains project schedule as is dictated.

### III. CCSI International, Inc.: Plan Implementation/ Dog Wash Systems USA Division

The proper, complete completion of any *pet wash unit* is the objective of CCSI International, Inc. To achieve this objective, CCSI International, Inc. follows a strict measure of adhering to contractual designs, methods, safety, and submissions. Our quality control manager, as well as project managers will work together to ensure that units are manufactured to standard. The schedule for any *pet wash unit* is dictated on extenuating circumstances [concrete work, etc.] Upon the completion of preliminary work, the phases [preliminary, work, report] of activity will ensue.

P: 800-537-8231 W: <u>www.ccsiusa.com</u>

# **CCSI** International Inc.

8642 US Hwy 20, Garden Prairie, IL 61038

### IV. CCSI International, Inc.: Continuous Quality Improvement/ Dog Wash Systems USA Division

CCSI International, Inc. will ensure the quality of any *pet wash unit*. CCSI International, Inc. makes every effort to ensure that our employees are instructed in quality, thus feeling rewarded for a job well done. In every project we undertake, quality continues to be a process that we refine again and again, so as to serve our customers and continue our quality name in the pet wash industry.

### V. CCSI International, Inc.: Sequence of Events/ Dog Wash Systems USA Division

The intended sequence of events for the construction of any pet wash unit is as follows:

- 1. Receive verification of site readiness.
- 2. Material delivered to site.
- 3. Safety checks.
- 4. Unload material.
- 5. Perform final check of material.

We'd be happy to supply any additional information upon request.

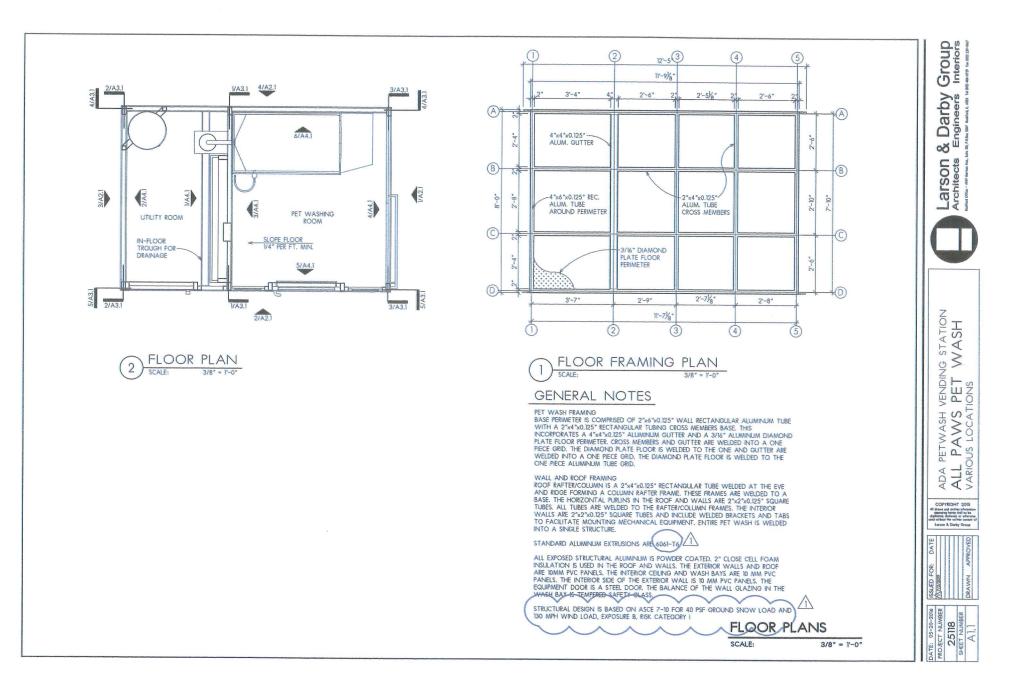
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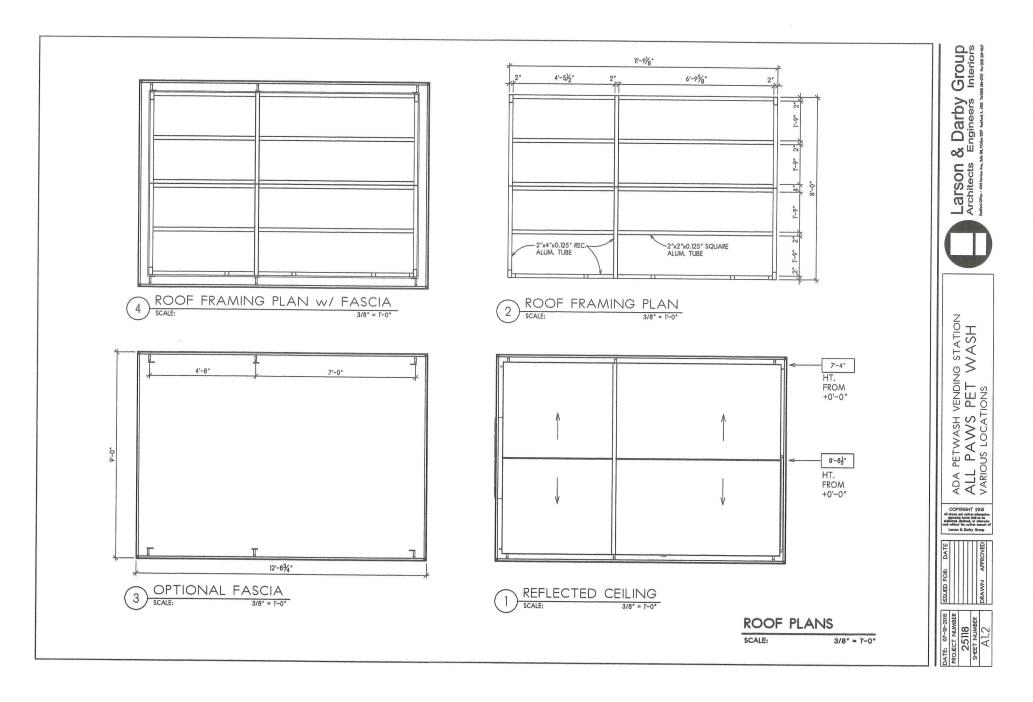
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Russell L. Caldwell President CCSI International, Inc.

