



**MANITOWOC COUNTY**  
**BOARD OF ADJUSTMENT**  
**ADVISORY & ON-SITE MEETING NOTICE**

DATE: Monday, January 14, 2019  
TIME: 9:00 a.m.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be discussed at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Agenda  
"Open Meeting Law Compliance"
- III. New Business
  1. **JPC Investments LLC** – Owner of properties located at 14511 CTH Z, in the NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , the NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , the SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , all in Section 19, T21N-R22E, Town of Cooperstown – Variance Requests.
  2. **HoerthBellandHoerth LLC** – Owners of property located at 13618 Steinthal Rd. in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , of Section 21 and part of the NE $\frac{1}{4}$ , NE $\frac{1}{4}$ , of Section 20, T17N-R21E, Town of Schleswig – Conditional Use Request.
  3. **Allen Halbach** - Owner of property located at 9205 STH 67, in the SW $\frac{1}{4}$ , NW $\frac{1}{4}$ , of Section 32, T18N-R21E, Town of Eaton – Conditional Use Request.
  4. **Jim Schultz Commercial LLC** - Owner of property located at 12901 CTH M in the SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , of Section 17, T17N-R22E, Town of Meeme – Conditional Use Request.
  5. **Jonathon Surfus** - Owner of property located off of Clarks Mills Rd., in the N $\frac{1}{2}$ , NE $\frac{1}{4}$ , Section 30, T19N-R22E, Town of Cato – Conditional Use Request.
- IV. Old Business
  1. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.
- V. Other Business
  1. Correspondence
- VI. Approval of Minutes
- VII. On-sites
- VIII. Adjournment

Date: December 21, 2018

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Any person wishing to travel on the on-sites with the Board, should contact the Manitowoc County Planning and Park Commission office at 920-683-4185 at least two business days before the meeting is scheduled so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
ONSITE MEETING MINUTES**

January 14, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, January 14, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Orville Bonde, Chuck Hoffman, Ralph Schuh and Laurel Vondrachek. Members absent: James Knorr

Staff present for advisory meeting: Reed Gaedtke and Andrea Raymakers

A motion was made by Mr. Schuh; seconded by Mr. Hoffman to approve the agenda for the January 14, 2019 meeting. Upon vote, the motion was unanimously approved. *Aye: Hoffman, Schuh, Vondrachek and Bonde; No: none;*

The Board received their folders containing the January 14, 2019 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed. Mr. Bonde did not proceed to on-sites.

**ADJOURNMENT**

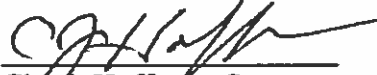
*Motion by:* Mr. Hoffman to adjourn.

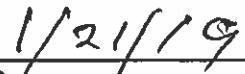
*Seconded by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

*Aye: Hoffman, Schuh, and Vondrachek; No: none.*

Respectfully submitted,

  
\_\_\_\_\_  
Chuck Hoffman, Secretary

  
\_\_\_\_\_  
Date



## MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: Monday, January 21, 2019  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be considered at the meeting:

- I. ROLL CALL AND CALL TO ORDER
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF MINUTES
- IV. APPROVAL OF AGENDA
- V. NEW BUSINESS

Discussion and possible action on:

1. **JPC Investments LLC** – Owner of properties located at 14511 CTH Z, in the NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , the NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , the SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , all in Section 19, T21N-R22E, Town of Cooperstown – Variance Requests.
2. **HoerthBellandHoerth LLC** – Owners of property located at 13618 Steinthal Rd. in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , of Section 21 and part of the NE $\frac{1}{4}$ , NE $\frac{1}{4}$ , of Section 20, T17N-R21E, Town of Schleswig – Conditional Use Request.
3. **Allen Halbach** – Owner of property located at 9205 STH 67, in the SW $\frac{1}{4}$ , NW $\frac{1}{4}$ , of Section 32, T18N-R21E, Town of Eaton – Conditional Use Request.
4. **Jim Schultz Commercial LLC** - Owner of property located at 12901 CTH M in the SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , of Section 17, T17N-R22E, Town of Meeme – Conditional Use Request.
5. **Jonathon Surfus** - Owner of property located off of Clarks Mills Rd., in the N $\frac{1}{2}$ , NE $\frac{1}{4}$ , Section 30, T19N-R22E, Town of Cato – Conditional Use Request.

### VI. OLD BUSINESS

Discussion and possible action on:

1. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.

### VII. OTHER BUSINESS

1. Correspondence
2. Set February meeting date

### VIII. ADJOURNMENT

Date: December 21, 2018

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES**

January 21, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, January 21, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Laurel Vondrachek, Dave Christel, Chuck Hoffman and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuh, seconded by Ms. Vondrachek to approve the agenda for the January 21, 2019 meeting. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Vondrachek, Christel, Hoffman and Schuh; No: none.*

A motion was made by, Ms. Vondrachek, seconded by Mr. Hoffman to approve the December 10, 2018 meeting minutes. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Vondrachek, Christel, Hoffman and Schuh; No: none.*

A motion was made by, Mr. Hoffman, seconded by Mr. Schuh to approve the January 14, 2019 onsite meeting minutes. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Vondrachek, Christel, Hoffman and Schuh; No: none.*

Mr. Gaedtke explained the procedure for the meeting that would follow. He also stated that within 10 days of the closure of this meeting, copies of the decisions will be delivered to the applicants.

Chairman Bonde informed the audience each person would be limited to five minutes during public input.

**New Business**

**JPC Investments LLC** – Owner of properties located at 14511 CTH Z, in the NW¼, NE¼, the NE¼, NW¼, the SE¼, NW¼, and the SW¼, NE¼, all in Section 19, T21N-R22E, Town of Cooperstown, Manitowoc County, Wisconsin, parcel numbers (003-019-002-000.00 and 003-019-005-000.00 and 003-019-008-000.00 and 003-019-003-001.00); wherein variances are being requested to bring past setback infringements from a previous property owner into compliance and to also continue excavating at those same distances of 0 feet from the west property lines; and at 0 feet from the south property lines; and at 40 feet from the east property lines; and at 50 feet from the road right-of-way; and to continue excavating within 1000 feet of two residences. The parcels for the requested variances are located in an EA, Exclusive Agricultural zoned district.

Chairperson Bonde opened the public hearing for JPC Investments LLC.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal.

Mr. John Thiel, attorney for JPC Investments LLC gave an overview of the request.

The Board had questions for Mr. Thiel.

Mr. Thiel answered those questions for the Board.

Mr. Wayne Luebke, neighbor to the East and Southeast spoke in favor of the request.

People in attendance opposed to the request: none.

Mr. Gaedtke did not received a letter from the Town of Cooperstown regarding this request.

There being no further comments, Chairperson Bonde closed the public hearing for JPC Investments LLC.

### **Deliberation**

*Motion by:* Mr. Schuh modified the setback distances from the original request and then approved the requests.

Reasons for approval:

1. There was sufficient evidence obtained from the applicant, on-site and testimony to warrant an approval.
2. The setback requirements should not impede normal drainage excavation for any residences or highway right-of-way.
3. The previous owner improperly encroached upon required setbacks which caused a hardship and burden on the current owner.
4. The intent of the approved setbacks is to restore the setbacks to a condition that would have been reasonable under the old ordinance regulations.
5. By approving these setbacks to the reasonable ordinance regulations it would not have a negative effect on the public interest.

Conditions of Approval:

1. A reclamation plan must be submitted and approved.

*Second by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Vondrachek, Christel, Hoffman and Schuh; *No:* none.

**HoerthBellandHoerth LLC** – Owners of property located at 13618 Steintal Rd. in the NW¼, NW¼, of Section 21 and part of the NE¼, NE¼, of Section 20, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-021-006-001.00); wherein a conditional use permit is being requested to operate a vacation home rental in a NA, Natural Area zoned district.

Chairperson Bonde opened the public hearing for HoerthBellandHoerth LLC.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for the owners.

The owner of HoerthBellandHoerth LLC answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none

Mr. Gaedtke received a letter from the Town of Schleswig in favor of this request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for HoerthBellandHoerth LLC.

### **Deliberation**

*Motion by:* Ms. Vondrachek to approve the request.

Reasons for approval:

1. Sufficient evidence has been provided from the applicant, onsite visit and hearing testimony to warrant an approval.
2. This use does not impede the orderly development of the district and it is also compatible with the surrounding area.
3. The proposed use of a vacation home rental fits on the parcel.
4. The property has proper road access and there is plenty of room for parking.
5. The vacation home will not impair surrounding property values because the property already has a house and outbuildings located on it.
6. There will be no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use.
7. It will not endanger the public's health and safety.

Conditions of approval:

1. Days of operation will be year round.
2. A sign will be placed on the property according to code requirements. Including who to contact in case there is a problem.
3. Maximum number of people allowed will be ten.
4. No firearms or fireworks allowed.
5. A smoke detector must be located in each bedroom.
6. At least one combination carbon monoxide and smoke detector located on each level of the house; basement, first floor, second floor.
7. One ABC type fire extinguisher located on the main floor near an exit door.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Vondrachek, Christel, Hoffman and Schuh; *No:* none.

**Allen Halbach** - Owner of property located at 9205 STH 67, in the SW¼, NW¼, of Section 32, T18N-R21E, Town of Eaton, Manitowoc County, Wisconsin, parcel number (004-032-007-000.00); wherein a conditional use permit is being requested by the applicant, Sylvester Halbach, to operate a tire repair and sales business in a GA, General Agricultural zoned district.

Chairperson Bonde opened the public hearing for Allen and Sylvester Halbach.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions about outside tire or scrap metal storage.

Mr. Syl Halbach, applicant indicated there will not be any tires or scrap metal outside; everything will all be stored inside.

The Board questioned where the sign will be located.

Mr. Halbach informed the Board Mr. Gaedtke indicated to him what the setbacks need to be.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Eaton in favor of this request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Allen and Sylvester Halbach.

### **Deliberation**

*Motion by:* Mr. Hoffman to approve the Conditional Use request.

Reasons for approval:

1. Sufficient evidence has been provided from the applicant, onsite and testimony to warrant an approval.
2. This use does not impede the orderly development of the district; there are existing buildings and an existing driveway.
3. The use is compatible with the surrounding area; it's an old farmstead located far from the road.
4. The intensity of the operation will not have a negative effect on the area or surrounding properties.
5. The proposed use fits on the parcel because there is plenty of room for the business and only part of the building is being used for the shop and the rest will be storage.
6. There is an existing large graveled driveway that allows for proper access to the highway.
7. The nature, location and height of existing structures fits the proposed use.
8. The use will not discourage appropriate development or use of adjacent land or buildings because it is mainly farmland surrounding the property and no one else in the area.
9. The use will not impair property values because the property already has a house and outbuildings.
10. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable then the properties current allowable use and therefore no danger to the public's health, safety or welfare. The compressor will be located inside the building so it won't be loud.
11. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation will be Monday thru Saturday.
2. Hours of operation will be 7:30 a.m. to 5:00 p.m. Monday thru Friday and 7:30 a.m. to Noon on Saturday.
3. Number of employees will be three plus the owner.
4. One sign is allowed according to code.
5. No outside storage of material, scrap metal or tires allowed.11. The erosion control plan shall be followed and include any of the items listed in the ordinance to reduce erosion to the lake.
12. The filling and grading and the use of the retaining walls will slow the runoff and prevent erosion to the lake.

*Second by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.  
*Aye:* Bonde, Vondrachek, Christel, Hoffman and Schuh; *No:* none.

**Jim Schultz Commercial LLC** - Owner of property located at 12901 CTH M in the SW¼, NE¼, of Section 17, T17N-R22E, Town of Meeme, Manitowoc County, Wisconsin, parcel number (012-017-003-001.00); wherein a conditional use permit is being requested by the applicants, James, Ann and Theodor Schultz, to operate a barn event venue in a GA, General Agricultural zoned district.

Chairperson Bonde opened the public hearing for Jim Schultz Commercial LLC.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal.

Mr. Jim Schultlz, owner, informed the Board he had the fire department out to inspect the property and they had found a few things to update.

The Board had questions for Mr. Schultz.

Mr. Schultz answered those questions for the Board.

People in attendance in favor of the request: none.

Mr. David Baemmert is concerned about increased traffic, noise from traffic and music and trash on the road.

Mr. Shawn Wesener indicated the Town Board recommended approval with conditions; no vehicles parked on the road, events concluded at midnight and revisit the property in two years.

Mr. Gaedtke received a letter from the Town of Meeme with conditions regarding this request (Copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Jim Schultz Commerical LLC.

### **Deliberation**

*Motion by:* Mr. Schuh to approve the Conditional Use Permit.

Reasons for approval:

1. Sufficient evidence has been provided from the applicant, onsite and testimony to warrant an approval.
2. This use does not impede the orderly development of the district and it is also compatible with the surrounding since events are only held a few times per week with some down time between events.
3. The proposed use fits on the parcel.
4. There is sufficient access to CTH M.
5. The structure is existing and fits the proposed use.
6. The use will not discourage appropriate development or use of adjacent land or buildings.
7. The use will not impair property values.
8. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable then the properties current allowable use; however it is noted that the traffic in that area will increase.



9. The use would not endanger the public's health, safety or welfare.
10. There is enough parking for customers and employees.

**Conditions of approval:**

1. Days of operation will be seven days per week.
2. Hours of operation will be 8:00 a.m. to 12:00 a.m.
3. Maximum number of employees will be 10.
4. An on premise sign is allowed according to code.
5. Handicap parking must be made available according to code.
6. No parking allowed on adjacent properties or CTH M.
7. All events must be concluded by 12:00 midnight.
8. All music, dj's, bands, etc.; must be housed inside the building.
9. There will be a formal review in two years.
10. No outside storage of garbage is allowed.
11. All garbage must be hauled away within one week after an event.
12. No windblown litter allowed. All debris and garbage must be picked up after each event.
13. All emergency rules and regulations must be followed; such as lighting, emergency lighting, number of people allowed, egress etc. They must conform to building codes.
14. Sanitary conditions must be met with regards to adequate portable lavatories and hand washing stations.

