

MAY 05 2021

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City of Lodi Variance Request

RECEIVED ♦ 130 South Main Street, Lodi, WI 53555 ♦ Phone (608) 592-3247 ♦ Fax (608) 592-3271 ♦ www.cityoflodi.us ♦ RECEIVED

The City of Lodi Zoning Board of Appeals (ZBA) meets as needed at Lodi City Hall to consider variance requests. It is governed by §340-113 of the City of Lodi ordinances. Variance requests are governed by § 340-114 (see the attached ordinance excerpt). A variance is the modification of zoning requirement(s) in response to unique circumstances or conditions on a parcel that were not created by the property owner. A hardship under existing zoning must be proven in order for a variance to be issued. This form must be submitted with one hard copy and one digital version of the items listed in the bulleted list below. The review process will not begin until an application is determined to be complete and the appropriate fee is paid to the City Clerk. City staff will publish a public hearing notice in the Lodi Enterprise and notify all property owners within 200 feet of the subject property. The applicant, or their agent, should attend the ZBA meeting to explain the need for the variance and answer questions. Please allow 4-5 weeks for a hearing date to be set and the notice to be published and mailed. If you have any questions about Variance requirements, please contact Steve Tremlett, Zoning Administrator, at (608) 242-6621 or stremlett@msaps.com.

Owner Name(s): <u>Jeremy and Donnie Johnson</u>	
Applicant Name (if different than above):	
Property Address: <u>115 Water St</u>	Parcel #: <u>11246 271</u>
Applicant Address (if different than above):	
Applicant Phone: <u>(608) 575-2952</u>	Applicant Email: <u>jij1977@gmail.com</u>
Property Zoning Designation: <u>Single Family</u>	Property Use: <u>Primary dwelling</u>
Section(s) of Ordinance that Necessitates Variance Request: <u>340-114. R</u>	

An \$800 fee check must be provided with your application. Provide plans that show: the parcel in question, structures on the parcel (including proposed modifications to structures), dimensions of setbacks from the property line, locations of buildings on adjoining properties, a north arrow, and street names. Please attach a narrative that discusses:

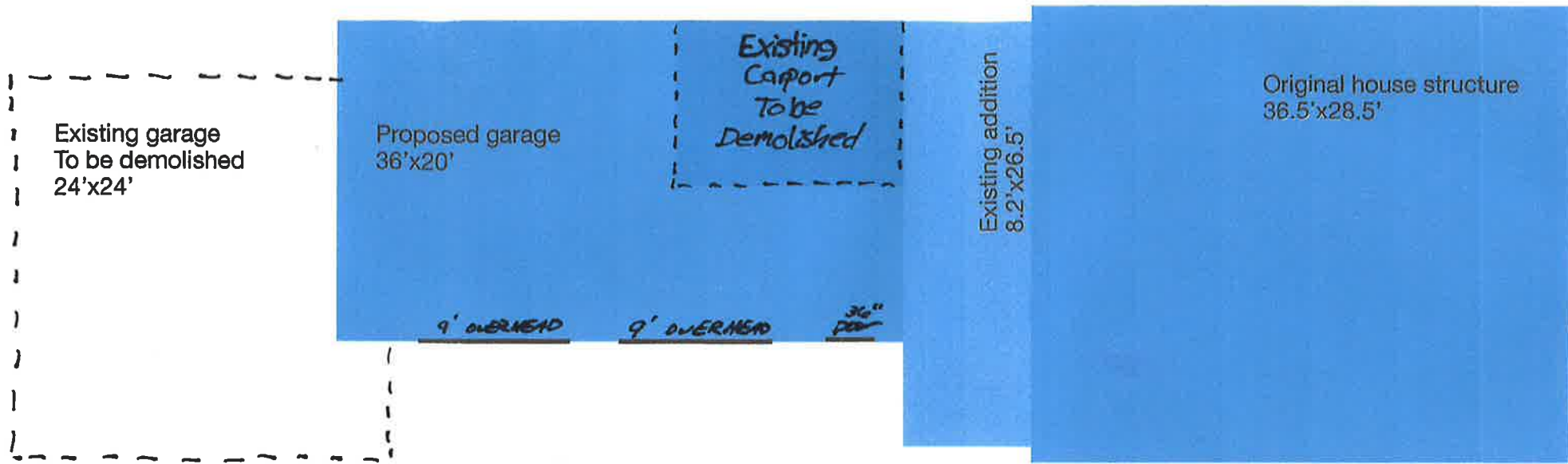
1. The characteristics of your property (size, dimensions, slope, soil, etc.) that necessitate the variance request.
2. How the site conditions discussed in #1 prevent reasonable use of your land under the terms of the zoning ordinance.
3. What modification(s) to the zoning requirements will allow for reasonable use of your land (setbacks, area, lot coverage, off-street parking, etc.).
4. Why the granting of a variance will be in harmony with the neighborhood and not contrary to the intent and purpose of the zoning ordinance.

