

**GREEN LAKE COUNTY
BOARD OF ADJUSTMENT
Meeting Minutes – Friday, December 16, 2016**

CALL TO ORDER

The meeting of the Board of Adjustment was called to order by Chair Hardesty at 9:01 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: Janice Hardesty, Ron Triemstra

Absent: John Gende, Kathleen Moore, Nancy Hill

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

Krista Kamke, Code Enforcement Officer

Carole DeCramer, Board Secretary

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

APPROVAL OF 11/18/16 MINUTES

Motion by Triemstra/Hardesty, unanimously carried, to approve the 11/18/16 minutes.

APPROVE 2017 BOARD OF ADJUSTMENT MEETING CALENDAR

Motion by Triemstra/Hardesty, unanimously carried, to approve the 2017 Board of Adjustment meeting calendar.

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 9:30 a.m.

Chair Hardesty read the Rules of Order.

Item I: Owner: Five Friends, LLC Agent: Attorney Steven R. Sorenson Site Description: N5687, N5695, N5697, N5699 Klaver Street, Parcel #004-00974-0000, Part of the SW¼ of Section 22 and part of Government Lot 4 of Section 27, T16N, R13E, Town of Brooklyn Request: The owners are requesting a variance from Sections 350-13.B and 350-40.C(3) of the County Zoning Ordinance to remove two, two-family dwellings from their property and construct a single (two-family) dwelling.

- a. Public hearing

Attorney Steven R. Sorenson, 479 Golf Hill Court, Green Lake, representing the petitioners – Explained the request and spoke in favor of it.

The committee discussed the following with Kirkman and Attorney Sorenson:

- *The DNR's stance on bathhouses.*

Kirkman – The DNR has opened up to embracing the boathouse concept. They now approve of the construction of boathouses, but not the occupation of them.

- *Stormwater runoff.*

Attorney Sorenson – There will not be an increase in stormwater runoff.

- *Impervious surfaces.*

Attorney Sorenson – The impervious surface increases slightly; however, there is no existing drainage system and there would be with the proposed project.

- *Septic setbacks.*

Kirkman – In order for the land use permit to be approved, all setbacks would have to be met.

Chair Hardesty read two letters of support into the record. The first letter was submitted by Jack Lennox (N5696 Klaver Street), and the second letter by Tim and Mary McKenzie (W1169 Illinois Avenue).

Public hearing closed at 9:52 a.m.

b. Board discussion and deliberation to include relevant correspondence.

Motion by Triemstra/Hardesty to grant a variance from Sections 350-13.B and 350-40.C(3) of the County Zoning Ordinance to remove two, two-family dwellings from their property and construct a single (two-family) dwelling.

Further discussion:

Triemstra – Regarding the hardship, the size of the property puts them in non-conformance with the amount of square footage required per building. Tearing the boathouse down would reduce the number of buildings and put them in compliance, but then they would be around 17,000 square feet. They could not replicate the living space of that boathouse once it is torn down. The hardship is that they would have to sacrifice an entire building unit in order to make the improvement they want to make. This seems senseless. There is some uniqueness and hardship created with the situation. Right now, we have five building units on this parcel and they are proposing to reduce that number to three. They would be increasing the square footage per building unit from 7,000 square feet to 12,000 square feet with what they are doing. This is a positive proposition. In my personal opinion, it is an improvement in neighborhood to have the shed removed. There are a number of positives with what they want to do. Their request is justified and they meet the criteria. There are mitigating circumstances here that end up being a positive for the neighborhood and the county. The other concern I have is by removing the shed; they expose more of their lot to view from the public eye, since the public landing is right next to them. They are sacrificing privacy by doing that. Nothing says you cannot launch a boat at 3 a.m., making noise. This is a sacrifice they are willing to make in order to comply. The variance should be granted.

Hardesty – The shed is not going to last much longer. You can accomplish a great deal of privacy by plantings. My concern is about the stormwater runoff management practices. I would like an amendment to the motion to include stormwater management practices. The beauty of the lake is definitely maintained by keeping the property intact and recreating the residential areas. Taking down a perfectly good building makes absolutely no sense just to be in conformity. I have looked at the drawing and property. My only concern is the septic and well, which will be remediated with changes that are in the works for the house.

Amendments/conditions,

c. Board decision.

Hardesty proposed an amendment to the original motion to include the following conditions as listed on the staff report:

- 1. Create and install storm water management practices that will infiltrate all of the storm water runoff from the proposed two-family dwelling, for a 2-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 (LUP&Z) Department.**
 - 2. As shown on the site plan included in the applicant's variance application, the detached shed shall be removed from the property along with the two existing, two-family dwellings.**
- Roll call: Triemstra – aye, Hardesty – aye. Motion unanimously carried.**

CORRESPONDENCE - None

ADJOURN

10:02 a.m. Meeting adjourned.

RECORDED BY:

Carole DeCramer

Board of Adjustment Secretary

APPROVED ON:

08/18/2017