CITY OF ELKHORN ZONING BOARD OF APPEALS AGENDA

April 25, 2024, 6:00 p.m.

Council Chambers, City Hall, 311 Seymour Ct., Elkhorn, Wisconsin, 53121

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) MOTION AND ACTION TO NAME CHAIRPERSON
- 4) MOTION TO ADJOURN INTO A PUBLIC HEARING/READ PUBLIC NOTICE Variance for 10' rear yard setback located on a vacant lot off County Road H and Proctor Drive (Tax Key: YA 414900001)
- 5) COMMENTS BY ZONING ADMINISTRATOR
- 6) PRESENTATION BY THE PETITIONER OR AGENT
- 7) COMMENTS BY INTERESTED PROPERTY OWNERS OR THEIR AGENTS
- 8) REBUTTAL
- 9) REBUTTAL BY OPPOSITION
- 10) CLOSE HEARING
- 11) DELIBERATION BY BOARD OF APPEALS MEMBERS
 - a. The Board may adjourn into closed session by a motion and roll call vote per SS 19.85(1)(a):
 "Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body." If they do go into closed session, the Board will reconvene into open session immediately thereafter.
- 12) ACTION BY BOARD ON VARIANCE REQUEST
- 13) DISCUSSION ON UPDATES TO ZONING BOARD OF APPEALS ORDINANCE
- 14) ADJOURNMENT

CITY OF ELKHORN NOTICE OF PUBLIC HEARING

ZONING VARIANCE

Notice is hereby given that a public hearing will be held before the Board of Appeals of the City of Elkhorn on April 25, 2024 at 6:00 P.M. or soon thereafter as the matter may be heard in the Council Chambers, City Hall, 311 Seymour Court, Elkhorn, WI for the purpose of hearing all interested parties, their attorneys or agents with respect to the request submitted by Joseph Doherty to allow for a variance granting a 10' rear yard setback of the parcel. Section 17.5-3 of the Elkhorn Zoning Ordinance states that rear yard setbacks for M-1 districts be 25', but 50' where adjacent to residential properties. The property is located on a vacant lot off County Road H and Proctor Drive and is more precisely identified by the following tax parcel ID number:

YA414900001

The City of Elkhorn will attempt to accommodate anyone with special needs if requests are made a sufficient time in advance. The City Clerk can be reached at: (262) 723-2219.

Dated this 25th day of March 2024.

Allison Schwark Zoning Administrator

Publish 2x: 04/11/24 & 04/18/24 Elkhorn Independent

PLANNING REQUEST

FOR OFFICE USE ONLY PC# _____

CITY OF ELKHORN - DEPARTMENT OF BUILDING AND ZONING

311 SEYMOUR COURT., P.O. BOX 920 • ELKHORN, WI 53121 PHONE: (262)741-5124 • FAX: (262) 741-5135

Notice: This document is an Official City of Elkhorn	Document. All submittals must	be made on Official City	of Elkhorn Documents.
1. General Project Information:		CERTIFIED SURVEY N	10 4149
Project Tax Key #: <u>YA414900001</u>			
Project Title (if any): Elk Storage			
2. Applicant, Agent & Property Owner In	formation:		
Applicant's Name:	Company: <u>Sirc</u>	ome, Midwest Storage	Associates Inc.
Street Address: N 8206 High Ridge Rd	Elkhorn ,	/Wisconsin	Zip: 53121
Telephone: (263-903-6016 Fax: ()			
Agent:	Company:		
Street Address:			
Telephone: (Fax: (Email:		
Owner, if different from Applicant:			
Street Address:			
Telephone: (Fax: (Email:		
3. Planning Request (Check all that apply	<i>ı</i>)	t	
Site Plan and Architectural Review	\$175.00 plus \$.04 per sq.	ft. (Floor Area)	
 Conditional Use Permit			
Rezone	\$325.00		
Land Use Amendment	\$350.00		
Planned Unit Development	_\$325.00		
Preliminary Plan	_\$200.00 plus \$20.00 per k	ot	
🛄 Final Plat	_\$200.00 plus \$20.00 per k	ot	
Certified Survey Map	\$200.00 plus \$20.00 per k	ot	
Project Concept Review	\$150.00		
Conceptual Land Division	\$100.00 plus \$3.00 per ac	re	
Joint Conditional Use & Rezoning	\$575.00		
🛄 Joint Rezoning & Certified Survey Map	\$500.00 plus \$20.00 per e	ach new lot	
Zoning Board of Appeals/Adjustment_	_\$325.00		

CITY OF ELKHORN

COST RECOVERY CERTIFICATE AND AGREEMENT PURSUANT TO SECTION 3.04 OF THE MUNICIPAL CODE OF THE CITY OF ELKHORN

Notice to Applicant: This document is an Official City of Elkhorn Document. All submittals must be Official City of Elkhorn Documents.

The undersigned Applicant hereby acknowledges and agrees to be bound by Ordinance No 1066 as codified at Section 3.04 of the City of Elkhorn Municipal Code, providing for City recovery of all costs and disbursements incurred in the process of considering requests by an Applicant related to the City of Elkhorn Zoning or Subdivision Code. The Applicant further agrees in consideration of the City's incurring cost and hiring of the City for all costs recoverable pursuant to the terms of the above numbered ordinance within the time period set forth in the ordinances.

Purpose of Application Variance for 10' Sideyava holding reor Project Name Elk Storage Yava on north side augarist rail road AVERNORE Rear tava - 43.7
Physical Address LOT 1 CERTIFIED SURVEY NO. 4149
Tax Key # YA414900001 Phone # 262-903-6016
Contact Name (if different from applicant)
Mailing Address N 8206 High Ridge Rd
City Elkhorn State WI Zip 53121
Billing address (if different)
City State Zip
Dated this 19 th day of, 20 24 APPLICANT:
Original: City Records Copy: Applicant Copy City: Attorney Project #: <u>7576,23</u>

Note to Applicant: The City Engineer, City Attorney and other City professionals and City staff, if requested by the City to review your request, will bill for their time at an hourly rate which is adjusted from time to time by agreement with the City. Please inquire as to the current hourly rate you can expect for this work. In addition to these rates, you will be asked to reimburse the City for those additional costs set forth in Section 3.04 of the Municipal Code.

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PETITION FOR VARIANCE
CITY OF ELKHORN BOARD OF APPEALS
DATE FILED:
Owner Applicant: Joseph Donerty, Sirdume Inc.
Name: ELK Storage,
Address:
Phone: Fax:
Legal description of property: NE1/4, 1/4, S, T N, R E, City of Elkhorn
Physical Address: C.T. H. 'H'
Tax parcel number: YA 4/4900001
Lot area & dimensions: 3.43 ACRES (330×450)
Zoning District (s): M-k
Project Description: LOT OF CSM 4149
Required by Ordinance Variance Requested
CONSIDERATION OF REAR YARD LOCATION.
NO VARIANCE TO THE PROVISIONS OF THE CITY OF ELKHORN MUNICIPAL CODE

SHALL BE GRANTED BY THE BOARD OF APPEALS UNLESS IT FINDS THAT ALL OF THE FOLLOWING FACTS AND CONDITIONS EXIST.

(1) Preservation of Intent. The variance request is consistent with the purpose and intent of the City of Elkhorn Municipal Code because ...

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(2) Exceptional Circumstances.

