

NOTICE

The City of **Merrill Zoning Board of Appeals** will meet on **Tuesday, September 6, 2022 at 6:00P.M.** in the City Hall Basement Conference Room on the following:

Voting members: Chairman Jeremy Thompson, James Koebe, Dean Haas, Ron Burrow, Rebecca Rutkowski and Eric Dayton

AGENDA

- 1.) Call to order
- 2.) Roll call
- 3.) Public Comment
- 4.) Approval of the minutes June 8, 2022
- 5.) Public Hearings:
 - a. Norbert Conrad, 913 Grand Avenue, requesting a variance to M.M.C. Sec. 113-320, regulations for fencing in a residential zone in the City of Merrill, Lincoln County, Wisconsin. Legally described in pin# 251-3106-112-0076.
 - b. Kevin Emanuel, 105 S. Ohio Street, requesting a variance to M.M.C. Sec. 113-320, regulations for fencing in a residential zone in the City of Merrill, Lincoln County, Wisconsin. Legally described in pin#251-3106-104-0134.
- 6.) Other Business
- 7.) Next meeting date
- 8.) Adjournment

Darin Pagel
Zoning Administrator

The Merrill City Hall is accessible to the physically disadvantaged. If specific accommodations are needed, please contact the Merrill City Hall at 536-4880.

ZONING BOARD OF APPEALS MINUTES
June 8, 2022, 6:00 p.m.

PRESENT: Chairman Jeremy Thompson, Dean Haas, Ron Burrows, Eric Dayton, Jim Koebe, Rebecca Rutkowski, and Zoning Administrator Darin Pagel

Guests: Joe Schefelbein, Travis and Natalie Klug

No public comment.

Motion to approve January 5, 2022 minutes Mr. Haas, second Mr. Burrow, carried.

ZA Pagel read the meeting notice and explained the first hearing.

Motion to open hearing Mr. Haas, second Mr. Burrow, carried.

Mr. Schefelbein spoke in favor and stated it was a small lot and he already had a house plan which would be valued at \$310,000.00. It will be a spec house, wants to center it on the lot with 4.5' setback on each side. The board asked if anyone had called in opposition, ZA Pagel stated there has been no opposition. ZA Pagel stated the Board could put conditions on variances such as a Certified Survey Map.

Motion to close hearing Mr. Haas, second Mr. Dayton, carried.

Motion to approve Mr. Haas, second Mr. Burrow, with the condition of a Certified Survey Map being completed. carried unanimously.

ZA Pagel read the meeting notice and explained the second hearing.

Motion to open hearing Mr. Burrow, second Mr. Koebe, carried.

Travis and Natalie Klug, 501 Wisconsin, spoke in favor for the need for privacy, an odd shaped lot, and safety of their children. The Board asked questions of height, location, and materials. No one spoke in opposition.

Motion to close hearing Mr. Burrow, second Mr. Haas, carried.

Motion to approve Mr. Haas, second Mr. Burrow, with the following conditions: 1. Certified Survey Map.

2. The fence could be placed 1' from the sidewalk with the owner accepting all liability for fence damage during sidewalk construction.

3. Maximum 6' solid fence with the finished side facing out. Carried unanimously.

No other business

Next meeting will be at call of the Chairman

Motion to adjourn Mr. Burrow, second Mr. Haas, carried.

Meeting adjourned 6:30pm

Darin Pagel, Recording Secretary.

CITY OF MERRILL
1004 EAST FIRST STREET
MERRILL, WI 54452

NOTICE OF PUBLIC HEARINGS

All persons interested will be given an opportunity to be heard at a public hearing to be held by and before the Zoning Board of Appeals of the City of Merrill, Wisconsin, commencing at 6:00 p.m. on Tuesday, September 6, 2022, in the Basement Conference Room, 1004 East First Street, Merrill, Wisconsin, on the following proposed matters, to wit;

1. Norbert Conrad, 913 Grand Avenue, requesting a variance to M.M.C. Sec. 113-320, regulations for fencing in a residential zone in the City of Merrill, Lincoln County, Wisconsin. Legally described in pin# 251-3106-112-0076.
2. Kevin Emanuel, 105 S. Ohio Street, requesting a variance to M.M.C. Sec. 113-320, regulations for fencing in a residential zone in the City of Merrill, Lincoln County, Wisconsin. Legally described in pin#251-3106-104-0134.

Anyone having any questions regarding the hearing should contact Zoning Administrator, Darin Pagel at 536-4880.

