



CITY OF MINERAL POINT

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

AGENDA

CITY OF MINERAL POINT BOARD OF APPEALS MEETING

Thursday, September 24, 2026, 5:00 PM
City Hall Community Room

1. Call to Order, Roll Call, and Confirmation of Compliance with the Open Meetings Law.
2. Approval of July 23, 2026 Minutes.
3. Public Hearing regarding the three requests for variances:
 - a. The request of Randy Fleming, owner of a property located at 44 Jackson St. (Tax Parcel 251-0364), for a variance from Section 154.04(C)(3)(c) of the Municipal Code pertaining to the maximum building height requirements and rear yard setback requirements. The applicant proposes the construction of an attached garage within 16' of the rear lot line, a variance from the 30' rear lot line setback standard.
 - b. The request of Michelle Bensen, owner of a property located at 427 Doty St. (Tax Parcel 251-0594), for a variance from Section 154.04(D)(3)(c) and (d) of the Municipal Code pertaining to the side and rear yard setback requirements. The applicant proposes the construction of a attached garage within 18' of the rear lot lines, a variance from the 30' rear lot line setback standards.
 - c. The request of Jennie Andrews, owner of a property located at 642 Commerce St. (Tax Parcel 251-0281), for a variance from Section 154.04(D)(3)(d) of the Municipal Code pertaining to side yard setback requirements. The applicant proposes the construction of a deck within approximately 10' of the side lot line, a variance from the 12' side lot line setback standard.

Action: Open Public Hearing, Hear testimony, and close public hearing.

4. Variance No. 2026–BOA02 – Request of Randy Fleming, owner of a property located at 44 Jackson St. (Tax Parcel 251-0364), for a variance from Section 154.04(C)(3)(c) of the Municipal Code pertaining to the maximum building height requirements and rear yard setback requirements. The applicant proposes the construction of an attached garage within 16' of the rear lot line, a variance from the 30' rear lot line setback standard. **Action:** Approve or deny Variance.
5. Variance No. 2026–BOA03 – Request of Michelle Bensen, owner of a property located at 427 Doty St. (Tax Parcel 251-0594), for a variance from Section 154.04(D)(3)(c) and (d) of the Municipal Code pertaining to the side and rear yard setback requirements. The applicant proposes the construction of a attached garage within 18' of the rear lot lines, a variance from the 30' rear lot line setback standards. **Action:** Approve or deny Variance.

OFFICE OF THE CITY CLERK-TREASURER

Mayor – Danny Clark

City Administrator | Troy Maggied | administrator@cityofmineralpointwi.gov
City Clerk-Treasurer | Christy Skelding | cityclerk@cityofmineralpointwi.gov



Mineral Point, Wisconsin

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6. Variance No. 2026–BOA04 – Request of Jennie Andrews, owner of a property located at 642 Commerce St. (Tax Parcel 251-0281), for a variance from Section 154.04(D)(3)(d) of the Municipal Code pertaining to side yard setback requirements. The applicant proposes the construction of a deck within approximately 10' of the side lot line, a variance from the 12' side lot line setback standard. **Action:** Approve or deny Variance.
7. Adjourn.

Agenda Posted and Distributed: Wednesday, September 16, 2026

Join: <https://teams.microsoft.com/meet/21405205479734?p=OYSBkO0dwBEpe6KjKG>

Meeting ID: 214 052 054 797 34, Passcode: ZN7yA2fr

Dial in by phone [+1 872-256-4172](tel:+18722564172), [721 748 207](tel:+1721748207) Phone conference ID: 721 748 207#

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.

OFFICE OF THE CITY CLERK-TREASURER

Mayor – Danny Clark

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MINUTES

CITY OF MINERAL POINT BOARD OF APPEALS MEETING

Thursday, July 23, 2026, 4:15 PM
City Hall Community Room

CALL TO ORDER/ROLL CALL

Steve Leger called the meeting to order at 4:15 pm.

David Engels	Present	Jeff Meyer	Present
Bill Grover	Present		
Steve Leger	Present		
Justin Potterton	Present		
Others Present: Administrative Advisor Honer, Administrator Maggied, Clerk-Treasurer Skelding, Dennis Jacobson, LuAnn Jacobson			

APPROVAL OF MINUTES – MAY 19, 2025 MEETING

Motion (Grover/Meyer) to approve May 19, 2025 minutes. Motion carried, all voting aye (5-0).

PUBLIC HEARING REGARDING THE REQUEST OF DENNIS JACOBSON, OWNER OF A PROPERTY LOCATED AT 314 FILARDO COURT (TAX PARCEL 251-0370.007), FOR A VARIANCE FROM SECTION 154.04(D)(3)(C) OF THE MUNICIPAL CODE PERTAINING TO THE REAR YARD SETBACK REQUIREMENTS.

Motion (Meyer/Potterton) to open Public Hearing at 4:17pm. Motion carried, all voting aye (5-0).

Dennis Jacobson, property owner, addressed the Board regarding his request for a rear yard setback variance. Mr. Jacobson explained the following that the property currently has an 8' x 8' patio at the rear of the house. The steps leading from the sliding door to the patio are narrow, and he is seeking to create a larger, more usable outdoor area. In its current configuration, only two people can comfortably occupy the space. He considered several alternatives before selecting an attached deck as his preferred option. Mr. Jacobson stated that he has discussed the proposal with Administrator Honer and Building Inspector Chris Michaels. The proposed deck would extend approximately 17 feet into the setback. The structure would be an open deck with a railing; no roof would be attached.

Motion (Grover/Meyer) to close concurrent Public Hearing at 4:22 p.m. Motion carried, all voting aye (5-0).

