

**To:** Lodi Zoning Board of Appeals  
**From:** Steve Tremlett, AICP, Zoning Administrator  
**Subject:** 311 Prairie Street Residential Setback Variance Request  
**Date:** September 5, 2025

## Request

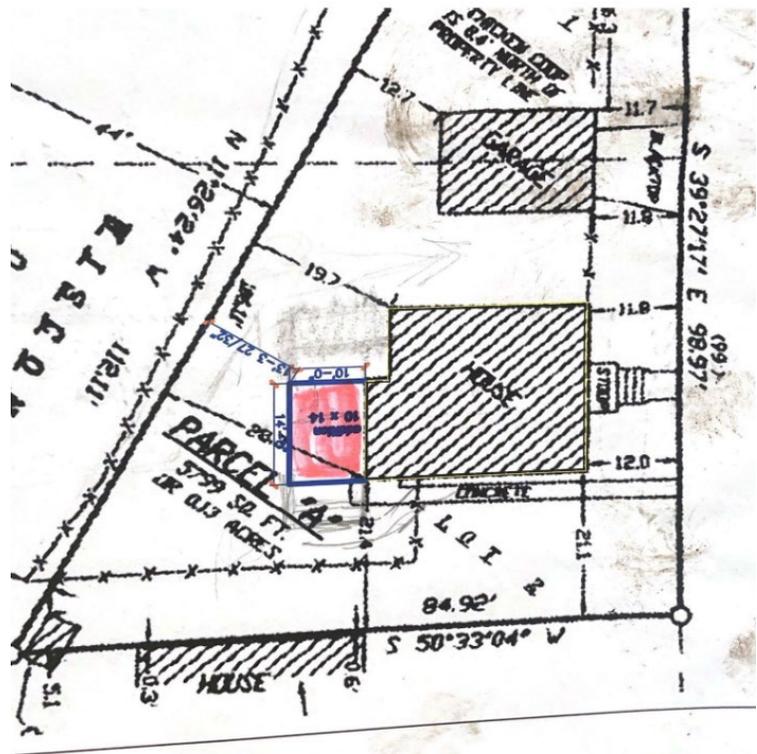
The applicant(s), Olivia Kovacs and Samuel Anderson, request a variance of the rear setback for their property at 311 Prairie Street, Parcel 11246-49. The purpose of the variance is to allow a 10' x 14' expansion of their residence toward the rear railroad right of way.

The application and a site plan of the proposed improvements is attached to this memo.

## Background Information

The parcel is currently zoned R-2: Single and Two Family Residential. The current building configuration was established in the early 1900s and predates the zoning code. Currently, the house is 19.7 feet from the rear the rear lot line, which is legal non-conforming to the 25-foot rear setback. Noteworthy, the front setback is also legally non-conforming.

**Request.** The addition will be along the back of the property and will be roughly 13.3 feet from the railroad corridor along the back property line. **The applicant is requesting reduction of rear setback to accommodate this addition.**



**Zoning Information.** The parcel is currently zoned R-2 zoning district. The current district standards are as follows:

- Lot:
  - Minimum Size: 8,500 SF; Minimum Width: 60 feet
  - Maximum Lot Coverage: 35%
- Principal Structure:
  - Minimum Setbacks:
    - 20 feet in front yard,
    - 6 feet on the interior side yard,
    - 25 feet in the rear yard.
  - Maximum Height: 35 feet

## Applicable Zoning & Development Code Regulations

- Chapter 340-14 Lot size and yard dimensions.
- Chapter 340-20 Design guideline requirements.
- Chapter 340-33 C-3 Central Business District Fringe.
- Chapter 340-114, Variances.

## Chapter 340-114.B Requirements

Chapter 340-114.B provides that no variance from the terms of this chapter shall be authorized unless ALL of the following facts and conditions exist. The recommended process is to review each criteria listed below and vote on each item if the condition is met to allow for the variance. **Staff comments are in red.**

**(1) Exceptional circumstances. *There are exceptional or extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties or classes of uses in the same zoning district.***

- The subject parcel is uniquely constrained by its non-conforming small lot size (5,799 sq feet) and triangular shape. The current building configuration is legal non-conforming due to amendments to the code after the structure had been constructed. Cost effective expansion / modernization of the building is severely hampered by the lot size and configuration unique to this location.