Dated: August 22, 2022

CITY OF MERRILL, WISCONSIN

By: Lori Anderson-Malm
Lori Anderson-Malm
City Clerk

APPLICATION FOR ZONING VARIANCE

CITY OF MERRILL

NAME: Norbert Conrad STREET ADDRESS: 913 Grand Ave.

PROPERTY ADDRESS: 913 Grand Ave. TAX ROLL#: _____

LEGAL DESCRIPTION: (MUST PROVIDE DEED) _____

EXISTING USE: yard PROPOSED USE: yard

REASONS FOR REQUESTING A VARIANCE: have a doberman that's head sits at 4' and can jump a 4' fence

Additional Requirements

1. Names and addresses of all abutting and opposite property owners within 100 feet of the property to be altered.
2. Evidence by the applicant of ownership or control of the property for which the variance is submitted.
3. Address and must provide the Deed of proposed property.
4. A site plan or survey plat, drawn to scale, showing an accurate depiction of the property, location of structures, and property lines within 100 feet of the parcel.
5. Other pertinent information that may be pertinent in considering the application.
6. FAILURE TO SUPPLY SUCH INFORMATION SHALL BE GROUNDS FOR DISMISSAL OF PETITION.
7. A fee of \$175.00 shall be paid to the Clerk-Treasurer at time of application.

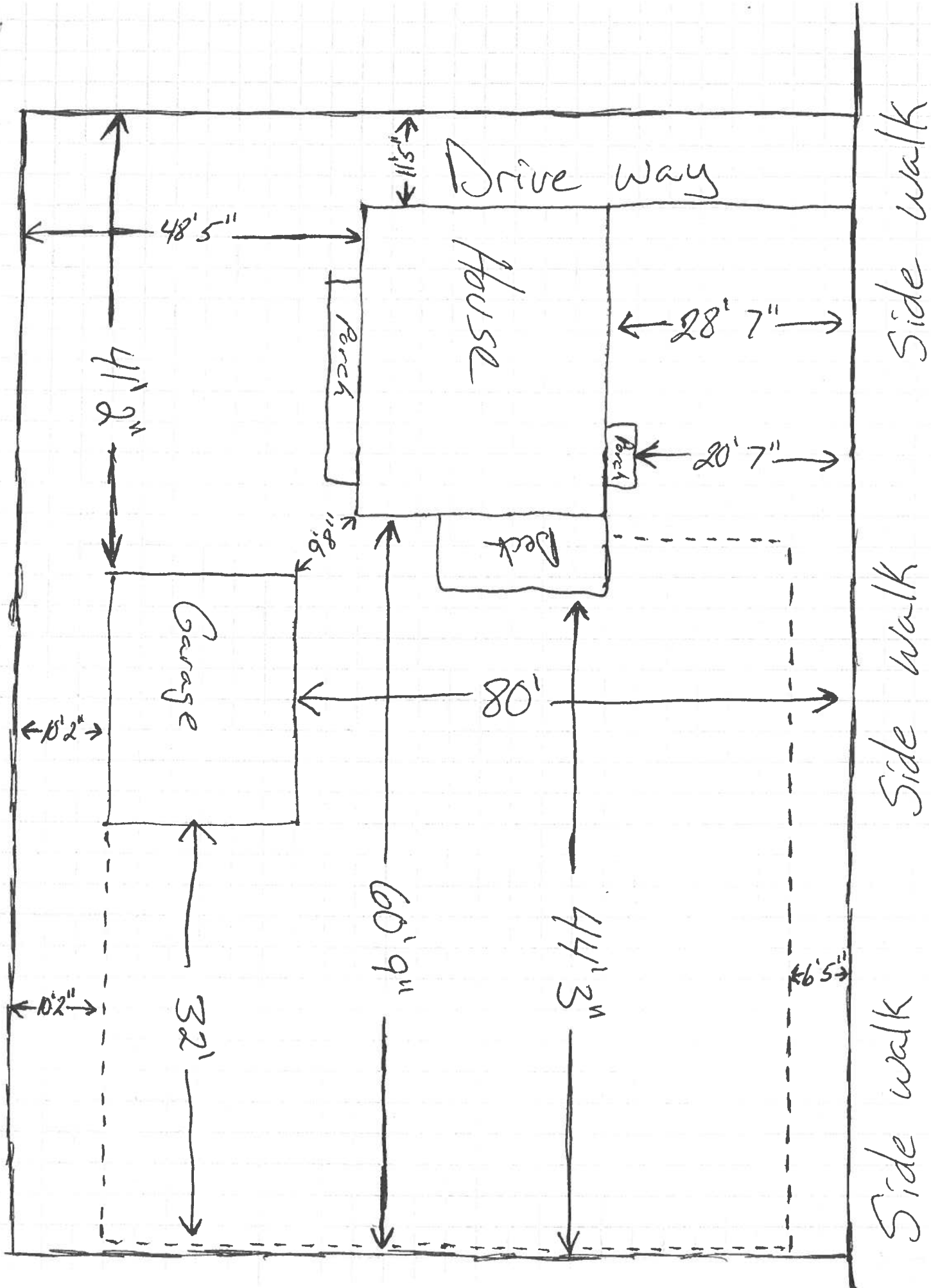
All information submitted is accurate to the best of my knowledge.