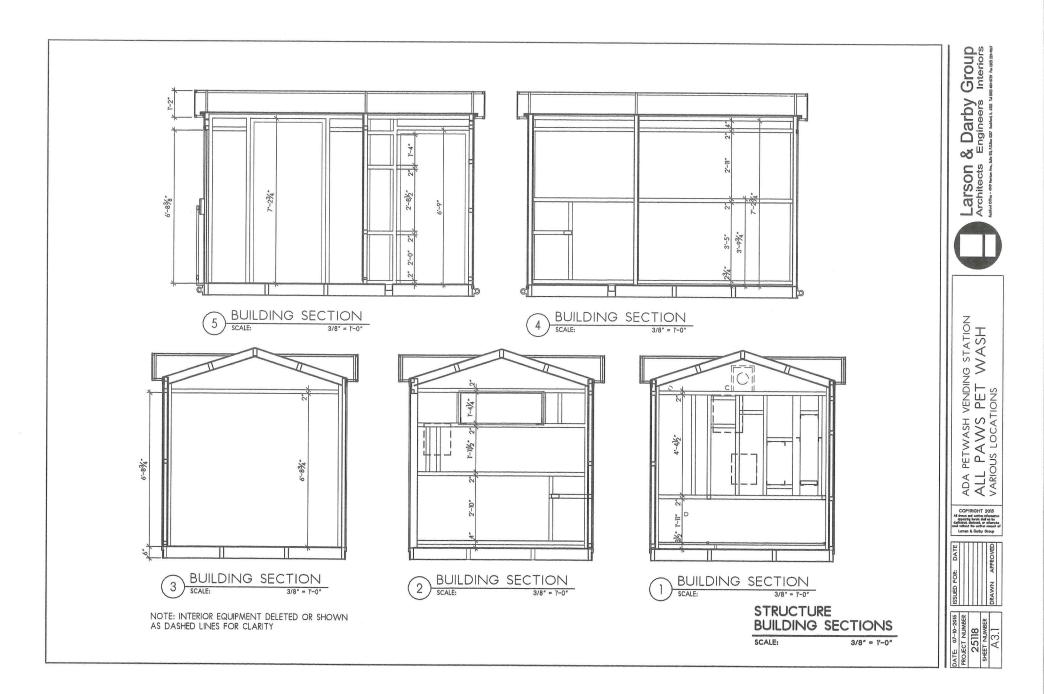
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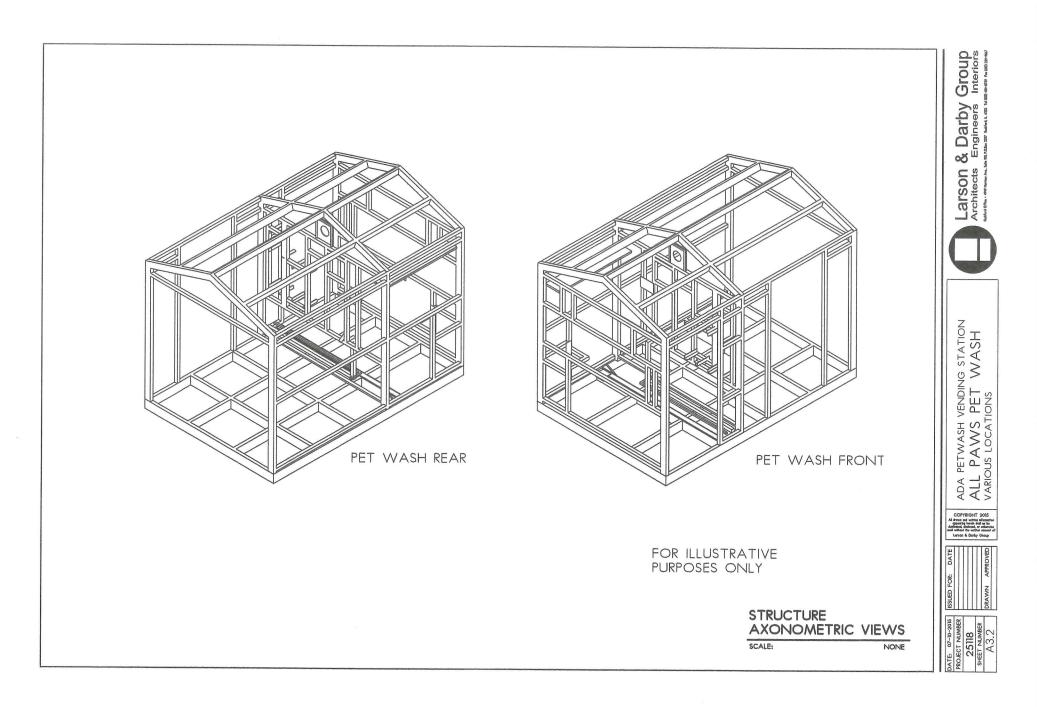
