



Mineral Point, Wisconsin

# CITY OF MINERAL POINT

137 HIGH STREET, SUITE 1

MINERAL POINT, WI 53565

608-987-2361

## AGENDA

### CITY OF MINERAL POINT EXTRATERRITORIAL ZONING BOARD OF APPEALS MEETING

**Monday, March 31, 2025, 4:30 PM**

**City Hall Community Room**

1. Call to Order, Roll Call, and Confirmation of Compliance with the Open Meetings Law.
2. Approval of May 6, 2021 minutes.
3. Public Hearing – Request of Jacob and Tricia Johnson, for property located in the NW ¼ of the NE ¼ of Section 20, Township 5 North, Range 3, for a variance from Section 20.02(4)(c)(6)(d) of the Municipal Code pertaining to lot frontage requirements. The applicant proposes utilizing a driveway easement in place of public street frontage. **Action:** Open public hearing/hear testimony/close public hearing.
4. Consideration of the – Request of Jacob and Tricia Johnson, for property located in the NW ¼ of the NE ¼ of Section 20, Township 5 North, Range 3, for a variance from Section 20.02(4)(c)(6)(d) of the Municipal Code pertaining to lot frontage requirements. The applicant proposes utilizing a driveway easement in place of public street frontage. **Action:** Approval or deny the requested variance.
5. Adjourn.

Agenda Posted and Distributed: Monday, March 17, 2025

*Reasonable accommodations for participation in this meeting by persons with disabilities, as defined by the Americans with Disabilities Act, will be made upon request and if feasible. Please contact the City Clerk's office (608-987-2361) at least 24 hours prior to the scheduled meeting so that necessary accommodations can be provided.*

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## OFFICE OF THE CITY CLERK-TREASURER

Mayor – Danny Clark

City Administrator | Matthew Honer | [administrator@cityofmineralpointwi.gov](mailto:administrator@cityofmineralpointwi.gov)

City Clerk-Treasurer | Christy Skelding | [cityclerk@cityofmineralpointwi.gov](mailto:cityclerk@cityofmineralpointwi.gov)

**CITY OF MINERAL POINT EXTRATERRITORIAL ZONING BOARD OF APPEALS**  
**MAY 6, 2021 PUBLIC HEARING AND MEETING MINUTES**  
**HELD AT THE MINERAL POINT CITY HALL & VIRTUALLY**  
**137 HIGH STREET, SUITE 1**

**1. Call to Order/Roll Call**

The meeting was called to order by Committee Chair Gerald Galle at 6:02 PM.

Present: Greg Eckels (City), Everett Lindsey (Town), Gerald Galle (Chair), and Kyle Carey (Town)

Also Present: Mike Fenley, Zoning Administrator, Candice Coughlin, City Clerk/Treasurer, and applicant Gary McKeon

Absent: Kenneth Wallace (City)

Clerk Coughlin attested to proper proof of posting and the Class 2 publication of the notice.

**2. Public Hearing to Consider a Variance Request from Greg McKeon, 3930 Jackson Street, Parcel #018-0648.004, to Build a Detached Garage in Locations Different than the Ordinance**

**Allows** – Chair Galle opened the Public Hearing at 6:03 PM. Applicant Gary McKeon stated that he would like to erect a garage in the front yard of his property located at 3930 Jackson Street. The proposed structure would be about 30' X 32' in size, with a roof pitch of 6/12. McKeon stated that he had been in communication with Ted Tuttle (neighbor to the west), Neil Wenger (neighbor to the south), and Bob Steffes (neighbor to the southwest). McKeon estimates the distance to the west property line to be 10' from the northwest corner of the proposed structure and 20' to the southwest corner. Administrator Fenley reported that according to attorney Brownlee, mailed notices were not required in this circumstance within the ETZ.