**(2) Natural causes. *The alleged difficulty or hardship has not resulted from the actions of the applicant.***

- The existing lot configuration predates the zoning regulations for the property. The current building configuration was established in the early 1900s and predates the zoning code. While the residence was purchased with this legal non-conforming status, the impact of the railroad right of way creating a sub-standard parcel remains a primary limitation for the subject parcel.

**(3) Preservation of property rights. *Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and in the same vicinity, including but not limited to the use of solar energy systems.***

- Preservation of property rights within this district should allow for reasonable expansion and modernization of homes. Other lots within the district could modernize and expand in most cases within the current setback requirements. This is not possible for this lot, and any redevelopment of lot would be hard pressed to do so in meeting the current setback requirements give the lot size and shape.

**(4) Absence of detriment. *The authorizing of such variance will not be of substantial determinant to adjacent property and will not materially impair the purposes of this chapter or the public interest.***

- The residential addition will have minimal impact on adjacent properties. The addition will occur to the rear of the property as it abuts the railroad right of way. The proposed setback distance matches other similar structures that back up to the railroad including the neighboring property and the garage already existing on site.

**(5) General nature. *No variance shall be authorized unless the Board specifically finds that the condition, situation, or intended use of the subject property is not so general or recurrent in nature as to make reasonably practicable the formulation of a general regulation to cover such cases.***

- The shape and size of the subject parcel is legal non-conforming. No general regulations can be drafted to provide a suitable solution for the subject parcel. Formulating an ordinance to allow this addition would require potentially greatly altering the character of the district with reduced setbacks and smaller lot sizes.

**(6) Minimum variance required. *The Board shall find that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure. The Board shall be satisfied by the evidence heard before it that the granting of such variance will alleviate a hardship approaching confiscation as distinguished from a special privilege sought by the owner.***

- Per the applicant, the proposed addition/expansion of the residence will provide more accessible entrance for the residents. Additionally, the project will only at approximately 140 square feet of additional living area for the residence. The proposed rear setback will be less than or equal to other buildings existing on the property as the lot narrows to the north.

## Potential Motion + Conditions

If the Zoning Board of Appeals approves this variance request, I recommend the following conditions of approval:

1. The permitted design shall match that of the request in this variance submittal (dated July 14<sup>th</sup>, 2025). Variation from this design may require a Certificate of Zoning Compliance Permit through the Zoning Administrator prior to obtaining a building permit.
2. Obtaining a building permit from the City Building Inspector prior to the building project.
3. Construction associated with the approved variance shall be initiated within 365 days of its approval and completed within 730 days following its approval. Failure to initiate and complete construction within this period shall automatically result in the expiration of the variance. Prior to such expiration, the applicant may request an extension of this period. Said request shall require approval by the Board of Zoning Appeals.

Sincerely,  
MSA Professional Services, Inc.



Stephen Tremlett, AICP  
Zoning Administrator

Enc: 311 Prairie St Residential Variance Application (07-14-2025)

# City of Lodi Variance Request

◆ 130 South Main Street, Lodi, WI 53555 ◆ Phone (608) 592-3247 ◆ Fax (608) 592-3271 ◆ [www.cityoflodi.us](http://www.cityoflodi.us) ◆

The City of Lodi Zoning Board of Appeals (ZBA) meets as needed at Lodi City Hall to consider variance requests. It is governed by §340-113 of the City of Lodi ordinances. Variance requests are governed by § 340-114 (see the attached ordinance excerpt). A variance is the modification of zoning requirement(s) in response to unique circumstances or conditions on a parcel that were not created by the property owner. A hardship under existing zoning must be proven in order for a variance to be issued.

**Variance Request:**

- Requires this form be submitted with the **\$800 application fee** to the City Clerk
- Requires one hard copy, and one digital version of the items listed in the list below
- City staff will publish a public hearing notice in the Lodi Enterprise and notify all property owners within 200 feet of the subject property.
- Please **allow 4-5 weeks for a hearing date to be set** and the notice to be published and mailed
- Requires applicant or their agent to attend ZBA meeting to explain need for the variance & to answer questions

If you have questions, please contact Steve Tremlett, Zoning Administrator, at (608) 242-6621 or [stremlett@msa-ps.com](mailto:stremlett@msa-ps.com).

