



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

DATE: Tuesday, January 10, 2017  
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. **Neumann Family Prop LLC** - SW ¼, SW ¼, Section 33, T20N-R23E, Town of Kossuth, 7630 Village Drive –Conditional Use Permit Expansion request.
  2. **Ted Meissner** – Owner of property located at 3102 Cottage Ln. in the SE¼, NE¼, Section 34, T20N-R24E, Town of Two Rivers – Variance Requests
  3. **Gregory Zahn** – Owner of property on English lake located on South Lake Drive in Govt. Lot 3, Section 7, T18N-R23E, Town of Newton – Variance Request
- IV. Old Business
  1. **Daniel Messman** – Owner of property located on Hillview Rd., in the SE¼, NW¼, Section 24, T21N-R23E, Town of Gibson – cemetery portion of Conditional Use Request.
  2. **KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Conditional Use Permit Request and Review of Conditions.
- V. Other Business
  1. **William Neuman** – Conditional Use Permit Review – SW ¼, SW ¼, Section 33, T20N-R23E, Town of Kossuth and the NW ¼, NW ¼, Section 4, T19N-R23E, Town of Manitowoc Rapids
  2. **Ryan Ross** –Reconsideration correspondence.
- VI. Adjournment

Date: December 21, 2016

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

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

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

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

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

January 10, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Tuesday, January 10, 2017 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

Staff present for advisory meeting: Reed Gaedtke and Kaila Boeckman

A motion was made by Mr. Glaeser; seconded by Mr. Schuh to approve the agenda for the January 10, 2017 meeting. Upon vote, the motion was unanimously approved.  
*Aye: Glaeser, Schuh, Hoffman, Bonde and Vondrachek; No: none;*

The Board received their folders containing the January 16, 2017 hearing request.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites with Kaila and returned to the Manitowoc County Office Complex when completed.

**ADJOURNMENT**


*Motion by:* Mr. Glaeser to adjourn.

*Seconded by:* Mr. Hoffman.

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,

  
\_\_\_\_\_  
Ralph Schuh, Secretary

*1/30/17*  
\_\_\_\_\_  
Date



# MANITOWOC COUNTY

## BOARD OF ADJUSTMENT

### MEETING NOTICE

DATE: Monday, January 16, 2017  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

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

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

Discussion and possible action on:

1. **Daniel Messman** – Owner of property located on Hillview Rd., in the SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 24, T21N-R23E, Town of Gibson – cemetery portion of the Conditional Use Request
2. **KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 31, T21N-R23E, Town of Gibson – Conditional Use Permit Request and Review of Conditions.

#### VI. NEW BUSINESS

Discussion and possible action on:

1. **Ted Meissner** – Owner of property located at 3102 Cottage Ln. in the SE $\frac{1}{4}$ , NE $\frac{1}{4}$ , Section 34, T20N-R24E, Town of Two Rivers – Variance Requests
2. **Gregory Zahn** – Owner of property on English lake located on South Lake Drive in Govt. Lot 3, Section 7, T18N-R23E, Town of Newton – Variance Request
3. **Neumann Family Prop LLC** - SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 33, T20N-R23E, Town of Kossuth, 7630 Village Drive –Conditional Use Permit Expansion request

#### VII. OTHER BUSINESS

Discussion and possible action on:

1. **William Neuman** – Conditional Use Permit Review – SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 33, T20N-R23E, Town of Kossuth and the NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 4, T19N-R23E, Town of Manitowoc Rapids
2. **Ryan Ross** – Reconsideration correspondence.
3. Set February meeting date

#### VIII. ADJOURNMENT

Date: December 21, 2016

Orville Bonde, Board Chair

By: Reed Gaedtke, Code Administrator

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BOARD OF ADJUSTMENT  
MEETING NOTICE**



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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. OLD BUSINESS

Discussion and possible action on:

1. **Daniel Messman** – Owner of property located on Hillview Rd., in the SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 24, T21N-R23E, Town of Gibson – cemetery portion of the Conditional Use Request
2. **KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 31, T21N-R23E, Town of Gibson – Conditional Use Permit Request and Review of Conditions.

VI. NEW BUSINESS

Discussion and possible action on:

1. **Ted Meissner** – Owner of property located at 3102 Cottage Ln. in the SE $\frac{1}{4}$ , NE $\frac{1}{4}$ , Section 34, T20N-R24E, Town of Two Rivers – Variance Requests
2. **Gregory Zahn** – Owner of property on English lake located on South Lake Drive in Govt. Lot 3, Section 7, T18N-R23E, Town of Newton – Variance Request
3. **Neumann Family Prop LLC** - SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 33, T20N-R23E, Town of Kossuth, 7630 Village Drive –Conditional Use Permit Expansion request

VII. OTHER BUSINESS

Discussion and possible action on:

1. **William Neuman** – Conditional Use Permit Review – SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 33, T20N-R23E, Town of Kossuth and the NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 4, T19N-R23E, Town of Manitowoc Rapids
2. **Ryan Ross** – Reconsideration correspondence.
3. Set February meeting date

VIII. ADJOURNMENT

Date: December 21, 2016

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 MEETING NOTICE

DATE: Monday, January 30, 2017  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

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

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

Discussion and possible action on:

1. **Daniel Messman** – Owner of property located on Hillview Rd., in the SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 24, T21N-R23E, Town of Gibson – cemetery portion of the Conditional Use Request
2. **KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 31, T21N-R23E, Town of Gibson – Conditional Use Permit Request and Review of Conditions

### VI. NEW BUSINESS

Discussion and possible action on:

1. **Ted Meissner** – Owner of property located at 3102 Cottage Ln. in the SE $\frac{1}{4}$ , NE $\frac{1}{4}$ , Section 34, T20N-R24E, Town of Two Rivers – Variance Requests
2. **Gregory Zahn** – Owner of property on English lake located on South Lake Drive in Govt. Lot 3, Section 7, T18N-R23E, Town of Newton – Variance Request
3. **Neumann Family Prop LLC** - SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 33, T20N-R23E, Town of Kossuth, 7630 Village Drive –Conditional Use Permit Expansion request

### VII. OTHER BUSINESS

Discussion and possible action on:

1. **William Neuman** – Conditional Use Permit Review – SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 33, T20N-R23E, Town of Kossuth and the NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 4, T19N-R23E, Town of Manitowoc Rapids
2. **Ryan Ross** – Reconsideration correspondence.
3. **Premier Lawncare** – Update on fence construction.
4. Set February meeting date

### VIII. ADJOURNMENT

Date: January 17, 2017

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 30, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, January 30, 2017 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, Chuck Hoffman, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by, Ms. Vondrachek, seconded by Mr. Hoffman to approve the agenda for the January 30, 2017 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Glaeser, seconded by Mr. Schuh to approve the November 21, 2016 meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Hoffman, seconded by Ms. Vondrachek to approve the January 10, 2017 onsite meeting minutes. Upon vote, the motion was unanimously approved.

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

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

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

**Old Business**

**Daniel Messman** – Owner of property located on Hillview Rd., in the SE¼, NW¼, Section 24, T21N-R23E, Town of Gibson – cemetery portion of the Conditional Use Request.

Mr. Gaedtke informed the Board he has not received an update from the Town of Gibson regarding the cemetery request, so the request would remain postponed.

**KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Conditional Use Permit Request and Review of Conditions.

A motion was made by, Mr. Schuh to open the hearing to hear from KRR Enterprises LLC, seconded by Ms. Vondrachek. Upon vote, the motion was unanimously approved.

The Board called Scott Ratajczak from KRR Enterprises LLC to the front of the room to ask him questions.

The Board had questioned if Mr. Ratajczak was at the Public Safety meeting that was held on January 17<sup>th</sup>.

Mr. Ratajczak informed the Board he was not at the meeting, but stated the last he heard, the meeting was held and as of now things would remain the same and the County Highway department would continue to talk about the situation.

The Board had questions about email correspondence they have copies of and the meeting held with surrounding property owners.

Mr. Ratajczak stated the one concern they spoke about at the meeting was about Sunday practices and a bit about the noise, but nothing was stated either way about practices being held or not being held on Sundays by the property owners.

The Board had questions on the maximum number of employees needed.

Mr. Ratajczak informed on a regular event night 30-35 employees, but on a special event night 50 employees.

The Board had questions about set dates for events.

Mr. Ratajczak informed the schedule is out for the summer and he will forward a copy for the Board to review.

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

### **Deliberation**

*Motion by:* Mr. Hoffman to postpone to obtain further information from the County Safety Committee, Highway Committee and to review the 2017 race schedule of events.

*Second by:* Mr. Glaeser

*Upon vote:* The motion was unanimously approved.

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

### **New Business**

**Ted Meissner** – Owner of property located at 3102 Cottage Ln. in the SE¼, NE¼, Section 34, T20N-R24E, Town of Two Rivers, Wisconsin, parcel (018-134-004-004.00) wherein variances are being requested to construct a 28.5' x 74.5' home with attached garage at 66 feet from the ordinary high watermark of the West Twin River; at 37.4 feet from the centerline of the road; and at 15.8 feet from the east property line; and to construct a 1' high x 1' wide x 160' long retaining wall out of the floodplain and between 39 to 68 feet from the ordinary high water mark of the West Twin River; at 3 feet from the east property line; at 5 feet from the west property line and at 59 feet from the center line of the road in a RR, Rural Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Ted Meissner.

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

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

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

Mr. Gaedtke stated there is floodway on the property and that portion is not allowed to be built on or filled in.

The Board questioned when construction will start if this request was approved.

Mr. Meissner informed construction would start in July.

The Board questioned where the water will drain off.

Mr. Meissner stated the water will run down both sides of the property lines towards the river as it has in the past, or he could possibly put in a culvert.

Mr. Gaedtke informed the Board that the impervious surface calculations are below the existing calculations therefore, the new rules and regulations would not apply.

William Wilfert, Town of Two Rivers Chair, spoke in favor of the request.

People in attendance opposed to the request: none.

Mr. Gaedtke read a letter from the Town of Two Rivers, indicating the Town supervisors had no objection to the request. (copy on file).

Mr. Gaedtke stated a letter was received from the WDNR opposed to the request for variances.

There being no further comments, Chairperson Bonde closed the public hearing for Ted Meissner.

### **Deliberation**

*Motion by:* Mr. Hoffman to approve the variance requests.

Reasons for Approval:

1. The owner has reduced the impervious surface of the property.
2. The lot is very small with floodplain on most of it which restricts the buildable area and creates a hardship for the owner.
3. The buildable area on the property is located within OHWM and road setbacks. Due to the parcel size and this small area along with the amount of floodplain on the parcel; create an unnecessary burden on the home owner.
4. The structure being replaced is a dilapidated and needs to be replaced in order to live in.
5. The request will not be contrary to the public because the wall and house will be located outside of floodplain and the structure being constructed will be replacing an existing home.
6. Drainage will be done along the property lines so it drains towards the river and not the road but no filling in floodplain.

Conditions of Approval:

1. All structures and fill must be located outside of floodplain.

*Second by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

**Gregory Zahn** – Owner of property on English lake located on South Lake Drive in Govt. Lot 3, Section 7, T18N-R23E, Town of Newton, Wisconsin, Parcel (014-007-014-007.00) wherein a variance is being requested to construct a 18.75' x 28.75' house at 53 feet 7 inches from the ordinary high water mark of English Lake, in a S1, Shoreland zoned district.



Chairperson Bonde opened the public hearing for Gregory Zahn.

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

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

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

Mr. Zahn and Mr. Peske stated they want to make the cottage useable by putting indoor plumbing; there is no well or septic system and to create general living space. They also informed the Board a boat house was taken down off the property in 2014.

Ms. Jackie Rudd and Mr. Dave Rudd, neighbors to the west, spoke in favor of the request.

Ms. Laura Henning Lorenz & Mr. Robert Lorenz, neighbors, spoke in favor of the request.

People in attendance opposed to the request: none.

Mr. Gaedtke stated a letter was received from the WDNR opposed to the request.

Mr. Gaedtke read an email from Kirk Eichmen, a neighbor in favor of the request.

There being no further comments, Chairperson Bonde closed the public hearing for Gregory Zahn.

### **Deliberation**

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

Reasons for approval:

1. The physical limitations of the property create a hardship for the owner because the lot is very small and the private road located on the other side of the house limits his buildable area.
2. The owner is burdened because the existing structure is dilapidated and unusable to the owner. It does not have plumbing or a septic system either.
3. The request will not be contrary to the public because the old home is being removed and he already removed an old boat house which reduces the amount of impervious surface on the lot and will be rebuilding a useable residence which will be designed to reduce the impervious surface.

*Second by:* Mr. Glaeser

*Upon vote:* The motion was unanimously approved.

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

**William Neumann** – Owner of property located at 7630 Village Dr. in the SW¼, SW¼, Section 33, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin; parcel (07-033-011-001.00) wherein a conditional use permit is being requested to expand an existing conditional use permit for a small trucking business located in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for William Neumann.

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

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

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

The Board questioned how much additional expansion would be feasible at the corner.

Mr. Neumann informed the Board he would be at the maximum amount for what he is currently asking for in the request and that would be it.

The Board questioned the request of wanting 15 trailers and 12 tractors.

Mr. Neumann confirmed yes, that is what he is asking for.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

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

### **Deliberation**

*Motion by:* Mr. Glaeser to approve the conditional use request.

#### Reasons for Approval:

1. The use does not impede the orderly development of the district because it is surrounded by agricultural land.
2. It is compatible with surrounding properties because there was a trucking business on the side before and there is one adjacent to this property.
3. The use will not have a negative effect on surrounding owners because there was a trucking business there before and there were no complaints. Also, the owner and his father-in-law own most of the land surrounding this property.
4. The parcel has enough land to allow the use to easily fit on the property.
5. It will not impair property value because the surrounding land is agricultural land.
6. There will be no sign on the property.
7. The use does not endanger the public's health, safety or welfare.
8. There is a difference in the number of trucks allowed from the previous conditional use permit because the previous conditional use permit was predicated on the prior owner's application with the maximum number of trucks that he wanted at that time.
9. Water drainage is acceptable for the property.

#### Conditions of Approval:

1. Days of operation will be Monday through Sunday.
2. Hours of operation will be 24 hours per day.
3. Maximum number of employees at any time will be 15.
4. No fencing is required.
5. Maximum number of trailers and tractors allowed on the property shall be 15 trailers and 12 tractors.
6. No trucks are allowed to go south on Village Drive.
7. All semi-trucks must enter and exit Village Drive from the East.
8. No outside storage of junk or materials.

9. Any change in ownership of the business or the site by sale, lease or other transfer; the permit shall be revoked and the new owners would have to reapply to the Board.
10. An annual review is not required unless the Board receives a complaint.
11. No more expansion allowed on this property.
12. They can have a yard light and one light on the shop.

*Seconded by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

### **Other Business**

**Bill Neumann Review** - Conditional use permit review for property on the corner of Village Drive and Thunder Road.

Mr. Gaedtke asked the Board how or when they'd like to continue to review the property.

The Board stated they would review only if there is a complaint.

### **Deliberation**

*Motion by:* Mr. Glaeser to approve the review and additional reviews would only occur if there is a complaint.

*Seconded by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

**Ryan Ross** – Reconsideration correspondence.

Mr. Gaedtke gave an overview of the request and read a letter from Mr. Ross (copy on file).

The Board discussed this matter during their meeting and made a motion to just allow the October conditional use permit to expire.

### **Deliberation**

*Motion by:* Mr. Hoffman to allow current conditional use request to expire.

*Second by:* Mr. Glaeser

*Upon vote:* The motion was unanimously approved.

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

**Premier Lawn Care LLC** - update on fence construction.

Mr. Gaedtke gave an update and the Board received a letter from Premier Lawn Care LLC.

The Board did not approve the review because the fence still has not been completed. The Board stated the terms of the conditional use permit have been violated by failing to comply with permit conditions but are willing to give additional time to comply.

The fence and other conditions must be complete by July 1, 2017.

**Deliberation**

*Motion by:* Mr. Hoffman to deny the review and stated Premiere Lawn Care LLC is in violation.

*Seconded by:* Mr. Schuh


*Upon vote:* The motion was unanimously approved.

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

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, February 20, 2017 and the onsite for Tuesday, February 14, 2016 (Dates and times are subject to change.)