I (we) certify that all of the above statement and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief. I (we) consent to the entry in or upon the premises described in this application by any authorized official of the City of Lodi for the purpose of securing information posting, maintaining and removing such notices as may be required by law

Applicant Signature: [Signature] Date: 5/1/2021

Owner Signature: [Signature] Date: 5/1/2021

For Staff Use Only	
Date Received: <u>5-5-2021</u>	Fee Paid? <u>\$800⁰⁰</u> ck # <u>3880</u>
Public Hearing Date:	Public Hearing Publication Dates:
Date Public Hearing Notices Mailed to Adjoining Property Owners:	
ZBA Decision: <input type="checkbox"/> Denied <input type="checkbox"/> Approved Subject to:	



115 Water st
Lodi, WI 53555-1251



BIRRENKOTT SURVEYING, INC.

P.O. Box 237
1677 N. Bristol Street
Sun Prairie, WI. 53590
Phone (608) 837-7463
Fax (608) 837-1081

PLAT OF SURVEY

SURVEYOR'S CERTIFICATE:

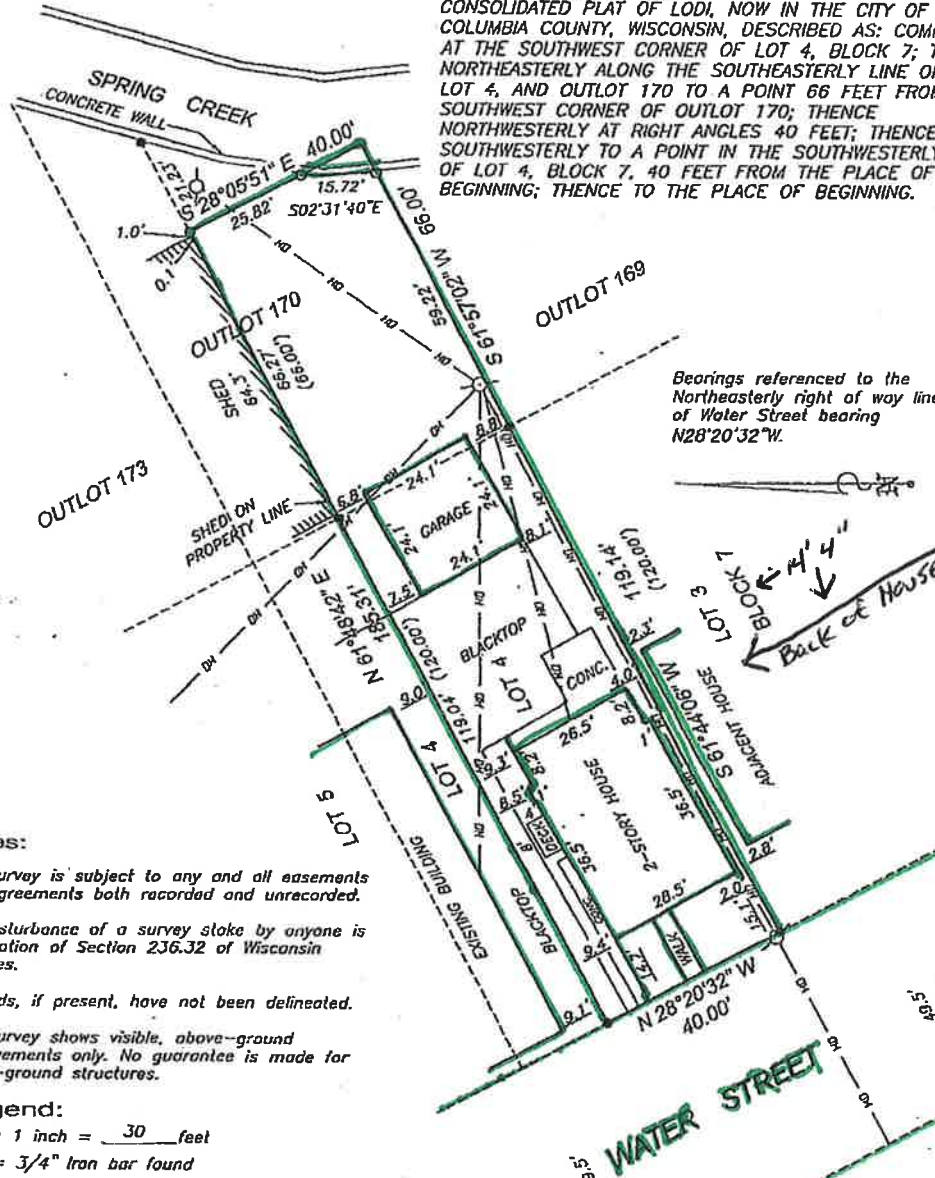
I, Richard L. Meinert, hereby certify that this survey is in compliance of Wisconsin Administrative Code. I also certify that I have surveyed and mapped the lands described hereon and that the map is a correct representation in accordance with the information provided.

