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**ZONING BOARD OF APPEALS MEETING**

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**VILLAGE OF HARRISON**

**From:**

Josh Sherman, Assistant Planner

**Meeting Date:**

November 7, 2023

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**Title:**

Variance – Mackie – Harrison Rd – Parcel 38536

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**Issue:**

Should the Zoning Board issue a variance to construct an accessory building on a vacant lot?

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**Background and Additional Information:**

The applicant, Rick Mackie, is requesting a variance to construct a 30' x 40' accessory building on a residential lot that does not have a principal structure. The property is located on the non-lake side of Harrison Rd, parcel 38536, and is currently zoned Rural Residential [RR]. The property is .71 acres and has an existing 10' x 20' accessory building, that is legal non-conforming. Jeremy Gackenheimer, the owner of parcel 38536, has given the applicant authorization to apply for the variance. The owner plans to sell the lot to the applicant if the variance request is granted.

The purpose of the accessory building is for indoor storage of his boat and other accessories. The boat lift will be stored outside of the proposed building should the variance be granted and the proposed building is constructed.

Section 117-54 (a)(1) of the Harrison Zoning Code states that no accessory building shall be constructed on a lot prior to the principal building being present. Section 117-81 (1)(4) of the Harrison Zoning Code allows the zoning administrator to issue a zoning permit for an accessory building on an adjacent lot, along Lake Winnebago, if the adjacent lot is located within 200-feet of the principal lot on the non-lake side of the road.

The applicant was denied a zoning permit on 10/11/2023 to build the accessory building for reasons: 1) There is no principal building on the lot; and 2) The applicant's principal lot—N6617 Harrison Rd—is roughly 450-feet from the vacant lot on the non-lake side.

Per special provisions along Lake Winnebago, the Plan Commission may authorize the zoning administrator to use a zoning permit for an accessory building or structure on an adjacent lot, if the adjacent lot is located within 200-feet of the principal lot on the non-lake side of the road.

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**Zoning Ordinance:**

**117-54 Accessory Uses, Buildings And Structures**

- (a) *General regulations for accessory uses, buildings and structures.* All accessory uses, buildings and/or structures shall abide by the following general regulations:

1. No accessory use, building and/or structure shall be constructed or established on a lot prior to the principal use or building being present or under construction, except temporary construction trailers.

### **117-81 Rural Residential District (RR)**

#### *(1) Accessory detached garages and sheds.*

(4) Special Provisions Along Lake Winnebago. In order to allow development on Back Lots of Lake Winnebago, special consideration to setbacks and other dimensional requirements is being given. The Plan Commission may authorize the zoning administrator to issue a zoning permit for an accessory building or structures on an adjacent lot, if the adjacent lot is located within 200-feet of the principal lot on the non-lake side of the road.

a. Covenant. The property owner shall provide a covenant suitable for recording with the Calumet County Register of Deeds providing notice to future owners or long-term lessors of the property that the existence of the accessory building or structure is predicated upon the occupancy of the principal dwelling under the same ownership. The covenant shall also require any owner of the property to remove the accessory building or structure upon discontinuing use of the accessory building or structure or by selling either property to a different owner.

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### **Variance Criteria**

**Per Wis Stats 62.23(7)(d)**, In all circumstances, a property owner bears the burden on proving that the unnecessary hardship is based on conditions unique to the property, that than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner.

**Per Village Code 117-360 (b)**, Variance shall only be granted when the zoning board finds that:

1. The variance is not contrary to the public interest and that such a variance will be in general harmony with the purposes and intent of this chapter.
2. The variance will not permit the establishment of a use which is not permitted or permissible in the district.
3. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
4. The literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district.
5. The hardship is not shared generally by other land or buildings in the area.
6. The hardship results from the strict application of this chapter and is not the result of self-created or self-imposed circumstances.

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**Attachments:**

- Variance Application
- Aerial Map
- Project Plans
- Public Comment
- Pictures of Lot

Village of Harrison

W5298 Hwy 114  
Harrison, WI 54952  
Phone: 920-989-1062

*rjmackie@att.net*

PAID

OCT 10 2023 ADMINISTRATIVE APPEAL APPLICATION

VILLAGE OF HARRISON

Applicant Information			
Applicant Name (Indiv., Org. or Entity) <i>Hugh Mackie and Tami Redmann</i>		Authorized Representative	
Mailing Address <i>N 667 Harrison Road</i>		City <i>Hilbert</i>	State <i>WI</i> Postal Code <i>5429</i>
E-mail Address <i>rmackie@att.net</i>		Telephone (include area code) <i>920-909-0380</i>	Fax (include area code)
Landowner Information (if different than Applicant)			
Name (Organization or Entity) <i>Jeremy Backenheimer</i>		Contact Person	
Mailing Address <i>W 4310 County E</i>		City <i>Chilton</i>	State <i>WI</i> Postal Code <i>53014</i>
E-mail Address <i>jeremy@eastsideclods.com</i>		Telephone (include area code) <i>920-284-6882</i>	Fax (include area code)
Project or Site Location			
Site Name (Project):		Location ID(s): <del>38536</del>	
Site Address / Location: <i>Harrison Road Hilbert, WI</i>		Plat / CSM / Lot No. <i>38536</i>	
Quarter: <input type="checkbox"/> NW <input type="checkbox"/> NE <input type="checkbox"/> SW <input type="checkbox"/> SE	Section:	Township: <i>N</i>	Range: <i>E</i>
Legal Description: <i>Buildable Vacant Lot (Back Lot - East side of Harrison Road)</i>			
Current Zoning: <i>Residential</i>		Proposed Zoning: <i>Residential</i>	
Current Uses: <i>Vacant</i>		Proposed Uses: <i>Boat/Accessories Storage Building</i>	
Lot Dimensions: Front: <i>172</i> Side: <i>180</i> Rear: <i>172</i> Side: <i>80</i> Lot Area: <i>30,960</i> <input type="checkbox"/> acres or <input checked="" type="checkbox"/> square feet			
Variance or Administrative Appeal Petition (see reverse side also)			
List which code section(s) requesting variance from or decision appealing: <i>3</i>	Describe the Reason(s) for the Request (attach separate document if needed): <i>Purchase of vacant lot that is more than 200 feet from my primary residence for the purpose of storing my boat, accessories and boat lift. I plan to build a 30'x40' building for indoor storage of my boat and accessories. The Boat Lift will be stored outside on the ramp in the off season.</i>		
Fees <input checked="" type="checkbox"/> \$350.00			
Certification & Permission			
<p><b>Certification:</b> I hereby certify that I am the landowner of the property which is the subject of this Application. I certify that the information contained in this form and attachments is true and accurate. I understand that failure to comply with any or all of the provisions of the ordinances and/or permit may result in notices, fines / forfeitures, stop work orders, permit revocation and cease &amp; desist orders.</p> <p><b>Permission:</b> As landowner of the property, I hereby give the permit authority permission to enter and inspect the property to evaluate this application, to determine compliance with the ordinances and to perform corrective actions after issuing proper notice to the landowner.</p>			
Applicant Signature <i>Hugh Mackie</i>		Date Signed <i>10.1.23</i>	
Landowner Signature (required) <i>Jeremy Backenheimer</i>		Date Signed <i>10/7/23</i>	

Page 1 of 2

LEAVE BLANK - FOR MUNICIPAL USE ONLY			
Application Withdrawal Signature (required): <b>RECEIVED</b>	Date Signed: <i>10/7/23</i>	Reason:	
Date Complete Application Received: <i>OCT 11 2023</i>	Fee Received \$ <i>350</i>	Receipt No: <i>17239</i>	
Date Paid: <i>10/10/23</i>		Taken By: <i>JS / Front</i>	

HARRISON PLANNING



**Required Information** The following items are required attachments. An application will not be considered complete until all attachments are filed. (Please attach additional sheets if more room is needed.)