<b>Owner Name(s):</b> Olivia Kovacs and Samuel Anderson	
<b>Applicant Name (if different than above):</b>	
<b>Property Address:</b> 311 Prairie Street, Lodi, WI 53555	<b>Parcel #:</b> 11246 49
<b>Applicant Address (if different than above):</b>	
<b>Applicant Phone:</b> 608-216-3486	<b>Applicant Email:</b> okovacs4@gmail.com
<b>Property Zoning Designation:</b> Residential	<b>Property Use:</b> Residential
<b>Section(s) of Ordinance that Necessitates Variance Request:</b> set back requirements for a R-2 Single Unit Residence	

Provide plans that show: the parcel in question, structures on the parcel (including proposed modifications to structures), dimensions of setbacks from the property line, locations of buildings on adjoining properties, a north arrow, and street names. Please attach a narrative that discusses:

1. The characteristics of your property (size, dimensions, slope, soil, etc.) that necessitate the variance request.
2. How the site conditions discussed in #1 prevent reasonable use of your land under the terms of the zoning ordinance.
3. What modification(s) to the zoning requirements will allow for reasonable use of your land (setbacks, area, lot coverage, off-street parking, etc.).
4. Why the granting of a variance will be in harmony with the neighborhood and not contrary to the intent and purpose of the zoning ordinance.

I (we) certify that all of the above statement and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief. I (we) consent to the entry in or upon the premises described in this application by any authorized official of the City of Lodi for the purpose of securing information posting, maintaining and removing such notices as may be required by law

**Applicant Signature:** Olivia KOVACS **Date:** July 14, 2025

**Owner Signature:** Olivia KOVACS **Date:** July 14, 2025

For Staff Use Only	
<b>Date Received:</b>	<b>Amount Paid:</b>
<b>Public Hearing Date:</b>	<b>Public Hearing Publication Dates (Class II):</b>
<b>Date Public Hearing Notices Mailed to Adjoining Property Owners:</b>	
<b>ZBA Decision:</b> <input type="checkbox"/> Denied <input type="checkbox"/> Approved <b>Subject to:</b>	

### **§ 340-114. Variances.**

A. Initiation. A request for variance shall be made to the Zoning Administrator on an official application form.

B. Findings required. No variance from the terms of this chapter shall be authorized unless all of the following facts and conditions exist:

- (1) Exceptional circumstances. There are exceptional or extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties or classes of uses in the same zoning district.
- (2) Natural causes. The alleged difficulty or hardship has not resulted from the actions of the applicant.
- (3) Preservation of property rights. Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and in the same vicinity, including but not limited to the use of solar energy systems.
- (4) Absence of detriment. The authorizing of such variance will not be of substantial determinant to adjacent property and will not materially impair the purposes of this chapter or the public interest.
- (5) General nature. No variance shall be authorized unless the Board specifically finds that the condition, situation, or intended use of the subject property is not so general or recurrent in nature as to make reasonably practicable the formulation of a general regulation to cover such cases.
- (6) Minimum variance required. The Board shall find that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure. The Board shall be satisfied by the evidence heard before it that the granting of such variance will alleviate a hardship approaching confiscation as distinguished from a special privilege sought by the owner.

C. Subject to conditions. In granting any variance under the provisions of this section, the Zoning Board of Appeals shall designate such conditions that will secure substantially the objectives of the regulations or provisions in the application of which the variance is granted as to light, access to direct sunlight for solar energy systems, air, character of the neighborhood, conformity to the Comprehensive Plan, and, generally, the public health, safety, comfort, convenience, and general welfare.

D. Variances void after six months. If an applicant fails to act on a variance granted within six months of the date the variance was approved, the variance shall be null and void.

## City of Lodi Variance Request

Provide plans that show:

- Parcel in question: **311 Prairie Street, Lodi, WI 53555**
  - Parcel Number: **11246 49**
  - Structures on the parcel: current structures include 667 sq. ft house & garage
    - Proposed modifications to structure would be a 10x14 addition to the SW portion of the lot attached to the back of the house
  - Dimensions of setback from property lines:
    - Front of the house sits 12 feet from NE (road) lot line
    - Left side of the house sits 21.1 feet away from SE lot line
    - Right side of garage sits 26.3 feet from the NW lot line
    - Back left of house sits 28.3 feet away from the (SW) back lot line
    - Back right of house sits 19.7 feet away from the (SW) back lot line



Image on the left is the parcel in question, with street names, and adjoining properties

