
ZONING BOARD OF APPEALS MEETING AGENDA

Tuesday, September 30, 2025 at 9:00 a.m.

Caledonia Village Hall - 5043 Chester Lane

Caledonia, WI 53402

1. **Meeting called to order**
2. **Roll Call**
3. **Approval of Minutes:**
 - A. July 29, 2025, Meeting Minutes
4. **New Business**
 - A. Case No. 25-004, 12900 Northwestern Ave. Todd Dombrowski, Applicant. Requesting variances from Section 16-10-3(a)(1): Area of Accessory Structures, and Section 16-10-3(a)(3): Height of Accessory Structures, to allow for the construction of a 36' x 44' accessory building, 1584 square feet in area and approximately 20 feet in height (Parcel ID No. 104-04-22-30-055-000). More information at Caledonia Zoning Hub: <https://s.zoninghub.com/Z85PP822PA>
 - B. Case No. 25-005, State Highway 38. Robert Prochaska, Applicant. Requesting a variance from Section 16-10-1(c): General Requirements, to allow for the construction of a 120' x 120' pole building with a side setback of 7.5 feet (Parcel ID No. 104-04-22-09-061-010). More information at Caledonia Zoning Hub: <https://s.zoninghub.com/RKAKH1UHDV>
5. **Board Meeting**
 - A. Deliberate the request of Case No. 25-004, Todd Dombrowski
 - B. Decision on Case No. 25-004, Todd Dombrowski
 - C. Deliberate the request of Case No. 25-005, Robert Prochaska
 - C. Decision on Case No. 25-005, Robert Prochaska
6. **Adjournment**

VILLAGE OF CALEDONIA ZONING BOARD OF APPEALS

Village Hall, 5043 Chester Lane, Racine, WI 53402

Tuesday, July 29, 2025, at 9:00 a.m.

1. Meeting called to order

Chairperson Kuemmel called the meeting to order at 9:00 a.m.

2. Roll Call: Board Members in attendance: Joan Rennert, Richard Mielke, Jacob

Lovdahl, Rosanne Kuemmel, John Barnes, and Ron Bocciardi.

Staff Present: Development Director Peter Wagner, Planner/Zoning Administrator Natalia Nery de Farias.

3A. Approval of Minutes

Motion by Lovdahl to accept the minutes of March 26, 2024. **Seconded by Mielke.** Motion carried unanimously.

4A. Public Hearing. Kuemmel read the variance request and the meeting process.

Public Hearing

Jim Fox
1908 Cleveland Avenue
Racine, WI 53405

Requesting a variance from Municipal Code Section 16-10-3(a)(4). The applicant is requesting a variance to allow for a side yard setback of 4 feet for a proposed 24' x 20' addition to the existing detached garage located at 2333 Indian Trail.

Kuemmel opened the Public Hearing portion of the meeting at 9:04 a.m.

Natalia Nery de Farias swore in appellant Jim Fox, 1908 Cleveland Avenue, Racine, WI 53405.

Fox explained the request for a variance. He explained the homeowner would like to build a 24' x 20' addition to the back of the existing 24' x 30' detached garage. The existing garage is 4 feet from the lot line. Building the addition following the required 5-foot setback would alter the roof lines and compromise the aesthetic of the garage.

Kuemmel asked three times if anyone wanted to speak in favor of the variance.

In favor: William Keckhaver, 2333 Indian Trail, Caledonia, WI 53402.

Keckhaver stated that he would like to expand the garage within the same limits as the existing garage. The current side yard setback is 4 feet, and he would like to maintain the same distance for the addition. He has been living on the property for 28 years, and the accessory structure was built prior to that. Currently, there is a privacy fence on that side of the property.

Fox added that, if granted the variance, he will provide a new plat of survey representing the site to assess the exact measurement between the garage and the side lot line.

Kuemmel asked three times if anyone wanted to speak in opposition to the variance.

Against: None.

Kuemmel asked if the Zoning Administrator wanted to provide any testimony. The Zoning Administrator stated no. Kuemmel asked if the applicant wanted to provide additional testimony. The applicant stated no. Kuemmel asked the Board if they had any questions for staff or the applicant regarding the case.

The Board reminded the applicant that there is a set of criteria to be met for granting variances and asked him to further detail how the proposed addition may fit these criteria. Fox stated that placing the addition one foot off the current alignment of the garage would interrupt gutter lines and create more impervious surfaces on the lot. The Board argued that the justification provided by Fox is sensible but does not fit the criteria. Fox and Keckhaver were given a moment to revise the application and variance criteria.

Fox amended his explanation by stating that following the current side setback requirement would devalue the property. The Board asked if neighboring properties would be negatively impacted by the addition. Fox contended that there is a wood privacy fence separating the building from the neighboring property to the east, which has only landscaping on that side yard.

The Board asked the applicant if any neighboring properties contained accessory buildings with 4-foot setbacks. Fox confirmed, adding that the previous zoning code required 3-foot setbacks for accessory structures.

Kuemmel reviewed the appeals process with the applicant and then asked if there were any other questions. No further questions were asked. Kuemmel closed the public hearing at 9:24 a.m.

5. Board Meeting

5A. Deliberate the request of Case No. 25-001, Jim Fox

Kuemmel reviewed the request with the Board and opened the floor for Board discussion.