7/24/2022

Signature of Applicant

Date



State Bar of Wisconsin Form 2-2003
WARRANTY DEED

Document Number

Document Name

549818

SARAH L. KOSS
LINCOLN COUNTY, WI
REGISTER OF DEEDS

03/11/2021 08:31:11AM

REC FEE: \$30.00

THIS DEED, made between GREG AMENT and MARY AMENT, husband and wife, and each individually,

("Grantor," whether one or more), and NORBERT CONRAD and CHASITY CONRAD, husband and wife, as survivorship marital property,

("Grantee," whether one or more).
Grantor for a valuable consideration, conveys and warrants to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Lincoln County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

- SEE ATTACHED RIDER FOR LEGAL DESCRIPTION -

EXEMPTION #: 17
PAGES: 2

** The above recording information verifies that this document has been electronically recorded and returned to the submitter.**

Recording Area

Name and Return Address

Quality Title, Inc.
102 S. Court St.
Merrill, WI 54452

This deed is given in fulfillment of that certain land contract between Greg Ament and Mary Ament as Vendor and Norbert Conrad and Chasity Conrad as Purchaser dated November 1, 2018 and recorded November 5, 2018 as Document No. 533772, Lincoln County Registry.

251-3106-112-0076

Parcel Identification Number (PIN)

This is not homestead property.
(is) (is not)

Exceptions to warranties:

restrictions, reservations, easements, agreements, covenants, and rights-of-way of record. ALSO excepting any liens or encumbrances created by the act or default of the Purchaser/Grantee from and after November 1, 2018.

Dated March 3, 2021

Greg Ament (SEAL)
* Greg Ament

Mary Ament (SEAL)
* Mary Ament

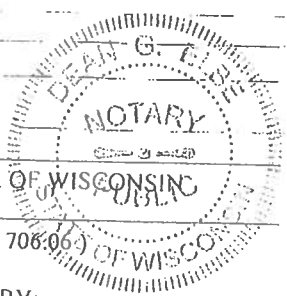
* _____ (SEAL)

* _____ (SEAL)

AUTHENTICATION

Signature(s)

authenticated on



TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

Craig J. Nienow, Attorney & Counselor at Law
1105 East Main Street, Merrill, WI 54452

ACKNOWLEDGMENT

STATE OF WISCONSIN)

) ss.

LINCOLN COUNTY)

Personally came before me on March 3, 2021
the above-named Greg Ament and Mary Ament

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

* Dean G. Plesch
Notary Public, State of WI

My commission (is permanent) (expires: 3/24/22)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATION TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

WARRANTY DEED

*Type name below signatures.

©2003 STATE BAR OF WISCONSIN

FORM NO. 2-2003

INFO-PRO™ www.infolproforms.com

AMENT - CONRAD

RIDER TO WARRANTY DEED

Commencing at the Northwest corner of Lot Two (2), Block Six (6), of H. Kleber and Bros. Addition to Merrill, Wisconsin, and running thence southwesterly on the line between Lots 2 & 3 of said Block 6, to the South Line of said Lot 2, thence southeasterly on a line parallel with the southerly line of Grand Avenue, 100 feet; thence in a northeasterly direction on a line parallel with the line between Lots 2 and 3 of said Block 6, to the South line of Grand Avenue, thence in a northwesterly direction on the South line of Grand Avenue 100 feet to the place of beginning, being all of Lots 1 and 2, Block 6, of H. Kleber & Bros. Addition to Merrill, and a part of Lot 4, Block 2, of Champagne & Woodlock's Addition to said City of Merrill, Wisconsin. Being part of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) and Lot Two of Section Eleven (11), in Township Thirty-one (31) North, Range Six (6) East, in Lincoln County, Wisconsin, City of Merrill.