*Second by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Vondrachek, Christel, Hoffman and Schuh; *No:* none

**Jonathon Surfus** - Owner of property located off of Clarks Mills Rd., in the N½, NE¼, Section 30, T19N-R22E, Town of Cato, Manitowoc County, Wisconsin, parcel number (001-030-002-005.00); wherein a conditional use permit is being requested to fill and grade more than 2000 sq./ft. of land within 300 feet of the Manitowoc River in a LE, Large Estate, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Jonathon Surfus.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Mr. Surfus.

Mr. Surfus and Joe Dellsman, builder, answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke did not received a letter from the Town of Cato regarding this request.

There being no further comments, Chairperson Bonde closed the public hearing for Jonathon Surfus.

**Deliberation**

*Motion by:* Mr. Hoffmann to approve the Conditional Use Permit.

**Reasons for filling and grading conditional use approval:**

1. Sufficient evidence has been provided from the applicant, by way of on-site visit and testimony to warrant an approval.
2. The plan maintains safe and healthful conditions.
3. The prevention and control of water pollution is taken care of in the erosion control plan.
4. According to the plan there should be no damage to adjacent properties due to water surface drainage.
5. The erosion control plan is approved and meets ordinance requirements.
6. The use of a house on the property is compatible with adjacent lands.
7. The liquid and solid wastes will be controlled with an approved septic system.
8. This is a domestic use.
9. The location of the house and the filling and grading will minimize any possibility of pollution because the structure will be setback 75 feet from the ordinary high water mark.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Vondrachek, Christel, Hoffman and Schuh; *No:* none

**Old Business**

**Mike Burkhardt** – Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, SW¼, of Section 34, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel numbers (016-034-010-001.00 and 016-034-011-000.00) wherein a conditional use permit and variances are being requested by Aggrecon LTD, the applicant, to operate a sand and gravel operation and to excavate within 1000 feet of fourteen homes, in a GA, General Agricultural zoned district.

Mr. Gaedtke stated the item will remain postponed until the February meeting.

**Other Business**

**Correspondence not related to a hearing item:** None.

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, February 18, 2019 and the onsite for Monday, February 11, 2019 (Dates and times are subject to change.)

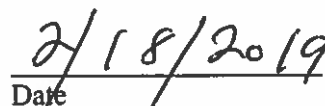
**Adjournment**

A motion was made by Mr. Schuh and seconded by Mr. Hoffman to approve the adjournment. Upon vote, the motion was unanimously approved.

*Aye:* Bonde, Vondrachek, Christel, Hoffman and Schuh; *No:* none.

Respectfully submitted,

  
Chuck Hoffman, Secretary

  
Date



**MANITOWOC COUNTY**  
**BOARD OF ADJUSTMENT**  
**ADVISORY & ON-SITE MEETING NOTICE**

DATE: Monday, February 11, 2019  
TIME: 9:00 a.m.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be discussed at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Agenda  
"Open Meeting Law Compliance"
- III. New Business
  1. **Vernon Schreiber** – Owner of property located at 11002 STH 42, in the NE¼, SE¼, of Section 1, T20N-R24E, Town of Two Rivers – Conditional Use Request.
  2. **Dean Linsmeier** – Owner of property located at 920 CTH J, in the SW¼, NE¼, of Section 28, T19N-R22E, Town of Cato – Variance Request.
  3. **Mathew and Katie Willsey** - Owner of property located at 1813 Mulberry Lane, in the NE¼, NW¼, of Section 24, T17N-R21E, Town of Schleswig – Variance Request.
  4. **Kevin Werdeo** - Owner of property located at 14704 Steinthal Rd., in Rockville PRT of Lot 6 COM 396' W of NW COR Lot 6, E330' S139' NWLY 330' N60' to BEG, Section 28, T17N-R21E, Town of Schleswig – Variance Requests.
- IV. Old Business
  1. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, SW¼, of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.
- V. Other Business
  1. Correspondence
- VI. Approval of Minutes
- VII. On-sites
- VIII. Adjournment

Date: January 29, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Any person wishing to travel on the on-sites with the Board, should contact the Manitowoc County Planning and Park Commission office at 920-683-4185 at least two business days before the meeting is scheduled so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
ONSITE MEETING MINUTES**

February 11, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, February 11, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Orville Bonde, Chuck Hoffman and Laurel Vondrachek. Members absent: Ralph Schuh and Dave Christel.

Staff present for advisory meeting: Reed Gaedtke and Kaila Boeckman.

A motion was made by Ms. Vondrachek; seconded by Mr. Hoffman to approve the agenda for the February 11, 219 meeting. Upon vote, the motion was unanimously approved. *Aye: Hoffman, Vondrachek and Bonde; No: none;*

The Board received their folders containing the February 18, 2019 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed. Mr. Bonde did not proceed to on-sites.

**ADJOURNMENT**

*Motion by:* Ms. Vondrachek to adjourn.

*Seconded by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

*Aye: Hoffman and Vondrachek; No: none.*

Respectfully submitted,

  
Chuck Hoffman, Secretary

  
Date



# MANITOWOC COUNTY

## BOARD OF ADJUSTMENT

### REGULAR MEETING NOTICE

DATE: Monday, February 18, 2019  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be considered at the meeting:

- I. ROLL CALL AND CALL TO ORDER
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF MINUTES
- IV. APPROVAL OF AGENDA
- V. NEW BUSINESS

Discussion and possible action on:

- 1. **Vernon Schreiber** – Owner of property located at 11002 STH 42, in the NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , of Section 1, T20N-R24E, Town of Two Rivers – Conditional Use Request.
- 2. **Dean Linsmeier** – Owner of property located at 920 CTH J, in the SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , of Section 28, T19N-R22E, Town of Cato – Variance Request.
- 3. **Mathew and Katie Willsey** – Owner of property located at 1813 Mulberry Lane, in the NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , of Section 24, T17N-R21E, Town of Schleswig – Variance Request.
- 4. **Kevin Werdeo** - Owner of property located at 14704 Steinthal Rd., in Rockville PRT of Lot 6 COM 396' W of NW COR Lot 6, E330' S139' NWLY 330' N60' to BEG, Section 28, T17N-R21E, Town of Schleswig – Variance Requests.

#### VI. OLD BUSINESS

Discussion and possible action on:

- 1. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.

#### VII. OTHER BUSINESS

- 1. Correspondence
- 2. Set March meeting date

#### VIII. ADJOURNMENT

Date: January 29, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES**

February 18, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, February 18, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Laurel Vondrachek, Dave Christel, Chuck Hoffman and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuh, seconded by Ms. Vondrachek to approve the agenda for the February 18, 2019 meeting. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondrachek, Christel, Hoffman and Schuh; No: none.*

A motion was made by, Mr. Hoffman, seconded by Ms. Vondrachek to approve the January 21, 2019 meeting minutes with the change. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondrachek, Christel, Hoffman and Schuh; No: none.*

A motion was made by, Ms. Vondrachek, seconded by Mr. Hoffman to approve the February 11, 2019 onsite meeting minutes. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondrachek, Christel, Hoffman and Schuh; No: none.*

Mr. Gaedtke explained the procedure for the meeting that would follow. He also stated that within 10 days of the closure of this meeting, copies of the decisions will be delivered to the applicants.

Chairman Bonde informed the audience each person would be limited to five minutes during public input.

**New Business**

**Vernon Schreiber** - Owner of property located at 11002 STH 42, in the NE¼, SE¼, of Section 1, T20N-R24E, Town of Two Rivers, Manitowoc County, Wisconsin, parcel number (018-101-013-001.00); wherein a conditional use permit is being requested by the applicant, Kevin Schreiber, to operate an auto repair business in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Vernon Schreiber.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Mr. Schreiber.

Mr. Schreiber answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke stated the Planning and Zoning department received approval from the Town of Two Rivers of the rezone to RR, Rural Residential for this purpose. The property has been rezoned to RR, Rural Residential.

Mr. Gaedtke did not received a letter from the Town of Two Rivers regarding this request.

There being no further comments, Chairperson Bonde closed the public hearing for Vernon Schreiber.

### **Deliberation**

*Motion by:* Mr. Hoffman to approve the request.

Reasons for approval:

1. Sufficient evidence was provided from the applicant, on-site visit and testimony to warrant an approval.
2. This use does not impede the orderly development of the district because it is surrounded by farmland.
3. The use is compatible with the surrounding area because only the applicant's buildings are located in this area.
4. The intensity of the operation will not have a negative effect on the area or surrounding properties because it consists of the owner's isolated buildings surrounded by agricultural fields.
5. The proposed use fits on the parcel. There is plenty of room for the existing building and to have vehicles on the property.
6. There is an existing large graveled driveway that allows for proper access to the highway.
7. The nature, location and height of existing structure fits the proposed use. It is large enough to allow for inside storage.
8. The use will not discourage appropriate development or use of adjacent land or buildings.
9. The use will not impair property values. The surrounding property is owned by the applicants.
10. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable then the properties current allowable use. The compressor and other noise producing tools will be located inside the building.
11. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation will be Monday thru Saturday.
2. Hours of operation will be 7:00 a.m. to 5:30 p.m. Monday thru Friday and 8:00 a.m. to Noon on Saturday.
3. Number of employees will be four.
4. All cars that do not run; must be located on the west side of the building and a fence must be installed to screen the vehicles from view of the highway.
5. The fence must be a solid type fence or chain link with slats that is able to provide proper screening.
6. The fence shall be installed within one year of the date of this approval.
7. All scrap metal shall be kept in either one lugger type bin, a dumpster or kept neatly on a trailer.
8. The lugger box, dumpster or trailer must be emptied regularly so it does not overflow.
9. Waste oil and other fluids shall be properly handled, stored and disposed.
10. There shall be no outside storage of scrap metal, material or tires allowed.
11. There shall be a one year review of the conditional use permit.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Vondrachek, Christel, Hoffman and Schuh; *No:* none.

**Dean Linsmeier** – Owner of property located at 920 CTH J, in the SW¼, NE¼, of Section 28, T19N-R22E, Town of Cato, Manitowoc County, Wisconsin, parcel number (001-028-003-003.01); wherein a variance is being requested to construct a 26' x 30' detached garage at 76 feet from the centerline of CTH J and at 18 feet from the road right-of-way in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Dean Linsmeier.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Mr. Linsmeier.

The builder, Peter Robley, answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none

Mr. Gaedtke received a phone call from the Town of Cato indicating the Town had no objection to the request.

There being no further comments, Chairperson Bonde closed the public hearing for Dean Linsmeier.

### **Deliberation**

*Motion by:* Ms. Vondrachek to approve the request.

Reasons for approval:

1. There was significant evidence provided at the hearing and obtained from viewing the property during the on-site visit to approve the request.
2. The unique shape and size of the existing lot along with the hill located on the west side of the lot creates a hardship for the owner.
3. The unique lot shape and the hill on the west side of the property creates a burden to the homeowner for locating a garage on the property.
4. A garage is needed due to Wisconsin's inclement weather conditions; not being able to have a detached garage would also create a burden on the owner and prevent him from using his property.
5. The request will not have a negative effect on the public because the road is straight in front of the property, the garage will not affect the view of oncoming traffic and there is a reduced 35 mph speed limit in this location.

*Second by:* Mr. Christel

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Vondrachek, Christel, Hoffman and Schuh; *No:* none.

**Mathew and Katie Willsey** – Owner of property located at 1813 Mulberry Lane, in the NE¼, NW¼, of Section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-024-003-002.07); wherein a variance is being requested to construct a 60' long x 4' high retaining wall at 36 feet from the ordinary high water mark of Cedar Lake, in a LR, Lake Residential, S1, Shoreland zoned district.



Chairperson Bonde opened the public hearing for Matthew and Katie Willsey.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

There were no questions from the Board.

Mr. Pete Krause, the builder, spoke in favor of the request.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Schleswig in favor of this request (copy on file).

The Board had questions for Mr. Pete Krause.

Ms. Kelly Bahrs, the architect, answered the questions for the Board.

There being no further comments, Chairperson Bonde closed the public hearing for Mathew and Katie Willsey.

### **Deliberation**

*Motion by:* Mr. Schuh to approve the varianace request.

Reasons for approval:

1. Sufficient evidence has been provided from the applicant, on-site and testimony to warrant an approval.
2. The steep slope at the back of the lot, along with the location and height of the septic tanks create a hardship on the owner that requires the construction of a retaining wall.
3. The erosion that will occur around the septic tanks will jeopardize the integrity of the tanks creates a burden on the owner and requires the tanks be protected from failing to the lake.
4. The retaining wall will not have a negative effect on the public because construction of the retaining wall will preserve the integrity of the septic tanks and help prevent sediments from entering Cedar Lake.

*Second by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Vondrachek, Christel, Hoffman and Schuh; *No:* none.

**Kevin Werdeo** – Owner of property located at 14704 Steinthal Rd., in Rockville PRT of Lot 6 COM 396' W of NW COR Lot 6, E330' S139' NWLY 330' N60' to BEG, Section 28, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-520-000-006.01); wherein variances are being requested to construct a house addition and attached garage at 0 feet from the Ruh Rd. right-of-way; at approximately 50 feet from the ordinary high water mark of the Sheboygan River and within the Steinthal Rd. and Ruh Rd. site triangle, located in a HD, High Denisty, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Kevin Werdeo.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Mr. Werdeo.

Mr. Werdeo answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Schleswig in favor of this request (Copy on file).

The WDNR sent a letter commenting on the proper findings for a variance (Copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Kevin Werdeo.

### **Deliberation**

*Motion by:* Mr. Hoffman to approve the request.

Reasons for approval:

1. Sufficient evidence has been provided from the applicant, on-site and testimony to warrant an approval.
2. The unique lot shape which is different from others in the area and having an old existing house that needs room for a garage creates hardships for the property owner.
3. The old garage is located in the right-of-way and is dilapidated which creates a burden for the homeowner who needs to have a garage due to inclement weather.
4. This request will not be contrary to the public interest because the dilapidated garage will be removed from the right-of-way which will make it safer for the public; there is still enough room between the house and river and the property is located on a dead end road limiting the amount of vehicles present.