(2a) Unique Property Limitations. Compliance with the terms of the Municipal Code is prevented by unique features of this property

any DEr m ac SI Varo ab0 5 OV (2b) Unnecessary Hardship. Unnecessary hardship is present because N ν Jans wer pc ano W and no water main di ea sement was as VRSUN V has claimed exis he lit plan was changed to what it ns a 42 watermain easement the property (over 300 stit) to what it is nou

(3) Economic Hardship and Self-Imposed Hardship Not Grounds for Variance. The hardshin is not economic or self-imposed because

The rear ward should be against the pailroad.
- V.O.W. motthe meighbors, gide land. The side
WE DYDDISE WOULD DE FULLY LANDSCIPED IMA
continuous planting and mo access for
drives on storage.

(4) Preservation of Property Rights. That such variance is necessary for the preservation and enjoyment of substantial property rights

(5) Absence of Detriment. That the variance will not create substantial detriment to adjacent

property

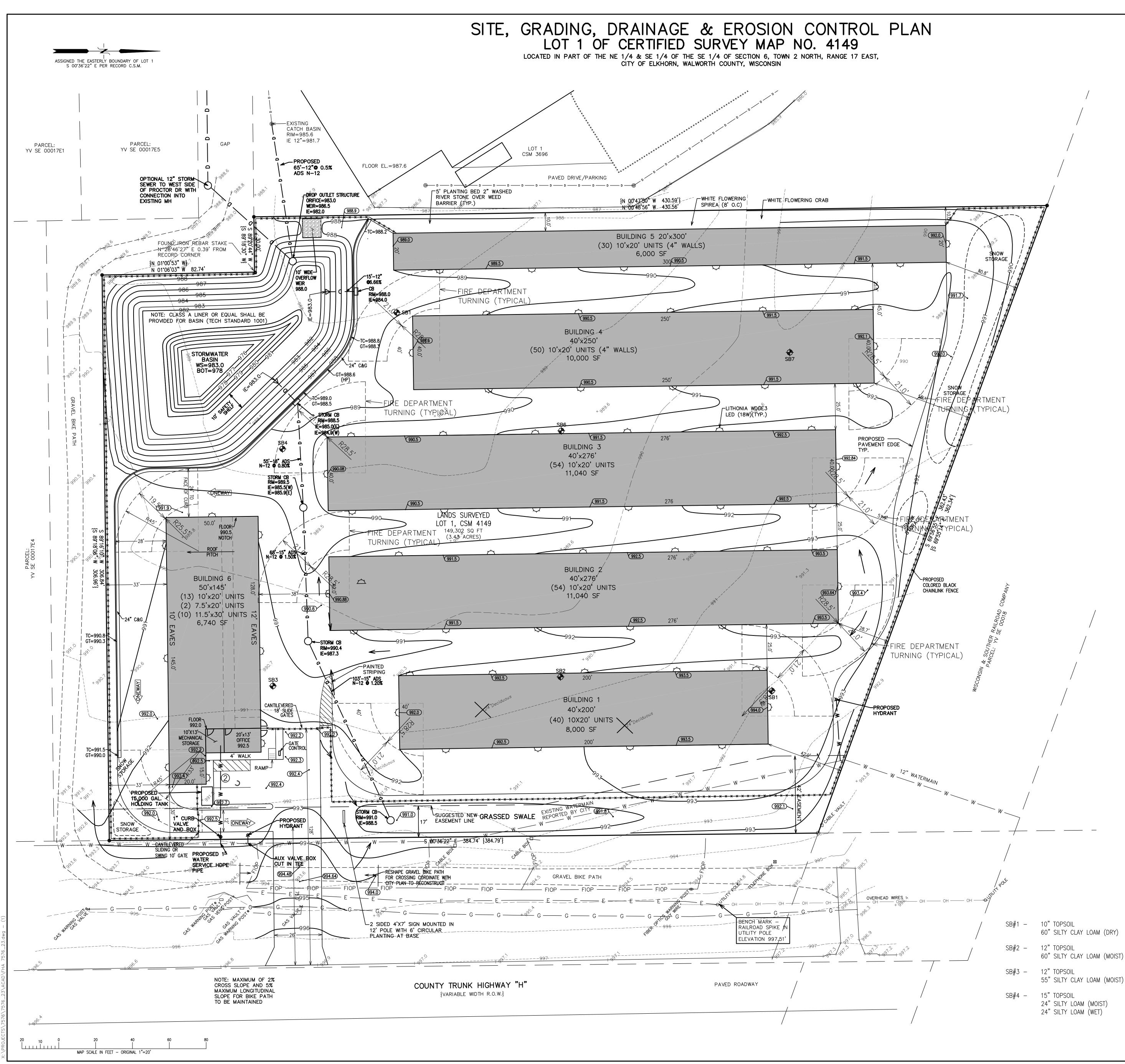
Attach a plat of survey of your site and a copy of detailed construction plans. IF YOU QUALIFY FOR A VARIANCE

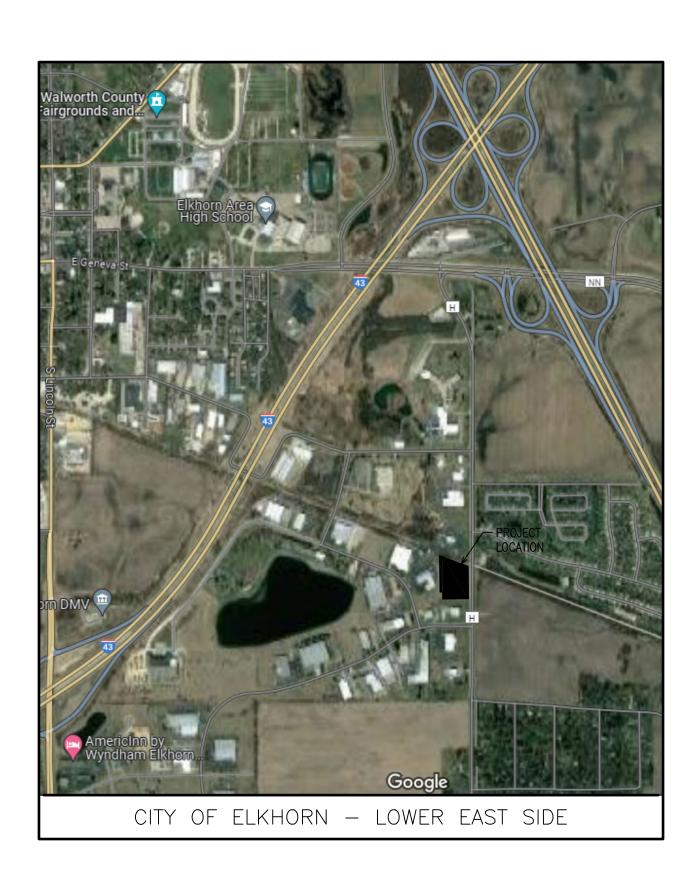
- The Board may grant only the minimum variance necessary while preserving the purpose and intent of the zoning ordinances.
- The Board may impose conditions on project design, construction activities or operation of a facility to assure that public interests are protected.
- A variance granted by the Board of Appeals shall expire within six (6) months unless substantial work has commenced pursuant to such grant.
- A variance decision may be appealed to circuit court by an aggrieved party within 30 days of filing of the decision in the office of the board. For this reason you may choose to delay construction on your project until after the appeal period has expired in order to minimize the risk that the court may overturn the Board of Appeals decision and void your variance.
- · Because a property rather than its owner may qualify for a variance (unique property limitations test), a variance transfers to subsequent property owners.