**Adjournment**

Respectfully submitted,

  
\_\_\_\_\_  
Ralph Schuh, Secretary

2/20/17  
Date



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

DATE: Tuesday, February 14, 2017  
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. **Bruce Meissner along with Wallace & Fay Rusch** – Owners of two different parcels that are both located at 17701 USH 10, in the NW¼, NE¼, Section 1, T19N-R21E, Town of Rockland – Conditional Use Request.
  2. **Larry Troyer** – Owner of property located at 17519 Hilltop Rd., in the NE¼, NE¼, Section 13, T19N-R21E, Town of Rockland – Conditional Use Request.
  3. **John Beschta** – Owner of property located at 5218 South 10th Street, in G.L. 1, Section 18, T18N-R24E, Town of Manitowoc – Conditional Use Request.
  4. **Russell Albert II** – Owner of property located at 12121 County Road XX in the NE¼, SW¼, Section 23, T17N-R22E, Town of Meeme – Conditional Use Request.
- IV. Old Business
  1. **Daniel Messman** – Owner of property located on Hillview Rd., in the SE¼, NW¼, Section 24, T21N-R23E, Town of Gibson – cemetery portion of Conditional Use Request.
  2. **KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Conditional Use Permit Request and Review of Conditions.
- V. Other Business
- VI. Adjournment

Date: February 2, 2017

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**

February 14, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Tuesday, February 14, 2017 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, Chuck Hoffman and Ralph Schuh. Members absent: Laurel Vondrachek.

Staff present for advisory meeting: Reed Gaedtke

Other people present for advisory meeting: Marc Holsen, Highway Commissioner

A motion was made by Mr. Schuh; seconded by Mr. Glaeser to approve the agenda for the February 14, 2017 meeting. Upon vote, the motion was unanimously approved.

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

The Board received their folders containing the February 20, 2017 hearing requests.

Mr. Gaedtke gave a quick overview of each request. Per the Board of Adjustment's request, Mr. Holsen, County Highway Commissioner, informed the Board why the highway department did not support a pedestrian walkway on CTH R by the race track.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed.

**ADJOURNMENT**

*Motion by:* Mr. Glaeser to adjourn.

*Seconded by:* Mr. Hoffman.

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,



Ralph Schuh, Secretary

2/20/17  
Date



# MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: Monday, February 20, 2017  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

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

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

Discussion and possible action on:

1. **Daniel Messman** – Owner of property located on Hillview Rd., in the SE¼, NW¼, Section 24, T21N-R23E, Town of Gibson – cemetery portion of the Conditional Use Request.
2. **KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Conditional Use Permit Request and Review of Conditions.

VI. NEW BUSINESS

Discussion and possible action on:

1. **Bruce Meissner along with Wallace & Fay Rusch** – Owners of two different parcels that are both located at 17701 USH 10, in the NW¼, NE¼, Section 1, T19N-R21E, Town of Rockland – Conditional Use Request.
2. **Larry Troyer** – Owner of property located at 17519 Hilltop Rd., in the NE¼, NE¼, Section 13, T19N-R21E, Town of Rockland – Conditional Use Request.
3. **John Beschta** – Owner of property located at 5218 South 10th Street, in G.L. 1, Section 18, T18N-R24E, Town of Manitowoc – Conditional Use Request.
4. **Russell Albert II** – Owner of property located at 12121 County Road XX in the NE¼, SW¼, Section 23, T17N-R22E, Town of Meeme – Conditional Use Request.

VII. OTHER BUSINESS

Discussion and possible action on:

1. Set March meeting date

VIII. ADJOURNMENT

Date: February 2, 2017

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

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

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

February 20, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, February 20, 2017 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, Chuck Hoffman and Orville Bonde. Members absent: Laurel Vondrachek. Staff present: Reed Gaedtke.

A motion was made by, Mr. Hoffman, seconded by Mr. Glaeser to approve the agenda for the February 20, 2017 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Glaeser, seconded by Mr. Schuh to approve the January 30, 2016 meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuh, seconded by Mr. Hoffman to approve the February 14, 2017 onsite meeting minutes. Upon vote, the motion was unanimously approved.

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

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

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

**Old Business**

**Daniel Messman** – Owner of property located on Hillview Rd., in the SE¼, NW¼, Section 24, T21N-R23E, Town of Gibson – regarding the cemetery portion of the Conditional Use Request.

Mr. Gaedtke informed the Board he has not received an update from the Town of Gibson regarding the cemetery request, so the request would remain postponed.

**KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Conditional Use Permit Request and Review of Conditions.

A motion was made by, Mr. Schuh to remove the hearing from the table for deliberation, seconded by Mr. Glaeser. Upon vote, the motion was unanimously approved.

Deliberation from the Board consisted of being concerned about existing noncompliance and allowing an expansion. Some key points the Board addressed were:

- KRR Enterprises not abiding by lights, trees and hours conditions and concerns about allowing those conditions to become more lenient.
- Concerns about neighbors having some quiet days and not allowing any practice or events on Sundays.
- There is farmland around the area and also fair amounts of residential that is affected by the use and a possible expansion.



- Not opposed to allowing one concert, but had concerns about ending times for concerts and race events.
- Look at adjusting the number of employees to allow them to run an effective operation.
- Concerns about the loud speaker usage and set a time for having it turned off unless there is an emergency.
- Setting a time to have cars loaded after an event because some were not being loaded until late at night after event hours.
- To address the track light issue and have them turned off at a certain time after events.

The Board wanted some clarification regarding events and other items about the operation and stated they wanted to ask a representative from KRR Enterprises LLC some questions.

*Motion by:* Mr. Hoffman to obtain input from a KRR Enterprises LLC representative.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

Mr. Dan Ratajczak, a representative for KRR Enterprises LLC, answered questions from the Board.

The Board had questions regarding a proposed fireworks night and wanted to know if it included racing.

Mr. Ratajczak informed the Board the fireworks night did include racing.

The Board questioned if all 2017 dates/events were booked.

Mr. Ratajczak stated all but September 9<sup>th</sup> dates/events were booked. However, if there is a rainout, the event is cancelled.

The Board wanted to know what the Kenny Wallace Dirt Racing Experience is.

Mr. Ratajczak informed the Board that it is like a school that comes in and allows anyone to jump in and drive the cars. He also stated that Kenny Wallace's name is used for the event but Mr. Wallace does not come to the event.

The Board questioned the time of Sunday events; if they are all in the evening.

Mr. Ratajczak stated the IRA shows are in the evening with a start time of 6:00 p.m.

The Board addressed their safety concerns for parking across the highway.

The Board questioned the time allotment for concerts.

Mr. Ratajczak informed the Board that other bands are also booked and those bands play on the track and midway, leading up to the main band.

The Board questioned practice times.

Mr. Ratajczak stated most practices are held Sundays from 11:00 a.m. until dark.

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

### **Deliberation**

*Motion by:* Mr. Schuh to modify the request and conditions and then approve a conditional use permit.

#### Reasons for Approval:

1. Use of the 141 Speedway track for auto racing events has been occurring for decades under various conditional use permits and owners, along with a tavern and restaurant in the Town of Gibson.
2. The use fits on the parcel size without remote parking.
3. Many local residents have testified that they support the use of the track for the intended purpose, but there are issues and concerns with dust, noise, hours of operation, days of operation, lighting and pedestrian safety.
4. Some noncompliance has occurred with regard to the previous conditions. Specifically the type and frequency of events, their duration, and the required tree plantings.
5. The concerns and issues will be addressed with new or revised conditions of use.
6. The expanded use as requested is more objectionable by reason of noise, lights, dust, traffic, and safety. Therefore, the request was modified and these issues were addressed with the new conditions.

#### Conditions of Use:

1. The tavern and restaurant operation fall under other State, County and Town regulations and are not subject to additional conditions. The tavern conditions remain the same as the previous permit; no conditions.
2. An event shall be described as any day or portion thereof that the track is in use for any purpose, excluding maintenance activity. This includes but is not limited to: races, practice sessions (regardless of number of vehicles or laps), concerts or other venues.
3. Crowd control and security shall be provided by a minimum of two security officers for events over 500 people and four security officers for events over 1000 people.
4. Litter and trash shall be removed within 24 hours of an event and not allowed to become windblown.
5. Used tires are not allowed to be stored outdoors on the property.
6. Junk vehicles are not allowed on the property.
7. There shall be no more than 50 total employees (full or part time), other than family members.
8. Three convicted violations of County Ordinances or these conditions within a 12 month period shall be grounds for revocation of this conditional use permit.
9. Days of operation shall be limited to no more than three days in any calendar week, Monday through Saturday. Sunday events shall be limited to no more than three Sundays in a calendar year and no more than one Sunday in a calendar month. Except for the 2017 season in which four Sunday events are allowed because the season scheduled has already been booked.
10. No practice allowed on Sundays.
11. Hours of operation for track events shall be limited to 11:00 a.m. to 10:30 p.m. all year, except for concerts.
12. Concert hours shall be from 11:00 a.m. to 12:00 midnight.
13. Concerts are limited to only one in a calendar year.
14. Fireworks are not permitted without a Town and Fire Department permit.
15. Dust control measures shall be employed regularly in an effort to minimize fugitive dust during events, practice sessions and dry weather.
16. Use of a public address system (P.A.) is acceptable for announcements, event organization and safety purposes. However, the volume must not be excessive and it shall be used only during the authorized hours of operation. Use of a speaker system to broadcast other events or music is not allowed.
17. Adequate fencing must be maintained to separate spectators from participant activity to maximize safety.
18. Lighting is allowed for night events and parking areas and it is to be directed onto the track and parking areas. Event (track) lighting must be turned off within one half (1/2) hour after the event ends.
19. Lighting for the pits shall be turned off one hour after the event ends.

20. Lighting for the parking lot can remain on until closing.
21. There will be no overnight camping.
22. Noise shall be limited to automobile engines, PA system and music concerts and be prevalent only during authorized hours of operation. The only exception will be for the loading of participant vehicles after an event. This exception will only extend for a maximum of one half (½) hour after the end of an event.
23. The tree lines on both the north and south property lines are to be maintained and enhanced to improve aesthetics and help reduce noise and dust. These tree lines shall run along the entire length of the property lines beginning outside the right-of-way and terminating at the end of the property. They are to be staggered rows of cedar or spruce trees that are a minimum of five feet in height, closely spaced and have sufficient branches to form an effective screen. A minimum of two rows is required. This condition shall be completed prior to May 31, 2017.
24. There will be no parking on any County or Town roads by employees, participants or attendees.
25. There will be no highway crossing areas for pedestrians and no authorized remote parking areas. All parking must be contained on the parcel with the race track.
26. This conditional use permit will be subject to a one year performance review by the Board of Adjustment. Subsequent timing of additional reviews will be at the discretion of the Board and based upon the findings at that time.
27. The owner shall keep records regarding event frequency, hours of use, dust control measures, security provisions and any other pertinent information for review purposes in case of complaints.

*Second by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

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

### **New Business**

**Bruce Meissner along with Wallace & Fay Rusch** – Owners of two different parcels located at 17701 USH 10, in the NW¼, NE¼, Section 1, T19N-R21E, Town of Rockland, Wisconsin, parcels numbers (015-001-002-002.00 and 015-001-002-001.00) wherein a conditional use permit is being requested by the applicants Kenneth & Leanna Kauffman to operate a greenhouse and garden center business in a proposed GA, General Agricultural zoned district.

Chairperson Bonde opened the public hearing for Bruce Meissner, Wallace and Fay Rusch and Kenneth and Leanna Kauffman.

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

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

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

Mr. Kauffman, applicant, answered questions from the Board.

Terri Meissner, owner of the property, spoke in favor of the request.

Donna Petska, realtor, spoke in favor of the request.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Rockland, indicating the Town had no objection to the rezone request for the purpose of this request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Bruce Meissner, Wallace and Fay Rusch and Kenneth and Leanna Kauffman.

## **Deliberation**

*Motion by:* Mr. Glaeser to approve the conditional use request.

Reasons for Approval:

1. The use does not impede the orderly development of the district.
2. The use is compatible with the surrounding area because it's surrounded by agricultural land and they will be growing and selling strawberries.
3. The property has a wide view of the roadway which allows for safe ingress and egress of the property for the customers.
4. The use won't have a negative effect surrounding land.
5. The size of the use fits on the parcel. There is a big enough area to allow this type of business.
6. The structures associated with the use are acceptable and the use fits perfectly in this area.
7. The Town of Rockland and Village of Reedsville will appreciate having this type of business nearby for their citizens.
8. The use does not discourage use of other property or impair the value of surrounding properties because it is surrounded by agricultural land.
9. There are no flashing lights, fumes, noises or vibrations that would be objectionable to neighbors.
10. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation will be Monday through Saturday.
2. Hours of operation will be 8:00 a.m. to 6:00 p.m.
3. Number of employees will be 5 full time and 4 part time.
4. Yard lights and lights used inside the buildings, for growing, are allowed.
5. An on premises business sign is permitted.
6. Delivery trucks are allowed as listed in the application.
7. Customer parking is to be located on the property.
8. No parking allowed on USH 10.
9. No outside storage of junk or materials.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

**Larry Troyer** – Owner of property located at 17519 Hilltop Rd., in the NE¼, NE¼, Section 13, T19N-R21E, Town of Rockland, Wisconsin, Parcel (015-013-001-000.00) wherein a conditional use permit is being requested to operate a horse barn and garden shed construction business in a GA, General Agricultural zoned district.

Chairperson Bonde opened the public hearing for Larry Troyer.

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

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

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

Mr. Troyer answered questions from the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke read a letter from the Town of Rockland, indicating they support the rezone request for the purpose of this conditional use request.

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

**Deliberation**

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

Reasons for approval:

1. The use does not endanger the public's health, safety or welfare.
2. The use is in harmony with the district and the surrounding area which is farmland.
3. The use won't impair the value of surrounding properties because the surrounding property is agricultural. The structures on this property are agricultural barns and will remain the same.
4. There use is not more objectionable by way of fumes, lights, noise or vibrations that would be objectionable to neighboring property owners.
5. The use is appropriate because the adjacent land is farmland.
6. The area is a good location for this type of use and existing buildings will be well maintained and used rather than sitting in disrepair.

Conditions of Approval:

1. The trees and bushes near the road must be trimmed or removed to provide a better viewing corridor for safe ingress and egress of the property.
2. Days of operation will be Monday through Saturday.
3. Hours of operation will be 6:30 a.m. to 6:00 p.m. (Maximum of 50 hours per week.)
4. Number of employees will be 4.
5. An on premises business sign is permitted.
6. Permits must be obtained from the Township before a seconded driveway could be added.
7. No parking is allowed on the road.
8. No outside storage of junk or materials allowed.

*Second by:* Mr. Glaeser

*Upon vote:* The motion was unanimously approved.

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

**John Beschta** – Owner of property located at 5218 South 10th Street, in G.L. 1, Section 18, T18N-R24E, Town of Manitowoc, Wisconsin, Parcel (009-018-006-002.16) wherein a conditional use permit is being requested by the applicant Diana Woodworth to operate a cooking class, food preparation and catering business in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for John Beshta and Diana Woodworth.

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

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

John Beshta and Diana Woodworth answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke read a fax from the Town of Manitowoc that listed concerns and conditions (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for John Beshta and Diana Woodworth.

### **Deliberation**

*Motion by:* Mr. Glaeser to approve the conditional use request.

#### Reasons for Approval:

1. The use does not impede the orderly development of the district.
2. The current size of the use makes it compatible with the surrounding area because it's small and there won't be a lot of people on site at one time.
3. The use will not have a negative effect on surrounding properties.
4. The owners contacted some of the nearby neighbors who approved of the business.
5. The property has a wide open view of the road which allows for safe ingress and egress to the property.
6. The current size of the use fits on the parcel. There may be a slight issue with parking but the owners stated only a small amount of people will be utilizing the driveway at a time.
7. The structures associated with the use are acceptable for this residential area and won't affect neighboring properties.
8. It does not discourage the use of other property or impair the value of surrounding properties because the business will be located within the existing garage. This allows the property to keep its residential appearance.
9. The intensity of the use will not have a negative effect on surrounding properties because it's a small business.
10. The use will not endanger the public's health, safety or welfare.

#### Conditions of Approval:

1. Days of operation will be seven days per week.
2. Hours of operation will be 12 hours per day from 6:00 a.m. to 6:00 p.m.
3. Number of employees will be 1 person.
4. Maximum number of people allowed to rent the kitchen will be 5.
5. Meat processing is prohibited.
6. A 32 square foot sign is permitted on the building.
7. Existing lighting can remain on building.
8. All parking must be contained to the property. No parking allowed on South 10th Street (a.k.a. CTH LS) or on the neighboring frontage road.
9. Customer parking will be located in front of the building.
10. The owners must provide an adequate turn around area for customers.
11. One to two deliveries are allowed per week.
12. The septic system must be updated as needed.
13. Proper ADA compliance should be followed.
14. Owners shall obtain all other permits and licenses from the Health Department and the State.
15. A review of the permit will only occur if complaints are received.