Conditions of approval:

1. A mitigation or treatment plan must be approved and recorded on the deed prior to permits being issued.
2. A copy of the town's easement agreement must be recorded on the deed and a copy given to the Planning and Zoning Department prior to permits being issued.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Vondrachek, Christel, Hoffman and Schuh; *No:* none

### **Old Business**

**Mike Burkhardt** – Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, of Section 34, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel numbers (016-034-010-001.00 and 016-034-011-000.00) wherein a conditional use permit and variances are being requested by Aggrecon LTD, the applicant, to operate a sand and gravel operation and to excavate within 1000 feet of fourteen homes, in a GA, General Agricultural zoned district.

Mr. Gaedtke stated the item will remain postponed until the April meeting.

**Other Business**

**Correspondence not related to a hearing item:** None.


**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, March 18, 2019 and the onsite for Monday, March 11, 2019 (Dates and times are subject to change.)

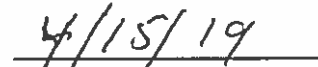
**Adjournment**

A motion was made by Ms. Vondrachek and seconded by Mr. Hoffman to approve the adjournment. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondrachek, Christel, Hoffman and Schuh; No: none.*

Respectfully submitted,

  
\_\_\_\_\_  
Chuck Hoffman, Secretary

  
\_\_\_\_\_  
Date



**MANITOWOC COUNTY  
BOARD OF ADJUSTMENT  
ADVISORY & ON-SITE MEETING NOTICE**

DATE: Monday, April 8, 2019  
TIME: 9:00 a.m.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be discussed at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Agenda  
"Open Meeting Law Compliance"
- III. New Business
  1. **Jordan and Samantha Downey** - Owners of property located at 1700 N. Humpty Dumpty Rd., in the SW $\frac{1}{4}$ , NW $\frac{1}{4}$ , of Section 16, T19N-R21E, Town of Rockland – Conditional Use Request.
  2. **Rockland Business** – Owner of property located at 920 CTH J, in the SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , of Section 28, T19N-R22E, Town of Cato – Variance Request.
- IV. Old Business
  1. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.
- V. Other Business
  1. Correspondence
- VI. Approval of Minutes
- VII. On-sites
- VIII. Adjournment

Date: March 26, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Any person wishing to travel on the on-sites with the Board, should contact the Manitowoc County Planning and Park Commission office at 920-683-4185 at least two business days before the meeting is scheduled so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
ONSITE MEETING MINUTES**

April 8, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, April 8, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Orville Bonde, Chuck Hoffman, Laurel Vondrachek, Ralph Schuh and James Knorr.

Staff present for advisory meeting: Reed Gaedtke and Andrea Raymakers.

A motion was made by Mr. Schuh; seconded by Ms. Vondracheck to approve the agenda as corrected for the April 8, 2019 meeting. Upon vote, the motion was unanimously approved. *Aye: Hoffman, Vondrachek, Schuh, Knorr and Bonde; No: none;*

The Board received their folders containing the April 15, 2019 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed. Mr. Bonde did not proceed to on-sites.

**ADJOURNMENT**

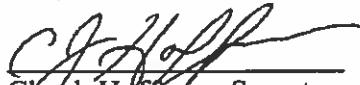
*Motion by:* Ms. Vondracheck to adjourn.

*Seconded by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

*Aye: Hoffman, Knorr, Schuh and Vondrachek; No: none.*

Respectfully submitted,

  
\_\_\_\_\_  
Chuck Hoffman, Secretary

  
\_\_\_\_\_  
Date



## MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, April 15, 2019  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be considered at the meeting:

- I. ROLL CALL AND CALL TO ORDER
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF MINUTES
- IV. APPROVAL OF AGENDA
- V. NEW BUSINESS

Discussion and possible action on:

- 1. **Jordan and Samantha Downey** - Owners of property located at 1700 N. Humpty Dumpty Rd., in the SW $\frac{1}{4}$ , NW $\frac{1}{4}$ , of Section 16, T19N-R21E, Town of Rockland – Conditional Use Request.
- 2. **Ryan Skabroud** – Owner of property located at 13632 CTH Q, in the SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , of Section 28, T21N-R23E, Town of Gibson – Conditional Use Request.

### VI. OLD BUSINESS

Discussion and possible action on:

- 1. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.

### VII. OTHER BUSINESS

- 1. Correspondence
- 2. Set May meeting date

### VIII. ADJOURNMENT

Date: April 8, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES**

April 15, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, April 15, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Laurel Vondrachek, James Knorr, Chuck Hoffman and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by, Ms. Vondrachek, seconded by Mr. Schuh to approve the agenda for the April 15, 2019 meeting. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondrachek, Knorr, Hoffman and Schuh; No: none.*

A motion was made by, Mr. Schuh, seconded by Mr. Hoffman to approve the February 18, 2019 meeting minutes with the change. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondrachek, Knorr, Hoffman and Schuh; No: none.*

A motion was made by, Mr. Hoffman , seconded by Mr. Knorr to approve the April 8, 2019 onsite meeting minutes. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondrachek, Knorr, Hoffman and Schuh; No: none.*

Mr. Gaedtke explained the procedure for the meeting that would follow. He also stated that within 10 days of the closure of this meeting, copies of the decisions will be delivered to the applicants.

Chairman Bonde informed the audience each person would be limited to five minutes during public input.

**New Business**

**Jordan and Samantha Downey** - Owners of property located at 1700 N. Humpty Dumpty Rd., in the SW¼, NW¼, of Section 16, T19N-R21E, Town of Rockland, Manitowoc County, Wisconsin, parcel number (015-016-007-001.00); wherein a conditional use permit is being requested to operate an auto repair business and custom motorcycle fabrication shop in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Jordan and Samantha Downey.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Mr. Downey.

Mr. Downey answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Rockland in favor to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Jordan and Samantha Downey.

### **Deliberation**

*Motion by:* Mr. Hoffman to approve the request.

Reasons for approval:

1. Sufficient evidence was provided from the applicant, on-site visit and testimony to warrant an approval.
2. This use does not impede the orderly development of the district because it is surrounded by farmland and the shop already exists.
3. The use is compatible with the surrounding area because the applicant's buildings already exist and they are surrounded by farmland.
4. The intensity of the operation will not have a negative effect on the area or surrounding properties. There is an existing commercial agricultural farm located down the road which has additional truck traffic so this use wouldn't be any different from what's occurring now.
5. The proposed use fits on the parcel. There is plenty of room for the existing building and parking area.
6. There is an existing large graveled driveway that allows for proper access to the road.
7. The nature, location and height of existing structure fits the proposed use. It is large enough to allow for the proposed use.
8. The use will not discourage appropriate development or use of adjacent land or buildings.
9. The use will not impair property values because the building already exists. Nothing is being added new.
10. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use. There will be normal shop noises during normal working hours.
11. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation will be Monday thru Saturday.
2. Hours of operation will be 10:00 a.m. to 6:00 p.m. Monday thru Friday and 9:00 a.m. to 4:00 p.m. on Saturday.
3. Number of employees will be 3.
4. All work shall be done inside the building(s).
5. All scrap metal shall be kept in either one lugger type bin or a dumpster and it must be emptied regularly so it does not overflow.
6. The sign shall conform to county requirements.
7. There shall be no outside storage of scrap metal, junk, waste or tires allowed.

*Second by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Vondrachek, Knorr, Hoffman and Schuh; *No:* none.

**Ryan Skabroud** – Owner of property located at 13632 CTH Q, in the SE¼, NW¼, of Section 28, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, parcel number (006-028-008-004.00); wherein a conditional use permit is being requested to operate a firearm manufacturing, firearm and outdoor sales and repair business in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Ryan Skabroud.



Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Mr. Skabroud.

Mr. Skabroud answered those questions for the Board. He indicated there would not be public shooting, he has a private range with back stops and this is a part-time business.

People in attendance in favor of the request: none.

Mary Zellner, neighbor to the south, spoke concerned about the shooting.

Mr. Gaedtke received a letter from Mary and John Zellner with concerns about the request and are opposed to having a firing range (copy on file).

Mr. Gaedtke received a letter from the Town of Gibson in favor of a part-time business and no public outdoor shooting range (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Ryan Skabroud.

### **Deliberation**

*Motion by:* Mr. Schuh to approve the request.

Reasons for approval:

1. Sufficient evidence was provided from the applicant, on-site visit and testimony to warrant an approval.
2. This use does not impede the orderly development of the district and it is compatible with the surrounding area.
3. The intensity of the operation will not have a negative effect on the area or surrounding properties and it fits on the existing parcel size.
4. There is an existing driveway that allows for proper access to the highway.
5. The nature, location and height of existing structure are appropriate for the proposed use.
6. The use will not discourage appropriate development or use of adjacent land or buildings based upon the conditions that are being applied. And therefore it will not significantly impair the values of surrounding properties.
7. There are no proposed fumes, flashing lights or other factors that are more objectionable than the properties current allowable use. There will be noise from the discharge of firearms, however, that noise will be restricted based upon the hours of operation and therefore the conditional use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days and hours of operation shall be 6:00 a.m. to 9:00 p.m. on Friday and 8:00 a.m. to Noon on Saturday, and others by singular appointment.
2. The owner shall be the only employee.
3. Customers are not allowed to discharge firearms on the property.
4. Only the owner is allowed to discharge firearms associated with the business.
5. The sign must comply with county standards.

6. Regarding the discharge of firearms associated with the business; there shall be no discharging of firearms during the Wisconsin bow hunting season during the 2 hours after the daily opening time and the 2 hours before the daily closing time.
7. The owner's normal private shooting can occur anytime.
8. There shall be a two year review of the conditional use permit.

*Second by: Ms. Vondrachek*

*Upon vote: The motion was unanimously approved.*

*Aye: Bonde, Vondrachek, Knorr, Hoffman and Schuh; No: none.*

### **Old Business**

**Mike Burkhardt** – Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, SW¼, of Section 34, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel numbers (016-034-010-001.00 and 016-034-011-000.00) wherein a conditional use permit and variances are being requested by Aggrecon LTD, the applicant, to operate a sand and gravel operation and to excavate within 1000 feet of fourteen homes, in a GA, General Agricultural zoned district.

Mr. Gaedtke stated the item will remain postponed until the May meeting.

### **Other Business**

**Correspondence not related to a hearing item:** None.

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, May 20, 2019 and the onsite for Monday, May 13, 2019 (Dates and times are subject to change.)

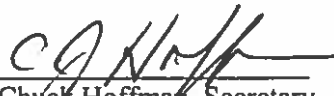
### **Adjournment**

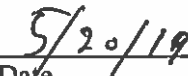
A motion was made by Ms. Vondrachek and seconded by Mr. Hoffman to approve the adjournment.

Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondrachek, Knorr, Hoffman and Schuh; No: none.*

Respectfully submitted,

  
\_\_\_\_\_  
Chuck Hoffman, Secretary

  
\_\_\_\_\_  
Date



**MANITOWOC COUNTY**  
**BOARD OF ADJUSTMENT**  
**ADVISORY & ON-SITE MEETING NOTICE**

DATE: Monday, May 13, 2019  
TIME: 9:00 a.m.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be discussed at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Agenda  
"Open Meeting Law Compliance"
- III. New Business
  1. **Andrew and Rebecca Pribyl** - Owners of property located at 7218 CHT O, in the SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 20, T20-R25E, Town of Two Rivers – Variance Request.
  2. **Ellen Polifka** – Owner of property located at 11 Halverson Ln., in the SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , of Section 23, T19-R22E, Town of Cato – Variance Request.
  3. **Winter Revoc. Trust** - Owners of property located at 10502 Karstaedt Rd, in Govt. Lot 4 of Section 2, T17-R21E, Town of Schleswig – Variance Requests.
- IV. Old Business
  1. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.
- V. Other Business
  1. Correspondence
- VI. Approval of Minutes
- VII. On-sites
- VIII. Adjournment

Date: April 25, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Any person wishing to travel on the on-sites with the Board, should contact the Manitowoc County Planning and Park Commission office at 920-683-4185 at least two business days before the meeting is scheduled so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
ONSITE MEETING MINUTES**

May 13, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, May 13, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

Board elected a secretary pro tempore for today's meeting due to the secretary being absent. A motion was made by, Mr. Schuh nominating Laurel Vondrachek as secretary for the meeting and seconded by Mr. Knorr. Upon vote, the motion was unanimously approved. *Aye: Schuh, Bonde, Knorr and Vondrachek; No: none;*

The roll was called by the secretary. Members present: Orville Bonde, Laurel Vondrachek, Ralph Schuh and James Knorr. Members absent: Mr. Hoffman.

Staff present for advisory meeting: Reed Gaedtke and Kaila Boeckman.

A motion was made by Ms. Vondracheck; seconded by Mr. Schuh to approve the agenda for the May 13, 2019 meeting. Upon vote, the motion was unanimously approved. *Aye: Vondrachek, Schuh, Knorr and Bonde; No: none;*

The Board received their folders containing the May 20, 2019 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed. Mr. Bonde did not proceed to on-sites.

**ADJOURNMENT**


*Motion by:* Mr. Knorr to adjourn.

*Seconded by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

*Aye: Knorr, Schuh and Vondrachek; No: none.*

Respectfully submitted,

  
Laurel Vondracheck,  
Secretary pro tempore

5-20-2019  
Date



## MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, May 20, 2019  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be considered at the meeting:

- I. ROLL CALL AND CALL TO ORDER
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF MINUTES
- IV. APPROVAL OF AGENDA
- V. NEW BUSINESS

Discussion and possible action on:

- 1. **Andrew and Rebecca Pribyl** - Owners of property located at 7218 CHT O, in the SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 20, T20-R25E, Town of Two Rivers – Variance Request.
- 2. **Ellen Polifka** - Owner of property located at 11 Halverson Ln., in the SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , of Section 23, T19-R22E, Town of Cato – Variance Request.
- 3. **Winter Revoc. Trust** - Owners of property located at 10502 Karstaedt Rd, in Govt. Lot 4 of Section 2, T17-R21E, Town of Schleswig – Variance Requests.

### VI. OLD BUSINESS

Discussion and possible action on:

- 1. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.

### VII. OTHER BUSINESS

- 1. Correspondence
- 2. Set June meeting date

### VIII. ADJOURNMENT

Date: April 25, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES**

May 20, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, May 20, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Laurel Vondrachek, James Knorr, Chuck Hoffman and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by, Ms. Vondrachek, seconded by Mr. Schuh to approve the agenda for the May 20, 2019 meeting. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondrachek, Knorr, Hoffman and Schuh; No: none.*

A motion was made by, Ms. Vondrachek, seconded by Mr. Hoffman to approve the May 13, 2019 onsite meeting minutes. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondrachek, Knorr, Hoffman and Schuh; No: none.*

A motion was made by, Mr. Schuh, seconded by Mr. Knorr to approve the April 15, 2019 meeting minutes with the change. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondrachek, Knorr, Hoffman and Schuh; No: none.*

Mr. Gaedtke explained the procedure for the meeting that would follow. He also stated that within 10 days of the closure of this meeting, copies of the decisions will be delivered to the applicants.

Chairman Bonde informed the audience each person would be limited to five minutes during public input.

**New Business**

**Andrew and Rebecca Pribyl** - Owners of property located at 7218 CHT O, in the SE¼, SW¼, of Section 20, T20-R25E, Town of Two Rivers, Manitowoc County, Wisconsin, parcel number (018-220-012-007.00); wherein a variance is being requested to construct a home addition at 65' from the centerline of CTH O located in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Andrew and Rebecca Pribyl.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Mr. Pribyl.

Mr. Pribyl answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Two Rivers in favor to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Andrew and Rebecca Pribyl.

### **Deliberation**

*Motion by:* Ms. Vondrachek to approve the request.

Reasons for approval:

1. The steep slope to the rear of the property and septic location to the north create a hardship for the owner to construct the addition anywhere else.
2. The slope and septic location would also create a burden for the owner because there would be no other location to construct the handicap accessible addition.
3. The proposed addition will not affect the public because there's a reduced speed limit in that area and it is not close to the road so it will not obstruct a vehicle's line of sight.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Vondrachek, Knorr, Hoffman and Schuh; *No:* none.

**Ellen Polifka** – Owner of property located at 11 Halverson Ln., in the SW¼, SE¼, of Section 23, T19-R22E, Town of Cato, Manitowoc County, Wisconsin, parcel number (001-023-015-001.00); wherein a variance is being requested, by John and Ellen Polifka, to construct a pole building at 0 feet from the cul-de-sac right-of-way line of Halverson Court located in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Ellen Polifka.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal.

Mr. John Polifka, owner spoke indicating if he was to meet the setback, he'd be back into the swamp and didn't want water running in the structure.

The Board had questions for Mr. and Mrs. Polifka.

Mr. and Mrs. Polifka answered those questions for the Board.

Mr. Jeff Slager, neighbor spoke in favor of the request.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Cato in favor to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for John and Ellen Polifka.

### **Deliberation**

*Motion by:* Mr. Hoffman to modify the request to 10 feet from right-of-way and approve the modified request.

Reasons for approval:

1. The lay of the land and sloping that occurs on the property does create a hardship, however there is enough room to have the structure moved back 10 feet from the cul-de-sac right-of-way line.
2. The cost of extra fill and the slope on the land create a burden on the owner to move the structure further from the road.
3. The garage will not have a negative impact to the public because the 10 foot setback from the cul-de-sac right-of-way line will be far enough back to allow for snow removal, it's a pole building and not a house and it's only visual from the owner's property.

*Second by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Vondrachek, Knorr, Hoffman and Schuh; *No:* none.

**Winter Revocable Trust** - Owners of property located at 10502 Karstaedt Rd, in Govt. Lot 4 of Section 2, T17-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-540-000-031.00); wherein variances are being requested to construct a new home with a deck at 43.98 feet from the ordinary high water mark of Wilke Lake and at 46.48 feet from the center line of Karstaedt Rd. located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Winter Revocable Trust.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal.

Ms. Melissa Winter, owner, spoke indicating the property is currently a cabin and the proposed future is for it to become a permanent residence.

The Board had questions for the owners.

Dan and Melissa Winter and Devin Winter answered those questions for the Board.

Mr. Dave Amel, neighbor spoke in favor of the request.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Schleswig in favor to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Winter Revocable Trust.

### **Deliberation**

*Motion by:* Mr. Schuh to approve the request.

Reasons for approval:

1. The lots size and configuration along with the road and lake location create a hardship and significant burden on the owner for constructing the home.
2. The proposed improvements are modest and replacing an existing structure that encroaches closer to the lake.



3. Impervious surface runoff will be mitigated with a rain garden so it will not exceed the existing impervious surface percentage that currently exists on the property.
4. Based on the Board's onsite inspection, the current structure is uninhabitable.
5. There is no harm or negative effect to the public because the impervious surface runoff will be mitigated with a rain garden and the proposed deck size is modest.

Conditions of approval.

1. The owners must obtain all other permits and approvals prior to the zoning/setback permit being issued.

*Second by: Mr. Hoffman*

*Upon vote: The motion was unanimously approved.*

*Aye: Bonde, Vondracheck, Knorr, Hoffman and Schuh; No: none.*

**Old Business**

**Mike Burkhardt** – Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, SW¼, of Section 34, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel numbers (016-034-010-001.00 and 016-034-011-000.00) wherein a conditional use permit and variances are being requested by Aggrecon LTD, the applicant, to operate a sand and gravel operation and to excavate within 1000 feet of fourteen homes, in a GA, General Agricultural zoned district.

Mr. Gaedtke stated the item will remain postponed until the June meeting.

**Other Business**

**Correspondence not related to a hearing item: None.**

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, June 17, 2019 and the onsite for Monday, June 17, 2019 (Dates and times are subject to change.)

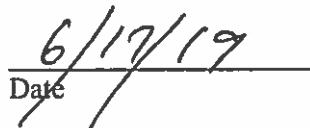
**Adjournment**

A motion was made by Mr. Hoffman and seconded by Mr. Schuh to approve the adjournment. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondracheck, Knorr, Hoffman and Schuh; No: none.*

Respectfully submitted,

  
Chuck Hoffman, Secretary

  
Date



**MANITOWOC COUNTY**  
**BOARD OF ADJUSTMENT**  
**ADVISORY & ON-SITE MEETING NOTICE**

DATE: Monday, June 10, 2019  
TIME: 9:00 a.m.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be discussed at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Agenda  
"Open Meeting Law Compliance"
- III. New Business
  - 1. **Sandra Rohrick** - Owner of property located off of Cedar Heights Drive, described as Lot 11 of CSM V21 P243 of Section 26, T20-R24E, Town of Two Rivers – Variance Requests.
  - 2. **Thomas Vocke** – Owner of property located at 1441 Silver Creek Rd., in the NW¼, NE¼, of Section 7, T18-R24E, Town of Manitowoc – After the Fact Variance Request.
- IV. Old Business
  - 1. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, SW¼, of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.
- V. Other Business
  - 1. Correspondence
- VI. Approval of Minutes
- VII. On-sites
- VIII. Adjournment

Date: May 29, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Any person wishing to travel on the on-sites with the Board, should contact the Manitowoc County Planning and Park Commission office at 920-683-4185 at least two business days before the meeting is scheduled so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
ONSITE MEETING MINUTES**

June 10, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, June 10, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Orville Bonde, Laurel Vondrachek, Ralph Schuh, Mr. Hoffman and James Knorr.

Staff present for advisory meeting: Reed Gaedtke and Kaila Boeckman.

A motion was made by Mr. Schuh; seconded by Ms. Vondrachek to approve the agenda for the June 10, 2019 meeting. Upon vote, the motion was unanimously approved.

*Aye: Vondrachek, Schuh, Knorr, Hoffman and Bonde; No: none;*

The Board received their folders containing the June 17, 2019 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed. Mr. Bonde did not proceed to on-sites.

**ADJOURNMENT**

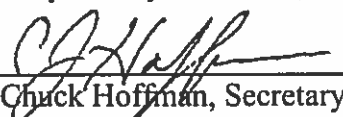
*Motion by:* Mr. Knorr to adjourn.

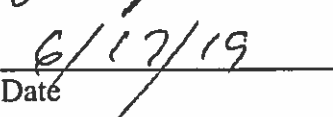
*Seconded by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

*Aye: Knorr, Schuh, Hoffman and Vondrachek; No: none.*

Respectfully submitted,

  
\_\_\_\_\_  
Chuck Hoffman, Secretary

  
\_\_\_\_\_  
Date

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
ONSITE MEETING MINUTES**

June 10, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, June 10, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Orville Bonde, Laurel Vondrachek, Ralph Schuh, Mr. Hoffman and James Knorr.

Staff present for advisory meeting: Reed Gaedtke and Kaila Boeckman.

A motion was made by Mr. Schuh; seconded by Ms. Vondrachek to approve the agenda for the June 10, 2019 meeting. Upon vote, the motion was unanimously approved.

*Aye: Vondrachek, Schuh, Knorr, Hoffman and Bonde; No: none;*

The Board received their folders containing the June 17, 2019 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed. Mr. Bonde did not proceed to on-sites.

**ADJOURNMENT**

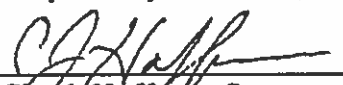
*Motion by:* Mr. Knorr to adjourn.

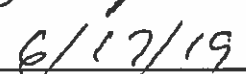
*Seconded by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

*Aye: Knorr, Schuh, Hoffman and Vondrachek; No: none.*

Respectfully submitted,

  
\_\_\_\_\_  
Chuck Hoffman, Secretary

  
\_\_\_\_\_  
Date



## MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, June 17, 2019  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be considered at the meeting:

- I. ROLL CALL AND CALL TO ORDER
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF MINUTES
- IV. APPROVAL OF AGENDA
- V. NEW BUSINESS

Discussion and possible action on:

- 1. **Sandra Rohrick** - Owner of property located off of Cedar Heights Drive, described as Lot 11 of CSM V21 P243 of Section 26, T20-R24E, Town of Two Rivers – Variance Requests.
- 2. **Thomas Vocke** – Owner of property located at 1441 Silver Creek Rd., in the NW¼, NE¼, of Section 7, T18-R24E, Town of Manitowoc – After the Fact Variance Request.

### VI. OLD BUSINESS

Discussion and possible action on:

- 1. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.

### VII. OTHER BUSINESS

- 1. Correspondence
- 2. Set July meeting date

### VIII. ADJOURNMENT

Date: May 29, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES**

June 17, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, June 17, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Laurel Vondrachek, James Knorr, Chuck Hoffman and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuh, seconded by Mr. Knorr to approve the agenda for the May 20, 2019 meeting. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondrachek, Knorr, Hoffman and Schuh; No: none.*

A motion was made by, Ms. Vondrachek, seconded by Mr. Schuh to approve the May 20, 2019 meeting minutes with the change. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondrachek, Knorr, Hoffman and Schuh; No: none.*

A motion was made by, Mr. Hoffman, seconded by Ms. Vondrachek to approve the June 10, 2019 onsite meeting minutes. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondrachek, Knorr, Hoffman and Schuh; No: none.*

Mr. Gaedtke explained the procedure for the meeting that would follow. He also stated that within 10 days of the closure of this meeting, copies of the decisions will be delivered to the applicants.

Chairman Bonde informed the audience each person would be limited to five minutes during public input.

**New Business**

**Sandra Rohrick** - Owner of property located off of Cedar Heights Drive, described as Lot 11 of CSM V21 P243 of Section 26, T20-R24E, Town of Two Rivers, Manitowoc County, Wisconsin, parcel number (018-505-004-011.00); wherein variances are being requested by the applicant, Frank Bauknecht, to construct a home at 15 feet from the north and south property lines, in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Sandra Rohrick.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal.

Mr. Bauknecht, owner spoke indicating he submitted the certified survey showing more exact locations.

The Board had questions for Mr. Bauknecht and Ms. Rohrick.

Mr. Bauknecht and Ms. Rohrick answered those questions for the Board.

Mr. Bill Wilfert, Town of Two Rivers Chairperson, spoke indicating the lot has an odd shape and the Town is in favor of the request.

Ms. Luanne, adjacent property owner to the south, spoke opposed to the request.

Mr. Gaedtke read a letter from the Town of Two Rivers in favor to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Sandra Rohrick.

### **Deliberation**

*Motion by:* Mr. Schuh to approve the requests and keep the 15 feet from the north and south property lines.

Reasons for approval:

1. Sufficient testimony has been provided to warrant an approval.
2. The narrow irregular shape of the lot and the submitted site plan show a physical limitation is present which creates a hardship for the owner.
3. The lots size and shape also create a burden for the owner to meet ordinance requirements.
4. The proposed home is modest in size and acceptable for this parcel.
5. There is an existing pattern of development in the area. There are other lots with homes closer than 25 feet to the side property lines.
6. The proposed house will not have a negative affect on the public interest.
7. There is a reduced speed limit in that area and another home would not impact the public.

*Second by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Vondrachek, Knorr, Hoffman and Schuh; *No:* none.

**Thomas Vocke** – Owner of property located at 1441 Silver Creek Rd., in the NW¼, NE¼, of Section 7, T18-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, parcel number (009-007-002-002.00); wherein an after the fact variance is being requested for constructing a garage at 40 feet 4 inches from the centerline of Silver Creek Rd. in a RR, Rural Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Thomas Vocke.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal.

Mr. Thomas Vocke, owner spoke indicating he started his project earlier than he should have.

The Board had questions for Mr. Vocke.

Mr. Vocke answered those questions for the Board.

Mr. Jerry Ney, a friend, spoke in favor of the request.

People in attendance opposed to the request: none.

Mr. Gaedtke read a letter from the Town of Manitowoc opposed to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Thomas Vocke.

## **Deliberation**

*Motion by:* Mr. Hoffman to modify the request to 50 feet from the center line of the road and approve the modified request.

Reasons for approval:

1. The Board looked at the request as if the structure had not been built yet and used that criteria to make their findings.
2. Due to floodplain, the river's location, erodible soils and the slope of the area there was enough of a hardship to warrant a variance but not at 40 feet from the centerline. Even with the hardships, there was enough room to move the structure back to 50 feet from the centerline of the road.
3. Trying to keep fill in place on the slope down to the river for a structure at 60 feet from the centerline would create a burden on the owner. However, there would be plenty of room and no burden to locate the structure at 50 feet from the centerline because that area isn't as sloped.
4. With the structure at 50 feet from the centerline of the road, the garage would not have a negative effect on the public because there is a reduced speed limit and less of a chance for a vehicle to leave the road and hit the structure.

Conditions of Approval:

1. The owner has one year to comply with the request. The structure must be modified or relocated before June 18, 2020.
2. If the owner decides to move the garage to meet the approved setback, some type of approved erosion control must be in place to prevent runoff into the floodplain or river.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Vondrachek, Knorr, Hoffman and Schuh; *No:* none.

## **Old Business**

**Mike Burkhardt** – Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, SW¼, of Section 34, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel numbers (016-034-010-001.00 and 016-034-011-000.00) wherein a conditional use permit and variances are being requested by Aggrecon LTD, the applicant, to operate a sand and gravel operation and to excavate within 1000 feet of fourteen homes, in a GA, General Agricultural zoned district.

Mr. Gaedtke stated the item will remain postponed until the July meeting.

## **Other Business**

### **Correspondence not related to a hearing item:**

Mr. Gaedtke informed the Board of Adjustment of complaint calls for Ryan Brandes and gave an overview of those complaints.

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, July 22, 2019 and the onsite for Monday, June 29, 2019 (Dates and times are subject to change.)



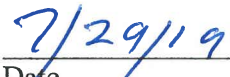
### Adjournment

A motion was made by Mr. Schuh and seconded by Mr. Knorr to approve the adjournment. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Vondracheck, Knorr, Hoffman and Schuh; No: none.*

Respectfully submitted,

  
\_\_\_\_\_  
Chuck Hoffman, Secretary

  
\_\_\_\_\_  
Date



**MANITOWOC COUNTY**  
**BOARD OF ADJUSTMENT**  
**ADVISORY & ON-SITE MEETING NOTICE**

DATE: Monday, July 22, 2019  
TIME: 9:00 a.m.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be discussed at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Agenda  
"Open Meeting Law Compliance"
- III. New Business
  1. **Kris Kohlmann-Murphy** – Owner of property located at 3519 Sunset Ln, in the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 6, T19N-R21E, Town of Two Rockland - Variance Request.
  2. **Russell Albert II** – Owner of property located at 12121 County Rd. XX., in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 21, T17-R22E, Town of Meeme – Conditional Use Request.
- IV. Old Business
  1. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.
- V. Other Business
  1. Correspondence
- VI. Approval of Minutes
- VII. On-sites
- VIII. Adjournment

Date: July 5, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Any person wishing to travel on the on-sites with the Board, should contact the Manitowoc County Planning and Park Commission office at 920-683-4185 at least two business days before the meeting is scheduled so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
ONSITE MEETING MINUTES**

July 22, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, July 22, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

Board elected a secretary pro tempore for today's meeting due to the secretary being absent. A motion was made by, Mr. Schuh nominating Jim Knorr as secretary for the meeting and seconded by Mr. Bonde. Upon vote, the motion was unanimously approved.  
*Aye: Schuh, Knorr and Bonde; No: none;*

The roll was called by the secretary. Members present: Orville Bonde, Ralph Schuh and James Knorr. Members absent: Mr. Hoffman.

Staff present for advisory meeting: Reed Gaedtke and Andrea Raymakers.

A motion was made by Mr. Knorr; seconded by Mr. Schuh to approve the agenda for the July 22 2019 meeting. Upon vote, the motion was unanimously approved.  
*Aye: Schuh, Knorr and Bonde; No: none;*

The Board received their folders containing the July 29, 2019 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed. Mr. Bonde did not proceed to on-sites.

**ADJOURNMENT**

*Motion by: Mr. Knorr to adjourn.  
Seconded by: Mr. Schuh  
Upon vote: The motion was unanimously approved.  
Aye: Knorr and Schuh; No: none.*

Respectfully submitted,

  
Jim Knorr

Secretary pro tempore

7-29-19  
Date



## MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, July 29, 2019  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be considered at the meeting:

- I. ROLL CALL AND CALL TO ORDER
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF MINUTES
- IV. APPROVAL OF AGENDA
- V. NEW BUSINESS

Discussion and possible action on:

- 1. **Kris Kohlmann - Murphy** - Owner of property located at 3519 Sunset Ln, in the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 6, T19N-R21E, Town of Two Rockland – Variance Request.
- 2. **Russell Albert II** - Owner of property located at 12121 County Rd. XX., in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 21, T17-R22E, Town of Meeme – Conditional Use Request.

### VI. OLD BUSINESS

Discussion and possible action on:

- 1. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.

### VII. OTHER BUSINESS

- 1. Review of Russell Albert II 2017 Conditional Use Permit for a farmers market and professional training class venue.
- 2. Correspondence.
- 3. Set August meeting date.
- 3. Election of Officers.

### VIII. ADJOURNMENT

Date: July 22, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES**

July 29, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, July 29, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, James Knorr, Chuck Hoffman and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuh, seconded by Mr. Knorr to approve the agenda for the July 29, 2019 meeting. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Knorr, Hoffman and Schuh; No: none.*

A motion was made by, Mr. Hoffman, seconded by Mr. Schuh to approve the June 17, 2019 meeting minutes. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Knorr, Hoffman and Schuh; No: none.*

A motion was made by, Mr. Schuh, seconded by Mr. Knorr to approve the July 22, 2019 onsite meeting minutes. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Knorr, Hoffman and Schuh; No: none.*

Mr. Gaedtke explained the procedure for the meeting that would follow. He also stated that within 10 days of the closure of this meeting, copies of the decisions will be delivered to the applicants.

Chairman Bonde informed the audience each person would be limited to five minutes during public input.

**New Business**

**Kris Kohlmann-Murphy** - Owner of property located at 3519 Sunset Ln, in the SW¼, SW¼, of Section 6, T19N-R21E, Town of Two Rockland, Manitowoc County, Wisconsin, parcel number (015-006-010-019.00); wherein a variance is being requested to relocate and reconstruct a 10' 3" x 22' 2" patio at 39 feet 9 inches from the ordinary high water mark of Long Lake, in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Kris Kohlmann-Murphy.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Ms. Kohlmann-Murphy.

Ms. Kohlmann-Murphy answered those questions for the Board.

Ms. Barbara Haas, spoke in favor of the request.

People in attendance opposed to the request: none.

Mr. Gaedtke stated the DNR did not comment on this request.

Mr. Gaedtke received letters from the neighbors to the north and south and a letter from the Town of Rockland in favor to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Kris Kohlmann-Murphy.

### **Deliberation**

*Motion by:* Mr. Schuh to approve the request.

Reasons for approval:

1. The small lot which is narrow and not very deep creates a hardship for the owner to locate a patio according to shoreline setbacks.
2. The existing building is not being modified.
3. The size and shape of the existing patio does limit the use of the property which creates a burden to the homeowner.
4. The patio will not harm or negatively effect the public because the total amount of impervious surface for the property will be reduced and the new patio location makes it more usable and safer for the home owner.

*Second by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Knorr, Hoffman and Schuh; *No:* none.

**Russell Albert II** – Owner of property located at 12121 County Rd. XX., in the NE¼, SW¼, of Section 21, T17-R22E, Town of Meeme, Manitowoc County, Wisconsin, parcel number (012-023-009-002.00); wherein an conditional use permit is being requested to operate a hydro-vac trucking business in a GA, General Agricultural zoned district.

Chairperson Bonde opened the public hearing for Russell Albert II.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Mr. Russell Albert II.

Mr. Russell Albert II answered those questions for the Board.

Mr. Albert II stated he is going to abandon the previous Conditional Use Permit for a training facility and flea market and will let the Conditional Use Permit lapse.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke read a letter from the Town of Meeme in favor to the request with conditions (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Russel Albert II.

## **Deliberation**

*Motion by:* Mr. Hoffman to approve the request.

Reasons for approval:

1. There was enough substantial evidence presented at the meeting, in the application and obtained from the property onsite visit to approve the request.
2. The use will not impede the orderly development of the district. The property is zoned general agricultural which allows for a business provided a conditional use permit is obtained.
3. The use is compatible with the area because there are other businesses being run on the property.
4. The use will not have a negative effect on surrounding properties provided it is kept clean and orderly.
5. The use fits on the parcel.
6. There is proper access off of CTH XX.
7. The new building must meet the required road setbacks.
8. The nature, structures and location associated with the use is acceptable because a new building will be constructed to house the trucks.
9. The use won't discourage appropriate development of the area.
10. It won't impair the value or of surrounding properties. The new building will look nice.
11. There will be no flashing lights, fumes, dust, spoils or anything else that would be objectionable to surrounding properties because the attached conditions would take care of any concerns.
12. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation will be Monday through Saturday and only for emergency purposes on Sundays.
2. Hours of operation will be 6:00 a.m. to 7:00 p.m. with the exception for emergency callouts.
3. Number of employees allowed will be ten.
4. All trucks with the exception of the van box will be stored inside.
5. Employee parking will be located on the existing parking lot.
6. Spoils shall be screened from view of CTH XX with staggered double rows of cedar trees that are a minimum of 3 feet high when planted.
7. Spoils shall be limited to a 60' x 60' area and shall be no higher than six feet high.
8. No hazardous materials or spoils are allowed to be stored on the property.
9. Vehicles shall be backed into the building as Mr. Albert stated at the meeting; so the truck lights do not cross over any neighboring houses.
10. All outside storage of any materials (such as concrete blocks, machine parts, building parts, metal(s), unused fencing, junk, tires, etc.); must be completely screened from public view of CTH XX or placed on the south side of the main building (aka. the old school); provided the materials stored behind the main building do not extend any further east than the east wall of the main building.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Knorr, Hoffman and Schuh; *No:* none.

## **Old Business**

**Mike Burkhardt** – Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, SW¼, of Section 34, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel numbers (016-034-010-001.00 and 016-034-011-000.00) wherein a conditional use permit and variances are being requested by Aggrecon LTD, the applicant, to operate a sand and gravel operation and to excavate within 1000 feet of fourteen homes, in a GA, General Agricultural zoned district.

Mr. Gaedtke stated the item will remain postponed until the September meeting.

**Other Business**

**Correspondence not related to a hearing item:**

Mr. Gaedtke informed the Board a complaint was received for Dean Schultz regarding the berms he is to have with his Conditional Use Permit, how he is not maintaining them and would like this enforced.

Mr. Gaedtke informed the Board a letter will be mailed out to Mr. Schultz telling him to comply.

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Wednesday, September 18, 2019 and the onsite for Monday, September 9, 2019 (Dates and times are subject to change.)

**Election of Officers:**

A motion was made by Mr. Schuh for the officer's positions to remain the same and seconded by Mr. Hoffman to approve.

*Aye: Bonde, Knorr, Hoffman and Schuh; No: none.*

**Adjournment**

A motion was made by Mr. Knorr and seconded by Mr. Hoffman to approve the adjournment. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Knorr, Hoffman and Schuh; No: none.*

Respectfully submitted,

  
Chuck Hoffman, Secretary

9/18/19  
Date





**MANITOWOC COUNTY**  
**BOARD OF ADJUSTMENT**  
**ADVISORY & ON-SITE MEETING NOTICE**

DATE: Monday, September 9, 2019  
TIME: 9:00 a.m.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be discussed at the meeting:

I. Call to Order - Roll Call

II. Approval of Agenda  
"Open Meeting Law Compliance"

III. New Business

1. **Christopher Robinson** - Owner of property located at 3543 N CTH J, in the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 3, T19-R22E, Town of Cato – Conditional Use Request.
2. **James Evenson** - Owner of property located at 5109 CTH J, in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , of Section 16, T18-R22E, Town of Liberty – Variance Request.
3. **Chad Pfeffer** - Owner of property located at 2928 River Bend Rd., in the SE $\frac{1}{4}$ , NE $\frac{1}{4}$ , of Section 8, T19-R23E, Town of Manitowoc Rapids – Variance Request.
4. **Douglas Rindt** - Owner of property located at 14429 North Shore Dr., in the E $\frac{1}{2}$ , NW $\frac{1}{4}$ , of Section 33, T18N-R22E, Town of Liberty – After the Fact Variance Requests.
5. **Sidney Lucas** - Owner of property located at 15714 East Spring Lake Rd., in Section 6, T17-R22E, Town of Meeme – Conditional Use Request.
6. **Charles Radey** - Owner of property located at 1122 USH 310, in the SE $\frac{1}{4}$ , SE $\frac{1}{4}$ , of Section 31, T20-R24E, Town of Kossuth – Conditional Use Request.

IV. Old Business

1. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.

V. Other Business

1. Correspondence

VI. Approval of Minutes

VII. On-sites

VIII. Adjournment

Date: August 26, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Any person wishing to travel on the on-sites with the Board, should contact the Manitowoc County Planning and Park Commission office at 920-683-4185 at least two business days before the meeting is scheduled so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
ONSITE MEETING MINUTES**

September 9, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, September 9, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Orville Bonde, Ralph Schuh, Chuck Hoffman and James Knorr.

Staff present for advisory meeting: Reed Gaedtke and Andrea Raymakers.

A motion was made by Mr. Schuh; seconded by Mr. Knorr to approve the agenda for the September 9, 2019 meeting. Upon vote, the motion was unanimously approved.

*Aye: Schuh, Knorr, Hoffman and Bonde; No: none;*

The Board received their folders containing the September 18, 2019 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed. Mr. Bonde did not proceed to on-sites.

**ADJOURNMENT**

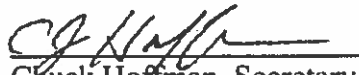
*Motion by:* Mr. Hoffman to adjourn.

*Seconded by:* Mr. Knorr

*Upon vote:* The motion was unanimously approved.

*Aye: Knorr, Schuh and Hoffman; No: none.*

Respectfully submitted,

  
Chuck Hoffman, Secretary

  
Date



## MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Wednesday, September 18, 2019  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be considered at the meeting:

- I. ROLL CALL AND CALL TO ORDER
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF MINUTES
- IV. APPROVAL OF AGENDA
- V. NEW BUSINESS

Discussion and possible action on:

- 1. **Christopher Robinson** – Owner of property located at 3543 N CTH J, in the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 3, T19-R22E, Town of Cato – Conditional Use Request.
- 2. **James Evenson** - Owner of property located at 5109 CTH J, in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , of Section 16, T18-R22E, Town of Liberty – Variance Request.
- 3. **Chad Pfeffer** - Owner of property located at 2928 River Bend Rd., in the SE $\frac{1}{4}$ , NE $\frac{1}{4}$ , of Section 8, T19-R23E, Town of Manitowoc Rapids – Variance Request.
- 4. **Douglas Rindt** – Owner of property located at 14429 North Shore Dr., in the E $\frac{1}{2}$ , NW $\frac{1}{4}$ , of Section 33, T18N-R22E, Town of Liberty – After the Fact Variance Requests.
- 5. **Sidney Lucas** - Owner of property located at 15714 East Spring Lake Rd., in Section 6, T17-R22E, Town of Meeme – Conditional Use Request.
- 6. **Charles Radey** - Owner of property located at 1122 USH 310, in the SE $\frac{1}{4}$ , SE $\frac{1}{4}$ , of Section 31, T20-R24E, Town of Kossuth – Conditional Use Request.

### VI. OLD BUSINESS

Discussion and possible action on:

- 1. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.

### VII. OTHER BUSINESS

- 1. Correspondence.
- 2. Set October meeting date.

### VIII. ADJOURNMENT

Date: August 26, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES**

September 18, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Wednesday, September 18, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Chuck Hoffman and Orville Bonde. Members absent: James Knorr. Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuh, seconded by Mr. Hoffman to approve the agenda for the September 18, 2019 meeting. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Hoffman and Schuh; No: none.*

A motion was made by, Mr. Hoffman, seconded by Mr. Schuh to approve the July 29, 2019 meeting minutes. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Hoffman and Schuh; No: none.*

A motion was made by, Mr. Schuh, seconded by Mr. Hoffman to approve the September 9, 2019 onsite meeting minutes. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Hoffman and Schuh; No: none.*

Mr. Gaedtke explained the procedure for the meeting that would follow. He also stated that within 10 days of the closure of this meeting, copies of the decisions will be delivered to the applicants.

Chairman Bonde informed the audience each person would be limited to five minutes during public input.

**New Business**

**Christopher Robinson** - Owner of property located at 3543 N CTH J, in the SW¼, SW¼, of Section 3, T19-R22E, Town of Cato, Manitowoc County, Wisconsin, parcel number (001-003-011-004.00); wherein an after the fact conditional use permit is being requested for operating an auto repair and welding business in an RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Christopher Robinson.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Mr. Robinson.

Mr. Robinson answered those questions for the Board.

Mr. Bill Propson, spoke in favor of the request, but was concerned with the applicant's things on his property and would like to see a wooden fence.

People in attendance opposed to the request: none.

Mr. Gaedtke received minutes from the Town of Cato in favor to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Christopher Robinson.

### **Deliberation**

*Motion by:* Mr. Hoffman to approve the request.

Reasons for approval:

1. The use will not impede the orderly development of the district.
2. The use is compatible with the surrounding area, which is agricultural to the east and residences to the north and south. The business has been operating in that area.
3. The use will not have a negative effect on surrounding properties.
4. The use fits on the parcel. There is room to turn around, move vehicles around and to get into the garage.
5. There is a nice driveway onto CTH J, which provides a proper access for the business.
6. The nature, structures and location associated with the use is acceptable.
7. The use won't discourage the use or impair the value or of surrounding properties.
8. The existing building will provide enough room for the use.
9. There will be no flashing lights, fumes, dust or anything else that would be more objectionable to surrounding properties than any other principal use allowed in the district.
10. The use does not endanger the public's health, safety or welfare.
11. Sufficient evidence has been provided from the applicant, on-site visit and hearing testimony to warrant an approval.

Conditions of Approval:

1. Owner must work with the neighbor to construct a fence on the property line that was discussed during public testimony.
2. Outside storage shall be located on the east side of the building so it is screened from the view of the road.
3. Days and hours of operation shall be 7:30 a.m. to 4:30 p.m. Monday thru Saturday, with the exception of occasional emergency service.
4. Number of employees are two; plus the owner.
5. The location of a sign on the building is approved.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman and Schuh; *No:* none.

**James Evenson** – Owner of property located at 5109 CTH J, in the NW¼, NW¼, of Section 16, T18-R22E, Town of Liberty, Manitowoc County, Wisconsin, parcel number (008-016-006-001.00); wherein a variance is being requested to construct an attached breezeway and garage at 83 feet from the centerline of CTH J in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for James Evenson.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Brenda Evenson.

Ms. Brenda Evenson answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Liberty in favor to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for James Evenson.

### **Deliberation**

*Motion by:* Mr. Schuh to approve the request.

Reasons for approval:

1. There is an unnecessary hardship present due to the existing home existing within the road setback and there is floodplain to the east.
2. The home owner would not have reasonable use of the property because they need to have an attached garage due to inclement weather and home access.
3. The breezeway and garage will be located on the rear side of the house, away from the road so there would not be a negative effect on the public.
4. The home is older and has existed within that setback for a long time. The new addition will be further away from the road than the existing house.

*Second by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman and Schuh; *No:* none.

**Chad Pfeffer** - Owner of property located at 2928 River Bend Rd., in the SE¼, NE¼, of Section 8, T19-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel number (010-008-004-007.00); wherein a variance is being requested to construct a detached garage at a distance of 0 to 8 feet from the River Bend Rd. right-of-way, located in a RR, Rural Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Chad Pfeffer.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Chad Pfeffer.

Mr. Chad Pfeffer answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Manitowoc Rapids in favor to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Chad Pfeffer.

## **Deliberation**

*Motion by:* Mr. Hoffman to approve the request.

Reasons for approval:

1. The rise on the property, the slope towards the river and the easement access create a hardship on the owner.
2. Meeting the setback would be a burden on the home owner due to the easement, water way and location near the slop of the land. Placing the structure 5 feet from the right-of-way line would remove that burden.
3. There will not be a negative effect to the public if the garage stays a minimum of five feet from the right-of-way.

Conditions of approval:

1. The owner and Town must work together, prior to constructing the building, to determine exactly where the right-of-way is located. This may include the town or owner hiring a surveyor to find the right-of-way.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman and Schuh; *No:* none.

**Douglas Rindt** - Owner of property located at 14429 North Shore Dr., in the E½, NW¼, of Section 33, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, parcel number (008-600-000-001.00); wherein after the fact variances are being requested for constructing two stone retaining walls. The wall on the west side of the home at approximately 61 feet from the ordinary high water mark of Pigeon Lake and a retaining wall on the east side of the home at approximately 70 feet from the ordinary high water mark of Pigeon Lake, located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Douglas Rindt.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal.

Mr. Matt Grohskopf, agent, explained the reason for the request.

The Board had questions for Mr. Grohskopf.

Mr. Matt Grohskopf answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received an e-mail from the Town of Liberty indicating they have not heard this request at the Town and would like postponed until October meeting (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Douglas Rindt.

## **Deliberation**

*Motion by:* Mr. Schuh to postpone a decision until the October meeting to obtain input from the Town.

*Second by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman and Schuh; *No:* none.

**Sidney Lucas** - Owner of property located at 15714 East Spring Lake Rd., in Section 6, T17-R22E, Town of Meeme, Manitowoc County, Wisconsin, parcel number (012-005-009-015.00); wherein a conditional use permit is being requested to operate a vacation home rental property in a RR Rural Residential, S1 Shoreland zoned district.

Chairperson Bonde opened the public hearing for Sidney Lucas.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Sidney Lucas.

Mr. Sidney Lucas answered those questions for the Board.

People in attendance in favor of the request: none.

Mr. Scott Pressure and Ms. Cheryl Tenpenny, property owners to the north wanted a copy of the rental rules.

Mr. Gaedtke received a letter from the Town of Meeme in favor to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Sidney Lucas.

## **Deliberation**

*Motion by:* Mr. Schuh to approve the request.

Reasons for Approval:

1. The use will not impede the orderly development of the district; the trailer already exists and has been there for years.
2. The use is compatible with the area because it's an existing single family home, which is surrounded by other single family residences.
3. The use will not have a negative effect on surrounding properties because it's existing and located away from other buildings.
4. The use fits on the parcel because lot is large.
5. There is proper access and room for parking on the lot.
6. The nature, structures and location associated with the use is compatible with the area.
7. The use won't discourage development or the use of surrounding properties.
8. The lot is clean and fixed up and will not impair the value or of surrounding properties.
9. There will be no flashing lights, fumes, dust or anything else that would be objectionable to surrounding properties. The noise will be similar to any other residential noise in the area.
10. The use will not endanger the public's health, safety or welfare.



11. Sufficient evidence has been provided from the applicant, on-site visit and hearing testimony to warrant an approval.

Conditions of Approval:

1. Dusk till dawn lighting shall be on the garage
2. An on premise sign which meets county requirements shall be placed on the garage.
3. The sign shall include the owners name and phone number and any other ordinance requirements for emergency contact purposes.
4. Days and hours of operation shall be from May 1 to November 1 and 24 hours per day when occupied.
5. All parking shall occur on the property. Parking on the road or any other type of off-site parking is prohibited.
6. Maximum number of people allowed will be six due to septic restraints.
7. Working fire extinguishers and smoke detectors must be installed according to Health Department and Fire Department rules.
8. All other licensing from the State and County Health Department must be obtained.
9. No discharge of firearms or fireworks on the property.
10. Owner must clearly delineate the property boundaries to all renters.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman and Schuh; *No:* none.

**Charles Radey** - Owner of property located at 1122 USH 310, in the SE¼, SE¼, of Section 31, T20-R24E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (07-131-016-002.00); wherein a conditional use permit is being requested to operate a mini-warehouse business in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Charles Radey.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Charles Radey.

Mr. Charles Radey answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Kossuth in favor to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Charles Radey.

**Deliberation**

*Motion by:* Mr. Schuh to approve the request.

### Reasons for Approval:

1. Sufficient evidence has been provided from the applicant, on-site visit and hearing testimony to warrant an approval.
2. The use will not impede the orderly development of the district.
3. The use is compatible with the surrounding area because there are other business in the area.
4. The use will not have a negative effect on surrounding properties because there are other business nearby.
5. The use fits on the parcel.
6. There is adequate access off of USH 310.
7. The nature, structures and location associated with the use are acceptable.
8. The use won't discourage the use or development of surrounding properties.
9. The use will not impair the value of surrounding properties.
10. There will be no flashing lights, fumes, dust or anything else that would be more objectionable to surrounding properties than any other allowable principal use in that zoning district.
11. Based upon the applied conditions there will not be any danger to the public's health, safety or welfare.

### Conditions of Approval:

1. Days and hours of operation will be 24 hours a day; seven days a week.
2. Number of employees will be two.
3. On premise lighting will be located at the end of the buildings.
4. The on premise sign must be comply with county and state codes.
5. Storm water drainage should be contained on-site and it cannot negatively impact any surrounding properties or highway drain systems.
6. Building sizes shall be based upon the updated site plan which showed; four buildings at approximately 50' x 520'; one building size 50' x 453'; one building sized 50' x 300'; and one building sized 60' x 100'.
7. The owner can choose to change the layout, however, the listed building dimensions will be the maximum square footage allowed on the property.

*Second by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman and Schuh; *No:* none.

### **Old Business**

**Mike Burkhardt** – Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, SW¼, of Section 34, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel numbers (016-034-010-001.00 and 016-034-011-000.00) wherein a conditional use permit and variances are being requested by Aggrecon LTD, the applicant, to operate a sand and gravel operation and to excavate within 1000 feet of fourteen homes, in a GA, General Agricultural zoned district.

Mr. Gaedtker stated the item will remain postponed until the October meeting.

### **Other Business**

#### **Correspondence not related to a hearing item:**

Mr. Gaedtker informed the Board a complaint was received for SportComp regarding conditions number seven and eight in the Conditional Use Permit.

Mr. Gaedtker gave an overview of the complaint and informed the Board of his findings after talking with the owner and the complainant.

There was talk amongst the Board members to clarify conditions seven and eight of the Conditional Use Permit.

Mr. Gaedtke will follow up with SportComp regarding the findings of those conditions.


**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, October 21, 2019 and the onsite for Monday, October 14, 2019 (Dates and times are subject to change.)

**Adjournment**

A motion was made by Mr. Schuh and seconded by Mr. Hoffman to approve the adjournment. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Hoffman and Schuh; No: none.*

Respectfully submitted,

  
Chuck Hoffman, Secretary

10/21/19  
Date



**MANITOWOC COUNTY**  
**BOARD OF ADJUSTMENT**  
**ADVISORY & ON-SITE MEETING NOTICE**

DATE: Monday, October 14, 2019  
TIME: 9:00 a.m.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be discussed at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Agenda  
"Open Meeting Law Compliance"
- III. New Business
  1. **John Neuser** – Owner of property located at 10231 USH 10, in the NE ¼, SE ¼, of Section 1, T19N-R22E, Town of Cato – Variance Request.
  2. **Mark Budzinski** - Owner of property located at 3916 Doe Lane, in the NW ¼, SW ¼, of Section 1, T20N-R23E, Town of Kossuth – Conditional Use Request.
- IV. Old Business
  1. **Douglas Rindt** – Owner of property located at 14429 North Shore Dr., in the E½, NW¼, of Section 33, T18N-R22E, Town of Liberty – After the Fact Variance Requests.
  2. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, SW¼, of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.
- V. Other Business
  1. Correspondence
- VI. Approval of Minutes
- VII. On-sites
- VIII. Adjournment

Date: October 1, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Any person wishing to travel on the on-sites with the Board, should contact the Manitowoc County Planning and Park Commission office at 920-683-4185 at least two business days before the meeting is scheduled so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
ONSITE MEETING MINUTES**

October 14, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, October 14, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Orville Bonde, Ralph Schuh, Chuck Hoffman and James Knorr.

Staff present for advisory meeting: Kaila Boeckman.

A motion was made by Mr. Schuh; seconded by Mr. Hoffman to approve the agenda for the October 14, 2019 meeting. Upon vote, the motion was unanimously approved.  
*Aye: Schuh, Knorr, Hoffman and Bonde; No: none;*

The Board received their folders containing the October 21, 2019 hearing requests.

Ms. Boeckman gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed. Mr. Bonde did not proceed to on-sites.

**ADJOURNMENT**

*Motion by:* Mr. Knorr to adjourn.

*Seconded by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

*Aye: Knorr, Schuh and Hoffman; No: none.*

Respectfully submitted,

  
\_\_\_\_\_  
Chuck Hoffman, Secretary

10/21/19  
Date



## MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, October 21, 2019  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be considered at the meeting:

- I. ROLL CALL AND CALL TO ORDER
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF MINUTES
- IV. APPROVAL OF AGENDA
- V. NEW BUSINESS

Discussion and possible action on:

- 1. **John Neuser** – Owner of property located at 10231 USH 10, in the NE ¼, SE ¼, of Section 1, T19N-R22E, Town of Cato – Variance Request.
- 2. **Mark Budzinski** - Owner of property located at 3916 Doe Lane, in the NW ¼, SW ¼, of Section 1, T20N-R23E, Town of Kossuth – Conditional Use Request.

### VI. OLD BUSINESS

Discussion and possible action on:

- 1. **Douglas Rindt** – Owner of property located at 14429 North Shore Dr., in the E½, NW¼, of Section 33, T18N-R22E, Town of Liberty – After the Fact Variance Requests.
- 2. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, SW¼, of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.

### VII. OTHER BUSINESS

- 1. Correspondence.
- 2. Set November meeting date.

### VIII. ADJOURNMENT

Date: October 1, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES**

October 21, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Wednesday, October 21, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Chuck Hoffman, Orville Bonde, Dave Christel and James Knorr. Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuh, seconded by Mr. Hoffman to approve the October 21, 2019 meeting agenda. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Hoffman, Christel, Knorr and Schuh; No: none.*

A motion was made by, Mr. Schuh, seconded by Mr. Hoffman to approve the minutes for the September 18, 2019 meeting. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Hoffman, Christel, Knorr and Schuh; No: none.*

A motion was made by, Mr. Hoffman, seconded by Mr. Knorr to approve the October 14, 2019 onsite meeting minutes. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Hoffman, Christel, Knorr and Schuh; No: none.*

Mr. Gaedtke explained the procedure for the meeting that would follow. He also stated that within 10 days of the closure of this meeting, copies of the decisions will be delivered to the applicants.

Chairman Bonde informed the audience each person would be limited to three minutes during public input.

**New Business**

**John Neuser** – Owner of property located at 10231 USH 10, in the NE ¼, SE ¼, of Section 1, T19N-R22E, Town of Cato, Manitowoc County, Wisconsin, parcel number (001-001-013-005.00); wherein a variance is being requested to construct a detached garage at 10 feet from the USH 10 right-of-way in an RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for John Neuser.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal.

Mr. Neuser explained why he asked for the variance.

The Board had questions for Mr. Neuser.

Mr. Neuser answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a call from the Town of Cato in favor to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for John Neuser.

### **Deliberation**

*Motion by:* Mr. Hoffman to approve the request.

Reasons for approval:

1. The owner lost a lot of his land to the state road right-of-way which has created an unnecessary hardship on the owner to meet the road right of way setback.
2. The right-of-way is so far from the center of the road that locating the garage at 10 feet from the right-of-way will not cause any physical limitations to the roadway.
3. The proposed garage will be the same distance to the right-of-way as the existing house.
4. The taking of land for the road right of way has created a burden on the homeowner restricting his buildable area.
5. The proposed structure will not harm or negatively affect the public interest because it will be located far enough from the centerline of the road and is located high above the roadway in a wooded area.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman, Christel, Knorr and Schuh; *No:* none.

**Mark Budzinski** – Owner of property located at 3916 Doe Lane, in the NW ¼, SW ¼, of Section 1, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-001-010-000.00); wherein a conditional use permit is being requested to construct a residence in a NA, Natural Area, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Mark Budzinski.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Mr. Budzinski.

Ms. Budzinski answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Kossuth in favor to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Mark Budzinski.



## **Deliberation**

*Motion by:* Mr. Schuh to approve the request.

Reasons for approval:

1. Sufficient evidence has been provided from the applicant, on-site visit and hearing testimony to warrant an approval.
2. The use does not impede the orderly development of the district.
3. The use is compatible with the surrounding area because it's surrounded by farmland which is owned by the applicant.
4. The use will not have a negative effect on surrounding properties which are agriculture and existing residences.
5. With the creation of a new 20 acre parcel, the use will fit on the parcel size listed.
6. There is adequate access from a public town road.
7. The height of proposed structures are compatible with the surrounding area.
8. The use will not discourage development of adjacent land or buildings.
9. The use will not impair property values.
10. There's are no proposed fumes, lights, dust or any other factors that would be more objectionable than any other allowable principal use.
11. It will not affect the public's health safety or welfare.

Conditions of Approval:

1. A 20 acre parcel must be created according to the submitted site plan.

*Second by:* Mr. Knorr

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman, Christel, Knorr and Schuh; *No:* none.

## **Old Business**

**Doug Rindt** - Owner of property located at 14429 North Shore Dr., in the E½, NW¼, of Section 33, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, parcel number (008-600-000-001.00); wherein after the fact variances are being requested for constructing two stone retaining walls. The wall on the west side of the home at approximately 61 feet from the ordinary high water mark of Pigeon Lake and a retaining wall on the east side of the home at approximately 70 feet from the ordinary high water mark of Pigeon Lake, located in a LR, Lake Residential, S1, Shoreland zoned district.

Mr. Gaedtke stated the request will remain postponed. The Town of Liberty has not heard the request.

**Mike Burkhardt** – Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, SW¼, of Section 34, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel numbers (016-034-010-001.00 and 016-034-011-000.00) wherein a conditional use permit and variances are being requested by Aggrecon LTD, the applicant, to operate a sand and gravel operation and to excavate within 1000 feet of fourteen homes, in a GA, General Agricultural zoned district.

Mr. Gaedtke re-read the reason for the appeal (copy on file).

Scott McWilliams, appraiser for Aggrecon brought up a part of the application to describe his appraisal documents submitted with the application.

The appraisal from Aggrecon showed normal variations. There was nothing showing decreased sale prices according to the proximity of mining operations.

The Board had questions for Mr. Burkhardt.

Mr. Burkhardt, Attorney Buck Sweeny and Tod Pauley answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request:

Greg Furdek  
Tom Dolack  
Linda Dolak  
Steve Rabe  
Carlyn Clark  
Joel Clark  
Pam Egelseer  
Christina Burger  
Mark Janssen  
Dianna Voitek  
Tom Karls  
Tyler Thielmann  
Steve Voitek  
Jane Fontaine  
Attorney Paul Dirkse  
Gary Kramer (Mr. & Mrs. Clark's Appraiser)

Mr. Gaedtke received a letter and minutes from the Town of Schleswig opposed to the request (copy on file). Mr. Gaedtke also received numerous letters, videos and photos opposed to the request (copies on file).

There being no further comments, Chairperson Bonde closed the public hearing for Mike Burkhardt.

### **Deliberation**

*Motion by:* Mr. Schuh to postpone the request to allow Aggrecon more time to submit additional information requested by the Board of Adjustment.

The Board requested a new site map showing the new location of excavation, a reclamation plan, information on material storage and heights, any berm locations and heights, and a development plan showing the areas of extraction which must include a description of the reclaiming phases.

*Second by:* Mr. Knorr

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman, Christel, Knorr and Schuh; *No:* none.

### **Other Business**

**Correspondence not related to a hearing item: none**

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, November 18, 2019 and the onsite for Monday, November 11, 2019 (Dates and times are subject to change.)

**Adjournment**

A motion was made by Mr. Schuh and seconded by Mr. Christel to approve the adjournment. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Hoffman, Christel, Knorr and Schuh; No: none.*

Respectfully submitted,

  
Chuck Hoffman, Secretary

11/18/19  
Date



**MANITOWOC COUNTY**  
**BOARD OF ADJUSTMENT**  
**ADVISORY & ON-SITE MEETING NOTICE**

DATE: Monday, November 11, 2019  
TIME: 9:00 a.m.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be discussed at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Agenda  
"Open Meeting Law Compliance"
- III. New Business
  1. **Nigrelli Inc.** - Owner of property located at 16024 CH X, in the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 8, T17N-R22E, Town of Meeme – Variance Request.
  2. **Samuel and Christina Schrock** - Owners of property located at 20603 Taus Rd. in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 22, T20N-R21E, Town of Maple Grove – Conditional Use Request.
- IV. Old Business
  1. **Douglas Rindt** - Owner of property located at 14429 North Shore Dr., in the E $\frac{1}{2}$ , NW $\frac{1}{4}$ , of Section 33, T18N-R22E, Town of Liberty – After the Fact Variance Requests.
  2. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.
- V. Other Business
  1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: October 30, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Any person wishing to travel on the on-sites with the Board, should contact the Manitowoc County Planning and Park Commission office at 920-683-4185 at least two business days before the meeting is scheduled so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
ONSITE MEETING MINUTES**

November 11, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, November 11, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Orville Bonde, Ralph Schuh, Chuck Hoffman and James Knorr. Member absent: Alternate, Dave Christel.

Staff present for advisory meeting: Reed Gaedtke and Andrea Raymakers.

A motion was made by Mr. Schuh; seconded by Mr. Knorr to approve the agenda for the November 11, 2019 meeting. Upon vote, the motion was unanimously approved.  
*Aye: Schuh, Knorr, Hoffman and Bonde; No: none;*

The Board received their folders containing the November 18, 2019 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed. Mr. Bonde did not proceed to on-sites.

**ADJOURNMENT**

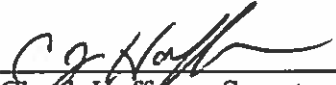
*Motion by:* Mr. Hoffman to adjourn.

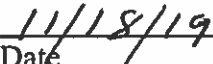
*Seconded by:* Mr. Knorr

*Upon vote:* The motion was unanimously approved.

*Aye: Knorr, Schuh and Hoffman; No: none.*

Respectfully submitted,

  
\_\_\_\_\_  
Chuck Hoffman, Secretary

  
\_\_\_\_\_  
Date



## MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, November 18, 2019  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be considered at the meeting:

- I. ROLL CALL AND CALL TO ORDER
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF MINUTES
- IV. APPROVAL OF AGENDA
- V. NEW BUSINESS

Discussion and possible action on:

- 1. **Nigrelli Inc.** - Owner of property located at 16024 CH X, in the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 8, T17N-R22E, Town of Meeme – Variance Request.
- 2. **Samuel and Christina Schrock** - Owners of property located at 20603 Taus Rd. in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 22, T20N-R21E, Town of Maple Grove – Conditional Use Request.

### VI. OLD BUSINESS

Discussion and possible action on:

- 1. **Douglas Rindt** - Owner of property located at 14429 North Shore Dr., in the E $\frac{1}{2}$ , NW $\frac{1}{4}$ , of Section 33, T18N-R22E, Town of Liberty – After the Fact Variance Requests.
- 2. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.

### VII. OTHER BUSINESS

- 1. Correspondence.
- 2. Set December meeting date.

### VIII. ADJOURNMENT

Date: October 30, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES**

November 18, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, November 18, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Chuck Hoffman, Orville Bonde, Dave Christel and James Knorr. Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuh, seconded by Mr. Hoffman to approve the November 18, 2019 meeting agenda. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Hoffman, Christel, Knorr and Schuh; No: none.*

A motion was made by, Mr. Knorr, seconded by Mr. Schuh to approve the minutes for the October 21, 2019 meeting. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Hoffman, Christel, Knorr and Schuh; No: none.*

A motion was made by, Mr. Hoffman, seconded by Mr. Knorr to approve the November 11, 2019 onsite meeting minutes. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Hoffman, Christel, Knorr and Schuh; No: none.*

Mr. Gaedtke explained the procedure for the meeting that would follow. He also stated that within 10 days of the closure of this meeting, copies of the decisions will be delivered to the applicants.

Chairman Bonde informed the audience each person would be limited to three minutes during public input.

**New Business**

**Nigrelli Inc.** – Owner of property located at 16024 CH X, in the SW¼, SW¼, of Section 8, T17N-R22E, Town of Meeme, Manitowoc County, Wisconsin, parcel number (012-008-011-001.04); wherein a variance is being requested to construct a business sign at approximately 56 feet from the centerline of CTH X in an RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Nigrelli Inc.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Ms. Luanne Heinen, agent.

Ms. Heinen answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Meeme in favor to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Nigrelli Inc.

### **Deliberation**

*Motion by:* Mr. Hoffman to approve the sign request at 56 feet from the centerline of the road.

Reasons for approval:

1. The trees located on the property block the current sign from view creating a hardship for the owners which is causing safety issues with drivers looking for the business.
2. The existing sign location or placing the new sign 100 feet from the road; creates a safety hazard for vehicles looking for the business entrance. Vehicles are having to turn around in other driveways or are stopping suddenly on the road to try and turn into the entrance.
3. The proposed structure will not harm or negatively affect the public interest because it will be located far enough from the centerline of the road and toward the middle of the property, allowing motorist to easily see the entrance.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman, Christel, Knorr and Schuh; *No:* none.

**Samuel and Christina Schrock** – Owners of property located at 20603 Taus Rd. in the NE¼, SW¼, of Section 22, T20N-R21E, Town of Maple Grove, Manitowoc County, Wisconsin, parcel number (011-022-009-000.00); wherein a conditional use permit is being requested to operate a propane lamp manufacturing business in a GA, General Agricultural zoned district.

Chairperson Bonde opened the public hearing for Samuel and Christina Schrock.

There was no one present to speak on the request.

A motion was made by, Mr. Schuh, seconded by Mr. Knorr to postpone the request until the next scheduled meeting. Upon vote, the motion was unanimously approved.

*Aye:* Bonde, Hoffman, Christel, Knorr and Schuh; *No:* none.

### **Old Business**

**Doug Rindt** - Owner of property located at 14429 North Shore Dr., in the E½, NW¼, of Section 33, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, parcel number (008-600-000-001.00); wherein after the fact variances are being requested for constructing two stone retaining walls. The wall on the west side of the home at approximately 61 feet from the ordinary high water mark of Pigeon Lake and a retaining wall on the east side of the home at approximately 70 feet from the ordinary high water mark of Pigeon Lake, located in a LR, Lake Residential, S1, Shoreland zoned district.

A motion was made by, Mr. Schuh to remove the request from the table, seconded by Mr. Hoffman.

Upon vote, the motion was unanimously approved.

*Aye:* Bonde, Hoffman, Christel, Knorr and Schuh; *No:* none.

Mr. Gaedtke reminded the Board the request was postponed to hear from the Town of Liberty and only that information would be received.

Mr. Gaedtke received a letter from the Town of Liberty in favor of the request (copy on file).



## **Deliberation**

*Motion by:* Mr. Schuh to approve the request.

Reasons for approval:

1. The size and narrow shape of the lot along with the steep slope create a hardship for the owner causing erosion and water runoff problems. The retaining walls and grading of the land will alleviate this hardship.
2. The owner would not have reasonable use of the property and is burdened without the retaining walls because over time, severe erosion would occur creating washout and gullies to the lake and water damage to the home.
3. The proposed retaining walls will not have a negative effect on the public because they will keep sediment and erosion out of Pigeon Lake.
4. The walls are within the average distance to the lakeshore.

*Second by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman, Christel, Knorr and Schuh; *No:* none.

**Mike Burkhardt** – Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, SW¼, of Section 34, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel numbers (016-034-010-001.00 and 016-034-011-000.00) wherein a conditional use permit and variances are being requested by Aggrecon LTD, the applicant, to operate a sand and gravel operation and to excavate within 1000 feet of fourteen homes, in a GA, General Agricultural zoned district.

A motion was made by, Mr. Hoffman to remove the request from the table, seconded by Mr. Schuh.

Upon vote, the motion was unanimously approved.

*Aye:* Bonde, Hoffman, Christel, Knorr and Schuh; *No:* none.

Mr. Gaedtker reminded everyone present that testimony was heard at the October meeting and the Board required additional information from the applicant, Aggrecon LTD.

Chairperson Bonde opened the public hearing for Mike Burkhardt.

The Board had questions for Mike Burkhardt.

Mr. Burkhardt, Attorney Buck Sweeny, Scott McWilliams and Tod Pauley answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request:

Pam Egelseer (submitted a document with notes)

Tom Dolack

Joel Clark

Greg Furdek (submitted letter to the Board; Zoning Handbook)

Gary Kramer; Appraiser

Douglas Lux

Dianna Voitek

There being no further comments, Chairperson Bonde closed the public hearing for Mike Burkhardt.

### **Deliberation**

*Motion by:* Mr. Schuh to postpone the request to the next scheduled meeting to contact the two Townships to see if they have any other input and to review incoming information.

*Second by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman, Christel, Knorr and Schuh; *No:* none.

### **Other Business**

**Correspondence not related to a hearing item:** none

Mr. Gaedtke questioned the Board if there should be a review for KRR Enterprises.

The Board had discussion and decided to not have a review this year since there was no issues and no complaints.

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, December 16, 2019 and the onsite for Monday, December 9, 2019 (Dates and times are subject to change.)

### **Adjournment**

A motion was made by Mr. Schuh and seconded by Mr. Knorr to approve the adjournment. Upon vote, the motion was unanimously approved.

*Aye:* Bonde, Hoffman, Christel, Knorr and Schuh; *No:* none.

Respectfully submitted,

  
Chuck Hoffman, Secretary

12/16/2019  
Date



**MANITOWOC COUNTY**  
**BOARD OF ADJUSTMENT**  
**ADVISORY & ON-SITE MEETING NOTICE**

DATE: Monday, December 9, 2019  
TIME: 9:00 a.m.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be discussed at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Agenda  
"Open Meeting Law Compliance"
- III. New Business - None
- IV. Old Business
  1. **Samuel and Christina Schrock** - Owners of property located at 20603 Taus Rd. in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 22, T20N-R21E, Town of Maple Grove – Conditional Use Request.
  2. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.
- V. Other Business
  1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: December 3, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

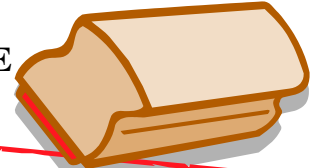
Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Any person wishing to travel on the on-sites with the Board, should contact the Manitowoc County Planning and Park Commission office at 920-683-4185 at least two business days before the meeting is scheduled so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.



**MANITOWOC COUNTY**  
**BOARD OF ADJUSTMENT**  
**ADVISORY & ON-SITE MEETING NOTICE**



CANCELLED

DATE: Monday, December 9, 2019  
TIME: 9:00 a.m.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be discussed at the meeting:

- I. Call to Order - Roll Call
- II. Approval of Agenda  
"Open Meeting Law Compliance"
- III. New Business - None
- IV. Old Business
  1. **Samuel and Christina Schrock** - Owners of property located at 20603 Taus Rd. in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 22, T20N-R21E, Town of Maple Grove – Conditional Use Request.
  2. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.
- V. Other Business
  1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: December 3, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made.

Any person wishing to travel on the on-sites with the Board, should contact the Manitowoc County Planning and Park Commission office at 920-683-4185 at least two business days before the meeting is scheduled so that appropriate accommodations can be made.

Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.



## MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, December 16, 2019  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

The meeting is open to the public, but portions of the meeting may be closed if this notice indicates that the board may convene in closed session. The following matters may be considered at the meeting:

- I. ROLL CALL AND CALL TO ORDER
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF MINUTES
- IV. APPROVAL OF AGENDA

V. NEW BUSINESS - None

Discussion and possible action on:

VI. OLD BUSINESS

Discussion and possible action on:

- 1. **Samuel and Christina Schrock** - Owners of property located at 20603 Taus Rd. in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 22, T20N-R21E, Town of Maple Grove – Conditional Use Request.
- 2. **Mike Burkhardt** - Owner of property located off of Little Elkhart Lake Rd., in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , of Section 34, T17N-R21E, Town of Schleswig – Conditional Use and Variance Requests.

VII. OTHER BUSINESS

- 1. Correspondence.
- 2. Set January meeting date.

VIII. ADJOURNMENT

Date: December 3, 2019

Orville Bonde, Board Chair  
By: Reed Gaedtke, Code Administrator

Any person wishing to attend the meeting who requires special accommodation because of a disability should contact the County Clerk's office at 920-683-4003 at least 24 hours before the meeting begins so that appropriate accommodations can be made. Persons who are members of another governmental body, but who are not members of this board, may attend this meeting. Their attendance could result in a quorum of another governmental body being present. Such a quorum is unintended and they are not meeting to exercise the authority, duties, or responsibilities of any other governmental body.

**MANITOWOC COUNTY BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES**

December 16, 2019

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, December 16, 2019 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Chuck Hoffman, Orville Bonde, Dave Christel and James Knorr. Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuh, seconded by Mr. Knorr to approve the December 16, 2019 meeting agenda. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Hoffman, Christel, Knorr and Schuh; No: none.*

A motion was made by, Mr. Schuh, seconded by Mr. Christel to approve the minutes for the November 18, 2019 meeting. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Hoffman, Christel, Knorr and Schuh; No: none.*

Mr. Gaedtke explained the procedure for the meeting that would follow. He also stated that within 10 days of the closure of this meeting, copies of the decisions will be delivered to the applicants.

**Old Business**

**Samuel and Christina Schrock** – Owners of property located at 20603 Taus Rd. in the NE¼, SW¼, of Section 22, T20N-R21E, Town of Maple Grove, Manitowoc County, Wisconsin, parcel number (011-022-009-000.00); wherein a conditional use permit is being requested to operate a propane lamp manufacturing business in a GA, General Agricultural zoned district.

A motion was made by, Mr. Schuh to remove the request from the table, seconded by Mr. Hoffman. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Hoffman, Christel, Knorr and Schuh; No: none.*

Chairperson Bonde opened the public hearing for Samuel and Christina Schrock.

Mr. Gaedtke read the reason for the appeal (copy on file).

Mr. Hoffman read the application (copy on file).

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Mr. Schrock.

Mr. Schrock answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Maple Grove in favor to the request (copy on file).

## **Deliberation**

*Motion by:* Mr. Hoffman to approve the request.

Reasons for approval:

1. Sufficient evidence has been provided from the applicant, on-site visit and hearing testimony to warrant an approval.
2. The use will not impede the orderly development of the district because the property is zoned general agricultural, which allows for a small business. The proposed use will be a small business.
3. The use is compatible and will fit well with the surrounding area.
4. The use will not have a negative effect on surrounding properties because the business is small and there won't be a lot of traffic.
5. The use fits on the parcel. There will be enough room for the building and vehicle parking.
6. The access is adequate for the use.
7. The nature, structures and location associated with the use are acceptable because it is not a large building and it will fit on the property.
8. The use won't discourage the use or development of surrounding properties.
9. The use will not impair the value of surrounding properties.
10. There will be no flashing lights, fumes, dust or anything else that would be more objectionable to surrounding properties than any other allowable principal use in that zoning district. There will only be small equipment used inside the building and minimal traffic.
11. The use will not endanger the public's health, safety or welfare. If any hazardous items such as lantern mantles are received, they are received and shipped out prepackaged. No hazardous items will be made on the property.

Conditions of approval:

1. Days of operation will be Monday through Friday.
2. Hours of operation will be from 7:00 a.m. to 5:00 p.m.
3. No more than 10 employees.
4. On premise lighting is allowed but cannot affect the road.
5. The on-premise sign must comply with county codes and be a minimum of 60 feet from the centerline of the road.
6. No parking on the road. All employee and customer parking must be located on the parcel.
7. Semis and other delivery vehicles must pull into the property for pick up and deliveries. They cannot park on the road.
8. An adequate area must be provided, to allow semi and other delivery trucks to turn around in the parking lot.
9. No outside storage of material.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman, Christel, Knorr and Schuh; *No:* none.

**Mike Burkhardt** – Owner of property located off of Little Elkhart Lake Rd., in the NW¼, SW¼, and the SW¼, SW¼, of Section 34, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel numbers (016-034-010-001.00 and 016-034-011-000.00) wherein a conditional use permit and variances are being requested by Aggrecon LTD, the applicant, to operate a sand and gravel operation and to excavate within 1000 feet of fourteen homes, in a GA, General Agricultural zoned district.

A motion was made by, Mr. Schuh to remove the request from the table, seconded by Mr. Hoffman. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Hoffman, Christel, Knorr and Schuh; No: none.*

Mr. Gaedtke reminded everyone present that testimony was heard at the October and November meeting. The Board postponed to December meeting for additional time to allow the Town of Schleswig and Rhine to review Aggrecon LTD's new submitted material and to allow the Board time to review all additional submitted and presented public input.

The Board began deliberation.

### **Deliberation**

*Motion by:* Mr. Knorr to deny the Conditional Use request based on conditions number 3, 4, 8 and 10.

Reasons for Conditional Use Permit Denial:

1. The intensity of the proposed operation will have a negative effect on the area. Excavating and moving dirt around will create a negative effect to surrounding properties and neighbors.
2. The use will impair property values, which discourages appropriate development. Evidence received from an appraiser, the public and the town assessor show the proposed use would have a negative effect on property values. The majority of evidence supported a negative impact to property values.
3. The use will endanger the public's health, safety and welfare. Also, there was no evidence to show the current or proposed operation would meet environmental safety requirements.
4. The proposed use does not fit on the parcel because it cannot meet the minimum setback requirements. The use would require 14 variances to fit on the property.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye: Bonde, Hoffman, Christel, Knorr and Schuh; No: none.*

*Motion by:* Mr. Schuch to deny the Variance requests.

Reasons for Variance Denial:

1. There is no physical hardship of the property. Economic burden is not a hardship of the property but rather a self-imposed hardship.
2. Public input received during testimony supports the fact that reduced setbacks would negatively affect the public.

*Second by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

*Aye: Bonde, Hoffman, Christel, Knorr and Schuh; No: none.*

### **Other Business**

**Correspondence not related to a hearing item:**

Mr. Gaedtke informed the Board about a neighbors' concerns with Sportcomp's Conditional Use Permit.

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, January 20, 2020 and the onsite for Monday, January 13, 2020 (Dates and times are subject to change.)



## Adjournment

A motion was made by Mr. Schuh and seconded by Mr. Knorr to approve the adjournment. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Hoffman, Christel, Knorr and Schuh; No: none.*

Respectfully submitted,

  
Chuck Hoffman, Secretary

2/17/2020  
Date