

Variance Application

City of Dodgeville Zoning Board of Appeals

Part 1: General information and alternatives analysis

To be completed jointly by the applicant and zoning staff.

Petition # _____ Date filed 3-13-26 \$ 400 fee paid (payable to City of Dodgeville)

	Owner/agent	Contractor
Name	<u>PHILIP A. LEY</u>	
Address	<u>800 E. NORTH ST DODGEVILLE WI 53533</u>	
Phone	<u>608-574-0299</u>	
Email	<u>QIR123TONY@GMAIL.COM</u>	

Legal description: 1/4, 1/4, S , T N, R E
City/Village/Town of CITY DODGEVILLE
Address 700 E. NORTH ST Tax parcel number 216-1100.06
Lot area & dimensions: _____ sq. ft., 140' x 68.22 ft.
Zoning district ???

Current use & improvements:

OPEN LOT

Description of any prior petition for appeal, variance or conditional use:

N/A

Description and location of all nonconforming structures & uses on the property:

N/A

Ordinance standard from which variance is being sought (section number and text):

17.13 C LOT ON SOUTH SIDE
8.12 F 2 CORNER CLEARANCE

Describe the variance requested:

NEW DRIVE WAY OFF E. NORTH ST
13' FROM EAST LOT LINE DRIVE WAY TO BE 16'
22 LEFT OVER FROM CORNER.
DRIVEWAY ACROSS THE E-NORTH ST IS LOT CLOSER TO

Type of variance requested:

use variance – Use variances are not granted.

area variance – provides an increment of relief (normally small) from a physical dimensional restriction such as a building height or setback.

CORNER!

Describe the effects on the property if the variance is not granted:

LOT REMAIN OPEN.

I BELIEVE THIS LOT WAS LAID OUT FOR DRIVEWAY
WHEN E. NORTH ST WAS DEVELOPED.

AT THAT TIME THE FRONTIER TRUNK LINE WAS IN
RIGHT AWAY. CABLES HAVE BEEN REMOVE.
THE CABLE RIGHT AWAY HAS NOT BEEN TERMINATED,
FROM THE CERTIFIED SURVEY.

Alternatives

Describe alternatives to your proposal such as other locations, designs and construction techniques. Attach a site map showing alternatives you considered in each category below.

- a. Alternatives you considered that comply with existing standards. If you find such an alternative, you can move forward with this option with a regular permit. If you reject compliant alternatives, provide the reasons you rejected them.

COST ~~PROHIBIT~~ OF \$200,000 TO COME OFF CRAIG STREET.

- b. Alternatives you considered that require a lesser variance and reasons you rejected them. If you reject such alternatives, provide the reasons you rejected them.

N/A

Part 2: Three-Step Test

To qualify for a variance, the applicant must demonstrate that their property meets the following three requirements.

1) Unique property limitations *(To be completed by the applicant)*

Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with ordinance requirements. The circumstances of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances or lack of objections from neighbors do not provide a basis for granting a variance. Property limitations that prevent ordinance compliance and are common to a number of properties should be addressed by amending the ordinance.

Do unique physical characteristics of your property prevent compliance with the ordinance?

Yes. Where are they located on your property? Please show the boundaries of these features on the site map that you used to describe alternatives you considered.

No. A variance cannot be granted.

2) No Harm to Public Interests *(To be completed by zoning staff)*

A variance may not be granted which results in harm to public interests. In applying this test, the zoning board must consider the impacts of the proposal and the cumulative impacts of similar projects on the interests of the neighbors, the entire community and the general public. These interests are listed as objectives in the purpose statement of an ordinance and may include:

- *Public health, safety and welfare*
- *Water quality*
- *Fish and wildlife habitat*
- *Natural scenic beauty*
- *Minimization of property damages*
- *Provision of efficient public facilities and utilities*
- *Achievement of eventual compliance for nonconforming uses, structures and lots*
- *Any other public interest issues*

Ordinance purpose:

Purpose(s) of standard from which variance is requested:

Analysis of impacts

Discuss impacts that would result if the variance was granted. For each impact, describe potential mitigation measures and the extent to which they reduce project impact (completely, somewhat, or minor). Mitigation measures must address each impact with reasonable assurance that it will be reduced to an insignificant level in the short term, long term and cumulatively.