*Seconded by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

**Russell Albert II** – Owner of property located at 12121 County Road XX in the NE¼, SW¼, Section 23, T17N-R22E, Town of Meeme, Manitowoc County, Wisconsin; parcel numbers (012-023-009-002.00) wherein a conditional use permit is being requested to operate a farmers market and professional training class venue in a GA, General Agricultural zoned district.

Chairperson Bonde opened the public hearing for Russell Albert II.

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

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

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

Mr. Albert II informed the Board there were some changes to the times listed on the request.

Mr. Gaedtke stated he received a call from the Town of Meeme Chairperson, concerned about outside storage of junk and materials.

Mr. Albert II answered questions for the Board.

Ms. Connie Endjieski 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 Russell Albert II.

### **Deliberation**

*Motion by:* Mr. Hoffman to postpone the conditional use request to allow more time to obtain Town input.

*Seconded by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, March 20, 2017 and the onsite for Tuesday, March 14, 2017 (Dates and times are subject to change.)

### **Adjournment**

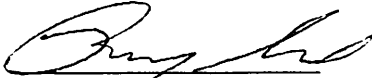
*Motion by:* Mr. Hoffman to adjourn.

*Seconded by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,

  
Ralph Schuh, Secretary

3/20/17  
Date



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

DATE: Tuesday, March 14, 2017  
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. **Kenneth Zipperer** – Owner of property located at 9919 STH 10, in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 6, T19N-R23E, Town of Manitowoc Rapids – Conditional Use Request.
  2. **James and Debra Brick** – Owners of property located at 9738 USH 10, in the SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 6, T19N-R23E, Town of Manitowoc Rapids – Conditional Use Request.
  3. **Kathy and Jon Ahl** – Owners of property located at 7719 USH 10, in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 4, T19N-R23E, Town of Manitowoc Rapids – Variance Requests.
  4. **Carl and Sue Diraimondo** – Owners of property located at 14031 Cedar Terrace Lane, in the SW $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 24, T17N-R21E, Town of Schleswig – Variance Requests.
- IV. Old Business
  1. **Daniel Messman** – Owner of property located on Hillview Rd., in the SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 24, T21N-R23E, Town of Gibson – cemetery portion of Conditional Use Request.
  2. **Russell Albert II** – Owner of property located at 12121 County Road XX in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 23, T17N-R22E, Town of Meeme – Conditional Use Request.
- V. Other Business
- VI. Adjournment

Date: February 28, 2017

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**

March 14, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Tuesday, March 14, 2017 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

Board elected a secretary pro tempore for today's meeting due to the secretary being absent. A motion was made by, Mr. Hoffman nominating Laurel Vondrachek as secretary for the meeting and seconded by Mr. Glaeser. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Glaeser, Hoffman and Vondracheck; No: none;*

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

Staff present for advisory meeting: Reed Gaedtke and Andrea Raymakers

A motion was made by Mr. Hoffman; seconded by Mr. Glaeser to approve the agenda for the March 14, 2017 meeting. Upon vote, the motion was unanimously approved.

*Aye: Glaeser, Vondrachek, Hoffman, and Bonde; No: none;*

Mr. Gaedtke gave a quick overview of the BOA Zoning Board Workshop training.

The Board received their folders containing the March 20, 2017 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed.

**ADJOURNMENT**

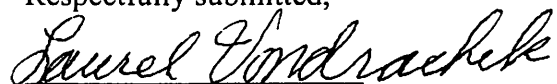
*Motion by:* Mr. Glaeser to adjourn.

*Seconded by:* Mr. Hoffman.

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,



Laurel Vondrachek,  
Secretary Pro Tempore

3-20-17  
Date



**MANITOWOC COUNTY  
BOARD OF ADJUSTMENT  
MEETING NOTICE**

DATE: Monday, March 20, 2017  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

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

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

Discussion and possible action on:

1. **Daniel Messman** – Owner of property located on Hillview Rd., in the SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 24, T21N-R23E, Town of Gibson – cemetery portion of the Conditional Use Request.
2. **Russell Albert II** – Owner of property located at 12121 County Road XX in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 23, T17N-R22E, Town of Meeme – Conditional Use Request.

VI. NEW BUSINESS

Discussion and possible action on:

1. **Kenneth Zipperer** – Owner of property located at 9919 STH 10, in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 6, T19N-R23E, Town of Manitowoc Rapids – Conditional Use Request.
2. **James and Debra Brick** – Owners of property located at 9738 USH 10, in the SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 6, T19N-R23E, Town of Manitowoc Rapids – Conditional Use Request.
3. **Kathy and Jon Ahl** – Owners of property located at 7719 USH 10, in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 4, T19N-R23E, Town of Manitowoc Rapids – Variance Requests.
4. **Carl and Sue Diraimondo** – Owners of property located at 14031 Cedar Terrace Lane, in the SW $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 24, T17N-R21E, Town of Schleswig – Variance Requests.

VII. OTHER BUSINESS

Discussion and possible action on:

1. Set April meeting date

VIII. ADJOURNMENT

Date: February 28, 2017

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 20, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, March 20, 2017 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, Chuck Hoffman, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by, Ms. Vondrachek, seconded by Mr. Schuh to approve the agenda for the March 20, 2017 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Glaeser, seconded by Mr. Schuh to approve the February 20, 2017 meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Hoffman, seconded by Ms. Vondrachek to approve the March 14, 2017 onsite meeting minutes. Upon vote, the motion was unanimously approved.

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

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

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

**Old Business**

**Daniel Messman** – Owner of property located on Hillview Rd., in the SE¼, NW¼, Section 24, T21N-R23E, Town of Gibson – regarding the cemetery portion of the Conditional Use Request.

Mr. Gaedtke informed the Board he has not received an update from the Town of Gibson regarding the cemetery request, so the request would remain postponed.

**Russell Albert II** – Owner of property located at 12121 County Road XX in the NE¼, SW¼, Section 23, T17N-R22E, Town of Meeme – Conditional Use Request.

A motion was made by, Ms. Vondrachek to remove the request from the table, seconded by Mr. Hoffmann. Upon vote, the motion was unanimously approved.

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

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

A motion was made by, Mr. Glaeser to talk to Mr. Albert and seconded by Mr. Hoffmann. Upon vote, the motion was unanimously approved.

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

Mr. Albert answered questions from the Board.

There being no further comments, Chairperson Bonde closed the hearing for Mr. Albert.

## **Deliberation**

*Motion by:* Mr. Glaeser to approve the conditional use request.

Reasons for Approval:

1. The use will not impede the orderly development of the district.
2. The use is compatible with the area.
3. The use will not have a negative effect on surrounding properties because it's an old school located on several acres and far enough away from other neighbors.
4. The use fits on the parcel.
5. The nature, structures and location associated with the use is acceptable.
6. The use does not endanger the public's health, safety or welfare.
7. The use won't discourage the use or impair the value of surrounding properties.
8. The existing building appears to be in good condition and will provide enough room for the use.
9. There will be no flashing lights, fumes, dust or anything else that would be objectionable to surrounding properties.

Conditions of Approval:

1. Days of operation for the farmers market shall be 1 day per week.
2. Hours of operation for training classes will be 7:00 a.m. to 10:00 p.m.
3. Hours of operation for farmers market will be 7:00 a.m. to 9:00 p.m.
4. An on premise sign is allowed for the business.
5. Parking is allowed as shown in the application in the front and rear of the building.
6. Indoor vending area shall be limited to the library room or east end of the building.
7. Space allowed for vendors shall be limited to a maximum of 20% nonagricultural products.
8. Outside materials shall be stored behind the building on the south side.
9. No junk or metal is allowed to be stored outside.
10. There shall be a one year review.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

## **New Business**

**Kenneth Zipperer** – Owner of property located at 9919 STH 10, in the NW¼, SW¼, Section 6, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel number (010-006-010-001.00) wherein a conditional use permit is being requested by the applicant, Wisconsin Public Service, to construct a gas meter station off of Highway H Road on the west side of the property, in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Kenneth Zipperer.

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

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

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

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

There being no further comments, Chairperson Bonde closed the public hearing for Kenneth Zipperer.

### **Deliberation**

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

Reasons for Approval:

1. The use does not impede the orderly development of the district; it's only a few pipes and some fencing.
2. The use is compatible with the surrounding area because there are trees that provide some screening and not much farmland.
3. The use will not have a negative effect on surrounding properties because it is a low impact use as the area will only be some maintenance operations taking place there.
4. A proper road access already exists as well as a gravel parking area for service trucks.
5. The current size of the use fits on the parcel.
6. It does not discourage the use or impair the value of surrounding properties.
7. The use will not be objectionable to surrounding properties.
8. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

The conditions of approval shall follow the information submitted in the application.

1. There shall be a fence around the gas meter station.
2. Days of operation 365.
3. Hours of operation 24 hours per day.
4. No on-premise sign.

*Second by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

**James and Debra Brick** – Owners of property located at 9738 USH 10, in the SE¼, NW¼, Section 6, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel number (010-006-008-004.00) wherein a conditional use permit is being requested to expand the existing ministorage business by constructing a 50' x 84' addition onto the existing building; and to construct a new 50' x 126' ministorage building and a 40' x 60' storage garage in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for James and Debra Brick.

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

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

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

The Board questioned the proposal for water drainage.

Mr. Brick, applicant, informed the Board the water drains to the south and will enter into the culvert.

The Board had questions about the current lighting.

Mr. Brick stated he currently has LED lights for general area lighting.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

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

### **Deliberation**

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

Reasons for Approval:

1. The use does not impede the orderly development of the district.
2. There are existing storage structures on the property which also make it compatible with the current use of the parcel.
3. The use will not have a negative effect on properties because it is along a state highway and it's currently being used for the same purpose.
4. The use fits on the parcel.
5. An appropriate highway access already exists.
6. The nature, location and structures associated with the use are compatible with the use and structures already on the property.
7. It does not discourage the use or impair the value of surrounding land or buildings.
8. The intensity of the use will not have a negative effect on surrounding properties or be more objectionable by way of noise, fumes or other factors.
9. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation will be 365 days per year.
2. Hours of operation will be 24 hours per day.
3. No fencing needed.
4. A 32 square foot sign is permitted to be located 100 feet from the center line of the highway.
5. Minimal area lighting is allowed for safety purposes.

*Second by:* Mr. Glaeser

*Upon vote:* The motion was unanimously approved.

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

**Kathy and Jon Ahl** – Owners of property located at 7719 USH 10, in the NW¼, SW¼, Section 4, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin; parcel numbers (010-004-010-011.00), wherein variances are being requested to construct a 24' x 56' detached garage at 2 feet from the east property line; and to construct a 6' x 12' home addition at 91 feet from the center line of USH 10 and at 23 feet from the east property line; and to construct a 12' x 14' home addition at 23 feet from the east property line in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Kathy and Jon Ahl.

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

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

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

Mr. Ahl, spoke stating the reason for moving the garage back is for having access to the mound system.

Mr. Ahl answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

There being no further comments, Chairperson Bonde closed the public hearing for Kathy and Jon Ahl.

### **Deliberation**

*Motion by:* Ms. Vondrachek to approve the variance requests.

Reasons for approval:

1. The physical limitations of the property create a hardship for the owner because the lot is long and narrow, which limits the buildable area for the home additions and garage near the home.
2. The owner is burdened because the home already exists within the road and side yard setback and the owner needs to add a bedroom to the home and a garage with limited space to build.
3. The home additions will not be going any closer to the road or property line.
4. The new septic system will be located in the back yard which takes up buildable space.
5. The new garage will be setback 3 feet further from the property line than the old garage.
6. The request will not be contrary to the public because there are no neighbors close to the approved additions and garage.

*Seconded by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

**Carl and Sue Diraimondo** – Owners of property located at 14031 Cedar Terrace Lane, in the SW¼, NW¼, Section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-505-000-002.00) wherein variances are being requested to construct a 58' long x 3' high retaining wall at 6 feet 9 inches from the ordinary high water mark of Cedar Lake; and to construct a 34' long x 3' high retaining wall at 13 feet 4 inches from the ordinary high water mark of Cedar Lake; and to construct a 8' 5" x 15' campfire patio at 32 feet 4 inches from the ordinary high water mark of Cedar Lake; and to construct an 11' 5" x 47' 11" patio at 60 feet 4 inches from the ordinary high water mark of Cedar Lake; and to construct a 4' wide by 31' long walkway with stairs at 74 feet 3 inches from the ordinary high water mark of Cedar Lake, in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Carl and Sue Diraimondo.

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

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

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

Ms. Diraimondo informed the Board they would like to do this project once and do it right. She continued to state there was concern as the previous owner cut down trees and left them lying on the hill.

Mr. Gaedtke stated a concern of his is the amount of cut trees and some will need to be put back according to code.

Mr. Vandehei, Engineer for the Diraimondo's informed the Board of the type of tile to be used for draining water.

Mr. Vandehei explained the plan to the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

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

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 Carl and Sue Diraimondo.

### **Deliberation**

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

Reasons for approval:

1. The unique lot shape, the small yard, extremely steep slope and erodible soils create a hardship for the owner preventing them from using their back yard.
2. There is a lot of old rock from dilapidated retaining walls lying on the hillside.
3. New retaining walls are needed to replace the old walls and help stabilize the slope.
4. The walls and patio stone are pervious and will be constructed to catch runoff and allow it to permeate back into the soil.
5. The owner is burdened because they have a short backyard with a steep slope and erodible soils, which prevent them from utilizing the yard and stabilizing the hill.
6. The patio areas will absorb runoff and the retaining walls will allow the owners to utilize their back yard.
7. The existing retaining walls have tipped over and need to be replaced to protect the hillside from eroding into the lake.
8. The request will not be contrary to the public because the combination of retaining walls, porous paver block will be designed to create a drainage area for runoff and the vegetative plantings used on the site will also help prevent runoff and erosion into the lake. This will be an asset and benefit to the lake.
9. The damage to the vegetation had already been completed prior to the new owners purchasing the property. The stumps from the cut trees have started to rot, which will cause the hillside to destabilize more and increase erosion.
10. They will be removing impervious patio blocks and replace them with a permeable base and aggregate to allow more water to permeate down into the drainage area.
11. The drainage from the roofs and parking areas in front of the home will be filtered into the drainage areas rather than run directly into the lake.

Conditions of Approval



1. The cut down trees shall be reestablished according to code.

*Seconded by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, April 17, 2017 and the onsite for Monday, April 10, 2017 (Dates and times are subject to change.)

**Adjournment**

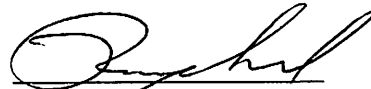
*Motion by:* Mr. Hoffman to adjourn.

*Seconded by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,

  
Ralph Schuh, Secretary

4/24/17  
Date



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

DATE: Monday, April 10, 2017  
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. **LMS Rentals LLC** – Owner of property located at 5101 Homestead Rd, in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 11, T19N-R23E, Town of Manitowoc Rapids – Conditional Use Request.
  2. **Badgerland Aggregates LLC** – Owner of property located off CTH Q in the W $\frac{1}{2}$ , SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and the E $\frac{1}{2}$ , SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 34, T21N-R23E, Town of Gibson – Conditional Use Request.
- IV. Old Business
  1. **Daniel Messman** – Owner of property located on Hillview Rd., in the SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 24, T21N-R23E, Town of Gibson – cemetery portion of Conditional Use Request.
- V. Other Business
  1. Correspondence
- VI. Adjournment

Date: April 4, 2017

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

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

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

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

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

April 10, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, April 10, 2017 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, Chuck Hoffman, Laurel Vondrachek and Ralph Schuh

Staff present for advisory meeting: Reed Gaedtke and Kaila Boeckman

A motion was made by Mr. Hoffman; seconded by Ms. Vondrachek to approve the agenda for the April 10, 2017 meeting. Upon vote, the motion was unanimously approved.

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

The Board received their folders containing the April 17, 2017 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed.

**ADJOURNMENT**

*Motion by:* Mr. Glaeser to adjourn.

*Seconded by:* Mr. Schuh.

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,



Ralph Schuh, Secretary

4/24/17  
Date



# MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: Monday, April 17, 2017  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

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

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

Discussion and possible action on:

1. **Daniel Messman** – Owner of property located on Hillview Rd., in the SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 24, T21N-R23E, Town of Gibson – cemetery portion of the Conditional Use Request

## VI. NEW BUSINESS

Discussion and possible action on:

1. **LMS Rentals LLC** – Owner of property located at 5101 Homestead Rd, in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Section 11, T19N-R23E, Town of Manitowoc Rapids – Conditional Use Request.
2. **Badgerland Aggregates LLC** – Owner of property located off CTH Q in the W $\frac{1}{2}$ , SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and the E $\frac{1}{2}$ , SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 34, T21N-R23E, Town of Gibson – Conditional Use Request.