Signed: Date: (Applicant/Agent/Owner)

Remit to: City of Elkhorn Zoning and Building Department 311 Seymour Court Elkhorn, WI 53121

18/24





LEGEND

O =	IRON PIPE FOUND 1 3/8" O.D.
• =	IRON REBAR FOUND 3/4" O.D.
e =	SOIL BORING
{XXX} =	RECORDED AS
= ⁺ ⁺ ⁺ ⁺	EXISTING GROUND ELEVATION
**** =	EXISTING LAND CONTOURS
—————— ——————————————————————————————	PROPOSED LAND CONTOURS
←=	DIRECTION OF WATER FLOW
XXXXX.X =	PROPOSED TOP OF CURBED CONCRETE WALK
(XXXX.X) =	PROPOSED FINISHED GRADE
TF =	TOP OF FOUNDATION ELEVATION
FF =	FIRST FLOOR ELEVATION
TC =	TOP OF CURB ELEVATION
GT =	GUTTER ELEVATION

SHEET 1 – SITE, GRADING, DRAINAGE & EROSION CONTROL PLAN SHEET 2 – SITE PLAN WITH LANDSCAPING AND LIGHTING SHEET 3 – SPECIFICATIONS AND DETAILS

SHEET 4 - FLOOR PLANS AND BUILDING ELEVATIONS (TYP)

SITE SUMMARY

TOTAL LAND AREA: 149,302 S.F. 3.43 ACRES TOTAL AREA DISTURBED: 149,302 S.F. (3.43 ACRES) (NOI REQUIRED) ZONING: M-1

PROPOSED BUILDINGS: 52,820 S.F. 1.21 ACRES 36.0% BUILDING 1: 8.000 SF (20) 10'x20' UNITS

DUILDING	1.	0,000 31	(20) 10 x20 014113
			(20) 10'x20' UNITS
BUILDING	2:	11,040 SF	(27) 10'x20' UNITS
			(27 10'x20' UNITS
BUILDING	3:	11,040 SF	(27) 10'x20' UNITS
			(27 10'x20' UNITS
BUILDING	4:	10,000 SF	
			(25) 10'x20' UNITS
BUILDING	5:	6,000 SF	(30) 10'x20' UNITS
BUILDING	6:	6,740 SF	(32) 8'X12.5' UNITS CLIMATE C
			(2) 7.5'X20' UNITS
			(13) 10'X20' UNITS

PROPOSED NEW PAVEMENT AREA = 63,243 S.F. 1.45 ACRES 42.3%

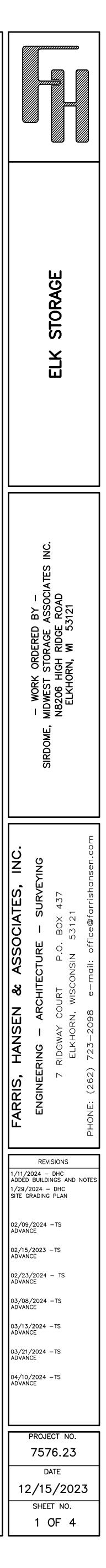
PROPOSED NEW PARKING = CARS w HANDICAP

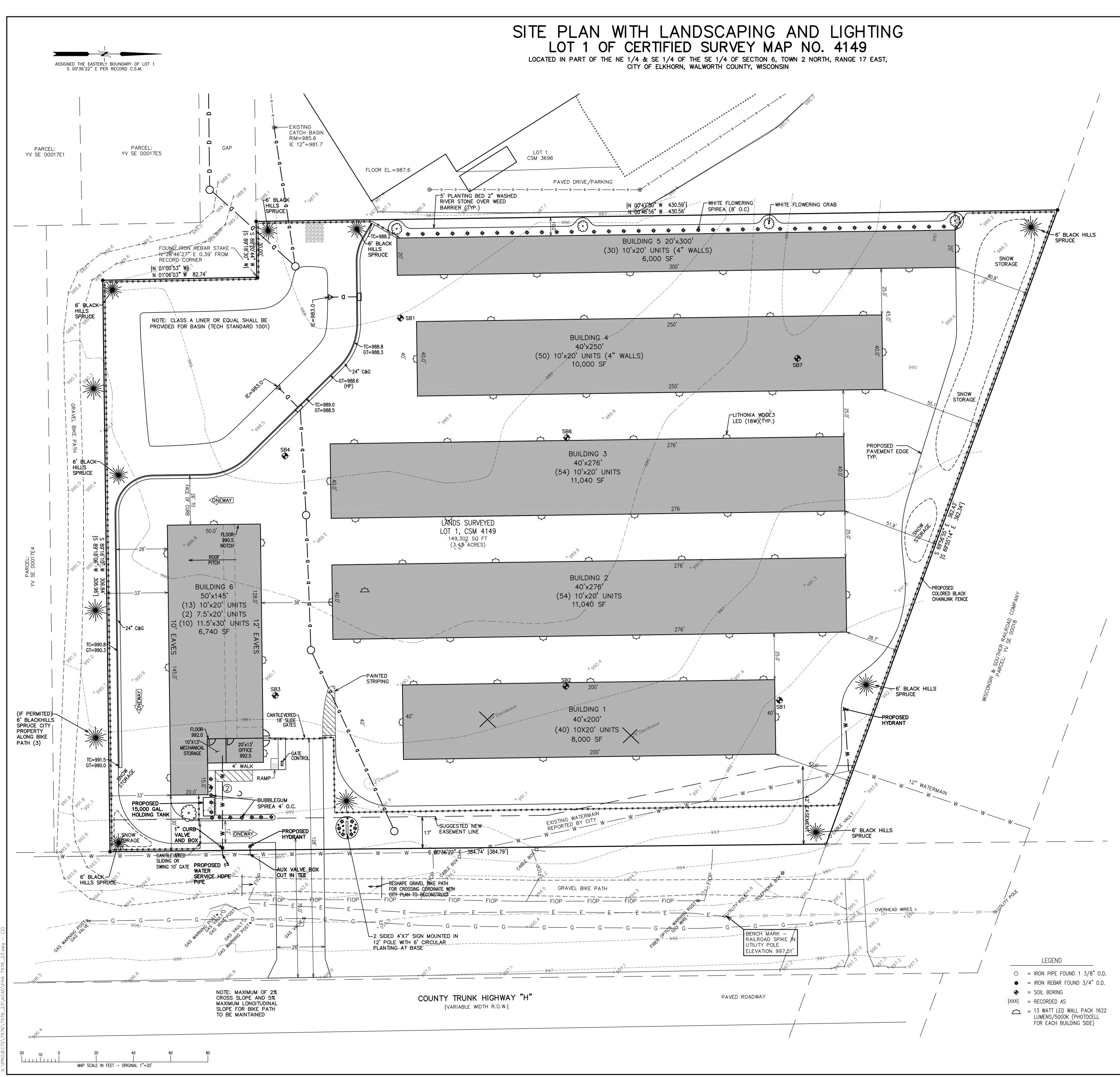
NOTE: 4" CONCRETE SLABS WITH CONTROL JOINTS AT WALL LINES OR 10'00 MAX. SOIL BEARING VALUE ESTABLISHED @ 2,000 PSF FOR ALL BUILDING.