**APPLICATION FOR ZONING VARIANCE
CITY OF MERRILL**

NAME: Kevin Emanuel STREET ADDRESS: 105 S. OHIO ST
PROPERTY ADDRESS: 105 S. OHIO ST TAX ROLL#: 25131061040134
LEGAL DESCRIPTION: LT 5 3 1/4 N 17' 5" BLK 14 JM SMITH & CO
THIRD ADD'N
EXISTING USE: PRIMARY RESIDENCE PROPOSED USE: PRIMARY RESIDENCE
REASONS FOR REQUESTING A VARIANCE: PLEASE SEE THE ATTACHED
LETTER OF EXPLANATION

ADDITIONAL REQUIREMENTS

1. Names and addresses of all abutting and opposite property owners within 100 feet of the property to be altered.
2. Evidence by the applicant of ownership or control of the property for which the variance is submitted.
3. Address and description of the property.
4. A site plan or survey plat, drawn to scale, showing an accurate depiction of the property, location of structures, and property lines within 100 feet of the parcel.
5. Other pertinent information that may be pertinent in considering the application.
6. FAILURE TO SUPPLY SUCH INFORMATION SHALL BE GROUNDS FOR DISMISSAL OF PETITION.
7. A fee of \$175.00 shall be paid to the Clerk-Treasurer at time of application.

All information submitted is accurate to the best of my knowledge.



Signature of Applicant

8/11/22

Date

Zoning Variance Request Explanation

When the original site plan that was submitted along with the building permit application, I estimated that the fence setback would be at 6 feet. During the construction of the fence, it became apparent that the setback would not be feasible because of the large maple tree situated close to the house on the western side of the property. Due to the topography of the land rising around the base and the massive root ball that the tree has interfered with placement of the fence posts as per the original site plan, necessitating moving the fence line closer to the property line.



Wisconsin Mutual

Insurance Company

8201 Excelsior Drive • Madison, WI 53717

www.wisconsinmutual.com



POLICY CHANGE

Effective: 12/15/2021

Update Mortgagee

Policy Number: P 049884	
Policy Term: 12 Months	THIS IS NOT A BILL

#BWNKSHZ
KEVIN EMANUEL
105 S OHIO ST
MERRILL WI 54452-2146

305495



Wisconsin Mutual

Insurance Company

8201 Excelsior Drive • Madison, WI 53717

www.wisconsinmutual.com

PROPERTY POLICY DECLARATION

Policy Number	Policy Period 12:01 AM Standard Time	
P 049884	From	To
	9/17/2021	9/17/2022

Named Insured Kevin Emanuel
305495 105 S Ohio St
Merrill, WI 54452-2146

Agent Provident Group Inc
986 1001 E Main St
Merrill, WI 54452
(715)722-0722

Premier Homeowner WHO 00 03 05 11, WHO 01 48 05 20, HO 06 48 10 15, HO 06 53 02 17
105 S Ohio St Merrill WI 54452 Terr: 7 Rate Schedule: 1 Year Built: 1946

	Limit	Premium
Property Coverages With Deductible Of \$1,000		965.00
A) Dwelling	317,500	
B) Other Structures	31,750	
C) Personal Property	222,250	
D) Loss of Use	63,500	
Personal Liability Coverage		
E) Personal Liability (Each Occurrence)	500,000	
F) Medical Payments to Others (Each Person)	5,000	

Additional Coverages and Endorsements

HO 0490 Personal Property Replacement Cost		
HO 0420 Specified Addtl Amt of Insurance Cov A		1.00
HO 0446 Inflation Guard 3% Annually		
HO 0495 Limited Water Backup/Sump D/C-OVF \$10000		70.00
HO 2482 Personal Injury Coverage		
Increase Personal Liability		20.00
WHO0493 ACV Loss Settlement Wind/Hail Roof Surf		
HO 0427 Limited Fungi, Wet or Dry Rot, or Bacteria Coverage:		
Section I-Aggregate limit of 10% of Coverage A, not to exceed \$50,000		
Section II-Coverage E Aggregate Sublimit of \$50,000		