*Everett Lindsey moved to close the Public Hearing at 6:12 PM; 2<sup>nd</sup> by Kyle Carey. The motion carried 4-0.*

**3. Discussion and Possible Action on Variance Request for Greg McKeon, 3930 Jackson Street, to Build a Detached Garage in Locations Different than the Ordinance**

**Allows** – Administrator Fenley explained that accessory buildings are prohibited in the front yard for City properties, but not for those properties within the ETZ areas. The variance request, therefore, is to build an accessory building nearer than 30' to the front yard lot line setback. Fenley referred those in attendance to a draft Findings, Conclusions, Decision and Order prosed by attorney Brownlee as adapted to City use by the Deputy Clerk/Treasurer. He noted that this body needs to determine whether there is a demonstrated hardship that is created by the setback standard within the R-1 zoning and not an inconvenience or preference of the applicant that does not represent a hardship created by the zoning standard.

The current access to Jackson Street is by a private share driveway access. Although there is room for an accessory building in the rear yard, there is not the ability to access it, according to the applicant. The applicant made those in attendance aware of the location of the well and septic field. Fenley stated that he cannot offer an opinion, only the facts; the members must weigh those facts to determine whether the applicant cannot use the property for their intended purpose due to the standards within this zoning district as discussed above. There followed a brief exchange about shifting the proposed location north or east; none of those changes the need for a variance from the front lot setback standard for a building of this proposed size.

*Greg Eckels moved to approve the proposed variance to allow the construction of the proposed accessory structure nearer the front lot line than allowed within this zoning district based upon the hardship created by the configuration of the lot which is restricted by the location of the septic field that prevents rear lot access; 2<sup>nd</sup> by Everett Lindsey. Roll call vote: Eckels: aye; Everett: aye; Carey: aye; and Galle: aye. The motion carried 4-0.*

**4. Adjourn**

*Greg Eckels moved to adjourn at 6:31 PM; 2<sup>nd</sup> by Everett Lindsey. The motion carried 4-0.*

Approved:

Transcribed by John Wright, Deputy Clerk/Treasurer



# City of Mineral Point

Mineral Point, Wisconsin

137 HIGH STREET, SUITE 1  
MINERAL POINT, WI 53565  
608-987-2361

## NOTICE OF PUBLIC HEARING

### CITY OF MINERAL POINT EXTRA-TERRITORIAL ZONING COMMISSION BOARD OF APPEALS

Monday, March 31, 4:30 p.m.

City Hall – Community Room

NOTICE IS HEREBY GIVEN that the Mineral Point Extra Territorial Zone Board of Appeals will meet at the place, date, and time indicated above to consider the request of Jacob and Tricia Johnson, for property located in the NW ¼ of the NE ¼ of Section 20, Township 5 North, Range 3, for a variance from Section 20.02(4)(c)(6)(d) of the Municipal Code pertaining to lot frontage requirements. The applicant proposes utilizing a driveway easement in place of public street frontage.

All interested persons, their agents, or representatives may appear at said hearing and address the Board of Appeals regarding this variance request.

Published: March 20, 2025

Christy Skelding  
City Clerk/Treasurer

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Mineral Point, Wisconsin

3/31/2025

TOPIC: Request of Jacob and Tricia Johnson, for property located in the NW ¼ of the NE ¼ of Section 20, Township 5 North, Range 3, for a variance from Section 20.02(4)(c)(6)(d) of the Municipal Code pertaining to lot frontage requirements. The applicant proposes utilizing a driveway easement in place of public street frontage.