## VII. OTHER BUSINESS

Discussion and possible action on:

1. Set May meeting date
2. Correspondence

## VIII. ADJOURNMENT

Date: April 4, 2017

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 17, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, April 17, 2017 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, Chuck Hoffman, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by, Mr. Hoffman, seconded by Ms. Vondrachek to approve the agenda for the April 17, 2017 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuh, seconded by Mr. Glaeser to approve the March 20, 2017 meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Ms. Vondrachek, seconded by Mr. Hoffman to approve the April 10, 2017 onsite meeting minutes. Upon vote, the motion was unanimously approved.

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

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

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

**Old Business**

**Daniel Messman** – Owner of property located on Hillview Rd., in the SE¼, NW¼, Section 24, T21N-R23E, Town of Gibson – regarding the cemetery portion of the Conditional Use Request.

Mr. Gaedtke informed the Board he has not received an update from the Town of Gibson regarding the cemetery request, so the request would remain postponed.

**New Business**

**LMS Rentals LLC** – Owner of property located at 5101 Homestead Rd, in the NE¼, SW¼, and the NW¼, SW¼, Section 11, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel numbers (010-011-010-003.00, 010-011-009-003.00 and 010-011-009-003.00) wherein a conditional use permit is being requested by Cari McLean, the applicant, to operate a dance studio in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for LMS Rentals LLC.

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

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

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

The Board had questioned about the parking lot and entering the building.

Al Ragd, agent for LMS Rentals LLC and Cari McLean, informed the Board the patrons will walk across the small grassy area to enter the building from the parking lot, but are hoping to get a walkway in by winter.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a phone call from neighboring property owner, Mike Check, who stated he was unopposed to this request.

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

The Board questioned the hours of operation and asked for clarification.

Cari McClean, the applicant, clarified the hours of operation for the Board.

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

### **Deliberation**

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

#### Reasons for Approval:

1. The use does not impede the orderly development of the district because everything for the business takes place inside the building.
2. The use is compatible with surrounding properties.
3. It does not discourage the use or impair the value of adjacent land because the building for the proposed use has been there for a long time.
4. The use fits on the parcel. A parking lot already exists which allows for off street parking.
5. The use will not endanger the public's health, safety or welfare.

#### Conditions of Approval:

1. Days of operation will be seven days per week.
2. Normal hours of operation will be Monday through Friday 4:00 p.m. to 9:00 p.m.; Saturdays 8:00 a.m. to noon; and Sundays 11:00 a.m. to 1:00 p.m.
3. Summer hours will be Monday through Thursday 8:00 a.m. to noon.
4. Number of employees allowed is five.
5. A sign is permitted on the front door or building wall.
6. Outside yard light(s) to be used for safety purposes.
7. A walkway shall be installed across the grass on the east side of the building from the east parking area to the front door.

*Second by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

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

**Badgerland Aggregates LLC** – Owner of property located off CTH Q in the W½, SE¼, NW¼, and the E½, SE¼, NW¼, Section 34, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, parcel numbers (006-034-008-002.00 and 006-034-008-001.00) wherein a conditional use permit is being requested by Broadwind Energy, the applicant, to store wind tower sections in the existing gravel pit located in an EA, Exclusive Agricultural zoned district.

Chairperson Bonde opened the public hearing for Badgerland Aggregates LLC.

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

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

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

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke read a letter from the Town of Gibson in favor of this request with the same financial compensation as they received from the towers being placed in the county pit (copy on file).

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

### **Deliberation**

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

#### Reasons for Approval:

1. The use does not impede the orderly development of the district. Having the towers in the pit will make that portion of the pit better because the area will need to be leveled and smoothed out for storing the towers.
2. The use is compatible with the area because it will be located within an existing gravel pit.
3. The intensity of the use will not have a negative effect on surrounding properties because tower sections have been stored in the area for years without any problems or complaints.
4. The use fits on the parcel.
5. The use will not endanger the public's health, safety or welfare.
6. The use does not affect any workable agricultural land because the entire area is gravel pit.

#### Conditions of Approval:

1. Days of operation will be 7 days per week.
2. Hours of operation will be from 7:00 a.m. to 5:00 p.m.
3. The submitted SMI Civil and Structural Engineers recommendation for site preparation shall be followed. The submitted document includes information on leveling the area, type of gravel to be used for the storage area and slope construction for drainage.

*Second by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

**Other Business**

**Correspondence:**

The Board received a letter from a citizen regarding the 141 Speedway. The Board noted they received the letter, but it would not be included in the record because it was received after public input portion of the hearing was closed.

Russell Alberts sent a letter to the Board requesting the Board look at condition number 8&9 regarding metal being stored outside. Mr. Albert submitted a letter to the Board along with new information that was not presented at their last meeting regarding the need for metal storage outside.

*Motion by:* Mr. Glaeser to approve the reconsideration request to look at changing the conditions at the May hearing.

*Seconded by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, May 15, 2017 and the onsite for Monday, May 8, 2017 (Dates and times are subject to change.)

**Adjournment**


*Motion by:* Mr. Schuh to adjourn.

*Seconded by:* Mr. Glaeser

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,

  
Ralph Schuh, Secretary

5/15/17  
Date





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

DATE: Monday, May 8, 2017  
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. **RC AG Ventures LLC** – Owner of property located off of Pleasant Road in the SE¼, SE¼, Section 11, T21N-R22E, Town of Cooperstown – Conditional Use Request.
  2. **Amanda Lennartz** – Owner of property located at 14312 Rokilio Road, in G.L. 4, Section 24, T17N-R21E, Town of Schleswig – Conditional Use Request.
  3. **SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Conditional Use Request.
- IV. Old Business
  1. **Daniel Messman** – Owner of property located on Hillview Rd., in the SE¼, NW¼, Section 24, T21N-R23E, Town of Gibson – cemetery portion of Conditional Use Request.
- V. Other Business
  1. Correspondence
- VI. Adjournment

Date: May 1, 2017

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 8, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, May 8, 2017 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, Chuck Hoffman, Laurel Vondrachek and Ralph Schuh

Staff present for advisory meeting: Kaila Boeckman

A motion was made by Mr. Glaeser; seconded by Mr. Hoffman to approve the agenda for the May 8, 2017 meeting. Upon vote, the motion was unanimously approved.

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

The Board received their folders containing the May 15, 2017 hearing requests.

Ms. Boeckman gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed.

**ADJOURNMENT**

*Motion by:* Mr. Glaeser to adjourn.

*Seconded by:* Mr. Schuh.

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,



Ralph Schuh, Secretary

5/15/17  
Date



# MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: Monday, May 15, 2017  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

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

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

Discussion and possible action on:

1. **Daniel Messman** – Owner of property located on Hillview Rd., in the SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 24, T21N-R23E, Town of Gibson – cemetery portion of the Conditional Use Request.

## VI. NEW BUSINESS

Discussion and possible action on:

1. **RC AG Ventures LLC** – Owner of property located off of Pleasant Road in the SE $\frac{1}{4}$ , SE $\frac{1}{4}$ , Section 11, T21N-R22E, Town of Cooperstown – Conditional Use Request.
2. **Amanda Lennartz** – Owner of property located at 14312 Rokilio Road, in G.L. 4, Section 24, T17N-R21E, Town of Schleswig – Conditional Use Request.
3. **SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 31, T21N-R23E, Town of Gibson – Conditional Use Request.

## VII. OTHER BUSINESS

Discussion and possible action on:

1. Set June meeting date
2. Correspondence

## VIII. ADJOURNMENT

Date: May 1, 2017

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 15, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, May 15, 2017 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, Chuck Hoffman, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by, Mr. Hoffman, seconded by Mr. Glaeser to approve the agenda for the May 15, 2017 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Glaeser, seconded by Mr. Schuh to approve the April 17, 2017 meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Ms. Vondrachek, seconded by Mr. Hoffman to approve the May 8, 2017 onsite meeting minutes. Upon vote, the motion was unanimously approved.

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

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

**Old Business**

**Daniel Messman** – Owner of property located on Hillview Rd., in the SE¼, NW¼, Section 24, T21N-R23E, Town of Gibson – regarding the cemetery portion of the Conditional Use Request.

Mr. Gaedtke informed the Board he has not received an update from the Town of Gibson regarding the cemetery request, so the request would remain postponed.

**New Business**

**RC AG Ventures LLC** – Owner of property located off of Pleasant Road in the SE¼, SE¼, Section 11, T21N-R22E, Town of Cooperstown, Manitowoc County, Wisconsin, parcel number (003-011-016-000.00) wherein a conditional use permit is being requested by Bryan Lemmens, the applicant, to construct a single family home in a NA, Natural Area zoned district.

Chairperson Bonde opened the public hearing for RC AG Ventures LLC.

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

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

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

The Board had questions of how much acreage would be used for grazing and if there were plans to disturb the woodland or river frontage.

Bryan Lemmens, the applicant, informed he will personally own five acres for his home and no, the woodland and river frontage would not be disturbed.

Chairman Bonde informed the audience each person speaking for any of the hearings tonight would be limited to three minutes during public input.

People in attendance in favor of the request: none.

Mr. Lyman, spoke opposed the request indicating he does not want to see Natural Area be affected.

Chairman Bonde closed public input.

A motion made by Mr. Glaeser and seconded by Mr. Schuh to allow Mr. Lyman to speak for one additional minute. Upon vote, the motion was unanimously approved.

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

Mr. Lyman questioned why a hearing was being held, as the applicant has dug over 11 feet deep and poured footings. Mr. Lyman indicated this is not how Natural Area is to be used.

There being no further comments, Chairperson Bonde closed the public hearing for RC AG Ventures LLC.

### **Deliberation**

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

Reasons for Approval:

1. The house will only be located on farmland and will not affect any natural wooded area.
2. The use is compatible with the surrounding area because, only a small amount of acreage is being used and there are other houses in the area.
3. It will not have a negative effect on surrounding properties because it's a new house and will raise property values.
4. The use will fit on the proposed parcel size nicely.
5. The parcel has proper access.
6. It will not discourage appropriate development of any other adjacent land or buildings
7. The use will not impair surrounding property values.
8. This use will not cause any other problems to the area.
9. The noise associated with this use will be normal noises associated with a house and normal construction noises while it's being built.
10. The use will not endanger the public's health, safety or welfare.

*Second by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

**Amanda Lennartz** – Owner of property located at 14312 Rokilio Road, in G.L. 4, Section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-510-001-006.00) wherein a conditional use permit is being requested to operate a vacation home rental in a LR, Lake Residential, S1, Shoreland zoned district.

A motion was made by Mr. Glaeser to postpone due to the applicant not attending and seconded by Mr. Schuh. Upon vote, the motion was unanimously approved.

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

**SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-031-006-005.00) wherein a conditional use permit is being requested to operate a campground and a parking lot in a proposed GA, General Agricultural, zoned district.

Chairperson Bonde opened the public hearing for SDA Ahnapee LLC.

Mr. Steve Frassetto, attorney for the applicant spoke.

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

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

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

Mr. Frassetto submitted a study from Ayres & Associates, an engineering company to the Board and confirmed as in the application, the parcel of land will only operate under the same days and hours as scheduled events for 141 Speedway.

The Board questioned if there was any comment in the documentation from Ayres & Associates about the speed limit.

Mr. Frassetto indicated reducing the speed limit was brought up to the Highway Commission and the request to reduce the speed does not fit the general criteria for reducing speed limits.

The Board had concerns / questions regarding the safety of patrons crossing the road.

Mr. Frassetto indicated Ayres & Associates recommends adding an additional worker to assist in helping patrons cross. Mr. Frassetto also mentioned the thought of adding lights, but in compliance with the other lighting regulations.

Mr. Gaedtke asked if the Highway Commission and Traffic Safety Commission were notified of Ayres & Associates safety study.

Mr. Frassetto informed the Board of Adjustment that the Highway Commission and Traffic Safety Commission has not been notified.

The Board had questions about camping.

Mr. Frassetto informed the Board some events are multi days, but most are single day events and campers would leave and it is not intended to be a typical campground.

The Board questioned using the study / plan from Ayres & Associates as minimum requirements for safety of the patrons.

People in favor of the request:

Jim Theyerl, spoke highly in favor of the request.

Mr. Bobal, spoke in favor of the request and indicated after the recent race he attended there was minimal traffic and stated this is one of the best race tracks.

Angie Ratajczak, owner of KRR Enterprises, wanted on record they did not have an event on a Sunday as they are not allowed to. She indicated there was camping with the prior owner and spoke in favor of the request.

Greg Herman, spoke in favor of the request.

People opposed to the request:

Pete Schmoll, spoke of his concern with the safety and the growing business in the future.

Sara Hills, spoke opposed to the camping portion of the request and would like to see only the 10 acres used for event parking.

Ken Mleziva, spoke opposed to the request.

Amy Vos, spoke of her concern about allowing overflow parking only when the regular parking area is full.

Shane Hills, spoke of his concern with the land across the track being used as a pit and doesn't want it to be used that way.

Chairman Bonde closed public input.

Mr. Gaedtke asked the Board if they wanted correspondence letters read aloud.

The Board asked that only the Health Department email be read (Copy on file).

### **Deliberation**

*Motion by:* Mr. Schuh to approve the conditional use request subject to approval of the zoning change to GA, General Agriculture.

Reasons for Approval:

1. The use does not impede the orderly development of the district based upon the imposed conditions.
2. The use is compatible with the surrounding area provided that the zoning is changed to the GA, General Agricultural district.
3. The intensity of the use will not have a negative effect on surrounding properties.
4. The use does fit on the parcel size.
5. The parcel has proper access for the requested use and the driveways already exist.
6. The nature, location and height of structures does not apply because there are no structures associated with this use.
7. It doesn't discourage the orderly development of adjacent land because the race track already exists and this is supplemental parking for the track.
8. The use will not impair the value of surrounding properties. It is still zoned farmland.
9. There are no proposed flashing lights, fumes, noise, vibrations or other factors such as traffic or unsafe issues that are not being addressed in the conditions.
10. As long as the conditions are adhered to there should be no danger to the public's health, safety or welfare.

Conditions of Approval:

1. The approval of this conditional use permit is subject to the property being rezoned to the GA, General Agricultural district.
2. The safety plan from Ayres Associates must be implemented with the omission of the last two items of the plan listed in the "Major" section. (Parking Shuttle Service and purchasing additional land on the west side of CTH R.) This plan shall be the minimum safety standards to be

- followed. SDA Ahnapee LLC must work with the Manitowoc County Highway Safety Commission and assist in the implementation of these and any additional recommendations.
3. The use of the camping and parking is only allowed during an event as described in the KRR Enterprise LLC's conditional use permit.
  4. An event shall be described as any day or portion thereof that the race track is in use for any purpose, excluding maintenance activity. This includes but is not limited to; races, practice sessions (regardless of number of vehicles or laps), concerts or other venues."
  5. Hours of operation for track event parking will be 11:00 a.m. to 10:30 p.m. all year except for concerts.
  6. Hours of operation for concert event parking shall be from 11:00 a.m. to 12:00 midnight.
  7. Litter and trash shall be removed within 24 hours of an event and not allowed to become windblown.
  8. Three convicted violations of County Ordinances or these conditions within a 12 month period shall be grounds for revocation of this conditional use permit.
  9. Lighting is allowed for the parking lot, but must be turned off within one half hour after the events end.
  10. There will be no parking on any County or Town roads by employees, participants, or attendees.
  11. Camping overnight for an event duration is acceptable.
  12. Camping on a week to week basis is not allowed.
  13. Campers being used on the property must have self-contained water supply and waste discharge.
  14. This conditional use permit is subject to a 1 year review. However, depending upon conditions found, or noted or complaints reported may result in additional reviews and permit modifications.
  15. If additional findings are made by the Traffic Safety Commission, the Board of Adjustment will reserve the right to have an earlier review.
  16. Ingress and egress shall be determined by Highway or Traffic Safety Commission.
  17. Fencing must be provided according to the submitted safety plan from Ayres Associates.
  18. The parking requirements listed in section 8.35 of the Manitowoc County General Zoning and Land Use Regulation Ordinance must be followed. This may include additional fencing regulations.
  19. Pit cars and transport haulers for cars are not permitted on this property. They must remain on the west side of the road in the pit area.
  20. The parking and camping area allowed shall be restricted to 10 acres. This acreage is subject to future reviews by the Board and the needs of the business.

*Second by:* Mr. Glaeser

*Upon vote:* The motion was unanimously approved.

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

### **Other Business**

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, June 19, 2017 and the onsite for Monday, June 12, 2017 (Dates and times are subject to change.)



**Adjournment**

*Motion by:* Mr. Hoffman to adjourn.