The Board, in analyzing the plat of survey provided by the applicant, asked staff if the fence is parallel to the side lot line. Staff replied that, since the hand drawing provided may not be accurate, this information cannot be confirmed. Staff reminded the Board that the applicant committed to providing a new plat of survey in case the variance is approved, which would confirm the exact measurements and position of structures on the lot.

The Board proceeded to discuss the findings of fact criteria:

- **Preservation of intent:** Accessory structures such as detached garages are uses permitted in the R-5 district.
- **Exceptional circumstances:** The existing detached garage was built following the previous zoning code. The new ordinance requirements, in differing from previous standards, impose an exceptional circumstance on the existing detached garage.
- **Preservation of property rights:** Granting the variance will preserve property rights by Keckhaver and other property owners in the same district and vicinity.

- **Absence of detriment:** Granting the variance will not result in detriment to neighboring properties.

5B. Decision on Case No. 25-001, Jim Fox

Rennert made a motion to grant the requested variance for Case No. 25-001 for a side yard setback of 4 feet for a proposed 24' x 20' addition to the existing 24' x 30' detached garage based on the Board's findings of fact. **Seconded by Mielke.** Motion carried unanimously.

4B. Public Hearing. Kuemmel read the variance request and the meeting process.

Public Hearing

Jim Fox
1908 Cleveland Avenue
Racine, WI 53405

Requesting a variance from Municipal Code Section 16-10-3(a)(4). The applicant is requesting a variance to allow for a side yard setback of 3 feet and a distance of 5 feet from the principal structure for a proposed 24' x 24' detached garage addition to the existing single-family home located at 5333 Willowview Road.

Kuemmel opened the Public Hearing portion of the meeting at 9:35 a.m.

The appellant, Jim Fox, had been sworn in at the start of the first public hearing. Natalia Nery de Farias swore in the homeowner, Randall Wetzels, 5333 Willowview Road, Caledonia, WI 53402.

Fox explained the request for variances. He explained the homeowner would like to build a 24' x 24' detached garage. The first request is related to the required 10-foot distance from the principal structure. The applicant argued that the Uniform Building Code (UBC) states that any structure closer than 5 feet from another, in this case, the principal structure and proposed garage, is required to be reinforced with firewalls. The exterior walls of the existing attached garage were built using drywall coated with brick veneer, which provides two fire-resistant barriers.

The second request is related to the required 5-foot setback from the side lot line. Due to the irregular shape of the lot, the proposed building could only be located 3 feet away from the side lot line. This setback would be similar to that of most accessory structures in neighboring properties. Fox also explained that the principal structure was built on an angle that hampers the construction of accessory structures on the lot. Currently, the property has metal sheds that would potentially be substituted by the proposed detached garage.

Fox added that, if granted the variance, he will provide a new plat of survey representing the site to assess the exact measurements of proposed and existing structures.

Kuemmel asked three times if anyone wanted to speak in favor of the variance.

In Favor: None.

Kuemmel asked three times if anyone wanted to speak in opposition to the variance.

Against: Brenda Krause, 5422 West Branch Trail, Wind Point, WI 53402

Krause argued that the proposed detached garage would negatively impact property values and the overall desirability of the neighborhood. She also expressed concern about noise pollution, since she works from home and would not be able to open her bedroom window due to the proximity to the proposed garage. Additionally, she raised questions about water runoff, backyard wildlife, and waste.

Against: Jason Haen, 5416 West Branch Trail, Wind Point, WI 53402

On behalf of Haen, Krause read his statement in opposition to the request. Haen expressed great concern about noise pollution and the potential negative effect on the value of surrounding neighboring properties. According to Haen's statement, Wetzel manifested the intention of working on vehicles in the proposed garage, which would not fit within the residential character of the neighborhood.

Against: Village of Wind Point, 215 E. Four Mile Road, Wind Point, WI 53402

On behalf of the Village of Wind Point, Jeffrey Sanders, Zoning Administrator, submitted a letter in opposition to the request. Sanders affirmed that examples of exceptional circumstances include steep slopes, wetlands, or other natural features that prevent compliance with the ordinance. Sanders' examination of the available data layers in the Racine County Mapbook did not reveal any physical limitations justifying granting the variance. Therefore, no exceptional circumstances appear to apply to the parcel in question. Additionally, the owner must prove that compliance with code standards would unreasonably prevent him from using the property for a permitted use. The parcel currently hosts a single-family dwelling, which is a permitted use in the R-5 district.

Kuettel asked if the Zoning Administrator wanted to provide any testimony. The Zoning Administrator stated no. Kuettel asked if the applicant or homeowner wanted to provide additional testimony. Wetzel contended that he was not approached by neighbors about the proposed garage. He also added that the garage would only be utilized for storage. No work would be done on vehicles.

Fox stated that, if granted the variance, the metal sheds on the property would be substituted by the detached garage to improve the overall aesthetic of accessory structures on the property.

The Board asked Fox what the distance from the edge of the metal sheds to the side property line was. Fox stated that the distance from one of the sheds to the lot line is approximately seven feet. The other metal shed was approximately two feet from the lot line. Both are temporary structures.

The Board asked Fox the reason why the proposed garage is detached instead of attached. Fox argued that the possibility was discussed; however, a frost wall would also be required, which would increase the costs for the homeowner. Additionally, the setbacks from lot lines required for attached structures would be greater than those for detached structures.