VARIANCE NO. 2026-BOA01 – REQUEST OF DENNIS JACOBSON, OWNER OF A PROPERTY LOCATED AT 314 FILARDO COURT (TAX PARCEL 251-0370.007), FOR A VARIANCE FROM SECTION 154.04(D)(3)(C) OF THE MUNICIPAL CODE PERTAINING TO THE REAR YARD SETBACK REQUIREMENTS.

The Board inquired whether the Jacobsons had spoken with their neighbors regarding the proposed plans. Mr. Jacobson responded that he had spoken with the neighbor directly behind his property and asked for his thoughts; that neighbor indicated he had no problem with the proposal. The other neighboring property, located kitty-corner to his, is a rental unit that is not frequently occupied.

OFFICE OF THE CITY CLERK-TREASURER

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City staff reported that no comments had been received regarding the request. Notice letters were sent to over 30 property owners.

Motion (Grover/Potterton) to approve the request of Dennis Jacobson, owner of a property located at 314 Filardo Court (Tax Parcel 251-0370.007), for a variance from Section 154.04(D)(3)(c) of the Municipal Code pertaining to the rear yard setback requirements. Motion carried by roll call, all voting aye (5-0).

ADJOURN

Motion (Potterton/Meyer) to adjourn at 4:28 pm. Motion carried, all voting aye (5-0).

OFFICE OF THE CITY CLERK-TREASURER

Mayor – Danny Clark

City Administrator | Matthew Honer | administrator@cityofmineralpointwi.gov

City Clerk-Treasurer | Christy Skelding | cityclerk@cityofmineralpointwi.gov



Mineral Point, Wisconsin

9/15/2026

TOPIC: Variance No. 2026-BOA02 – Request of Randy Fleming, owner of a property located at 44 Jackson St. (Tax Parcel 251-0364), for a variance from Section 154.04(C)(3)(c) of the Municipal Code pertaining to the maximum building height requirements and rear yard setback requirements. The applicant proposes the construction of an attached garage within 16' of the rear lot line, a variance from the 30' rear lot line setback standard.

☒ New Business ☐ Unfinished Business ☐ Reports ☐ Closed Session ☐ Ordinance/Resolution	Meeting: Zoning Board of Appeals
Department Reporting: Administration	Submitted by: Troy Maggied
Request: The applicant seeks to construct a garage and bedroom addition that will encroach upon the rear yard setback.	
BACKGROUND: The applicant is requesting an Area Variance to provide relief from the setback restriction.	
ANALYSIS: 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> <i>There is nothing in this request contrary to the public interest.</i> The variance will not permit the establishment of use that is not permitted or permissible in the district. <u>Found.</u> <i>The variance does not create an unpermitted use.</i> 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>Found.</u> <i>The property is unique in the city in that it is served by a well and septic system, which prohibits construction to the south (due to septic field), east (due to septic tank), and north (due to the well). Construction to the west is restricted and limited due to the existing driveway.</i> 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>Not Found.</u> <i>The setback requirement of the ordinance does not prevent the owner from using the proposed lot for residential use, per the literal interpretation of the ordinance. However, the ordinance also states that its intent is, in part, to "implement the community comprehensive plan or plan components." (154.01C). Thus, the ordinance should be interpreted in light of the city's changing demographics and housing goal as outlined in the 2025 Comprehensive Plan to, "Expand housing opportunities to provide diverse options for families, the workforce, and seniors." The City's 2024 Housing Study also identifies the need for "age-friendly" housing. The proposed addition is due, in-part, to the applicant's desire to remain in his home in Mineral Point and the addition will enable this by creating an attached garage and single-floor living accommodation.</i> The hardship is not shared generally by other land or buildings in the area. <u>Not Found.</u> <i>No hardship is identified. Complying with the ordinance does not currently prevent the applicant from using the property for residential uses.</i> 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> <i>The circumstances are unique but the ordinance does not currently create a hardship.</i>	

RECOMMENDATION: Criteria for a variance are based on the applicant's ability to demonstrate that they meet all three variance standards:

1. **Unnecessary hardship.** The zoning administrator does not believe that a hardship exists, per the literal reading of the ordinance, prohibiting the applicant from currently using his property for residential purposes. Future use may be impacted by the property's challenges to aging in place.
2. **Variance is due to conditions unique to the property.** The conditions at this site are unique in that it is served by a septic system and well. The property is also unique in its large lot, rural nature. The adjacent lot to the north that is impacted by the variance is a wooded lot with no residence or structure.
3. **Confirmation that the variance creates no harm to public interest.** There is no harm to the public interest.



Mineral Point, Wisconsin

CITY OF MINERAL POINT

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MINERAL POINT, WI 53565
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Planning and Zoning Application

Municipality (Check One):

☒ City of Mineral Point

☐ Town of Mineral Point(ETZ)

Property Address:

44 Jackson St.

Parcel #:

251 0364

Lot Size:

1-1 AC

Property Owner:

Name:

RANDOLAH FLEMING

Address:

44 Jackson St.
MINERAL Point

Phone:

608 574 5863

Email:

Agent:

Name:

Same

Address:

Phone:

Email:

Action Requested:

Administrative Review:

- | | |
|--|------------|
| ☐ New Build 1 & 2 Family Residential: | Fee: \$100 |
| ☒ Residential Additions: | \$75 |
| ☐ Accessory Structure: | \$50 |
| ☐ Commercial Zoning: | \$150 |
| ☐ Commercial Signage: | \$50 |
| ☒ Driveway: | \$50 |

Planning Approval*:

- | | |
|---|---------------------------|
| ☐ Certified Survey Map (CSM): | Fee: \$300 |
| ☐ Conditional Use Permit: | \$400 |
| ☐ Zoning Change Request: | \$500 |
| ☐ Variance Request: | \$500 |
| ☐ Plat Review: | \$300 |
| ☐ Commercial Site Plan Review: | Engineering Expense + 10% |
| ☐ 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:

garage Addition Attached to back of house

28X 42

Attachments:

Applicant Signatures:

Randolph Fleming

Signature, Printed Name, Date

RANDOLPH FLEMING

Signature, Printed Name, Date

Date Received: _____

Fee Collected: _____

FOR INSPECTIONS CALL: Chris Michaels: (608) 617-9632 General Engineering		GENERAL BUILDING PERMIT APPLICATION GENERAL ENGINEERING COMPANY OFFICE: (608) 745-4070 FAX: (608) 745-5763			PERMIT # EXPIRATION DATE:	
Parcel Number: 251 0364		Property is Located in ☐ Town of ☐ Village of ☒ City of			Municipality Number	
PROJECT DESCRIPTION (Submit Building Plans & Site Plan) Attach garage					Does this project require any additional approvals or permits? ☐ yes ☐ no	
Building Project Address: 44 Jackson St Mineral Point					Finished Project Value \$ 100,000	
Zoning District(s):		Zoning Permit No.:		Corner Lot ☐ yes ☐ no	Bldg. Height Ft.	Setbacks: Front Rear Left Right
Owner's Name(s): RANDOLPH FLEMING		Mailing Address: 44 Jackson St.			Telephone: 608-574-5863 Email: randad5519@gmail.com	
Contractor Name & Type:		Licen. / Cert #	Exp. Date	Mailing Address		Telephone & Email
Construction Contractor						Tel. Email
Dwelling Contractor Qualifier		The Dwelling Contr. Qualifier shall be an owner, CEO, COB or employee of the Dwelling Contr.				Tel. Email
HVAC Contractor						Tel. Email
Electrical Contractor: Randy Fleming						Tel. Email
Master Electrician						Tel. Email
Plumbing Contractor: Jim Burke Plumbing						Tel. Email
RESIDENTIAL Single Family/Duplex	Addition: ☐ Electrical ☐ Plumbing ☐ HVAC ☐ Construction _____ sq. ft. ☐ Erosion Control					
	Detached Accessory Building: ☐ Electrical ☐ Plumbing ☐ HVAC ☐ Construction 1176 sq. ft.					
	Remodel: ☐ Electrical ☐ Plumbing ☐ HVAC ☐ Construction _____ sq. ft.					
	Other: ☐ Fence ☐ Electrical ☐ Plumbing ☐ HVAC ☐ Construction _____ sq. ft. ☐ Erosion Control ☐ Electrical Service Upgrade (Amp _____) ☐ Removal of Structure (Raze) ☐					
COMMERCIAL	New Commercial Building: _____ Bldg. Sq. Ft. ☐ Electrical ☐ Plumbing ☐ HVAC ☐ Construction ☐ Erosion Control					
	Commercial Addition/Alteration: ☐ Electrical ☐ Plumbing ☐ HVAC ☐ Construction ☐ Erosion Control _____ Building Sq. Ft. ☐ Electrical Service (Amp _____) ☐ Fence ☐ Sign ☐ Removal of Structure (Raze)					
	State of Wisconsin Plan Approval Needed: ☐ yes ☐ no (Approved plans must be submitted with permit application)					
Zoning -- When applicable, owner shall research setback information regarding height, lot coverage, etc. prior to submittal of this application.						
I agree to comply with all applicable codes, statutes and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the state or municipality; and certify that all the above information is accurate. If I am an owner applying for an erosion control or construction permit, I have read the cautionary statement regarding contractor financial responsibility on the reverse side of the last page of this application. I expressly grant the building inspector or the inspector's authorized agent permission to enter the premises for which this permit is sought at all reasonable hours and for any proper purpose to inspect the work which is being done. It is the Owner/Contractors Responsibility to Call in ALL INSPECTIONS to the Inspector.						
APPLICANT'S SIGNATURE _____				DATE SIGNED _____		
APPROVAL CONDITIONS This permit is issued pursuant to the following conditions. Failure to comply may result in suspension or revocation of this permit or other penalty. ☐ See attached for conditions of approval.						
BELOW SECTION FOR OFFICE USE ONLY						
FEES:		PERMIT(S) ISSUED		PERMIT ISSUED BY:		
Construction	\$ _____	☐ Construction		Name _____		
Plumbing	\$ _____	☐ HVAC		Date _____ Telephone _____		
Electrical	\$ _____	☐ Electrical		Cert No. _____ Census Code _____		
HVAC	\$ _____	☐ Plumbing		www.generalengineering.net		
Zoning	\$ _____	☐ Erosion Control		VER. 1/3/2018		
Other	\$ _____	☐ Other _____				
Administrative	\$ _____					
Total Permit Fee	\$ _____					

lot line

20'

44'

13'

Proposed Driveway

46'