*Seconded by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,



Ralph Schuh, Secretary

6/19/17  
Date



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

DATE: Monday, June 12, 2017  
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. **Hoban Cycle Shop Inc.** – Owner of property located 10629 STH 42 in the NW¼, SW¼, Section 1, T17N-R22E, Town of Meeme – Conditional Use Request and Variance.
  2. **Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E½, NW¼, NE¼, Section 31, T20N-R24E, Town of Kossuth – Conditional Use Request.
  3. **Justin Schaller** – Owner of property located at 23715 West Steinthal Rd., in the NW¼, SE¼, Section 31, T18N-R21E, Town of Eaton – Conditional Use Request.
- IV. Old Business
  1. **Daniel Messman** – Owner of property located on Hillview Rd., in the SE¼, NW¼, Section 24, T21N-R23E, Town of Gibson – cemetery portion of Conditional Use Request.
  2. **Amanda Lennartz** – Owner of property located at 14312 Rokilio Road, in G.L. 4, Section 24, T17N-R21E, Town of Schleswig – Conditional Use Request.
- V. Other Business
  1. Correspondence
- VI. Adjournment

Date: May 25, 2017

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 12, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, June 12, 2017 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, Chuck Hoffman, Laurel Vondrachek and Ralph Schuh

Staff present for advisory meeting: Kaila Boeckman and Reed Gaedtke

A motion was made by Mr. Glaeser; seconded by Mr. Hoffman to approve the agenda for the June 12, 2017 meeting. Upon vote, the motion was unanimously approved.  
*Aye: Glaeser, Vondrachek, Hoffman, Schuh and Bonde; No: none;*

The Board received their folders containing the June 19, 2017 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed.

**ADJOURNMENT**

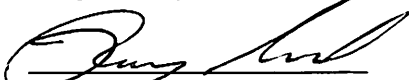
*Motion by:* Mr. Schuh to adjourn.

*Seconded by:* Ms. Vondrachek.

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,

  
Ralph Schuh, Secretary

6/19/17  
Date



# MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: Monday, June 19, 2017  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

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

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

Discussion and possible action on:

1. **Daniel Messman** – Owner of property located on Hillview Rd., in the SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 24, T21N-R23E, Town of Gibson – cemetery portion of the Conditional Use Request.
2. **Amanda Lennartz** – Owner of property located at 14312 Rokilio Road, in G.L. 4, Section 24, T17N-R21E, Town of Schleswig – Conditional Use Request.

## VI. NEW BUSINESS

Discussion and possible action on:

1. **Hoban Cycle Shop Inc.** – Owner of property located 10629 STH 42 in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 1, T17N-R22E, Town of Meeme – Conditional Use Request and Variance.
2. **Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E $\frac{1}{2}$ , NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , Section 31, T20N-R24E, Town of Kossuth – Conditional Use Request.
3. **Justin Schaller** – Owner of property located at 23715 West Steinthal Rd., in the NW $\frac{1}{4}$ , SE $\frac{1}{4}$ , Section 31, T18N-R21E, Town of Eaton – Conditional Use Request.

## VII. OTHER BUSINESS

Discussion and possible action on:

1. Set July meeting date
2. Correspondence

## VIII. ADJOURNMENT

Date: May 25, 2017

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 19, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, June 19, 2017 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, Chuck Hoffman, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuh, seconded by Mr. Glaeser to approve the agenda for the June 19, 2017 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Glaeser, seconded by Mr. Schuh to approve the May 15, 2017 meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Hoffman, seconded by Ms. Vondrachek to approve the June 12, 2017 onsite meeting minutes. Upon vote, the motion was unanimously approved.

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

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

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

**Old Business**

**Daniel Messman** – Owner of property located on Hillview Rd., in the SE¼, NW¼, Section 24, T21N-R23E, Town of Gibson – regarding the cemetery portion of the Conditional Use Request.

Motion by Mr. Glaeser and seconded by Mr. Schuh to remove the request from the table. Upon vote, the motion was unanimously approved.

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

Mr. Gaedtke informed the Board the Town of Gibson reached an agreement with the owners and sent a letter approving the cemetery request portion of the conditional use permit and that the Board could reconvene on this matter to make a ruling.

Chairperson Bonde opened the public hearing for Daniel Messman and Lakeside Menonite Church.

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

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

Mr. Ben Diller and Mr. Titus Beachy, spoke stating they reached an agreement with the Town of Gibson.

The Board questioned if the location of the cemetery going to be as it was laid out in the original application.

Mr. Diller and Mr. Beachy confirmed the cemetery would be located in the same area as the original application and indicated it was surveyed.

The Board questioned how much area was surveyed off for the cemetery.

Mr. Diller and Mr. Beachy indicated the area was large enough to hold 60 graves.

### **Delibertation**

*Motion made by:* Mr. Hoffman to approve the cemetery portion of the request for Lakeside Menonite Church.

Reasons for Approval:

1. The use does not impede the orderly development of the district.
2. The cemetery fits on the parcel.
3. The use is compatible with the surrounding area.
4. The use will not discourage the appropriate development or use of the adjacent agricultural land or resident next door.
5. There will be no flashing lights, fumes, noise or vibrations that would be objectionable.
6. It will not endanger the public's health, safety or welfare.
7. A financial agreement has been approved by the Town of Gibson.

*Seconded by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

**Amanda Lennartz** – Owner of property located at 14312 Rokilio Road, in G.L. 4, Section 24, T17N-R21E, Town of Schleswig – Conditional Use Request.

Chairperson Bonde opened the public hearing for Amanda Lennartz.

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

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

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

The Board is concerned about the size of the septic system.

Mr. Adam Kroener, informed the Board they are in the middle of working with the septic people to get the issue figured out.

Mr. Ken Smasal, spoke for the Town of Schleswig in favor of the request.

Mr. Steve Grapentine, spoke for the Camp Rokilio Boy Scouts and their concern about the parking for the rental property and stated Camp Rokilio is private property and they have concerns with garbage.

Chairman Bonde closed public input.

The Board asked if there are smoke detectors and fire extinguishers.

Ms. Amanda Lennartz informed the Board there are smoke detectors and they have passed the health inspection based on the health standards.

Mr. Gaedtke asked if there was any licensing obtained from the health department.

Ms. Lennartz indicated she has received licensing from the health department.

### **Deliberation**

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

Reasons for Approval:

1. The use does not impede the orderly development of the district.
2. The use will not have an impact on the surrounding area.
3. The intensity of the use will not have a negative effect on the surrounding properties.
4. The use barely fits on the parcel.
5. There is ample room too park 5 cars.
6. There are no flashing light, fumes or noise that would be more objectionable than any other allowable principal use.

Conditions of Approval:

1. No more than 6 overnight guests allowed unless the septic system is increased to allow for more guests or it can be shown that the system is larger and could handle increased wastewater.
2. No use of firearms allowed.
3. No use of fireworks allowed.
4. Parking is allowed for 5 cars.
5. Parking on the road is prohibited; however, they can park on the graveled area approved by the Town.
6. The sign must be placed a minimum of 60' from the centerline of the road.
7. No fencing is required.
8. At least one adult, 21 years of age or older must be present when the property is rented.
9. Owners must comply with Health Department licensing.
10. No pets allowed.
11. Can rent the structure 40 to 50 days per year.
12. Quiet time will be after 11:00 p.m.

*Second by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

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

### **New Business**

**Hoban Cycle Shop Inc.** – Owner of property located 10629 STH 42 in the NW¼, SW¼, Section 1, T17N-R22E, Town of Meeme, Manitowoc County, Wisconsin, parcel number (012-001-010-003.00) wherein a conditional use permit is being requested to expand an existing business and wherein variances are being requested to construct a 16' x 25' addition at 85 feet from the center line of STH 42 and at 5 feet from the right-of-way line; and to construct a 50' x 88' addition within 25 feet of STH 42 right-of-way line in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Hoban Cycle Shop Inc.

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

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

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

Mr. John Dahmon, owner, spoke hoping the Board finds the cycle shop has been good stuarts.

The Board had questions about the number of employees, if it includes full and part-time employees.

Mr. Dahmon informed the Board there are eight full-time employees and one part-time cleaning employee.

The Board questioned with the expansion will there be a need for more employees than the eight listed on the application.

Mr. Dahmon indicated to the Board he would like to add two more employees at a later time, but would take a total of 12 employees if he's allowed.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Chairman Bonde closed public input.

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

The Board had a question regarding the distance of the addition to the centerline of the road for the variance request.

Mr. Dahmon informed the Board because of the radius of the curve of the road, the road starts to go away and that is why the 85 feet is being requested.

### **Deliberation**

*Motion by:* Mr. Glaeser to approve the conditional use request and the variance requests.

Reasons for Variance Approval:

1. The right-of-way was never redrawn after the highway was moved which makes the right-of-way wider than normal in this area.
2. The lot has an odd shape and the extra wide right-of-way which creates a hardship and a burden for the owner to construct a new entry way onto the existing building.
3. The additions are needed and they are an asset to the property.
4. The additions will not have a negative effect to the public because there is still plenty of room between the building and road.
5. The building has existed for a long time and the business is an asset to the area.

Reasons for Conditional Use Permit Approval:

1. The expanded business will not impede the orderly development of the district.
2. The use is compatible with the surrounding area.
3. It will not have a negative effect on surrounding properties because it's an existing business.
4. The use fits on the parcel.
5. The use is an asset to the Township.
6. The proposed structure is acceptable to the property and surrounding community.
7. It will not discourage the use of adjacent land.
8. The use will not impair surrounding property values. The business is an asset to the area.
9. The use will not be more objectionable than any other allowable principal use by way of fumes, noise, flashing lights or other factors.



10. The use already exists, it's located out in the country and there would be no problems with having an addition.
11. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation will be Monday thru Saturday.
2. Hours of operation will be 9:00 a.m. to 6:00 p.m. Monday thru Friday and 9:00 a.m. to 3:00 p.m. on Saturday.
3. Number of employees will be 12.
4. Any outside storage of junk or scrap metal shall be stored in containers or screened from view of the road.

*Second by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

**Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E½, NW¼, NE¼, , Section 31, T20N-R24E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-131-002-002.00) wherein a conditional use permit is being requested by Mark Hamann, the applicant, to construct a single family home in a NA, Natural Area zoned district.

Chairperson Bonde opened the public hearing for Marilyn Theel.

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

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

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

Ms. Marilyn Theel, owner, indicated she has no objection to Mr. Mark Hamann constructing a home on the parcel.

The Board questioned if the wetland area has been delineated and if this was going to be a year round home.

Ms. Theel informed the Board it will be a year round home and indicated Mark was taking care of the delineation for her.

Mr. Gaedtke indicated he has not received any information regarding the delineation.

People in attendance in favor of the request: none.

Mr. Ryan Menges, neighbor, spoke opposed to the request.

Mr. Bill Menges, neighbor, spoke opposed to the request.

Chairman Bonde closed public input.

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

The Board questioned if Ms. Theel had ever obtained a permit for a driveway from the Town.

Ms. Theel indicated the only permit from the Town was a conditional use for a holding tank, which they never installed.

The Board questioned if Ms. Theel's parcel abuts Springwood Ln.

Ms. Theel informed the Board she cannot confirm the exact parcel location.

The Board asked how Ms. Theel currently gets to her parcel and if there is an easement.

Ms. Theel indicated from off of Springwood Ln. and she is not aware of any easement.

Motion made by Mr. Schuh and seconded by Mr. Hoffman to reopen the hearing to the public because of new evidence from an aerial photo showing the approximate location of the property line to the road. Upon vote, the motion was unanimously approved.

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

People in attendance in favor of the request: none.

Ryan Menges, spoke opposed to the request.

Chairman Bonde closed public input.

Motion made by Mr. Hoffman and seconded by Mr. Schuh to postpone until information is obtained regarding a survey and wetland delineation are complete and a driveway permit from the Town is obtained. Upon vote, the motion was unanimously approved.

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

**Justin Schaller** – Owner of property located at 23715 West Steinthal Rd., in the NW¼, SE¼, Section 31, T18N-R21E, Town of Eaton, Manitowoc County, Wisconsin, parcel number (004-031-014-001.01) wherein a conditional use permit is being requested to operate a small agricultural hauling and storage business in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Justin Schaller.

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

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

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

The Board questioned the number of tractors and employees.

Mr. Schaller indicated he has two tractors and no employees; just family helps him.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Chairman Bonde closed public input.

### **Deliberation**

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

Reasons for Approval:

1. The use is compatible with the surrounding area because it is an agricultural type business and is surrounded by agriculture (ag) land.

2. The use will not impede the orderly development of the area.
3. It will not have a negative effect on surrounding properties because it's surrounded by ag land.
4. The use fits on the parcel.
5. Proper access will be constructed.
6. The proposed structures are acceptable.
7. It will not discourage appropriate development of any other adjacent land or buildings because it's agricultural land around the property.
8. The use will not impair surrounding property values because there is mainly ag land.
9. The use will not be more objectionable than any other allowable principal use by way of fumes, noise, flashing lights or other factors.
10. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. No outside storage of junk or scrap metal or garbage is allowed, unless it is located in an appropriate container.
2. Days of operation will be Monday through Saturday and some occasional Sundays.
3. Hours of operation will be 7:00 a.m. to 6:00 p.m.
4. Number of employees will be 2 and also family members.
5. There will be no more than 4 total units allowed. (A total unit consists of one tractor and one trailer).
6. No sign or fencing is required.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

**Other Business**

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Wednesday, July 12, 2017 and the onsite for Friday, July 7, 2017 (Dates and times are subject to change.)

**Adjournment**


*Motion by:* Mr. Glaeser to adjourn.

*Seconded by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,

  
Ralph Schuh, Secretary

7/12/17  
Date



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

DATE: Friday, July 7, 2017  
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. **Roberta Phelps** – Owner of property located at 16904 Jambo Creek Road, in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 11, T21N-R23E, Town of Gibson – Conditional Use Request.
  2. **Jeff Maretti** – Owner of property located at 4015 Goodwin Rd., in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 12, T19N-R23E Town of Manitowoc Rapids – Conditional Use Request.
  3. **Sonnenburg's Sonny's Acres LLC** – Owners of property located at 9321 South Shore Drive, in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 33, T18N-R22E, Town of Liberty – Conditional Use Request.
  4. **SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 31, T21N-R23E, Town of Gibson – Review of safety conditions of an existing Conditional Use Permit for a parking lot and camping.
  5. **KRR Enterprises LLC (a.k.a. 141 Speedway)** - Owner of property located in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 31, T21N-R23E, Town of Gibson – Review of tree planting and other conditions of an existing Conditional Use Permit.
- IV. Old Business
  1. **Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E $\frac{1}{2}$ , NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , Section 31, T20N-R24E, Town of Kossuth – Conditional Use Request.
- V. Other Business
  1. Dean Schultz Conditional Use Permit review
  2. Correspondence
- VI. Adjournment

Date: June 27, 2017

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 7, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Friday, July 7, 2017 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, Laurel Vondrachek and Ralph Schuh. Members absent: Chuck Hoffman

Staff present for advisory meeting: Andrea Raymakers and Reed Gaedtke

A motion was made by; Ms. Vondrachek seconded by Mr. Glaeser to approve the agenda for the July 7, 2017 meeting. Upon vote, the motion was unanimously approved.

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

The Board received their folders containing the July 12, 2017 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed. Mr. Bonde did not proceed to on-sites, but will visit on-sites on his own time.

**ADJOURNMENT**

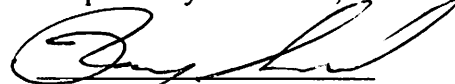
*Motion by:* Mr. Glaeser to adjourn.

*Seconded by:* Mr. Schuh.

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,



Ralph Schuh, Secretary

7/12/17  
Date



# MANITOWOC COUNTY

## BOARD OF ADJUSTMENT

### MEETING NOTICE

DATE: Wednesday, July 12, 2017  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

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

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

Discussion and possible action on:

1. **Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E½, NW¼, NE¼, Section 31, T20N-R24E, Town of Kossuth – Conditional Use Request.

#### VI. NEW BUSINESS

Discussion and possible action on:

1. **Roberta Phelps** – Owner of property located at 16904 Jambo Creek Road, in the NE¼, SW¼, Section 11, T21N-R23E, Town of Gibson – Conditional Use Request.
2. **Jeff Marette** – Owner of property located at 4015 Goodwin Rd., in the NW¼, NW¼, Section 12, T19N-R23E Town of Manitowoc Rapids – Conditional Use Request.
3. **Sonnenburg's Sonny's Acres LLC** – Owners of property located at 9321 South Shore Drive, in the NE¼, SW¼, Section 33, T18N-R22E, Town of Liberty – Conditional Use Request.
4. **SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of safety conditions of an existing Conditional Use Permit for a parking lot and camping.
5. **KRR Enterprises LLC (a.k.a. 141 Speedway)** - Owner of property located in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of tree planning and other conditions of an existing Conditional Use Permit.