**Site Plan.** A detailed drawing, drawn to scale, indicating lot lines, roads, driveways, buildings/structures, setbacks and any other pertinent information shall be submitted.

**Project Plans.** A detailed drawing, drawn to scale, indicating all floor plans, elevations and any other pertinent information shall be submitted.

**Photos (Optional).** Photographs of the site, building or project may be submitted as part of the application.

**Written Statements.** Statements responding to the following criteria shall be submitted.

1. **Unique Property Limitations.** Unique physical limitations of the property (i.e. steep slopes, wetlands, etc.) that prevent compliance with ordinance requirements can be considered for a grant of a variance. The circumstances of an applicant (i.e. 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 an ordinance amendment request.

Unique features of this property which prevent compliance with the terms of the ordinance include:

2. **No Harm to Public Interests.** A variance may not be granted which results in harm to public interests. In applying this test, the Zoning Board of Appeals must consider the impact of the proposal and the cumulative impacts of similar projects on the interest of the neighbors, the entire community and the general public. These interests are listed in the Purpose and Intent section of the ordinance.

A variance will not be contrary to the public interests because:

3. **Unnecessary Hardship.** An applicant may not claim unnecessary hardship because of conditions which are self-imposed or created by a prior owner (i.e. excavating a pond on a cant 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 (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The Zoning Board of Adjustment must consider the purpose and intent of the zoning restriction, the zoning restrictions 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.

The unnecessary hardship is, and is present because:

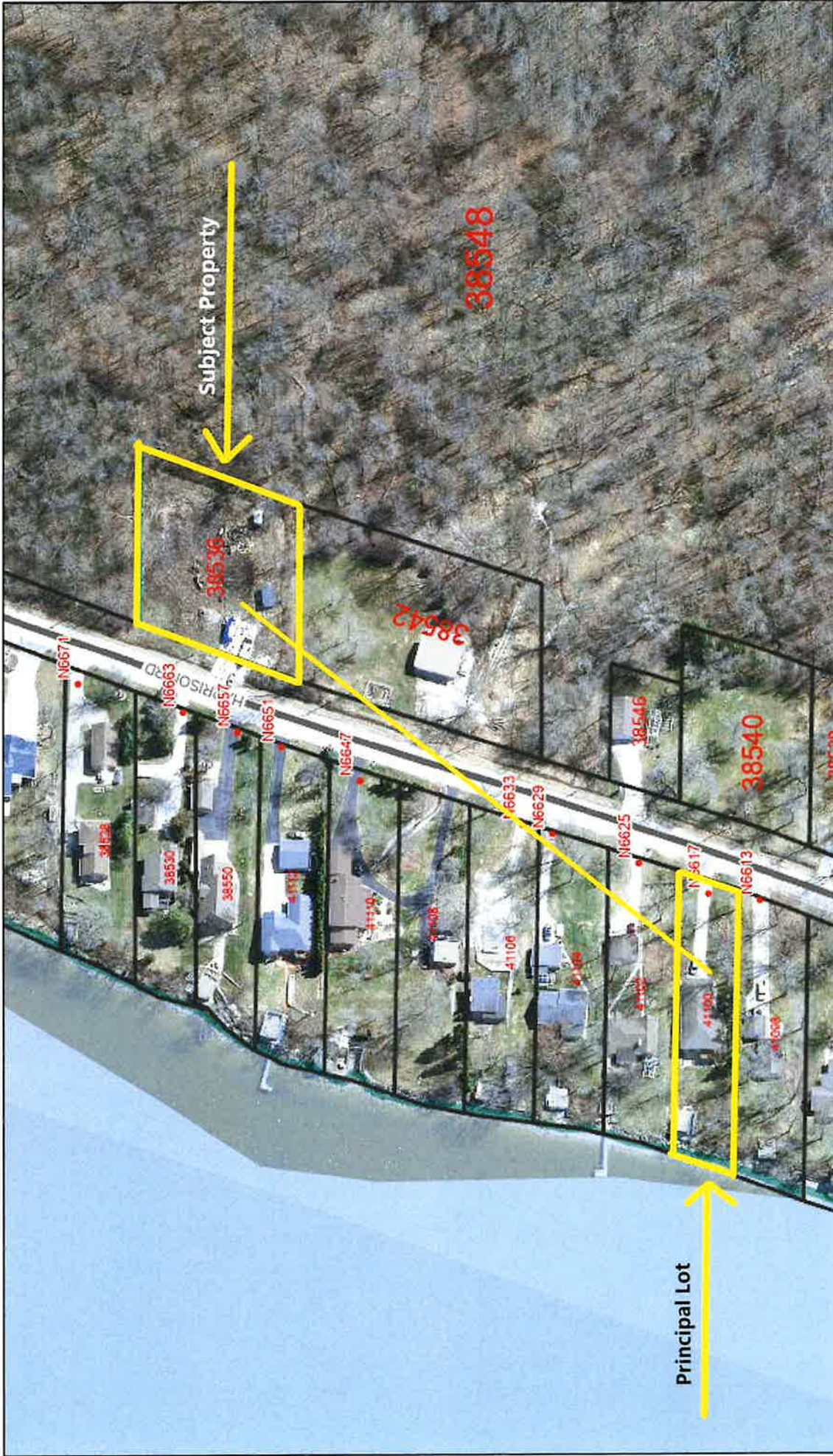
(STH) I need storage for my 24-foot boat, trailer and accessories as well as my Boat lift. The vacant lot is more than 200-feet from my primary residence. The lot is currently owned by Beverly Gacken Reimer, who had been my next door neighbor and this also had more than 200 feet from the lot.

**Basis for Approval:** Variances shall only be granted when the Zoning Board finds:

1. The variance is not contrary to the public interest and that such a variance will be in general harmony with the purposes and intent of this ordinance.
2. The variance will not permit the establishment of a use which is not permitted or permissible in the district.
3. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
4. The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district.
5. The hardship is not shared generally by other land or buildings in the area.
6. The hardship results from the strict application of this ordinance and is not the result of self-created or self-imposed circumstances.



