

**Village of Colfax
Zoning Board of Appeals
Meeting Agenda
Tuesday, March 30, 2021
6:00 p.m.
Colfax Rescue Squad, 614C Railroad Ave., Colfax, WI**

1. Call to order
2. Roll call
3. Public appearances
4. Open Public Hearing – Variance Request for 803 University Avenue
 - a. Request for a variance to install chain link fence in back yard
5. Public Comments
6. Close Public Hearing
7. Discussion of public comments and consideration of variance request
 - a. Approval or denial to allow chain link fence in back yard
8. Adjourn

Any person who has a qualifying disability as defined by the American With Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format must contact: Lynn Niggemann, Village Administrator-Clerk-Treasurer, 613 Main Street, Colfax, WI (715) 962.3311 by 2:00 p.m. the Friday prior to the meeting so that any necessary arrangements can be made to accommodate each request.

It is possible that members of and possibly a quorum of members of the governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

Village of Colfax

Box 417 - Colfax, Wisconsin 54730 - Phone 715-962-3311

Scott A. Gunnufson, President
Lynn M. Niggemann, Administrator-Clerk-Treasurer

APPLICATION FOR VARIANCE FROM THE ZONING CODE

Date: 3/17/2021

Name: Casey Peterson

Address: 803 University Avenue, Colfax, WI 54730

Phone: 715-308-3456

PROPERTY OWNER IF DIFFERENT THAN ABOVE:

Location of property for which you are requesting a variance (attach Map):

803 University Avenue, Colfax, WI 54730

EXACT LEGAL DESCRIPTION OF PROPERTY:

803 University Avenue, Colfax, WI 54730

CURRENT ZONING: r-1

PROPOSED VARIANCE: Chain link fence to be installed in back yard of 803 University Avenue.

PROPOSED USE OF PROPERTY (ATTACH SITE PLAN):

Chain link fence running from the NW corner of the house to the NW corner of the lot and the NE corner of the garage to the NE corner of the lot.

NONREFUNDABLE FEE: \$25.00

RECEIPT # _____

TO VILLAGE BOARD: _____

TO ZONING BOARD OF APPEALS: X

PUBLICATION DATES: _____


Applicant's Signature

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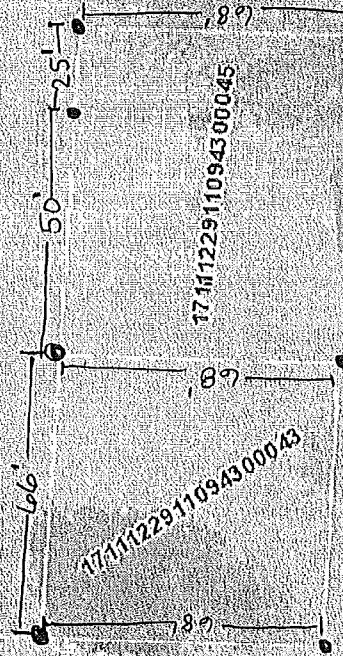
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Carsay Peterson

Krista
Roberts

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he did find the
• Irons.



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

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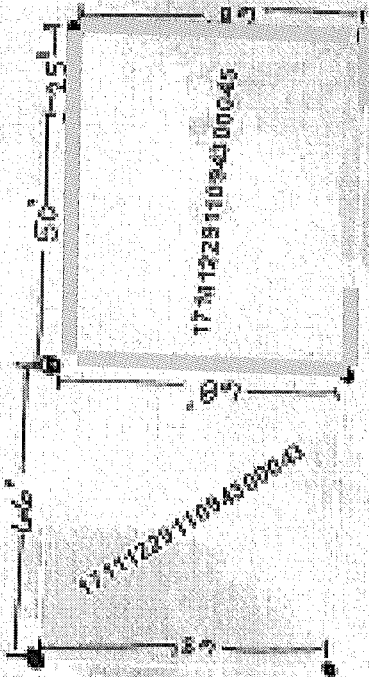
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Casey Peterson

KRISH
Roberts



X

X

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Pand did not locate
the X items, but
he did find the
■ Irons.



Scale: 1 inch = 50 feet
This map is not guaranteed to be
accurate. Errors may occur. Use the responsibility of the
user.

ARTICLE K

Accessory Uses and Structures; Fences

SEC. 13-1-140 ACCESSORY USES OR STRUCTURES.