Richard L. Meinert 5/25/07

Richard L. Meinert
Wisconsin Registered Land Surveyor No. S-1396.

Description:

PART OF LOT FOUR (4) IN BLOCK SEVEN (7), LODI ADDITION NO. 1 AND PART OF OUTLOT 170 OF THE REVISED AND CONSOLIDATED PLAT OF LODI, NOW IN THE CITY OF LODI, COLUMBIA COUNTY, WISCONSIN, DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 4, BLOCK 7; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 4, AND OUTLOT 170 TO A POINT 66 FEET FROM THE SOUTHWEST CORNER OF OUTLOT 170; THENCE NORTHWESTERLY AT RIGHT ANGLES 40 FEET; THENCE SOUTHWESTERLY TO A POINT IN THE SOUTHWESTERLY LINE OF LOT 4, BLOCK 7, 40 FEET FROM THE PLACE OF BEGINNING; THENCE TO THE PLACE OF BEGINNING.



14' 4" Back of Adjacent House on Lot 3 Previous Addition has been Removed since 5/25/07

Notes:

This survey is subject to any and all easements and agreements both recorded and unrecorded.

The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes.

Wetlands, if present, have not been delineated.

This survey shows visible, above-ground improvements only. No guarantee is made for below-ground structures.

Legend:

Scale: 1 inch = 30 feet

- = 3/4" Iron bar found
- = 1"x24" Iron pipe set min. wt. = 1.13#/in. ft.
- ⊕ = Power pole
- () = Recorded as data
- ow — = Overhead utilities

Dated: 5/25/07
Surveyed: TAS
Drawn: RLH
Checked: MAP
Approved: D.V.B.
Field book:
Comp. File: J/2000/000180
Office Map No. 070359