# ArcGIS Web Map



10/26/2023, 11:05:51 AM

Parcels	Winnebago Depth	Calumet Roads Cartographic	Band_1
Address Point	Less Than 6 Feet Deep	City Streets	Band_2
County Boundary	6 to 12 Feet Deep	Municipal Boundary	Band_3
Lake Winnebago	Building Footprint	Village Boundary	

Calumet County Land Information Office

Scale: 1:2,257  
0 0.01 0.03 0.05 mi  
0 0.02 0.04 0.08 km

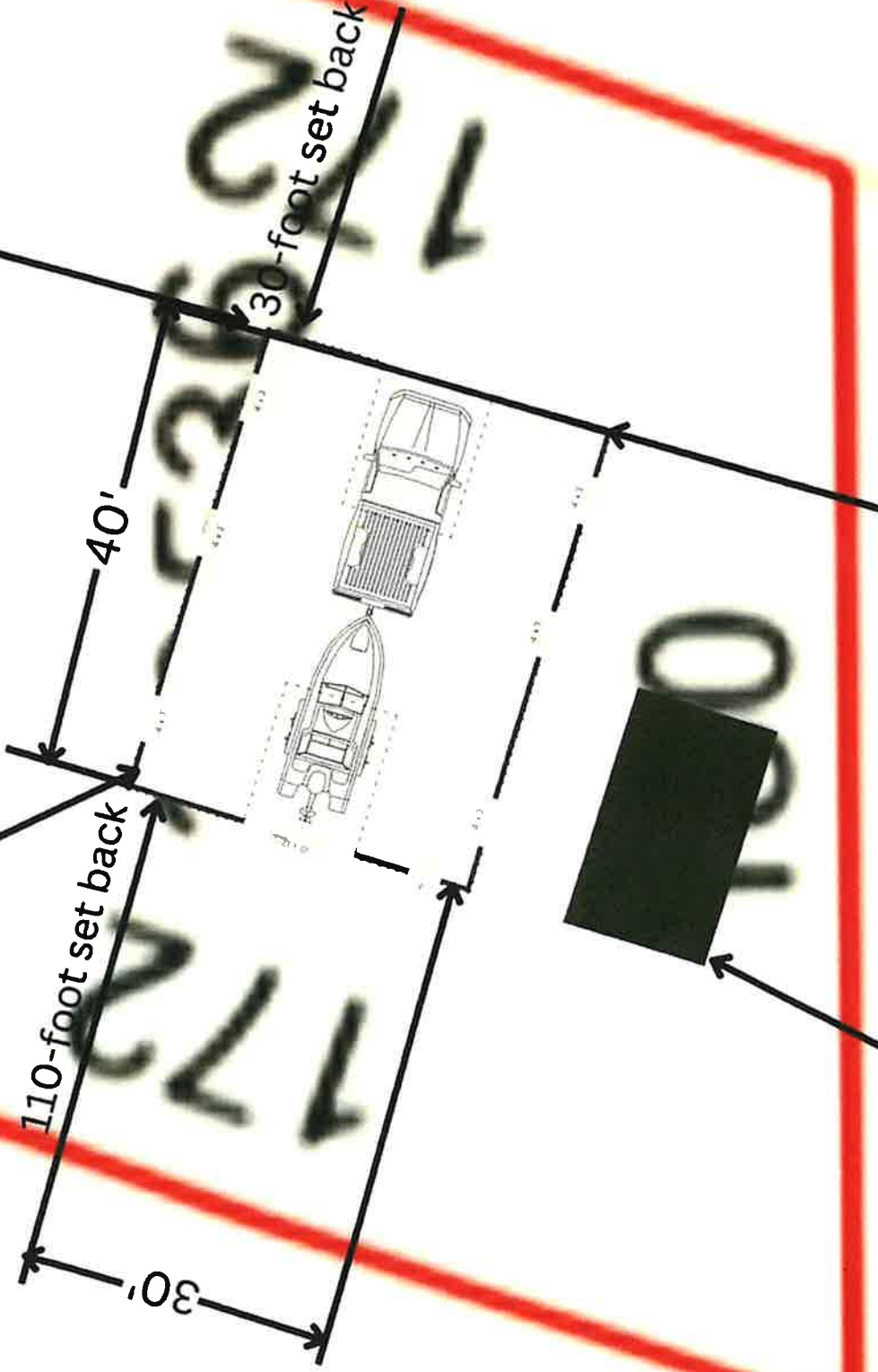
ArcGIS Web AppBuilder  
Esri, NASA, NGA, USGS | County of Calumet, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, EPA, NPS, USDA | Calumet County Land Information Office |



30' X 40' Boat/Accessories Storage Garage wth 8-foot  
single overhead door and one service door.

92-foot set back

180

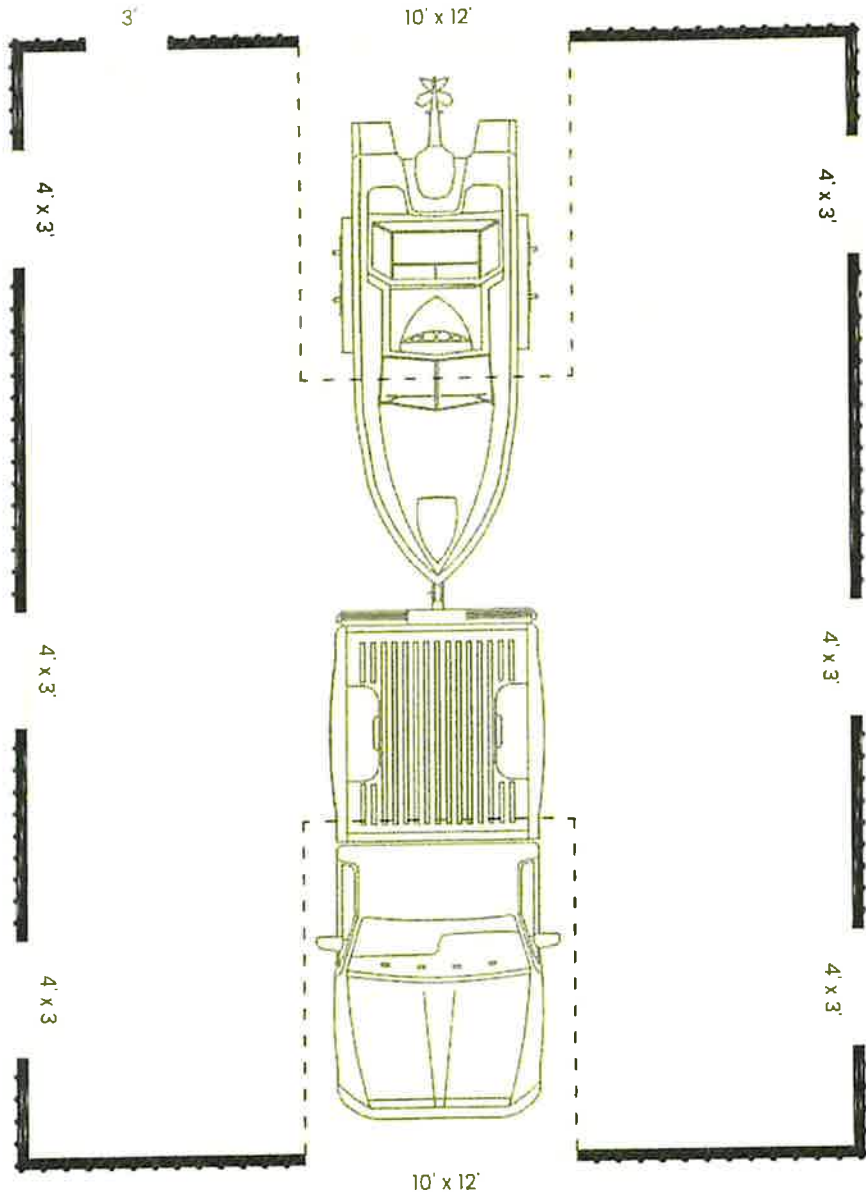


40-foot set back

Existing 10' X 20' building with  
single overhead door and  
single service door.