<input checked="" type="checkbox"/> New Business <input type="checkbox"/> Unfinished Business <input type="checkbox"/> Reports <input type="checkbox"/> Closed Session <input type="checkbox"/> Ordinance/Resolution	Meeting: Extraterritorial Zoning Board of Appeals
Department Reporting: Administration	Submitted by: Matthew Honer
<b>Request:</b> The applicant seeks to create four parcels without public road frontage.	
<b>BACKGROUND:</b> The applicant is requesting an Area Variance to provide relief from the restriction on required street frontage.	
<b>ANALYSIS:</b> <ol style="list-style-type: none"><li><b>The variance is not contrary to the public interest and such variance will be in general harmony with the purposes and intent of the Zoning Code. <u>Found.</u> There appears to be nothing in this request that is contrary to the public interest.</b></li><li><b>The variance will not permit the establishment of use that is not permitted or permissible in the district. <u>Found.</u> The variance does not create intentionally, or otherwise, an unpermitted use.</b></li><li><b>Special conditions and circumstances exist that are peculiar to the land, structures, or buildings involved and which do not apply to other lands, structures, or buildings in the same district. <u>Not Found.</u> The subdivision of the land has created parcels without reasonable access. The subdivision of land has created the issue and not the conditions of the land.</b></li><li><b>The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. <u>Found.</u> This variance is not uncommon within the City and the ETZ district. Additionally, other communities have moved past the required frontage. While the intention of the code is clearly concerning the need for emergency vehicle access and land access, the use of easements have been found to accomplish this.</b></li><li><b>The hardship is not shared generally by other land or buildings in the area. <u>Not Found.</u> The subdivision of the land has created parcels without reasonable access. The subdivision of land has created the issue and not the conditions of the land.</b></li><li><b>The hardship results from the strict interpretation of this ordinance and is not the result of self-created or self-imposed circumstances. <u>Not Found.</u> The subdivision of the land has created parcels without reasonable access. The subdivision of land has created the issue and not the conditions of the land.</b></li></ol>	
<b>RECOMMENDATION:</b> Staff recommends approval. Ultimately, there could arise a situation where the intent and literal interpretation of the zoning code would create a situation where a residential parcel should be required to have public road frontage, but in previous variance requests, this has not occurred. This is an aspect of the zoning code that should likely be changed. This is a clear situation where the intent of the zoning code can be met with an easement and the literal interpretation is unnecessarily burdensome.	



# CITY OF MINERAL POINT

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## Planning and Zoning Application

Municipality (Check One):  City of Mineral Point  Town of Mineral Point(ETZ)

Property Address:

Parcel #:

Lot Size:

**Property Owner:**

Name: Jacob & Tricia Johnson Name:

Address: 815 Ridge Street Address:

Mineral Point, WI 53565

Phone: 608-499-8418 Phone:

Email: JSSJohnson107@ Email:

**Agent:**

Yahoo.com

**Action Requested:**

**Administrative Review:**

	<u>Fee:</u>
<input type="checkbox"/> New Build 1 & 2 Family Residential:	\$100
<input type="checkbox"/> Residential Additions:	\$75
<input type="checkbox"/> Accessory Structure:	\$50
<input type="checkbox"/> Commercial Zoning:	\$150
<input type="checkbox"/> Commercial Signage:	\$50
<input type="checkbox"/> Driveway:	\$50

**Planning Approval\*:**

<input checked="" type="checkbox"/> Certified Survey Map (CSM):	<u>Fee:</u> \$300
<input type="checkbox"/> Conditional Use Permit:	\$400
<input type="checkbox"/> Zoning Change Request:	\$500
<input checked="" type="checkbox"/> Variance Request:	\$500
<input type="checkbox"/> Plat Review:	\$300
<input type="checkbox"/> Commercial Site Plan Review:	Engineering Expense + 10%
<input type="checkbox"/> Land Use Planning:	\$3,000

\* Planning Approval Items require review and approval by the Plan Commission, the Board of Appeals, and/or the City Council.

**Instructions:**

1. All Zoning Permits Applications require a description of the project and a preliminary site plan map. The Zoning administrator may request additional items. Permit approval is subject to having the necessary information.
2. Certified Survey Maps and Zoning Changes require a Plat of Survey or preliminary CSM.
3. Variance Requests must be accompanied by the applicant's written statement explaining: 1) Why complying with the ordinance results in unnecessary hardship, (2) evidence the hardship is due to the unique conditions of the property, and (3) demonstrate the variance will not harm the public interest.



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## Project Description and Reason for Request:

- We are requesting approval of our 4-lot CSM
- We are also requesting approval of a variance that will allow our lots to abut the road easement, in lieu of public road frontage. Written statement attached.

