

**GREEN LAKE COUNTY  
BOARD OF ADJUSTMENT  
Meeting Minutes – Friday, July 20, 2018**

**CALL TO ORDER**

The meeting of the Board of Adjustment was called to order by Land Use Planning and Zoning Director Matt Kirkman at 9:02 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: John Gende (alternate), Janice Hardesty, Kathleen Moore, Ron Triemstra

Absent:

Also present: Matt Kirkman, Land Use Planning and Zoning Director

Krista Kamke, Code Enforcement Officer

Carole DeCramer, Board Secretary

Kate Worth, Court Reporter, Worth Court Reporting

**PLEDGE OF ALLEGIANCE**

**ELECTION OF BOARD OF ADJUSTMENT CHAIR AND VICE CHAIR**

Kirkman asked for nominations for Chair.

Nomination of Janice Hardesty as Chair offered by Kathleen Moore. No other nominations.

**Motion by Triemstra/Moore, unanimously carried, to close nominations and cast a unanimous ballot for Janice Hardesty.**

Chair Hardesty conducted the remainder of the meeting.

Hardesty asked for nominations for Vice Chair.

Nomination of Ron Triemstra as Vice Chair offered by Kathleen Moore.

**Motion by Moore/Hardesty, unanimously carried, to close nominations and cast a unanimous ballot for Ron Triemstra.**

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

**Motion by Triemstra/Moore, unanimously carried, to approve the 4/20/18 minutes.**

**CORRECT MINUTES OF 05/20/16 AND 06/16/16**

Kirkman – Explained why it is necessary to correct the May 20<sup>th</sup> and June 16<sup>th</sup> minutes. After listening to the audio of the May 20<sup>th</sup> meeting (Semler request), it was discovered that the two sets of minutes did not accurately reflect what the Board intended.

**Motion by Moore/Triemstra, unanimously carried, to correct the May 20<sup>th</sup> and June 16<sup>th</sup>, 2016, minutes as presented.**

Attorney Kristin Galatowitsch, representing the Semlers – Asked that the committee explain what they had corrected in the minutes so that she could make sure that her records were consistent with what they had done. It was her understanding that both sets of minutes would be corrected and she wants to make sure that the committee corrected the May and June minutes.

Since there was some confusion as to whether or not the committee received all of the minutes, the committee discussed adjourning the meeting to do the site visit and then continue this discussion during the public hearing portion of the meeting at which time they would have copies of those minutes.

**On a motion by Moore/Triemstra, unanimously carried, the committee adjourned the discussion of the May and June minutes until the public hearing portion of the meeting.**

The committee recessed for field inspection.

Attorney Galatowitsch asked that the committee continue the discussion because the minutes were available, and emailed to the committee prior to the meeting, and it would be difficult for her and the Semlers to return in an hour and a half for the public hearing portion of the meeting.

The committee reconvened the meeting for continued discussion. Kirkman explained that the June 16, 2016, minutes, the date that was listed in red on page 2 of 3, incorrectly stated 05/20/18 rather than 05/20/16.

**Motion by Triemstra/Hardesty, unanimously carried, to correct the date to 05/20/16 in the notated paragraph of the 06/16/16 minutes.**

**On a motion by Triemstra/Moore, unanimously carried, the committee approved the corrections to the meeting minutes of 05/20/16 and 06/16/16.**

### **RECESS FOR FIELD INSPECTION**

Time: 9:20 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 10:55 a.m.

Chair Hardesty read the Rules of Order.

**Item I: Owner/Applicant:** Randy S. & Linda J. Matzke **Site Description:** W2072 Melmar Dr., Parcel #006-01409-0000, Frei's Plat, Lot 18, Part of Government Lot 3 of Section 32, T15N, R13E **Request:** Variance from Section 350-38.D.(1)(c) of the Zoning Ordinance and Section 338-32.C(3) of the Shoreland Zoning Ordinance to construct an attached garage with breezeway that would be set back 10' from the street right-of-way/front-lot line; whereas, a 25' setback is required.

- a. Public hearing

Randy Douglas, Badger Engineering, Princeton, representing the applicants – Explained the request; spoke in favor of the request.

Linda Matzke, 589 S. Fawn Avenue, Grand Marsh, WI – Spoke in favor of the request.

**Public hearing closed.**

- b. Board discussion and deliberation to include relevant correspondence.

**Motion by Triemstra/Moore to grant the variance request from Section 350-38.D.(1)(c) of the Zoning Ordinance and Section 338-32.C(3) of the Shoreland Zoning Ordinance to construct an attached garage with breezeway that would be set back 10' from the street right-of-way/front-lot line; whereas, a 25' setback is required.**

**Discussion:**

The Board discussed the following:

- Criteria 1 – Unnecessary Hardship
- Criteria 2 – Unique Property Limitations
- Criteria 3 – Harm to Public Interest

- c. Board decision.

**Motion by Moore/Triemstra to add a friendly amendment to the aforementioned motion. The amendment includes the following conditions:**

1. **Certified Survey Map to be recorded and provided to the Department prior to issuance of a Land Use Permit to construct the garage.**
2. **The property owners must mitigate any increase in impervious surfaces according to the Shoreland Zoning Ordinance.**
3. **A Certificate of Survey to be completed and submitted to the Land Use Planning & Zoning Department once the garage has been constructed. The COS also to include exact location and size of the garage authorized by this variance as well as any infiltration practices / structures.**

**Motion unanimously carried on roll call.**

**Item II: Owner/Applicant:** Steven C. Blaha & Nancy J. Ausloos **Site Description:** W2416 Eagles Roost Ln., Estates of Lawsonia, Lot 41, Parcel #004-02141-0000 (±.51 acres), Part of the NW¼ of Section 30, T16N, R13E **Request:** Variance from Section 350-38.E(1) of the Zoning Ordinance to place an accessory building 14' from the rear-yard lot line; whereas, a 25' rear-yard setback is required.

- a. Public hearing

Steve C. Blaha, W2416 Eagles Roost Lane – Asked if he could amend the request to a 12' setback.

Moore questioned whether or not that can be done since the request had been noticed as 14'. Kirkman advised that they proceed with the request with the information that was published (14').

**Public hearing closed.**

b. Board discussion and deliberation to include relevant correspondence.

**Motion by Triemstra/Hardesty to grant the variance request from Section 350-38.E(1) of the Zoning Ordinance to place an accessory building 14' from the rear-yard lot line; whereas, a 25' rear-yard setback is required. The variance approval would include the following condition:**

- 1. As the concrete slab has already been sited on the property prior to land use permit issuance, an After-the-Fact fee shall be collected, per Section 350-76.A.(3).**

Correspondence includes:

Exhibit 1:

Statement of Agreement of Property Owners or Grantor Agent of Property Bordering Parcel 004-02141-0000. Signed by Sandy and Robert Kleinpaste, and Ben C. K. Mott

The Board discussed the following:

- Criteria 1 – Unnecessary Hardship
- Criteria 2 – Unique Property Limitations
- Criteria 3 – Harm to Public Interest

c. Board decision.

**Roll call vote on the motion to approve the variance request as presented:  
Triemstra – nay, Moore – nay, Hardesty – nay. Variance denied.**

**CORRESPONDENCE** - None

**NEXT MEETING DATE**

To be determined.

**ADJOURN**

**Motion by Triemstra/Hardesty, unanimously carried, to adjourn.**

Time: 11:43 a.m.

**RECORDED BY:**

Carole DeCramer

Board of Adjustment Secretary

**APPROVED ON**

November 16, 2018