# BUILDINGSGUIDE

30x40 (1,200 Sq ft) - Drive through Garage



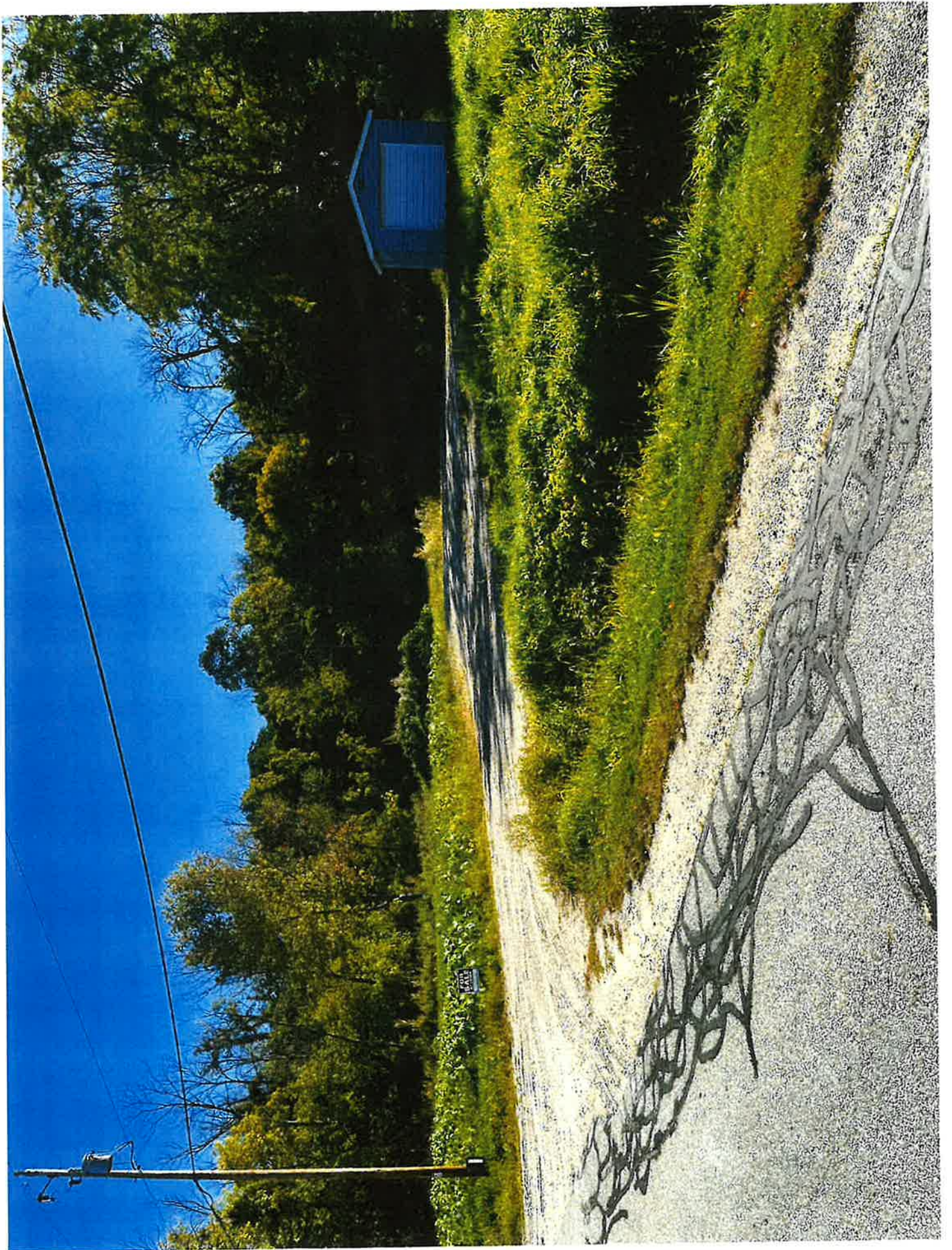


## **Public Comments –Harrison Road – Variance Request**

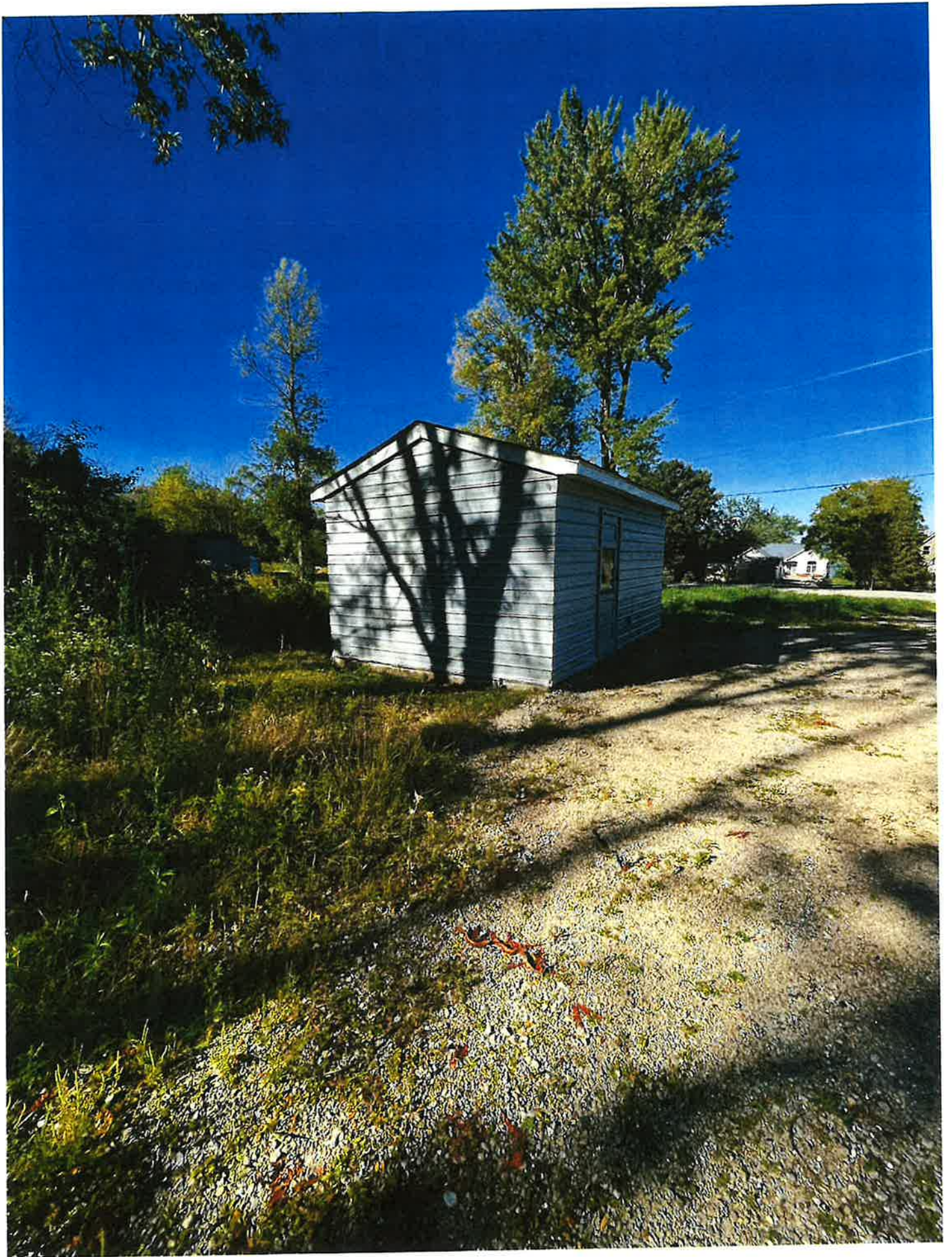
Note: Letters were mailed to all owners of parcels within 300 feet of the subject parcel