Short term impacts: (through the completion of construction)

Impact 1:	Impact 2:
Mitigation 1:	Mitigation 2:
Extent to which mitigation reduces project impact	Extent to which mitigation reduces project impact:

Long term impacts: (after construction is completed)

Impact 1:	Impact 2:
Mitigation 1:	Mitigation 2:
Extent to which mitigation reduces project impact:	Extent to which mitigation reduces project impact:

Cumulative impacts: (What would happen if a similar variance request was granted for many properties?)

Impact 1:
Mitigation 1:
Extent to which mitigation reduces project impact:
Impact 2:
Mitigation 2:
Extent to which mitigation reduces project impact:

Will granting the variance harm the public interest?

- Yes. A variance cannot be granted.
- No. Mitigation measures described above will be implemented to protect the public interest.

3) Unnecessary hardship (To be completed by the applicant)

An applicant may not claim unnecessary hardship because of conditions which are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home). Courts have also determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel. The property owner bears the burden of proving unnecessary hardship.

- For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.¹ The Wisconsin Supreme Court also determined that living without a lakeside porch was a personal inconvenience and did not constitute unnecessary hardship.² The board of adjustment must consider the purpose of the zoning restriction, the zoning restriction's effect on the property, and the short-term, long-term and cumulative effects of a variance on the neighborhood, the community and on the public interests.

Is unnecessary hardship present?

Yes. Describe:

COST OF OVER \$200,000

No. A variance cannot be granted

¹ *State ex rel. Ziervogel v. Washington County Bd. of Adjustment*, 2004 WI 23, 269 Wis. 2d 549, 676 N.W.2d 401 and *State v. Waushara County Bd. of Adjustment*, 2004 WI 56, 271 Wis. 2d 547, 679 N.W.2d 514

² *Snyder v. Waukesha County Zoning Bd. of Adjustment*, 74 Wis. 2d 468, 478-79, 247 N.W.2d 98 (1976)

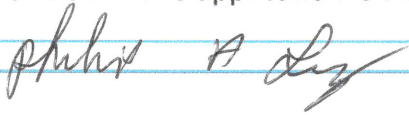
Part 3: Construction Plans

To be completed and submitted by the applicant.

Attach construction plans detailing:

- Property lines
- Vegetation removal proposed
- Contour lines (2 ft. interval)
- Floodplain & wetland boundaries
- Dimensions, locations & setbacks of existing & proposed structures
- Utilities, roadways & easements
- Location & extent of filling/grading
- Location & type of erosion control measures
- Any other construction related to your request
- Anticipated project start date

I certify that the information I have provided in this application is true and accurate.

Signed: (applicant/agent/owner)  _____
Date: 3-13-2026

Remit to: Building Inspector
100 E Fountain St. Dodgeville, WI 53533
buildinginspector@dodgevillewi.gov

Variance Application

A variance is a relaxation of a standard in a land use ordinance. Variances are decided by the zoning board of adjustment/appeals. The zoning board is a quasi-judicial body because it functions almost like a court. The board's job is not to compromise ordinance provisions for a property owner's convenience but to apply legal criteria provided in state laws, court decisions and the local ordinance to a specific fact situation. Variances are meant to be an infrequent remedy where an ordinance imposes a unique and substantial burden.

Process

At the time of application you will be asked to:

1. **Complete an application** form and submit a \$300 fee;
2. **Provide detailed plans** describing your lot and project (location, dimensions and materials);
3. **Provide a written statement** of verifiable facts showing that your project meets the legal criteria for a variance (Three Step Test in Part 2); and
4. **Stake out lot corners or lines**, the proposed building footprint and all other features of your property related to your request so that the zoning board may inspect the site.

Following these steps, the Zoning Administrator will publish notice of your request for a variance in the county's official newspaper noting the location and time of the required public hearing before the zoning board. The burden will be on you as property owner to provide information upon which the board may base its decision. At the hearing, any party may appear in person or may be represented by an agent or attorney. You or your agent must convince the zoning board to make a ruling in your favor. The board must make its decision based only on the evidence submitted to it at the time of hearing. Unless you or your agent is present, the board may not have sufficient evidence to rule in your favor and must then deny your application.