REAR YARD SETBACK TO RAILROAD R.O.W. (AVERAGE 43.7')

SB#5 —	10" TOPSOIL 30" SILTY LOAM (WET) 24" SILTY LOAM (VERY WET)
SB#6 —	12" TOPSOIL 30" SILTY LOAM (MOIST) 24" SILTY CLAY LOAM (MOIST)
SB#7 -	10" TOPSOIL 36" CLAY LOAM (DRY) 24" SILTY CLAY LOAM (MOIST)

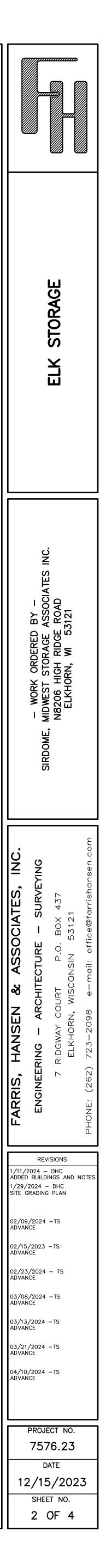
CONTROLLED





LIGHTING FIXTURES

(52) 13 WATT LED WALL PACK (PHOTOCELL FOR EACH BUILDING SIDE) 1622 LUMENS | 5000K



SITE WORK, SITE DRIVES, PARKING AREA, STORM SEWER CONSTRUCTION, DRAINAGE

SPECIFICATIONS FOR 10. STOOPS AND ENTRIES Concrete flatwork shall be constructed in accordance with the requirements of Section 602 of the "State Specifications." The work shall be constructed over a minimum 8 inches of compacted gravel. All flatwork concrete shall be 6 inches with fiber mesh and control joints at maximum 12 feet on center or the maximum width of concrete. Finished surfaces shall be troweled with light broom finish and an impervious curing compound applied. Liquid curing agent shall conform to the requirements of AASHTO M 148, Type 2. 11. DRAINAGE SWALES & OFF PAVEMENT GRADING The OWNER, will act as general contractor for all work as shown on the plans and further described in the following Specifications complete, and in accordance with Drainage swales and off pavement grading shall be constructed in accordance with details of line, grade and configuration shown on the plans and as specified under Sub-section 205.3.6 of the "State Specifications". Temporary bale ditch checks, sediment traps, diversions, silt fence, etc., shall be used to minimize erosion Transportation, except Part I thereof. throughout construction. All swales and off pavement grading shall be graded smooth to inlets of the storm sewer provided. If erosion control is found necessary, fabric, silt fencing, or other materials shall be provided as directed by the ENGINEER. 12. SALVAGE, STOCKPILE & REPLACEMENT OF TOPSOIL The ENGINEER, Farris, Hansen & Associates, Inc., will stake the work once at no expense to the SUBCONTRACTOR requesting stakes: however, if the All topsoil on areas to be disturbed shall be stripped and stockpiled in areas as indicated on the plans or otherwise approved by the ENGINEER/OWNER. Or surplus may be moved off site initially. After excavating, grading and stone base is placed a minimum 6" topsoil shall be replaced and graded in areas to be vegetated. All work shall be performed in accordance with the requirements of Section 625 of the "State Specifications". All excess topsoil shall remain the property of the OWNER and be placed in fill locations outside building site areas. 13. TIME PERIOD FOR PAVING Paving maybe delayed for up to two (2) years to allow for any initial settlement. Installation of the binder course shall occur during the same year s the base course material has been consolidated. The pavement surface course is to be placed at a minimum of 2 years after the intial binder lift has been placed. Prior to the paving operation, areas shall be regraded and additional crushed gravel provided and compacted to bring the base course to grades as shown on the plans. The base course shall be proof rolled before the binder paving. 14. SEEDING, MULCHING & FERTILIZER Preparation of all seed beds, sowing, and other requirements shall be in accordance with Section 630 of the "State Specifications". All seeded areas shall be mulched in accordance with Section 627 of the "State Specifications". All excavations within established roadways, proposed parking, or driveways shall be backfilled with granular material conforming to Section 8.43.4. Consolidation of Fertilizer to be used shall be as defined under Sub-section 629.2.1 and applied at a rate of 7 pounds per 1000 square feet of area following procedures conforming to Sub-section 629.3 of the "State Specifications" for all areas seeded or sodded. The terraces, finished areas along pond areas and along sewer lines shall be seeded, mulched and fertilized except as may be otherwise noted on the plans. CONTRACTOR will provide a perennial rye cover crop over other disturbed or open lands. These disturbed areas on slopes shall be prepared and seeded with Seed Mixture No. 20 applied a rate of 5 pounds per 1000 square feet area or approved lawn turf mix. 15. EROSION CONTROL The Contractor shall use the current Wisconsin Department of National Resources Construction Site Erosion & Sediment Control Standards as a reference and guide for erosion control practices. The SUBCONTRACTOR shall furnish all new materials required to complete work as called for within these specifications and shown on the drawings. Advanced The Contractor shall comply with the provisions of the erosion control plans and/or local ordinances. All erosion and sediment control measures should be constructed and maintained in accordance with these Standards. Sediment control measures should be adjusted to meet field conditions at the time of construction and installed prior to any grading or disturbance of existing surface materials. Periodic inspection and maintenance of all sediment control structures should be provided to ensure intended purpose is accomplished. Sediment control measures are to be in working The provisions of Section 3.6.1 of the "Standard Specifications" shall govern except as modified hereafter. Catch basins within paved areas shall be 42" I.D., unless condition at the end of each working day. After any significant rainfall, sediment control structures should be inspected for integrity. Any damaged structures should be corrected for integrity. Sediment control measures should not be removed until the areas served have established vegetative cover. Stone and gravel mats should be installed at all construction site exits to prevent tracking of soil. Any tracked soil should be collected from paved roads located near the Adjust frames and inlets as required to finish grade. construction site. Following initial soil disturbance and work activities in the area, permanent or temporary stabilization shall be completed and stabilized within fourteen calendar days of work completion. 16. EROSION MAT The CONTRACTOR shall place erosion mat over all seeded areas as required to control erosion as shown on the plans and/or as directed by the ENGINEER. Erosion mat shall be placed in accordance with the procedures recommended by the manufacturer and Section 628.3.2 of the "State Specification" or as directed by the engineer. 6. CLEANING OF SEWERS and APPURTENANCES Erosion mat material shall be North American Green S-150 double net straw blanket or equal, as indicated on the plans. The interior of all sewers and appurtenances shall be kept clean throughout construction. The Work shall be freed from all dirt and extraneous materials of all 17. DETENTION/TEMPORARY SEDIMENT BASIN AND OUTLET STRUCTURE The storm water basin shall be built at the beginning of the project and maintained throughout. Slopes shall be seeded, fertilized and mulched with a Kentucky bluegrass mix having rye or oats for a fast stabilizing ground cover, Seed Mixture No. 40 applied as specified in Section 17. The grading shall be blended into the natural features on each side of the basin. This basin will be used as a temporary sediment basin during construction. monuments and other points which are marked by lath crossed over the point and heavily ribboned shall be protected by the CONTRACTOR against being destroyed. The embankment core shall be compacted clay placed in lifts not exceeding 12" over the length of the embankment to prevent seepage. Grading shall conform to the lines and grades shown on the plans. The outlet structures and piping shall be installed as embankment material is placed and compacted. Fill materials shall contain no sod, brush, roots or other perishable materials. Rock particles larger than 6" shall be removed from the materials prior to compaction of the fill. Fill shall not be placed until the required excavation and preparation of the underlying foundation bearing soils for the building are completed and approved. Since subsoils will be moisture sensitive, foundations shall be poured soon after excavation. Excavations shall be kept free of water and pumps must be on site to pump only accumulations into the sediment trap area. The fill shall be so constructed that the distribution of materials throughout the fill will be essentially homogeneous and free from lenses, pockets, streaks or layers of material differing substantially in texture or gradation from the surrounding material in fill. No fill shall be placed upon a frozen surface nor shall snow, ice or frozen materials be incorporated in the fill. Excavation shall be with back hoe and low pressure track equipment to prevent excessive compaction except on embankment slopes. Adjacent to structures, fill shall be placed in a manner adequate to prevent damage to the structure, and to allow the structure to gradually and uniformly assume the backfill loads. Backfill adjacent to structures shall be placed in layers not thicker than six (6) inches. The height of the backfill shall be increased at approximately the same rate on all sides of the structure during placement. Materials placed on the fill by dumping in piles or windrows shall be spread uniformly to not more than the specified thickness prior to compaction. The material shall contain sufficient moisture to permit satisfactory compaction to 95 percent maximum density. If additional moisture is necessary, it shall be added as required, or work suspended until adequate moisture is present. If the surface of the earth fill or the fill material is too wet, all work shall be suspended until the material has dried sufficiently to permit proper compaction. If the top of the preceding layer of compacted fill or the abutment surfaces in the zone of contact with the fill become too dry to permit suitable bond they shall be scarified and moistened by sprinkling to an acceptable moisture content prior to placement of the next layer of fill. The Contractor shall furnish and operate the types and kinds of equipment necessary to compact the fill material in the specified manner.