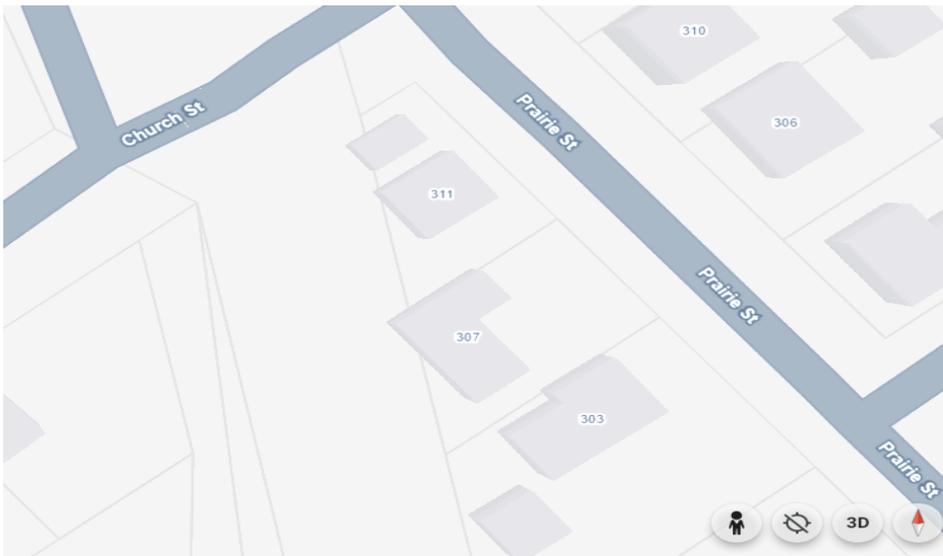


Image on the left is the parcel without foliage, view of buildings on property, and north arrow in lower right corner. Parcel in question is 311 Prairie Street. **\*NOTE: These “parcel” lines are incorrect, (See attached survey below for correct parcel lines.)**

Variance Request:

**1. The characteristics of your property (size, dimensions, slope, soil, etc.) that necessitate the variance request.**

Our property is uniquely constrained by its **non-conforming, triangular shape** and **small size** (0.13 acres or 5799 sq. feet), which significantly limits buildable area compared to standard rectangular lots. The existing home is approximately 667 square feet, and was built in the early 1900's and now sits within the modern zoning setback requirements. The front of the house sits 12 feet from NE (road) lot line, the left side of the house sits 21.1 feet away from SE lot line, the back left of house sits 28.3 feet away from the (SW) back lot line, and the back right of house sits 19.7 feet away from the (SW) back lot line. The lot is "non-conforming" as it sits on a triangular shaped lot. Despite these non-conforming, and small constraints, the site is otherwise solid and buildable, without the presence of slope and soil type DrC2 (Dresden Soil of Columbia County and classified as "well drained" soil drainage class).