## Attachments:

- Preliminary CSM
- Variance request written statement

## Applicant Signatures:

Jacob Johnson, Jacob Johnson, 2/20/2025

Signature, Printed Name, Date

Julia Johnson, Julia Johnson, 2/20/2025

Signature, Printed Name, Date

Date Received:

3-10-25

Fee Collected:

\$800.00

Dear Board Members,

The four property lots described on our CSM will be abutting an irrevocable easement of ingress and egress that abuts a public street (E. Barreltown). This 66 ft wide easement has the sole purpose of providing the four lots access to E. Barreltown Road via a private road that will be constructed. Because the lots technically abut the access easement and not a public road, we are requesting a variance to allow all four parcels to be created without direct public road frontage. Allowing the lots to abut the easement, in lieu of the frontage road.

Due to our lands challenging terrain, there is limited space in which homes can actually be built. The buildable space is limited to several acres located on the hilltop on the east side of the wooded ravine. The remainder of the land is wooded ravines, drastic slopes, a creek, etc., with little to no buildable space. The safest and most efficient way to access this buildable space on the east side of the ravine is via the access easement we have proposed on our CSM. We spent almost a year exhausting alternative options to access this site as well as exhausting options to build in other locations on the property. We consulted with the previous landowners, road & home builders, surveyors, etc. as we carefully examined every possible option. Our four lots, as proposed in the CSM, make the best use of the buildable space allowed by our land and the road/access easement coming from E. Barreltown as listed on the CSM provides the most direct, shortest, flattest, and safest route by a long shot. Every other route we examined required a much longer route across creeks, deep ravines, multiple slopes, and other rough terrain. Even if we found a way to manage the financial hardship of this or having to disrupt the woods and other natural beauty of the land, these routes would provide a hardship in terms of accessibility for emergency vehicles such as EMS and Fire, as well as school buses. In bad weather conditions, this would only prove to be more difficult. Previous owners of the land discovered this and ultimately sold it as they found it to be both financially and physically too challenging based on the prior access roads that were not feasible options. The proposed easement provides a viable option with the shortest, most direct, and flattest access route from E. Barreltown Road to the lot locations, which is why we are coming to you with our variance request. Essentially, due to the unique conditions of our land and the hardships noted above, the land will be unusable to us without the requested variance.

Thank you for your consideration,

Jacob and Tricia Johnson

## PRELIMINARY #10

3/7/2025

IOWA COUNTY CERTIFIED SURVEY MAP #

Being part of the NW 1/4 of the NE 1/4 of Section 20, T5N, R3E, Town of Mineral Point, Iowa County, Wisconsin

**LEGEND:**

- ⊕ REFERENCE POINT, NO MONUMENT SET
- ⊖ 3/4" X 18" X 1.5LB./LF.  
REBAR SET
- ▲ 3/4" REBAR FOUND
- ✖ SECTION CORNER  
(MONUMENT AND ALL TIES FOUND)
- ( ) RECORDED AS
- X — EXISTING FENCeline [FL.]

BEARINGS ARE REFERENCED  
TO THE NORTH LINE OF THE  
NE 1/4 OF SECTION 20,  
TSN, R3E WHICH BEARS  
S 89°49'55" E BASED ON  
THE WISCONSIN COUNTY  
COORDINATE SYSTEM, IOWA  
COUNTY ZONE, NAD83(2011)

SCALE: 1" = 200'

NE CORNER  
SECTION 20, T5N, R3E  
1-1/4" IRON PIPE FOUND

CENTERLINE OF UNNAMED STREAM  
SHOWN AS NAVIGABLE BY DNR  
SHOWN AS NON-NAVIGABLE  
INTERMITTENT BY BRIDGEFIELD PLAT

571 KEEGAN FOUNDRY  
**HALVERSON LAND  
SURVEYING**

6381 COON ROCK ROAD  
ARENA, WI 53503  
(608) 753-2498

FOR: JACOB & TRICIA JOHNSON  
815 RIDGE STREET  
MINERAL POINT WI 53565

SHEET 1 OF 3  
JOB ID: 24030310  
FIELD: 10006 - GRANITE DELL A-12-2008

PRELIMINARY #10 3/7/2025

IOWA COUNTY CERTIFIED SURVEY MAP #

Being part of the NW 1/4 of the NE 1/4 of Section 20, T5N, R3E, Town of Mineral Point, Iowa County, Wisconsin