AND EROSION CONTROL ELK STORGAGE CITY OF ELKHORN WALWORTH COUNTY, WISCONSIN GENERAL DESCRIPTION the "Standard Specifications for Sewer and Water Construction in Wisconsin" sixth edition, December 22, 2003 with Addendum No. 1, December 22, 2003, except Part I thereof, and its Addendums and the "Standard Specifications for Highway and Structure Construction," 2017 Edition, State of Wisconsin Department of The project consists of all the drives, parking, storm sewer construction, storm water management basin, site grading, drainage, building pads, and erosion control. The work that shall be done includes furnishing all labor, tools, equipment, machinery and appliances, and all materials, except where definitely specified to the contrary, and construction complete, in working order, ready for use. SUBCONTRACTOR shall request re-staking, this work will be done at the expense of the SUBCONTRACTOR. PART 1 – STORM SEWER (TO BE PRIVATELY OWNED) 1. STANDARD SPECIFICATIONS All work under this project shall be done in accordance with the "Standard Specifications for the Sewer and Water Construction in Wisconsin," Sixth Edition, December 22, 2003, and its Addendums, hereinafter referred to as the "Standard Specifications," and its amendments and corrections. Specifications contained herein shall supersede these standard specifications as indicated only to modify, alter or extend them. 2. EXISTING UTILITIES It shall be the responsibility of the SUBCONTRACTOR to notify all public utilities such as telephone, power, gas, etc., prior to excavating to determine for himself the extent of existing underground utilities. They shall have located or verify all known underground utilities such as existing gas line, telephone lines, or underground power lines prior to requesting staking. If any other utility is on line or grade, the location of the sewer line may be relocated to clear such utility, if possible. 3. STORM SEWER CONSTRUCTION backfill within these established areas shall be by mechanical compaction as defined in Section 2.6.14(b). All other trenches shall be backfilled in maximum 18-inch lifts with excavated material and mechanically compacted with hevi-duty backhoe or other heavy equipment mounted compactors up to subgrade of planned surface. All excavations outside of existing pavement or proposed pavement or walk areas shall be backfilled with excavated material conforming to Section 8.43.5 unless the material is determined to be unsuitable. If determined unsuited at the time of construction, granular material conforming to Section 8.43.4 shall be substituted and paid for as an extra cost. Extra costs shall include wasting the unsuitable soils on site outside of building pad areas in designated fill areas as directed by the engineer which have been stripped of topsoil preceding its placement. Compact all backfill to maximum densities. 4. STORM SEWER PIPE MATERIALS Drainage System N-12 (ADS N-12) pipe shall be used throughout entire project unless specifically noted on the plans with bedding and backfill as recommended by manufacturer. 5. CATCH BASINS otherwise shown, and conform to details shown on this plan, castings shall be Neenah R-2502 with Type D grate. Catch basins within grass areas shall be 42" I.D., pre-cast, unless otherwise shown, and conform to details shown on this plan, castings shall be Neenah R-2560-E1. Provide a minimum of 3 in. adjusting rings. Open bottom manhole within the infiltration area shall be per the applicable provisions of Section 3.5.0 of the "Standard Specifications" except as modified hereafter. Manhole shall be 48" I.D., pre-cast, unless otherwise shown, and conform to details shown on this plan; casting shall be Neenah R-2560-E1. Manhole shall be bid to include all costs associated with their construction complete including inlet castings and grates. It should be noted that placement of catch basins may be modified by ENGINEER prior to construction if conflicts or other conditions occur. types as the work progresses and left clean at the completion of work. 7. STAKING, STAKES AND LATH Necessary stakes and lath shall be furnished by the ENGINEER for staking of line and grade. All reference stakes, horizontal and vertical control points, survey If these points are destroyed by the CONTRACTOR's work activity, they shall be replaced at the CONTRACTOR's cost by the ENGINEER. 8. SUBSURFACE SOIL INVESTIGATION Limited subsurface soil investigations have been made and are summarized on the plans. The grading SUBCONTRACTOR shall be responsible in formulating his own opinion of the soils to be encountered and to what extent testing or investigation is required for him to formulate his bid. 9. SCHEDULE OF WORK It shall be the intent of the Owner to complete all grading for the building subgrade and underground pipe work as soon as possible to allow the building work to proceed as soon as possible. The SUBCONTRACTOR shall submit schedules for their work completion with their bids. Plans are for the work to be done in 2021, phase 1, 2, and 3. PART 2 -SITE DRIVES, PARKING AREAS, AND SITE WORK 1. STANDARD SPECIFICATIONS All work as shown on the plans and further described in the following specifications, shall be completed, and in accordance with "Standard Specifications for Highway and Structure Construction", Edition of 2017, State of Wisconsin Department of Transportation, except Part I thereof. The ENGINEER will stake the work once at no expense to the SUBCONTRACTOR; however, if SUBCONTRACTOR shall request re-staking, this work will be done at his expense. 2. UNCLASSIFIED EXCAVATION Unclassified excavation shall consist of all excavations necessary to provide a subgrade at suitable elevations such that roadways, drives, parking, storm basin, building sites and lands adjacent thereto can be constructed to finished elevations shown on the plans by application of stone base course and pavement or topsoil replacement as applicable. Payment for the unclassified excavation shall be lump sum which shall include all required transportation and disposal costs of excess materials. All excess excavated materials shall be disposed of on site in designated areas as directed by either OWNER or ENGINEER. 3. EXCAVATION AND BACK FILL

Excavate to elevations and dimensions required for performance of the work. Placement of backfill, excavations and base for floor slabs shall be coordinated with the concrete SUBCONTRACTOR. Frozen material shall not be used as backfill nor shall backfill be permitted on frozen ground. No construction of any kind shall bear on frozen ground.