- (a) **Principal Use to be Present.** An accessory use or structure in any zoning district shall not be established prior to the principal use or structure being present or under construction. Any accessory use or structure shall conform to the applicable regulations of the district in which it is located, except as specifically otherwise provided.
- (b) **Placement Restrictions.** Residential accessory buildings which are not a part of the main building shall comply with the following height and setback requirements. They are not permitted in the front yard. Accessory buildings and structures such as storage buildings, garages, swimming pools, heating-air conditioning equipment and wind and solar energy conversion equipment, provided such buildings, structures or equipment are permitted as follows:
 - (1) In the aggregate, shall not occupy more than thirty-five percent (35%) of any required rear yard areas.
 - (2) Shall be located no closer than three (3) feet from any part of any other building or structure.
 - (3) Shall comply with all applicable Village setback requirements for principal structures.
- (c) **Use Restrictions - Residential District.** Accessory uses or structures in residential districts shall not involve the conduct of any business, trade or industry except for home occupations as defined herein and shall not be occupied as a dwelling unit.
- (d) **Placement Restrictions - Nonresidential Districts.** An accessory use or structure in a business or manufacturing district may be established in the rear yard or side yard and shall not be nearer than three (3) feet to any side or rear lot line.
- (e) **Reversed Corner Lots.** When an accessory structure is located on the rear of a reversed corner lot, it shall not be located beyond the front yard required on the adjacent interior lot to the rear, nor nearer than three (3) feet to the side line of the adjacent structure.
- (f) **Landscaping and Decorative Uses.** Accessory structures and vegetation used for landscaping and decorating may be placed in any required yard area. Permitted structures and vegetation include flag poles, ornamental light standards, lawn furniture, sun dials, bird baths, trees, shrubs and flowers and gardens.
- (g) **Temporary Uses.** Temporary accessory uses such as real estate sale field offices or shelters for materials and equipment being used in the construction of the permanent structure may be permitted by the Zoning Administrator.
- (h) **Garages in Embankments in Front Yards.** Where the mean natural grade of a front yard is more than eight (8) feet above the curb level, a private garage may be erected within the front yard, provided as follows:
 - (1) That such private garage shall be located not less than five (5) feet from the front lot line;
 - (2) That the floor level of such private garage shall be not more than one (1) foot above the curb level; and
 - (3) That at least one-half (1/2) the height of such private garage shall be below the mean grade of the front yard.

(4) **Picket Fence.** A fence having a pointed post, stake, pale or peg laced vertically with the point or sharp part pointing upward to form a part of the fence.

(c) **Height of Fences Regulated.**

(1) A fence or wall may be erected, placed or maintained along a lot line on residentially zoned property or adjacent thereto to a height not exceeding six (6) feet above the ground level and be no closer than three (3) feet to a public right-of-way, except that no such fence or wall which is located in a required front or corner side yard shall exceed a height of three (3) feet. Where such lot line is adjacent to a non-residentially zoned property, there shall be an eight (8) foot limit on the height of a fence or wall along such lot line.

(2) No fence or wall shall be erected, placed or maintained along a lot line on any non-residentially zoned property, adjacent to a residentially zoned property, to a height exceeding eight (8) feet.

(3) No woven, twisted, welded or **interlaced wire** fence shall be located in a Residential District, unless such fencing is ornamental in character.

(4) No wood-slat snow fence shall be permitted in a Residential District.

(d) **Setback for Residential Fences.** New fences adjacent to a residential property are permitted adjacent lot lines. Fences may be constructed alongside lot lines but shall not extend into the front setback area as extended to the side lot lines. Fence owners are solely responsible for erecting their fence within their legal property boundaries.

(e) **Security Fences.** Security fences are permitted on the property lines in all districts except residential districts, but shall not exceed ten (10) feet in height and shall be of an open type similar to woven wire or wrought iron fencing.

(f) **Prohibited Fences.** No fence shall be constructed which is a picket fence or which is of an otherwise dangerous condition, or which conducts electricity or is designed to electrically shock or which uses barbed wire, provided, however, that barbed wire may be used in industrially zoned areas if the devices securing the barbed wire to the fence are ten (10) feet above the ground or height and project toward the fenced property and away from any public area.

(g) **Fences to be Repaired.** All fences shall be maintained and kept safe and in a state of good repair, and the finished side or decorative side of a fence shall face adjoining property.

(h) **Temporary Fences.** Fences erected for the protection of planting or to warn of construction hazard, or for similar purposes, shall be clearly visible or marked with colored streamers or other such warning devices at four (4) foot intervals. Such fences shall comply with the setback requirements set forth in this Section. The issuance of a permit shall not be necessary for temporary fences as described herein, but said fences shall not be erected for more than forty-five (45) days.

(i) **Nonconforming Fences.** Any fence existing on the effective date of this Municipal Code and not in conformance with this Section may be maintained, but no alteration, modification or improvement of said fence shall comply with this Section.

SEC. 13-1-143 SWIMMING POOLS.

(a) **Definition.** A private or residential swimming pool is an outdoor structure containing a body of water in a receptacle or other container having a depth for water at any point greater than one and one-half (1-1/2) feet located above or below the surface of ground elevation, used or intended to be used solely by the

List of property owners that received public hearing notice

	Property	Mail	
Kristy Roberts	801 University Ave	PO Box 324	Colfax, WI 54730
Bethany Lutheran Church	805 University Ave	805 University Ave	Colfax, WI 54730
Alan & Donna Johnson	710 Amble St	710 Amble St	Colfax, WI 54730
Trinity & Leslie Moen	809 University Ave		
Scott Gunnufson	804 University Ave	503 Fifth Ave	Colfax, WI 54730
Northwest LLC	806 Univesity Ave	N5038 County Road K	Fond Du Lac, WI 54937

Kristy Roberts and Scott Gunnufson have called and indicated that they do not have any concerns with a Casey Peterson installing a chain link fence.

Notice of Public Hearing

Village of Colfax, Dunn County

Notice is hereby given that the Board of Zoning Appeals of the Village of Colfax, Dunn County, Wisconsin will hold a public hearing at **6:00 p.m.** on **March 30, 2021** at the Colfax Rescue Squad, 614C Railroad Avenue, Colfax, WI to take public comment on the following:

Public Hearing is to review the variance request to install chain link fence around the back yard of 803 University Avenue.

A copy of the site plan proposal can be reviewed at the Village Hall, 613 Main Street.

Published:
March 24th, 2021

Lynn M. Niggemann
Administrator-Clerk-Treasurer
Village of Colfax