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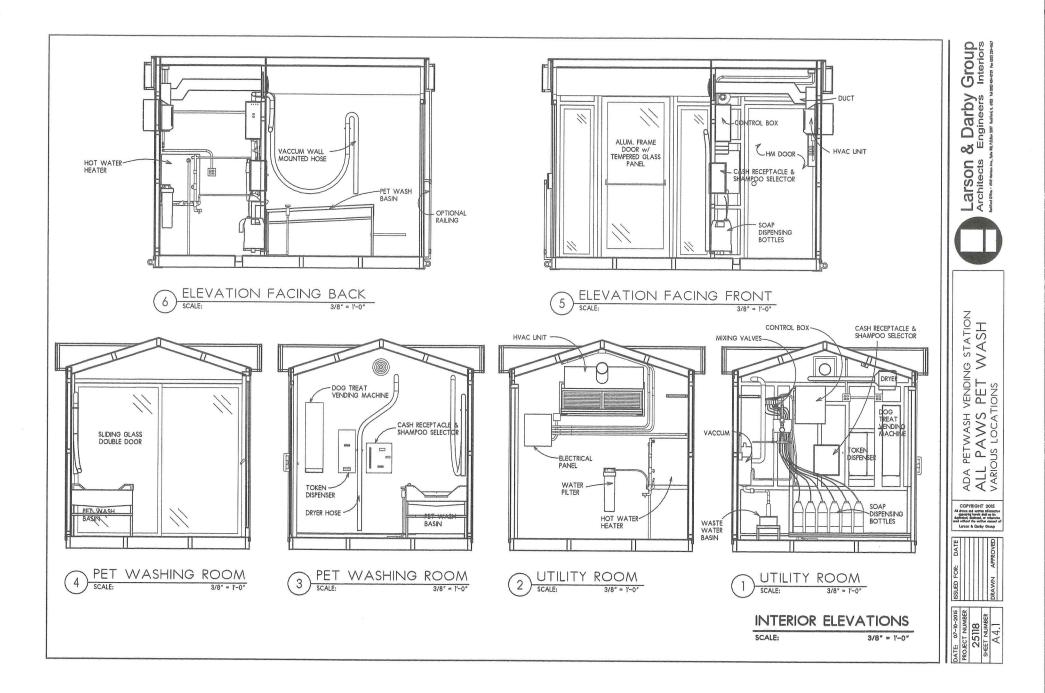