4. COMPACTION

All fill material placed in embankment and under buildings and drives shall be compacted in lifts with suitable material. A geotecnical engineer may be employed by the OWNER to do inspections and provide for testing. Compact soil to not less than the following percentages of maximum density for soils which exhibit a well-defined moisture density relationship (cohesive soils)

determined in accordance with ASTM D1557; and not less than the following percentages of relative density; determined in accordance with ASTM D2049; for soils which will not exhibit a well-defined moisture-density relationship (cohesionless soils): A. Under Building and Paving Areas: Compact top eight inches of existing ground surface and each layer of backfill or fill material to 98 percent maximum density

for cohesive soils and 90 percent relative density for cohesionless soils may be adjusted by building designer). B. Other Areas: Compact top eight inches if existing ground surface and each layer of backfill for fill material to 95 percent maximum density for cohesive soils or 90 percent relative density for cohesionless soils.

Where soil materials must be moisture conditioned before compaction, uniformly apply water to the surface. Prevent free water from appearing on the surface of soil materials during or subsequent to compaction operations. Remove, replace, or scarify all dry air soil materials that are too wet to permit compaction to the specified density. Compact the soil materials around piping and conduit with hand-operated tampers. Do not allow heavy vehicles, equipment, or machinery to operate directly over piping and conduit until a minimum of 36 inches of backfill has been placed and compacted over it.

No fill shall be placed without inspection and approval of the subgrade and fill material composition by a representative of the ENGINEER.

Method of test for density of soil in place shall be the Sand-Cone Method, ASTM D1556 or Nuclear Densometer. Method of test for moisture-density relations of soils shall be Modified Proctor, ASTM D-1557-78. Relative density of cohesionless soils shall be established by ASTM D-2049-69, 90 percent relative density. Excavated materials may be used for backfill outside of pavement and building areas, provided all wood, roots and other deleterious materials are removed and subject to approval by the OWNER. Excavated material shall be placed into fill areas once dried to proper moisture content or determined to be suitable by site Engineer. Excavated site materials shall be inspected, placed and compacted in lifts as recommended by the ENGINEER. All fill placed inside the building area shall be select granular imported material under slabs. Engineer may allow granular material from site excavations to be used for fill so long as required compaction can be achieved.

5. FILL

Place the select granular fill under the interior floor slab-on-grade and finish graded and compacted subgrade surfaces to the thickness indicated. Maintain optimum moisture content for compacting material during placement operations. 6. SUBGRADE INSPECTION

Upon completion of final subgrade work and prior to the placement of crushed aggregate base material, the roadways and building pad areas will be inspected by the Engineer to check that conformance to the proposed grades is maintained. In addition, all subgrade shall be test rolled with a loaded quad-axle truck with the ENGINEER present before base course placement is started. At least 48 hours notice shall be given. 7. CRUSHED AGGREGATE BASE COURSE

Crushed aggregate base course shall be ten inches (10") thick for drives & parking areas and placed in a minimum of two lifts and shall conform to Gradation No. 2 as specified in accordance with the "State Specifications" Section 305.2. All crushed aggregate base course shall be compacted with water truck, grader and vibrator roller.

The base course shall be crushed road gravel and shall be constructed in accordance with the requirements of Section 305 of the "State Specifications". If undercut and compacted granular fill is ordered by the ENGINEER at the time of excavating for the subgrade, payment shall be made as an extra cost. All subgrade shall be test rolled with loaded quad-axle truck with ENGINEER present before base course placement is started. 8. BITUMINOUS CONCRETE PAVEMENT

Bituminous concrete pavement shall be Type E-0.3 constructed of 2.0 inch thickness of binder course material with a 5 percent asphalt cement content and a 1 - ½ inch thickness of surface course materials with a 5.5 percent asphalt cement content (tolerance of + 0.5 percent maximum as asphalt cement content permitted). (OWNER may delay paving operations)

The materials and methods used in application of the bituminous concrete pavement shall comply with the general requirements o f Section 450 of the "State Specifications". Asphalt shall be Type MC complying with AASHTO M82 and aggregates to Sub-section 460.2.2 of the "State Specifications". 9.5 mm shall be used for surface course aggregate and 12.5 mm for binder course aggregate. All pavement in parking areas to have a minimum 1% slope. Notify ENGINEER if any pavement is less than 1% slope before paving operations begin.

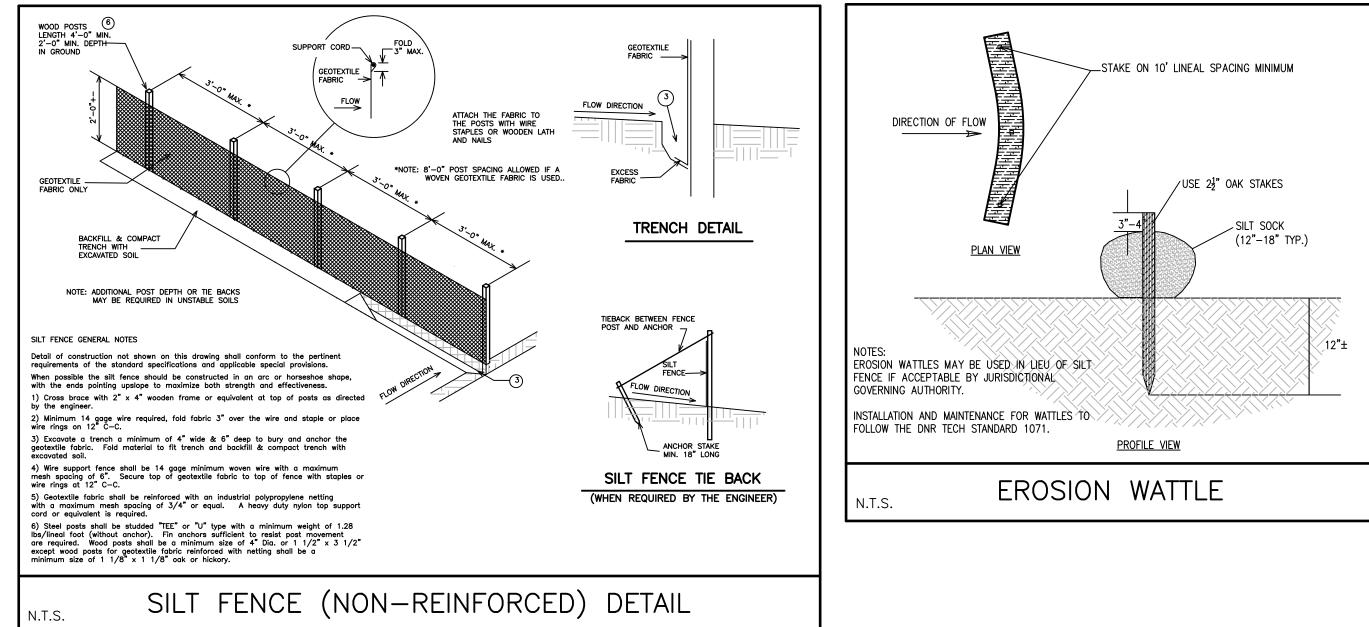
9. CONCRETE

All concrete used on this project shall be air-entraining, 6-bag mix with a minimum 28 day compressive strength of 4,000 psi. All requirements of Section 501 of the "State Specifications" shall apply unless otherwise modified herein or waived by the ENGINEER. Course aggregate shall be proportioned between Size No. 1 and No. 2 to provide suitable workability with a 6 percent air content plus or minus 1.5 percent.

storm water basin area for containment. 19. PERMITS Contractor shall be responsible for all permit conditions concerning erosion control and County site permit conditions along with the State NOI permits. Drainage that leaves the site must be controlled and erosion prevented. It will be very important to prevent tracking of mud or other materials off site onto the roadways. If this occurs it must be immediately cleaned by power brush or other acceptable means. Anti-tracking mats are to be created and maintained as shown.

maximum 6" lifts, and bladed level prior to compaction.

