



MANITOWOC COUNTY
BOARD OF ADJUSTMENT
AMENDED ADVISORY MEETING NOTICE

DATE: Monday, January 14, 2013
TIME: 9:00 a.m.
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc

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. **James and Deborah Webb** – NW ¼, NW ¼, Section 13, T18N-R22E, Town of Manitowoc Rapids, 2421 STH 42 – Variance Request
 2. **Robert Kautzer Jr.** - NE ¼, NW ¼, Section 28, T18N-R22E, Town of Liberty, southwest corner of CYH C and Pigeon Lake Rd – Conditional Use Permit and Variance Request
 3. **Derek Tauschek** – NW ¼ SE ¼, Section 22, T20N-R24E, Town of Two Rivers, 7505 STH 147 – Variance Request.

- IV. Old Business
 1. **Mary Shimek** – NW ¼, SE ¼, Section 33, T18N-R22E, Town of Liberty, 9408 Pigeon Lake Road – Variance Requests

- COMPLETED**
- ~~2. **Kris Desmond** – NE ¼, SW¼, Section 33, T18N-R22E, Town of Liberty, 9508 Pigeon Lake Road – Variance Requests~~
 3. **William Neumann** – SW¼, SW¼, Section 33, TN-R23E, Town of Kossuth, and NW ¼, NW¼, Section 4, T19N-R23E, Town of Manitowoc Rapids, 4613 Thunder Road – Reconsideration of Conditional Use Permit
 4. **Aaron Nelson** - SW ¼, SW ¼, Section 33, T20N-R23E, Town of Kossuth, 7630 Village Drive – After the Fact Conditional Use Permit

V. Adjournment

Date: January 8, 2013

Amended: January 10, 2013 @ 11:19 a.m.

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, 2013

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, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Orville Bonde, Charlie Nate and Laurel Vondrachek.

Staff present: Reed Gaedtke.

A motion was made by, Mr. Glaeser seconded by Ms. Vondrachek to approve the agenda for the January 14, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

The Board received their folders containing the January 21, 2013 hearing applications and Mr. Gaedtke gave a quick overview of each.

The Board preceded to the onsite locations and returned to the Manitowoc County Office Complex when completed.

ADJOURNMENT

Motion by: Mr. Nate to adjourn.

Seconded by: Ms. Kocourek.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY

BOARD OF ADJUSTMENT

MEETING NOTICE

DATE: MONDAY, January 21, 2013
TIME: 7:00 P.M.
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc

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. OLD BUSINESS

Discussion and possible action on:

- 1. **Mary Shimek** – NW ¼, SE ¼, Section 33, T18N-R22E, Town of Liberty, 9408 Pigeon Lake Road – Variance Requests
- 2. **William Neumann** – SW¼, SW¼, Section 33, TN-R23E, Town of Kossuth, and NW ¼, NW¼, Section 4, T19N-R23E, Town of Manitowoc Rapids, 4613 Thunder Road – Reconsideration of Conditional Use Permit
- 3. **Aaron Nelson** - SW ¼, SW ¼, Section 33, T20N-R23E, Town of Kossuth, 7630 Village Drive – After the Fact Conditional Use Permit

VI. NEW BUSINESS

Discussion and possible action on:

- 1. **James and Deborah Webb** – NW ¼, NW ¼, Section 13, T18N-R22E, Town of Manitowoc Rapids, 2421 STH 42 – Variance Request
- 2. **Robert Kautzer Jr.** - NE ¼ , NW ¼ , Section 28, T18N-R22E, Town of Liberty, southwest corner of CYH C and Pigeon Lake Rd – Conditional Use Permit and Variance Request
- 3. **Derek Tauschek** – NW ¼ SE ¼ , Section 22, T20N-R24E, Town of Two Rivers, 7505 STH 147 – Variance Request.

VII. OTHER BUSINESS

- 1. Schedule February Meeting

VIII. ADJOURNMENT

Date: January 8, 2013

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, 2013

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, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Charlie Nate, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by Mr. Glaeser, seconded by Mr. Nate to approve the November 27, 2012 minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Mr. Nate seconded by Ms. Kocourek to approve the January 14, 2013 onsite meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Ms. Vondrachek seconded by Ms. Kocourek to approve the agenda for the January 21, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Mr. Gaedtke explained the procedure 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.

Unfinished Business

Mary Shimek – Owner of property located at 9408 Pigeon Lake Rd., located in the NW ¼, SE ¼, Section 33, T18N-R22E, Town of Liberty, Manitowoc County Wisconsin; parcel (08-033-014-006.00) wherein variances are being requested to construct a 48' 8" x 56' 9" house with an exposed basement at 20 feet from the ordinary high water mark of Pigeon Lake and at 53 feet 8 inches from the centerline of the road; and to construct 42" wide stairs and a 20'x46' 7" concrete patio at 20 feet from the ordinary high water mark of the lake and to also construct approximately a 10'x19' pergola at approximately 31 feet from the ordinary high watermark of Pigeon Lake in an LR, Lake Residential, S1, Shoreland zoned district.

Motion by: Mr. Glaser to open the postponed hearing.

Second by: Ms. Kocourek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Chairperson Bonde opened the public hearing for Mary Shimek.

The Board asked Mary Shimek, questions regarding her variance requests.

Ms. Shimek stated that the new plans shows the extended part of the house still at 20 feet from the ordinary high watermark and the portion parallel to the lake would be 34 feet 8 inches from the ordinary high watermark.

Mr. Glaeser asked Ms. Shimek if she received the letter correspondence from the WDNR dated 1/17/2013. Ms. Shimek stated she did receive it about 5 minutes before the meeting.

Mr. Glaeser asked if she read the letter and Ms. Shimek stated she read it as quickly as she could because she didn't have it that long.

Mr. Glaeser stated the WDNR makes it clear in their letter what can and can not be done.

There were questions on averaging and how it works.

Mr. Gaedtke stated averaging is allowed in the ordinance and then explained how it works.

Town of Liberty supervisor, Joel Aulik, stated the Town was in favor of the request from the lake and would rather see the structure be closer to the lake than to the road because the Town thought it would be better to keep the structure away from the road for safety purposes. The Town also stated the requested house is an improvement to the area and located in the Towns growth area.

Those in attendance opposed to the request? None.

Mr. Nate stated the size of the requested house on this small lot was just too much.

Mr. Gaedtke read the Town of Liberty's official statement in favor of the request to the lakeshore but opposed the road request.

Mr. Gaedtke also read a letter from WDNR specialist Tom Blake opposing the request to construct within 35 feet of the ordinary high water mark.

Mr. Nate asked Ms. Shimek why she was building such a big house on this size lot. Ms. Shimek stated she didn't think it was that big of a house and Mr. Nate replied it is for that size lot.

There being no further comments, Chairperson Bonde closed the public hearing for Mary Shimek.

Deliberation

Motion by: Mr. Glaeser to deny the proposed requests to construct a patio and house at 20 feet from the ordinary high water mark of Pigeon Lake and within the road setback.

But to approve construction of the home or addition and patio within the 75 foot ordinary high water mark setback provided the structures are no closer than the determined average of 35 feet to the ordinary high water mark. Also, all structures being built must also be located sixty feet (60') from the centerline of the road for safety purposes.

Reasons for variance denial:

1. The proposed structure is just too big for this size lot. The applicant can have reasonable use of the property with a smaller size structure and not be unnecessarily burdened.
2. The setback request to the centerline of the road is contrary to the public interest because there is a definite safety concern with a structure being located within the 60 foot road setback in this area due to the curve in the road.

3. A structure located within 35 feet of the ordinary high water mark would be contrary to public interest and negatively affect the lake as stated by the Wisconsin Department of Natural Resources Specialist.

Reasons for allowing a reduced ordinary high water mark setback:

1. A development pattern exists which allows for averaging to be used to create a reduced ordinary high water mark setback.
2. The average distance from the ordinary high water mark to adjacent property structures is 35 feet.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

William Neumann – Owner of properties located at 4613 Thunder Rd. in the SW¹/₄, SW¹/₄, Section 33, T20N-R23E, Town of Kossuth, parcel (07-033-011-002.00) and the adjacent parcel to the south located on Village Dr. in the NW¹/₄, NW¹/₄, Section 4, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin; parcel (10-004-006-006.00) wherein a conditional use permit for operating a trucking business in a RR, Rural Residential zoned district is being reconsidered.

Motion by: Ms. Vondrachek to open the postponed hearing.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Chairperson Bonde opened the public hearing for William Neumann.

The Board asked Mr. Neumann, questions regarding his reconsidered conditional use permit request.

Mr. Nate asked why Mr. Neumann only acquired one quote for black topping the parking area.

Mr. Neumann stated that since he had 4 years to complete it he just wanted an idea of what it would cost for now.

Mr. Neumann also stated that he could live with the original condition of 7 total units allowed. He also checked on using recycled blacktop screenings for placing in the yard and said it would be about \$15,000.

Town of Manitowoc Rapids Chairperson, David Korte informed the Board the right of way line is a little crooked along Village Dr. and Mr. Neumann's parking lot is about 5 feet or so over the neighboring property line. The Town's solution to the problem with the extra driveway was that Mr. Neumann would need to abandon his existing driveway to the east which connected to Mr. Nelson's driveway; then two power poles would be moved to allow Mr. Neumann to construct a new driveway a little further west of the problem driveway.

Mr. Neumann stated he would remove the existing driveway and use the fill from that driveway to make a new one; then come back and seed the old area.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Bonde closed the public hearing for William Neumann.

Deliberation

Motion by: Ms. Vondrachek to approve the conditional use permit with the following conditions.

Conditions of Approval:

1. Trucks can enter and exit from Thunder Road or the new drive way being constructed off of Village Drive and the trucks must go east on Village Dr.
2. No trucks allowed south on Village Drive.
3. There will be a permanent hedge or trees planted along the east perimeter of the property and shall be approximately 4 feet tall when planted.
4. The hedge or trees must be planted within two years of the approval.
5. The existing ground area between the gravel parking lot and the road will be planted in grass and must be clipped. No shrubs or trees allowed in this area.
6. There will be no outside storage of parts or junk.
7. There will be no more than 7 total units located on the property. Each unit consists of a truck and trailer.
8. The existing graveled area where the trucks and trailers are to be parked shall be black topped or covered with recycled black top (aka. screenings) within 4 years to help prevent gravel and dirt from being drug out onto the road.
9. There will be a 1 year review of the permit. If complaints are received a review could occur sooner.
10. Total number of employees at this location shall be 13 full time and 3 part time employees.
11. The sign shall be located no closer than 60 feet from the centerline of the road.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Aaron Nelson – Owner of property located at 7630 Village Dr. in the SW¹/₄, SW¹/₄, Section 33, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin; parcel (07-033-011-001.00) wherein an after the fact conditional use permit is being requested for operating a small trucking business in a RR, Rural Residential zoned district.

Motion by: Mr. Glaeser to open the postponed hearing.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none

Chairperson Bonde opened the public hearing for Aaron Nelson.

The Board asked Aaron Nelson questions regarding the after the fact conditional use permit request.

Town of Kossuth supervisor, Ralph Schuh, stated the Town of Kossuth was in favor of the request and noted the business was low impact.

Neighboring property owner to the west, William Neumann, stated he was in favor of the request and had no problem with it.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Bonde closed the public hearing for Aaron Nelson.

Deliberation

Motion by: Mr. Nate to approve the conditional use permit with the following conditions.

Conditions of Approval:

1. There will be no more than 5 total units located on the property. Each unit consists of a truck (tractor) and trailer.
2. Trucks must enter and exit Village Dr. and go east.
3. No trucks allowed to go south on Village Dr.
4. The number of employees allowed is 10.
5. No limit on hours of operation.

Second by: Mr. Glaeser

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

New Business

James and Deborah Webb – Owner of property located at 11303 Wehausen Rd., in the NW¼, NW¼, Section 13, T18N-R22E, Town Liberty, Manitowoc County, Wisconsin; parcel (008-013-006-002.00), wherein a variance is being requested to construct a 5'6" high x 56" wide x 12" deep sign at 39 feet from the centerline of Wehausen Rd.; located in a SE, Small Estate Residential zoned district.

Chairperson Bonde opened the public hearing for James and Deborah Webb.

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

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

The Board asked James and Deborah Webb, questions regarding their variance request.

Town of Rapids Chairperson, David Korte, spoke as the Town representative and a neighboring property owner and said neither the Town nor himself have any issue with the request.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Bonde closed the public hearing for James and Deborah Webb.

Deliberation

Motion by: Mr. Glaeser to approve the variance request.

Reasons:

1. The original footprint of the home will stay the same.
2. The structure is going no closer to the road than what's existing and there was no problem before.
3. Not contrary to the public interest because it is still 92 feet from the road which provides enough room for safety.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Robert Kautzer Jr. – Owner of property located on the southwest corner of CTH C and Pigeon Lake Rd, in the NE¼, NW¼, Section 28, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin; parcel (08-028-005-001.00); wherein a conditional use permit and variance are being requested to construct and operate a 40'x 62' mini-storage building within a portion of the 200 foot site triangle of CTH C and Pigeon Lake Rd. in an RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Robert Kautzer Jr.

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

Mr. Nate read the applications (copy on file).

The Board asked Robert Kautzer Jr., questions regarding his conditional use permit and variance request.

Mr. Kautzer informed the Board that the trees on the property will be cut down to open the view corridor some more. He also stated a sign at the corner of the road is more in the way than what his building would be.

Mr. Kautzer also told the Board that he had the property surveyed to make sure he could meet all other property line and road setbacks and the current driveway is wide enough.

Town of Liberty supervisor, Joel Aulik, stated the Town of Liberty was in favor of the requests and the parcel is located in a growth area. He went on to say the Town didn't feel the building would be a problem if constructed in the proposed location and the Town approved the request with conditions.

People in attendance opposed to the request: none.

Mr. Gaedtke informed the Board the Town of Liberty did send a formal approval letter with the conditions listed on it. Since the Board had a copy and Mr. Aulik explained the conditions when he spoke the letter was not read (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Robert Kautzer Jr.

Deliberation

Motion by: Ms. Vondrachek to approve the variance and conditional use permit requests with conditions.

Reasons for approval:

1. The area is somewhat lower than CTH C and the trees will be removed which creates more site for oncoming traffic than what there is now.
2. It wouldn't be contrary to the public because visibility would not be a problem at the intersection of CTH C and Pigeon Lake Rd.
3. The mini-warehouse is a reasonable use of the property.

Conditions of approval:

1. Hours of operation are 5:00 a.m. to 9:00 p.m.
2. No outside storage.
3. No waste burning or burning barrels allowed.
4. No street parking.
5. The parking lot area shall drain to the ditch and away from the neighbors land.
6. If a sign is used it but must be placed on the building.

Second by: Mr. Glaeser

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Derek Tauschek – Owner of property located at 7505 STH 147, in the NW¼, SE¼, Section 22, T20N-R24E, Town Two Rivers, Manitowoc County, Wisconsin; parcel (18-122-014-004.00), wherein an after the fact variance is being requested to construct a 15'6" x 24' garage addition at 43.5 feet from the centerline of Maplewood Rd, and within a portion of the 200 foot site triangle of STH 147 and Maplewood Rd. located in an RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Derek Tauschek.

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

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

The Board asked Derek Tauschek, questions regarding his variance requests.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Bonde closed the public hearing for Derek Tauschek.

Deliberation

Motion by: Mr. Glaeser to approve the after the fact variances.

Reasons for approval:

1. The trees which have been removed from the property have opened up site triangle viewing corridor a little more than it was before.
2. The garage addition is behind existing trees so it does not block anymore of the site triangle than before.
3. Due to the unique size of the corner parcel there is a hardship and this is the only place the addition could be constructed.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Other Business

The next meeting was scheduled for Monday February 18, 2013 and the onsite meeting scheduled for Monday February 11, 2013

ADJOURNMENT

Motion by: Mr. Nate to adjourn.

Seconded by: Ms. Kocourek.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none

Respectfully submitted,

Charles Nate, Secretary

Date



**MANITOWOC COUNTY
BOARD OF ADJUSTMENT
ADVISORY MEETING NOTICE**

DATE: Monday, February 11, 2013
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. **Larry Lischka** – NE ¼, NW ¼, Section 20, T20N-R24E,
Town of Two Rivers, 313 CTH V – Conditional Use Permit
 2. **Patrick Schuette** – SW ¼, NW¼, Section 11, T21N-R23E, Town of
Gibson, 17434 Jambo Creek Rd – Conditional Use Permit
- IV. Adjournment

Date: February 4, 2013

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

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

February 11, 2013

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, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Orville Bonde, Charlie Nate and Laurel Vondrachek.

Staff present: Reed Gaedtke.

A motion was made by, Ms. Kocourek seconded by Ms. Vondrachek to approve the agenda for the February 11, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

The Board received their folders containing the February 18, 2013 hearing applications and Mr. Gaedtke gave a quick overview of each.

The Board preceded to the onsite locations and returned to the Manitowoc County Office Complex when completed.

ADJOURNMENT

Motion by: Mr. Nate to adjourn.

Seconded by: Ms. Kocourek.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT

AMENDED MEETING NOTICE

DATE: MONDAY, February 18, 2013
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. OLD BUSINESS

Discussion and possible action on:

- 1. **Larry Lischka** – NE ¼, NW ¼, Section 20, T20N-R24E,
Town of Two Rivers, 313 CTH V – Conditional Use Permit
- 2. **Patrick Schuette** – SW ¼, NW¼, Section 11, T21N-R23E, Town of
Gibson, 17434 Jambo Creek Rd – Conditional Use Permit

VI. CORRESPONDENCE

- 1. *Court of Appeals decision regarding DNR's appeal of Rebecca Rach's variance*

VII. OTHER BUSINESS

- 1. Schedule March Meeting

VIII. ADJOURNMENT

Date: February 4, 2013

Amended: February 15, 2013 @ 9:29 a.m.

Orville Bonde, Board Chair

By: Reed Gaedtke, Code Administrator

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

February 18, 2013

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The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Charlie Nate, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by Mr. Glaeser, seconded by Ms. Kocourek to approve the January 21, 2013 minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Mr. Nate seconded by Ms. Vondrachek to approve the February 11, 2013 onsite meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Mr. Nate seconded by Mr. Glaeser to approve the amended agenda for the February 18, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Mr. Gaedtke explained the procedure 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.

Unfinished Business

None

New Business

Larry Lischka – Owners of property located at 313 CTH V, on parcels (18-120-005-007.00) and (18-120-005-008.00) in the NE¼, NW¼, Section 20, T20N-R24E, Town of Two Rivers, Manitowoc County, Wisconsin; wherein a conditional use permit is being requested to operate a small trailer sales business in an RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Larry Lischka.

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

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

The Board asked Larry and Janice Lischka, questions regarding the conditional use permit request.

People in attendance in favor of the request; none.

People in attendance opposed to the request; none.

Mr. Gaedtke stated the Town of Two Rivers sent a letter stating they did not object to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Larry Lischka.

Deliberation

Motion by: Mr. Glaeser to approve the conditional use permit for the following reasons and with the following conditions.

Reasons:

1. The request does not endanger the public's health safety, and welfare.
2. It is in harmony with the orderly development of this zoning district.
3. It will not impair the value of surrounding properties.
4. It is not objectionable to nearby properties by reason of flashing lights, fumes, noise, vibration or other factors.
5. The proposed use does not discourage the appropriate development or use of adjacent land.
6. This is a small business with only a few trailers.
7. The existing signage (small for sale signs) is allowable.

Conditions:

1. If they want an on premise business sign; it must meet ordinance requirements.
2. They have eight (8) spaces for customer parking.
3. Number of employees shall be two (2) to (3).
4. They are allowed five (5) trailers.
5. Hours of operation will be 8:00 a.m. to 8:00 p.m.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Patrick Schuette – Owner of property located at 17434 Jambo Creek Rd., in the SW¼, NW¼, Section 11, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin; parcel # (06-011-007-000.00) wherein a conditional use permit is being requested by Jeff Saduske, the applicant, to construct a single family home in a NA, Natural Area, zoned district.

Chairperson Bonde opened the public hearing for Patrick Schuette and Jeff Saduske.

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

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

The Board asked Jeff Saduske, the applicant, and Patrick Schuette, the current owner, questions regarding the conditional use permit request.

Mr. Schuette informed the Board that he went to the Town and Planning Commission and had the property rezoned to construct a house at this location.

He also stated that he obtained a twenty-five (25) foot easement to access the land and the easement does meet county ordinance requirements.

People in attendance in favor of the request; none.

Terry Koenig, a neighboring property owner to the north spoke opposed to the request stating he owned the wooded fence line north of the proposed driveway and was concerned about snow removal and where the snow would be going. Mr. Koenig stated he would like to see a fifty (50') wide driveway to allow for the plowed snow.

Mr. Schuette stated snow would be pushed to the field south of Mr. Koenig's wooded fence line since the driveway would be located in the south field and the crops would be gone to allow for the snow. It would not be pushed to the north.

The Board did not receive a letter from the Town concerning this matter.

There being no further comments, Chairperson Bonde closed the public hearing for Patrick Schuette and Jeff Saduske.

Deliberation

Motion by: Mr. Nate to approve the conditional use permit for the following reasons and conditions listed below.

Reasons:

1. The owner and applicant have met the town and county requirements.
2. The owner agreed to plow snow towards the south and away from the fence line to the north.

Conditions:

1. The driveway should be 25 feet wide as proposed in the application and meet county code requirements.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Correspondence

Board members received a copy of the Appellant court's decision regarding the Wisconsin Department of Natural Resources appeal of the Board of Adjustment's variance approval for Ms. Rebecca Rach (copy on file).

The court ruled in favor of the Board.

The Board wanted to thank Corporation Counsel, Steven Rollins, for all his help and hard work in this case.

Other Business

The next meeting was scheduled for Monday March 18, 2013 and the onsite meeting scheduled for Monday March 11, 2013

ADJOURNMENT

Motion by: Mr. Nate to adjourn.

Seconded by: Ms. Kocourek.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT ADVISORY MEETING NOTICE

DATE: Monday, April 8, 2013
TIME: 9:00 a.m.
PLACE: Manitowoc County Office Complex
4319 Expo Dr., 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. **St. Peter's Lutheran Church** – SW ¼, SE ¼, Section 33, T19N-R21E, Town of Rockland, 2501 Collins Road – Variance Request
 2. **Todd Graf** – SE¼, SE¼, Section 17, T17N-R22E, Town of Meeme, 13227 CTH M – Variance Request
 3. **Pamela Kachelmeier** – SE ¼, NE ¼ , Section 25, T17N-R21E, Town of Schleswig, 17412 W. Washington Road – Conditional Use Permit
 4. **Dean Lutze** – SW ¼, NW ¼ , Section 25, T19N-R22E, Town of Cato, 755 S County Road S – Conditional Use Permit
 5. **Randel and Julie Bubolz** – NE ¼ , SE 1/4 , Section 34, T20N-R21E, Town of Maple Grove, 19921 USH 10 – Conditional Use Permit
- IV. Adjournment

Date: April 1, 2013

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, 2013

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, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Orville Bonde, Charlie Nate and Laurel Vondrachek.

Staff present: Reed Gaedtke.

A motion was made by, Ms. Vondrachek seconded by Ms. Kocourek to approve the agenda for the April 8, 2013 meeting. Upon vote, the motion was unanimously approved. *Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none*

The Board received their folders containing the April 8, 2013 hearing applications and Mr. Gaedtke gave a quick overview of each.

The Board preceded to the onsite locations and returned to the Manitowoc County Office Complex when completed.

ADJOURNMENT

Motion by: Mr. Nate to adjourn.

Seconded by: Mr. Glaeser.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: MONDAY, April 15, 2013
TIME: 7:00 P.M.
PLACE: Manitowoc County Office Complex
4319 Expo Dr., 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. OLD BUSINESS

Discussion and possible action on:

- 1. **St. Peter's Lutheran Church** – SW ¼, SE ¼, Section 33, T19N-R21E, Town of Rockland, 2501 Collins Road – Variance Request
- 2. **Todd Graf** – SE¼, SE¼, Section 17, T17N-R22E, Town of Meeme, 13227 CTH M – Variance Request
- 3. **Pamela Kachelmeier** – SE ¼, NE ¼ , Section 25, T17N-R21E, Town of Schleswig, 17412 W. Washington Road – Conditional Use Permit
- 4. **Dean Lutze** – SW ¼, NW ¼ , Section 25, T19N-R22E, Town of Cato, 755 S County Road S – Conditional Use Permit
- 5. **Randel and Julie Bubolz** – NE ¼ , SE 1/4 , Section 34, T20N-R21E, Town of Maple Grove, 19921 USH 10 – Conditional Use Permit

VI. OTHER BUSINESS

- 1. Mark Gamerdinger – Town of Schleswig – Conditional Use Permit Review
- 2. Schedule May Meeting

VII. ADJOURNMENT

Date: April 1, 2013

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, 2013

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, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Charlie Nate, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by Mr. Glaeser, seconded by Ms. Vondrachek to approve the February 18, 2013 minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Ms. Vondrachek seconded by Ms. Kocourek to approve the April 8, 2013 onsite meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Mr. Nate seconded by Mr. Glaeser to approve the agenda for the April 15, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Mr. Gaedtke explained the procedure 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.

Unfinished Business

None.

New Business

St. Peter Lutheran Church – Owner of property located at 2501 Collins Rd., in the SW¼, SE¼, Section 33, T19N-R21E, Town of Rockland, Manitowoc County, Wisconsin, parcel number (15-033-015-003.00); wherein a variance is being requested to construct a 49 ½"x 72" lighted on premise sign at 27 feet from the centerline of Collins Rd. in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for St. Peter Lutheran Church.

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

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

The Board asked Randal Brandes, Town of Rockland Chairperson and representative for St. Peter Lutheran Church, questions regarding the variance request.

Mr. Gaedtke asked Mr. Brandes how wide the right-of-way was in that area and informed him that the sign could not be located within road right-of-way.

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 Rockland in favor of the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for St. Peter Lutheran Church.

Deliberation

Motion by: Mr. Glaeser to modify the original request by setting the sign further from the road and then approve the modified request.

Reasons:

1. The property has a unique setting; the right-of-way is larger on one the west side of the road so there is not a lot of room between the road and the church to place a sign.
2. The sign must be moved four feet further back from the road than the original request.
3. That's the only place the sign could be placed because there are trees and shrubs donated from congregation members located in other areas and the Board doesn't want to have someones donation removed.

Conditions:

1. The sign is to be located at 31 feet from the centerline of the road or outside of the right-of-way; which ever is greater.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Todd Graf – Owner of property located at 13227 CTH M, in the SE¹/₄, SE¹/₄, Section 17, T17N-R22E, Town of Meeme, Manitowoc County, Wisconsin and parcel number (12-017-016-006.00); wherein a variance is being requested to construct a 55'x 70' pole building at 75 feet from the centerline of CTH M in a LE, Large Estate Residential and GA Agricultural, zoned district.

Chairperson Bonde opened the public hearing for Todd Graf.

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

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

The Board asked Todd Graf, questions regarding his variance request.

Mr. Graf was asked if he would be running a business and he replied the structure was not for a business but his own personal use.

People in attendance in favor of the request; none.

People in attendance opposed to the request; none.

Mr. Gaedtke read a statement from the Town of Meeme; in favor of the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Todd Graf.

Deliberation

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

Reasons:

1. There is a steep slope around the property and wetland at the bottom preventing him from locating the building further back.
2. The ordinance setback creates a burden because there would be no other place to build the shop due to the steep slope.
3. This request will not be contrary to the public because the road is straight in front of the shop so there would be no road hazards. Also the shop is higher than the road so if a vehicle would go off the road it would end up in the ditch or the trees.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Pamela Kachelmeier – Owner of property located at 17412 W. Washington Rd., located in the SE¹/₄, NE¹/₄, Section 25, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin; on parcels (16-025-004-001.01) and (16-025-004-007.00); wherein a conditional use permit is being requested to operate an equine assisted counseling business on her property located in a proposed GA, General Agricultural, zoned district.

Chairperson Bonde opened the public hearing for Pamela Kachelmeier.

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

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

The Board asked Pamela Kachelmeier, questions regarding her conditional use permit request.

Mr. Glaeser wanted to know how many horses would be used and Ms. Kackelmeier stated she's had the horses for some time and there would be 3 regular size horses, 1 pony and a miniature horse.

Ms. Vondracheck asked if there will be a sign and how many adults she would be counseling and Ms. Kachelmeier stated that she did want a sign and was planning on placing it on or near the barn and the counseling would be mainly for children.

Ms. Vondracheck also asked if this type of business was like a previous counseling business approved by the Board near Reedsville and Ms. Kachelmeier stated they are similar but the one near Reedsville is a non-profit organization.

Ms. Kachelmeier stated that the counseling with the horses would take place in and around the barn and the round pen.

Ms. Kocourek wanted to know how many children would be counseled at one time and Ms. Kachelmeier stated that it would be 1 child at a time unless a family came in together then it could be the parents and three or four children.

People in attendance in favor of the request; none.

Trudy Garlieb spoke opposed to the request. She is a neighboring property owner and stated kids and hoses have been on her land without permission. She also informed the Board that she has trails and a pond on her property which have been used without permission and she is afraid of someone getting hurt on her property and then suing her. She would like to see the children stay off her land.

Ms. Garlieb also stated that they have machinery that runs in the field and doesn't want a child getting hurt in the field because they can't be seen by the machine operator.

Herb Garlieb spoke opposed to the request stating he did not want to see the business there unless the owner had proper insurance in case someone would accidentally get hurt.

Sharon Hobmeier spoke opposed to the request. Ms. Hobmeier said the last conditional use permit in the area was across the road and they ended up with an asphalt plant there for a number of years and then a log home manufacturer. She doesn't want to see other businesses coming in after this one and creating future problems.

Ms. Hobmeier also stated that Ms. Kachelmeier's website shows there will be workshops held on the property and would have more than one child on the property at a time. She also said, if there is more than one child, there should be as many adults as children so they can be watched. She was concerned about the trespassing as well.

Sandra Garlieb-Grapentine spoke opposed to the request saying this type of counseling is an up and coming technique. She was also concerned about a teepee on the property that may be used by Ms. Kachelmeier for counseling and that the teepee was near the property line which could result in trespassing and then liability if the person trespassing were to get hurt.

Ms. Grapentine also stated the website for this business mentions lakes and streams but the lake and streams are on the Garlieb's property and not on Ms. Kachelmeier's. She also asked if a conditional use permit could be reviewed and how often.

Ms. Kachelmeier stated she does have a teepee on her property but felt that the people trespassing on the Garlieb's property were someone else. She informed the Board that the parents are at the counseling sessions with the children and the kids that are being counseled are not handicapped.

Mr. Gaedtke read a letter from the Town of Schleswig board and planning commission stating both were in favor of the request.

There being no further comments, Chairperson Bonde closed the public hearing for Pamela Kachelmeier.

The Board discussed placing a fence on the property and the hearing was reopened to ask Ms. Kachelmeier about the existing stone fence on the west property line and where it ended.

There being no further questions, Chairperson Bonde closed the public hearing for Pamela Kachelmeier.

Deliberation

Motion by: Mr. Glaeser to postpone the request until the next meeting to find out about the outcome of the rezone for this property and to get more information from the Town of Schleswig on this matter because the Town may not have known about the opposition presented at the Board of Adjustment hearing.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Dean Lutze – Owner of property located at 755 S. County Rd. S, in the SW¼, NW¼, Section 25, T19N-R22E, Town of Cato, Manitowoc County, Wisconsin; parcel (01-025-007-003.00); wherein a conditional use permit is being requested to construct a 46'x142' pole building to operate a mini-warehouse business in a GA, General Agricultural, zoned district

Chairperson Bonde opened the public hearing for Dean Lutze.

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

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

The Board asked Dean Lutze, questions regarding his conditional use permit request.

Ms. Kocourek wanted to know if the patrons would have their own keys to come and go anytime and Mr. Lutze said yes they would.

Mr. Lutze stated that the structure would have ten (10') foot high side walls and eight (8') high garage doors.

People in attendance in favor of the request; none.

People in attendance opposed to the request; none.

Mr. Gaedtke read a statement from the Town of Cato; in favor of the request (copy on file).

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

Deliberation

Motion by: Mr. Glaeser to approve the conditional use permit with some conditions.

Reasons:

1. The use doesn't impede the orderly development of adjacent land.
2. The use is compatible with the area; there is a conditional use permit for a small horse business just down the road.
3. The proposed use and building fits on the parcel and the property is very well kept.
4. The driveway accessing the building is wide and in good shape.
5. The area for the building will be on high ground and the owner keeps the property neat.
6. The height of the building is acceptable and will blend in to the area.
7. This use does not impair the value of surrounding properties.
8. There would be no flashing lights or unsafe issues affecting the neighborhood.
9. The use will not endanger the public's safety.
10. There is a large area for parking and this is a nice setting.

Conditions:

1. Days of operation; 365 days per year.
2. Hours of operation; 24 hours per day.
3. An on premise sign can be located on the building.
4. Number of employees will be one.
5. A security light is permitted.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Randel and Julie Bubolz – Owners of property located at 19921 USH 10, in the NE¹/₄, SE¹/₄, Section 34, T20N-R21E, Town of Maple Grove, Manitowoc County, Wisconsin, parcel number (11-034-013-001.01); wherein a conditional use permit is being requested to operate a small glass etching business and studio for displays and classes; in a RR, Rural Residential, zoned district.

Chairperson Bonde opened the public hearing for Randel and Julie Bubolz.

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

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

The Board asked Randel and Julie Bubolz, questions regarding their conditional use permit request.

Ms. Bubolz stated that she would have some classes and maybe seasonal sales throughout the year.

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 Maple Grove; in favor of the request (copy on file).

Mr. Gaedtke read a letter from the Village of Reedsville; in favor of the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Randel and Julie Bubolz.

Deliberation

Motion by: Mr. Nate to approve the conditional use permit request.

Reasons:

1. The Town of Maple Grove and the Village of Reedsville approve of the request.
2. The proposed use does not endanger the public's health, safety or welfare.
3. It is in harmony with the orderly development of the RR zoning district.
4. The use will not impair the value of surrounding properties.
5. The use is not objectionable to other properties.
6. This use will not discourage appropriate development or use of adjacent land because it's in the owner's house.
7. There is plenty of room for parking.
8. There will be very little traffic from delivery trucks.

Conditions:

1. No additional employees at this time.
2. No outside storage of materials.
3. Any noise associated with the business will be confined inside.

Second by: Mr. Glaeser

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Other Business

Mark Gamerdinger Conditional Use Permit Review

The Board called Mr. Gamerdinger to the front to ask him some questions.

Mr. Gamerdinger informed the Board that he has started his business with the summer kitchen and is working on getting the car part of the business underway.

When asked about the junk cars on the property, Mr. Gamerdinger stated the junk cars were removed but he does have to old cars with collector plates that are his cars and not scrap.

Mr. Gaedtke informed Mr. Gamerdinger that an on premise sign must be located on the same parcel as the business. Currently Mr. Gamerdinger's sign is on his land but on a different parcel that is located in Sheboygan County.

If Mr. Gamerdinger wanted to locate a sign at this location he would need permission and possibly permits from Sheboygan County or the Township regulating zoning in that area.

The Board excused Mr. Gamerdinger.

Mr. Glaeser made a motion to add a condition for a two year review since the review condition was not completed.

Ms. Vondrachek seconded the motion.

Mr. Gaedtke informed the Board that this was not a formal hearing and that any changes to conditions either adding or reducing them must take place during a public hearing which meant a hearing would need to be scheduled at a latter date before a motion could be made to add a condition to the existing permit.

Mr. Glaeser stated he didn't think another review was need and that a hearing should not be scheduled and the Board agreed.

Mr. Gaedtke informed the Board that they already made a motion and would need to remove that motion.

Mr. Glaeser made a motion to rescind his previous motion.

It was seconded by Ms. Vondracheck and passed unanimously 5 to 0 in favor of the motion.
Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Meeting Schedule – The next meeting was scheduled for Monday May 20, 2013 and the onsite meeting scheduled for Monday May 13, 2013

ADJOURNMENT

Motion by: Mr. Glaeser to adjourn.

Seconded by: Mr. Nate.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT ADVISORY MEETING NOTICE

DATE: Monday, May 13, 2013
TIME: 9:00 a.m.
PLACE: Manitowoc County Office Complex
4319 Expo Dr., 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. **St. John's Evangelical Lutheran Church** – E ¼, NE ¼, SE ¼ Section 9, T21N-R23E, Town of Gibson, 16904 CTH Q Road – Variance Request
 2. **Joseph Matthias** – CSM v.29, p.5, Section 18, T19N-R23E, Town of Manitowoc Rapids, 1540 N. Union Road – Conditional Use Permit
 3. **Beverly and Jerome Patt** – G.L. 4 Lot 11 & 12 Block 1 NKA Lot 1 CSM v.22 p.139, Section 24, T17N-R21E, Town of Schleswig, 14230 Rokilio Road – Variance Requests
- IV. Old Business
 1. **Pamela Kachelmeier** - SE ¼, NE ¼, Section 25, T17N-R21E, Town of Schleswig, 17412 W. Washington Road – Conditional Use Permit
- V. Adjournment

Date: May 7, 2013

Orville Bonde, Board Chair
By: Reed Gaedtko, 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, 2013

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, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Orville Bonde, Charlie Nate and Laurel Vondrachek.

Staff present: Reed Gaedtke.

A motion was made by, Ms. Vondrachek seconded by Ms. Kocourek to approve the agenda for the May 13, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

The Board received their folders containing the May 20, 2013 hearing applications and Mr. Gaedtke gave a quick overview of each.

Mr. Gaedtke distributed a staff analysis regarding the Jerome and Beverly Patt variance requests.

The Board preceded to the onsite locations and returned to the Manitowoc County Office Complex when completed.

ADJOURNMENT

Motion by: Mr. Nate to adjourn.

Seconded by: Ms. Kocourek.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: MONDAY, May 20, 2013
TIME: 7:00 P.M.
PLACE: Manitowoc County Office Complex
4319 Expo Dr., 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. **St. John's Evangelical Lutheran Church** – E ¼, NE ¼, SE ¼ Section 9, T21N-R23E, Town of Gibson, 16904 CTH Q Road – Variance Request
- 2. **Joseph Matthias** – CSM v.29, p.5, Section 18, T19N-R23E, Town of Manitowoc Rapids, 1540 N. Union Road – Conditional Use Permit
- 3. **Beverly and Jerome Patt** – G.L. 4 Lot 11 & 12 Block 1 NKA Lot 1 CSM v.22 p.139, Section 24, T17N-R21E, Town of Schleswig, 14230 Rokilio Road – Variance Requests

VI. OLD BUSINESS

Discussion and possible action on:

- 1. **Pamela Kachelmeier** – SE ¼, NE ¼, Section 25, T17N-R21E, Town of Schleswig, 17412 W. Washington Road – Conditional Use Permit

VII. OTHER BUSINESS

- 1. Schedule June Meeting

VIII. ADJOURNMENT

Date: May 7, 2013

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, 2013

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, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Charlie Nate, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by Mr. Glaeser, seconded by Ms. Vondrachek to approve the April 15, 2013 minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Ms. Vondrachek seconded by Ms. Kocourek to approve the May 13, 2013 onsite meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Mr. Nate to approve the agenda as is, there was no second and the motion failed.

A motion was made by Ms. Vondrachek to approve the May 20, 2013 meeting agenda with a change to have old business first and then take new business. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Mr. Gaedtke explained the procedure 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.

Unfinished Business

Pamela Kachelmeier – Owner of property located at 17412 W. Washington Rd., located in the SE¹/₄, NE¹/₄, Section 25, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin; on parcels (16-025-004-001.01) and (16-025-004-007.00); wherein a conditional use permit is being requested to operate an equine assisted counseling business on her property located in a proposed GA, General Agricultural, zoned district.

Chairperson Bonde opened the postponed hearing for Pamela Kachelmeier.

The Board asked Pamela Kachelmeier, questions regarding her days and hours of operation and fencing along the property line.

Ms. Kachelmeier informed the Board of her requested days and hours of operation.

Mr. Bonde stated the Board wanted to hear from the Town of Schleswig and called Town Supervisor Ken Smasal to the stand who stated there were some questions regarding the hours listed on Ms. Kachelmeiers application, what she told the Town of Schleswig and what was listed in a letter he received regarding her advertising.

The Board called Mr. Garlieb to the stand who spoke for himself and his parents who are neighboring property owners stating that the original request was only for three days a week and that her website shows the neighbors property as part of the business. He also stated that kids who are bullies would be counseled and he was worried about his own kid's safety.

Ms. Kachelmeier clarified her hours of operation.

Mr. Bonde asked Code Administrator Reed Gaedtke if there could be a yearly review of the conditional use permit and Mr. Gaedtke stated there could be.

There being no further questions, Chairperson Bonde closed the public hearing for Pamela Kachelmeier.

Deliberation

Motion by: Mr. Glaeser to approve the conditional use permit for the following reasons and with the following conditions.

Reasons for approval:

1. The proposed use does not endanger the public's health and safety.
2. The use is in harmony with the orderly development of the district.
3. The use will not impair the value of surrounding properties. There is a log business across the road that hasn't caused any issues and operating a business like the proposed use wouldn't impair property values any more than the property immediately west of this property which has an extreme amount of old machinery and stuff laying around.
4. The use does not discourage the used of land and buildings.
5. There is an existing 40'x60' pole building and ring.

Conditions of approval:

1. The proposed use shall be only for counseling adults. Only 18 years of age and older, no kids.
2. No children present on the site.
3. Days and hours of operation will be Wednesday, Thursday and Friday from 10:00 a.m. to 7:00 p.m., and only six Saturdays in the summer. The hours for those Saturdays will be from 9:00 a.m. to 12:00 noon.
4. No sign was requested but could have one by her barn if she wanted.
5. No lighting.
6. Use the existing driveway.
7. No delivery trucks allowed for the business.
8. A small room can be added to the side of the barn.
9. There will be a 200 foot woven wire along the west property line with a smooth high tensile wire along the top to discourage trespassing onto the neighboring property.
10. The teepee can be used for counseling.
11. There will be annual reviews of the conditional use permit.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

New Business

St. John's Evangelical Lutheran Church – Owner of property located at 16904 CTH Q, in the E ½, NE¼, SE¼, Section 9, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, parcel number (06-009-013-002.00); wherein a variance is being requested to construct a 20' wide x 6' long x 7' high lighted on premise church sign at sixty-six (66') feet from the centerline of CTH Q. in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for St. John's Evangelical Lutheran Church.

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

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

The Board asked Jonathan Vogel, a representative for St. John's Evangelical Lutheran Church, questions regarding the variance request and the type of light used for the sign.

Town of Gibson Chairperson, Richard Wegner stated the Town of Gibson was in favor of the request.

People in attendance opposed to the request; none.

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

There being no further comments, Chairperson Bonde closed the public hearing for St. John's Evangelical Lutheran Church.

Deliberation

Motion by: Mr. Nate to approve a lighted sign at 66 feet from the centerline of the road with the following condition.

Conditions:

1. The signs lighting is to be subdued so it's not like a spot light effect for the area.

Second by: Ms. Kocourek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Joseph Matthias – Owner of property located at 1540 N. Union Rd., on property described in CSM v.29, p.5, Section 18, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel number (10-018-013-000.00); wherein a conditional use permit is being requested to continue operating a small auto transport business in a GA, General Agricultural zoned district.

Chairperson Bonde opened the public hearing for Joseph Matthias.

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

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

The Board asked Joseph Matthias, questions regarding his conditional use permit request.

Mr. Matthias stated he has a small truck on site all the time and maybe three times a month three other ones may come and go. He also stated he had four employees and that general maintenance and washing and detailing the trucks are done off site at other businesses.

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 Manitowoc Rapids that stated the Town was requesting postponement of the request to allow the Town more time for review and to notify neighboring properties (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Joseph Matthias.

Deliberation

Motion by: Mr. Glaeser to postpone the hearing until the next meeting to allow the Town of Manitowoc Rapids more time to review the request and do their notification.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Beverly and Jerome Patt – Owners of property located at 14230 Rokilio Rd., on property described as G.L. 4 Lot 11 & 12 Block 1 NKA Lot 1 CSM v.22, p.139, Section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (16-510-001-012.00); wherein variances are being requested to reconstruct approximately a 16' x 26' deck and porch addition at 22 feet from the ordinary high water mark of Cedar Lake and to construct a 16' diameter paver brick patio with walkways at 38 feet from the ordinary high water mark of Cedar Lake; and to also construct retaining walls according to the submitted plan, ranging in size from approximately 30" high x 10' long to 6' high x 50' long and located between 32 feet and 65 feet from the ordinary high water mark of Cedar Lake in an LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Beverly and Jerome Patt.

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

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

The Board asked Peter Kraus, builder, and Beverly Patt, questions regarding the variance requests.

Mr. Kraus stated the ground is starting to cave in under the deck area and they want to get a decent footing under it for safety purposes.

Mr. Kraus submitted a photo of the current footing which did not go all the way down and had plywood set in place to hold ground back from caving in to the structure. He also stated the reason to make the addition wider was to have a more gradual walk area into the cottage.

Mr. Kraus also said that the DNR letter stated Mr. Blake did not visit the site and that this is the type of site that needs to be viewed in person in order to understand what's needed.

Mr. Glaeser asked Mr. Kraus what percentage slope he thought the property had and Mr. Kraus replied 40% to 60% degree slope.

Mr. Vondrachek informed Mr. Kraus and Mrs. Patt that the addition request is for 22 feet from the ordinary high water mark and that averaging could not be used because the adjacent houses were further from the water.

The Board stated there was a lot of information to look at regarding the DNR's letter and that they first received the letter during the beginning of the meeting and they talked about postponing the meeting.

Deliberation

Motion by: Ms. Vondrachek to postpone the hearing until next months meeting to check with the DNR to see if they would please come look at this unusual site and to send them additional photos of the property.

Second by: Mr. Glaeser

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Other Business

Meeting Schedule – The next meeting was scheduled for Monday June 17, 2013 and the onsite meeting scheduled for Monday June 10, 2013

ADJOURNMENT

Motion by: Ms. Vondrachek to adjourn.

Seconded by: Mr. Nate.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY

BOARD OF ADJUSTMENT

ADVISORY MEETING NOTICE

DATE: Monday, June 10, 2013
TIME: 9:00 a.m.
PLACE: Manitowoc County Office Complex
4319 Expo Dr., 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. Old Business
 1. **Joseph Matthias** – CSM v.29, p.5, Section 18, T19N-R23E, Town of Manitowoc Rapids, 1540 N. Union Road – Conditional Use Permit
 2. **Beverly and Jerome Patt** – G.L. 4 Lot 11 & 12 Block 1 NKA Lot 1 CSM v.22 p.139, Section 24, T17N-R21E, Town of Schleswig, 14230 Rokilio Road – Variance Requests
- IV. New Business
 1. **Mark and Beverly Bender** – SW ¼, SE ¼, Section 24, T17N-R21E, Town of Schleswig, 14108 Rokilio Road – Variance Request
 2. **Conrad and Nancy Bundy** – NW ¼, SW ¼, Section 19, T20N-R24E, Town of Kossuth, 2522 Berringer Road – Variance Request
- V. Adjournment

Date: June 3, 2013

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, 2013

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, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Orville Bonde, Charlie Nate and Laurel Vondrachek.

Staff present: Reed Gaedtke.

A motion was made by, Ms. Vondrachek seconded by Ms. Kocourek to approve the agenda for the June 10, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

The Board received their folders containing the June 17, 2013 hearing applications and Mr. Gaedtke gave a quick overview of each.

The Board preceded to the onsite locations.

The Board met Wisconsin Department of Natural Resources, shoreland specialist, Tom Blake at the Patt site as requested during the May 2013 hearing.

The Board returned to the Manitowoc County Office Complex when completed.

ADJOURNMENT

Motion by: Mr. Nate to adjourn.

Seconded by: Ms. Kocourek.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY

BOARD OF ADJUSTMENT

MEETING NOTICE

DATE: MONDAY, June 17, 2013
TIME: 7:00 P.M.
PLACE: Manitowoc County Office Complex
4319 Expo Dr., 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. OLD BUSINESS

Discussion and possible action on:

- 1. **Joseph Matthias** – CSM v.29, p.5, Section 18, T19N-R23E, Town of Manitowoc Rapids, 1540 N. Union Road – Conditional Use Permit
- 2. **Beverly and Jerome Patt** – G.L. 4 Lot 11 & 12 Block 1 NKA Lot 1 CSM v.22 p.139, Section 24, T17N-R21E, Town of Schleswig, 14230 Rokilio Road – Variance Requests

VI. NEW BUSINESS

Discussion and possible action on:

- 1. **Mark and Beverly Bender** – SW ¼, SE ¼, Section 24, T17N-R21E, Town of Schleswig, 14108 Rokilio Road – Variance Request
- 2. **Conrad and Nancy Bundy** – NW ¼, SW ¼, Section 19, T20N-R24E, Town of Kossuth, 2522 Berringer Road – Variance Request

VII. OTHER BUSINESS

- 1. Schedule July Meeting

VIII. ADJOURNMENT

Date: June 3, 2013

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, 2013

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, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Charlie Nate, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by Mr. Glaeser, seconded by Ms. Vondrachek to approve the May 20, 2013 minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Mr. Nate seconded by Ms. Kocourek to approve the June 10, 2013 onsite meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Ms. Vondrachek seconded by Mr. Nate to approve the agenda for the June 17, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Mr. Gaedtke explained the procedure 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.

Unfinished Business

Joseph Matthias- Owner of property located at 1540 N. Union Rd., on property described in CSM v.29, p.5, Section 18, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel number (10-018-013-000.00); wherein a conditional use permit is being requested to continue operating a small auto transport business in a GA, General Agricultural zoned district.

Chairperson Bonde opened the postponed hearing for Joseph Matthias.

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

The Board asked Joseph Matthias, questions regarding his conditional use permit request.

There being no further comments, Chairperson Bonde closed the public hearing for Joseph Matthias.

Deliberation

Motion by: Mr. Glaeser to approve the conditional use permit request to continue operating a small auto transport business at 1540 N. Union Rd. in a GA, General Agricultural zoned district.

Reasons for approval:

1. The use does not endanger the public's health and safety.
2. It is in harmony with the zoning district.
3. The use will not impair surrounding property values.
4. It is not more objectionable due to noise and lights.
5. It does not discourage the use of the land or surrounding properties.

Conditions of approval:

1. Hours of operation will be five (5) days per week; Monday through Friday.
2. There will be 4 employees.
3. No fencing or lighting needed.
4. No other landscaping is required.
5. There will be four (4) spaces for parking.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Beverly and Jerome Patt – Owners of property located at 14230 Rokilio Rd., on property described as G.L. 4 Lot 11 & 12 Block 1 NKA Lot 1 CSM v.22, p.139, Section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (16-510-001-012.00); wherein variances are being requested to reconstruct approximately a 16' x 26' deck and porch addition at 22 feet from the ordinary high water mark of Cedar Lake and to construct a 48" wide composite boardwalk for access purposes at approximately 38 feet from the ordinary high water mark of Cedar Lake in an LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the postponed hearing for Beverly and Jerome Patt.

Mr. Gaedtke informed the Board and public that a new site diagram was submitted and then explained the changes that were made by the applicant (copy on file).

The Board asked Peter Krause and Beverly Patt, questions regarding the variance requests.

Mr. Krause stated the stone along the shoreline would not be touched.

The Town of Schleswig spoke in favor of the requests.

People in attendance opposed to the request; none.

Mr. Gaedtke read a letter from WDNR shoreland specialist, Tom Blake, regarding the new request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Beverly and Jerome Patt.

Deliberation

Motion by: Ms. Vondrachek to approve the variance requests to reconstruct approximately a 16' x 26' deck and porch addition at 22 feet from the ordinary high water mark of Cedar Lake and to construct a 48" wide composite boardwalk for access purposes at approximately 38 feet from the ordinary high water mark of Cedar Lake in an LR, Lake Residential, S1, Shoreland zoned district.

Reasons for approval:

1. The 48 inch wide walkway is needed for access and to allow for ease of passing on the boardwalk.
2. The 48 inch width is needed to allow a little more room for the ease of shoveling snow.
3. The hardships due to physical limitations of the property for the requested variances are the very steep slopes, unique lot site, and erodible soils which prevent the structures from being built in a different location. The boardwalk is also needed to provide easy access across the steep slope from the parking area to the home.
4. The project is not contrary to the public's interest because it will be an improvement for the lake by providing reduced erosion and water runoff and it will create a more natural looking shoreline by reestablishing the vegetative buffer and removing the wood deck along the shoreline and the timbers as shown in the application.
5. The existing cottage location and the steep slopes throughout the property create an unnecessary burden on the owners. They cannot move the cottage or addition further from the lake to provide easier access into the cottage because of the slopes and they need the boardwalk to safely access the cottage from the parking area.
6. The owners are trying to correct some problems that were done years ago.

Conditions of approval:

1. There shall be a gravel trench, approximately 52 inches wide located under the board walk to be a catch basin for water runoff
2. The deck stairs cannot come off the south side of the deck. It must come off the front of the deck (lake side) and shall be no wider than 42 inches.
3. The following items shall be removed. The wooden deck along the lake shore, the wooden planter next to the lakeside of the cottage, and the wooden timbers as shown on the site plan.
4. They can remove two (2) or three (3) cedar trees as needed to run the boardwalk to the house.
5. The stones along the lakeshore holding the ground back can remain.
6. The owners can install some type of rain garden if they want too but it can't be designed or used as a patio.
7. The drainage pipes shall have stone around them for added drainage.
8. The owners must reestablish the vegetative buffer as originally required in condition# 3 of the January 21, 2001 variance request.

"The front thirty-five (35') feet of your property must be re-vegetated to conform to the proposed Manitowoc County Shoreland Mitigation requirements."

Second by: Mr. Glaeser

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

New Business

Mark and Beverly Bender-Owners of property located at 14108 Rokilio Rd., in the SW1/4, SE1/4, Section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (16-510-003-004.00); wherein a variance is being requested to construct a 28'x 42' garage at 27 ½ feet from the centerline of Rokilio Rd. in a LR, Lake Residential, S1 Shoreland zoned district.

Chairperson Bonde opened the public hearing for Mark and Beverly Bender.

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

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

The Board asked Mark and Beverly Bender, questions regarding the variance request.

Mr. Bender stated the existing sheds would be removed. He also stated they didn't have a garage and a garage would be needed for storage and when there was bad weather.

The Town of Schleswig spoke in favor of the request, stating the neighbors did not have a problem with the requests and that there would be no problem with plowing snow through that area with a garage there.

People in attendance opposed to the request; none.

There being no further comments, Chairperson Bonde closed the public hearing for Mark and Beverly Bender.

Deliberation

Motion by: Mr. Glaeser to approve the variance request to construct a 28' x 42' garage at 27 1/2 feet from the centerline of Rokilio Rd. located in an LR, Lake Residential, S1, Shoreland, zoned district; on the basis of evidence submitted and reasons listed below:

Reasons for approval:

1. The slope and location of the septic system between the house and road creates a hardship. There is no other location for the garage to go. The septic can't be moved further back from the road.
2. The ordinance would keep them from using the property because a garage is needed for storage to protect personally property from inclement weather.
3. The request will not be contrary to the public because there is limited travel on the road because it is a dead end and there is a reduced speed limit on the road.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Conrad and Nancy Bundy- Owners of property located at 2522 Berringer Rd., in the NW1/4, SW1/4, Section 19, T20N-R24E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (07-119-010-002.00); wherein variances are being requested to construct a 13' x 19' porch addition at 83 feet from the centerline of CTH Q and within the roads 200' site triangle, located in a RR, Rural Residential, zoned district.

Chairperson Bonde opened the public hearing for Conrad and Nancy

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

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

The Board asked Conrad and Nancy Bundy, questions regarding the variance request.

The town of Kossuth spoke in favor of the request stating the deck would not obstruct the view of oncoming traffic anymore than the other trees and structures that were already there.

People in attendance opposed to the request; none.

There being no further comments, Chairperson Bonde closed the public hearing for Conrad and Nancy Bundy.

Deliberation

Motion by: Mr. Nate to approve the variance requests to construct a 13 x 19 deck with a ramp at 82 feet from the centerline of CTH Q and within the roads 200' site triangle located in an RR, Rural Residential zoned district.

Reasons for approval:

1. The owners need a second access to the home.
2. The site corridor would not obstructed by the construction of the deck.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Other Business

Meeting Schedule- The next meeting was scheduled for Monday July 15, 2013 and the onsite meeting scheduled for Monday July 8, 2013

Adjournment

Motion by: Mr. Glaeser to adjourn.

Seconded by: Ms. Kocourek.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT ADVISORY MEETING NOTICE

DATE: Monday, August 12, 2013
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. **Todd and Emily Fox** – E $\frac{1}{2}$, W $\frac{1}{2}$, SE $\frac{1}{4}$ Section 9, T21N-R23E, Town of Schleswig, 23030 Hwy 57 – Variance Request
 - 2. **Ed and Bonnie Herrmann** – NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 33, T18N-R22E, Town of Liberty, 8912 Pigeon Lake Road – Variance Request
 - 3. **Kris and Julie Joy Woelfel** – Govt. Lot 4, Section 7, T18N-R23E, Town of Newon, 9122 S. Lake Drive – Variance Request
- IV. Adjournment

Date: August 5, 2013

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**

August 12, 2013

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, August 12, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Orville Bonde, Charlie Nate and Laurel Vondrachek.

Staff present: Reed Gaedtke and Andrea Raymakers.

A motion was made by, Mr. Glaeser seconded by Ms. Vondrachek to approve the agenda for the August 12, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

The Board received their folders containing the August 19, 2013 hearing requests and Mr. Gaedtke gave a quick overview of each.

The Board preceded to the onsite locations.

The Board returned to the Manitowoc County Office Complex when completed.

ADJOURNMENT

Motion by: Mr. Nate to adjourn.

Seconded by: Ms. Kocourek.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: MONDAY, August 19, 2013
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. **Todd and Emily Fox** – E $\frac{1}{2}$, W $\frac{1}{2}$, SE $\frac{1}{4}$ Section 9, T21N-R23E, Town of Schleswig, 23030 Hwy 57 – Variance Request
- 2. **Ed and Bonnie Herrmann** – NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 33, T18N-R22E, Town of Liberty, 8912 Pigeon Lake Road – Variance Request
- 3. **Kris and Julie Joy Woelfel** – Govt. Lot 4, Section 7, T18N-R23E, Town of Newton, 9122 S. Lake Drive – Variance Request

- VI. OTHER BUSINESS
 - 1. Election of Officers
 - 2. Schedule September Meeting
- VII. ADJOURNMENT

Date: August 5, 2013

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**

August 19, 2013

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, August 19, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Charlie Nate, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by Mr. Glaeser, seconded by Ms. Vondrachek to approve the June 17, 2013 minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Mr. Nate seconded by Ms. Kocourek to approve the August 12, 2013 onsite meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Ms. Vondrachek seconded by Mr. Nate to approve the agenda for the August 19, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Mr. Gaedtke explained the procedure 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.

New Business

Todd and Emily Fox – Owners of property located at 23030 HWY 57., in the E½, W½, SE¼, Section 9, T21N-R23E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (16-029-009-002.00); wherein a variance is being requested to construct a 25'x 48' garage addition onto the existing home at two and a half (2.5') feet from the west property line in a SE, Small Estate Residential, zoned district.

Chairperson Bonde opened the public hearing for Todd and Emily Fox.

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

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

The Board asked Todd and Emily Fox, questions regarding the variance request.

Mr. Fox informed the Board that he checked with a surveyor regarding the distance from the property line to the proposed garage and talked with the neighboring property owner to the west about his project.

The town of Schleswig representative, James Hansen, informed the Board that the Town approved of the request.

People in attendance opposed to the request - none.

There being no further comments, Chairperson Bonde closed the public hearing for Todd and Emily Fox.

Deliberation

Motion by: Mr. Glaeser to approve the variance requests to construct a 25' x 48' garage addition onto his home at 2.5 feet from the west property line and located in a SE, Small Estate Residential zoned district.

Reasons for approval:

1. There is a steep slope and drainage ditch on the west side of the property which creates a hardship for constructing the garage.
2. The request does not affect the public because there are no homes on either side of the yard and the majority of the property is to the south far off the road.
3. Because of the slope and drainage area wouldn't allow the owner to build the garage anywhere else which creates an unnecessary burden on the owner who is in need of a larger garage.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Ed and Bonnie Herrmann – Owners of property located at 8912 Pigeon Lake Rd., in the NW¼, NE¼, Section 33, T18N-R22 E, Town of Liberty, Manitowoc County, Wisconsin parcel numbers (008-033-002-001.03 and 008-033-003-008.02); wherein a variance is being requested to construct a 24'x 24' bedroom addition at 60 feet from the ordinary high water mark of Pigeon Lake in a LR, Lake Residential zoned district.

Chairperson Bonde opened the public hearing for Ed and Bonnie Herrmann.

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

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

The Board asked Ed and Bonnie Herrmann, questions regarding the variance request.

The Board explained setback averaging for principal structures to the Herrmann's.

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 Liberty stating the Town was in favor of the request by a vote of three to two.

There being no further comments, Chairperson Bonde closed the public hearing for Ed and Bonnie Herrmann.

Deliberation

Motion by: Ms. Vondrachek to modify the original request, then approved the modified variance to construct a bedroom addition at 63 feet from the ordinary high water mark of Pigeon Lake in a LR, Lake Residential zoned district.

Reasons for approval:

1. The ordinance allows for setback averaging from the ordinary high watermark for principal structures.
2. The average setback from adjacent principal structures to the ordinary high water mark of the lake is 63 feet.
3. Side yard setbacks will be according to ordinance requirements.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Kris and Julie Joy Woelfel – Owners of property located at 9122 S Lake Dr., in Govt. Lot 4, Section 7, T18N-R23E, Town of Newton, Manitowoc County, Wisconsin, parcel number 014-007-013-010.00; wherein a variance is being requested to construct a 12'x24' paver brick patio at 63 feet from the ordinary high water mark of English Lake, in an S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Kris and Julie Joy Woelfel.

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

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

The Board asked Kris Woelfel and Peter Ahrens, the builder, questions regarding the variance request.

The town of Newton called the Planning and Zoning Office to say the Town was in favor of the request.

People in attendance in favor of the request; none.

People in attendance opposed to the request; none.

There being no further comments, Chairperson Bonde closed the public hearing for Kris and Julie Joy Woelfel.

Deliberation

Motion by: Ms. Vondrachek to deny the variance requests to construct a 12'x24' paver brick patio at 63 feet from the ordinary high watermark of English lake.

Reasons for denial:

1. There is room on the west side of the house to build a patio at 75 feet from the ordinary high water mark.
2. According to the ordinance, the owner can have a code compliant landing or stairs in front of the doorway facing the lake to allow for ingress and egress.
3. A walkway can be built according to code to access the patio from the lakeside entrance.

Second by: Ms. Kocourek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Other Business

Dean Schultz Conditional Use Permit Review

Mr. Schultz obtained a conditional use permit in February 2010 to operate a landscape business on his property located off of Sunset drive in the Town of Manitowoc Rapids, Wisconsin. One of the permit conditions was to hold a review of the property to check for compliance.

Mr. Bonde started the review process for Mr. Schultz's conditional use permit.

The Board discussed the conditions of the permit and determined that the property met the conditions of the permit.

The Board thought the property looked good and decided it was in compliance with the conditional use permit.

In a motion made by Mr. Nate, the Board decided to have the next review August 2015. The motion was seconded by Ms. Kocourek and upon vote the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Election of officers for the August 2013 to July 2014 term.

Motion by: Mr. Glaeser to keep all officers the same for the next year.

Seconded by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Schedule Meeting— The next meeting was scheduled for Wednesday September 18, 2013 and the onsite meeting scheduled for Monday September 9, 2013

Adjournment

Motion by: Mr. Nate to adjourn.

Seconded by: Ms. Kocourek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none

Respectfully submitted,

Charles Nate, Secretary

Date



**MANITOWOC COUNTY
BOARD OF ADJUSTMENT
ADVISORY MEETING NOTICE**

DATE: Monday, September 9, 2013
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. **Mark Paral** – NE ¼, SE ¼ Section 34, T21N-R24E, Town of Two Creeks,
12124 STH 42 – Conditional Use Permit and Variance Request
- IV. Adjournment

Date: September 3, 2013

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, 2013

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, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Orville Bonde, Charlie Nate and Laurel Vondrachek.

Staff present: Andrea Raymakers.

A motion was made by, Mr. Glaeser seconded by Ms. Kocourek to approve the agenda for the September 9, 2013 meeting. Upon vote, the motion was unanimously approved. *Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none*

The Board received their folders containing the September 18, 2013 hearing request and Ms. Raymakers gave a quick overview.

The Board proceeded to the on-sites.

The Board returned to the Manitowoc County Office Complex when completed.

ADJOURNMENT

Motion by: Mr. Nate to adjourn.

Seconded by: Ms. Kocourek.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY

BOARD OF ADJUSTMENT

MEETING NOTICE

DATE: WEDNESDAY, September 18, 2013
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. **Mark Paral** – NE ¼, SE ¼ Section 34, T21N-R24E, Town of Two Creeks, 12124 STH 42 – Conditional Use Permit and Variance Request
- VI. OTHER BUSINESS
 - 1. Schedule October Meeting
- VII. ADJOURNMENT

Date: September 3, 2013

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, 2013

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, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Charlie Nate, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by Ms. Vondrachek, seconded by Ms. Kocourek to approve the August 19, 2013 minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Mr. Nate seconded by Ms. Kocourek to approve the September 9, 2013 onsite meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Mr. Glaeser seconded by Mr. Nate to approve the agenda for the September 18, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Mr. Gaedtke explained the procedure 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.

New Business

Mark Paral- Owner of property located at 12124 STH 42 in the NE¼, SE¼, Section 34, T21N-R24E, Town of Two Creeks, Manitowoc County, Wisconsin, parcel number (017-034-013-002.00); wherein a conditional use permit and variance are being requested by Benjamin Diller, the applicant, to construct a 60'x112' building to operate a bulk food store and a bakery and to construct an on premise business sign five feet from state highway 42 right-of-way at approximately 55' in an RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Mark Paral and Benjamin Diller.

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

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

The Board asked Benjamin Diller, the applicant, and Mark Paral, the current property owner, questions regarding the conditional use permit and variance requests.

People in attendance in favor of the request; none.

People in attendance opposed to the request; none.

There being no further comments, Chairperson Bonde closed the public hearing for Mark Paral and Benjamin Diller.

Deliberation

Motion by: Mr. Glaeser to approve the variance request to construct an on premise business sign at 75 feet from the centerline of the road and to approve the conditional use permit to operate a bulk food store and bakery in an RR zoned district on the basis of evidence submitted and reasons and conditions listed below.

Reasons for approval:

1. The use does not endanger the public's health and safety.
2. The use is compatible with the surrounding area.
3. The use won't impair the value of surrounding properties it will enhance the value.
4. The business will not be contrary to the public because it is a big enough property and there's enough space to allow this type of business.
5. The owner would be burdened by having the sign further from the centerline of the road because the sign would be harder to read by people driving by.
6. The owner has a hardship because he needs a sign for the business which can be seen from the road.

Conditions of Permit:

1. Days of operation will be Monday through Saturday.
2. Hours of operation will be 8:00 a.m. to 6:00 p.m.
3. Number of employees will be 4 to 6.
4. An on premises business sign is permitted.
5. Customer parking is to be as shown on the application.
6. No parking is allowed on the road.
7. Delivery trucks are allowed as listed in the application.
8. No junk or old cars are to be stored or for sale on the property.
9. No outside storage of materials; the materials shall be stored inside.
10. An annual review is not required.
11. Existing septic system must be inspected for the business to see if it's sized correctly.
12. All sanitary and building permits must be obtained prior to construction.
13. There will be 2 lights allowed on or near the building and 1 light on the sign to show the face(s) of the sign.
14. The sign will need to be within 50 feet of the driveway, parking lot or the business being advertised.
15. The sign will need to be at least 75 feet from the centerline of the road.
16. The sign cannot be built within or overhang the highway right-of-way.
17. The light that will shine up from the ground cannot glare or be directed at any portion of the traveled ways of the highway or interfere with any driver's operation of a motor vehicle.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Other Business

Schedule Meeting-- The next meeting was scheduled for Monday October 21, 2013 and the onsite meeting scheduled for Monday October 14, 2013

Adjournment

Motion by: Mr. Nate to adjourn.

Seconded by: Ms. Kocourek.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none

Respectfully submitted,

Charles E. Nate
Charles Nate, Secretary

10-21- 2013
Date



MANITOWOC COUNTY

BOARD OF ADJUSTMENT

ADVISORY MEETING NOTICE

DATE: Monday, October 14, 2013
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. **St. John's Evangelical Lutheran Church** – E ½ , NE ¼, SE ¼ Section 9, T21N-R23E, Town of Gibson, 16904 CTH Q - Variance Request
 2. **Keith Wagner** – NW ¼, NW ¼ Section 28, T18N-R22E, Town of Liberty, 14907 CTH C – Variance Request
 3. **Matt and Eileen Piper and Joseph and Renee Zenk** – SW ¼, NE ¼ Section 20, T17N-R22E, Town of Meeme, 13916 Eastwood Lane – Variance Requests
 4. **Marvin Braun** - SW ¼, Section 14, T19N-R22E, Town of Cato, located at Seven Lakes golf course on Lake Cato Drive and Meadobrook Court – Conditional Use Permits
 5. **Barbeau Estates LLC** – SW ¼ Section 9, T21N-R23E. Town of Schleswig, 13127 and 13111 Lax Chapel Road – Variance Request
- IV. On-sites
- V. Adjournment

Date: October 7, 2013

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, 2013

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, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Orville Bonde, Charlie Nate and Laurel Vondrachek.

Staff present: Reed Gaedtke.

A motion was made by, Ms. Vondrachek seconded by Ms. Kocourek to approve the agenda for the October 14, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

The Board received their folders containing the October 21, 2013 hearing request and Mr. Gaedtke gave a quick overview.

The Board proceeded to the on-sites.

The Board returned to the Manitowoc County Office Complex when completed.

ADJOURNMENT

Motion by: Mr. Nate to adjourn.

Seconded by: Ms. Kocourek.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY

BOARD OF ADJUSTMENT

MEETING NOTICE

DATE: MONDAY, October 21, 2013
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. **St. John's Evangelical Lutheran Church** – E ½ , NE ¼, SE ¼ Section 9, T21N-R23E, Town of Gibson, 16904 CTH Q - Variance Request
 - 2. **Keith Wagner** – NW ¼, NW ¼ Section 28, T18N-R22E, Town of Liberty, 14907 CTH C – Variance Request
 - 3. **Matt and Eileen Piper and Joseph and Renee Zenk** – SW ¼, NE ¼ Section 20, T17N-R22E, Town of Meeme, 13916 Eastwood Lane – Variance Requests
 - 4. **Marvin Braun** - SW ¼, Section 14, T19N-R22E, Town of Cato, located at Seven Lakes golf course on Lake Cato Drive and Meadobrook Court – Conditional Use Permits
 - 5. **Barbeau Estates LLC** – SW ¼ Section 9, T21N-R23E. Town of Schleswig, 13127 and 13111 Lax Chapel Road – Variance Request
- VI. OTHER BUSINESS
 - 1. Schedule November Meeting
- VII. ADJOURNMENT

Date: October 7, 2013

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, 2013

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, October 21, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Charlie Nate, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by Mr. Glaeser, seconded by Ms. Vondrachek to approve the September 18, 2013 minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Mr. Nate seconded by Ms. Kocourek to approve the October 14, 2013 onsite meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Mr. Glaeser seconded by Ms. Kocourek to approve the agenda for the October 21, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Mr. Gaedtke explained the procedure 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.

New Business

St. John's Evangelical Lutheran Church – Owner of property located at 16904 CTH Q, in the E½, NE¼, SE¼, Section 9, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (06-009-013-002.00); wherein a variance is being requested to construct a 20" wide x 10' long x 7' high, lighted on premise church sign at 55 feet from the centerline of CTH Q in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for St. John's Evangelical Lutheran Church.

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

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

The Board asked Johnathan Vogt, representative for the church, questions regarding the variance request.

People in attendance in favor of the request; none.

People in attendance opposed to the request; none.

There being no further comments, Chairperson Bonde closed the public hearing for St. John's Evangelical Lutheran Church.

Deliberation

Motion by: Mr. Nate to approve the variance request to construct a 20" wide x 10' long x 7' high, lighted on premise church sign at 55 feet from the centerline of CTH Q.

Conditions:

1. The lighting is to be subdued so it does not create a spot light effect.

Second by: Ms. Kocourek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Keith Wagner – Owner of property located at 14907 CTH C, in the NW¼, NW¼, Section 28 T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, tax parcel number (008-028-006-000.00); wherein a variance is being requested to construct a 28'x50' attached garage at 79 feet from the centerline of CTH C, in an EA Exclusive Agricultural, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Keith Wagner.

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

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

The Board asked Keith Wagner questions regarding the variance request.

Mr. Glaeser asked if highway C used to be closer to the home and Mr. Wagner responded that highway C use to be further away from his home. The road was redone years ago and then moved approximately 45 feet closer to his house and garage.

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 Liberty in favor of the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Keith Wagner.

Deliberation

Motion by: Mr. Glaeser to approve the variance request to construct a 28'x50' attached garage at 79 feet from the centerline of CTH C.

Reasons for approval:

1. The new garage will be safer because it exits to the east; away from the road.
2. In 1963 the road was moved closer to the owner's house and garage creating a hardship.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Matt and Eileen Piper and Joseph and Renee Zenk - Co-owners of property located at 13916 Eastwood Ln., in the SW¼, NE¼, Section 20, T17N-R22 E, Town of Meeme, Manitowoc County, Wisconsin tax parcel number (012-020-003-012.00); wherein variances are being requested to construct a two story home addition ranging in size from 16' to 20' wide x 32' long at approximately 55 feet from the ordinary high water mark of the lake and to construct a 9'x12' covered porch at approximately 67 feet from the ordinary high water mark of the lake and to enclose an existing 8'x16' porch at 43 feet from the ordinary high water mark of Horseshoe Lake in an LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Matt and Eileen Piper and Joseph and Renee Zenk.

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

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

The Board asked Joseph Zenk, questions regarding the variance requests.

Ken Richter, neighboring property owner, spoke in favor of the request.

Connie Meisilwitz, neighboring property owner, spoke in favor of the request.

People in attendance opposed to the request; none.

Mr. Gaedtke read an email statement from the Town of Meeme in favor of the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Matt and Eileen Piper and Joseph and Renee Zenk.

Deliberation

Motion by: Ms. Vondrachek to approve the variance request to construct a two story home addition ranging in size from 16' to 20' wide x 32' long, according to the submitted plan, at approximately 55' from the ordinary high water mark of Horseshoe Lake and to construct a 9'x12' covered porch at approximately 67' from the ordinary high water mark of the lake and to enclose an existing 8'x16' porch at 43' from the ordinary high water mark of Horseshoe Lake.

Reasons for Approval:

1. The envelope of the existing lakeside porch is not changing. The screens are going to be enclosed.
2. The second story addition is going up and away from the lake.
3. The neighboring adjacent houses are located at 41 feet and 46 feet from the ordinary high water mark creating a 43.5 foot average setback distance. Since the ordinance allows for averaging, the new addition and porch are further than the required average and the request is permitted.
4. The new addition and porch will be approximately 55 feet or more from the ordinary high water mark.
5. The unique lot shape and small size of the lot create a hardship.
6. The small lot also creates a burden on the owner because he can't add onto the house any other way.
7. The request will not be contrary to the public because the shoreline already has trees and other vegetation and the owner can plant more trees for screening.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Marvin Braun – Owner of properties located at Seven Lakes golf course on Lake Cato Dr. and Meadbrook Ct., in the SW¹/₄, Section 14 T19N-R22E, Town of Cato, Manitowoc County, Wisconsin, tax parcel numbers (001-014-016-013.00 and 001-014-016-015.00 and 001-014-016-000.00); wherein conditional use permits are being requested to construct three, two-family homes with attached garages in a RR Rural Residential zoned districts.

Chairperson Bonde opened the public hearing for Marvin Braun.

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

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

The Board asked Marvin Braun questions regarding the conditional use permit requests.

Mr. Braun stated the residences would be two-family condos that would be sold and not rented.

Mr. Bonde asked if there were any current water problems and Mr. Braun stated Meadowbrook Ct. had a problem last year with ice blocking the culverts but once the town cleaned them out it was fine.

Chuck Muench, adjacent property owner, spoke in favor of the request stating the land was maintained well and condos would fit nicely into the area. He also commented that he would like to see the condos exceed the lowest valued home out there which currently is \$260,000.00.

Clayton Nei submitted a copy of the subdivision covenants; then read a letter from Scott and Lisa Sherman, opposed to the request. The Sherman's letter stated they were given covenants to follow when they purchased a lot and neither condos nor duplexes met the covenant rules. They want to see the covenants followed.

Eric Kahlenberg, spoke opposed to the requests stating the covenants had to be followed when he built a house in the subdivision and was concerned approval of this request would set precedent for others who may want to build duplexes or condos.

Brad Meissen spoke opposed to the request stating he had to abide by the covenants when he build a home out there and was concerned about decreasing property values due to the two-family residences.

Mr. Meissen stated he wanted to have a meeting with subdivision members and vote on the issue.

Jim Johnson spoke opposed to the request and stated he likes the community and didn't want to have a rental place in the neighborhood that's smaller than what the covenants allow.

Carol Liban spoke opposed to the requests stating the two-family residences would decrease property values.

Marvin Braun stated the condos would not be rentals.

Mr. Gaedtke read a letter from Stephen Burton III who was opposed to the request stating he was concerned with floodplain drainage problems (copy on file).

The Board called Mr. Muench back to the podium to ask him about any water problems on Meadowbrook Ct.

Mr. Muench stated he's never had standing water but his yard can stay a little wetter in spring and some years he has to wait a little longer to cut the grass in spring.

There being no further comments, Chairperson Bonde closed the public hearing for Marvin Braun.

Deliberation

Motion by: Mr. Glaeser to postpone until the next meeting so Mr. Braun can meet with subdivision residents to discuss the conditional use permit request and subdivision covenants.

Mr. Glaeser also requested Corporation Counsel input regarding the legality of covenants vs. board conditions.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Barbeau Estates LLC – Owner of properties located at 13127 and 13111 Lax Chapel Rd. in the SW ¼, of Section 9, T21N-R23E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel numbers (016-015-010-002.00 and 016-015-010-003.00); wherein a variance is being requested to operate two community living arrangement facilities, with a capacity of eight or fewer persons each, within 2500 feet of each other and located in an LE, Large Estate, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Barbeau Estates LLC.

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

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

The Board asked Susan Barbeau, the applicant and owner, and Robert Pledl, attorney, questions regarding the variance request (transcript on file).

Ms. Barbeau stated a medical director will be at the site and the other employees will either be licensed or trained. She also stated that each unit would have its own staff of approximately two people during the day and one person at night.

Sandra Hein spoke in favor of the request and read a letter to the board from her son, Will Hein, who was also in favor of the request (copy on file) stating these places help save lives.

Mark Stevens, a counselor at a similar facility, spoke in favor of the request stating these types of facilities help and are needed.

Jacob Peterson spoke in favor of the request stating these places help.

Bret Litersky spoke in favor of the request.

Karen Weber spoke in favor of the request.

Tom Karls submitted a petition to the board with approximately 52 signatures opposed to the request.

Mr. Karls also spoke opposed to the request stating concerns about safety, property values and State Statute requirements.

Kathy Lefeber spoke opposed to the request and was concerned about safety.

Bryce Beiersdorf spoke opposed to the request.

Cathy Theel spoke opposed to the request.

Judith Wipperman spoke opposed to the request and was concerned about safety.

Dennis Salzman, Town of Schleswig Chairperson, stated the Town of Schleswig recommendation was to start with one facility for eight people and then review it after one year to allow the second facility for eight people.

Mr. Salzman informed the board that the Town had some legal issues in the past with a similar request a few years ago and recommends the board get legal counsel advice.

Kim Stuart spoke opposed to the request and was concerned about safety.

Naomi Schultz spoke opposed to the request, stating she had kids in the area and was worried if something bad would happen, Manitowoc police could take a long time to get out there because of the facilities location in the county.

Mr. Gaedtke read the submitted petition by Tom Karls into record (copy on file).

Mr. Gaedtke read a letter from attorney Robert Pledl into record (copy on file).

Attorney Pledl asked that his submitted memorandum and attachment be part of the record and stated as long as it is part of the record, it did not have to be read into record.

Mr. Gaedtke informed attorney Pledl the board had received a copy of his memorandum and attachment the Friday before the meeting and that it was part of the record (copy on file).

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

Deliberation

Motion by: Mr. Glaeser to postpone until next month allowing the board time to meet with Corporation Counsel on this issue.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Other Business

Schedule Meeting– The next meeting was scheduled for Monday November 18, 2013 and the onsite meeting scheduled for Monday November 11, 2013

Adjournment

Motion by: Mr. Nate to adjourn.

Seconded by: Ms. Kocourek.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY

BOARD OF ADJUSTMENT

ADVISORY MEETING NOTICE

DATE: Monday, November 11, 2013
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. Approval of October 21 Minutes
- IV. The Commission may convene in closed session pursuant to Wis. Stat. Sec. 19.81 (1)(g) to confer with legal counsel for advice on CBRF and ADA regulations pertaining to the Barbeau C.U.P.

If the Commission convenes in closed session, it will reconvene in open session.

- V. Old Business
 1. **Marvin Braun** - SW ¼, Section 14, T19N-R22E, Town of Cato, located at Seven Lakes golf course on Lake Cato Drive and Meadobrook Court – Conditional Use Permits
 2. **Barbeau Estates LLC** – SW ¼ Section 9, T21N-R23E. Town of Schleswig, 13127 and 13111 Lax Chapel Road – Variance Request
- VI. New Business
 1. **Kathryn Clusen** – E ¼, Section 7, T18N-R23E, Town of Newton, 4307 W Lake Drive - Variance Request
 2. **Terry Regenwether** – Govt. Lot 1 Com E ¼ Section 23, T17N-R21E, Town of Schleswig, 14236 Woodside Lane - Variance Requests
 3. **Hope Community Church** – NE ¼, NE ¼ Section 6, T19N-R24E, Town of Manitowoc, 4408 CTH B – Variance Requests

VII. On-sites

VIII. Adjournment

Date: November 4, 2013

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, 2013

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, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Orville Bonde, Charlie Nate and Laurel Vondrachek.

Staff present: Reed Gaedtke.

A motion was made by, Ms. Vondrachek seconded by Ms. Kocourek to approve the agenda for the November 11, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

A motion was made by, Ms. Kocourek seconded by Mr. Nate to approve the minutes for the Oct 21, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

Corporation Counsel Steve Rollins was present to answer the Boards questions regarding the CBRF variance request and ADA allowances.

The Board remained in open session during the discussions.

After the Board finished meeting with Corporation Counsel, the Board received their folders containing the November 18, 2013 hearing request and Mr. Gaedtke gave a quick overview of each.

The Board proceeded to the on-sites.

The Board returned to the Manitowoc County Office Complex when completed.

ADJOURNMENT

Motion by: Mr. Nate to adjourn.

Seconded by: Ms. Kocourek.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Kocourek and Glaeser; No: none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: MONDAY, November 18, 2013
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 AGENDA

IV. OLD BUSINESS

Discussion and possible action on:

- 1. **Marvin Braun** - SW $\frac{1}{4}$, Section 14, T19N-R22E,
Town of Cato, located at Seven Lakes golf course on Lake Cato Drive and
Meadowbrook Court – Conditional Use Permits
- 2. **Barbeau Estates LLC** – SW $\frac{1}{4}$ Section 9, T21N-R23E,
Town of Schleswig, 13127 and 13111 Lax Chapel Road – Variance Request

V. NEW BUSINESS

Discussion and possible action on:

- 1. **Kathryn Clusen** – E $\frac{1}{4}$, Section 7, T18N-R23E,
Town of Newton, 4307 W. Lake Drive - Variance Request
- 2. **Terry Regenwether** – Govt. Lot 1 Com E $\frac{1}{4}$, Section 23, T17N-R21E,
Town of Schleswig, 14236 Woodside Lane - Variance Requests
- 3. **Hope Community Church** – NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 6, T19N-R24E,
Town of Manitowoc, 4408 CTH B – Variance Requests

VI. OTHER BUSINESS

- 1. Schedule December Meeting

VII. ADJOURNMENT

Date: November 11, 2013

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, 2013

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, 2013 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Rose Kocourek, Charlie Nate, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

The October 21, 2013 minutes were approved at the November 11, 2013 onsite meeting.

A motion was made by, Mr. Glaeser seconded by Ms. Kocourek to approve the November 11, 2013 onsite meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

A motion was made by, Ms. Vondrachek seconded by Mr. Nate to approve the agenda for the November 18, 2013 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Mr. Gaedtke explained the procedure 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

Marvin Braun – Owner of properties located at Seven Lakes golf course on Lake Cato Dr. and Meadbrook Ct., in the SW¹/₄, Section 14 T19N-R22E, Town of Cato, Manitowoc County, Wisconsin, tax parcel numbers (001-014-016-013.00 and 001-014-016-015.00 and 001-014-016-000.00); wherein conditional use permits are being requested to construct three, two-family homes with attached garages in a RR Rural Residential zoned districts.

Motion by: Ms. Vondrachek to remove the postponed hearing from the table for deliberation.

Second by: Mr. Glaeser.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Mr. Gaedtke read a statement from Mr. Braun requesting to be withdrawn from the agenda. Mr. Braun no longer had plans to pursue his two-family home conditional use permit request (copy on file).

Deliberation

Motion by: Mr. Nate to withdraw Mr. Brauns request from the agenda.

Second by: Ms. Kocourek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; No: none.

Barbeau Estates LLC – Owner of properties located at 13127 and 13111 Lax Chapel Rd. in the SW ¹/₄, of Section 9, T21N-R23E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel numbers (016-015-010-002.00 and 016-015-010-003.00); wherein a variance is being requested to operate two community living arrangement facilities, with a capacity of eight or fewer persons each, within 2500 feet of each other and located in an LE, Large Estate, S1, Shoreland zoned district.

Motion by: Ms. Vondrachek to remove the postponed hearing from the table for deliberation.

Second by: Mr. Nate.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

The Board had no other questions to ask so they proceeded with their deliberation.

Deliberation

Motion by: Ms. Kocourek to approve the variance request to operate two community living arrangement facilities with 8 or fewer persons per facility within 2500 feet of each other in an LE, large estate, S1, shoreland zoned district.

Reasons for Approval:

1. The community arrangement facility does not exceed 1% of the town of Schleswig's population.
2. The ordinance prevents the owner from reasonably using the property; the buildings on both parcels already exist within 2500 feet of each other and would be part of the same program.
3. It will not negatively affect public interest because;
 - Neighboring homes are separated by woods or a lake.
 - The buildings already exist so there is no change in the structure or character of the area.
 - The existing buildings provide more of a residential character to the area rather than a commercial setting.
 - The residential character would remain the same and not be increasing.

Second by: Mr. Glaeser.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

New Business

Kathryn Clusen – Owner of property located at 4307 W. Lake Dr., in Govt. Lot 2 Com E¼, Section 7, T18N-R23E, Town of Newton, Manitowoc County, Wisconsin, tax parcel number (14-007-002-010.00); wherein a variance is being requested to construct a 6'x26' wrap around screened porch at 51 feet from the ordinary high water mark of English Lake in an S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Kathryn Clusen.

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

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

The Board asked Kathryn Clusen, questions regarding the variance request.

People in attendance in favor of the request; none.

People in attendance opposed to the request; none.

There being no further comments, Chairperson Bonde closed the public hearing for Kathryn Clusen.

Deliberation

Motion by: Ms. Vondrachek to grant the variance request to construct a 5 ½' to 6' wide by 26' long wrap around screened patio at 51 feet from the ordinary high water mark of English lake with the following conditions and reasons.

Reasons and conditions:

1. Averaging of the neighboring cottages was used to permit the proposed structure to be located within 75 feet of the ordinary high water mark. The neighboring houses are setback 41' and 34' from the water creating a 37.5' average. The applicant is requesting to be at 51 feet from the water so the request to be at 51 feet was granted.
2. The width of the deck on the south side of the cottage must be 5 ½ feet wide so that it can meet code setback requirements from the holding tank.
3. The east side of the deck, towards the water, can be 6 feet wide.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Terry Regenwether – Owner of property located at 14236 Woodside Ln., in Govt. Lot 1 Com E¼, Section 23 T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel number (16-023-013-013.00); wherein variances are being requested to construct a 22'x54' detached garage at approximately 2 feet from the neighboring west property line and at 1.5 feet from the neighboring east property line in an LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Terry Regenwether.

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

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

The Board asked Terry Regenwether questions regarding the variance requests.

Ms. Vondrachek asked if the garage would have living quarters or only be one story.

Mr. Regenwether stated the garage would only be one story and would not have living quarters.

Dennis Salman, Town of Schleswig Chairman, spoke in favor of the request and stated the Town was in support of the request.

Neighboring property owner, Kristi Heimerl, spoke in favor of the request.

People in attendance opposed to the request; none.

Mr. Gaedtke read a letter from Charles and Roberta Mayer in favor of the request.

There being no further comments, Chairperson Bonde closed the public hearing for Terry Regenwether.

Deliberation

Motion by: Mr. Glaeser to approve the variance request to construct a 22' x 54' detached garage at 2 feet from the west property line and at 1.5 feet from the east property line in an LR, Lake Residential, S1 Shoreland zoned district.

Reasons:

1. The odd shape of the property and the narrow width of that portion of the lot create a physical hardship.
2. The applicant is burdened by the ordinance because of the odd lot shape and the narrow right of way of the road; there is no other way to fit the garage on the property.
3. From the testimony given at the meeting, it appears there isn't any negative effect from the proposal.
4. Having a building at that location will help keep soil erosion back.
5. The garage must be a one story garage.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Hope Community Church – Owner of property located at 4408 CTH B, in the NE¼, NE¼, Section 6, T19N-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, tax parcel number (09-106-001-001.00); wherein six variances are being requested to construct a 14.5' x 25' on premise sign, which is greater than 32 square feet and includes a 4' x 8' electronic sign to be located approximately 137 feet from a neighboring residential district and to also construct a second 6' x 8' on premise sign greater than 32 square feet at 50 feet from the centerline of CTH B. Both signs will be located in an RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Hope Community Church.

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

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

Mr. Gaedtke informed the Board about the size of the right-of-way based on information obtained from John Kropp from the Highway Dept.

Mr. Gaedtke also informed the Board that new plans were submitted which moved the signs further from the road and residential areas and to use the new plans during their hearing.

The Board asked Boyd Minarik, representative for Hope Community Church, and Ross McVey, from Jones Signs, questions regarding the variance requests.

Mr. McVey stated that the electronic sign would not have any moving, chasing, or animation.

Pastor Jesse Eells spoke in favor of the request and stated new signs were needed to help notify the public about things being done and offered at the church.

Steve Khail spoke in favor of the request and asked that the neighboring property owners approval of the project be taken into consideration.

Roger Trost spoke in favor of the request.

People in attendance opposed to the request; none.

Mr. Gaedtke read a letter from Mr. and Mrs. Buxbaum who were in favor of the request (copy on file).

Mr. Gaedtke read a letter from the Town of Manitowoc stating they were concerned about the lit sign off of B and the proximity to residences and they did not want an electronic board on the sign off of CTH B (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Hope Community Church.

Deliberation

Motion by: Ms. Vondrachek to approve the variance requests to construct a 14.5' x 25' on-premise sign which includes a 4'x8' electronic sign at approximately 180 feet from a neighboring residential district; and to approve a second on-premise sign off of CTH B; and to deny the variance requests to construct a 6' x 8' on-premise sign at 90 feet from the centerline of CTH B and to deny the original request to locate a sign within the 100 foot setback of STH 310, in a RR, Rural Residential, zoned district.

Reasons for Approval:

1. A second on-premise sign is allowed so motorists on both roads can be informed of events.
2. The sign off of HWY 310 will be further than 100 feet from the centerline of the road.
3. The HWY 310 sign can be 14.5'x25' to allow for easy viewing of information by motorists.
4. The size of the sign was needed so that it can be seen above the neighboring corn field.
5. The sign off of HWY 310 will be approximately 180 feet from a neighboring residential district. The residential district across the road on the north side of 310 consists of commercial businesses, a golf driving range, a gas station, and also a cemetery; no residences. The residential districts that have residences on them are further than 200 feet from the proposed sign.
6. The 4'x8' electronic message board is approved with the condition that it must meet both State and local regulations regarding brightness, motion, and other requirements.
7. The sign off of CTH B must meet size and setback requirements and it must have a light sensor or timer that will go off at 10:00 p.m. so it does not disturb the neighbors.

Reasons for Denial:

1. There were concerns from the Town regarding a lighted sign near the residences.
2. Since the sign off of CTH B could be made two feet smaller and still be functional the request was denied. Therefore the size of the sign face must meet the 32 square foot (4'x8') code requirement.
3. Since there was plenty of room to move the sign off of CTH B further west an additional 10 feet from the centerline and since the owner agreed it was possible; the request to be within the road setback was denied. Therefore the sign must be located at 100 feet from the centerline of CTH B.
4. The original variance request to locate a sign within the 100 foot setback of State Highway 310 was denied because the new submitted plans from November 11, 2013 show the proposed sign will be located 100 feet from the right-of-way which is further from the centerline than the required setback. The ordinance setback can be met.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none.

Other Business

Schedule Meeting— The next meeting would be December 16, 2013 provided there are at least three applications.

Adjournment

Motion by: Mr. Glaeser to adjourn.

Seconded by: Mr. Nate.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Kocourek and Glaeser; *No:* none

Respectfully submitted,

Charles Nate, Secretary

Date