Chris Crager called 10/27/2023 at 10:20 am to communicate he had no issues with a variance being granted but if a variance was approved he and his neighbors request landscaping be placed along the roadside of parcel 38536, acting as a visual buffer.

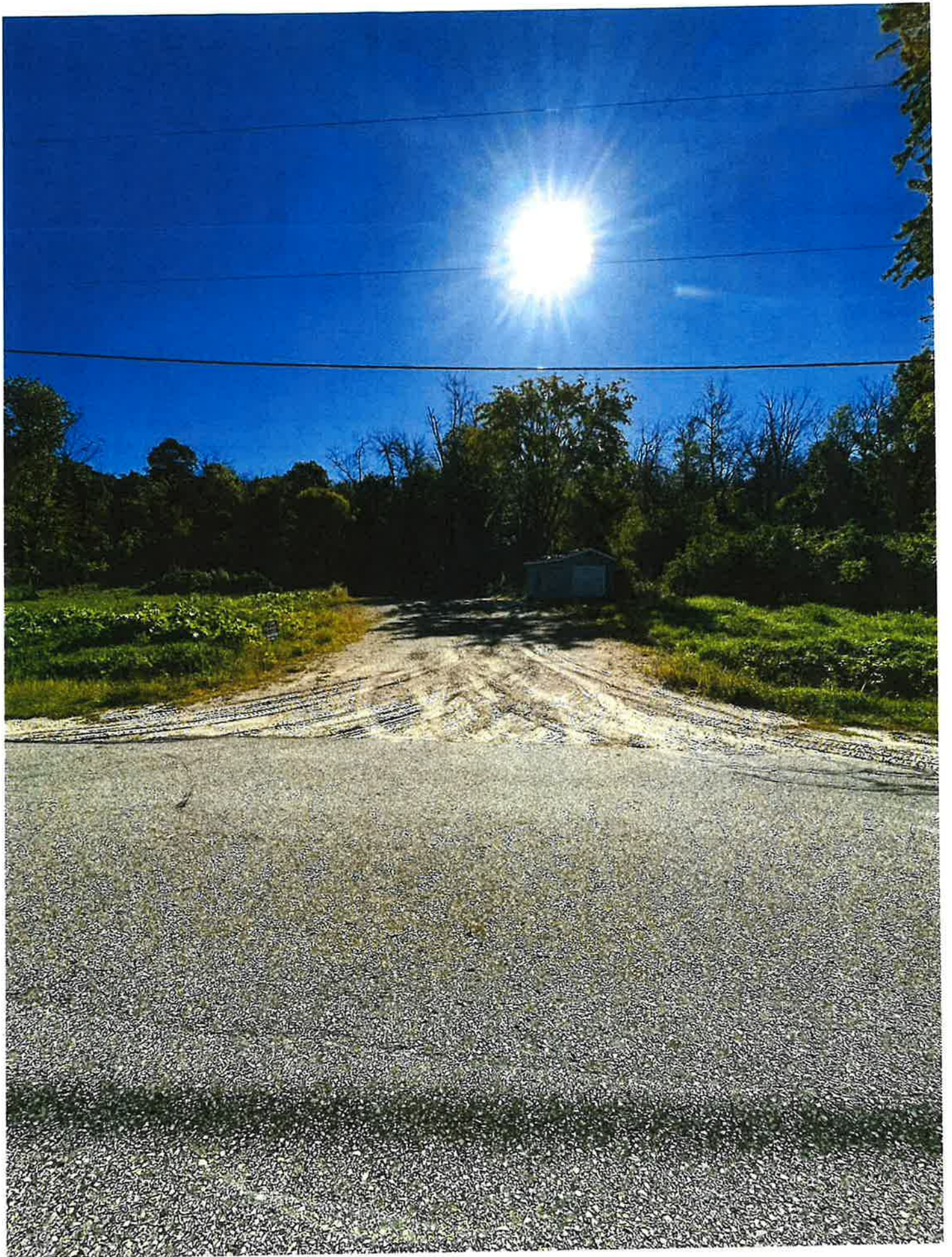














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**ZONING BOARD OF APPEALS MEETING**

**VILLAGE OF HARRISON**

**From:**

Josh Sherman, Assistant Planner

**Meeting Date:**

November 7, 2023

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**Title:**

Variance – Graff – W7167 Fire Lane 2 – Parcel 39850

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**Issue:**

Should the Zoning Board issue a variance to approve a Tourist Rooming House that is owned by an LLC?

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**Background and Additional Information:**

The applicant, Hope Graff (Haven Investments LLC), is requesting a variance from the portion of Ordinance V22-01 that states the owner or lessee or authorized agent in charge of the property being used as a Tourist Rooming House may not be an LLC, Trust, Nonprofit, or other corporate entity. The property is located on W7167 Fire Lane 2, parcel 39850, which is a lake frontage lot on Lake Winnebago.