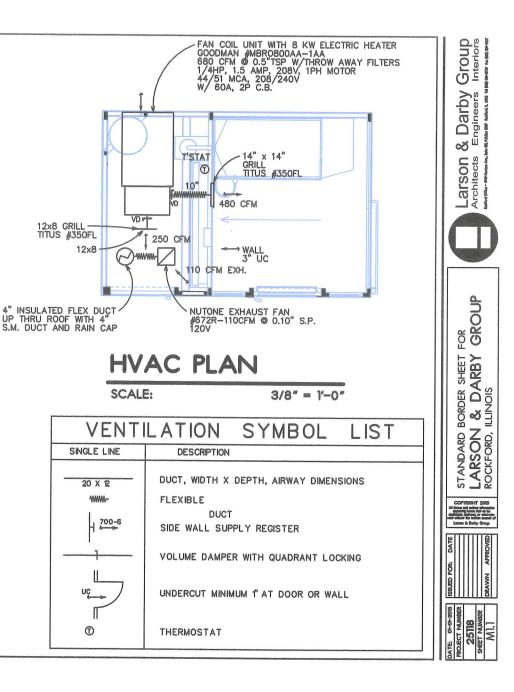


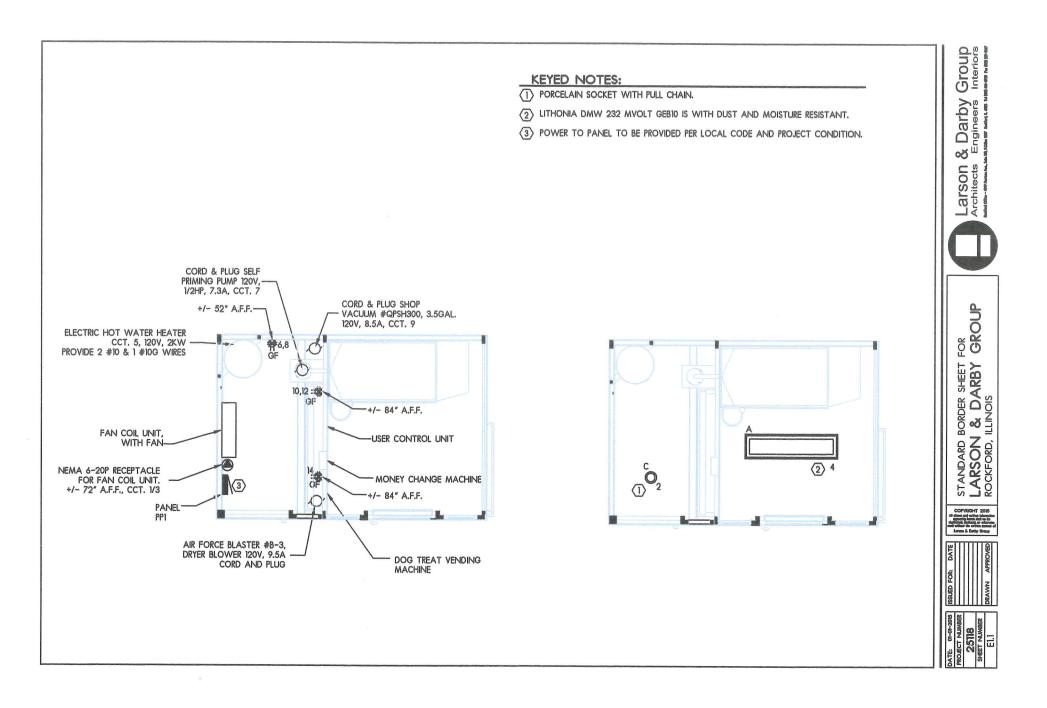
### HVAC PLAN NOTES:

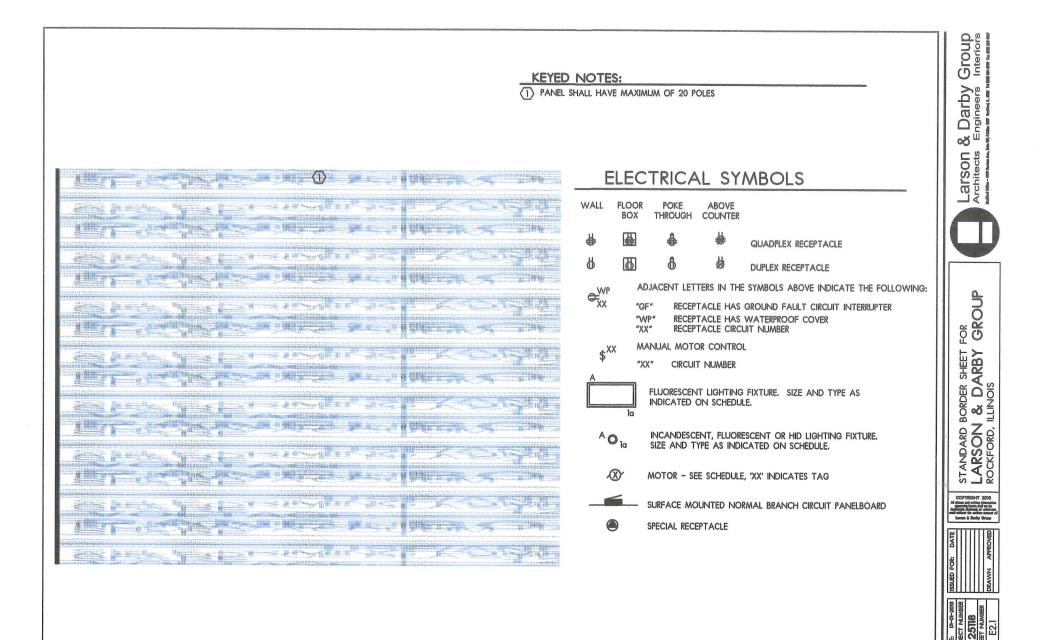
- ALL SUPPLY AIR DUCTS SHALL BE FABRICATED FROM PRIME GRADE GALVANIZED SHEET METAL IN ACCORDANCE WITH THE SMACNA DESIGN MANUAL.
- ALL DUCTWORK IS EXPOSED WITH-IN CONDITIONED SPACE.
- ALL DUCT DIMENSIONS SHOWN ARE ACTUAL DIMENSIONS OF AIRWAY;
- ALL GRILLES ARE BASED UPON TITUS WITH BAKED OFF-WHITE ENAMEL FINISH.
- ALL FLEX DUCT SHALL BE WITH FLAME SPREAD OF 25 OR LESS. MAXIMUM LENGTH SHALL BE 5 LINEAR FEET.
- THE MANUFACTURER SHALL ADJUST ALL DRIVES AND REGULATE ALL SUPPLY AIR GRILL DAMPERS TO DELIVER THE AIR QUANTITY SHOWN ON THE PLAN.
- WHERE FLEXIBLE DUCTS ARE CONNECTED TO MAIN TRUNK DUCT. SPIN COLLARS WITH MANUAL VOLUME DAMPER SHALL BE PROVIDED.