garage Addition

Existing house

8 1/2' ft well
N. face

Site Plan

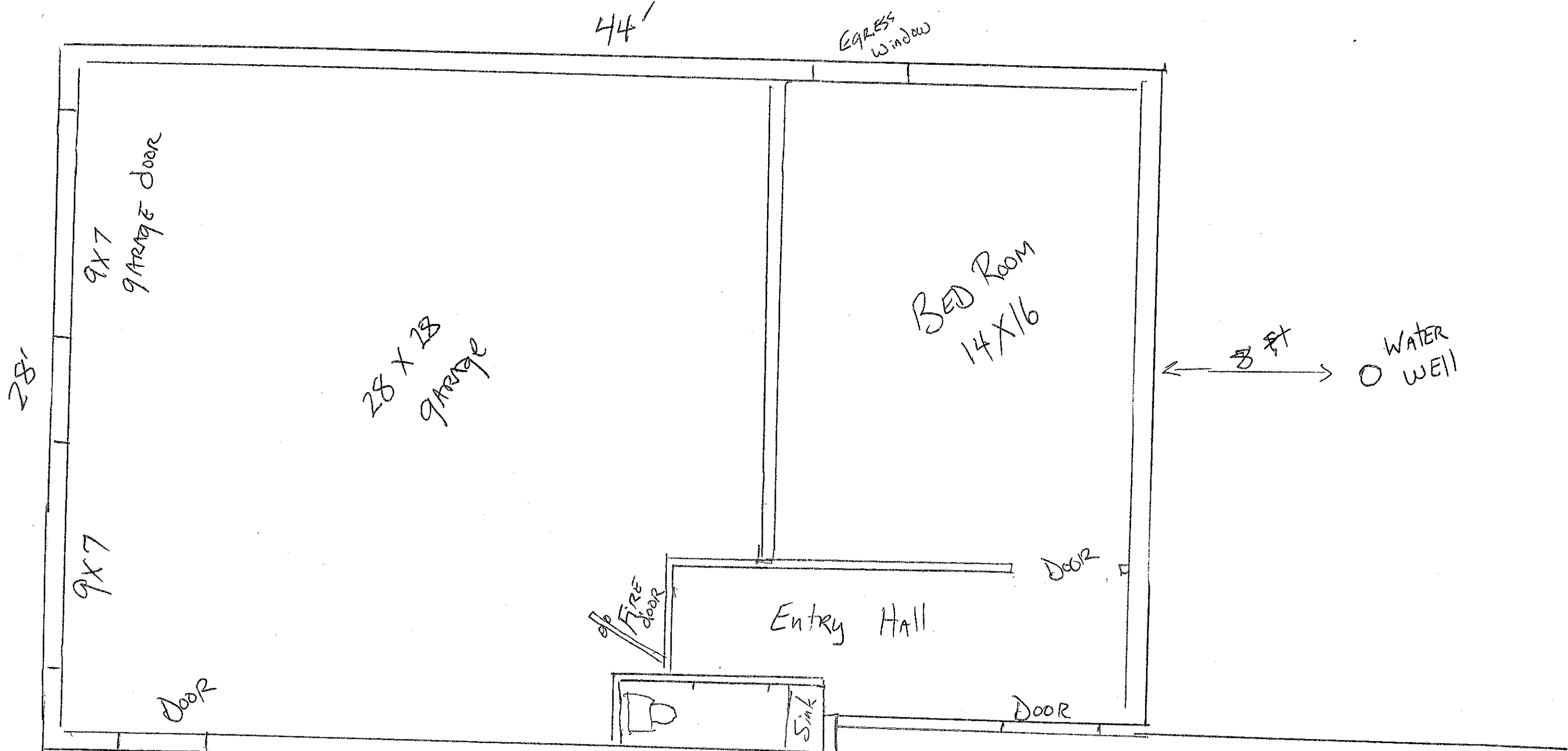
Randy Fleming

44 Jackson St.

Mineral Pt. WI

608-574-5863

Jackson St



Randy Fleming
GARAGE Addition
608-574-5863

Existing
house



Mineral Point, Wisconsin

9/15/2026

TOPIC: Request of Michelle Bensen, owner of a property located at 427 Doty St. (Tax Parcel 251-0594), for a variance from Section 154.04(D)(3)(c) and (d) of the Municipal Code pertaining to the side and rear yard setback requirements. The applicant proposes the construction of an attached garage 18' from the rear lot line, a variance from the 30' rear lot line setback standards.

☒ New Business ☐ Unfinished Business ☐ Reports ☐ Closed Session ☐ Ordinance/Resolution	Meeting: Zoning Board of Appeals
Department Reporting: Administration	Submitted by: Troy Maggied
<u>Request:</u> The applicant seeks to construct a garage that will encroach on the rear setback requirement.	
<u>BACKGROUND:</u> The applicant is requesting an Area Variance to provide relief from the setback restriction.	
<u>ANALYSIS:</u> 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> <i>There is nothing in this request contrary to the public interest. The proposed garage would be served by an existing driveway. The removal of the existing garage would reduce a non-conforming structure that violates the ordinance on two counts – rear and side setbacks – in favor of a new structure that, while still non-conforming, would increase the rear yard setback.</i> The variance will not permit the establishment of use that is not permitted or permissible in the district. <u>Found.</u> <i>The variance does not create an unpermitted use.</i> 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>Found.</u> <i>The application materials argue that the conditions of the property do not allow compliance with current zoning ordinances, however the ordinance does not prohibit the applicant from using the lot for residential use. Special conditions exist due to the age of the residence and current garage pre-dating modern automobile size and frequency of use. At the time of construction, a relative low percentage of rural residents owned automobiles, and those that did had autos that were significantly smaller than the current size. An existing garage built in the early 1900's exists on site, but will only accommodate the smallest of current vehicles. This lot and residence were constructed in a time when universal auto ownership was a requirement of life, and also before the size of autos increased to the current state. This is often the state with other lots in the same district, but not so with new lots being built in the city.</i> 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>Not Found.</u> <i>The setback requirement of the ordinance does not prevent the owner from using the proposed lot for residential use, per the literal interpretation of the ordinance. However, the ordinance also states that its intent is, in part, to "implement the community comprehensive plan or plan components." (154.01C). Thus, the ordinance should be interpreted in light of the city's changing demographics and housing goal as outlined in the 2025 Comprehensive Plan to, "Expand housing opportunities to provide diverse options for families, the workforce, and seniors." The City's 2024 Housing Study also identifies the need for "age-friendly" housing. The proposed addition is due, in-part, to the applicant's desire to remain in her home in Mineral Point and will enable this by creating an attached garage and single-floor living accommodation.</i>	