LEY CSM 700 NORTH ST. 3/11/2026

IOWA COUNTY CERTIFIED SURVEY MAP # _____

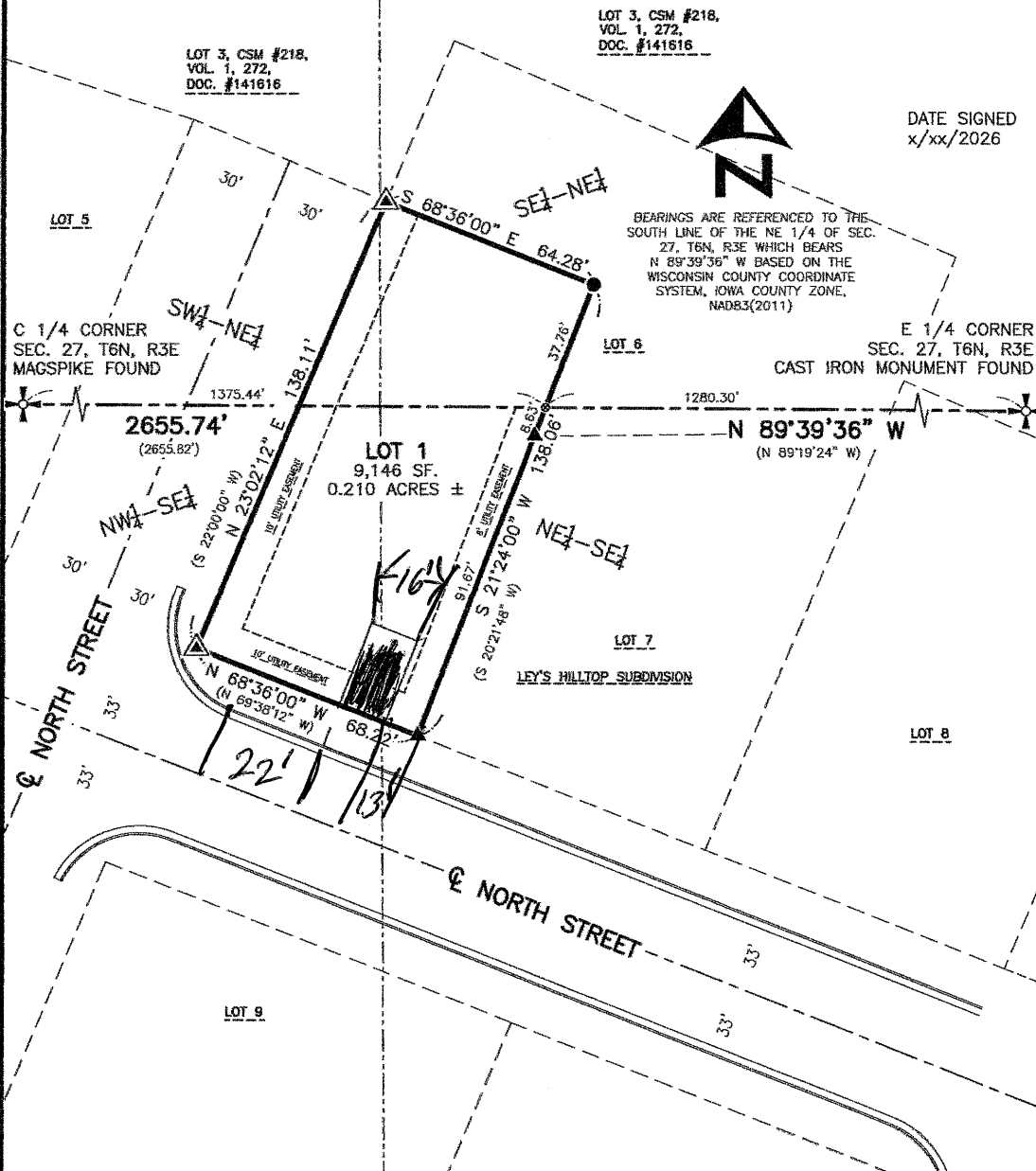
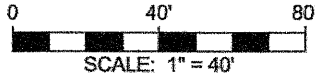
Being part of Lot 6 of LEY'S HILLTOP SUBDIVISION, Document 222158, Plat Cabinet A, Envelope 529, located in the SW 1/4 and SE 1/4 of the NE 1/4, and in the NW 1/4 and NE 1/4 of the SE 1/4 of Section 27, T6N, R3E, City of Dodgeville, Iowa County, Wisconsin.