The applicant’s recent Tourist Rooming House Application was denied because the owner of the property is Haven Investments LLC. **Ordinance V22-01 (2)(b)** reads, An “operator” is a person who is the owner or lessee or authorized agent in charge of property being used as a Tourist Rooming House (TRH) and who is conducting the TRH business by, among other things, interacting digitally and in person with guests and is identified in the TRH listings and advertisements as the TRH “host.” **An operator may not be a LLC, Trust, Nonprofit, or other corporate entity.**

**History**

The applicant’s initial Tourist Rooming House application was approved February 14<sup>th</sup> 2023. The zoning administrator erroneously approved the application with the owner on the application as Haven Investments, LLC. The applicant has resubmitted an application since the Tourist Rooming House permitting year is July 1<sup>st</sup> to June 30<sup>th</sup>.

During the initial application in February 2023, neighbors within 300 square feet were notified of the intent to convert W7167 Fire Lane 2 into an Airbnb. Recently, neighboring properties within 300-feet of the subject have been notified by mail of the variance petition and Zoning Board of Appeals date.

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**Zoning Ordinance:**

**Ordinance V22-01, An Ordinance Amending Municipal Regulations on Tourist Rooming Houses, Section 117-136 of the Zoning Code**

(2) Definitions. For the purpose of this section:

(b) An “operator” is a person who is the owner or lessee or authorized agent in charge of property being used as a Tourist Rooming House (TRH) and who is conducting the TRH business by, among other things, interacting digitally and in person with guests and is identified in the TRH listings and advertisements as the TRH “host.” An operator may not be a LLC, Trust, Nonprofit, or other corporate entity.

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## **Variance Criteria**

**Per Wis Stats 62.23(7)(d)**, In all circumstances, a property owner bears the burden on proving that the unnecessary hardship is based on conditions unique to the property, that than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner.

**Per Village Code 117-360 (b)**, Variance shall only be granted when the zoning board finds that:

1. The variance is not contrary to the public interest and that such a variance will be in general harmony with the purposes and intent of this chapter.
2. The variance will not permit the establishment of a use which is not permitted or permissible in the district.
3. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
4. The literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district.
5. The hardship is not shared generally by other land or buildings in the area.
6. The hardship results from the strict application of this chapter and is not the result of self-created or self-imposed circumstances.

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## **Staff Comments**

If the Board of Zoning Appeals concurs, per Section (2)(a) “An operator is a person who is the owner or lessee or *authorized agent in charge of property* being used as a Tourist Rooming House ...

The request could be granted, if the applicant provided documentation of an authorized agent in charge of the property and start paying room tax per Ordinance 24-92, the variance request could be granted provided there is no neighborhood input related to this Tourist Rooming House.

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## **Attachments:**

- Copy of Ordinance V22-01
- Variance Application
- Aerial Map
- February 10, 2023 letter mailed to neighbors



## ORDINANCE V22-01

### AN ORDINANCE AMENDING MUNICIPAL REGULATIONS ON TOURIST ROOMING HOUSES, SECTION 117-136 OF THE ZONING CODE

**WHEREAS**, on September 29, 2020 the Village Board adopted Ordinance V20-12, Municipal Regulations on Short Term Rentals; and

**WHEREAS**, on May 25, 2021 the Village repealed Ordinance V20-12 in its entirety and recreated regulations on Tourist Rooming Houses by adoption of Ordinance V21-13; and

**WHEREAS**, the Village wishes to monitor and provide reasonable means for residents to mitigate impacts created by tourist housing dwelling units; and

**WHEREAS**, the Village wishes to implement rationally based, reasonably tailored regulations to protect the integrity of the Village's neighborhoods; and

**WHEREAS**, the Wisconsin State Statutes allow municipalities to enact or adopt a regulation on short term rentals;

**WHEREAS**, the Village wishes to amend provisions of Ordinance V21-13 to extend the timeframe from 29 to 30 days, to not require a permit if rented less than 10 days a years, and redefine "operator" to include an authorized agent in charge of a Tourist Rooming House.

**NOW THEREFORE BE IT ORDAINED**, the Village Board of the Village of Harrison, Wisconsin, does hereby amend Section 117-136 as follows:

[Editor's Note: Deletions = ~~strikethrough~~ | Additions = *italics underline*]

#### **REGULATION OF TOURIST ROOMING HOUSES.**

- (1) It shall be unlawful for any person to operate a Tourist Rooming House (TRH) in the Village of Harrison *for more than ten (10) nights each year* without a permit issued by the Zoning Administrator.
- (2) Definitions. For the purposes of this section:
  - (a) A "tourist rooming house" is a dwelling unit, other than a Hotel, Motel, Bed and Breakfast Establishment or Hostel, in which sleeping accommodations are offered for pay to tourists or transients for stays between one (1) and ~~twenty-nine (29)~~ *thirty (30)* days. The definition does not include private boarding, lodging or rooming houses not accommodating tourists or transients.
  - (b) An "operator" is a person who is the owner or lessee *or authorized agent in charge* of property being used as a Tourist Rooming House (TRH) and who is conducting the TRH business by, among other things, interacting digitally and in person with guests and is identified in TRH listings and advertisements as the TRH "host." An operator may not be a LLC, Trust, Nonprofit, or other corporate entity.
  - (c) A "primary residence" is a dwelling unit that serves as an individual's true, fixed and permanent home for at least 183 days in a calendar year and to which, whenever absent therefrom, that individual intends to return. Additional characteristics of a primary residence include, but are not limited to, where an individual receives mail, claims

residence for purposes of voter registration, pays for utilities, and lists as their address on state issued identification cards. An individual can have only one primary residence.

- (d) A "Bedroom" is any habitable space in a Dwelling Unit other than a kitchen or living room that is intended for or capable of being used for sleeping with a door that closes the room off from other common space such as living and kitchen areas, is within the dwelling unit thermal envelope, that is at least seventy (70) square feet in area, exclusive of closets and other appurtenant space, and meets Building Code standards for egress, light and ventilation according to the Uniform Dwelling Code, Wis. Admin. Code Chs. SPS 320-325, or the Uniform Multifamily Dwelling Code, Wis. Admin. Code Ch. SPS 366. A room identified as a den, library, study, office, dining room, or other extra room that satisfies this definition will be considered a bedroom.
  - (e) "Multiple Unassociated Parties" is two (2) or more individuals who separately book accommodations at the same TRH on any shared date.
- (3) Application. Any person wishing to operate a TRH shall submit an application in writing to the Zoning Administrator along with a non-refundable application fee as outlined in the Fee & Penalty Schedule, reference this code section. Any submitted application that is not completed and still pending within one (1) year of the date the application is filed and the application fee is paid shall be administratively closed and the applicant must begin the licensing process anew.
- (a) All applications shall state each of the following:
    1. The name and address of the TRH operator.
    2. The address of the proposed TRH.
    3. Whether the TRH operator is the owner or lessee of the property.
    4. Whether the proposed TRH is the primary residence of the operator.
    5. Whether the TRH operator proposes to use the TRH solely for stays of more than six (6) but fewer than ~~twenty-nine (29)~~ thirty (30) consecutive days.
    6. Whether the proposed TRH is contained in a dwelling unit that is subject to rules, regulations, or bylaws of a condominium association.
    7. Any other information the Zoning Administrator may reasonably require.
  - (b) All applications shall be accompanied by documented proof that:
    1. The applicant has registered to pay room tax as required;
    2. In the case of a renter/applicant, a signed lease explicitly allowing the renter to operate a TRH at the property, a copy of the form used to notify property owner of the TRH operation, acknowledgement from property owner that they have been notified of the TRH operation;
    3. In the case of an owner who proposes to operate a TRH in a dwelling unit that is subject to rules, regulations, or bylaws of a condominium association, a letter of permission from the condominium association which states that the operation of a TRH in the dwelling unit is allowed by the condominium association's rules, regulations, or bylaws; and
    4. Any other information the Zoning Administrator may reasonably require.
  - (c) All applications shall be accompanied by the following documentation:
    1. Floor plans of the dwelling unit intended for use as tourist rooming house.
    2. Contact phone numbers and email addresses of both the property owner and TRH operator.