Discounts and Surcharges

Dwelling Total: 1,056.00

Mortgagee (Name and Address) see loss payable clause on reverse

Rocket Mortgage ISAOA 1050 Woodward Ave Detroit MI 48226
Loan: 3489839322

Policy Total: 1,056.00

Zoning Commission Members,

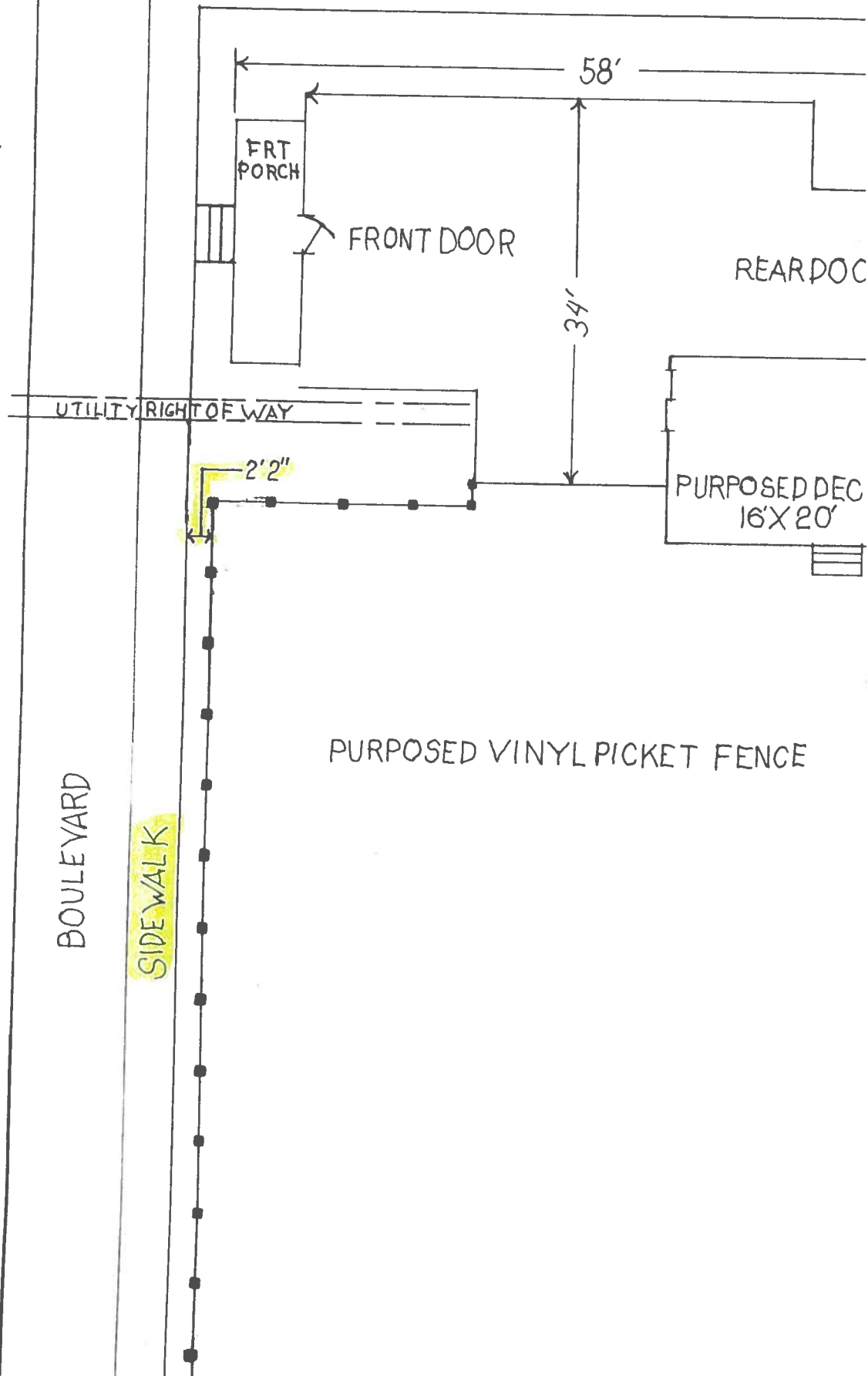
Thank you for considering my application for a zoning variance. I wanted to let you know that despite my error in measurement, the project came out well and we have received many compliments from our neighbors on the overall appearance of the fence, we even received a compliment from Mark Rymer the owner of Westside Market that the fence looked very nice. I have been told that the fence adds to the neighborhood and that it looks like it has always been there, and that the aesthetics are attractive and pleasing to the eye. I have included a picture of the base of the Maple Tree that led to where I am at today. I have also included a picture of the fence taken from the boulevard looking towards the house.

Kevin Emanuel



TOD HINZ PF

S. OHIO ST.



BOULEVARD

SIDE WALK

FRT PORCH

FRONT DOOR

REAR DOC

UTILITY RIGHT OF WAY

2'2"

PURPOSED DEC 16'X 20'

PURPOSED VINYL PICKET FENCE