#### MECHANICAL SPECIFICATIONS

- THESE DRAWINGS ARE DIAGRAMMATIC AND SHOW GENERAL ARRANGEMENTS, SIZES, AND LOCATIONS OF EQUIPMENT, ALL EQUIPMENT SHALL BE INSTALLED COMPLETE WITH FURNISHING ALL REQUIRED COMPONENTS.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH ASHRAE STANDARDS FOR THE STATE OF ILLINOIS.
- CONFORMANCE TO LOCAL CODE, AND ANY OTHER REQUIREMENTS APPLICABLE TO THIS PROJECT SHALL BE THE RESPONSIBILITY OF THE END USER. THE END USER SHALL SUBBIT ALL REQUIRED DRAWINGS FOR APPROVAL TO ANY AGENCIES REQUIRING THEM AND OBTAIN NECESSARY PERMITS.
- ALL MATERIAL SHALL BE NEW AND OF FIRST QUALITY. ALL WORKMANSHIP SHALL BE FIRST CLASS AND DONE ACCORDING TO STANDARD PRACTICE.
- WHERE UNDERWRITERS' LABORATORY STANDARDS EXIST, EQUIPMENT FURNISHED SHALL BEAR THE UL LABEL AND BE OF THE APPROPRIATE NEMA TYPE.
- NOTWITHSTANDING THE LOCAL CODE AUTHORITY REQUIREMENTS THE LATEST NFPA (NATIONAL FIRE PROTECTION ASSOCIATION) AND NBFU (NATIONAL BOARD OF FIRE UNDERWRITERS) REQUIREMENTS ARE A PART OF THIS CONTRACT. IF REQUIRED BY LOCAL AUTHORITIES THE MANUFACTURER WILL FURNISH AND INSTALL AUTOMATIC HEAT AND/OR SMOKE DETECTORS.
- ALL DUCT CONSTRUCTION AND INSTALLATION SHALL CONFORM TO LATEST APPLICABLE ASHRAE (AMERICAN SOCIETY OF HEATING, REFRIGERATING AND AIR CONDITIONING ENGINEERS) AND SMACNA (SHEET METAL AND AIR CONDITIONING CONTRACTORS NATIONAL ASSOCIATION) STANDARDS.
- MANUFACTURER SHALL PROVIDE ALL VOLUMETRIC DAMPERS THAT SHALL BE SELF INDICATING WITH AN EXTERIOR ADJUSTING AND LOCKING MECHANISM. DAMPERS SHALL CLOSE AGAINST THE AIR STREAM.
- ALL DUCTS SHALL BE CLEANED PRIOR TO INSTALLATION OF GRILLES, REGISTERS, DIFFUSERS, ETC. PAINT INTERIOR OF DUCTS BEHIND GRILLES, DIFFUSERS, REGISTERS, ETC.
- MANUFACTURER SHALL PROVIDE VIBRATION ISOLATION TO PREVENT TRANSMISSION OF VIBRATION AND SOUND FROM MOTORIZED AND/OR ROTATING EQUIPMENT TO STRUCTURE.
- THESE DRAWINGS ARE NOT SITE SPECIFIC NOR ARE THEY DESIGNED TO LOCAL CODE REQUIREMENTS BUT ENTAIL THE GENERAL DESIGN CONCEPT, COMPONENTS, INTENT AND SHALL BE MODIFIED FOR A SPECIFIC ORDER AND LOCAL CODE REQUIREMENTS.