5. **The hardship is not shared generally by other land or buildings in the area. Not Found.** *No hardship is identified. Complying with the ordinance does not currently prevent the applicant from using the property for residential uses.*
6. **The hardship results from the strict interpretation of this ordinance and is not the result of self-created or self-imposed circumstances. Not Found.** *The circumstances are unique but the ordinance does not currently create a hardship to current use.*

RECOMMENDATION: Criteria for a variance are based on the applicant's ability to demonstrate that they meet all three variance standards:

1. **Unnecessary hardship.** The zoning administrator does not believe that a hardship exists, per the literal reading of the ordinance, prohibiting the applicant from currently using her property for residential purposes. Future use may be impacted by the property's challenges to aging in place.
2. **Variance is due to conditions unique to the property.** The conditions at this site are not atypical to those found elsewhere in the district, but the home and garage are constructed in a time prior to current auto usage and auto size.
3. **Confirmation that the variance creates no harm to public interest.** There is no harm to the public interest.



Mineral Point, Wisconsin

CITY OF MINERAL POINT

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MINERAL POINT, WI 53565
608-987-2361

Planning and Zoning Application

Municipality (Check One):

☒ City of Mineral Point

☐ Town of Mineral Point(ETZ)

Property Address:

427 Doty St.

Parcel #:

25-251-0594

Lot Size:

70' x 120'

Property Owner:

Name:

Michelle Bensen

Address:

427 Doty St.
Mineral Point

Phone:

715-892-0451

Email:

Agent:

Name:

Address:

Phone:

Email:

Action Requested:

Administrative Review:

- | | |
|--|-------------------|
| ☐ New Build 1 & 2 Family Residential: | Fee: \$100 |
| ☒ Residential Additions: | \$75 |
| ☐ Accessory Structure: | \$50 |
| ☐ Commercial Zoning: | \$150 |
| ☐ Commercial Signage: | \$50 |
| ☐ Driveway: | \$50 |

Planning Approval*:

- | | |
|---|---------------------------|
| ☐ Certified Survey Map (CSM): | Fee: \$300 |
| ☐ Conditional Use Permit: | \$400 |
| ☐ Zoning Change Request: | \$500 |
| ☒ Variance Request: | \$500 |
| ☐ Plat Review: | \$300 |
| ☐ Commercial Site Plan Review: | Engineering Expense + 10% |
| ☐ 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:

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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.

Variance Request Written Statement

This request is for a variance to build a 20' x 20' 6" attached garage to the rear of the principal building at 427 Doty St.

Please let it be known that there is ambiguity in property lines and this is an existing non-conforming lot of 70' x 120'. I have elected not to do a survey at this time and measurements cited are from the County GIS site. Please refer to attachment A for aerial view.

- The principal structure currently is 38' from rear property line and 17' from side property line. The proposed attached garage would bring principal structure 18' from rear lot and remain 17' from side lot. This is represented by black pentagon-like shape on aerial view. There are cellar doors which would be incorporated into the attached garage thus the need for above dimensions.
- There is currently a corner shed which is a non-conforming accessory building measuring 20' 6" x 12' 6". The shed is in poor repair and stands 2-3' from side lot and 4-6' from rear lot. This would be razed if above variance granted. This is identified by pink highlight on aerial view.
- A carport measuring 20' x 10' 6" was added to back porch in 1980's(?) and would be taken down if above variance granted. This is identified by yellow highlight on aerial view.
- I have re-established the prior driveway on west side of house from existing cut-in at curb to gain private access to rear of property and proposed attached garage.

Unique conditions of the property do not allow compliance with current zoning ordinances, thus the variance request. As stated above, this lot is 70' wide-relatively small. Current zoning ordinance would allow an 8' wide garage, which is not sufficient to accommodate a parked car. Current zoning ordinance would not allow restoration of shed due to cost required and would not allow expanding shed structure to accommodate car size or angle of entry.

The overall square footage added to the principal building would be 410 square feet. The square footage of accessory buildings(shed and carport) that would be razed/cleared would be 466 square feet.

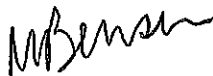
This proposal is aesthetically pleasing and supported by my neighbors. Please see sketches "B" and "C". Taking down the carport would restore the original 1907 Victorian back porch structure. "Cleaning up that corner" with the shed coming down was of interest to my rear neighbors.

This proposal would remove two noncompliances with current zoning ordinance.

Additionally, as I age in place, an attached garage would allow my entry directly into my home unencumbered by ice, snow or stairs. It would add safety and security. Also, a ramp entering the front of my home would not be needed in the future.

Thank you for your consideration of this matter,

Michelle Bensen



3:08

Signal strength, Wi-Fi, and battery (39%) icons.