The Board asked if the applicant had any evidence that Wetzel's property was under exceptional circumstances in comparison to neighboring parcels. Fox stated that most properties within that subdivision had attached garages. Those with detached garages were three feet from the lot lines. The Board reminded Fox that physical evidence was necessary to confirm his affirmation. Fox asked staff if the structure could be built in the rear yard and be in compliance with code. Staff confirmed that it would be possible if all setback and height requirements were met.

The Board asked the homeowner if his neighbors were in favor of the location of the proposed garage. Wetzel replied that he has two neighbors abutting his property within the limits of Caledonia. One of them was not in opposition to the project. The other neighbor was not contacted.

Kuettel reviewed the appeals process to the applicant and then asked if there were any other questions. No further questions were asked. Kuettel closed the public hearing at 10:23 a.m.

5. Board Meeting

5C. Deliberate the request of Case No. 25-002, Jim Fox

Kuettel reviewed the request with the Board and opened the floor for Board discussion.

Upon analysis of the testimonial, the Board stated that there are other options the applicant could pursue to build the detached garage, such as placing the structure in the rear yard. Additionally, testimonials against the project point to a potential negative effect on neighboring properties. The Board then proceeded to analyze each request, i) *5 feet from the principal structure* and ii) *3 feet from the side lot line*, separately.

i. Variance request to allow for a distance of 5 feet from the principal structure

The Board proceeded to discuss the findings of fact criteria:

- **Preservation of intent:** Accessory structures such as detached garages are uses permitted in the R-4 district.
- **Exceptional circumstances:** Neighboring properties with detached garages followed setbacks from the previous zoning code, which was less restrictive than the current zoning code. The irregular shape of the lot creates exceptional circumstances that make it difficult for the property owner to follow current zoning restrictions.
- **Preservation of property rights:** Granting the variance will preserve property rights of Wetzel and other property owners in the same district and vicinity.
- **Absence of detriment:** Granting the variance will not result in detriment to neighboring properties.

ii. Variance request to allow for a side yard setback of 3 feet

The Board proceeded to discuss the findings of fact criteria:

- **Preservation of intent:** Accessory structures such as detached garages are uses permitted in the R-4 district.
- **Exceptional circumstances:** Neighboring properties in similar conditions contain detached structures following the zoning code. Additionally, the property owner has other options

regarding the placement of the detached structure. Therefore, no exceptional circumstances apply to the intended use.

- **Preservation of property rights:** Granting the variance will not preserve the property rights of other property owners in the same district because no other neighboring properties contain detached structures with 3-foot setbacks.
- **Absence of detriment:** Neighboring property owners would be negatively impacted by the proposed addition in closer proximity to the property line due to increased noise, water runoff, and overall aesthetic of the neighborhood.

5D. Decision on Case No. 25-002, Jim Fox

i. Variance request to allow for a distance of 5 feet from the principal structure

Lovdhal made a motion to grant the requested variance for Case No. 25-002 for a 5-foot distance from the principal structure for a proposed detached garage addition to the existing single-family home based on the Board's findings of fact. **Seconded by Mielke.** Motion carried unanimously.

ii. Variance request to allow for a side yard setback of 3 feet

Lovdhal made a motion to deny the requested variance for Case No. 25-002 for a side yard setback of 3 feet for a proposed detached garage based on the Board's findings of fact. **Seconded by Mielke.**

Barnes – Yes Mielke – Yes Rennert – No Lovdahl – Yes Kuemmel - Yes

The vote is 4-1 to deny the variance request. Motion carried.

4C. Public Hearing. Kuemmel read the variance request and the meeting process.

Public Hearing

Jim Fox
1908 Cleveland Avenue
Racine, WI 53405

Requesting variances from Sections 16-6-2(b) and 16-10-3(a)(4). The applicant is requesting variances to allow for a street yard setback of 20 feet for a proposed 24' x 36' detached garage addition to the existing single-family home located at 5712 Old Oak Road.

Kuemmel opened the Public Hearing portion of the meeting at 10:52 a.m.

The appellant, Jim Fox, had been sworn in at the start of the first public hearing.

Fox explained the request for variances. He explained the homeowner would like to build a 24' x 36' detached garage in the street yard of the property. He added that the neighboring properties to the north and east sit at least fifteen feet higher in comparison, which causes water drainage issues in the property in question. He also explained that, to remediate the situation, the property owners have created swales encompassing the north and east sides of the lot. Fox stated that the homeowners would like to build the garage away from the swales, in a way that rainwater runoff is

not greatly increased by the construction and the foundations of the garage are kept intact. Building the detached structure closer to the house and out of the street yard would also not be a possibility, since the area contains holding tanks. After studying the parcel's conditions, no other positions were deemed ideal to keep the garage away from the swales.

Kuemmel asked three times if anyone wanted to speak in favor of the variance.

In Favor: None.

Kuemmel asked three times if anyone wanted to speak in opposition to the variance.

Against: None.

Kuemmel asked if the Zoning Administrator wanted to provide any testimony. The Zoning Administrator stated no. Kuemmel asked if the applicant wanted to provide additional testimony. The applicant stated no.

The Board asked staff if neighboring properties are also zoned A-2: Agricultural. Staff confirmed.

The Board asked the applicant to further explain the practical difficulties of moving the proposed garage out of the street yard setback requirement. Fox stated that moving the addition towards the house and completely within the side yard would place the addition within the existing swales.