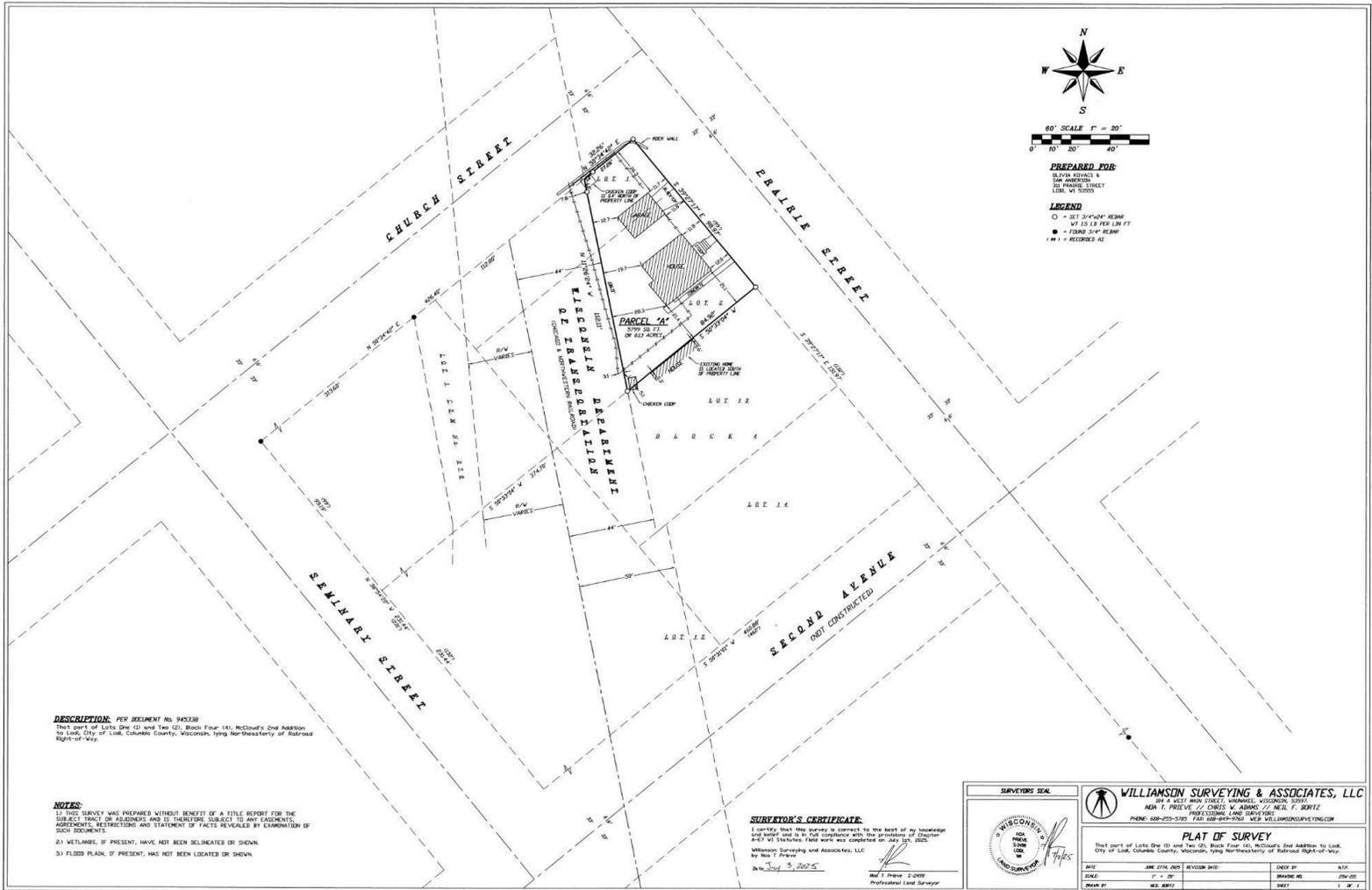
**2. How the site conditions discussed in #1 prevent reasonable use of your land under the terms of the zoning ordinance.**

The strict application of current setback requirements creates an unnecessary hardship due to the small size and irregular triangular shape of our lot. Our home, built in the early 1900s, is only 667 square feet and does not meet modern space or accessibility needs. The proposed 10x14 ft addition is essential to make reasonable use of the property, providing much-needed living space and creating the only stair-free entrance to the home—critical for accessibility for aging family members and guests with mobility challenges.

**3. What modification(s) to the zoning requirements will allow for reasonable use of your land (setbacks, area, lot coverage, off-street parking, etc.).** This variance request seeks relief from the specific set back requirements for a R-2 Single Unit Residence of the standard rear yard of 25 feet to allow for a modest 10ft x 14ft addition. Bringing our house's footprint to 18.3 feet and 9.7 feet from the SW back lot line. This modification would slightly reduce the required setback in one area of the lot while maintaining compliance with all other zoning and building code requirements, including lot coverage and height restrictions. Additionally, our house is 667 square feet and currently only occupies 11.5% of the lot, which is far below the City of Lodi's maximum building coverage of 35-40%. An addition of 10X14ft would keep the maximum building coverage area, including the garage, below this requirement as well.

**4. Why the granting of a variance will be in harmony with the neighborhood and not contrary to the intent and purpose of the zoning ordinance.** The proposed addition is modest in scale and consistent with the character of the surrounding neighborhood, which includes a mix of home sizes, styles, and setbacks. Several neighboring homes are already closer to the rear lot line than our proposed addition would be to reasonably expand our footprint. The addition will not obstruct views, impact

drainage, or negatively affect neighboring properties. It will remain well within the city's lot coverage limits and comply with all other zoning and building code requirements- ensuring no detriment to adjacent properties or public interest. Granting this variance supports the intent of the zoning ordinance by allowing for reasonable use of the property while preserving the neighborhood character as well as health, safety, and welfare of the community. It also helps maintain the viability of older, smaller homes in the area by allowing them to be updated and remain functional for modern living. Image above is survey from July 2025- Williamson Surveying and Associates,



Wanakee, WI





Images above are the building plan for 10X14 addition, the addition is highlighted in pink. Plan made by certified contractor James Way of Mount Horeb, 608-444-2164 , [jway@mhtc.net](mailto:jway@mhtc.net)