#### VII. OTHER BUSINESS

Discussion and possible action on:

1. Review of Dean Schultz's conditional use permit and fence progress
2. Election of Officers
3. Set August meeting date
4. Correspondence

#### VIII. ADJOURNMENT

Date: June 27, 2017

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

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

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

July 12, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Wednesday, July 12, 2017 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, Chuck Hoffman, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by, Mr. Hoffman, seconded by Ms. Vondrachek to approve the agenda for the July 12, 2017 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Glaeser, seconded by Mr. Schuh to approve the June 19, 2017 meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Ms. Vondrachek, seconded by Mr. Glaeser to approve the July 7, 2017 onsite meeting minutes. Upon vote, the motion was unanimously approved.

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

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

**Old Business**

**Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E½, NW¼, NE¼, Section 31, T20N-R24E, Town of Kossuth – Conditional Use Request.

Mr. Gaedtke informed the Board he received a phone call from Mr. Hamann stating he did not have everything the Board required and wanted his request to remain postponed until next month's meeting. The request remained postponed.

**New Business**

**Roberta Phelps** – Owner of property located at 16904 Jambo Creek Road, in the NE¼, SW¼, Section 11, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, parcel number (006-011-009-002.00) wherein a conditional use permit is being requested to operate a vacation home rental in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Roberta Phelps.

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

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

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

The Board had questions about the size of the septic system to the amount of allowable people.

Ms. Phelps indicated it was a surprise to her the septic system is designed for only four people, but confirmed she is ok with that.

The Board had questions in regards to how the home will be rented out.

Ms. Phelps informed the Board her plan is to try and work with the nuclear plant on seasonal workers for this year and see how it goes.

The Board questioned if the well was tested.

Ms. Phelps confirmed inspection needs to be done through the health department and she will have it completed.

Chairman Bonde informed the audience each person would be limited to three minutes during public input for all of tonight's hearings.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Chairman Bonde closed public input.

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

### **Deliberation**

*Motion by:* Mr. Hoffman to approve the conditional use request and the variance requests.

Reasons for approval:

1. The use does not impede the orderly development of the district.
2. The use is compatible with the surrounding area.
3. The intensity of the use will not have a negative impact on the area.
4. The use fits on the parcel.
5. There is proper access to the property for the approved use.
6. The nature, location and height of the structures associated with the use are applicable to the area. It is an old school and has been there for years and has large trees around it so it fits in the area very well.
7. It does not discourage the appropriate development of adjacent land. Most of the area surrounding the property is farmland and trees.
8. The use will not impair the value of surrounding properties. It is a house.
9. There are normal lights on the building which will not be objectionable to others.
10. It's not more objectionable than any other residence out there nor would it produce any noise, fumes or lights that would offend the neighborhood. A quiet time will be enforced by the owner.
11. The use will not endanger the public health, safety or welfare.

Conditions of Approval:

1. The maximum number of guest allowed at one time shall be four.
2. Days of operation shall be daily all year long.
3. Hours of operation shall be 24 hours per day.
4. Approval of the conditional use permit is subject to compliance with Health Department regulations.
5. No pets, fireworks or firearms allowed as stated by the owner.
6. There shall be a quiet time from 10:00 p.m. to 8:00 a.m. and enforced by the owner.



7. They are allowed a sign.
8. No parking allowed on the road.

*Second by:* Mr. Glaeser

*Upon vote:* The motion was unanimously approved.

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

**Jeff Maretti** – Owner of property located at 4015 Goodwin Rd., in the NW¼, NW¼, Section 12, T19N-R23E Town of Manitowoc Rapids, Manitowoc County, Wisconsin, tax parcel number (010-012-006-000.00) wherein a conditional use permit is being requested to expand an existing pet food and treat making business by constructing a 30' x 40' processing and cooler addition and by constructing a detached 40' x 80' storage and delivery area in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for Jeff Maretti.

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

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

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

The Board questioned how long Mr. Maretti has operated on this site.

Mr. Jeff Maretti indicated he has been operating on this site for approximately 18 years.

The Board questioned how truck deliveries are received with no loading dock.

Mr. Jeff Maretti and Mr. Toni Maretti informed the Board a tractor with forks is used to unload the trucks and currently they unload the meat in the back of the building and unload the pallets on the road. They also indicated the intent is to get all trucks off the road and unload in the back of the building with the request for the expansion.

The Board had questions regarding how the smell is contained associated with the business's waste.

Mr. Maretti stated he tries to keep flies at bay with a product he purchases from Fleet Farm and he had moved the dumpster to the back of the property indicating the smell shouldn't affect neighbors unless a strong south wind.

The Board questioned how many times the dumpster is picked up.

Mr. Maretti informed the Board it is an on call procedure and is usually picked up every two weeks.

The Board questioned if there has been complaints at any time since the business has been operating.

Mr. Maretti indicated there have been no complaints pertaining to work.

People in attendance in favor of the request: none.

Mr. Steve Stroh, neighbor, spoke opposed to the request.

Ms. Mary Grall, neighbor, spoke opposed to the request.

Chairman Bonde closed public input.

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

## Deliberation

*Motion by:* Mr. Schuh to approve the conditional use request to expand a small business for the purpose of manufacturing dog food and dog treats.

Reasons for approval:

1. The use does not impede the orderly development of the district as long as future expansion is restricted to only this expansion.
2. The use is compatible with the surrounding area because the business has been operating at this location for a couple of decades without a negative impact.
3. The intensity of the operation will not affect the surrounding properties.
4. The use fits on the existing parcel size.
5. There is road access, however with truck deliveries taken off of Goodwin Road there may need to be some access expansion which requires a permit from the Town of Manitowoc Rapids.
6. The nature, location and height of the structures associated with the use will be acceptable for the area and subject to some conditions.
7. The proposed use will not discourage appropriate development pattern of adjacent land and buildings.
8. The use would not impair the value of surrounding properties.
9. There is no proposed flashing lights, noise, vibrations or other factors or unsafe issues which are more objectionable than any other allowable principal use.
10. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation shall be Monday thru Friday.
2. Hours of operation shall be 7:00 a.m. to 5:00 p.m.
3. Number of employees, including the owners, shall be a total of eight.
4. Compressors shall be screened from public view and some noise abatement effort made to ensure noise is reduced and goes vertical rather than lateral towards the neighbors. This may include items such as containment of the compressors, bushes or solid fencing.
5. Waste dumpsters shall be located near the rear of the premises.
6. Waste shall be picked up weekly from May through September and bi-weekly the remainder of the year.
7. There shall be no outside storage of foreign materials, junk, refuse or empty containers.
8. The construction of the addition and the new building shall be designed and constructed so that it improves the appearance on that parcel.
9. This will be the only business expansion allowed on this parcel and it does include the proposed storage building.
10. Truck deliveries will no longer be allowed on Goodwin Road once the expansion is complete and put into service.
11. There shall be a 12 to 18 month review which shall occur during a summer month. Future review frequency can be determined at that point in time based on findings or complaints.

*Seconded by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

**Sonnenburg's Sonny's Acres LLC**– Owners of property located at 9321 South Shore Drive, in the NE¼, SW¼, Section 33, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, parcel number (008-033-009-022.01) wherein a conditional use permit is being requested to construct a two family residence in a LR, Lake Residential, S1 Shoreland zoned district.

Chairperson Bonde opened the public hearing for Sonnenburg's Sonny's Acres LLC.

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

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

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

The Board had questions regarding entering the property and if the design of the structure was the same as two years ago.

The owners and architect answered questions from the Board.

People in attendance in favor of the request: none.

Mr. Thomas Wurm, neighbor, spoke opposed to the request.

Chairman Bonde closed public input.

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

Mr. Gaedtke read a letter from Jim and Nancy Kramer opposed to the request.

The owner indicated the ending intent is for her and her sister to be able to retire here and each have their own place to live.

The Board questioned the amount of owners per record.

The owner informed the Board it will be two mortgages, two addresses, but on one parcel.

### **Deliberation**

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

Reasons for approval:

1. The use does not impede the orderly development of the area. There are other residences located on the lake.
2. The use is compatible with the area because it is a residence which is allowable in that district with a conditional use permit located within the allowable setbacks.
3. The lot is big enough to allow for a two family home.
4. It does not discourage the appropriate development of adjacent land. There are existing houses on the neighboring lots already.
5. Adjacent homes are closer to the ordinary high water mark than this proposed structure will be.
6. It is not more objectionable than any other residence out there nor would it produce any noise, fumes or lights that would offend the neighborhood.
7. The structure would not endanger the public's health, safety or welfare.
8. The road is narrow but emergency services are available.

Conditions of Approval:

1. The owners should have smoke alarms and fire extinguishers in the house.
2. The parcel shall not be divided.
3. The residential units shall not be rented out.

4. Well should be checked with Wisconsin Department of Natural Resources to determine if the old well needs to be abandoned.

*Second by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

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

**SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-031-006-005.00) wherein the Board of Adjustment has requested a hearing to review the safety conditions of the existing conditional use permit for a parking lot and camping area in a GA, General Agricultural, zoned district.

Mr. Gaedtke informed the Board SDA Ahnapee LLC's attorney sent an email requesting the hearing be postponed until the August meeting so they can finalize some legal matters.

Mr. Schuh made a motion to postpone the hearing until next month and was seconded by Mr. Glaeser.

*Upon vote:* The motion was unanimously approved.

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

**KRR Enterprises LLC (a.k.a. 141 Speedway)** - Owner of property located in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-031-006-002.00) wherein the Board of Adjustment has requested a hearing to review the tree planting and other conditions of the existing conditional use permit for a race track and tavern located in a CB, Commercial Business, zoned district.

Mr. Gaedtke informed the Board KRR Enterprises LLC's attorney sent an email requesting the hearing be postponed until the August meeting so they can finalize some legal matters.

Mr. Glaeser made a motion to postpone the hearing until next month and was seconded by Mr. Hoffman.

*Upon vote:* The motion was unanimously approved.

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

### **Other Business**

#### **Dean Schultz Review**

Mr. Gaedtke gave an updated status of Mr. Schultz's property regarding the fence requirement.

The Board deliberated and denied the review for Mr. Schultz because of not having his fence complete.

Mr. Schultz's review will be relooked at during the September on-sites and reviewed at the September regular meeting.

#### **Election of Officers:**

Motion made by Mr. Hoffman to keep the officers the same and seconded by Ms. Vondrachek.

*Upon vote:* The motion was unanimously approved.

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

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, August 21, 2017 and the onsite for Monday, August 14, 2017 (Dates and times are subject to change.)

**Adjournment**


*Motion by:* Mr. Schuh to adjourn.

*Seconded by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,

  
Ralph Schuh, Secretary

8/21/17  
Date



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

DATE: Monday, August 14, 2017  
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
- IV. Old Business
  1. **Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E½, NW¼, NE¼, Section 31, T20N-R24E, Town of Kossuth – Conditional Use Request.
  2. **SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of safety conditions of an existing Conditional Use Permit for a parking lot and camping.
  3. **KRR Enterprises LLC (a.k.a. 141 Speedway)** - Owner of property located in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson - Review of tree planning and other conditions of an existing Conditional Use Permit.
- V. Other Business
  1. Correspondence
- VI. Adjournment

Date: July 28, 2017

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

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

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

August 14, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Friday, August 14, 2017 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, Laurel Vondrachek, Ralph Schuh and Chuck Hoffman.

Staff present for advisory meeting: Reed Gaedtke

A motion was made by; Ms. Vondrachek seconded by Mr. Glaeser to approve the agenda for the August 14, 2017 meeting. Upon vote, the motion was unanimously approved.  
*Aye: Glaeser, Vondrachek, Schuh and Bonde; No: none;*

The Board received their folders containing the August 21, 2017 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board was given emails from three different people; Ed Kass, Mr. Smeester and Mike Boeselager regarding noise issues at Sport Comp. The Board also watched videos sent in by Mr. Kass and Mr. Boeselager regarding the noise issues at Sport Comp.

The Board did not proceed to on-sites today. The Board decided they have seen the two locations multiple times and had already seen what they needed to see.

**ADJOURNMENT**

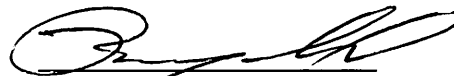
*Motion by:* Mr. Glaeser to adjourn.

*Seconded by:* Mr. Hoffman.

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,



Ralph Schuh, Secretary

8/21/17

Date



# MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: Monday, August 21, 2017  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

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

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

Discussion and possible action on:

1. **Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E $\frac{1}{2}$ , NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , Section 31, T20N-R24E, Town of Kossuth – Conditional Use Request.
2. **SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 31, T21N-R23E, Town of Gibson – Review conditions of existing Conditional Use permit.
3. **KRR Enterprises LLC (a.k.a. 141 Speedway)** - Owner of property located in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 31, T21N-R23E, Town of Gibson - Review conditions of existing Conditional Use permit.

## VI. NEW BUSINESS

Discussion and possible action on:

## VII. OTHER BUSINESS

Discussion and possible action on:

1. Set September meeting date
2. Correspondence

## VIII. ADJOURNMENT

Date: July 28, 2017

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

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



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

August 21, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, August 21, 2017 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, Chuck Hoffman, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by, Ms. Vondrachek, seconded by Mr. Hoffman to approve the July 12, 2017 meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuh, seconded by Mr. Glaeser to approve the August 14, 2017 on-site meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Hoffman, seconded by Ms. Vondrachek to approve the agenda for the August 21, 2017 meeting. Upon vote, the motion was unanimously approved.

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

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

**Old Business**

**Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E½, NW¼, NE¼, Section 31, T20N-R24E, Town of Kossuth – Conditional Use Request.

Mr. Gaedtke informed the Board he received a request from Mr. Hamann to have the request remain postponed until next month's meeting. The request remained postponed.

**New Business**

**SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-031-006-005.00) wherein the Board of Adjustment has requested a hearing to review the safety conditions of the existing conditional use permit for a parking lot and camping area in a GA, General Agricultural, zoned district.

Mr. Gaedtke gave an overview.

Mr. Frassetto, SDA Ahnapee LLC's attorney spoke.

Chairperson Bonde opened the public hearing for SDA Ahnapee LLC.

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

Mr. George Bobal, spoke in favor of SDA Ahnapee LLC.

Mr. Jim Theyerl, spoke in favor of the parking lot across the road.

Mr. Dave Hassemer, spoke in favor.

People in attendance opposed to the request: none.

Chairman Bonde closed public input.

Mr. Gaedtke read a letter from Scott Nelson, WDOT, with recommendations (copy on file).

Mr. Gaedtke read a letter from Marc Holsen, Manitowoc County Highway Traffic Commission, with recommendations (copy on file).

Mr. Gaedtke read a letter from Marc Holsen, Manitowoc County Highway Commissioner, with recommendations (copy on file).

Mr. Frassetto, attorney for SDA Ahnapsee LLC spoke informing the Board of liability insurance coverage.

### **Deliberation**

*Motion by:* Mr. Hoffman to approve the conditional use request review with the same reasons as prior.

#### Reasons for Approval:

1. The use does not impede the orderly development of the district based upon the imposed conditions.
2. The use is compatible with the surrounding area provided that the zoning is changed to the GA, General Agricultural district.
3. The intensity of the use will not have a negative effect on surrounding properties.
4. The use does fit on the parcel size.
5. The parcel has proper access for the requested use and the driveways already exist.
6. The nature, location and height of structures do not apply because there are no structures associated with this use.
7. It doesn't discourage the orderly development of adjacent land because the race track already exists and this is supplemental parking for the track.
8. The use will not impair the value of surrounding properties. It is still zoned farmland.
9. There are no proposed flashing lights, fumes, noise, vibrations or other factors such as traffic or unsafe issues that are not being addressed in the conditions.
10. As long as the conditions are adhered to there should be no danger to the public's health, safety or welfare.

#### Conditions of Approval:

1. The approval of this conditional use permit is subject to the property being rezoned to the GA, General Agricultural district.
2. The safety plan from Ayres Associates must be implemented with the omission of the police officer control requirement and the omission of the last two items of the plan listed in the "Major" section: (Parking Shuttle Service and purchasing additional land on the west side of CTH R.). This plan shall be the minimum safety standards to be followed. All additional conditions of this permit also apply. SDA Ahnapsee LLC must work with the Manitowoc County Highway Department and Traffic Safety Commission and assist in the implementation of these and any additional recommendations.
3. They must have an insurance policy approved by the Corporation Counsel that satisfies Manitowoc County's requirements.
4. The use of the camping and parking is only allowed during an event as described in the KRR Enterprise LLC's conditional use permit.