3. A listing of all websites and places where the TRH operator has advertised and intends to advertise the TRH.
  4. A signed and notarized affidavit stipulating that the TRH is the operator's primary residence or that the TRH will be used solely for stays of more than six (6) but fewer than ~~twenty-nine (29)~~ thirty (30) days.
  5. Any other information the Zoning Administrator may reasonably require.
- (4) Regulations. Prior to receiving a TRH permit, the operator shall provide the following:
- (a) Notice to the property owner (unless the property owner is also the operator) and all properties within 200-feet of the property providing a brief description of the proposed TRH and how often the operator intends to rent the property. A copy of such notice as well as a list of addresses the notice was sent shall accompany the application.
  - (b) The owner or operator of the Tourist Rooming House shall register with the appropriate entities and shall pay room tax as required under law.
  - (c) Only the owner of the property may operate a Tourist Rooming House, except that a renter may operate if explicitly allowed in the lease. A property owner proposing to operate a TRH in a dwelling unit that is subject to rules, regulations, or bylaws of a condominium association may only operate the dwelling unit as TRH if explicitly allowed by the condominium association.
  - (d) If the tourist rooming house is operated for stays of more than six (6) but fewer than ~~twenty-nine (29)~~ thirty (30) consecutive days, the tourist rooming house may be operated for no more than 180 days in any consecutive 365-day period as provided in Wis. Stat. §66.1014(2)(d). The 180 allowable days in any 365-day period must run consecutively and the TRH operator must give the Zoning Administrator notice of the first rental of any 365-day period.
  - (e) If the tourist rooming house is operated for stays of one (1) to six (6) consecutive days, the tourist rooming house shall be the operator's primary residence.
  - (f) If an operator who is operating a TRH pursuant to sub. (e) above occupies the residence at the time of rental, there is no limit to the number of days the Tourist Rooming House may operate.
  - (g) If an operator who is operating a TRH pursuant to sub. (e) above does not occupy the residence at the time of rental, the tourist rooming house may operate no more than thirty (30) days per permitting year; July 1 to June 30th.
  - (h) If an operator who is operating a TRH pursuant to sub. (e) above does not occupy the residence at the time of the rental, the TRH may not be rented to Multiple Unassociated Parties at the same time.
  - (i) Maximum tourist occupancy shall not exceed the lesser of two times the number of legal bedrooms in the dwelling unit or ten (10). Children under the age of 12 shall not count toward the maximum tourist occupancy.
  - (j) There shall be at least two designated off-street parking spots on the short-term rental property for guests.
  - (k) All short-term rental property owners or guests must abide by the noise regulations.
  - (l) No recreational vehicles (RVs), campers, tents, or other temporary lodging arrangements shall be permitted on site as a means of providing additional accommodations for paying guests or the owner of the property.
  - (m) Providing meals to guests is prohibited.
  - (n) Owner to present proof of insurance at time of application.



- (o) A TRH shall be available for inspection by Village staff with at least forty-eight (48) hours prior written notice. However, in the event the Village has probable cause to believe that a violation of this ordinance has occurred or is occurring, an inspection may occur at other times.
  - (p) All advertisements of the tourist rooming house, including advertisements on the website of a Lodging Marketplace, must contain a clearly displayed valid TRH permit number issued under this ordinance.
- (5) Inspection. Prior to issuing a permit to operate a TRH or approving the renewal of an existing permit, the Zoning Administrator or designee shall inspect the premises to ensure compliance with this ordinance. At all other times, a TRH shall be available for inspection by Village staff with at least forty-eight (48) hours prior written notice. However, if the Village has probable cause to believe that a violation of this ordinance has occurred or is occurring, an inspection may occur at other times.
  - (6) Permit Issuance. The Zoning Administrator shall grant a TRH permit upon verification of a complete TRH application and compliance with this ordinance, including specifically the regulations contained in Section (4) above related to the operation of a TRH.
  - (7) Transferability. Permits issued under this Section shall not be transferrable.
  - (8) Permit Fees. The fee for a TRH operator permit shall be as stated in the Fee & Penalty Schedule for new and renewals. Annual permits shall expire on the thirtieth (30) day of June after the granting thereof. Renewal permits shall be obtained on or before June 30 of each year as provided in sub. (9) below or be subject to a late filing fee equal to twice the renewal fee. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a permit.
  - (9) Renewal. TRH operator permits shall be renewed by the thirtieth (30) day of June of each year. Prior to receiving a renewal permit, the TRH operator shall provide the Zoning Administrator with any updates or changes to any of the documentation required in sub. (3) & (4) above or submit a statement to the Zoning Administrator stating there have been no changes to the information contained in the documentation. Prior to issuing a renewal permit, the Zoning Administrator may conduct a reinspection as provided in sub. (5) above.
  - (10) Enforcement and Violations. The Zoning Administrator or designee shall enforce this ordinance. Any person who operates a TRH without a permit or in violation of this ordinance, upon conviction thereof, shall be fined in accordance with the Fee & Penalty Schedule, reference Section 1.16 General Penalties. Each day or portion thereof such violation continues shall be considered a separate offense. Any fine imposed under this subsection shall be doubled if the violator's permit has been revoked under Sub. (11) below.
  - (11) Revocation. The Zoning Administrator or the Village Board may suspend, deny or revoke a permit issued hereunder for failure of a permittee to comply or maintain compliance with, and/or for violation of, any applicable provisions of this ordinance. Any such suspension or revocation is reviewable under Sec. 32.56 of the Harrison Village Code. A revocation shall result in a 6-month prohibition on the issuance of a new permit at the property.
  - (12) Initial Compliance Date. This ordinance becomes effective on July 1, 2021. All TRH Operators in the Village of Harrison shall obtain a permit as required by this section no later than July 1, 2021. TRH Operators that applied prior to July 1, 2021 under Ord V20-12 may have the application fee applied to the TRH Application.

EFFECT. This ordinance shall be in force and effect upon passage and publication as provided by law.

Adopted by the Village Board of the Village of Harrison this 8<sup>th</sup> day of March 2022.