The Board asked if the swales could be altered to accommodate the new building. Fox contended that homeowners have already spent approximately \$70,000 to control water runoff from neighboring properties. Not only would altering the swales cost more, but it would also not solve the issue entirely.

The Board asked if the current property owners had built the house and were aware of the water runoff issue prior to purchasing the house. Fox answered no. He added that this was the only property in that area with severe drainage issues and a corner lot with a principal structure angled 45 degrees, creating an exceptional circumstance.

The Board asked if neighbors expressed opposition to the project. Staff affirmed that no comments or messages were received in opposition to the project prior to the meeting.

Kuemmel reviewed the appeals process to the applicant and then asked if there were any other questions. No further questions were asked. Kuemmel closed the public hearing at 11:18 a.m.

5. Board Meeting

5E. Deliberate the requests of Case No. 25-003, Jim Fox

Kuemmel reviewed the request with the Board and opened the floor for Board discussion.

The Board, analyzing Exhibit A, asked staff where on the property the 75-foot setback would begin. Staff pointed out the location and mentioned that the South corner of the house is less than 75 feet from the lot line. Staff also mentioned that the parcel itself is a legal non-conforming lot.

The Board then asked staff about the drainage issues within the property. Staff replied that the Village

did not require the property owner to build swales or record an easement that would prevent them from constructing another structure on the lot.

The Board pointed out that, due to the orientation of the house, the parcel is perceived to be under unique circumstances. However, these circumstances award the house an advantage when building detached accessory structures in comparison to neighboring properties. Therefore, the property owner has other alternatives to build the proposed garage in compliance with the zoning code.

The Board proceeded to discuss the findings of fact criteria:

- **Preservation of intent:** Accessory structures such as detached garages are uses permitted in the A-2 district, therefore preserving the purpose and intent of the district.
- **Exceptional circumstances:** The orientation of the home and drainage issues that motivated the construction of swales on the property impose exceptional circumstances on the parcel.
- **Preservation of property rights:** The orientation of the house grants more flexibility to the property owner when building detached accessory structures. Therefore, granting the variance will not preserve property rights of other property owners in the same district and vicinity.
- **Absence of detriment:** Granting the variance will not result in detriment to neighboring properties.

5F. Decision on Case No. 25-003, Jim Fox

Mielke made a motion to deny the requested variances for Case No. 25-003 for a street yard setback of 20 feet for a proposed 24' x 36' detached garage addition to the existing single-family home based on the Board's findings of fact. **Seconded by Barnes.**

Roll call

Barnes – Yes Mielke – Yes Rennert – Yes Lovdahl – No Kuemmel - No

The vote is 3-2 to deny the variance requests. Motion carried.

6. Continuing Business

None

7. Adjournment

The meeting was adjourned at 12:03 p.m.

Prepared by,

Natalia Nery de Farias,
Planner/Zoning Administrator
Village of Caledonia

Respectfully submitted,

Peter Wagner
Development Director
Village of Caledonia



Meeting Date: September 30, 2025

ZONING BOARD OF APPEALS REPORT

Item No. **4A**

Proposal: Variance Request

Description: Requests variances from Sections 16-10-3(a)(1) and 16-10-3(a)(3). The applicant is requesting variances to allow for the construction of an accessory building with an area of 1,584 square feet (36' x 44') and a height of approximately 20 feet on the property at 12900 Northwestern Avenue.

Applicant(s): Todd Dombrowski

Address(es): 12900 Northwestern Avenue

Suggested Motion: Staff does not make a recommendation on variance requests.

Owner(s): Todd Dombrowski

Tax Key(s): 104-04-22-30-055-000

Lot Size(s): ±2.5 acres

Current Zoning District(s): A-2, Agricultural District

Overlay District(s): N/A

Wetlands: ☐ Yes ☒ No Floodplain: ☐ Yes ☒ No

Comprehensive Plan: Industrial / Business Park

Background: The applicant is requesting variances from Section 16-10-3(a)(1), which states that the maximum area for an accessory structure is 1,500 square feet on parcels less than 5 acres in size; and Section 16-10-3(a)(3), which limits the maximum height of accessory structures to 17 feet. While these provisions apply to residential parcels, Section 16-10-3(b)(3) specifies that Agricultural parcels 3 acres or less in size must also conform to the requirements in Section 16-10-3(a): Residential Accessory Structures.

The applicant proposes to construct a 36' x 44' accessory building to accommodate current needs. The inclusion of a 12-foot-tall door results in a building height approximately 3 to 4 feet above the maximum allowed by Village Code.

The applicant has submitted a narrative explaining the need for the variance. Village staff does not provide recommendations regarding the request as staff has denied the proposed 36' x 44' accessory building as it does not comply with zoning code area and height requirements.

The following criteria should be used by the Zoning Board of Appeals when making a decision. An explanation of how the variance request applies to each one should be incorporated as part of the Board's deliberation.

Preservation of Intent: No variance shall be granted that is not consistent with the purpose and intent of the regulations for the district in which the development is located. No variance shall have the effect of permitting a use in any district that is not a stated permitted use, accessory use, or conditional use in that particular district.

Exceptional Circumstances: There must be unique circumstances or conditions applying to the lot or parcel or structure that do not apply generally to other properties of uses in the same zoning classification, and the granting of the variance should not be of so general or recurrent nature as to suggest that the zoning ordinance should be changed.