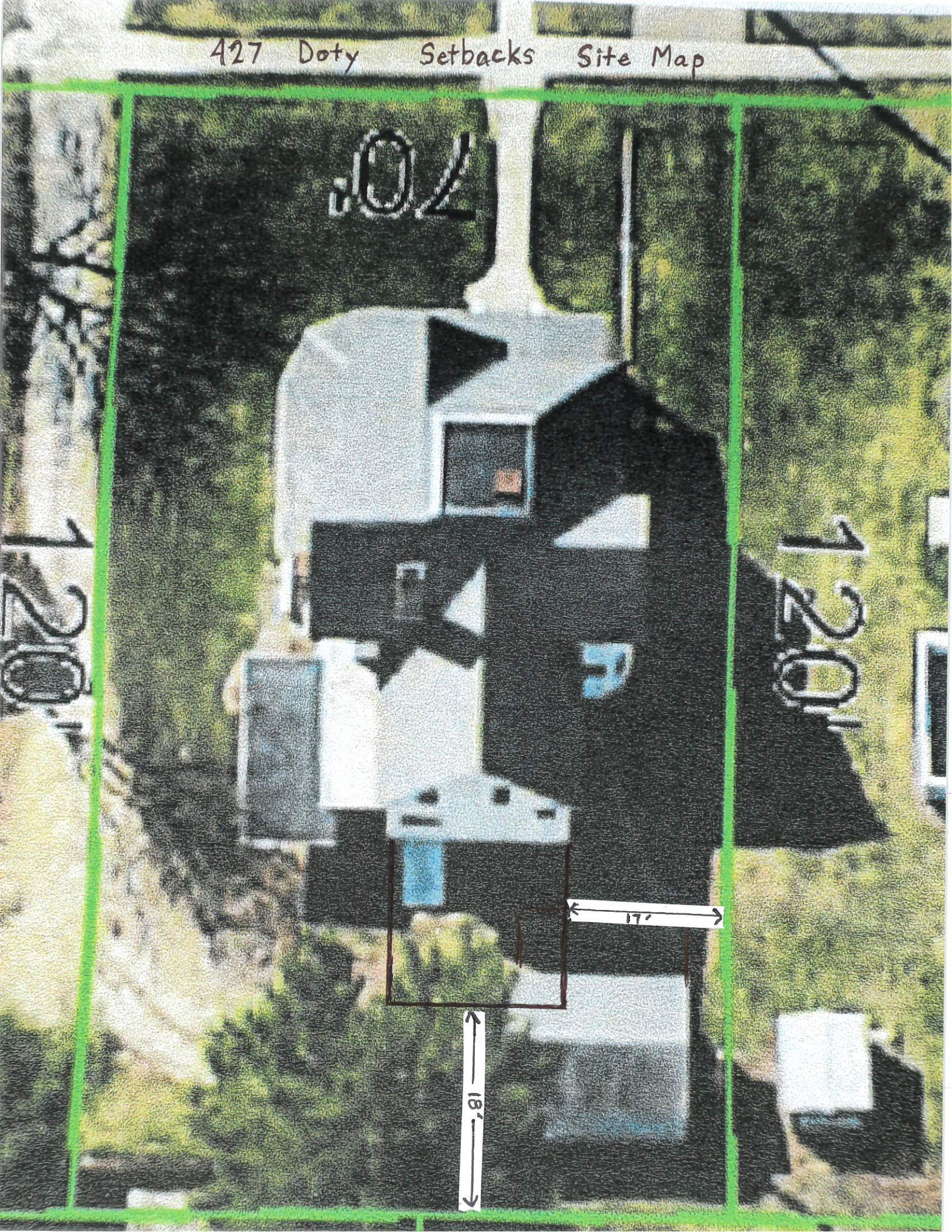
3 Messages



Site plan/zoning/setba...



427 Doty Setbacks Site Map



120'

120'

120'

17'

18'

EXHIBIT A

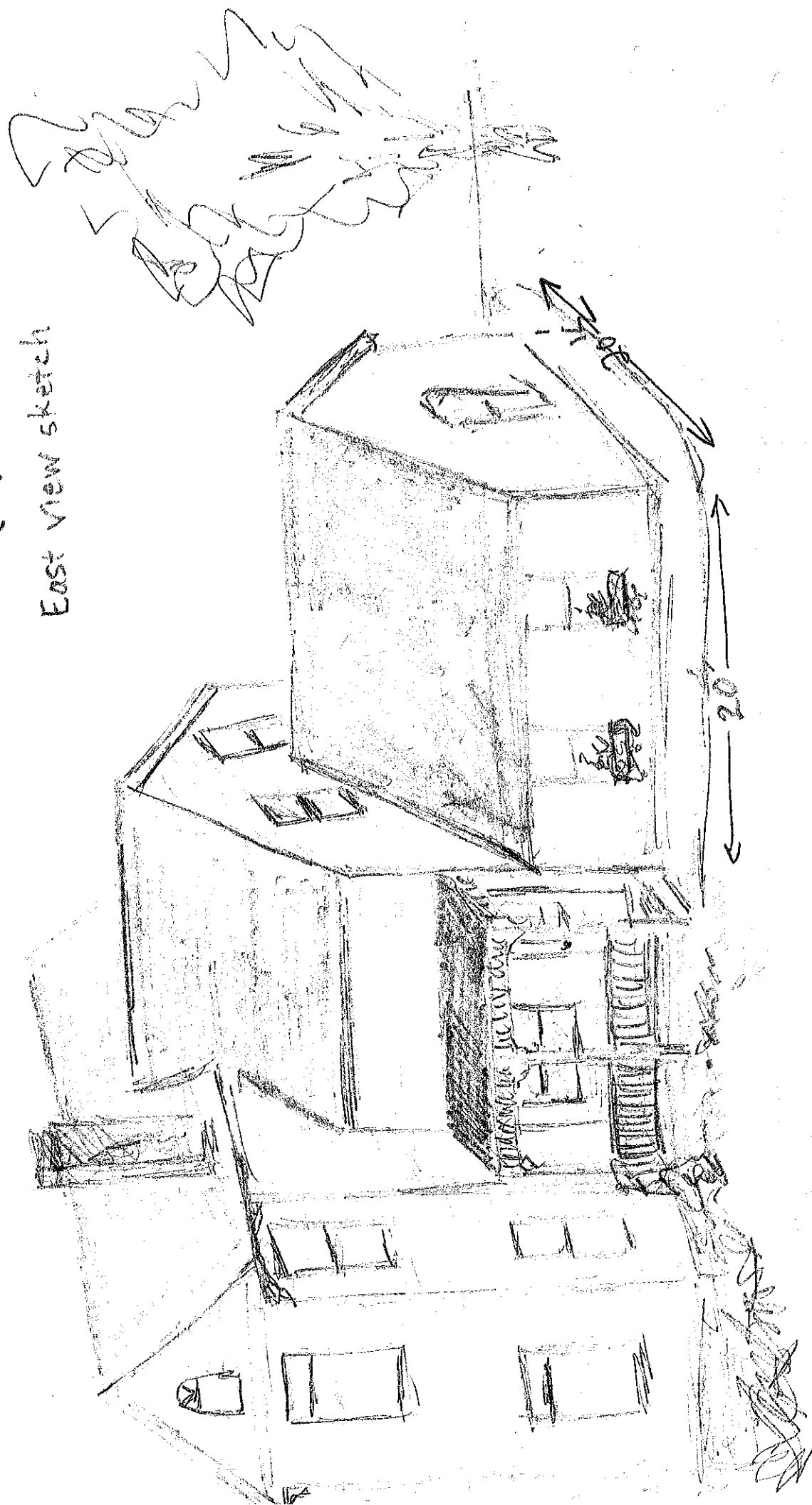
Legal Description of Property in Designation of TOD Beneficiary by Michelle Bensen