18. DEWATERING

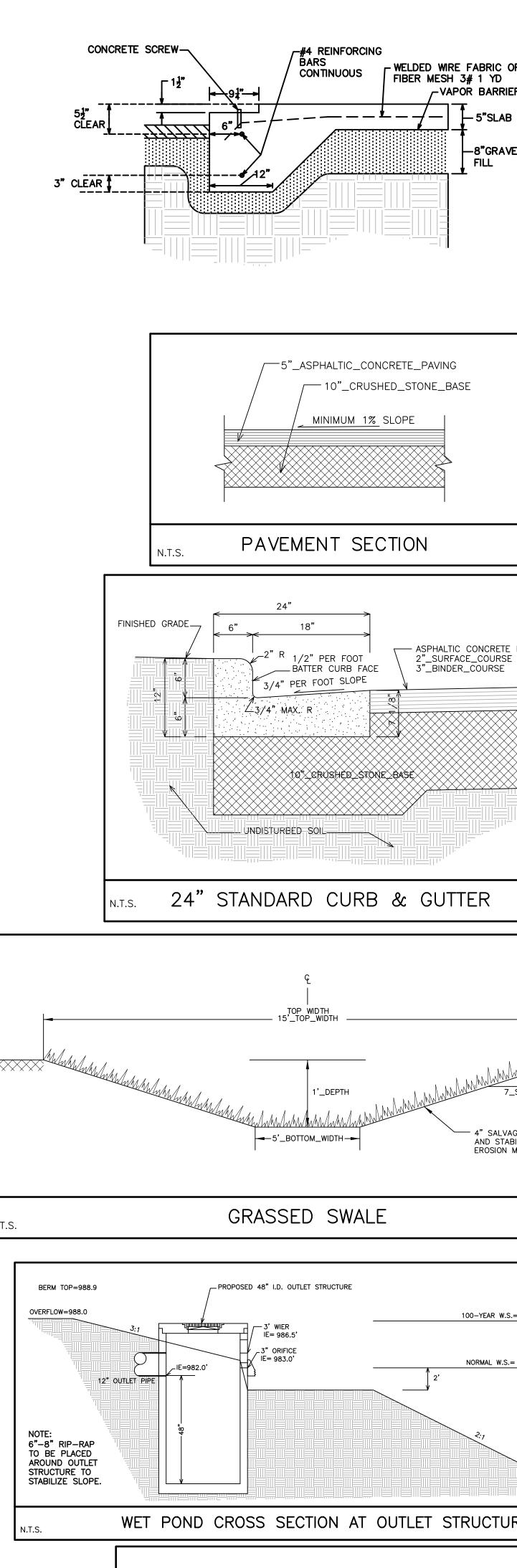


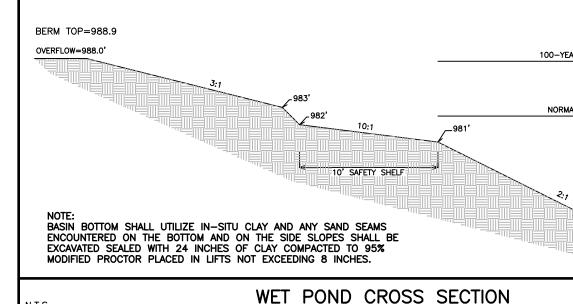
Unless otherwise specified on the plans, each layer of fill shall be compacted by heavy vibrating compaction equipment suited for the material, be placed in

End sections and riprap shall be installed immediately following installation of the inlet/outlet flow storm sewer. Vegetate all disturbed areas with a Kentucky bluegrass mix having rye or oats for a fast stabilizing ground cover (a 1:1 combination of Seed mixtures No. 40 and No. 60 of the "State Specifications"). Riprap

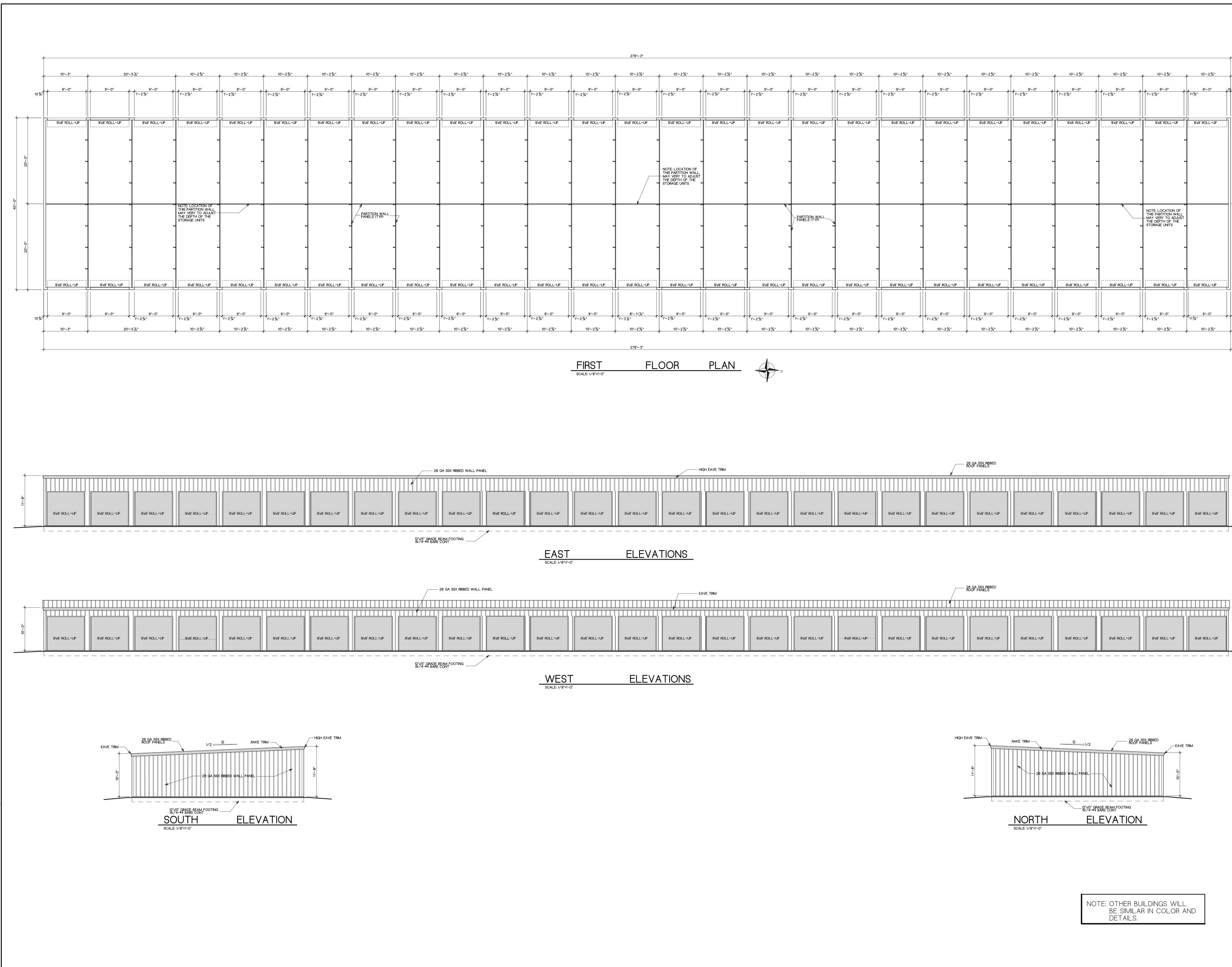
All site, basin or trench dewatering shall be done by acceptable methods in strict accordance with technical standards (Code No. 1061) WI DNR. No dewatering is anticipated but if needed, discharge shall be into the storm water basin and/or sediment trap at rates that can be accommodated (ENGINEER to approve).