Economic Hardship and Self-Imposed Hardship Not Grounds for Variance: No variance shall be granted solely on the basis of economic gain or loss. Self-imposed hardships shall not be considered as grounds for the granting of a variance.

Preservation of Property Rights: The variance must be necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and same vicinity.

Absence of Detriment: No variance shall be granted that will create substantial detriment to adjacent property or that will materially impair or be contrary to the purpose and spirit of this ordinance or the public interest.

If the Board agrees that the applicant met criteria for granting a variance, the Board can make a motion to grant a variance allowing the applicant to construct an accessory building with an area of 1,584 square feet and a height of approximately 20 feet on the property located at 12900 Northwestern Avenue, Parcel ID No. 104-04-22-30-055-000. Please include the findings of fact found by the Board with the motion.

Prepared by:



Natalia Nery de Farias
Planner/Zoning Administrator

Respectfully submitted:



Peter Wagner, AICP
Development Director



August 26, 2025

Todd Dombrowski
12900 Northwestern Avenue
Franksville, WI 53126
[email: todddom@hotmail.com]

RE: Denial Letter – Accessory Building
Section 16-10-3(a)(1): Area of Accessory Structures in Agricultural District
Section 16-10-3(a)(3): Height of Accessory Structures in Agricultural District
12900 Northwestern Avenue

I have reviewed the accessory building permit application for the structure proposed in the rear yard of your property located at 12900 Northwestern Avenue. Unfortunately, I am unable to approve the accessory building permit application because the proposed building area and height exceed the maximum allowable dimensions of 1,500 square-feet and 17 feet, respectively.

Municipal Code Section 16-10-3(a)(1) states:

Parcels Less Than 5 Acres. The area of an accessory structure shall not exceed 1,500 square feet.

Municipal Code Section 16-10-3(a)(3) states:

Parcels Less Than 5 Acres. Buildings shall not exceed 17 feet in height.

Please consider this letter as an official denial of your request to construct the accessory building at 12900 Northwestern Avenue as proposed. You have the right to appeal this decision per Section 16-3-1 of the Municipal Code, which allows a person to request a variance from the zoning before the Zoning Board of Appeals within thirty (30) days of written notice of the decision of the Zoning Administrator.

Please contact me if you have any questions regarding this matter. I can be reached at (262) 835-6419, or via email at NFarias@caledonia-wi.gov.

Sincerely,

Natalia Nery de Farias
Planner & Zoning Administrator

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Village of Caledonia Zoning Board of Appeals will hold a public hearing at 9:00 a.m. on Tuesday, September 30, 2025, in the Caledonia Village Hall at 5043 Chester Lane, Caledonia, Wisconsin. The purpose of the hearing is to hear appeals for relief from Title 16 (Zoning), which has been adopted by the Village pursuant to Title 16 of the Code of Ordinances of the Village of Caledonia:

Todd Dombrowski
12900 Northwestern Avenue
Franksville, WI 53126

Requests variances from the following Municipal Code Sections:

Sec. 16-10-3(a)(1), which states that the maximum area for an accessory structure is 1500 square feet on parcels less than 5 acres in size.

Sec. 16-10-3(a)(3), which limits the maximum height of accessory structures to 17 feet.

If granted, this variance would allow the applicant to construct a 1,584-square-foot, approximately 20-foot-tall detached accessory building on the property located at 12900 Northwestern Avenue, Parcel ID No. 104-04-22-30-055-000.

Applicants are subject to Title 16: Zoning and Village Board of Appeals of the Village of Caledonia Zoning Ordinance.

The above petition is on file at Village of Caledonia Planning & Zoning Department, 5043 Chester Lane, Caledonia WI. The file is open to public view, 8:00 a.m. to 5:00 p.m., Mon. through Fri. The file is also available online at www.caledoniawi.zoninghub.com in the "Pending Applications" section. This location is handicap accessible. If you have other special needs, contact the Village of Caledonia Clerk at 262-835-4414. Questions regarding the public hearing please contact Natalia Nery de Farias, Phone#: (262) 835-6419. Email: NFarias@caledonia-wi.gov



BOARD OF APPEALS VARIANCE APPLICATION

Applicant (Please print or type)

Date: 9-2-2025

Name: Todd Dambrowski

Business Name: _____

Address: 12900 Northwestern Ave

City: Franksville State: WI Zip: 53126

Phone: _____ Email: _____

Property Owner (This section can be left blank if same as above)

Name: _____

Business Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

☒ Request for Variance

Generally Describe the Variance Request Here:

I would like to construct a building that would be bigger than what your rules allow. Building will be 36' x 44' x 12' approx 20-21' Tall

☐ Request for Interpretation of Zoning Ordinance and Reversal of Order, Requirement, Decision, or determination of Administration Official.

Attach a separate sheet listing reasons why you claim this order, requirement, decision, or determination is erroneous.

Location/Address: 12900 Northwestern Ave Tax Key Number(s): 104-042230055000

I certify that I have included all applicable submittal data and \$450 Filing Fee as outlined on the Board of Appeals Procedures sheet along with three (3) scaled hard copies and a full pdf digital file: Yes ☐

I hereby certify that I have read and fully understand the variance and developer's deposit procedures and failure to comply with the Village requirements will result in this application being withheld from consideration by the Village.