Parcel Numbers: 25-251-0594

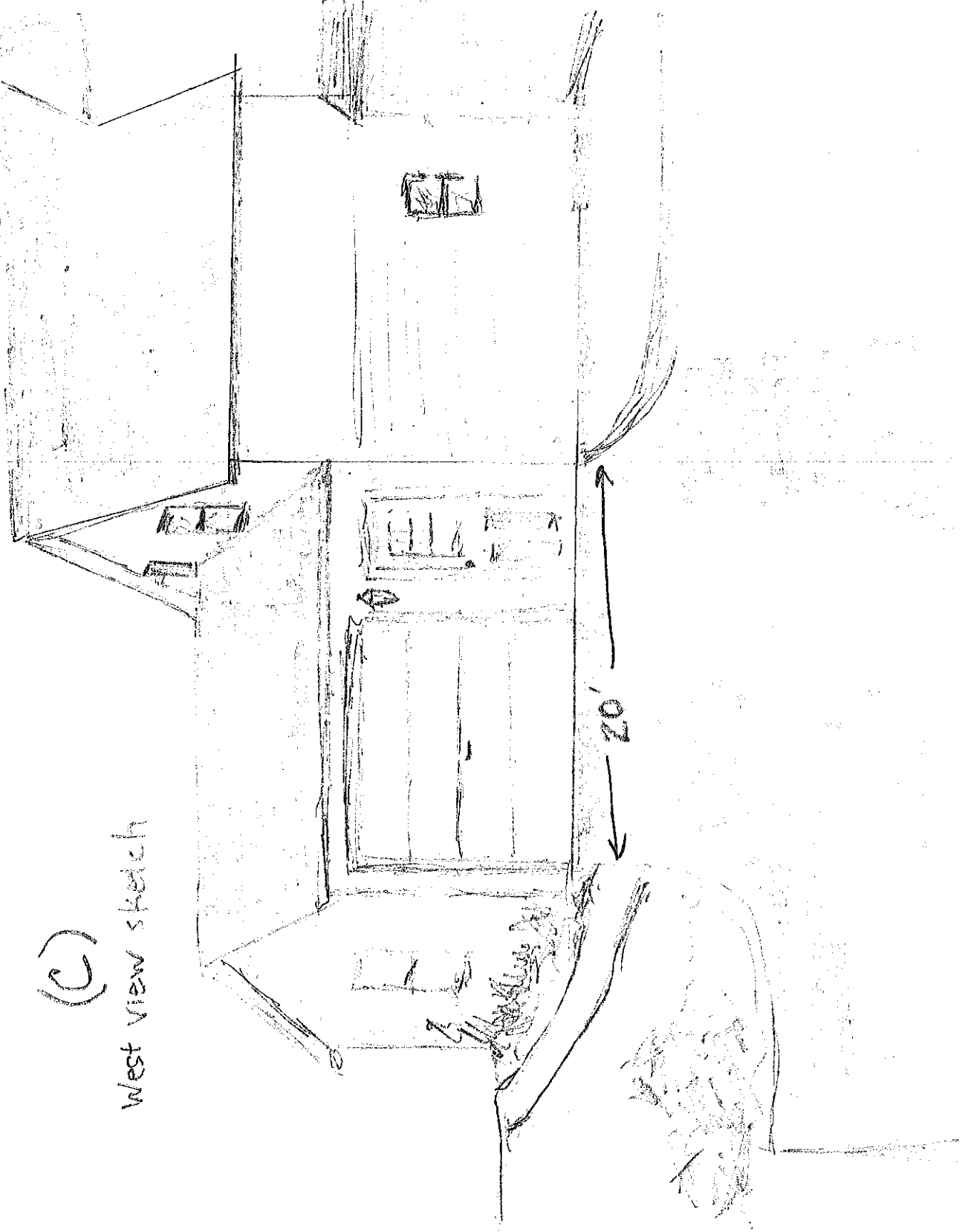
Part of Lot No. 8 in Block No. 23 of Strong's and Other's Addition to the Village, now City of Mineral Point, Iowa County, Wisconsin, and more particularly described as follows, to-wit: Commencing at the Southwest corner of said Lot and running thence North to the Northwest corner thereof, thence East 70 feet, thence South to the South line of said Lot, thence West 70 feet to the point of beginning.

(B)

East view sketch



(C)
West view sketch





Mineral Point, Wisconsin

9/15/2026

TOPIC: Request of Jennie Andrews, owner of a property located at 642 Commerce St. (Tax Parcel 251-0281), for a variance from Section 154.04(D)(3)(d) of the Municipal Code pertaining to side yard setback requirements. The applicant proposes the construction of a deck within approximately 10' of the side lot line, a variance from the 12' side lot line setback standard. **Action:** Approve or deny Variance.