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Larson & Darby Group Architects Engineers Interiors

STANDARD BORDER SHEET FOR LARSON & DARBY GROUP ROCKFORD, ILLINOIS

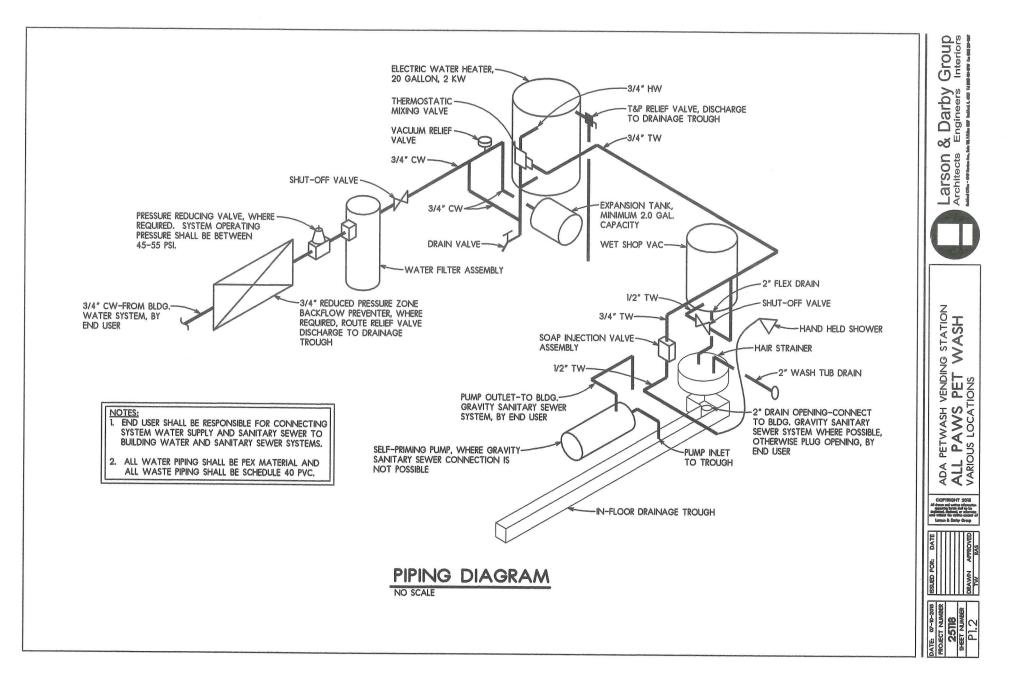
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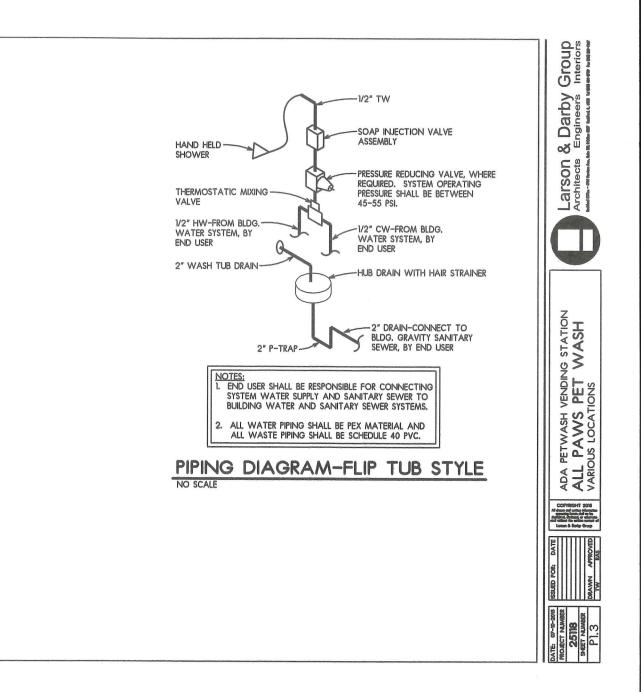
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# Provided by P+D staff