Todd Dambrowski
Signature of Property Owner

Signature of Applicant (Working as Agent for owner)

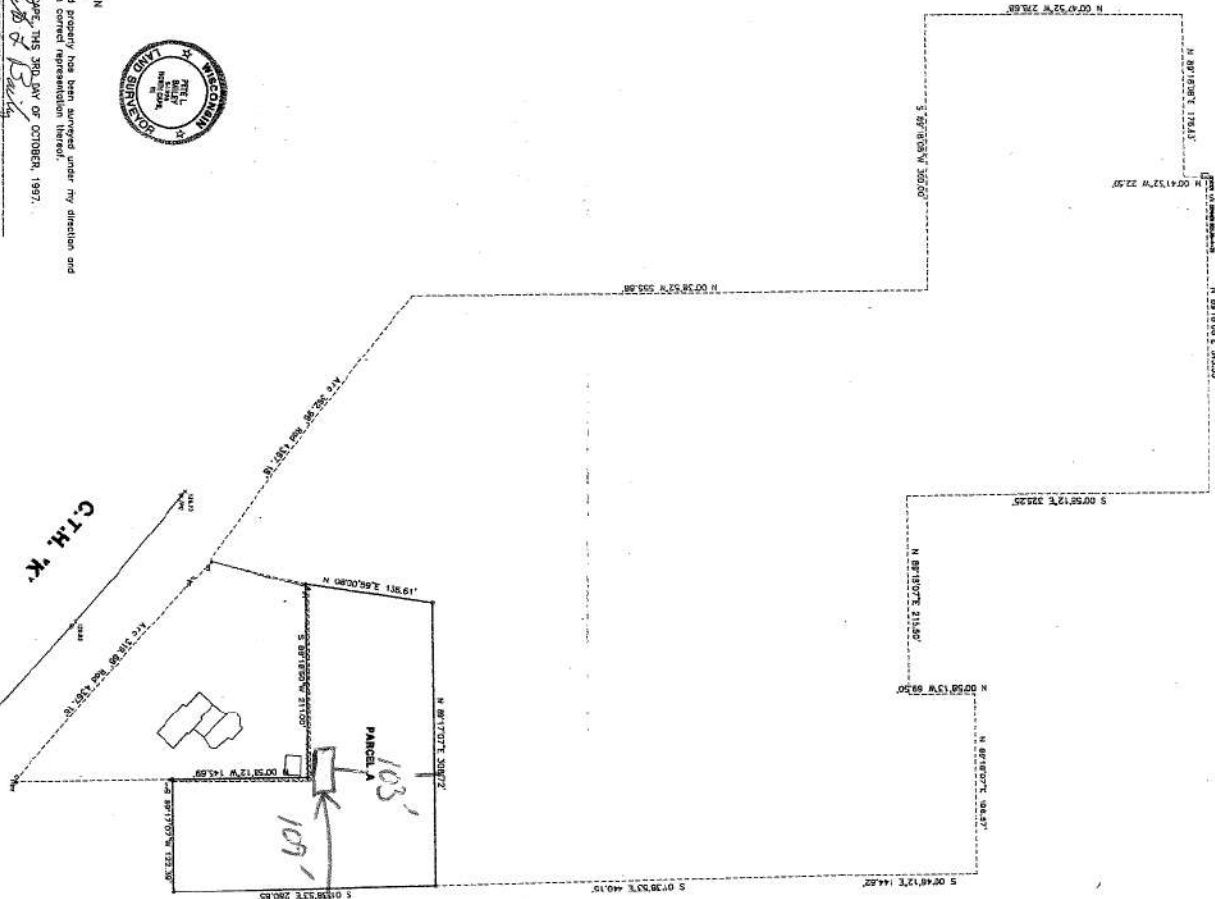
Todd Dambrowski
Print Name

Print Name

9-2-2025
Date

Date

STATE OF WISCONSIN
COUNTY OF ROCK
The above described property has been surveyed under my direction and
the above map is a correct representation thereof.
DATED AT: NORTH, THIS 3RD DAY OF OCTOBER, 1997.
128 of 134
AMERICAN SURVEYING COMPANY, INC.
P.O. BOX 134, MILWAUKEE, WIS. 53201



Proposed location



SCALE
1" = 40'
1" = 80'
1" = 160'

LEGEND
O - CENTER OF ROAD
X - CORNER OF ROAD
- - - - - EASEMENT
- - - - - EASEMENT



PARCEL A
The above described property has been surveyed under my direction and
the above map is a correct representation thereof.
DATED AT: NORTH, THIS 3RD DAY OF OCTOBER, 1997.
AMERICAN SURVEYING COMPANY, INC.
P.O. BOX 134, MILWAUKEE, WIS. 53201

AMERICAN SURVEYING
COMPANY, INC.
12207 C.T.H. "K" FRANKSVILLE, WISCONSIN 53126
TEL: (414) 836-4774 FAX: (414) 836-2379

Sheet
1 of 1

TOWN OF CALEDONIA
PROJECT:
BOUNDARY/ PLAT OF SURVEY
PREPARED FOR TODD DOMBROWSKI

DRAWN BY:	DCZ	REVISIONS:	DATE
CHECKED BY:	DCZ		
PLOT SCALE:	1" = 60'		
DATE:	10/03/97		
JOB NO.:	97284		
DWG. FILE:	JN97388		

AMERICAN SURVEYING COMPANY, INC.
12207 C.T.H. "K" FRANKSVILLE, WISCONSIN 53126
TEL: (414) 836-4774 FAX: (414) 836-2379

3/14/02

To The Board of Appeals:

9-2-25

I am requesting to construct a building that is 84 sqft and approximately 3' to 4' higher than what the current codes allow. I need a 12 foot door so I have the clearance to fit my belongings inside. The 36 x 44 dimensions are what I need to fit my belongings inside; and that is why it becomes 84 sqft over the limit of 1500 sqft. This will not affect any neighboring properties because of its placement on my lot. I would like to have my belongings inside of a building.