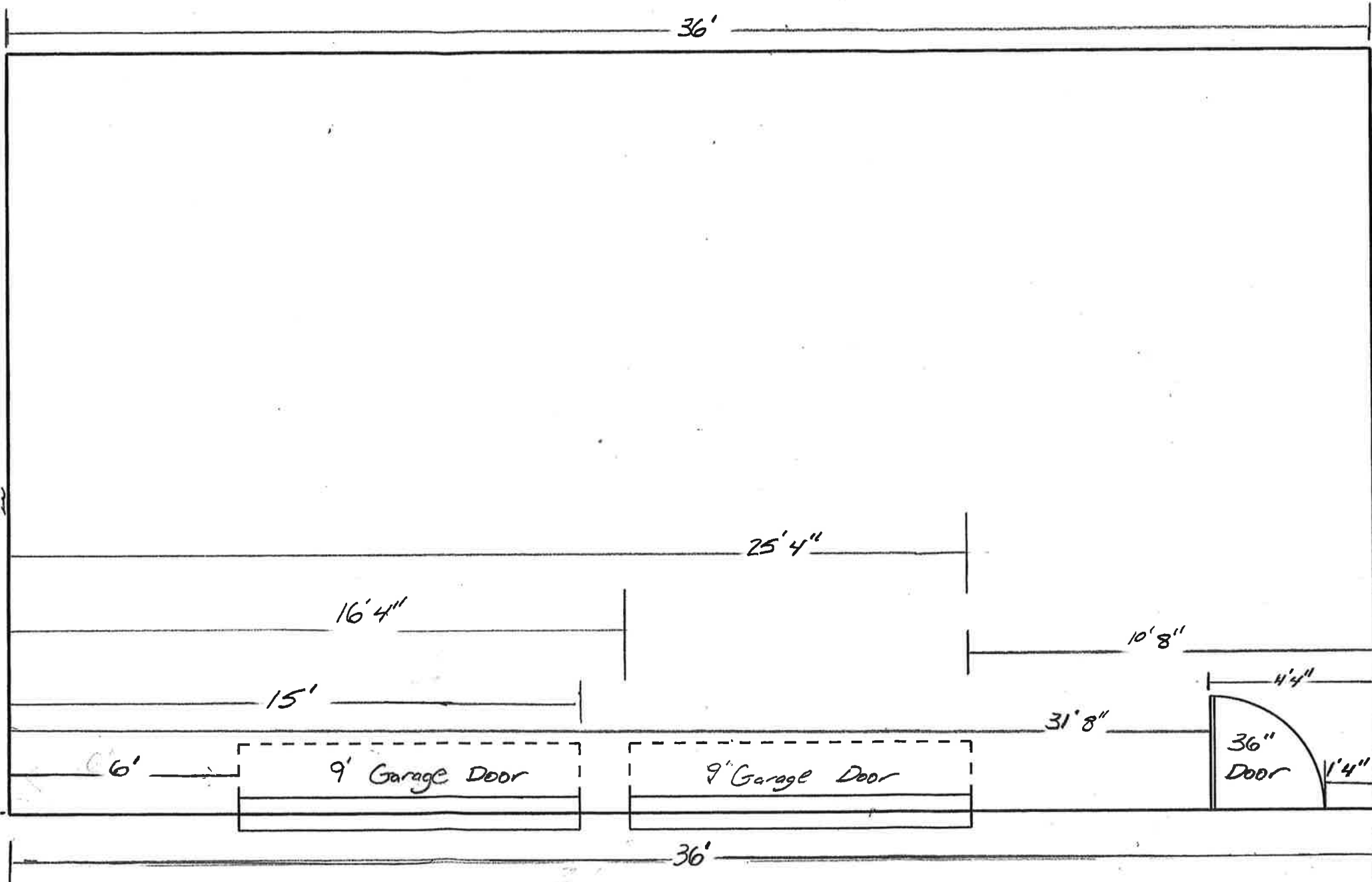
Surveyed For:

Wayne Sayles
2980 Arapaho Drive
Madison, WI 53719
(417) 499-9831

8"X8"X16"
Concrete Blocks

115 Water St Lad, WI 53555

36'X20' Attached Garage





2' from
lot line

3' from
lot line



2'

3'

Back wall of
garage 3' from lot
line

Jeffrey M. Mayer

Attorney at Law

Mayer Law Office
113 S. Main St., Ste. 103
Lodi, WI 53555
(608) 592-3603
mlolaw@verizon.net

LETTER OF PERMISSION
(Letter is not a granting of an easement)

May 29, 2007

Stark Company Realtors
Attn: Melissa Bjerke
2980 Arapaho Dr.
Madison, WI 53719

Re: Use of property between 115 Water St. and 139 Lodi St. in Lodi, WI

Dear Ms. Bjerke:

At the request of Dean and Stephanie Bloedorn, I am writing this "letter of permission" to assist in the sale of the property 115 Water St., Lodi, WI. The permission granted in this letter is contingent upon either the buyers or sellers paying the attorney fees associated with the drafting of this letter. The attorney fees presently total \$470.

