

**GREEN LAKE COUNTY
BOARD OF ADJUSTMENT
Meeting Minutes – April 20, 2007**

CALL TO ORDER

The meeting of the Board of Adjustment was called to order by Vice-Chair Shirley Parker at 9:01 a.m., in the County Board Room, Courthouse, Green Lake, WI. The requirements of the open meeting law certified as being met.

Present: Donald Ahonen, Roger Ladwig (Alternate 1), Charles Lepinski (Alternate 2),
Shirley Parker
Absent: Bill DePue,
Also present: Al Shute, County Surveyor/Land Development Director
Bernie Sorenson, Code Enforcement Officer
Matt Kirkman, Code Enforcement Officer
Carole DeCramer, Secretary
Dan Sondalle, Assistant Corporation Counsel
John Blazel, Counsel for the Board of Adjustment
Fay Francois, Court Reporter

Vice-Chair Parker was seated in Mr. DePue's absence; Alternate #1 Ladwig was seated in Mrs. Parker's position.

APPROVAL OF AGENDA

Motion by Ladwig/Ahonen, unanimously carried, to approve the agenda. Motion carried.

APPROVAL OF MINUTES

**Motion by Ahonen/Ladwig, unanimously carried, to approve the minutes of January 19, 2007.
Motion carried.**

RECESS FOR FIELD INSPECTION

Time: 9:03 a.m.

PUBLIC HEARING MATTERS

Board reconvened at 9:55 a.m.

Vice-Chair Parker read the Rules of Order.

See Transcript of Proceedings for verbatim testimony:

Item I: Owners: Michael & Susan Crosby **Applicants:** Rose & Walter Howald, Elizabeth Kneesel
Site Address: N4870 N Lake Shore Dr, Parcel #016-1584-0000, Beyer Cove Assessor Plat Lot 1
Certified Survey Map 374 (Lot 22)of Section 3, T15N R12E, in the Town of Princeton **Explanation:**
The applicants are appealing the decision of the Land Use Planning & Zoning Department to issue land
use permit #10278. The applicants are requesting that the Board of Adjustment review the land use

permit and determine if the permit was issued in accordance with Chapter 338, County Shoreland Protection Ordinance. Section 338-38(2) of the Shoreland Protection Ordinance states that the Board of Adjustment shall hear and decide appeals where it alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement and administration of this chapter.

a. Public Hearing

Ahonen – Mr. James Rickmeyer approached me several weeks ago regarding this issue and I immediately pointed out to him that, if I have further discussion regarding this issue, I will have to abstain from the meeting. The discussion stopped at that point.

Parker – I would like to point out that we did ask Mr. Crosby some questions at the site this morning to clarify the exhibit pictures that we were given.

Attorney Steve Sorenson, Ripon, WI – Attorney appearing on behalf of Mr. and Mrs. Crosby. Reminded the Board that Mr. and Mrs. Crosby are not parties to this action and that this is not a variance. This issue is not about Mr. and Mrs. Crosby violating the law; it's about a violation caused by the zoning office. Believes that there is no basis for the hearing today.

Attorney Maureen Martin – W3643 Judy Lane, Town of Princeton – Appearing with Attorney Matt Chier, Berlin, WI, on behalf of Beth Kneesel and Rose and Walter Howald. The applicants are aggrieved persons; the neighbors are all impacted negatively. We don't believe the law has been followed.

Jane Piernot, W1909 Belle Maps Court, Green Lake, WI 54941 – Sold the property to Mr. and Mrs. Crosby in 1998. Described what the property looked like at the time of the sale.

Elizabeth Kneesel – 4867 Lake Shore Drive, Princeton, WI – Owner of the property across the street from the Crosby property on the Beyer's Cove side and a lake lot adjacent to the Crosby and Howald properties. Residential appraiser for seven years.

Attorney Martin presented Exhibit E comprised of photographs of the Crosby site.

Tom Kneesel, 4867 Lake Shore Drive, Princeton, WI – Concerned that everyone is treated uniformly and fairly. Level of construction exceeds what the permit is, probably double that. The Crosby's completely removed the nonconforming structure; should be considered new construction. Can't remove a nonconforming structure and replace it without a variance. Chief residential appraiser for thirty years for St. Francis Bank in Milwaukee.

Rose Howald – 4871 N. Lake Shore Drive – Owned property for twenty-five years with husband, Walter. Will lose view of the lake after the Crosby construction.

Joe Malecki, N4986 Judy Lane, Green Lake – Took the ten photographs in Exhibit E and gave dates of when the pictures were taken and developed.

The sheet of paper with the dates of development was entered as Exhibit 1.

Phil Page, N6918 Laren Lane, Ripon, WI – Was a general contractor at the Crosby residence during the summer and fall of 2001 and spring of 2002. Described nature of construction work that was done and submitted copies of invoices he had given Mr. and Mrs. Crosby (Exhibit 2).

Tom Jones, 407 Eaton Street, Green Lake – Project superintendent for the Samuels Group, a general contractor located in Wausau. Presented his cost comparison for the Crosby addition. (Exhibit 3)

Martin – Summarized that the applicants have established that they are aggrieved; financial interests are impacted. Exhibits 4-7.

Jim Rickmeyer, 542 Wettstein Avenue, Fond du Lac, and a cottage at N4854 Lake Shore Drive – Four houses down from Mr. Crosby. Stated that the Zoning Department denied the permit request, but then Mr. Crosby went to the Corporation Counsel who directed zoning staff to issue the permit. Copies of file notes were submitted. Exhibits 8-15.

John Loberg, 4852 Kildeer Lane, Green Lake, Contractor for the Crosby's – Explained the scope of the work.

Al Shute, Land Use Planning and Zoning Director – Appeared on behalf of Green Lake County; answered questions of Assistant Corporation Counsel that explained the procedure followed to issue the land use permit. Exhibits 16-19

Tom Karins, 4858 N. Lake Shore Drive, permanent residence in Illinois – Owns property three houses to the south of Mr. and Mrs. Crosby. Confused and looks to this group to clear the confusion. If Mr. and Mrs. Crosby are allowed to continue, Mr. Karins feels he has been discriminated against since his proposed plans have been denied in the past.

Motion by Ahonen/Ladwig, unanimously carried, to take a brief recess. Motion carried. (12:02 p.m.)

Reconvened: 12:11 p.m.

Susan Crosby, N4870 N. Lake Shore Drive – Appeared to say that she feels blindsided by the testimony and that it's misleading the Board. The photographs of the site are not accurate.

Nancy Hill – Executive Director of the Green Lake Association – Stated that this is a complex issue. Urged the Board to take enough time to understand all of the documents presented. Suggested an independent audit of construction costs to determine compliance with “50% rule.”

Mike Crosby, N4870 N. Lake Shore Drive – Stated that the construction numbers are true and accurate; spoke about the construction project. Presented petition from some of the neighbors. Exhibits 20-22

Public hearing closed.

b. Board Discussion & Deliberation

Motion by Ladwig/Ahonen, unanimously carried, to adjourn until Wednesday, April 25th, 1:00 p.m. Motion carried.

ADJOURN

Motion by Ahonen/Ladwig, unanimously carried, to adjourn. Motion carried.

Time: 12:28 a.m.

Recorded by,
Carole DeCramer
Board of Adjustment Secretary

**APPROVED ON:
June 15, 2007**