Thank you,

Todd Dombrowski



Meeting Date: September 30, 2025

ZONING BOARD OF APPEALS REPORT

Item No. **4B**

Proposal: Variance Request

Description: Requests a variance from Section 16-10-1(c): General Requirements. The applicant is requesting a variance to allow for the construction of a 120' x 120' pole building with a setback of 7.5 feet from the side lot line on the property at State Highway 38.

Applicant(s): Robert & Gary Prochaska

Address(es): State Highway 38

Suggested Motion: Staff does not make a recommendation on variance requests.

Owner(s): Prochaska Farms

Tax Key(s): 104-04-22-09-061-010

Lot Size(s): ± 15 acres

Current Zoning District(s): A-2, Agricultural District

Overlay District(s): N/A

Wetlands: ☐ Yes ☒ No Floodplain: ☐ Yes ☒ No

Comprehensive Plan: Agricultural, Rural Residential, and Open Land

Background: The applicants are requesting a variance from Section 16-10-1(c), which states that accessory structures may be permitted in Agricultural Districts prior to the construction of a principal structure, provided that the accessory structure complies with the setback requirements for a principal structure in that district. According to Section 16-6-2(b): Basic Regulations, the side and rear setbacks for principal structures in the A-2 District are 25 feet.

The pole buildings previously existent in the same location south of the property, built in 1961 and 1977, were used for agricultural activities and destroyed in a fire that occurred on January 11, 2025. The applicant is requesting a variance to allow for a side yard of 7.5 feet to rebuild a 120' x 120' pole building using the same foundations. The properties to the east and west of the proposed location are also zoned A-2: Agricultural, each with a single-family home.

The applicant has submitted a narrative explaining the need for the variance. Village staff does not provide recommendations regarding the request as staff has denied the proposed 120' x 120' pole building as it does not comply with zoning code area and height requirements.

The following criteria should be used by the Zoning Board of Appeals when making a decision. An explanation of how the variance request applies to each one should be incorporated as part of the Board's deliberation.

Preservation of Intent: No variance shall be granted that is not consistent with the purpose and intent of the regulations for the district in which the development is located. No variance shall have the effect of permitting a use in any district that is not a stated permitted use, accessory use, or conditional use in that particular district.

Exceptional Circumstances: There must be unique circumstances or conditions applying to the lot or parcel or structure that do not apply generally to other properties of uses in the same zoning classification, and the granting of the variance should not be of so general or recurrent nature as to suggest that the zoning ordinance should be changed.

Economic Hardship and Self-Imposed Hardship Not Grounds for Variance: No variance shall be granted solely on the basis of economic gain or loss. Self-imposed hardships shall not be considered as grounds for the granting of a variance.

Preservation of Property Rights: The variance must be necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and same vicinity.

Absence of Detriment: No variance shall be granted that will create substantial detriment to adjacent property or that will materially impair or be contrary to the purpose and spirit of this ordinance or the public interest.

If the Board agrees that the applicant met criteria for granting a variance, the Board can make a motion to grant a variance allowing the applicant to construct a 120' x 120' pole building with a side setback of 7.5 feet on the property located at State Highway 38, Parcel ID No. 104-04-22-09-061-010. Please include the findings of fact found by the Board with the motion.

Prepared by:



Natalia Nery de Farias
Planner/Zoning Administrator

Respectfully submitted:



Peter Wagner, AICP
Development Director



September 5, 2025

Prochaska Farms
10416 6 Mile Road
Caledonia, WI 53108
[email: profarm@execpc.com]

**RE: Denial Letter – Accessory Building
Section 16-10-1(c): General Requirements
State Highway 38, Parcel No: 104-04-22-09-061-010**

I have reviewed the accessory building permit application for the structure proposed on your property located at State Highway 38. Unfortunately, I am unable to approve the accessory building permit application because the proposed building does not meet the minimum required setback of 25 feet.

Municipal Code Section 16-10-1(c): General Requirements states:

Accessory structures may be permitted in the agricultural districts prior to the presence of the principal structure provided that the parcel on which the accessory structure will be located is ten (10) contiguous acres in size or larger, the accessory structure is intended for an agricultural use, the proposed accessory structure meets the setback requirements needed for a principal structure in that district, and the accessory structure is at least one hundred (100) feet from any existing residence on abutting parcels.

Please consider this letter as an official denial of your request to construct the accessory building at State Highway 38 as proposed. You have the right to appeal this decision per Section 16-3-1 of the Municipal Code, which allows a person to request a variance from the zoning before the Zoning Board of Appeals within thirty (30) days of written notice of the decision of the Zoning Administrator.

Please contact me if you have any questions regarding this matter. I can be reached at (262) 835-6419, or via email at NFarias@caledonia-wi.gov.