**SURVEYOR'S CERTIFICATE:**

I, JOHN M. HALVERSON, professional land surveyor, hereby certify:  
THAT under the direction of Jacob Johnson, I have surveyed, divided and mapped the following described parcel  
of land:

Being part of the NW 1/4 of the NE 1/4 of Section 20, T5N, R3E, Town of Mineral Point, Iowa County, Wisconsin, to wit:

BEGINNING at the N 1/4 corner of said Section 20;  
thence S 89°49'55" E, 1329.87' along the north line of the NW 1/4 of the NE 1/4;  
thence S 1°05'26" E, 836.39' along the east line of the NW 1/4 of the NE 1/4 to a meander point lying  
thence N 1°05'26" W, 65' more or less from the centerline thread of an unnamed stream, also to the  
beginning of a traverse along a meander line of said stream;  
thence N 78°16'13" W, 281.56';  
thence S 50°38'48" W, 306.74';  
thence S 71°38'23" W, 411.14';  
thence N 89°09'51" W, 420.25';

thence N 36 09 51' W, 420.25',  
to a meander point lying thence N 110'14" W, 48' more or less from the centerline thread of said stream,  
also to the end of said meander line traverse;  
thence N 110'14" W, 1101.01' along the west line of the NW 1/4 of the NE 1/4 to the POINT OF BEGINNING;  
meander area containing 1,306,056 square feet or 29.98 acres, more or less;  
intending to include the area between said meander line and the centerline thread of unnamed stream,  
said area totaling 1,433,412 square feet or 32.91 acres, more or less.  
Parcel is subject to any easements of record and/or usage.

THAT the description and plat is a correct representation of all exterior boundaries of the land surveyed and the division thereof made. That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes in surveying, dividing and mapping of the same and that the survey is correct to the best of my knowledge and belief.

JOHN M. HALVERSON, S-1318 Date

ZONE AR-1 SINGLE FAMILY [LOT 1-4]  
WITHOUT PUBLIC WATER & SEWER

- (a) Lot Width: Minimum 100'
- (b) Lot Area: Min. 1 acre, 39,99 max
- (c) Building Height, Residence: 50' max.
- (d) Building Height, Accessory: 30'
- (e) Street Yard setback: Min. 50'
- (f) Rear Yard setback: Min. 40'
- (g) Side Yard setback: Min. 10'  
or height of building, whichever is greater

Owners:  
Jacob and Tricia Johnson - Lot 4  
815 Ridge Street, Mineral Point, WI 53565

Ryan and Shara Cook - Lot 3  
14454 Thrush street NW, Andover, MN 55304

Doug and Vanessa Wellens - Lot 2  
1858 Crown Drive, Oshkosh, WI 54904

Scott and Andrea Heckel -- Lot 1  
21282 Ilavista Way, Lakeville, MN 55044

**CITY OF MINERAL POINT**

**CITY OF MINERAL POINT**

The City of Mineral Point hereby accepts this CSM  
for recording.

Christy Skelding, Clerk/Treasurer Date \_\_\_\_\_

**CERTIFICATE OF IOWA CO.  
REGISTER OF DEEDS**

Received for recording this \_\_\_\_ day of  
\_\_\_\_\_, 2025 at \_\_\_\_ o'clock \_\_\_\_M, and  
recorded in Volume \_\_\_\_ of Certified Survey  
Maps, on Page(s) \_\_\_\_\_.  
  


APPROVED FOR RECORDING BY IOWA COUNTY  
OFFICE OF PLANNING AND DEVELOPMENT

SCOTT GODFREY - DIRECTOR

TAYLOR J CAMPBELL, IOWA CO. REGISTER OF DEEDS

HALVERSON LAND SURVEYING 6381 COON ROCK ROAD  
ARENA, WI 53503 (608) 753-2498

FOR: JACOB & TRICIA JOHNSON  
815 RIDGE STREET  
MINERAL POINT WI. 53565

SHEET 3 OF 3  
JOB ID: 2403031C  
FIELD WORK COMPLETED 3/17/2028