5. An event shall be described as any day or portion thereof that the race track is in use for any purpose, excluding maintenance activity. This includes but is not limited to; races, practice sessions (regardless of number of vehicles or laps), concerts or other venues.”
6. Hours of operation for track event parking will be 11:00 a.m. to 10:30 p.m. all year except for concerts.
7. Hours of operation for concert event parking shall be from 11:00 a.m. to 12:00 midnight.
8. Litter and trash shall be removed within 24 hours of an event and not allowed to become windblown.
9. Three convicted violations of Manitowoc County Ordinances or these conditions within a 12 month period shall be grounds for revocation of this conditional use permit.
10. Lighting is allowed for the parking lot, but must be turned off within one half hour after the events end.
11. There will be no parking on any County or Town roads by employees, participants or attendees.
12. Camping overnight for an event duration is acceptable.
13. Camping on a week to week basis is not allowed.
14. Campers being used on the property must have self-contained water supply and waste discharge.
15. This conditional use permit is subject to an annual review with the next review taking place October 2017 and then yearly reviews after that. However, depending upon conditions found, or noted or complaints reported; additional reviews and permit modifications may occur.
16. If additional findings are made by the Traffic Safety Commission, the Board of Adjustment will reserve the right to have earlier reviews.
17. Ingress and egress for vehicular traffic shall use driveway #4, located on Old Y Road, as shown in the Ayres Associates safety plan.
18. Pedestrian crossing shall occur at driveway #3 only, as shown in the Ayres Associates safety plan.
19. Roadway lighting with designated pedestrian crossing area shall be illuminated a half hour before dusk until a half hour after an event concludes. Lighting use and placement shall be approved by Highway Department permit.
20. All traffic cones listed in the Ayres Associates safety recommendations must meet MUTCD (Manual on Uniform Traffic Control Devices) requirements.
21. Fencing must be provided according to the submitted safety plan from Ayres Associates.
22. The parking requirements listed in section 8.35 of the Manitowoc County General Zoning and Land Use Regulation Ordinance must be followed. This may include additional fencing regulations.
23. Pit cars and transport haulers for cars are not permitted on this property. They must remain on the west side of the road in the pit area.
24. The parking and camping area allowed shall be restricted to 10 acres. This acreage is subject to future reviews by the Board and the needs of the business.
25. The requirements of these conditions shall be completed prior to April 2018.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

**KRR Enterprises LLC (a.k.a. 141 Speedway)** - Owner of property located in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-031-006-002.00) wherein the Board of Adjustment has requested a hearing to review the tree planting and other conditions of the existing conditional use permit for a race track and tavern located in a CB, Commercial Business, zoned district.

Mr. Gaedtke gave an overview.

Mr. Frassetto, KRR Enterprises LLC’s attorney spoke.

Chairperson Bonde opened the public hearing for KRR Enterprises LLC.

Mr. Jim Theyerl, spoke in favor of KRR Enterprises LLC and submitted photos to the Board of Adjustment for review.

People in attendance opposed to the request: none.

Chairman Bonde closed public input.

### **Deliberation**

*Motion by:* Mr. Schuh to modify the conditional use permit.

Reasons for Approval:

1. Use of the 141 Speedway track for auto racing events has been occurring for decades under various conditional use permits and owners, along with a tavern and restaurant in the Town of Gibson.
2. The use fits on the parcel size without remote parking.
3. Many local residents have testified that they support the use of the track for the intended purpose, but there are issues and concerns with dust, noise, hours of operation, days of operation, lighting and pedestrian safety.
4. Some noncompliance has occurred with regard to the previous conditions. Specifically the type and frequency of events, their duration, and the required tree plantings.
5. The concerns and issues will be addressed with new or revised conditions of use.
6. The expanded use as requested is more objectionable by reason of noise, lights, dust, traffic, and safety. Therefore, the request was modified and these issues were addressed with the new conditions.
7. Condition number 23 regarding the trees was completed by the May 31, 2017 deadline.

Conditions of Use:

1. The tavern and restaurant operation fall under other State, County and Town regulations and are not subject to additional conditions. The tavern conditions remain the same as the previous permit; no conditions.
2. An event shall be described as any day or portion thereof that the track is in use for any purpose, excluding maintenance activity. This includes but is not limited to: races, practice sessions (regardless of number of vehicles or laps), concerts or other venues.
3. Crowd control and security shall be provided by a minimum of two security officers for events over 500 people and four security officers for events over 1000 people.
4. Litter and trash shall be removed within 24 hours of an event and not allowed to become windblown.
5. Unused tires are not allowed to be stored outdoors on the property.
6. Junk vehicles are not allowed on the property.
7. There shall be no more than 50 total employees (full or part time), other than family members.
8. Three convicted violations of County Ordinances or these conditions within a 12 month period shall be grounds for revocation of this conditional use permit.
9. Days of operation shall be limited to no more than three days in any calendar week, Monday through Saturday. Sunday events shall be limited to no more than three Sundays in a calendar year and no more than one Sunday in a calendar month. Except for the 2017 season in which four Sunday events are allowed because the season scheduled has already been booked.
10. No practice allowed on Sundays.
11. Hours of operation for track events shall be limited to 11:00 a.m. to 10:30 p.m. all year, except for concerts.
12. Concert hours shall be from 11:00 a.m. to 12:00 midnight.
13. Concerts are limited to only one in a calendar year.
14. Fireworks are not permitted without a Town and Fire Department permit.

15. Dust control measures shall be employed regularly in an effort to minimize fugitive dust during events, practice sessions and dry weather.
16. Use of a public address system (P.A.) is acceptable for announcements, event organization and safety purposes. However, the volume must not be excessive and it shall be used only during the authorized hours of operation. Use of a speaker system to broadcast other events or music is not allowed.
17. Adequate fencing must be maintained to separate spectators from participant activity to maximize safety.
18. Lighting is allowed for night events and parking areas and it is to be directed onto the track and parking areas. Event (track) lighting must be turned off within one half (½) hour after the event ends.
19. Lighting for the pits shall be turned off one hour after the event ends.
20. Lighting for the parking lot can remain on until closing.
21. Overnight camping is allowed per Health Department approval and only on event nights.
22. Noise shall be limited to automobile engines, PA system and music concerts and be prevalent only during authorized hours of operation. The only exception will be for the loading of participant vehicles after an event. This exception will only extend for a maximum of one half (½) hour after the end of an event.
23. The tree lines on both the north and south property lines shall be maintained to improve aesthetics and help reduce noise and dust. These tree lines shall run along the entire length of the property lines beginning outside the right-of-way and terminating at the end of the property. They are to be staggered rows of cedar or spruce trees that are a minimum of five feet in height, closely spaced and have sufficient branches to form an effective screen. A minimum of two rows is required. This condition shall be completed prior to May 31, 2017. Trees do not need to be planted on the southwest corner of the property near the pits, where bedrock is located near the surface.
24. There will be no parking on any County or Town roads by employees, participants or attendees.
25. This conditional use permit will be subject to a one year performance review by the Board of Adjustment starting October 2017. Subsequent timing of additional reviews will be at the discretion of the Board and based upon the findings at that time.
26. The owner shall keep records regarding event frequency, hours of use, dust control measures, security provisions and any other pertinent information for review purposes in case of complaints.

*Seconded by: Ms. Vondrachek*

*Upon vote: The motion was unanimously approved.*

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

### **Other Business**

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

Mr. Gaedtke informed the Board of two emails regarding SportComp noise complaints and stated the police were contacted once. He also stated Mr. Koss submitted another video via his place, but Mr. Gaedtke was unable to open it.

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, September 18, 2017 and the onsite for Monday, September 11, 2017 (Dates and times are subject to change.)

**Adjournment**

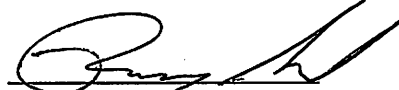
*Motion by: Mr. Schuh to adjourn.*

*Seconded by: Mr. Hoffman*

*Upon vote: The motion was unanimously approved.*

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

Respectfully submitted,



Ralph Schuh, Secretary

11/13/17  
Date



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

DATE: Monday, September 11, 2017  
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. **Sportcomp Inc.** – Owner of property located at 11224 Zander Rd., in the SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 3, T21N-R22E, Town of Cooperstown – Review of the current conditional use permit.
  2. **Dean Schultz** – Owner of property located at 5132 Remiker Ln., in Govt. Lot 1, Section 14, T19N-R23E, Town of Manitowoc Rapids - Review of the fence conditions concerning the conditional use permit to operate a landscape business.
  3. **William E Ahrndt Rev. Trust** – Owner of properties off of CTH VV; in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , all located in Section 27, T20N-R24E, Town of Two Rivers – Conditional Use Request and Variance Requests for sand and gravel mining operation.
- IV. Old Business
  1. **Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E $\frac{1}{2}$ , NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , Section 31, T20N-R24E, Town of Kossuth – Conditional Use Request.
- V. Other Business
  1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: August 31, 2017

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

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

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

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

September 11, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, September 11, 2017 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

Staff present for advisory meeting: Reed Gaedtke and Andrea Raymakers

A motion was made by; Ms. Vondrachek seconded by Mr. Hoffman to approve the agenda for the September 11, 2017 meeting. Upon vote, the motion was unanimously approved. *Aye: Vondrachek, Schuh, Hoffman and Bonde; No: none;*

The Board received their folders containing the September 18, 2017 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed. Mr. Bonde did not proceed to on-sites, but will visit on-sites on his own time.

**ADJOURNMENT**


*Motion by:* Mr. Schuh to adjourn.

*Seconded by:* Mr. Hoffman.

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,

  
\_\_\_\_\_  
Ralph Schuh, Secretary

*11/13/17*  
\_\_\_\_\_  
Date





## MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: Monday, September 18, 2017  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

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

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

Discussion and possible action on:

1. **Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E $\frac{1}{2}$ , NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , Section 31, T20N-R24E, Town of Kossuth – Conditional Use Request.

### VI. NEW BUSINESS

Discussion and possible action on:

1. **Sportcomp Inc.** – Owner of property located at 11224 Zander Rd., in the SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 3, T21N-R22E, Town of Cooperstown – Review of the current conditional use permit.
2. **Dean Schultz** – Owner of property located at 5132 Remiker Ln., in Govt. Lot 1, Section 14, T19N-R23E, Town of Manitowoc Rapids - Review of the fence conditions concerning the conditional use permit to operate a landscape business.
3. **William E Ahrndt Rev. Trust** – Owner of properties off of CTH VV; in the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , all located in Section 27, T20N-R24E, Town of Two Rivers – Conditional Use Request and Variance Requests for sand and gravel mining operation.

### VII. OTHER BUSINESS

Discussion and possible action on:

1. Set October meeting date
2. Correspondence

### VIII. ADJOURNMENT

Date: August 31, 2017

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

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

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

September 18, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, September 18, 2017 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, Chuck Hoffman, 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 September 18, 2017 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuh to postpone approval of the August 21, 2017 meeting minutes to amend the minutes with the new conditions, seconded by Mr. Hoffman to approve. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Hoffman, seconded by Mr. Schuh to approve the September 11, 2017 on-site meeting minutes. Upon vote, the motion was unanimously approved.

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

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

**Old Business**

**Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E½, NW¼, NE¼, Section 31, T20N-R24E, Town of Kossuth – Conditional Use Request.

Mr. Gaedtke read an email from Mark Hamann to keep the request on the table until he determines how he wants to proceed. This request remained postponed.

**New Business**

**Sportcomp Inc.** – Owner of property located at 11224 Zander Rd., in the SE¼, SW¼, Section 3, T21N-R22E, Town of Cooperstown, Manitowoc County, Wisconsin, tax parcel number (003-003-012-001.00); wherein the Board of Adjustment has requested a hearing for review of the conditional use permit to operate a recreational vehicle park, campsite and a small business consisting of bicycle and running related events and obstacle courses in a GA, General Agricultural zoned district.

Mr. Gaedtke gave an overview.

Mr. Lambert, Sportcomp Inc.'s attorney spoke and explained the professional noise study to the Board that Mr. Anschutz had done.

Mr. Lambert stated an in ground sprinkler system was installed to reduce dust and Mr. Anschutz has complied with the noise conditions and that all the machines comply with the 96 decibel reading at the 20 inches away requirement.

The Board asked questions regarding the sound testing.

Mr. Anschutz explained the sound testing process to the Board.

Mr. Alexander Bub, professional sound tester, spoke in regards to the sound test he conducted and stated 96 decibels is a standard requirement.

Chairperson Bonde opened the public hearing for Sportcomp Inc.

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

People in favor of the request:

Mr. Paul Williquette, spoke in favor indicating he used to be a member years ago.

Mr. Phil Berger, spoke in favor of the track stating it's a family sport.

Mr. Tom Perutka Jr., a member spoke in favor.

Mr. Bill Lorig, spoke for himself, his wife and two sons in favor and commented how few people were there. He continued to indicate he was happy about how many kids use the track.

Ms. Becky Vande Hey, spoke in favor.

Mr. Tim Verkuilen, spoke in favor stating he bought his house to live close to this track.

Mr. Alex Bub, spoke stating a side by side recreational vehicle trespassed onto the property and it was louder than it should be, and it was not a member of Sportcomp.

Mr. Mel Piontek, spoke in favor and stated he belonged to the club years ago and it's better now.

Mr. Bob Peronto, spoke in favor stating Sportcomp is well regulated.

Mr. Shawn Novak, spoke in favor stating the track is a great family place to go.

Mr. Steve Spearing, spoke in favor stating most of the time there is only one family at the track.

People opposed to the request:

Ms. Cindy Smeester, spoke opposed indicating the track has been there since the 70's, but it has not been running the entire time and would like a review each year.

Mr. Ed Kass, spoke stating noise was reduced to other years. He continued to state he took the noise readings with a sound meter and the wind sock was on when testing and he would like an independent entity to complete a noise test. He also indicated he wants to see limited use of the property, such as days of the week and hours per day.

Ms. Kathy Enz, neighbor to the east of the track, stated she doesn't want to see seven days a week allowed and has questions about what constitutes an event. She also stated there is dust and noise.

Ms. Judy Kass, spoke opposed indicating she wants a couple days where there is no running on the property and not to allow riding seven days a week.

Mr. Mike Boeselager, spoke opposed and questioned if the decibels could be reduced to street noise levels. He also wants more noise stipulations because he can hear the noise in his garage.

Ms. Leslie Van Groh, spoke opposed stating the track is used every day unless it's raining and there are some days that are louder than others.

Chairman Bonde closed public input.

Mr. Gaedtke informed the Board of correspondence received both in favor and opposed to the request (copies on file). The Board asked Mr. Gaedtke to read the letter from the Town of Cooperstown (copy on file).

The Board began deliberation, but had additional questions for Mr. Anschutz, owner of Sportcomp Inc. Motion was made by, Mr. Hoffman and seconded by Mr. Glaeser to reopen the request to hear from Mr. Anschutz.

Mr. Anschutz answered the Board's questions.

The Board continued with deliberation.

### **Deliberation**

*Motion by:* Mr. Hoffman to approve the conditional use request review reasons for approval remain the same with amended conditions.

#### Findings of Facts and Reasons for Approval:

1. The use of the motocross track on Zander Rd. had been initiated in 1971 for the purpose of operating motorcycles and ATV's. While there is conflicting information and testimony regarding whether or not it was continuous and thereby non-conforming but grandfathered by virtue of the request to expand the use to snowmobile events, bicycles, running, sledding and overnight camping; a conditional use permit is required.
2. The proposed use fits on the parcel size as proposed.
3. The town board of Cooperstown has approved the use of the property for motorsports as applied for with the exception of snowmobiles. While they have allowed the current use in the past, no rationale or reasoning has been provided for the snowmobile exclusion. Additionally, there was conflicting testimony given by town board members that limits the value of the town board's input in this case.
4. Some local residents testified there is a fear that their property values will be negatively impacted by the activity on this property. However there was no substantiation of that claim. Furthermore, there was testimony of other local residents that they actually moved there because of the existence of the track. Therefore a significant impairment of real estate values or further development is not evident.
5. The main issues with regard to the motorsports use at the property are fugitive dust, noise, traffic, and hours of operation. These issues are addressed by the conditions being imposed upon the activity.

#### Conditions of Approval:

1. Motorcycles, ATV's and UTV's may only be used on the property during normal membership times.
2. Motorcycles, ATV's, UTV's, snowmobiles, bicycles, sledding, running and camping may only be used for scheduled events relating to those activities.
3. No other motorized vehicle activity is authorized except for track maintenance.
4. The use of the property is restricted to the owner, employees, and members with the exclusion of events.