☒ New Business ☐ Unfinished Business ☐ Reports ☐ Closed Session ☐ Ordinance/Resolution	Meeting: Zoning Board of Appeals
Department Reporting: Administration	Submitted by: Troy Maggied
Request: The applicant seeks to construct a deck that will encroach upon the side yard setback.	
BACKGROUND: The applicant is requesting an Area Variance to provide relief from the setback restriction.	
ANALYSIS: 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> <i>There is nothing in this request contrary to the public interest. A walkway and stairs exist and the proposed use in this location remains the same. The addition of the deck to the residential structure will not increase residential density. A deck will improve the aesthetics of the area by covering the deteriorating stairs and sidewalk.</i> The variance will not permit the establishment of use that is not permitted or permissible in the district. <u>Found.</u> <i>The variance does not create an unpermitted use.</i> 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>Found.</u> <i>The home is only accessible from two entrances, each requiring stairs, on the front and south side of the house. There is no access to the house from the north or west, the two sides closest to the driveway and garage. Access requires stairs, and the existing stairs are unsafe and deteriorating.</i> 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>Not Found.</u> <i>The setback requirement of the ordinance does not prevent the owner from using the proposed lot for residential use, per the literal interpretation of the ordinance. However, the ordinance's stated purpose is to "promote health, safety, ... prosperity, aesthetics, and general welfare of this community," and also states that its intent is, in part, to "secure safety from fire...stabilize and protect property values... and preserve and promote the beauty of the community." (154.01C). The proposed deck will improve the aesthetics of the property by covering up deteriorating stairs and sidewalk, and ensure the applicant's safety by replacing deteriorating stairs, sidewalk, and handrail with structurally sound access to and from her home.</i> The hardship is not shared generally by other land or buildings in the area. <u>Not Found.</u> <i>No hardship is identified. Complying with the ordinance does not currently prevent the applicant from using the property for residential uses.</i>	

6. The hardship results from the strict interpretation of this ordinance and is not the result of self-created or self-imposed circumstances. **Not Found.** *The circumstances are unique but the ordinance does not currently create a hardship to current use.*

RECOMMENDATION: Criteria for a variance are based on the applicant's ability to demonstrate that they meet all three variance standards:

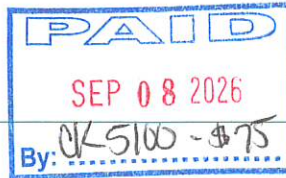
1. **Unnecessary hardship.** The zoning administrator does not believe that a hardship exists, per the literal reading of the ordinance, prohibiting the applicant from currently using her property for residential purposes. Future use may be impacted by safety concerns related to the deteriorating stairs, sidewalk, and handrail.
2. **Variance is due to conditions unique to the property.** The conditions at this site are unique in that there are limited access points into the home, all of which are on the opposite side of the home from the garage and driveway and all of which require stairs.
3. **Confirmation that the variance creates no harm to public interest.** There is no harm to the public interest.



Mineral Point, Wisconsin

CITY OF MINERAL POINT

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



Planning and Zoning Application

Municipality (Check One):



City of Mineral Point



Town of Mineral Point(ETZ)

Property Address:

642 Commerce Street Mineral Point WI 53565

Parcel #:

Lot Size:

Property Owner:

Name:

Jennie Andrews

Address:

642 Commerce Street

Mineral Point, WI

Phone:

608-558-3752

Email:

Agent:

Name:

DJ Ergen

Address:

Phone:

319-899-6590

Email:

Action Requested:

Administrative Review:

- | | Fee: |
|--|-------|
| ☐ New Build 1 & 2 Family Residential: | \$100 |
| ☒ Residential Additions: | \$75 |
| ☐ Accessory Structure: | \$50 |
| ☐ Commercial Zoning: | \$150 |
| ☐ Commercial Signage: | \$50 |
| ☐ Driveway: | \$50 |

Planning Approval*:

- | | Fee: |
|---|---------------------------|
| ☐ Certified Survey Map (CSM): | \$300 |
| ☐ Conditional Use Permit: | \$400 |
| ☐ Zoning Change Request: | \$500 |
| ☒ Variance Request: | \$500 |
| ☐ Plat Review: | \$300 |
| ☐ Commercial Site Plan Review: | Engineering Expense + 10% |
| ☐ 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:

cement block and sidewalk are deteriorated on side entrance - home insurance has required fix/replacement

to keep coverage. Proposing to put 8' X 21' deck from current cement block at door to back of house.

This eliminates steps, bad cement and makes a safer entrance to the house as this is the main door

used for entrance. I have had back surgery and this will eliminate the multi level of steps to get from door to back of house.

There will be stairs to access the sidewalk that goes to the street on the front corner

Attachments:

Pictures of degraded cement and proposed deck

Applicant Signatures:

Signature, Printed Name, Date

Signature, Printed Name, Date

Date Received: _____

Fee Collected: _____

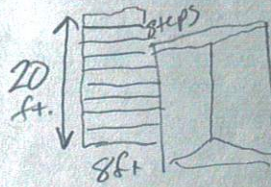




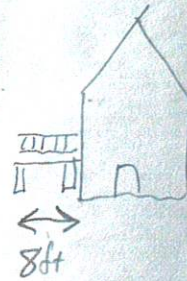


8' x 20' deck
off side of the
house

Top view



Front view



**SAFE HOME
RESTORATION**

DJ Ergen
319-899-6590

dj@safehomerestorationservice.com
WATER DAMAGE • MOLD REMOVAL
HOME IMPROVEMENTS