Sincerely,



Natalia Nery de Farias
Planner & Zoning Administrator

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Village of Caledonia Zoning Board of Appeals will hold a public hearing at 9:00 a.m. on Tuesday, September 30, 2025, in the Caledonia Village Hall at 5043 Chester Lane, Caledonia, Wisconsin. The purpose of the hearing is to hear appeals for relief from Title 16 (Zoning), which has been adopted by the Village pursuant to Title 16 of the Code of Ordinances of the Village of Caledonia:

Robert & Gary Prochaska
10416 6 Mile Road
Caledonia, WI 53108

Request a variance from Municipal Code Section 16-10-1(c): General Requirements, which states that accessory structures may be permitted in Agricultural Districts prior to the construction of a principal structure, provided that the accessory structure complies with the setback requirements for a principal structure in that district. The applicants are requesting a variance to allow for a setback of 7.5 feet for the construction of a 120' x 120' pole building.

If granted, this variance would allow the applicants to construct a 120' x 120' pole building on the property located at State Highway 38, Parcel ID No. 104-04-22-09-061-010, with a setback of 7.5 feet from the side lot line.

Applicants are subject to Title 16: Zoning and Village Board of Appeals of the Village of Caledonia Zoning Ordinance.

The above petition is on file at Village of Caledonia Planning & Zoning Department, 5043 Chester Lane, Caledonia WI. The file is open to public view, 8:00 a.m. to 5:00 p.m., Mon. through Fri. The file is also available online at www.caledoniawi.zoninghub.com in the "Pending Applications" section. This location is handicap accessible. If you have other special needs, contact the Village of Caledonia Clerk at 262-835-4414. Questions regarding the public hearing please contact Natalia Nery de Farias, Phone#: (262) 835-6419. Email: NFarias@caledonia-wi.gov

EXPLANATION

ANY QUESTIONS PLEASE CALL

WE CAN'T MOVE BUILDING TO WEST BECAUSE OF WE ENERGIES BURIED ELECTRIC LINES RUNNING TO NORTH BUILDINGS. WE ALSO PERSUED MOVING LOT LINE AND THAT WAS NOT EXCEPTABLE, FROM NEIGHBOR TO EAST. IF BUILDING WAS MOVED TO WEST NONE OF THE OVERHEAD DOORS WOULD LINE UP WITH FOOTINGS & APPROACHES & SAFETY POLES, WE ALSO LOSE HEIGHT FOR 14' DOORS.

OUR PROCHASKA FARM HAS BEEN AT THE SAME LOCATION SINCE 1912, THESE TWO BUILDINGS, ONE WAS BUILT IN 1961 & THE OTHER WAS 1977 AND WERE USED FOR PACKING CABBAGE UNTIL 2005, LATELY USED FOR MACHINERY STORAGE.

WE WOULD LIKE A VARIANCE FROM 25' SET BACK TO 7½' WHICH WAS IN COMPLIANCE WHEN LOT TO EAST WAS CREATED. WE WOULD JUST LIKE TO REBUILD ON SAME FOUNDATION, FOOTINGS & SLABS, ARE IN GOOD STRUCTURAL CONDITION.

THANK YOU FOR
CONSIDERING OUR PROPOSAL
BOB & GARY

Preservation of Intent

Granting this variance will insure that our sons & daughters will be able to continue to farm & carry on our legacy of the Prochaska Family Farm in the future.

Exceptional Circumstances

The southeast corner of this proposed building is in violation of Caledonia's set back from a lot line of 25' (CHANGE of SET BACK Oct. 2022).

When Prochaska Brothers (4 Brothers formed together, our parents & uncles) purchased the house from their sister (Pat Frank) in approx. 1975, it had an existing $\frac{1}{2}$ acre lot. Approx. 10 yrs. later upon death of Partner Roland Prochaska, this house on $\frac{1}{2}$ ACRE was to be part of settlement to Rolands wife June. At this time, Town of Caledonia told Prochaska Bros. they had to add land to the lot to make ^a 1 acre lot. We don't believe this should have been forced on Pro-Bros.

Creating this lot line next to our building, it was conforming at time of survey. An easement was put in place so we have right to use. Creating the problem that we have now, after having a fire. All we want to do is rebuild our building like it was before the fire.

Thank You

Bob & Gary

Prochaska Family

Form

9-5-2025

ArcGIS WebMap



August 15, 2025

Sections

Tax Parcels

Text Related Lines

Municipal Boundaries

Road Right of Ways

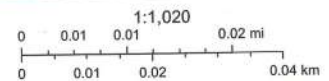
Road Right of Ways

2024 Spring Aerial

Red: Band_1

Green: Band_2

Blue: Band_3



Racine County, Racine County, SEWRPC, Southeastern Wisconsin Regional Planning Commission, Wisconsin DNR, Esri Canada, Esri, HERE, Garmin, ArcGIS WebApp Builder

BURIED POWER
LINES TO NORTH BUILDINGS
ArcGIS WebMap



August 15, 2025

Sections

Tax Parcels

Text Related Lines

Municipal Boundaries

Road Right of Ways

Road Right of Ways

2024 Spring Aerial

Red: Band_1

Green: Band_2

Blue: Band_3

1:1,020

0 0.01 0.01 0.02 mi

0 0.01 0.02 0.04 km

Racine County, Racine County, SEWRPC, Southeastern Wisconsin Regional Planning Commission, Wisconsin DNR, Esri, HERE, Garmin,

ArcGIS WebApp Builder