FOR: PHILIP LEY
800 EAST NORTH STREET
DODGEVILLE, WI 53533

SITE: 700 EAST NORTH STREET
DODGEVILLE, WI 53533

LEGEND:

- 3/4" X 24" X 1.5LB./LF. REBAR SET
- ▲ 3/4" REBAR FOUND
- △ 1-1/4" REBAR FOUND
- SECTION CORNER
- ALL TIES FOUND & VERIFIED
- () RECORDED AS
- REFERENCE POINT



FULLCIRCLE
ENGINEERING & SURVEYING

3462 Spring Valley Road
Dodgeville, WI 53533
608-935-0294
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SHEET 1 OF 2
JOB ID: 2603121C
FIELD: MGR

1113 2016 COMP 1119 3/13/2026

LEY CSM 700 NORTH ST. 3/11/2026

IOWA COUNTY CERTIFIED SURVEY MAP # _____

Being part of Lot 6 of LEY'S HILLTOP SUBDIVISION, Document 222158, Plat Cabinet A, Envelope 529, located in the SW 1/4 and SE 1/4 of the NE 1/4, and in the NW 1/4 and NE 1/4 of the SE 1/4 of Section 27, T6N, R3E, City of Dodgeville, Iowa County, Wisconsin.

FOR: PHILIP LEY
800 EAST NORTH STREET
DODGEVILLE, WI 53533

SITE: 700 EAST NORTH STREET
DODGEVILLE, WI 53533

SURVEYOR'S CERTIFICATE:

I, Michael G. Rochon, professional land surveyor, hereby certify:

THAT under the direction of Philip A. Ley, I have surveyed, divided and mapped the following described parcel of land:

Being part of Lot 6 of LEY'S HILLTOP SUBDIVISION, Document 222158, Plat Cabinet A, Envelope 529, located in the SW 1/4 and SE 1/4 of the NE 1/4, and in the NW 1/4 and NE 1/4 of the SE 1/4 of Section 27, T6N, R3E, City of Dodgeville, Iowa County, Wisconsin, to wit:

Commencing at the E 1/4 corner of said Section 27;
thence N 89°39'36" W, 1280.30' along south line of the NE 1/4;
thence N 21°24'00" W, 37.76' to the POINT OF BEGINNING;
thence S 21°24'00" W, 138.06' partially along the east line of Lot 6 of Ley's Hilltop Subdivision;
thence N 68°36'00" W, 68.22' along the south line of Lot 6 of Ley's Hilltop Subdivision;
thence N 23°02'12" E, 138.11' along the west line of Lot 6 of Ley's Hilltop Subdivision;
thence S 68°36'00" E, 64.28' to the POINT OF BEGINNING;
Containing 9,146 square feet or 0.210 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.

xx/xx/2026

Michael G. Rochon, S-2767

Date

NOTE:

A 28' EASEMENT IN FAVOR OF GTE FOR TELEPHONE LINES IS SHOWN ON LEY'S HILLTOP SUBDIVISION FOR 3 LINES THAT HAVE BEEN ABANDONED. THIS EASEMENT NEEDS TO BE RELEASED BEFORE A HOME CAN BE BUILT BECAUSE IT GOES THROUGH THE MIDDLE OF LOT 1 OF THIS CERTIFIED SURVEY MAP.

CITY OF DODGEVILLE CERTIFICATE

The City of Dodgeville hereby accepts this CSM for recording.

_____, Clerk Date

Barry N. Hottmann, Mayor Date

OWNERS CERTIFICATE

As owner I certify that I caused the land described on this certified survey map to be surveyed, divided and mapped as represented on this certified survey map.

Philip A. Ley, OWNER Date

STATE OF WISCONSIN)
IOWA COUNTY) SS

Personally came before me this _____ day of _____, 2026,
the named Philip A. Ley
to me known to be the person(s) who executed the
foregoing instrument and acknowledged the same.

NOTARY PUBLIC _____, WI.

MY COMMISSION EXPIRES _____

CERTIFICATE OF IOWA CO. REGISTER OF DEEDS

Received for recording this ____ day of _____, 2026 at ____ o'clock ____M, and recorded in Volume ____ of Certified Survey Maps, on Page(s) _____.

