

**GREEN LAKE COUNTY  
BOARD OF ADJUSTMENT  
Meeting Minutes – Friday, July 19, 2013**

**CALL TO ORDER**

The meeting of the Board of Adjustment was called to order by Vice Chair Nancy Hill at 9:00 a.m. in County Board Room 0902 of the Government Center, Green Lake, WI. The requirements of the open meeting law were certified as being met.

Present: Nancy Hill, Kathleen Moore  
Absent: Janice Hardesty,  
Also present: Matt Kirkman, Code Enforcement Officer  
Attorney Dan Hurst, Corporation Counsel  
Carole DeCramer, Board Secretary

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**Motion by Moore/Hill, unanimously carried, to approve the agenda. Motion carried.**

**APPROVAL OF MINUTES**

The minutes will be approved at the next meeting.

**RECESS FOR FIELD INSPECTION**

Time: 9:02 a.m.

*Audio of Board discussion is available upon request from the Green Lake County Land Use Planning and Zoning Department.*

**PUBLIC HEARING MATTERS**

Board reconvened at 10:01 a.m.

Vice Chair Hill read the Rules of Order.

**Item I: Owners/Applicants:** William A. Lensing and Susan Bradley-Lensing **Site Description:** W3443 Orchard Ave, Parcel #016-00332-0000, Located in the NE¼ of Fractional Section 3, T15N, R12E, Town of Princeton **Request:** The owner/applicant is requesting a variance from Section 328-23.A.(1)(b) of the Green Lake County Shoreland Zoning Ordinance to construct an addition to an existing single-family dwelling less than 10 feet from the lot line.

- a. Public hearing.

*Susan Bradley-Lensing was sworn in by Court Reporter Kate Worth.*

Susan Bradley-Lensing, W3443 Orchard Avenue, Green Lake, and 8905 Clifford Avenue, Chevy Chase, MD – Spoke in favor of the request.

*Eric Arnetveit was sworn in by Court Reporter Kate Worth.*

Eric Arnetveit, Design Specialty Builders, N5702 Susan Street, Green Lake – Spoke in favor of the request.

*Daniel Sondalle was sworn in by Court Reporter Kate Worth.*

Attorney Daniel Sondalle, 535 W. Water Street, Princeton, representing Gary and Lynn Mecklenburg (neighbors of the applicants) – Spoke against the request.

Attorney Sondalle referenced the WI-DNR letter submitted by Michael Wenholz, Bureau of Watershed Management, Regional Shoreland Specialist. Mr. Wenholz advised that the WI-DNR would be opposed to the request.

*Gary Mecklenburg was sworn in by Court Reporter Kate Worth.*

Gary Mecklenburg, W3447 Orchard Avenue, Green Lake, and 3500 Topping Road, Madison – Spoke against the request.

Questions were asked by the Board of Adjustment of Mr. Arnetveit, Mrs. Bradley-Lensing, and Code Enforcement Officer Matt Kirkman.

Public hearing closed at 10:48 a.m.

b. Board discussion and deliberation.

Moore – This is a difficult situation in that it is a 33’ wide lot, you could build a 13’ addition, and I don’t see where the 13’ addition would have that big of an impact. You could jiggle some stuff around and get rid of the cutout. I think that it could be redesigned. The one thing that really troubles me is the large area and you don’t have to do anything with infiltration right now and they have no gutters on that house. Even without a variance, the neighbor could continue to have a water problem. There is nothing requiring them to fix that situation. They’ve got the handicapped situation but I don’t think this big of an addition has that much impact given the size and configuration of the rest of the house.

Hill – I believe, according to the criteria, that the personal circumstances of the applicant do not have to be applied to the variance. There’s no clear reading on that. The handicapped access may or may not apply; it would just be if we feel if it would be necessary or not. I have concerns about the gutters because they would help change the situation on their property as well as the neighbors’. I’m not that sure, in a very heavy rain, that would be adequate. Water overflows gutters enough when it comes down fast enough and, in that case, even the addition would have a negative impact from water on the west side. I’m also concerned about the emergency access. I’m not only concerned for the Lensings, but also the neighbors to the west. That would be a very small area for water to be brought by fire engines to work on the front of the house. I don’t believe that this is unique to the property either because there are smaller lots. We already have nonconforming property, which is pretty large, and

you could build a smaller addition which would be further from the side yard and would be in compliance with that side yard setback. I'm also concerned about the cumulative effect. If we grant this variance, we will have more requests of the same sort coming before us though we would not look at houses in the surrounding areas and the people who live in those houses may feel that they could build closer to the side yard setback, but in that case, we would not want to grant a variance just because you got a variance. In that case, it would be cumulative. I think the water runoff is a major concern for me. I'm also concerned about the large tree we viewed on the property that would have to be removed is on both properties so you would need the permission of the neighbor to the west in order to remove that.

c. Board decision.

**Motion by Moore/Hill to approve the variance request from Section 328-23.A.(1)(b) of the Green Lake County Shoreland Zoning Ordinance to construct an addition to an existing single-family dwelling less than 10 feet from the lot line. The approval would include the following conditions as stated in the staff report:**

- 1. Create and install storm water management practices that will infiltrate all of the storm water runoff from all impervious surfaces for a five-year rainfall event into appropriately sized rain gardens (in accordance with WDNR PUB-WT-776 (2003)) or any other infiltration method may be used as approved by the Land Use Planning & Zoning Department.**
- 2. That a registered land surveyor create a COS (certificate of survey) of the lot depicting the "as built" conditions of the subject site, showing the location of all lot lines, buildings, structures, and driveways.**

**Hill** – A major issue is the access between the two homes. There is barely enough access now as the nonconforming house stands. You can build a 13-foot structure and it may not be as large as you want it, but it would still be possible. Esthetics isn't an issue; this is not something that should be part of the criteria.

**Roll call: Moore - nay, Hill – nay. Motion denied.**

### **CORRESPONDENCE**

**Hill** – Recommended that alternates are found as soon as possible. It would be shameful if people brought public hearing items to the Board of Adjustment and decisions could not be made because of a lack of board members.

**Moore** – Suggested that an announcement be made at a county board meeting asking supervisors if they have suggestions for Board of Adjustment alternates from any of the unrepresented Townships of Brooklyn, Berlin, Kingston, Mackford, Manchester, St. Marie, and Seneca.

### **NEXT MEETING DATE**

### **ADJOURN**

**On a motion by Hill/Moore, unanimously carried, to adjourn.**

Time: 11:00 a.m.

Recorded by,  
Carole DeCramer  
Board of Adjustment Secretary

**APPROVED ON:**  
August 15, 2014