Any dewatering being pumped directly to storm sewer, wetlands or offsite shall be done through geotextile bags. In general, dewatering shall be pumped to the





OR ER 3 THICKNESS ÆL	
	ELK STORAGE
	 WORK ORDERED BY - SIRDOME, MIDWEST STORAGE ASSOCIATES INC. N8206 HIGH RIDGE ROAD ELKHORN, W 53121
AGED TOPSOIL SEEDED BILIZED WITH NAG P300 MATTING	FARRIS, HANSEN & ASSOCIATES, INC. ENGINEERING – ARCHITECTURE – SURVEYING 7 RIDGWAY COURT P.O. BOX 437 ELKHORN, WISCONSIN 53121 PHONE: (262) 723–2098 e-mail: office@farrishansen.com
URE EAR W.S.= 987.96' AAL W.S.= 983.0	REVISIONS 1/11/2024 - DHC ADDED BUILDINGS AND NOTES 1/29/2024 - DHC SITE GRADING PLAN 02/09/2024 - TS ADVANCE 02/15/2023 - TS ADVANCE 02/23/2024 - TS ADVANCE 03/08/2024 - TS ADVANCE 03/08/2024 - TS ADVANCE 03/13/2024 - TS ADVANCE 04/10/2024 - TS ADVANCE
	PROJECT NO. 7576.23 DATE 12/15/2023 SHEET NO. 3 OF 4



M	RAKE TRIM —	12 1/2	26 GA SSX RIBBED ROOF PANELS	-EAVE TRIM
	►26 GA SS	X RIBBED WALL PANEL		10 0. -

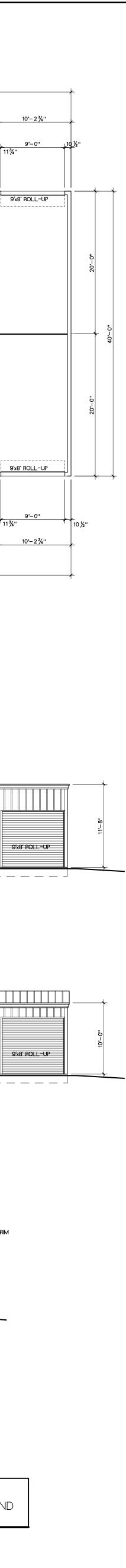
26 GA SSX RIBBED ROOF PANELS	

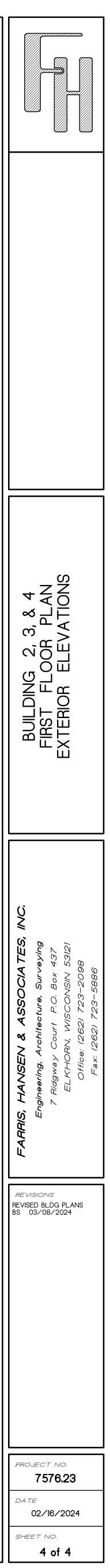
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NOTE: OTHER BUILD BE SIMILAR IN





TO:	City of Elkhorn Zoning Board of Appeals Members
RE:	Joseph Doherty Variance Application
FROM:	Allison Schwark, Zoning Administrator
DATE:	April 17, 2024

Project History:

The applicant, Joseph Doherty, submitted a Site Plan and Conditional Use Permit Application dated February 20, 2024, to the City of Elkhorn building and zoning department for rentable mini warehouse storage units located on a vacant lot off County Road H and Proctor Drive.

Upon zoning review, Zoning Administrator, Allison Schwark noted that the new proposed site plan did not meet the current rear yard setback requirements set forth in Section 17.5-3 of the Municipal Code for the M-1 Light Manufacturing district, which requires a 25-foot rear yard setback. The permit application was denied due to the above findings, and the applicant has now applied for a variance to request approval to build within the rear yard setback. Additionally, on April 18, 2024, the Plan Commission convened, and tabled the Site Plan review and Conditional Use permit for the proposed project until revisions are made to the proposed plan, and the Variance determination is finalized.

Following are some excerpts from the City Zoning Ordinance pertaining to findings and decisions of the Board of Appeals:

17.12-7 - Findings.

(1) In accordance with Section 62.23(7), Wis. Stats., and amendments thereto, in exercising the powers of the Board (see Section 17.12-4 of this chapter) the Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken, and may issue or direct the issue of a permit. The concurring vote of 4 members of the Board shall be necessary to reverse any order, requirement, decision or determination of such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variation in such ordinance. The grounds of every such determination shall be stated.

(2) No variance to the provisions of this chapter shall be granted by the Board unless it finds by a preponderance of the evidence that all the following facts and conditions exist and so indicates in the minutes of its proceedings:

(a) Preservation of Intent. No variance shall be granted that is not consistent with the purpose and intent of the regulations for the district in which the development is located. No variance shall have the effect of permitting a use in any district that is not a stated permitted use, accessory use, or conditional use in that particular district.

(b) Exceptional Circumstances. There must be exceptional, extraordinary or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district and the

granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Ordinance should be changed.

(c) Economic Hardship and Self-Imposed Hardship Not Grounds for Variance. No variance shall be granted solely on the basis of economic gain or loss. Self-imposed hardships shall not be considered as grounds for the granting of a variance.

(d) Preservation of Property Rights. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.

(e) Absence of Detriment. That the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this chapter or the public interest.

17.12-8 - Decision.

(1) The Board of Appeals shall decide all appeals and applications within 30 days after the final hearing and shall transmit a signed copy of the Board's decision to the appellant or applicant and the Zoning Administrator.

(2) Conditions may be placed upon any zoning permit ordered or authorized by this Board.

(3) Variances, substitutions or use permits granted by the Board shall expire within 6 months unless substantial work has commenced pursuant to such grant.

Following are some excerpts from Wisconsin State Statutes 62.23(7)(e)7 relating to Board of Appeals:

b. The board of appeals shall have the following powers: To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this section or of any ordinance adopted pursuant thereto; to hear and decide special exception to the terms of the ordinance upon which such board is required to pass under such ordinance; to authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the spirit of the ordinance will result in practical difficulty or unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.

d. A property owner bears the burden of proving "unnecessary hardship," as that term is used in this subdivision, for an area variance, by demonstrating that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome or, for a use variance, by demonstrating that strict compliance with a zoning ordinance would leave the property owner with no reasonable use of the property in the absence of a variance. In all circumstances, a property owner bears the burden of proving that the unnecessary hardship is based on conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner.