



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

DATE: Monday, January 13, 2014
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. **Chris Schmidt** – SW ¼ Section 5, T18N-R24E, Town of Manitowoc, 3329 South 10th Street – Variance Request
 2. **Todd and Rachel Zorn** - NW ¼ , SE ¼ , Section 33, T18N-R22E, Town of Liberty, 9426 and 9430 Pigeon Lake Rd – Variance Requests
- IV. Other Business
 1. Annual Review of Conditional Use Permit – William Neumann
- V. Adjournment

Date: January 6, 2014

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**

January 13, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, January 13, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

Mr. Gaedtke introduced the new board member, Ralph Schuh.

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

Staff present: Reed Gaedtke.

A motion was made by, Ms. Vondrachek seconded by Mr. Nate to approve the agenda for the January 13, 2014 meeting. Upon vote, the motion was unanimously approved.

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

The Board received their folders containing the January 20, 2014 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: Mr. Glaeser.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: MONDAY, January 20, 2014
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. **Chris Schmidt** – SW $\frac{1}{4}$ Section 5, T18N-R24E, Town of Manitowoc, 3329 South 10th Street – Variance Request
 2. **Todd and Rachel Zorn** - NW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 33, T18N-R22E, Town of Liberty, 9426 and 9430 Pigeon Lake Rd – Variance Requests
- VI. OTHER BUSINESS
Discussion and possible action on:
 1. Annual Review of Conditional Use Permit – William Neumann
 2. Schedule February Meeting
- VII. ADJOURNMENT

Date: January 6, 2014

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 20, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, January 20, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

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

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

A motion was made by, Ms. Vondrachek seconded by Mr. Schuh to approve the January 13, 2014 onsite meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Nate seconded by Ms. Vondrachek to approve the agenda for the January 20, 2014 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

Chris Schmidt – Owner of property located at 3329 south 10th street, in the SW¼, Section 5, T18N-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, tax parcel number (09-500-005-002.01); wherein a variance is being requested to construct a 20'4"x 20'4" handicap accessible addition consisting of a bedroom and bathroom at approximately 50 feet from the centerline of 10th street (CTH LS) in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Chris Schmidt.

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

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

The Board asked Chris Schmidt, questions regarding the variance request.

People in attendance in favor of the request; none.

Leigh Schroder, neighboring property stated he heard the addition was for a in home office for Mr. Schmidt's construction business and was against a business being on the property.

Mr. Schroder also spoke for neighboring property owner Mrs. Franz who felt the same way as Mr. Schroder.

Sharon Decker, neighboring property owner spoke opposed to the addition if it was for a business but was okay with it if it was for handicap accessibility. Ms. Decker also wanted to know why the county had a road setback.

Mr. Gaedtke explained to the Board, Ms. Decker and the audience the main purpose for the road setback is to provide a safe clear stopping distance for vehicles unexpectedly leaving the road. Then stated that factors such as speed limit, depth of ditches and elevation of adjacent properties are looked at when variances are requested.

Mr. Gaedtke went on to explain that if there was a problem with deliveries and other items for a business at this address, to call the Planning and Zoning Department tomorrow to discuss the issues. The opposition should be kept to the construction of the addition and that having an office to run a business in the RR district was a permitted accessory use.

The Board asked Mr. Schmidt about the statements that were made.

Mr. Schmidt stated he only had his construction business and his truck and trailer at that site. He also stated he did have another site where he kept his equipment and would have all of his deliveries sent to that other address. He did clarify that most of the deliveries he was receiving at his house was for constructing the handicap addition.

There being no further comments, Chairperson Bonde closed the public hearing for Chris Schmidt.

Deliberation

Motion by: Mr. Glaeser to approve the variance request for the following reasons.

Reasons:

1. The lot isn't that wide and the addition is needed for a handicap resident and the entrance will stay the same.
2. There is a steep slope hill between the house and the road.
3. There is an unnecessary burden; the existing house is not compatible for the applicant's handicapped father; without the variance he would not be able to live there anymore.
4. The addition will not affect the public interest because it is still far enough back and located up on a hill from the road.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

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

Todd and Rachelle Zorn – Owners of properties located at 9426 and 9430 Pigeon Lake Rd. in the NW¼, SE¼, Section 33, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, tax parcel numbers (08-033-014-015.00 and 008-033-014-016.00); wherein the properties will be combined into one lot and variances are being requested to construct a 26' x 65' x 35' high seasonal home at approximately, 44 feet from the centerline of Pigeon Lake Rd. and at 14 feet from the ordinary high watermark of Pigeon Lake, in an LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Todd and Rachelle Zorn.

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

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

The Board asked Todd and Rachelle Zorn questions regarding the variance requests.

Mr. and Mrs. Zorn submitted a summary of their site plans and application.

Mr. Zorn submitted the Town of Liberty's recommendation which was in favor of the proposed request.

Mr. Gaedtke read the recommendation into record.

People in attendance opposed to the request; none.

People in attendance in favor of the request; none.

Mr. Gaedtke stated that the Board had received copies of neighboring property owners letters both in support of the proposed project.

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

Deliberation

Motion by: Ms. Vondracheck to approve the variance requests to construct approximately a 26' x 65' x 35' high home at approximately 44 feet from the centerline of the road and at 14 feet from the ordinary high water mark of Pigeon Lake, in a LR, Lake Residential, S1 Shoreland zoned district; on the basis of evidence submitted and reasons listed below:

Reasons:

1. The limited space from the unique lot size and steep slope on the property creates a hardship for the applicant.
2. Due to the condition of the existing cottages the applicants need to rebuild something they can live in year round. The existing lots prevent them from constructing within the required setbacks creating an unnecessary burden.
3. Two lots are being combined into one larger lot and both cottages along with other structures will be removed to make room for one home. This will reduce the amount of impervious surface on the property which is better for the lake.
4. There is an existing development pattern on the lake. Houses are closer to the lake than the required setback and the proposed house.
5. The house to the west is also closer the lake than the proposed house will be.
6. The proposed house can be located 44 feet from the centerline of the road.
7. Everything being constructed must be located within the proposed building envelope which is 14 feet from the ordinary high water mark and 44 feet from the centerline of the road. This includes all structures such as the house, decks, patios; fencing etc.

8. Currently the structures do not meet any of the required setbacks; the proposed change will allow the new structure to meet both side yard setback requirements.

Second by: Mr. Schuh

Upon vote: The motion was unanimously approved.

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

Other Business

William Neumann Conditional Use Permit Annual Review

The Board was concerned about the location of the tree plantings and wanted to make sure they were in the right location. They also questioned Mr. Neumann regarding the rubble that was deposited on his property.

Mr. Neumann stated the rubble was used to relocate his driveway and that he would add more trees if needed.

The Board approved the review and required another one next year.

Deliberation

Motion by: Ms. Vondrachek to have another annual review of the property

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

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

Schedule Meeting– The next meeting would be February 2014 provided there are at least three applications.

Adjournment

Motion by: Mr. Nate to adjourn.

Seconded by: Mr. Glaeser.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,

Charles Nate, Secretary

Date



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

DATE: Monday, March 10, 2014
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. **Carl Riederer** – NW ¼, NE ¼ Section 9, T19N-R22E, Town of Cato, 3339 Brodtke Road – Conditional Use Permit
 2. **Richard Carr** – Govt. Lot 3, Section 2, T17N-R21E, Town of Schleswig, 19536 Henning Road – Variance Requests
- IV. Adjournment

Date: March 3, 2014

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.

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

March 10, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, March 10, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuh seconded by Ms. Vondracheck to approve the agenda for the March 10, 2014 meeting. Upon vote, the motion was unanimously approved.

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

The Board received their folders containing the March 17, 2014 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 at 11:00 a.m.

Seconded by: Mr. Glaeser.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: MONDAY, March 17, 2014
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. **Carl Riederer** – NW $\frac{1}{4}$, NE $\frac{1}{4}$ Section 9, T19N-R22E, Town of Cato, 3339 Brodtke Road – Conditional Use Permit
 - 2. **Richard Carr** – Govt. Lot 3, Section 2, T17N-R21E, Town of Schleswig, 19536 Henning Road – Variance Requests
- VI. OTHER BUSINESS
 - Discussion and possible action on:
 - 1. Schedule April Meeting
- VII. ADJOURNMENT

Date: March 3, 2014

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**

March 17, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, March 17, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Ralph Schuh, 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 January 20, 2014 meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Nate seconded by Mr. Schuh to approve the March 10, 2014 onsite meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Ms. Vondrachek seconded by Mr. Schuh to approve the agenda for the March 17, 2014 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

Carl Riederer – Owner of property located at 3339 Brodtke Rd., in the NW¼, NE ¼, Section 9, T19N-R22E, Town of Cato, Manitowoc County, Wisconsin, tax parcel number (01-009-002-001.00); wherein a conditional use permit is being requested to expand an existing and approved truck repair business in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Carl Riederer.

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

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

The Board asked Carl Riederer, questions regarding his conditional use permit request.

Mr. Riederer stated his business is growing and wants more room to put up more buildings to get the trucks inside for working. He also stated the new shop will be insulated and the doors closed so the noise will be at a minimum. He also stated he needed a bigger parking lot to allow for easier moving of the trucks and for increased aesthetic value.

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 Carl Riederer.

Deliberation

Motion by: Mr. Glaeser to approve conditional use permit request to expand an existing repair business to include trucks, semi's, trailers and farm equipment, in an RR, Rural Residential zoned district.

Reasons for approval:

1. The business does not impede the orderly development of the area because there are not many houses around. It's surrounded mostly by agricultural land.
2. The proposed use is compatible with the development of the district.
3. The use does not negatively affect the area. Most of the land is agricultural land, there is only one house located on the other side of the road.
4. The business fits in the area and is a good use of the land.
5. Everything blends in good and doesn't impair the value of surrounding properties because it's surrounded by agricultural land.
6. The work will be done inside the building so the noise will be at a minimum.
7. The property is well maintained and taken care of and there haven't been any past complaints about the business.

Conditions of approval:

1. There can be up to 20 employees.
2. Hours of operation for the office are Monday thru Saturday 7:00 a.m. to 5:00 p.m.
3. Hours of operation for the shop are Monday thru Saturday 7:00 a.m. to 7:00 p.m. and Sundays just for emergency calls and purposes.
4. Fencing is left up to the owner if he wants to have it.
5. There will be a five (5) year review of the conditional use permit and business.
6. The owner is allowed one sign.
7. Customer parking will be on the north side of the building according to plan.
8. Employee parking will be on the south and east sides of the building according to plan.
9. Deliveries are allowed.
10. The use of landscaping is up to the owner.
11. Junk and iron will be picked up and removed or contained.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

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

Richard Carr – Owner of property located at 19536 Henning Rd. in Govt. Lot 3, of Section 2, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel number (16-530-002-006.00); wherein a variance is being requested to expand and combine two existing decks into one 8'x45' wrap around deck at approximately 31 feet from the ordinary high watermark of Wilke Lake, in an LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Richard Carr.

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

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

The Board asked Richard Carr questions regarding the variance requests.

Mr. Carr stated one of the reasons for connecting and expanding the deck was because there would be an elderly person using the property and they wanted a place for this person to sit.

Ken Smasl from the Town of Schleswig stated the Town looked at the property and was in favor of the request.

Other people in attendance that were in favor of the request; none.

People in attendance opposed to the request; none.

Mr. Gaedtke read a letter from the Wisconsin Department of Natural Resources shoreland specialist Dale Rezabek; opposed to the request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Richard Carr.

Deliberation

Motion by: Ms. Vondracheck to deny the original variance request to expand and connect two existing decks into one 8'x45' wrap around deck at approximately 31 feet from the ordinary high water mark of Wilke Lake, in a LR, Lake Residential, S1 Shoreland zoned district.

The Board modified the request and stated the lakeside deck could be repaired or replaced provided it remains the exact same size and is built in the exact same location. The stairs on the front deck can be moved from the side of the deck to lake side of the deck to allow for straight access into the cottage; provided the stairs meet Manitowoc County Chapter 9 Shoreland Ordinance requirements.

The Board determined the average setback from adjacent properties was thirty- nine (39') feet from the ordinary high water mark. The Board used averaging to allow the side deck to be widened an additional two feet and lengthened approximately five feet to create a side deck of 6'x13' provided it is no closer than the average required 39 feet from the ordinary high watermark of Wilke Lake. The stairs on the side deck can also be moved and constructed according to code, to allow for straight access into the cottage.

Reasons for denial of original request:

1. Existing lakeside deck is already located within the protected 35 foot shoreland area and should not be increased. Increasing the size of the lakeside deck will increase the impervious surface area within 35 feet of the shoreline.
2. The current size and location of the existing lakeside deck allows for use of the cottage. Access was stated as a problem but moving the stairs from the side of the deck to the front of the deck alleviates the owner's burden of entry into the cottage by creating a straight access to the door.

Reasons for approved modifications:

1. According to code, the lakeside deck can be rebuilt in the exact same location provided it is the exact same size which will not increase impervious surface in this area and still allow use of the property.
2. Averaging can be used to allow construction provided it is no closer than 35 feet from the ordinary high water mark. The side deck could be slightly enlarged for use of the deck, and still remain outside of the protected 35 foot buffer area.

Conditions of the approved modified request:

1. Native grasses and shrubs must be planted to reestablish a buffer zone along the shoreline.
2. The concrete between the two existing decks must be removed to help reduce impervious surface.

Second by: Mr. Schuh

Upon vote: The motion was unanimously approved.

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

Other Business

Schedule Meeting— The Board scheduled the next regular meeting for April 21, 2014 and the onsite for April 14, 2014

Adjournment

Motion by: Mr. Glaeser to adjourn.

Seconded by: Mr. Nate

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT ADVISORY MEETING NOTICE

DATE: Monday, April 14, 2014
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. **Marc Johnson** – NW ¼ NW ¼ Sec 26, T19N-R23E, 1700 Westbury Court, Town of Manitowoc Rapids - Variance Request
 2. **Terry and Marjorie Olson** – NW ¼ SE ¼ Sec 29, T20N-R24E, 6304 Johnston Drive, Town of Two Rivers – Variance Request
 3. **Diane O'Hearn** – SE ¼ SE ¼ Sec 13, T20N-R21E, 8232 CTH G, Town of Maple Grove – Variance Request
 4. **Stephen Dvorak** – SW ¼ SE ¼ Sec 32, T21N-R23E, CTH Y, Town of Gibson – Variance Request
 5. **Tom Nowakowski** – Govt. Lot 4, Sec 2, T17N-R21E, 10526 Sunny Vista Lane, Town of Schleswig – Variance Request
 6. **Sharon and Samuel Suchon** – Govt. Lot 4, Sec 24, T17N-R21E, 14312 Rokilio Rd, Town of Schleswig – Variance Requests
 7. **Kris and Julie Woelfel** – Govt. Lot 4, Sec 7, T18N-R23E, 9122 S. Lake Drive, Town of Newton – Variance Request
- IV. Adjournment

Date: April 7, 2014

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.

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

April 14, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, April 14, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Ralph Schuh, Orville Bonde, Charlie Nate. Members absent: Laurel Vondrachek.

Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuh seconded by Mr. Glaeser to approve the agenda for the April 14, 2014 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; No: none

The Board received their folders containing the April 21, 2014 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: Mr. Schuh.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; No: none

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: MONDAY, April 21, 2014
TIME: 7:00 P.M.
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc, WI 54220

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- 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. **Marc Johnson** – NW ¼ NW ¼ Sec 26, T19N-R23E, 1700 Westbury Court, Town of Manitowoc Rapids - Variance Request
- 2. **Terry and Marjorie Olson** – NW ¼ SE ¼ Sec 29, T20N-R24E, 6304 Johnston Drive, Town of Two Rivers – Variance Request
- 3. **Diane O'Hearn** – SE ¼ SE ¼ Sec 13, T20N-R21E, 8232 CTH G, Town of Maple Grove – Variance Request
- 4. **Stephen Dvorak** – SW ¼ SE ¼ Sec 32, T21N-R23E, CTH Y, Town of Gibson – Variance Request
- 5. **Tom Nowakowski** – Govt. Lot 4, Sec 2, T17N-R21E, 10526 Sunny Vista Lane, Town of Schleswig – Variance Request
- 6. **Sharon and Samuel Suchon** – Govt. Lot 4, Sec 24, T17N-R21E, 14312 Rokilio Rd, Town of Schleswig – Variance Requests
- 7. **Kris and Julie Woelfel** – Govt. Lot 4, Sec 7, T18N-R23E, 9122 S. Lake Drive, Town of Newton – Variance Request

VI. OTHER BUSINESS

Discussion and possible action on:

- 1. Schedule May Meeting

VII. ADJOURNMENT

Date: April 7, 2014

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 21, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, April 21, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Ralph Schuh, Charlie Nate, and Orville Bonde. Members absent: Laurel Vondracheck. Staff present: Reed Gaedtke.

A motion was made by, Mr. Glaeser, seconded by Mr. Schuh to approve the March 17, 2014 meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; No: none; Absent: Vondracheck.

A motion was made by, Mr. Nate, seconded by Mr. Glaeser to approve the April 14, 2014 onsite meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; No: none; Absent: Vondracheck.

A motion was made by, Mr. Glaeser, seconded by Mr. Schuh to approve the agenda for the April 21, 2014 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; No: none; Absent: Vondracheck.

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

Marc Johnson – Owner of property located at 1700 Westbury Ct., in the NW¼, NW ¼, Section 26, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, tax parcel number (10-026-006-013.00); wherein a variance is being requested to construct a 16'x24' garage addition at 5 feet from the rear property line in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Marc Johnson.

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

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

The Board asked Marc Johnson, questions regarding his variance request.

Mr. Johnson stated the Town informed him there was a zero foot setback when he built the original garage.

Randy Drumm, adjacent neighbor, spoke in favor of the request.

People in attendance opposed to the request; none.

There being no further comments, Chairperson Bonde closed the public hearing for Marc Johnson.

Deliberation

Motion by: Mr. Glaeser to approve the variance request to construct a 16' x 24' garage addition at approximately 5 feet from the rear property line, in a RR, Rural Residential zoned district.

Reasons for approval:

1. The unique lot shape and layout of the property creates both a hardship and burden on the homeowner and where the garage can be placed.
2. The location of the garage addition will not have a negative effect on the adjacent property owners.
3. The old code allowed for a zero foot setback.

Second by: Mr. Schuh

Upon vote: The motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; *No:* none; *Absent:* Vondracheck.

Terry and Marjorie Olson – Owners of property located at 6304 Johnston Dr. in the NW¼, SE¼, Section 29, T20N-R24E, Town of Two Rivers, Manitowoc County, Wisconsin, tax parcel number (18-129-014-017.00); wherein a variance is being requested to construct a 24'x30' two story house and garage addition at 13 feet from the east side property line, in a RR, Rural Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Terry and Marjorie Olson.

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

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

The Board asked Terry and Marjorie Olson questions regarding the variance requests.

The Board was concerned about the holding tank size with the additional bedrooms.

William Willfert from the Town of Two Rivers stated the Town was in favor of the request because there is a steep hill in the front of the lot and floodplain in the back limiting the buildable area. He also stated the proposed location would fit well on the property and that the addition would not encumber the neighbors.

People in attendance opposed to the request; none.

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

There being no further comments, Chairperson Bonde closed the public hearing for Terry and Marjorie Olson.

Deliberation

Motion by: Mr. Schuh to approved the variance request to construct a 24'x30' house addition at 13 feet from the side property line in an RR, Rurual Residential, S1 Shoreland zoned district

Reasons for approval:

1. The lot is narrow and has a steep slope near the road and floodplain in the rear of the property creating a hardship and burden on the owners by limiting their space for the addition.
2. There is only a limited amount of space available to build on the lot.
3. The request is reasonable and the neighbors did not object to the proposal.
4. It will not be contrary to the public because it does not block anyone's view and is located behind the existing house.

Conditions of approval:

1. Because the number of bedrooms is increasing, the septic system must be inspected and upgraded if needed.

Second by: Mr. Glaeser

Upon vote: The motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; *No:* none; *Absent:* Vondracheck.

Diane O'Hearn – Owner of property located at 8232 CTH G, in the SE¼, SE¼, Section 13, T20N-R21E, Town of Maple Grove, Manitowoc, County, Wisconsin, tax parcel number (11-013-016-001.00); wherein a variance is being requested to construct a 22' x 43.6' milk house addition at approximately 71 feet from the centerline of CTH G, in an EA, Exclusive Agricultural zoned district.

Chairperson Bonde opened the public hearing for Diane O'Hearn.

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

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

The Board asked Diane O'Hearn questions regarding the variance requests.

Ms. O'Hearn stated the layout of the existing barn prevents her from moving the addition to a different area.

People in attendance that were 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 Diane O'Hearn.

Deliberation

Motion by: Mr. Nate to approve the variance request to construct a 22' x 43.6' milk house addition at approximately 71 feet from the centerline of CTH G, in an EA, Exclusive Agricultural zoned district

Reasons:

1. The lot layout and design of the existing barn create a hardship for the property owner.

2. Having to move the milk house to a different location would be burdensome due to the layout of existing pipes and electrical wiring in the barn for a milk house and also due to the other structures such as silos.
3. The milk house is needed and is allowable in the EA district.
4. The request is not contrary to the public because it's not going any closer to the road than the existing barn, the road is flat and straight in that area and CTH G probably won't be widened or made into 4 lanes.

Second by: Mr. Schuh

Upon vote: The motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; *No:* none; *Absent:* Vondracek.

Stephen Dvorak – Owner of property located on CTH Y, in the SW¼, SE¼, Section 32, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (06-0032-015-001.00); wherein a variance is being requested to construct a new 90' x 70' barn at approximately 71 feet from the centerline of CTH Y, in an EA, Exclusive Agricultural zoned district.

Chairperson Bonde opened the public hearing for Stephen Dvorak.

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

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

The Board asked Stephen Dvorak questions regarding the variance requests.

Mr. Dvorak informed the board that a mill use to be located in the proposed area and that area is the only place for the proposed barn to be located.

Richard Wegner, Town of Gibson Chairperson, spoke in favor of the request. He informed the board that the structure will improve the property, and he has heard from the neighbors who are also in favor of the request. He stated this area is not heavily traveled and it would be an ideal location for the structure.

Dick Dvorak, neighboring property owner, spoke in favor of the request. He stated there are 3 houses or garages in the same neighborhood that are located closer to the road than the proposed barn.

People in attendance opposed to the request; none.

Mr. Gaedtke reminded the board that the Town of Gibson sent a letter in favor of the request and they were given a copy of that letter in their booklets (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Stephen Dvorak.

Deliberation

Motion by: Mr. Glaeser to approve the variance request to construct a 90' x 70' barn at 71 feet from the centerline of CTH Y, in an EA, Exclusive Agricultural zoned district.

Reasons for approval:

1. There was a preexisting building in that location before and there was no issues.

2. The odd shape lot and limited space for the structure creates a hardship and burden for the applicant.
3. The area is flat and traveling on CTH Y in this area would be safe because the road is flat and straight, there are no unsafe hills or curves in front of the property.
4. The structure will not encumber then neighbors or be contrary to the public. The neighbors were in favor of the proposal.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; *No:* none; *Absent:* Vondracek.

Tom Nowakowski – Owner of property located at 10526 Sunny Vista Ln. in Govt. Lot 4, of Section 2, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel number (16-540-000-027.02); wherein a variance is being requested to construct a new 26'x48' home with a deck and also a 14'x24' attached garage at 4 feet from the south property line, and at 5 feet from the north property line; and at approximately 41 feet from the centerline of Karstaedt Rd. in an LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Tom Nowakowski.

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

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

The Board asked Tom Nowakowski questions regarding the variance requests.

Mr. Gaedtke informed the board of holding tank setback requirements from wells, and property lines. He also let the owner know to check with WDNR regarding well regulations and setbacks.

Mary Jo Walsdorf, neighboring property owner, spoke in favor of the plan and said the existing cottage is in need of repair.

Dennis Salzmann, Town of Schleswig Chairperson, stated the Town was also in favor of the request because the existing cottage is dilapidated and needs repair and that the Town was not concerned about the road setback because there are other houses much closer than the proposed request.

People in attendance opposed to the request; none.

There being no further comments, Chairperson Bonde closed the public hearing for Tom Nowakowski.

Deliberation

Motion by: Mr. Schuh to approve the variance requests to construct a 26'x48' cottage with a deck and a 14'x24' attached garage at approximately 4 feet from the south property line; at 5 feet from the north property line; and at approximately 41 feet from the centerline of Karstaedt Rd. on the property located at 10526 Sunny Vista Ln., in an LR, Lake Residential, S1, Shoreland zoned district

Reasons for approval:

1. The lot is small, narrow and deep creating a hardship on the owner to construct a house within the required setbacks.
2. The shoreland setback and narrow lot, limits the area to build and creates an unreasonable burden.
3. The request is not contrary to the public because the existing building is dilapidated and needs repair. Also the Town and neighbors stated they are in favor of the request.

Second by: Mr. Glaeser

Upon vote: The motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; *No:* none; *Absent:* Vondracheck.

Sharon and Samuel Suchon – Owners of property located at 14312 Rokilio Rd. in Govt. Lot 4, of Section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel number (16-510-001-006.00); wherein variances are being requested to construct 4 retaining walls ranging in size from approximately 27' to 65' long x 4' to 9' tall and located at distances ranging from 10 to 60 feet from the centerline of Rokilio Road and one of the walls at approximately 3 feet from the north property line; and to construct a 30 foot long stairway at approximately 12 feet from the centerline of Rokilio road in an LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Sharon and Samuel Suchon.

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

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

The Board asked Sharon and Samuel Suchon questions regarding the variance requests.

Mrs. Suchon informed the board the neighbors well was in the middle of the previous shared driveway and that it was very dangerous getting out of the property and onto the road.

Dennis Salzman, Town of Schleswig Chairperson, spoke in favor of the request with a couple concerns that the Town would like addressed. He informed the board that trees and root balls from those trees were located along the road edge and when the root was removed the road became unstable in that area and needs walls for stabilization. There are other structures along Rokilio road that are also very close to the road so this was not an unusual request and that a neighboring property owner a couple houses down also installed retaining walls due to the steep slope.

Mr. Salman then informed the board that the Town was requesting a two foot shoulder beyond the pavement before the downhill slope started. He also suggested the use of a pervious surface for the driveway rather than an impervious media. The Town was concerned about two blocks from the retaining walls and stated the Town had talked with the Suchon's about having those two blocks removed. If those two blocks are removed and a two foot right-of-way can be provided for snow plow safety; the Town is in favor of the project.

Lester Scholz, neighboring property owner to the north, spoke opposed to the request stating the survey marker was removed during this project and that trees located on his property were removed and his land excavated without permission and that one of the walls was originally constructed on his property.

Mrs. Suchon told the board she did have the wall removed from the neighboring property.

There being no further comments, Chairperson Bonde closed the public hearing for Sharon and Samuel Suchon.

Deliberation

Motion by: Mr. Glaeser to postpone the decision until next monthly meeting to allow the owner time to survey the property lines and have them flagged for the Board's next onsite. The board wants to make sure the retaining wall does not cross the property line.

Second by: Mr. Schuh

Upon vote: The motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; *No:* none; *Absent:* Vondracheck.

Kris and Julie Woelfel – Owners of property located at 9122 S. Lake Dr. in Govt. Lot 4, of Section 7, T18N-R23E, Town of Newton, Manitowoc County, Wisconsin, tax parcel number (14-007-013-010.00); wherein a variance is being requested to construct a 12'x24' deck at approximately 61 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 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 questions regarding the variance requests.

People in attendance that were in favor of the request; none.

People in attendance opposed to the request; none.

Mr. Gaedtke read a letter from WDNR representative, Dale Rezebek regarding the variance request. A copy was given to all board members present at the meeting and a copy was given to the owner prior to the meeting (copy on file).

Mr. Gaedtke read a letter from neighboring property owner Richard Molepske who was in favor of the request (copy on file).

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

Deliberation

Motion by: Mr. Glaeser to approve the request to construct a 12' x 24' deck at 61 feet from the ordinary high water mark of English Lake on your property at 9122 S. Lake Dr., in an S1, Shoreland zoned district

Reasons for approval:

1. The Board determined a development pattern existed in this area and used averaging to determine the deck setback.

2. The two adjacent properties averaged 60.5 feet from the ordinary high water mark and the request was to be further from the lake at 61 feet.
3. Having the deck in the proposed location would allow for proper drainage and not impede water flow on the lot.

Conditions of approval:

1. The owner must reestablish the vegetative buffer within the front 35 foot vegetative zone from the ordinary high water mark that covers 70% of the area nearest the water.
2. A 30 foot view corridor is allowed.

Second by: Mr. Schuh

Upon vote: The motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; *No:* none; *Absent:* Vondracheck.

Other Business

Schedule Meeting– the Board scheduled the next regular meeting for May 19, 2014 and the onsite for May 12, 2014

Adjournment

Motion by: Mr. Schuh to adjourn.

Seconded by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; *No:* none; *Absent:* Vondracheck.

Respectfully submitted,

Charles Nate, Secretary

Date



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

DATE: Monday, May 12, 2014
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. **Paul Muench** – SEW ¼ SEW ¼ Sec 36, T18N-R22E, 10308 CTH F, Town of Liberty – Conditional Use Permit
 - 2. **Charles Kiehn** – SW ¼ SW ¼ Sec 6, T19N-R21E, 3503 Sunset Lane, Town of Rockland – Variance Request
 - 3. **Pamela Kachelmeier** – SE ¼ NE ¼ Sec 25, T17N-R21E, 17412 W. Washington Rd., Town of Schleswig, –Conditional Use Permit
 - 4. **Thomas Oswald** – NW ¼ SW ¼ and part of the NE ¼ SW ¼, Sec 34, T20N-R23E, 4927 Stone Rd, Town of Kossuth – Conditional Use Permit
- IV. Old Business
 - 1. **Sharon and Samuel Suchon** – Govt. Lot 4, Sec 24, T17N-R21E, 14312 Rokilio Rd, Town of Schleswig – Variance Requests
- V. Adjournment

Date: May 5, 2014

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

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

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

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

May 12, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, May 12, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Ralph Schuh, Orville Bonde, Charlie Nate. Members absent: Laurel Vondrachek.

Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuh seconded by Mr. Glaeser to approve the agenda for the May 12, 2014 meeting. Upon vote, the motion was unanimously approved.

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

The Board received their folders containing the May19, 2014 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: Mr. Glaeser.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: MONDAY, May 19, 2014
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
 1. **Sharon and Samuel Suchon** – Govt. Lot 4, Sec 24, T17N-R21E, 14312 Rokilio Rd., Town of Schleswig – Variance Requests
- VI. NEW BUSINESS

Discussion and possible action on:

 1. **Paul Muench** – SEW ¼ SEW ¼ Sec 36, T18N-R22E, 10308 CTH F, Town of Liberty – Conditional Use Permit
 2. **Charles Kiehn** – SW ¼ SW ¼ Sec 6, T19N-R21E, 3503 Sunset Lane, Town of Rockland – Variance Request
 3. **Pamela Kachelmeier** – SE ¼ NE ¼ Sec 25, T17N-R21E, 17412 W. Washington Rd., Town of Schleswig – Conditional Use Permit
 4. **Thomas Oswald** – NW ¼ SW ¼ and part of the NE ¼ SW ¼, Sec 34, T20N-R23E, 4927 Stone Rd., Town of Kossuth – Conditional Use Permit
- VII. OTHER BUSINESS

Discussion and possible action on:

 1. Schedule June Meeting
- VIII. ADJOURNMENT

Date: May 5, 2014

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 19, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, May 19, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Ralph Schuh, Charlie Nate and Orville Bonde. Members absent: Laurel Vondracheck. Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuh, seconded by Mr. Glaeser to approve the April 21, 2014 meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Schuh, Nate and Glaeser; No: none; Absent: Vondracheck.

A motion was made by, Mr. Glaeser, seconded by Mr. Schuh to approve the May 12, 2014 onsite meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Schuh, Nate and Glaeser; No: none; Absent: Vondracheck.

A motion was made by, Mr. Nate, seconded by Mr. Schuh to approve the agenda for the May 19, 2014 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Schuh, Nate and Glaeser; No: none; Absent: Vondracheck.

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

Sharon and Samuel Suchon – Owners of property located at 14312 Rokilio Rd. in Govt. Lot 4, of Section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel number (16-510-001-006.00); wherein variances are being requested to construct 4 retaining walls ranging in size from approximately 27' to 65' long x 4' to 9' tall and located at distances ranging from 10 to 60 feet from the centerline of Rokilio Road and one of the walls at approximately 3 feet from the north property line; and to construct a 30 foot long stairway at approximately 12 feet from the centerline of Rokilio road in an LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the postponed request so the board could deliberate and make a motion.

Mr. Gaedtke informed the Board the requested survey was completed by Mrs. Suchon and they each had a copy.

Deliberation

Motion by: Mr. Glaeser to approve the variance requests to construct 4 retaining walls ranging in size from approximately 27' to 65' long x 4' to 9' tall and located at distances ranging from 10 to 60 feet from the centerline of Rokilio Road and one of the walls at approximately 3 feet from the north property line; and to construct a 30 foot long stairway at approximately 12 feet from the centerline of Rokilio road in an LR, Lake Residential, S1, Shoreland zoned district.

Reasons for approval:

1. The lots extreme slope and hill along with erodible soils create a physical hardship.
2. The steep slope and erodible soils create a burden and requires retaining walls within the normal setbacks for safety purposes and erosion control.
3. The request does not negatively affect the public interest.

Conditions of approval:

1. Two blocks must be removed from the wall as requested by the Town of Schleswig; and a two foot right-of-way must be provided.

Second by: Mr. Schuh

Upon vote: The motion was unanimously approved.

Aye: Bonde, Schuh, Nate and Glaeser; *No:* none; *Absent:* Vondracheck.

New Business

Paul Muench – Owner of property located at 10308 CTH F, in the SE¼, SE¼, Section 36, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, tax parcel number (08-036-016-001.00); wherein a conditional use permit is being requested to operate a mini storage business in an existing building, in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Paul Muench.

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

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

The Board asked Paul Muench, questions regarding his conditional use permit 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 Paul Muench.

Deliberation

Motion by: Mr. Schuh to approve the conditional use permit request to operate a mini storage building at 10308 CTH F, in a RR, rural residential zoned district.

Reasons

1. The business fits on the property and the use is compatible with the zoning district.
2. The driveway is adequate size for this type of business.
3. There is adequate room for vehicles to park and turn around.
4. Noise would be minimal and not more objectionable than other traffic driving on the road.
5. The building preexists and will not impair the value of neighboring homes.

6. Only one on premise sign is allowed.
7. The property has plenty of room for this type of business.
8. The public's health and safety is protected
9. The use will not be more objectionable to nearby properties by reason of lights, fumes, noise or vibrations than what's permitted in this zoning district.
10. There is sufficient room on the property for this type of business.

Conditions:

1. No outside storage allowed.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Schuh, Nate and Glaeser; *No:* none; *Absent:* Vondracheck.

Charles Kiehn – Owner of property located at 3503 Sunset Ln, in the SW¼, SW¼, Section 6, T19N-R21E, Town of Rockland, Manitowoc, County, Wisconsin, tax parcel number (15-006-010-002.03); wherein a variance is being requested to construct a 54'x 36' one story home with an attached 24'x22' garage at 72 feet from the ordinary high water mark of the lake and to construct a 6'x54' long patio/sidewalk at 66 feet from the ordinary high water mark of Long Lake, in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Charles Kiehn.

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

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

The Board asked Charles Kiehn questions regarding the variance requests.

Mr. Kiehn stated the power lines located at the front of his property restricts the buildable area and his lot across the road is small and has a covenant associated with it that prevents him from building a home on it.

People in attendance in favor of the request; none.

People in attendance opposed to the request; none.

Mr. Gaedtke read letters in favor of the request from the Town of Rockland and neighboring property owners Dale and Cathy Timm (copies on file).

Mr. Gaedtke read a letter from Dale Rezabek from the Wisconsin Department of Natural Resources concerning the variance request (copy on file).

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

Deliberation

Motion by: Mr. Glaeser to approve the variance request to construct a 54'x 36' one story home with an attached 24'x22' garage at 72 feet from the ordinary high water mark of Long Lake and to construct a 6'x54' long walkway at 66 feet from the ordinary high water mark of Long Lake, in a LR, Lake Residential, S1, Shoreland zoned district

Reasons for approval:

1. The short lot and power lines located at the front of the lot create both a hardship and burden on the owner preventing him from moving the structure and walkway further from the ordinary high water mark.
2. The request does not affect the public interest because the house is located at 72 feet from the ordinary high water mark and there is a lot of vegetation and plenty of room between the house/walkway and the lake.

Second by: Mr. Schuh

Upon vote: The motion was unanimously approved.

Aye: Bonde, Schuh, Nate and Glaeser; *No:* none; *Absent:* Vondracheck.

Pamela Kachelmeier – Owner of property located at 17412 W. Washington Rd., in the SE¼, NE¼, 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 expand an existing equine assisted counseling business to include more days and longer hours of operation in a 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 the variance requests.

Ms. Kachelmeier stated she was just looking to allow more flexibility in her schedule.

Ken Smasl from the Town of Schleswig stated the town was in favor of the request and suggested hours of operation be Monday through Friday from 10:00 a.m. to 7:00 p.m. and to allow only eight Saturdays a year with hours from 10:00 a.m. to 2:00 p.m.

Sandra Garlieb Grapentine stated she represented her parents who are neighbors and spoke opposed to the extension of hours and Saturdays. Ms. Grapentine stated they were not opposed to the work but was concerned about who Ms. Kachelmeier was working with because there's no limit to the type of people she can help. There was also concern about the possibility of people trespassing onto her parent's property.

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

Deliberation

Motion by: Mr. Glaeser to approve the conditional use permit request to expand an existing equine assisted counseling business to include more days and longer hours of operation in a GA, General Agricultural zoned district.

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 Monday through Friday from 9:00 a.m. to 7:00 p.m.
4. Saturdays shall be allowed for six months throughout the year; starting April 1 and going through September. The hours of operation for Saturdays will be from 9:00 a.m. to 4:00p.m.
5. No sign was requested but she could have one by her barn if she wanted.
6. No lighting.
7. Use the existing driveway.
8. No delivery trucks allowed for the business.
9. A small room can be added to the side of the barn.
10. 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.
11. The teepee can be used for counseling.
12. There will be annual reviews of the conditional use permit.

Second by: Mr. Schuh

Upon vote: The motion was unanimously approved.

Aye: Bonde, Schuh, Nate and Glaeser; *No:* none; *Absent:* Vondracheck.

Thomas Oswald – Owner of property located at 4927 Stone Rd. in the NW¼, SW¼, and part of the NE¼, SW¼, Section 34, T20N-R23E, Town of Kossuth in Manitowoc County, Wisconsin, tax parcel numbers (007-034-010-000.00 and 007-034-009-000.00); wherein a conditional use permit is being requested by the applicant, Michael Oswald, to operate an annual one weekend entertainment festival and camping event known as “Ostrichfest”, in a GA, General Agricultural zoned district.

Chairperson Bonde opened the public hearing for Michael and Thomas Oswald.

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

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

The Board asked Michael Oswald, the applicant, questions regarding the conditional use permit request.

The Board had health and safety concerns such as having enough adequate parking on site, proper ingress and egress in case of emergencies and inclement weather, having proper security and enough security for a big crowd, proper electrical installation to make sure the public is protected, obtaining the needed permits and licenses, having adequate insurance and other concerns.

Mr. Oswald informed the board he also was concerned about the public's health and safety and was planning on hiring off duty officers and volunteer staff for security; he was working on obtaining permits, licenses, and insurance for the event. He was prepared to bring in sod for parking if needed and would also utilize the nearby park and rides for overflow parking and was going to have Milwaukee Sound and Light hook up the electrical items.

Mr. Oswald stated he is doing this to support the community and small businesses and give back to our community.

Jim Froelich, Supervisor for the Town of Kossuth spoke opposed to the request with concerns about adequate ingress and egress for emergency vehicles, "no parking" signs to be located on Stone road have to be official town signs because officers can't enforce private signs, and he informed the board that the Town doesn't want any liability.

John Hutterer, Chairman for the Town of Kossuth spoke opposed to the request concerned about protection from inclement weather, controlling hard liquor carry ins, and proper crowd control.

Mr. Gaedtke read a letter from the Town of Kossuth opposed to the conditional use permit request. The letter also listed conditions the Town would like to see for the permit if the board of adjustment decided to approve the request (copy on file).

Mr. Gaedtke read an email from the Wisconsin Department of Natural Resources representative, Dale Rezabek, who commented on concerns about maybe having an erosion control plan for the wetland and small stream located east of the festival grounds (copy on file).

Mr. Gaedtke read an email from the Wisconsin Department of Transportation who stated they would only monitor the event to see if there any impacts to the state roads (copy on file).

Mr. Gaedtke read a letter from the Manitowoc County Health Department Environmental Health Manager, Jessica Wanserski, informing the board of licenses and testing that needed to be completed prior to the festival (copy on file).

Mr. Gaedtke read a letter from the Manitowoc County Sheriff, Robert Hermann, who provided recommendations for permit conditions if the board were to approve the request (copy on file).

Michael Oswald informed the board that he had an encouraging conversation with the Town of Kossuth in January and didn't hear about any opposition from the Town at that time.

There being no further comments, Chairperson Bonde closed the public hearing for Michael and Thomas Oswald.

Deliberation

Motion by: Mr. Glaeser to deny the conditional use permit request to operate an annual one weekend entertainment and camping event on property located at 4927 Stone Rd. and in a GA, General Agricultural zoned district.

Reasons for denial:

1. The applicant did not prove that the public's health and safety would be properly protected.
2. The applicant did not have any liability insurance to show the property owner and town would be protected from a lawsuit
3. Required permits and licenses had not been obtained yet.
4. The applicant did not show that proper police protection would be provided to the public if the size of the crowd got out of hand or became unruly.
5. Licensing would not allow for hard liquor on the property. The applicant did not show how proper control of hard liquor would be achieved.
6. Someone could get hurt or killed from lack of safety or protection and then it would be too late.
7. There would be cords and wires going in and out of tents and to the stages to supply power. Some of the cords will be in the open with no guarantee of public protection from them.
8. The proposed use is not compatible with the surrounding area based upon the use of lights, noise, and traffic at the site which would all be more objectionable than other principal uses allowed in this zoning district.
9. The ingress and egress of the property is not adequate for the amount of traffic that could occur.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Schuh, Nate and Glaeser; *No:* none; *Absent:* Vondracheck.

Other Business

Schedule Meeting— the Board scheduled the next regular meeting for June 16, 2014 and the onsite for June 9, 2014

Adjournment

Motion by: Mr. Nate to adjourn.

Seconded by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; *No:* none; *Absent:* Vondracheck.

Respectfully submitted,

Charles Nate, Secretary

Date



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

DATE: Monday, June 9, 2014
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. **NextEra Energy Point Beach LLC** –Govt. Lots 1 ,2, 3 & 4 of fractional Section 24, NW ¼, SW ¼ & S ½, SW ¼ & SW ¼ , NW ¼ , Sec 24, T21N-R24E, 6610 Nuclear Road, Town of Two Creeks – Variance Request
 2. **Todd and Lester Scholz** – Govt. Lot 4, Sec 24, T17N-R21E, 14310 Rokilio Rd, Town of Schleswig – Variance Requests
 3. **Brian Lennie** – Govt. Lot 4, T17N-R21E, 10618 Sunny Vista Lane, Town of Schleswig, Variance Request
 4. **Reginald Warpinski Estate** – SW ¼, SW ¼ , Sec 24, T21N-R22E, 9120 Hidden Valley Road, Town of Cooperstown – Conditional Use Permit and Variance Requests.
- IV. Adjournment

Date: June 2, 2014

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 9, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, June 9, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

Staff present: Reed Gaedtke.

A motion was made by, Ms. Vondrachek; seconded by Mr. Glaeser to approve the agenda for the June 9, 2014 meeting. Upon vote, the motion was unanimously approved. *Aye: Bonde, Nate, Vondrachek and Glaeser; No: none; Absent: Schuh.*

The Board received their folders containing the June 16, 2014 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. Vondrachek.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY

BOARD OF ADJUSTMENT

MEETING NOTICE

DATE: MONDAY, JUNE 16, 2014
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. **NextEra Energy Point Beach LLC** –Govt. Lots 1 ,2, 3 & 4 of fractional Section 24, NW ¼, SW ¼ & S ½, SW ¼ & SW ¼ , NW ¼ , Sec 24, T21N-R24E, 6610 Nuclear Road, Town of Two Creeks – Variance Request
- 2. **Todd and Lester Scholz** – Govt. Lot 4, Sec 24, T17N-R21E, 14310 Rokilio Rd, Town of Schleswig – Variance Requests
- 3. **Brian Lennie** – Govt. Lot 4, T17N-R21E, 10618 Sunny Vista Lane, Town of Schleswig, Variance Request
- 4. **Reginald Warpinski Estate** – SW ¼, SW ¼ , Sec 24, T21N-R22E, 9120 Hidden Valley Road, Town of Cooperstown – Conditional Use Permit and Variance Requests

VI. OTHER BUSINESS

Discussion and possible action on:

- 1. Schedule July Meeting

VII. ADJOURNMENT

Date: June 2, 2014

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 16, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, June 16, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

A motion was made by, Mr. Schuh, seconded by Mr. Glaeser to approve the May 19, 2014 meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondracheck, Schuh, Nate and Glaeser; No: none.

A motion was made by, Mr. Glaeser, seconded by Ms. Vondrachek to approve the June 9, 2014 onsite meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Schuh and Glaeser; No: none.

A motion was made by, Mr. Nate, seconded by Mr. Schuh to approve the agenda for the June 16, 2014 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondracheck, Schuh, Nate 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

NextEra Energy Point Beach LLC – Owner of property located at 6610 Nuclear Rd, in Govt. Lots 1, 2, 3 & 4 of Fractional Section 24, NW¼, SW¼, & S½, SW¼, & SW¼, NW¼, Section 24, T21N-R24E, Town of Two Creeks, Manitowoc, County, Wisconsin, tax parcel number (17-024-000-000.00); wherein a variance is being requested to cut and trim a 1132' strip of vegetation within the front 35 feet of Lake Michigan's ordinary high water mark located in an EA, Exclusive Agricultural, S1, Shoreland zoned district.

Chairperson Bonde opened the postponed request so the board could deliberate and make a motion.

Chairperson Bonde opened the public hearing for NextEra Energy Point Beach LLC.

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

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

The Board asked Ron Seizert, Justin Stodola, and Mel Pedersen, representatives for NextEra Energy Point Beach LLC, questions regarding the variance request.

Mr. Gaedtke informed the Board of the letter in their packet regarding the federal regulation 10CFR which pertains to tree cutting in relation to this type of met tower. Parts of the letter were read aloud (copy on file).

Lee Engelbrecht, Chairman for the Town of Two Creeks, spoke in favor of the request and stated the town was concerned with potential erosion issues.

People in attendance opposed to the request; none.

Mr. Gaedtke read a letter from Dale Rezabek with the Wisconsin Department of Natural Resources regarding the variance request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for NextEra Energy Point Beach LLC.

Deliberation

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

Reasons for approval:

1. The growing trees around the met tower create a physical hardship.
2. The heights of the trees create a burden by interfering with the tower.
3. The request does not have a negative effect on the public interest. In fact the tree removal benefits the public interest.
4. The cutting of the current trees affecting the met tower is needed for public health and safety purposes and is required.
5. The tree removal also helps with emergency response decisions.

Conditions of approval:

1. Tree stumps and brush are to be left for erosion control.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Schuh, Nate and Glaeser. *No:* none.

Todd and Lester Scholz – Owner of property located at 14310 Rokilio Rd. in Govt. Lot 4, of Section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel number (16-510-001-008.00); wherein after the fact variances are being requested for three retaining walls and a stairs. The walls will be approximately 50' long x 42" high at approximately 46 feet from the centerline of the road; an approximate 51' long x 48" high wall at 41 feet from the centerline of the road, an approximate 109' long x 92" high retaining wall at 8' 6" from the centerline of Rokilio road and access stairs at approximately 10 feet from the road in an LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Todd and Lester Scholz.

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

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

The Board asked Lester Scholz questions regarding the 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 Todd and Lester Scholz.

Deliberation

Motion by: Mr. Schuh to approve the variance requests.

Reasons for approval:

1. The lots extreme slope and erodible soils create a physical hardship.
2. The steep slope and erodible soils create a burden to the home owners if they could not utilize retaining walls.
3. The walls are needed for safety purposes and erosion control.
4. The request does not have a negative effect on the public interest. The retaining walls prevent erosion which helps preserve the road.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Schuh, Nate and Glaeser; *No:* none.

Brian Lennie – Owner of property located at 10618 Sunny Vista Ln., in Govt. Lot 4 of Section 2, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel number (16-540-000-023.00); wherein a variance is being requested to enclose an existing 13' 1" x 20' deck with screens and a roof at 36 feet from the ordinary high water mark of Wilke Lake, in an LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Brian Lennie.

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

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

The Board asked Brian Lennie questions regarding the variance requests.

People in attendance in favor of the request; none.

People in attendance opposed to the request; none.

The Board discussed the development pattern in place on the lake and the averaging of adjacent principal structures which came to 18.25 feet.

Mr. Gaedtke read a letter from Dale Rezabek with the Wisconsin Department of Natural Resources opposing the variance request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Brian Lennie.

Deliberation

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

Reasons for approval:

1. A development pattern exists on the lake. The adjacent existing principal structures are located at 22 feet and at 14 ½ feet from the ordinary high watermark of the lake. There is an 18 ¼ foot average setback distance to the lake and the proposed structure will be setback beyond the average at 36 feet from the ordinary high water mark.
2. The proposed addition will be located beyond 35 feet of the ordinary high water mark.
3. One of the owners is handicapped and will soon need a wheel chair creating a burden for the owner to use the property.
4. The proposed project does not have a negative effect on the lake because it is located 36 feet from the water the rain water will be directed away from the lake creating more room for the water to infiltrate into the ground.
5. The slight slope of the property and the narrow and short lot create a hardship.

Conditions of approval:

2. Gutters need to be located on the proposed porch and the gutters need to run to the east of the property to allow the water more time and room to infiltrate into the soil before getting to the lake.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Schuh, Nate and Glaeser; *No:* none.

Reginald Warpinski Estate – Owner of property located at 9120 Hidden Valley Rd. in the SW¼, SW¼, Section 24, T21N-R22E, Town of Cooperstown, Manitowoc County, Wisconsin, tax parcel number (03-024-011-002.00); wherein a conditional use permit is being requested by the applicant, Glendon Weaver, to operate a manufacturing and sales business to construct storage sheds, weekend cabins and animal shelters. And wherein variances are being requested to construct one 6’x13’2”x10’6” on premise business sign at 40 feet from the centerline of a town road and to construct a second 10’x12’x18’ on premise business sign at 10 feet from the right-of-way of a class 5 highway (I-43) in a GA, General Agricultural zoned district.

The applicant was not present at the meeting.

Mr. Gaedtke read a letter from the Town of Cooperstown requesting the hearing be postponed to allow the Township more time to review the applicant’s request (copy on file).

Chairperson Bonde opened the public hearing for Reginald Warpinski Estate.

At the Towns request the Board decided to postpone the request until the next regular meeting.

Deliberation

Motion by: Ms. Vondrachek to postpone the hearing as requested by the Town.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Schuh, Nate and Glaeser; *No:* none.

Other Business

Schedule Meeting— the Board scheduled their next regular meeting for July 21, 2014 and the onsite for July 14, 2014

Mr. Gaedtke informed the Board that the annual election of officers will take place during the July hearing.

Adjournment

Motion by: Mr. Nate to adjourn.

Seconded by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Schuh and Glaeser; *No:* none.

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT ADVISORY MEETING NOTICE

DATE: Monday, July 14, 2014
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. **Reginald Warpinski Estate** –SW ¼ SW ¼ , Section 24, T21N-R22E, 9120 Hidden Valley Road, Town of Cooperstown – Amended Conditional Use and Variance Request
- IV. New Business
 1. **Todd and Melissa Puchalla** – NE ¼ NE ¼ , Section 20, T17N-R22E, 15007 CTH XX, Town of Meeme – Variance Request.
 2. **Joye Haun** – Govt. Lot 2 of Section 7, T18N-R23E, 4313 W. Lake Drive, Town of Newton, Variance Requests.
 3. **Vicki and Steve Taddy** – NE ¼ , Section 20, T20N-R25E, 7822 CTH O, Town of Two Rivers – Variance Request.
 4. **Ronald Bohenstengel and Karen Musil** – SW ¼ SE ¼, and the SE ¼ SW ¼, Section 21, T18N-R22E, 14402 CTH C, Town of Liberty – Conditional Use Permit
- V. Adjournment

Date: July 7, 2014

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

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

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

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

July 14, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, July 14, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

Staff present: Pete Tarnowski.

A motion was made by, Ms. Vondrachek; seconded by Mr. Schuh to approve the agenda for the July 14, 2014 meeting. Upon vote, the motion was unanimously approved. *Aye: Bonde, Nate, Vondrachek, Schuh and Glaeser; No: none;*

The Board received their folders containing the July 21, 2014 hearing request and Mr. Tarnowski 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 at 12:05 P.M.

Seconded by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: MONDAY, JULY 21, 2014
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

1. **Reginald Warpinski Estate** –SW ¼ SW ¼ , Section 24, T21N-R22E, 9120 Hidden Valley Road, Town of Cooperstown – Amended Conditional Use and Variance Request

VI. NEW BUSINESS

Discussion and possible action on:

1. **Todd and Melissa Puchalla** – NE ¼ NE ¼ , Section 20, T17N-R22E, 15007 CTH XX, Town of Meeme – Variance Request.
2. **Joye Haun** – Govt. Lot 2 of Section 7, T18N-R23E, 4313 W. Lake Drive, Town of Newton, Variance Requests.
3. **Vicki and Steve Taddy** – NE ¼ , Section 20, T20N-R25E, 7822 CTH O, Town of Two Rivers – Variance Request.
4. **Ronald Bohenstengel and Karen Musil** – SW ¼ SE ¼, and the SE ¼ SW ¼, Section 21, T18N-R22E, 14402 CTH C, Town of Liberty – Conditional Use Permit.

VII. OTHER BUSINESS

Discussion and possible action on:

1. Conditional Use Permit Review – 141 Speedway –KRR Enterprises LLC (formerly Brudon Enterprises LLC)
2. Election of officers
3. Schedule August Meeting

VIII. ADJOURNMENT

Date: July 7, 2014

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

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

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

July 21, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, July 21, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Ralph Schuh, Charlie Nate, Laurel Vondrachek and Orville Bonde. Staff present: Kaila Boeckman and Pete Tarnowski.

A motion was made by, Mr. Glaeser, seconded by Ms. Vondrachek to approve the June 16, 2014 meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Schuh and Glaeser; No: none.

A motion was made by, Ms. Vondrachek, seconded by Mr. Nate to approve the July 14, 2014 onsite meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Schuh and Glaeser; No: none.

A motion was made by, Ms. Vondrachek, seconded by Mr. Schuh to approve the agenda for the July 21, 2014 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Schuh and Glaeser; No: none.

Mr. Tarnowski 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

Reginald Warpinski Estate – Owner of property located at 9120 Hidden Valley Rd. in the SW¼, SW¼, Section 24, T21N-R22E, Town of Cooperstown, Manitowoc County, Wisconsin, tax parcel number (03-024-011-002.00); wherein an amended conditional use permit and variance request was submitted by the applicant, Glendon Weaver, to construct two on-premise business signs on the same property and to operate a manufacturing and sales business consisting of storage sheds, weekend cabins and animal shelters. The variance and conditional use permit request is in a GA, General Agricultural zoned district.

Chairperson Bonde opened the public hearing for Reginald Warpinski Estate and Glendon Weaver.

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

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

The Board asked Glendon Weaver, the applicant, questions regarding the variance and conditional use permit request.

People in attendance in support of the request: Mike Warpinski, son of the property owner, spoke in support of this project.

People in attendance opposed to the request; none.

Mr. Tarnowski read an email from Roy Tilleman Jr., WDOT, informing the Board that the amended application meets requirement of the right-of-way. No further State sign permit will be needed for this category of sign. The new location of the driveway is outside the access restricted area. No driveway permit will be needed from the State.

Mr. Tarnowski had two pieces of correspondence from the Town of Cooperstown. The Town Plan Commission recommended approval of the conditional use permit to the Town Board and the Town Board approved the recommendation for a conditional use based on the information provided by the Cooperstown Plan Commission.

There being no further comments, Chairperson Bonde closed the public hearing for Reginald Warpinski Estate and Glendon Weaver.

Deliberation

Motion by: Mr. Schuh to approve the conditional use permit and a variance for the second sign on the Reginald Warpinski Estate for Glendon Weaver based on the following:

Proposed items for approval:

1. Be restricted to the two signs per the plan - one to be limited to a 4' x 8' size and the other at the entrance to be 18" x 30"
2. Lighting to be for security ingress and egress purposes only
3. The size of the area under the conditional use permit be limited to 475' west of the interstate right-of-way (the fence) and 525' north of Hidden Valley Road
4. The number of employees be restricted to 5
5. The hours of operation be restricted to be 8 am to 6 pm Monday through Friday and 8 am to 4 pm on Saturdays
6. The conditional use be subjected to an annual review.

Reasons:

1. The business will not impede the orderly development of the district.
2. The development and proposed use is compatible with the surrounding area and will not negatively affect the surrounding area because there is a buffer area to the west and north.
3. The proposed use fits the parcel size.
4. The submitted redesign of the area allows for proper access to the site.
5. The structures appear to be compatible with the business and size.
6. By limiting the hours of operation and lighting, there should not be any flashing lights, fumes, noise or other vibrations with this use.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Schuh, Nate and Glaeser; *No:* none.

New Business

Todd and Melissa Puchalla – Owners of property located at 15007 CTH XX in the NE¹/₄, NE¹/₄, Section 20, T17N-R22E, Town of Meeme, Manitowoc County, Wisconsin, tax parcel number (12-020-001-002.00); wherein a variance is being requested to replace a house with an attached garage at 54 feet from the centerline of CTH XX in a GA, General Agricultural zoned district.

Chairperson Bonde opened the public hearing for Todd and Melissa Puchalla.

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

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

The Board asked Todd and Melissa Puchalla questions regarding the variance request.

People in attendance in support of the request; none.

People in attendance opposed to the request; none.

Mr. Tarnowski read a letter from the Meeme Town Board accepting the variance request of Todd and Melissa Puchalla to rebuild their home with an attached garage and porch.

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

Deliberation

Motion by: Mr. Glaeser to approve the variance request for Todd and Melissa Puchalla to rebuild their home with an attached garage at 56' from the centerline of CTH XX.

Reasons for approval:

1. There is a hardship due to drainage, steep slope and septic system location.
2. Would create a burden for the owner because of the stated items in No. 1.
3. The request does not have a negative effect on the public interest.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Schuh, Nate and Glaeser. *No:* none.

Joye Haun – Owner of property located at 4313 W. Lake Dr., in Govt. Lots 2 of Section 7, T18N-R23E, Town of Newton, Manitowoc, County, Wisconsin, tax parcel number (14-007-002-015.00); wherein variances are being requested to construct a new sloping roof on the existing structure and to raise the existing cottage and replace the old pylons with a new foundation at 53 feet from the ordinary high water mark of the lake, and to construct a 12' 2" x 18' 2 ½" screen porch onto part of the existing deck at 56 feet from the ordinary high water mark of English Lake in an S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Joye Haun.

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

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

The Board asked Joye Haun questions regarding the variance requests.

People in attendance in favor of the request; none.

People in attendance opposed to the request; none.

Mr. Tarnowski read a letter with comments from Dale Rezabek of the Department of Natural Resources. (copy on file) His comments are in regard to shoreline zoning only and do not reflect applicable erosion control, waterway permitting or other Department regulations.

There being no further comments, Chairperson Bonde closed the public hearing for Joye Haun.

Deliberation

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

Reasons:

1. A development pattern already exists on the lake because of the adjacent structures.
2. Unique lot size because it's a very small lot.
3. Pylons are in need of repair because they are already sloping.
4. Footprint will stay the same.
5. The cottage is on a private road.
6. The request will not negatively affect the public because the cottage will stay the same as it is now except for the roof.

Recommendation:

1. Native plantings be planted along the water's edge.

Second by: Mr. Schuh

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Schuh, Nate and Glaeser; *No:* none.

Vicki and Steve Taddy – Owners of property located at 7822 CTH O, in the NE¼, of Section 20, T20N-R25E, Town of Two Rivers, Manitowoc County, Wisconsin, tax parcel numbers (18-220-003-004.00 and attached parcel 18-220-002-003.00); wherein a variance is being requested to construct an approximate 41'x 60' home with a deck at 90 feet from the centerline CTH O in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Vicki and Steve Taddy.

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

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

The Board asked Vicki Taddy questions regarding the variance requests.

People in attendance in favor of the request; none.

People in attendance opposed to the request; none.

Mr. Tarnowski read a letter from the Town of Two Rivers (copy on file) stating they had no objection to the variance request submitted by Steve and Vicki Taddy.

There being no further comments, Chairperson Bonde closed the public hearing for Vicki and Steve Taddy.

Deliberation

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

Reasons:

1. There is a high water table to the west and have no other room to build.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Schuh, Nate and Glaeser; *No:* none.

Ronald Bohenstengel and Karen Musil – Owners of property located at 14402 CTH C, in the SW¼, SE¼, and the SE¼, SW¼, Section 21, T18N-R22E, Town of Liberty, Manitowoc, County, Wisconsin, tax parcel numbers (08-021-015-002.00 and 08-021-012-001.00); wherein a conditional use permit is being requested by Kandy Konitzer, the applicant, to operate a dog kennel in an LE, Large Estate Residential zoned district.

Chairperson Bonde opened the public hearing for Kandy Konitzer.

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

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

The Board asked Kandy Konitzer questions regarding the variance requests.

People in attendance in favor of the request; none.

People in attendance opposed to the request; none.

Mr. Tarnowski reviewed the Town of Liberty change request form the Plan Commission and the Town Board. (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Kandy Konitzer.

Deliberation

Motion by: Mr. Glaeser to grant the conditional use request for the following conditions:

Reason: This conditional use request should not impede the orderly development of the area because there are not near neighbors. It is surrounded mostly by agricultural land.

Conditions:

1. A full perimeter fence, 6 foot minimum, shall be installed prior to any dogs being brought on –site.
2. An interior fence around the two yards shall be a minimum of 4 feet high.
3. Dog waste shall be disposed of at least every two weeks and double bagged.
4. There shall be no exterior kennels.
5. The dogs shall only be left out of home when owner or caretaker is present.
6. This operation shall comply with all local, county, state and federal human and animal health or welfare laws.
7. There shall be a maximum of 10 dogs on this property with a reevaluation to expand to 12 dogs after August 1, 2015.
8. All dogs must have a Manitowoc County dog license.
9. The owner should have liability insurance.
10. There shall be a one year review.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Schuh, Nate and Glaeser; *No:* none.

Other Business

Conditional use permit review for “141 Speedway”.

Mr. Tarnowski reviewed the conditions of the previous annual review which took place back in 2012. The decision at that time required the planting of trees along the north property line. They were listed as conditions 20, 21, and 22 which read as:

20. A tree line shall be planted along both the north and south property lines to help reduce noise and improve aesthetics.
21. Each tree line shall consist of two staggered rows of cedar or spruce trees.
22. The planted trees shall be a minimum 5 feet tall.

The Board had questions for KRR Enterprise LCC representative (Dan Ratajczak) for the 141 speedway.

Mr. Tarnowski read an email from Sheriff Herman (copy on file)

Deliberation

Mr. Glaeser stated that KRR Enterprise LLC must continue to make progress toward the tree planting and to set another one year review for 2015.

Election of officers

Motion by: Mr. Glaeser to cast a unanimous ballot to keep the three officers the same for the next year. Mr. Bonde for Chairperson, Ms. Vondracheck for Vice Chairperson and Mr. Nate for Secretary.

Second by: Mr. Schuh

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Schuh, Nate and Glaeser; *No:* none.

Schedule Meeting– The Board scheduled their next regular meeting for August 18, 2014 and the onsite for August 11, 2014

Adjournment

Motion by: Mr. Glaeser to adjourn.

Seconded by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Schuh and Glaeser; *No:* none.

Respectfully submitted,

Charles Nate, Secretary

Date



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

DATE: Monday, August 11, 2014

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. **Robert Claus** – Gov't Lot 4, Section 24, T17N-R21E, 14332 Rokilio Road, Town of Schleswig – Variance Request
 - 2. **Michael Kuester, Jr.** – SW ¼ , SW ¼ of Section 14, T17N-R21E, 19700 CTH XX, Town of Schleswig – Variance Requests
 - 3. **Monty and Maureen Meister** – NW ¼ , SE 1/4 Section 33, T18N-R22E, 9420 Pigeon Lake Road, Town of Liberty – Variance Request
 - 4. **Jean Babisch** – NE ¼ SW ¼, Section 33, T18N-R22E, 14615 South Shore Drive, Town of Liberty – Variance Request
- V. Adjournment

Date: August 4, 2014

Orville Bonde, Board Chair
By: Pete Tarnowski, Senior Planner

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 11, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, August 11, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

Staff present: Pete Tarnowski.

A motion was made by Mr. Schuh; seconded by Mr. Glaeser to approve the agenda for the August 11, 2014 meeting. Upon vote, the motion was unanimously approved. *Aye: Bonde, Nate, Schuh and Glaeser; No: none;*

The Board received their folders containing the August 18, 2014 hearing request and Mr. Tarnowski 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 at 11:15 P.M.

Seconded by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; No: none.

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY

BOARD OF ADJUSTMENT

MEETING NOTICE

DATE: MONDAY, August 18, 2014

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. **Robert Claus** – Gov't Lot 4, Section 24, T17N-R21E, 14332 Rokilio Road, Town of Schleswig – Variance Request
2. **Michael Kuester, Jr.** – SW ¼, SW ¼ of Section 14, T17N-R21E, 19700 CTH XX, Town of Schleswig, Variance Requests
3. **Monty and Maureen Meister** – NW ¼, SE 1/4 Section 33, T18N-R22E, 9420 Pigeon Lake Road, Town of Liberty – Variance Request.
4. **Jean Babisch** – NE ¼ SW ¼, Section 33, T18N-R22E, 14615 South Shore Drive, Town of Liberty – Variance Request

VI. OTHER BUSINESS

1. Schedule September Meeting

VII. ADJOURNMENT

Date: August 4, 2014

Orville Bonde, Board Chair
By: Pete Tarnowski, Senior Planner

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

August 18, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, August 18, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Ralph Schuh, Charlie Nate, and Orville Bonde. Members excused: Laurel Vondrachek. Staff present: Pete Tarnowski.

A motion was made by, Mr. Nate, seconded by Mr. Schuh to approve the July 21, 2014 meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; No: none.

A motion was made by, Mr. Glaeser, seconded by Mr. Schuh to approve the August 11, 2014 onsite meeting minutes. Upon vote, the motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; No: none.

A motion was made by, Mr. Nate, seconded by Mr. Glaeser to approve the agenda for the August 18, 2014 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; No: none.

Mr. Tarnowski 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

Robert Claus – Owner of property located at 14332 Rokilio Road, in Gov't Lot 4, Section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, wherein a variance is being requested to construct various retaining walls at 6.5 feet from the centerline of Rokilio Road, at 2 feet from the north property line, at 0 feet from the south property line and at approximately 2 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 Robert Claus.

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

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

The Board asked Robert Claus questions regarding the variance requests.

People in attendance in favor of the request; Mr. Jim Hansen from the Town of Schleswig Planning Commission stated that they were not aware of retaining walls being put in. They are in favor of the variance request at this time. They have one request to redirect some drainage tiles that run onto the neighbors patio.

Mr. Scott Otterson from the Town of Schleswig Sanitary District #1 gave testimony that he was familiar with the work that Mr. Claus has done. He has done a good job of establishing vegetation and infiltration beds. He was in favor of the variance.

People in attendance opposed to the request; none.

Mr. Tarnowski read a letter from Mr. Tom Kons, an adjoining property owner in support of the variance. He also read a letter from Mr. Hubert Van de Pas also an adjoining property owner contesting the granting of the variance. Mr. Tarnowski also read a letter from Dale Rezabek with the Wisconsin Department of Natural Resources regarding the variance request (copy on file).

There were additional comments from Mr. Otterson and Mr. Claus regarding the drainage onto the neighbors. Mr. Claus stated he would correct the broken tile immediately.

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

Deliberation

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

Reasons for approval:

1. The entire property is very steeply sloped and requires terracing.
2. Based upon testimony, it was determined the new retaining walls have replaced existing old railroad ties.
3. The removal of the old railroad ties increases safety and reduces pollution.
4. The request will not harm the public interest and based upon testimony the runoff of sediment to the lake has decreased.

Conditions of approval:

1. The drain pipes must be redirected away from the adjacent properties.
2. The retaining wall that appears to be separating must be repaired to protect the adjacent property.

Second by: Mr. Schuh

Upon vote: The motion was unanimously approved.

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

Michael Kuester, Jr.— Owner of property located at 19700 CTH XX, in the SW1/4, SW1/4, Section 14, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin wherein a variance is being requested to construct a 40' x 64' pole barn addition at approximately 9 feet from the ordinary high water mark of an unnamed creek in a SE, Small Estate, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Michael Kuester, Jr.

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

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

The Board asked Michael Kuester, Jr. questions regarding the variance requests.

People in attendance in favor of the request: Mr. Jim Hansen from the Town of Schleswig Planning Commission stated that he had farmed the land on both sides of the creek and doesn't ever remember the water ever getting out of the creek. He stated that the Schleswig Planning Commission recommends approval.

People in attendance opposed to the request; none.

Mr. Tarnowski read a letter from Dale Rezabek with the Wisconsin Department of Natural Resources regarding the variance request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Michael Kuester, Jr.

Deliberation

Motion by: Mr. Nate to approve the variance requests.

Reasons for approval:

1. The majority of the property is sloping and this is the best level site.
2. The area to the east near the horse arena receives runoff from the road culvert and would require more excavation.
3. This request is for an addition to an existing building which was permitted before the creek was determined to be navigable.

Second by: Mr. Glaeser

Upon vote: The motion was unanimously approved.

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

Monty & Maureen Meister – Owners of property located at 9420 Pigeon Lake Road, in the NW1/4, SE1/4, Section 33, T18N-R22E, Town of Liberty, Manitowoc, County, Wisconsin wherein a variance is being requested to construct an 18' x 30' second story addition at 54 feet from the centerline of Pigeon Lake Road and at approximately 26 feet from the ordinary high water mark of Pigeon Lake in an LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Monty & Maureen Meister.

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

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

The Board asked Monty & Maureen Meister questions regarding the variance requests.

People in attendance in favor of the request; none.

People in attendance opposed to the request; none.

Mr. Tarnowski read the Change Request Form from the Town of Liberty Plan Commission recommending approval to the Town Board. The Town Board approved the Plan Commission recommendation.

Mr. Tarnowski read a letter from Dale Rezabek with the Wisconsin Department of Natural Resources opposing the variance request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Monty & Maureen Meister.

Deliberation

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

Reasons for approval:

1. There is an unnecessary hardship and physical limitation on this lot as it is very narrow and has limited depth between the road and the lake and the ordinance does create an unnecessary burden on the owner to utilize this property.
2. The request will not harm or negatively impact the public interest because the impervious surfaces on this lot will not be increased.

Second by: Mr. Glaeser

Upon vote: The motion was unanimously approved.

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

Jean Babisch – Owner of property located at 14615 South Shore Drive, in the NE1/4, SW1/4, Section 33, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin wherein a variance is being requested request to construct a 37.5' x 39.5' two story residence with a 22'8" x 40' attached garage at approximately 53 feet from the ordinary high water mark of Pigeon Lake in an LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Jean Babisch.

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

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

The Board asked Jean Babisch questions regarding the variance requests.

People in attendance in favor of the request: Attorney David Pawlowski representing Jean Babisch summarized the request and spoke in support of her variance request.

People in attendance opposed to the request; none.

Mr. Tarnowski reviewed the recommendation of the Town of Liberty Plan Commission and Town Board to approve the variance request.

Mr. Tarnowski read a letter from Dale Rezabek with the Wisconsin Department of Natural Resources opposing the variance request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Jean Babisch.

Deliberation

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

Reasons for approval:

1. There is an unnecessary hardship due to a unique property limitation which is the property is bordered on two sides with the lake and outlet creek causing increased setback concerns.

2. There is an unnecessary burden on the owner which may prevent the property owner from using their property because of the location of the wetlands on this property which would limit where a structure can be built.
3. There will not be any harm or impact to the public interest because there are two buildings already present that will be removed and the new structure will be further from the lake and creek than are the two current structures.

Conditions:

1. The application shall establish a vegetative buffer to a depth of 35 feet from the ordinary high water mark of the lake and creek.
2. The applicant shall obtain all necessary DNR permits which may be required to fill any wetlands on this property in order to construct a dwelling.

Second by: Mr. Schuh

Upon vote: The motion was unanimously approved.

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

Other Business

Schedule Meeting– The Board scheduled their next regular meeting for September 15, 2014 and the onsite for September 8, 2014

Adjournment

Motion by: Mr. Nate to adjourn.

Seconded by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,

Charles Nate, Secretary

Date



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

DATE: Monday, September 8, 2014
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. **Anthony Meunier** – SW ¼, SE ¼, Section 31, T21N-R23E, 7414 CTH Y, Town of Gibson – Variance Request
 2. **Glenn & Sandra Green** – Gov't. Lot 1, Section 14, T17N-R23E, 12409 Lakeshore Road,
Town of Centerville, Variance Requests
 3. **Steve Kutchera** – SW ¼, SW ¼, Section 6, T18N-R24E, 2218 Silver Creek Road,
Town of Manitowoc – Conditional Use Permit.
- IV. Adjournment

Date: September 3, 2014

Orville Bonde, Board Chair
By: Pete Tarnowski, Senior Planner

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 8, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, September 8, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

Staff present: Pete Tarnowski.

A motion was made by Mr. Glaeser; seconded by Mr. Schuh to approve the agenda for the September 8, 2014 meeting. Upon vote, the motion was unanimously approved. *Aye: Bonde, Nate, Schuh and Glaeser; No: none;*

The Board received their folders containing the September 15, 2014 hearing request and Mr. Tarnowski 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 at 10:30 P.M.

Seconded by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

Aye: Bonde, Nate, Schuh and Glaeser; No: none.

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: MONDAY, SEPTEMBER 15, 2014
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. **Anthony Meunier** – SW ¼, SE ¼, Section 31, T21N-R23E, 7414 CTH Y,
Town of Gibson – Variance Request
- 2. **Glenn & Sandra Green** – Gov't. Lot 1, Section 14, T17N-R23E, 12409 Lakeshore Road,
Town of Centerville, Variance Requests
- 3. **Steve Kutchera** – SW ¼, SW ¼, Section 6, T18N-R24E, 2218 Silver Creek Road,
Town of Manitowoc – Conditional Use Permit.

VI. OTHER BUSINESS

- 1. Schedule October Meeting

VII. ADJOURNMENT

Date: September 3, 2014

Orville Bonde, Board Chair
By: Pete Tarnowski, Senior Planner

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 15, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, September 15, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Ralph Schuh, Charlie Nate, Laurel Vondrachek and Orville Bonde. Staff present: Pete Tarnowski.

A motion was made by, Mr. Glaeser, seconded by Mr. Schuh to approve the August 18, 2014 meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Nate, seconded by Mr. Schuh to approve the September 8, 2014 onsite meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Ms. Vondrachek, seconded by Mr. Nate to approve the agenda for the September 15, 2014 meeting. Upon vote, the motion was unanimously approved.

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

Mr. Tarnowski 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

Anthony Meunier – Owner of property located at 7414 CTH Y, in the SW1/4, SE1/4, Section 31, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, wherein a variance is being requested to construct a 12' x 16' mud room addition at 76.5 feet from the centerline of CTH Y a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Anthony Meunier.

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

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

The Board asked Anthony Meunier questions regarding the variance requests.

People in attendance in favor of the request; none present

People in attendance opposed to the request; none present

There being no further comments, Chairperson Bonde closed the public hearing for Anthony Meunier.

Deliberation

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

Reasons for approval:

1. The new addition will be in the same footprint of the existing structure.
2. The new addition will not affect the public because it will be constructed over the top of the existing porch.

Conditions of approval: none

Second by: Mr. Glaeser

Upon vote: The motion was unanimously approved.

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

Glenn & Sandra Green – Owners of property located at 12409 Lakeshore Road, in Gov't Lot 1, Section 14, T17N-R23E, Town of Centerville, Manitowoc County, Wisconsin wherein a variance is being requested to construct a 26'8" x 38' - 2 story addition with a 6' x 11' deck at approximately 140 feet from the ordinary high water mark of Lake Michigan in a S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Glenn & Sandra Green.

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

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

The Board asked Glenn & Sandra Green questions regarding the variance requests.

People in attendance in favor of the request; Russ Tooley, Zoning Administrator for the Town of Centerville stated that the Town Board had no objection to this project.

People in attendance opposed to the request; none.

Mr. Tarnowski read a letter from Dale Rezabek with the Wisconsin Department of Natural Resources regarding the variance request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Glenn & Sandra Green.

Deliberation

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

Reasons for approval:

1. There is an unnecessary hardship or unique physical limitation present on this property which prevents the applicant from conforming to the ordinance because the residence \ was constructed prior to the current Lake Michigan required setbacks.
2. The new addition will be no closer than is the existing residence.
3. The ordinance creates an unnecessary burden on the owner and may prevent the owner from using the a property because currently the residence does not have a garage.
4. The request will not harm or negatively affect the public.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

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

Steve Kutchera – Owner of property located at 2218 Silver Creek Road, in the SW1/4, SW1/4, Section 6, T18N-R24E, Town of Manitowoc, Manitowoc County, Wisconsin wherein a conditional use permit is being requested by Wayne Green, the applicant, to operate a small woodworking business in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Steve Kutchera.

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

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

The Board asked Wayne Green questions regarding the conditional use permit 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 Steve Kutchera.

Mr. Tarnowski read the letter from the Town of Manitowoc stating the Town Board had no objections and a letter from immediate neighbor with no objections.

Deliberation

Motion by: Mr. Schuh to approve the request.

Reasons for approval:

1. The proposed use does not impeded the orderly use of the district.
2. The proposed use is compatible with the surrounding area since the building is existing and well sheltered.
3. The intensity of the proposed operation is low and, therefore, will have very low impact on the surrounding area.
4. The proposed use will fit on the parcel and require no structure modifications.
5. The proposed use will not discourage appropriate development or impair use of surrounding properties.

Conditions:

1. There shall be no outside storage of materials.
2. Hours of operation shall be 8 AM – 5 PM
3. There may be up to one full time employee in addition to the owner.

Second by: Mr. Nate

Upon vote: The motion was unanimously approved.

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

Schedule Meeting– The Board scheduled their next regular meeting for October 20, 2014 and the onsite for October 13, 2014

Adjournment

Motion by: Mr. Nate to adjourn at 7:45 pm..

Seconded by: Ms. Laurel Vondrachek

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT ADVISORY MEETING NOTICE

DATE: Monday, November 10, 2014
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. **James Zimdar** – Govt. Lot 1, Section 7, T18N-R24E, 4229 South 10th Street, Town of Manitowoc – Variance Request
 2. **Michael Sieracki** – SW ¼, NW ¼, Section 6, T18N-R24E, 2408 Elm Road, Town of Manitowoc – Variance Request
- IV. Other Business
 1. **Kandy Konitzer** – Compliance Review - SW ¼ SE ¼, and the SE ¼ SW ¼, Section 21, T18N-R22E, 14402 CTH C, Town of Liberty
- V. Adjournment

Date: November 3, 2014

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 10, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, November 10, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Earl Glaeser, Ralph Schuh, 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 agenda for the November 10, 2014 meeting. Upon vote, the motion was unanimously approved. *Aye: Bonde, Nate, Schuh, Vondrachek and Glaeser; No: none;*

The Board received their folders containing the November 17, 2014 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: Mr. Glaeser.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,

Charles Nate, Secretary

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: MONDAY, NOVEMBER 17, 2014
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. **James Zimdar** – Govt. Lot 1, Section 7, T81N-R24E, 4229 South 10th Street, Town of Manitowoc – Variance Request
- 2. **Michael Sieracki** – SW ¼, NW ¼, Section 6, T18N-R24E, 2408 Elm Road, Town of Manitowoc – Variance Request

VI. OTHER BUSINESS

- 1. **Kandy Konitzer** – Compliance Review - SW ¼ SE ¼, and the SE ¼ SW ¼, Section 21, T18N-R22E, 14402 CTH C, Town of Liberty
- 2. Schedule December Meeting

VII. ADJOURNMENT

Date: November 3, 2014

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 17, 2014

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, November 17, 2014 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

A motion was made by, Ms. Vondrachek, seconded by Mr. Schuh to approve the September 15, 2014 meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Glaeser, seconded by Mr. Schuh to approve the November 10, 2014 onsite meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuh, seconded by Ms. Vondrachek to approve the agenda for the November 17, 2014 meeting. Upon vote, the motion was unanimously approved.

Aye: Bonde, Vondrachek, Nate, Schuh 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

James Zimdar – Owner of property located at 4229 South 10th St., in Govt. Lot 1, Section 7, T18N-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, wherein a variance is being requested to construct and replace an approximate 23’x25’ attached garage and to construct a 10’x15’ breezeway addition at 80 feet from the centerline of South 10th St., also known as CTH LS, and at 10 feet from the south property line located in a RR, Rural Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for James Zimdar.

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

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

The Board asked Kerry Mrotek, Mr. Zimdars representative, questions regarding the variance requests.

Dave Phillips spoke in favor of the request stating the garage is going in the same place it’s just going to be new.

People in attendance opposed to the request; none present.

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

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

Deliberation

Motion by: Ms. Vondrachek to approve the variance request to construct a 23'x25' attached garage and a 10'x15' breezeway at 80 feet from the centerline of South 10th street and at 10 feet from the south property line located in an RR, Rural Residential, S1, Shoreland zoned district

Reasons:

1. No one spoke opposed to the request.
2. The lot is narrow which creates a hardship by limiting the buildable area.
3. The garage and breezeway are being reconstructed in the same area.
4. The proposed construction will be approximately the same distance from the centerline of the road as the existing house.
5. The owner needs to have a garage due to inclement weather.
6. The construction would not be contrary to the public because the location of the construction is approximately the same distance from the road as some of the neighboring houses and there is a reduced speed limit on the road which provides for safer driving and less of a chance for a vehicle to leave the road and hit the garage.

Second by: Mr. Glaeser

Upon vote: The motion was unanimously approved.

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

Michael Sieracki – Owner of property located at 2408 Elm Rd., located in the SW¹/₄, NW¹/₄, Section 6, T18N-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, wherein a variance is being requested to construct a 12'x24' attached garage at 13 feet from the east property line in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Michael Sieracki.

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

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

The Board asked Michael Sieracki questions regarding the variance request.

The Board asked for clarification of the property line and informed Mr. Sieracki the neighboring fence was closer than 13 feet to the existing cement slab.

The Board told Mr. Sieracki to recheck the distance prior to any type of construction if the variance is granted. Mr. Sieracki stated he would check it and if the variance was approved, he would stay 13 feet from the fence.

Mr. Gaedtke informed Mr. Sieracki that he would be willing to measure the distance with Mr. Sieracki and if there was less than 10 feet a reconsideration request may be needed to change the request.

People in attendance in favor of the request; none present.

People in attendance opposed to the request; none present.

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

There being no further comments, Chairperson Bonde closed the public hearing for Michael Sieracki.

Deliberation

Motion by: Mr. Glaeser to approve the variance request to construct a 12'x24' garage at 13 feet from the east property line located in an RR, Rural Residential zoned district

Reasons:

1. The owner only has one car stall and needs to have two for storage and protection from inclement weather.
2. The unique lot shape and the location of the existing house on the lot create a hardship for the owner and don't allow him to build according to the ordinance requirements. There isn't much room to build to the east.
3. The addition will not affect public interest because no one spoke out against the request and there will still be room between the garage and the neighboring fence. If the garage was detached the ordinance would allow it to be only 10 feet from the property line.
4. Owner has to stay 13 feet from the neighboring property line.

Second by: Ms. Vondrachek

Upon vote: The motion was unanimously approved.

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

Other Business:

Kandace Konitzer: Conditional Use Permit compliance review and clarification of condition #1.

The Board stated there was no need to schedule a public hearing to obtain input because they heard everything at the July meeting and this was only to clarify condition #1.

Mr. Glaeser stated the point of condition #1 is to provide safety and to keep dogs from going over or under a fence. He stated the current fence is only 4 feet high and the smooth wire and horse tape which sits above the wire fence is not adequate and does not provide the protection for which the fence condition was added.

Mr. Glaeser and Mr. Schuh stated the fence must also provide protection at the gate and extend to the ground so dogs cannot get out by going under the fence.

Mr. Schuh added the wood fence on the east property line was not 6 feet tall and needed to be extended.

The Boards determination and clarification of condition #1 are as followed:

- The fence must be "enclosed" such as chain link or the same type of wire fencing as the existing 4 foot wire fence that was installed. The fence must be extended to a height of 6 feet. The fence must also be 6 feet high at the gates and extend to the ground so the dogs cannot go under or over the fence.

- The wood fence on the east property line does not meet the permit requirements and therefore it must also be extended to 6 feet with some type of fencing that encloses the area and prevents dogs from getting out.
- Single strands of wire or horse tape provide too much space in between which would allow room for dogs to pass through and does not meet the requirement. Therefore it cannot be used.
- The 6 foot high fence must be completed within 30 days. The Board will recheck the property during their next onsite meeting.

Schedule Next Meeting

The Board scheduled their next regular meeting for December 15, 2014 and the onsite for December 8, 2014 provided they had at least 3 applications; otherwise the next meeting would be scheduled for the third Monday in January 2015.

Adjournment

Motion by: Mr. Glaeser to adjourn.

Seconded by: Mr. Schuh

Upon vote: The motion was unanimously approved.

Aye: Bonde, Vondracheck, Nate, Schuh and Glaeser; *No:* none.

Respectfully submitted,

Charles Nate, Secretary

Date