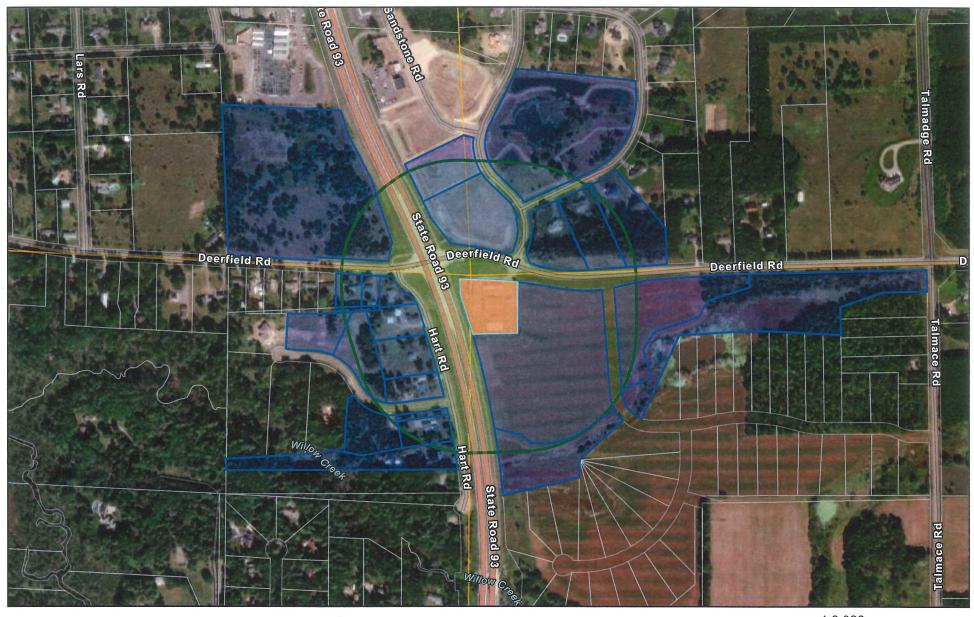








## **Public Notification**

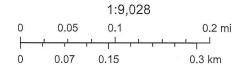


5/25/2021, 10:08:37 AM

Section

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County Boundary Tax Parcel



Esri Community Maps Contributors, Esri Canada, Esri, HERE, Garmin,

### Eau Claire County, WI

Maxar | Esri Community Maps Contributors, BuildingFootprintUSA, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA |

FirstName LastName SOUTHSIDE EC PROPERTIES LLC SHARON THOBABEN LOREN DEBORD CMJM PROPERTIES LLC RANDY FENNER COLIN DAVISON **STEVEN STRAND** JASON WEAVER **KYLE STELTER** WURZER BUILDERS INC JUSTIN POSPISHIL **RYAN KING** RAETHER PROPERTIES LLC DANIEL MAUER **KIRK KARG GRANT WEWERKA** JAYNEE WEWERKA JUSTIN GREENAWALD MICHAEL BURAGLIO TOWN OF WASHINGTON TRILLIUM BUSINESS PARK LLC

Address 6176 SANDSTONE RD S 158 SEGERSTROM RD 6394 HART RD 6176 SANDSTONE RD 6500 HART RD 3721 DEERFIELD RD 6550 HART RD 6400 HART RD 14686 46TH AVE N 4319 JEFFERS RD STE 150 6236 WHITE OWL LN 6198 WHITE OWL LN N 1234 COUNTY HIGHWAY MD PO BOX 1987 3711 DEERFIELD RD 4650 S OAKWOOD HILLS PKWY 4650 S OAKWOOD HILLS PKWY 6454 HART RD 6218 WHITE OWL LN 5750 OLD TOWN HALL RD 6176 SANDSTONE RD

City State Zip EAU CLAIRE WI 54701 MONDOVI WI 54755-7856 EAU CLAIRE WI 54701-5095 EAU CLAIRE WI 54701-5138 EAU CLAIRE WI 54701-5097 EAU CLAIRE WI 54701-8579 EAU CLAIRE WI 54701-5097 EAU CLAIRE WI 54701-5096 CHIPPEWA FALLS WI 54729-4864 EAU CLAIRE WI 54703-3926 EAU CLAIRE WI 54701-2722 EAU CLAIRE WI 54701-2723 SARONA WI 54870-9261 EAU CLAIRE WI 54702-1987 EAU CLAIRE WI 54701-8579 EAU CLAIRE WI 54701-7797 EAU CLAIRE WI 54701-7797 EAU CLAIRE WI 54701-5096 EAU CLAIRE WI 54701-2722 EAU CLAIRE WI 54701-8948 EAU CLAIRE WI 54701-5138

### **MINUTES**

Eau Claire County

• BOARD OF LAND USE APPEALS •

Date: Monday, May 3, 2021

### Time: 5:30 p.m.

*via remote access ONLY.

*Event link below can be used to connect to meeting and interact (by the chair) from computer or through the WebEx Meeting smartphone app.

Join WebEx Meeting: https://eauclairecounty.webex.com Meeting ID: 145 398 3209 Password: tZV8UJppm55

*Meeting audio can be listened to using this Audio conference dial in information.

Audio conference: 1-415-655-0001 Access Code: 1453983209##

*Please mute personal devices upon entry

For those wishing to make public comment, you must e-mail Sam Simmons at

<u>Samuel.Simmons@co.eau-claire.wi.us</u> at least 30 minutes prior to the start of the meeting. You will be called on during the public comment period to make your comments.