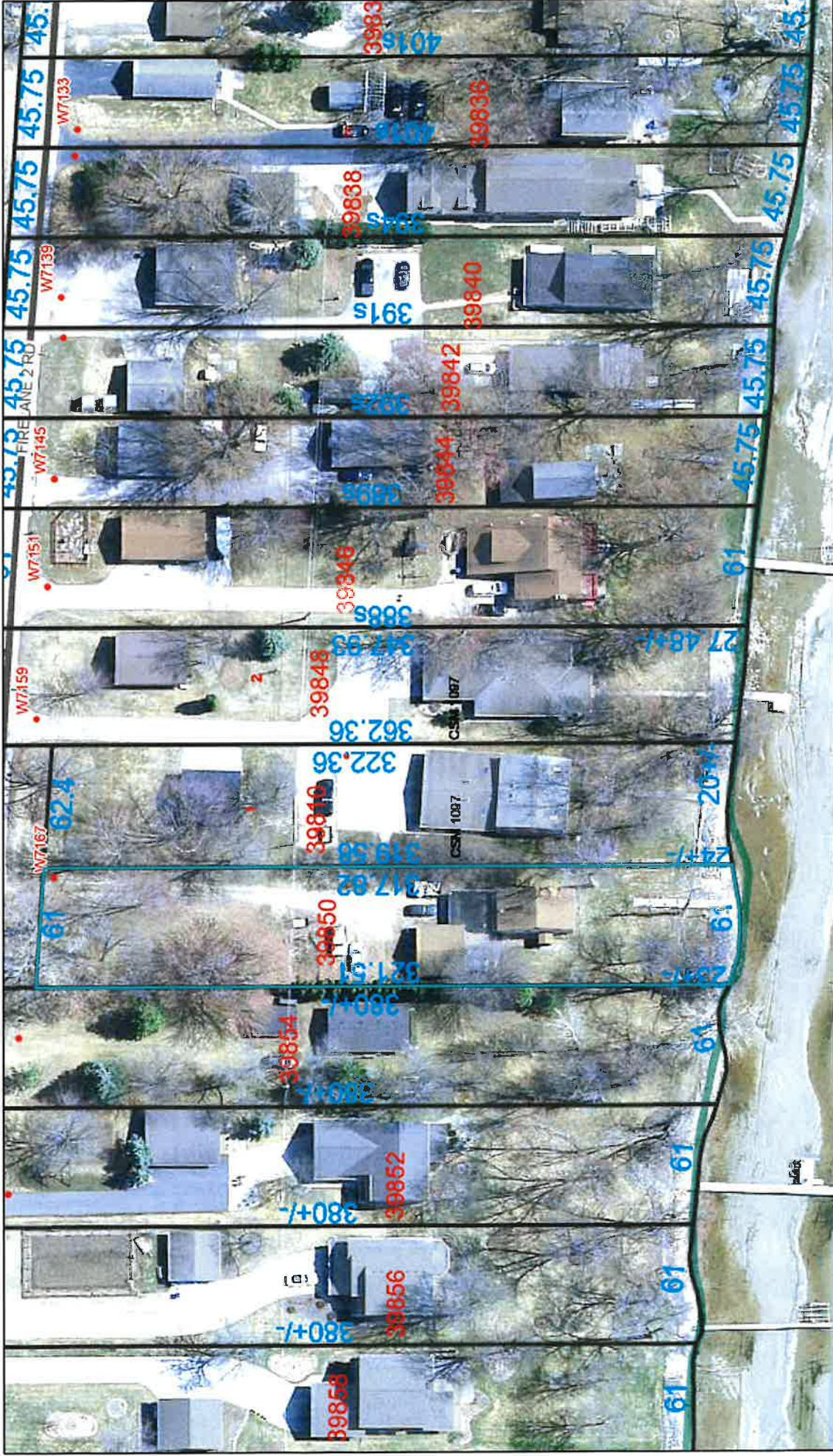
\_\_\_\_\_  
Allison K. Blackmer, Village President



\_\_\_\_\_  
Attest: Vicki Tessen, Clerk/Treasurer



# ArcGIS Web Map



10/30/2023, 3:10:27 PM

- Parcels
- Address Point
- County Boundary
- Lake Winnebago
- Winnebago Depth
- Less Than 6 Feet Deep
- Building Footprint
- Calumet Roads Cartographic
- City Streets
- Municipal Boundary
- Village Boundary
- RailRoads
- Calumet County 2021 Orthophoto
- City Streets

- Green: Band\_2
- Blue: Band\_3



February 10, 2023

Dear Joshua & Christine,

As your new neighbors, we are writing to inform you that we started a short-term rental (also known as an AirBnb) at W7167 Firelane 2.

Both myself and my business partner, Michelle Maiman, have young families who love creating lifelong memories "at the lake." We want to bring this cherished experience to other families as well. We intend to have the home available 365 days a year, however, we believe it will only rent out for just under half a year. The other half, it is very likely we will be there with our families. If you do see us, please feel free to swing by and say "hi."

When the listing goes live, you will see we will require our guests to respect that the surrounding homes are permanent resident families who live here year round.

As a fellow home owner in this area we also have a vested interest in hosting quality and respectful guests. If you have any concerns or questions, please feel free to reach out to me directly as I hope to have a great relationship and an open line of communication with you.

Warm regards,  
The Graffs & Maimans

Hope Graff  
Haven Investments  
[hope@roghaven.com](mailto:hope@roghaven.com)

COPY



OWNERNAME	MAIL ADDRESS	CITY, STATE, ZIP
✓1 ELIZABETH A GLISCZINSKI KENNETH J GLISCZINSKI	W7185 FIRELANE 2	MENASHA, WI 54952
✓2 JASON D GRAFF KAMI C GRAFF	W7151 FIRELANE 2	MENASHA, WI 54952
✓3 BETH YOUNG VERKUILEN THEO D VERKUILEN	W7175 FIRELANE 2	MENASHA, WI 54952
✓4 NICHOLAS C VANDINTER	W7165 FIRELANE 2	MENASHA, WI 54952
✓5 LISA YOUNG BORKOWSKI ROBERT F BORKOWSKI	4521 VETTELSON RD	HARTLAND, WI 53029
✓6 JANET M KACHUR	W7143 FIRELANE 2	MENASHA, WI 54952
✓7 PATRICIA M KOLB	7000 N 2ND ST	MACHESNEY PARK, IL 61115
✓8 JAMES RIEDEL BONNIE LINGNOFSKI	W7159 FIRELANE 2	MENASHA, WI 54952
✓9 MARGARET D PARRISH	W7167 FIRELANE 2	MENASHA, WI 54952
✓10 CHARLE JOHNSON JOHNSON VIOLA RV LV T	W7145 FIRELANE 2	MENASHA, WI 54952
✓11 GREGORY A SCHMALZ	430 E FRANKLIN AVE	NEENAH, WI 54956
✓12 CHARLES G REITZNER	W7181 FIRELANE 2	MENASHA, WI 54952
✓13 JOSHUA MCGLIN CHRISTINE N MCGLIN	W7139 FIRELANE 2	MENASHA, WI 54952