TAYLOR J CAMPBELL, IOWA CO. REGISTER OF DEEDS



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3462 Spring Valley Road
Dodgeville, WI 53533
608-935-0294
www.fullcircleES.com

SHEET 2 OF 2
JOB ID: 2603121C
FIELD: MGR

13113 WORK COMP FILED 3/13/2026



LOCATION OVERVIEW

DISCLAIMER: No guarantee in the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1" = 400'

Print Date: 4/9/2026



LOCATION OVERVIEW

DISCLAIMER: No guarantee in the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1" = 50'

Print Date: 4/9/2026



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Opinion of Probable Cost
8/7/2025
Craig Street Construction
North Street to Termini
City of Dodgeville

Bid Item Ref. No.	Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
Street & Sitework - Craig Street					
1	Mobilization	LS	1	\$ 4,500.00	\$ 4,500.00
2	Performance & Payment Bonds	LS	1	\$ 3,000.00	\$ 3,000.00
3	Temporary Traffic Control	LS	1	\$ 1,000.00	\$ 1,000.00
4	Remove Existing Asphalt	SY	40	\$ 5.00	\$ 200.00
5	Common Excavation (Estimated 2350CY +/-)	LS	1	\$ 25,000.00	\$ 25,000.00
6	Strip, Salvage, & Re-Spread Topsoil	LS	1	\$ 1,000.00	\$ 1,000.00
7	Excavation Below Subgrade (EBS) (Excavation Only)	CY	50	\$ 20.00	\$ 1,000.00
8	Base Aggregate Dense - 1 1/4"	SY	700	\$ 8.70	\$ 6,090.00
9	Base Aggregate Dense - 3"	SY	700	\$ 17.40	\$ 12,180.00
10	Base Aggregate Dense - 3" (For EBS)	CY	50	\$ 58.00	\$ 2,900.00
11	Finish Grading In Prep. Of Paving	LF	140	\$ 10.00	\$ 1,400.00
12	Sawcut Asphalt	LF	36	\$ 4.00	\$ 144.00
13	HMA Pavement - Upper Layer (2"), 4 LT 58-28S	SY	560	\$ 18.50	\$ 10,360.00
14	HMA Pavement - Lower Layer (2.5"), 3 LT 58-28S	SY	560	\$ 21.00	\$ 11,760.00
15	Asphalt Cleaning & Sweeping	SY	560	\$ 0.10	\$ 56.00
16	Asphaltic Tack Coat	SY	560	\$ 0.20	\$ 112.00
17	Erosion Mat DOT Class I, Type A w/ Seed & Fertilizer (Biodegradable Mat & Staples)	SY	350	\$ 18.00	\$ 6,300.00
18	Silt Fence	LF	200	\$ 5.00	\$ 1,000.00
19	Inlet Protection - Type D	EA	2	\$ 250.00	\$ 500.00
20	Clear Stone Tracking Pad	TON	80	\$ 20.00	\$ 1,600.00
21	Remove Existing Curb & Gutter	LF	10	\$ 8.00	\$ 80.00
22	Concrete Curb & Gutter - 30"	LF	280	\$ 38.00	\$ 10,640.00
Subtotal - Street & Site work					\$ 100,822.00
Contingency (10%)					\$ 10,082.20
Engineering (15%)					\$ 16,635.63
Total -					\$ 127,539.83

Bid Item Ref. No.	Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
Water Distribution - Craig Street					
23	Water main - 6" C-900	LF	5	\$ 198.00	\$ 990.00
24	Water main - 8" C-900	LF	140	\$ 200.00	\$ 28,000.00
25	Rock Excavation - Utility Trenches	CY	50	\$ 200.00	\$ 10,000.00
26	Gate Valves - 6"	EA	1	\$ 3,950.00	\$ 3,950.00
27	Hydrant - New w/ Marker Flag - 7'	EA	1	\$ 8,000.00	\$ 8,000.00
28	Utility Line Opening	EA	1	\$ 2,000.00	\$ 2,000.00
Subtotal - Water Distribution					\$ 52,940.00
Contingency (10%)					\$ 5,294.00
Engineering (15%)					\$ 8,735.10
Total -					\$ 66,969.10
Total - Craig Street Construction					\$ 153,762.00
Contingency (10%)					\$ 15,376.20
Engineering (15%)					\$ 25,370.73
Total - Craig Street Construction					\$ 194,508.93