*Please mute personal devices upon entry

Members Present: Gary Eslinger, Randall Stutzman, Darrin Schwab Members Absent: Karen Meier-Tomesh, Judith Bechard, Patrick Schaffer Staff Present: Jared Grande, Ben Bublitz, Sam Simmons

1. Call to Order and confirmation of meeting notice

Chairman Stutzman called the meeting to order at 5:35 p.m.

2. Roll Call

Clerk Sam Simmons conducted roll call and confirmed a quorum was present.

3. Public Comment (15 minute maximum)

None.

- 4. Public Hearings
  - Request for a 17-foot variance from the required 83-foot setback to the centerline of the rightof-way for an existing structure in the A-P Agricultural Preservation District.
     (Town of Pleasant Valley) / Discussion – Action

Ben Bublitz, Land Use Technician for Eau Claire County, outlined the Variance request. The structure in question did not obtain proper permits from the Planning & Development Department. Mr. Bublitz then outlined the staff report and applicable zoning codes for the request.

Prepared by: Samuel Simmons, Clerk, Board of Land Use Appeals

Please note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 715-839–6945 (FAX) 715-839–1669 or (TDD) 715-839–4735 or by writing to the ADA Coordinator, Human Resources Department, Eau Claire County Courthouse, 721 Oxford Ave., Eau Claire, Wisconsin 54703

He pointed out that this is an "after the fact" request and outlined reasons that there is a selfimposed hardship.

The applicants did not present a groundwater map or other supporting materials with the application. Mr. Bublitz spoke with Land Conservation staff about this matter and determined that groundwater on the property is not an issue.

Planning & Development staff believes that granting this Variance will lead to similar "after-the fact" cases coming and that unique characteristics are not outlined in the request. Overall, Mr. Bublitz recommended denial of the Variance.

Dan Werlein, the property owner, spoke in favor of the request. Mr. Werlein claimed that when digging in the back of his property, he hit water at six feet deep. Chairman Stutzman inquired about other structures to the north of his property, and it was acknowledged that there were structures to the northwest. Mr. Werlein then inquired about who complained about his property. The individual who made the original complaint wished to remain anonymous. Chairman Stutzman then asked Mr. Werlein to address why he proceeded with construction without a permit. Mr. Werlein expressed concerns about moving the structure as he would have to make some modifications to the property.

There were no questions for Mr. Werlein.

Dylan Zahara, the applicant, spoke in favor of the request. Mr. Zahara claimed there was originally some miscommunication between him and Mr. Werlein. He thought that permits had been issued, when they had not and acknowledged the process was rushed. When putting holes in the ground, there did not appear to be any water. Mr. Zahara also outlined reasons for the Board to grant the Variance. Darrin Schwab asked and confirmed that a Land Use Permit needs to be posted at the construction site. Mr. Schwab also asked how far into the project until they found out there was no permit. Mr. Zahara stated that the project was nearing completion when that was realized.

Steven Thompson of W 1825 Pine Road, Eleva, WI spoke in favor of the request. Mr. Thompson feels that the conditions of Pine Road should be sufficient reason to grant the Variance. He also sited hardships from the COVID-19 pandemic should also be taken into consideration.

There were no questions for Mr. Thompson.

Nobody else spoke in favor of the request.

None spoke in opposition of the request.

Mr. Bublitz again summarized the staff findings which conclude that a Variance cannot be granted in this situation.

Prepared by: Samuel Simmons, Clerk, Board of Land Use Appeals

Please note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 715-839–6945 (FAX) 715-839–1669 or (TDD) 715-839–4735 or by writing to the ADA Coordinator, Human Resources Department, Eau Claire County Courthouse, 721 Oxford Ave., Eau Claire, Wisconsin 54703

The Board deliberated the request.

**ACTION:** Motion by Randall Stutzman, to deny the Variance request based on findings in the staff report seconded by Gary Eslinger, Motion carried, 3-0-0.

5. Review/Approval of August 24, 2020 Meeting Minutes / Discussion – Action

The Board reviewed the August 24, 2020 Meeting Minutes.

**ACTION:** Motion by Randall Stutzman, seconded by Darrin Schwab, to approve the August 24, 2020 minutes as presented. Motion carried, 3-0-0.

6. Adjourn

**ACTION:** Motion by Randall Stutzman, seconded by Gary Eslinger, to adjourn the meeting. Motion carried, 3-0-0. Meeting adjourned at 6:29 p.m.

Respectfully submitted,

Samuel Simmons Clerk, Board of Land Use Appeals

Prepared by: Samuel Simmons, Clerk, Board of Land Use Appeals

Please note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 715-839–6945 (FAX) 715-839–1669 or (TDD) 715-839–4735 or by writing to the ADA Coordinator, Human Resources Department, Eau Claire County Courthouse, 721 Oxford Ave., Eau Claire, Wisconsin 54703