The letter is in 4 parts: (1) Describing the specific property involved, (2) Describing what permission is being given and the conditions under which it is being given, (3) Describing under what conditions permission may be withdrawn, and (4) Describing what the letter is not.

First, the property involved is the following:

- (1) Lots 4, 5, and 6 of Block 7, Lodi Addition No. 1 in the Village (now City) of Lodi, **except** the southerly 40 feet of uniform width of Lot 4, Columbia County, Wisconsin, and
- (2) The property for which permission as set out below is being granted involves a 3 foot strip of property running along the property line between the present addresses of 115 Water St. and 139 Lodi St. in Lodi, WI. The specific property is a 3 foot strip running from the property line to 3 feet north of said property line and 70 feet east starting at the easterly edge of the sidewalk on the east side of Water St. serving the said addresses.

Secondly, Dean and Stephanie Bloedorn are granting permission to the residents of 115 Water St. to use the property as follows and under the following conditions:

- (1) To improve the property at their own expense for the purpose of using it as a driveway, but any such improvements must be approved by Dean and Stephanie Bloedorn prior to the improvements being made;
- (2) To maintain the property at their own expense for the purpose of using it as a driveway;
- (3) To drive motor vehicles on the property for the purpose of using the property as a driveway for 115 Water St.; and
- (4) The owners of 115 Water St. agree to indemnify and hold harmless Dean and Stephanie Bloedorn from any and all claims, demands, actions and rights of action of whatever kind or nature arising out of the use of the property as a driveway, and agree to indemnify Dean and Stephanie Bloedorn for all costs and attorneys' fees incurred by them in defense of any such claims, demands, actions and rights of action of whatever kind or nature.

Thirdly, Dean and Stephanie Bloedorn will not withdraw their permission to use their property as stated in this letter as long as:

- (1) 115 Water St. is used as a single family, owner occupied, residential home, and
- (2) The lines set out above are adhered to by the users of the driveway.

If these conditions are not met, Dean and Stephanie Bloedorn may withdraw permission set out in this letter. The decision not to withdraw permission shall not be evidence that the property is being used adversely, and the decision not to withdraw permission shall not constitute a waiver of Dean and Stephanie Bloedorn's ability to withdraw permission as set out in this letter.

Finally, by granting the owners of 115 Water St. permission to use the property in this manner, Dean and Stephanie Bloedorn are **not** doing the following:

- (1) Admitting that the property was being used in this manner by the residents and owners of 115 Water St. prior to this time,
- (2) Granting an easement,
- (3) Granting permission that "runs" with the properties or any successive owners,
- (4) Granting permission for this letter to be filed with the county or state,
- (5) Entering into a contract with the residents or owners of 115 W. Water St.
- (6) Providing any legal basis for the residents or owners of 115 W. Water St. to sue Dean and Stephanie Bloedorn with this letter of permission -- for example, this letter of permission does not provide the residents or owners of 115 Water St. a basis on which to argue detrimental reliance.

Sincerely,

Jeffrey M. Mayer

Dated _____

Dean Bloedorn

Dated _____

Stephanie Bloedorn

May 14, 2021

To Whom it May Concern,

My name is Ray Mejia. My family owns the property located at 121 Water St. Lodi. We support the plans for my neighbors Bonnie and Jeremy Johnsons' garage addition and support their request for a variance related to proximity to the lot line.

If you have any questions I can be reached at the contact numbers below.

Sincerely,

Raymond G. Mejia
121 Water St. Lodi
(608) 712-0287
Raymond.mejia@dwd.wisconsin.gov