5. Membership is capped at 100 members. A membership is defined as a single person or a family. A family is defined as: "an immediate family in whole or part, consisting of father, mother, sons and daughters under the age of 18 years".
6. Events shall be limited to six per year. Each day of activity by non-members shall constitute an event. Four of those events can take place on a Sunday; but no more than one Sunday event per month.
7. Hours of operation all year long shall be limited from 8:00 a.m. to 8:00 p.m. or dusk, whichever is earlier from Tuesday through Saturday. Sunday times will be from 8:00 a.m. to 1:00 p.m. and closed on Mondays. Hours of operation for events, which includes the four event Sundays shall be from 7:00 a.m. to 8:00 p.m. or dusk, whichever is earlier; with the exception of a single July 4th event which is extended to 11:00 p.m. Memorial Day and Labor Day hours shall be from 8:00 a.m. to 1:00 p.m.
8. Days of operation for members will be 5 ½ days per week. A half day on Sunday and closed on Mondays. Memorial Day and Labor Day shall be half days.
9. Fireworks are not permitted without a Town permit.
10. Dust control measures shall be employed regularly in an effort to minimize fugitive dust. Especially during events or dry weather.
11. Engine noise shall not exceed 96 dB, and shall be measured at the source using proper instruments in a prescribed manner by the manufacturer and by using commonly accepted practices.
12. Use of a public address system is acceptable for announcements and safety purposes. Event commentary is also acceptable; however the volume must not be excessive and no music or radio playing is allowed. The hours for using the PA system is the same hours as listed for events.
13. Safety fencing must be maintained to separate spectators from participant activity.
14. A maximum of ten employees are allowed.
15. The normal 60 foot setback from Zander Rd. must be maintained for the track or any motorized activity; excluding maintenance.
16. There will not be any additional lighting allowed for night events or after hours operations, parking, or camping areas. Lighting will be restricted to normal building perimeter lighting.
17. Camping is restricted to members, employees and participants and cannot be continuous. A camper cannot be left on the premise for more than 5 consecutive days without being removed from the property for at least 7 days.
18. No alcoholic beverages will be sold.
19. Camping, food, and beverage service shall comply with Health Department regulations.
20. Signage will be limited to a single code conforming sign at the property entrance.
21. There will be no parking on any town roads by employees, participants, or attendees.
22. Trash and garbage shall be picked up and removed routinely to ensure a sanitary and clean environment and not accumulate on the property or become windblown.
23. This conditional use permit will be subject to a one year performance review by the Board of Adjustment. Subsequent timing of additional reviews will be at the discretion of the Board of Adjustment based upon the findings at the time.
24. The owner shall keep records regarding memberships, events, watering and frequency of property use, and any other pertinent information to be used for review purposes.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

**Dean Schultz** – Owner of property located at 5132 Remiker Ln., in Govt. Lot 1, Section 14, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, tax parcel number (010-014-006-004.00); wherein the Board of Adjustment has requested a hearing for review of the fence conditions concerning the conditional use permit to operate a landscape business located in an RR, Rural Residential, zoned district.

Mr. Gaedtke gave an overview.

Mr.Schultz gave a quick overview of the fence requirements.

The Board had questions for Mr. Schultz.

Mr. Schultz answered questions for the Board.

Chairperson Bonde opened the public hearing for Dean Schultz.

People in attendance in favor to the request: none.

Ms. Debbie Belland, neighbor spoke opposed to the request.

Mr. Dave Boehm, spoke opposed to the request.

Chairman Bonde closed public input.

### **Deliberation**

*Motion by:* Ms. Vondrachek to Amend condition #10 and review the fence at the July on-sites 2018 to see if what's existing meets the intent.

Reasons for Approval:

1. There was no need to have wood cutting or conditions listed on the permit since it no longer operated as a business.
2. The reason for the berm and fence was to help screen from view.
3. The fence would not impact the neighboring property any differently than trees as far as snow accumulation is concerned The berm already exists and the trees would have been located closer to the property line. The fence will be shorter than trees and located further from the property line. Therefore, no difference from the original intent.

Conditions of approval:

1. Wood cutting for business purposes could not occur.
2. Four foot high berms shall be located on the east and south sides of the property.
3. A 40 inch high wood fence shall be located on top of the south berm.
4. The south fence should be consistent with the same design and structure as the east fence.
5. Bark, mulch or grass shall be used to cover the berms. (The berms cannot have bare ground.)
6. Weed control must be done to keep the weeds off the outside portion of the east and south berms which face adjacent properties.
7. Snow removal as part of the business can occur anytime.
8. Snow from off premise sites cannot be stored on the property.
9. No piles of rubbish, debris or junk shall be located on the berm, on either side of the east and south fences.
10. The fence, berm and berm cover shall be in place by July 2018.
11. There will be an annual review of the property to occur from this June 2016 approval date. However, the first review will take place at the first meeting that occurs after November 1, 2016.
12. Board can extend the review at any time.
13. If the berm is planted in grass it shall be mowed and well kept.

*Seconded by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

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

**William E Ahrndt Rev. Trust** – Owner of properties off of CTH VV; in the NW¼, SW¼, the SW¼, SW¼, the NE¼, SW¼, and the SE¼, SW¼, all located in Section 27, T20N-R24E, Town of Two Rivers, Manitowoc County, Wisconsin, tax parcel numbers (018-127-010-000.00, 018-127-011-000.00, 018-127-009-001.00, 018-127-009-000.00 and 018-127-012-000.00) wherein a conditional use permit and variances are being requested by Northeast Asphalt Inc., the applicant, to operate a sand and gravel mining operation within the property line and residence setbacks, located in an EA, Exclusive Agricultural zoned district.

Chairperson Bonde opened the public hearing for William Ahrndt Rev. Trust.

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

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

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

Mr. Matt Matuszak, Land Resource Manager for North East Asphalt, spoke and gave a detailed overview of the project.

The Board had questions about the lifespan for the project.

Mr. Matuszak indicated they are anticipating approximately 20 years depending on the market.

Mr. Bill Wilfert, Town of Two Rivers Chairperson, spoke in favor of the request and stated the town would like a berm along CTH VV.

Mr. Francis Dier, adjacent property owner, spoke in favor indicating there is no dust from the current pit and you don't even know they are there.

People opposed to the request:

Mr. Keith Spruce, a neighbor, spoke for himself and represented eight other residents opposed to the request. Five of the residents live within 1000 feet and Mr. Spruce submitted letters from those five people opposed to the request (copies were made for the Board and are on file).

Mr. Dennis Elger, neighbor, stated concern about property value and about the activity from this type of construction in the neighborhood.

Mr. Mike Molepske, was concerned about the view of the pit and said he can hear the operation.

Ms. Joan Lenzner, neighbor, spoke opposed, indicating the project will be across from her house, that the existing berm looks bad and she is concerned about traffic and noise.

Ms. Sharon Hansen, stated concern about a second driveway being across from her house and concern about the noise.

Mr. Terry Fox, attorney representing the Molepske Trust, spoke opposed indicating the concern about removing an EA, Exclusive Agriculture district for this project.

Chairman Bonde closed public input.

Mr. Gaedtke informed the Board of correspondence received both in favor and opposed to the request (copies on file). The Board did not ask Mr. Gaedtke to read any of the correspondence.

Mr. Matuszak, from North East Asphalt, addressed some of the questions that came from public input.

There being no further comments, Chairperson Bonde closed the public hearing for William Ahrndt Rev. Trust.

### **Deliberation**

*Motion by:* Mr. Hoffman to approve the Conditional Use Permit and Variance requests.

#### Reasons for Approval:

1. The use does not impede the orderly development of the area. There are two other mines in the area and the majority of the houses are located on the other side of the road.
2. The use is compatible with the area because there are existing pits on the same side of the road as this proposed use and the pit will be reclaimed back to agricultural land.
3. The intensity of the use will not have a negative effect on surrounding properties because Northeast Asphalt has been operating next door to this location for years and haven't had any complaints. Also, the intensity will not increase because the amount of material being taken will remain the same.
4. The use fits on the parcel and no more than 20 acres will be open at a time.
5. The location and access is good because they have proper access onto CTH VV and the county road is built to handle the truck loads.
6. There really are no structures associated with the use. If there would be they would be located down in the pit or screened by the berm.
7. The look of the area will be acceptable because a berm with trees will be placed near the road according to the plan.
8. The use does not discourage the appropriate development of adjacent land because the majority of the houses are on the opposite site of the road.
9. The use will not affect property values because pits have been in that area for years and people have continued to buy houses in the area; and there was no evidence of any loss to property value.
10. There may be some minor noises associated with the use but the berm, trees and other listed conditions will keep the use from being more objectionable by way of noise and dust.
11. The use will not endanger the public health and safety because it's being run according to required rules and regulations and there is proper signage out front for safety purposes.
12. There is a hardship because material can only be in that location on the property and can only get that type of sand in certain areas. The limitations of the quality of sand creates the hardship.
13. The applicant is burdened because the useable area for the intended purpose is reduced.
14. No because there is a pit there, excavation above the water table, there will be dust controlled, and the operation will be screened from view of the road and the volume will not be any different than from what's being taken out now on the existing pit.
15. There no blasting.

#### Conditions of Approval:

1. Days of operation will be Monday through Saturday.
2. Hours of operation will be 6:00 a.m. to 8:00 p.m. Monday through Friday and 6:00 a.m. to 4:00 p.m. on Saturdays.
3. Number of employees varies from 0 to 5.
4. Type of equipment dozers, excavators, trucks, loaders and screening plant.
5. No fencing required because they will have berms with trees.
6. No special lighting required.
7. Screening will take place a couple of times a year for 2 or three weeks.
8. A 10 foot high berm with trees shall be constructed along the roadside of the property according to their plan. The roadside of the berm shall be cut, maintained and kept free of noxious weeds.
9. The area for excavating shall be 40 acres total with no more than 20 acres open at one time.



10. The area for excavating shall be a minimum of approximately 900 feet from the river to the point of excavation.
11. Safety signs must be displayed to meet MSHA plan.
12. The staging area and employee parking shall be located in the active pit area.
13. The mine shall be reclaimed back to agricultural land according to the reclamation plan.
14. No blasting allowed on the property.
15. Maximum average depth of excavation shall be approximately 20 feet deep.
16. The mining operation shall stay above the water table.
17. American Transmissions setback requirements for line separation shall be met or exceeded.
18. A dust retardant must be used to control dust at the driveways.
19. Turbidity and water depth tests shall be completed on the nine wells located less than 500 feet from the point of excavation. These tests must be completed prior to excavating and a copy of the results submitted to Planning and Zoning Department for the record.

*Seconded by: Mr. Glaeser*

*Upon vote: The motion was unanimously approved.*

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

### **Other Business**

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

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, October 16, 2017 and the onsite for Wednesday, October 11, 2017 (Dates and times are subject to change.)

### **Adjournment**

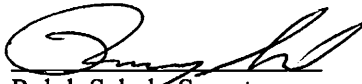
*Motion by: Mr. Schuh to adjourn.*

*Seconded by: Mr. Glaeser*

*Upon vote: The motion was unanimously approved.*

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

Respectfully submitted,

  
Ralph Schuh, Secretary

11/13/17  
Date



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

DATE: Monday, November 13, 2017  
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. **LMS Rentals LLC & Simply Hardwood LLC** – Owner of property located at 5101 Homestead Rd, in the NE¼, SW¼, and the NW¼, SW¼, Section 11, T19N-R23E, Town of Manitowoc Rapids – Conditional Use Request.
  2. **LMS Rentals LLC & Cari McLean** – Owner of property located at 5101 Homestead Rd, in the NE¼, SW¼, and the NW¼, SW¼, Section 11, T19N-R23E, Town of Manitowoc Rapids – Review of the current conditional use permit.
  3. **Quality Roasting Inc.** – Owner of property located off of Marken Rd., in the SE¼, SE¼, Section 31, T19N-R22E, Town of Cato – Conditional Use Request.
  4. **David Shultz** – Owner of property located at 2941 STH 147 W, in the SE ¼, SE ¼, Section 27, T21N-R23E, Town of Gibson – Conditional Use Request.
  5. **Michael Willeford** – Owner of property located at 10728 Sunny Vista Ln., Lots 11 & 12 Govt. Lot 4, Section 2, T17N-R21E, Town of Schleswig – Variance Request.
  6. **Tobias Olsen** – Owner of property located at 18131 Mulberry Ln., in G.L. 2, Section 24, T17N-R21E, Town of Schleswig – Variance Request.
- IV. Old Business
  1. **Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E½, NW¼, NE¼, Section 31, T20N-R24E, Town of Kossuth – Conditional Use Request.
- V. Other Business
  1. 141 Speedway Annual Review.
  2. Jeffrey Nichols Conditional Use Permit Review.
  3. Clarification regarding the time line for events listed in condition number 6 of the Sportcomp conditional use permit.
  4. Correspondence.
- VI. Approval of Minutes
- VII. On-sites
- VIII. Adjournment

Date: October 31, 2017

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 13, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, November 13, 2017 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

Staff present for advisory meeting: Reed Gaedtke and Kaila Boeckman

A motion was made by; Mr. Hoffman seconded by Mr. Schuh to approve the agenda for the November 13, 2017 meeting. Upon vote, the motion was unanimously approved.  
*Aye: Vondrachek, Schuh, Hoffman, Glaeser and Bonde; No: none;*

The Board received their folders containing the November 20, 2017 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

A motion was made by: Mr. Schuh seconded by Mr. Hoffman to approve the August 21, 2017 meeting minutes. Upon vote, the motion was unanimously approved.  
*Aye: Vondrachek, Schuh, Hoffman, Glaeser and Bonde; No: none;*

A motion was made by: Mr. Schuh seconded by Ms. Vondrachek to approve the September 18, 2017 meeting minutes. Upon vote, the motion was unanimously approved.  
*Aye: Vondrachek, Schuh, Hoffman, Glaeser and Bonde; No: none;*

The Board proceeded to the on-sites and returned to the Manitowoc County Office Complex when completed. Mr. Bonde did not proceed to on-sites, but will visit on-sites on his own time.

**ADJOURNMENT**

*Motion by:* Mr. Schuh to adjourn.

*Seconded by:* Ms. Vondrachek.

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,



Ralph Schuh, Secretary

12/4/17  
Date



# MANITOWOC COUNTY

## BOARD OF ADJUSTMENT

### MEETING NOTICE

DATE: Monday, November 20, 2017  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

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

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

Discussion and possible action on:

1. **Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E½, NW¼, NE¼, Section 31, T20N-R24E, Town of Kossuth – Conditional Use Request.

#### VI. NEW BUSINESS

Discussion and possible action on:

1. **LMS Rentals LLC & Simply Hardwood LLC** – Owner of property located at 5101 Homestead Rd, in the NE¼, SW¼, and the NW¼, SW¼, Section 11, T19N-R23E, Town of Manitowoc Rapids – Conditional Use Request.
2. **LMS Rentals LLC & Cari McLean** – Owner of property located at 5101 Homestead Rd, in the NE¼, SW¼, and the NW¼, SW¼, Section 11, T19N-R23E, Town of Manitowoc Rapids – Review of the current conditional use permit.
3. **Quality Roasting Inc.** – Owner of property located off of Marken Rd., in the SE¼, SE¼, Section 31, T19N-R22E, Town of Cato – Conditional Use Request.
4. **David Shultz** – Owner of property located at 2941 STH 147 W, in the SE ¼, SE ¼, Section 27, T21N-R23E, Town of Gibson – Conditional Use Request.
5. **Michael Willeford** – Owner of property located at 10728 Sunny Vista Ln., Lots 11 & 12 Govt. Lot 4, Section 2, T17N-R21E, Town of Schleswig – Variance request.
6. **Tobias Olsen** – Owner of property located at 17711 Carol Dr., in the NE¼, NW¼, Section 10, T21N-R22E, Town of Cooperstown – Variance Request.

#### VII. OTHER BUSINESS

Discussion and possible action on:

1. 141 Speedway Annual Review.
2. Jeffrey Nichols Conditional Use Permit Review.
3. Clarification regarding the time line for events listed in condition number 6 of the Sportcomp conditional use permit.
4. Correspondence.
5. Set December meeting date.

#### VIII. ADJOURNMENT

Date: November 13, 2017

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 20, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, November 20, 2017 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, Chuck Hoffman, Laurel Vondrachek and Orville Bonde. Staff present: Reed Gaedtke.

A motion was made by, Ms. Vondrachek, seconded by Mr. Hoffman to approve the agenda for the November 20, 2017 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Glaeser, seconded by Mr. Schuh to approve the November 13, 2017 advisory meeting minutes. Upon vote, the motion was unanimously approved.

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

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

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

**Old Business**

**Marilyn Theel** – Owner of property located at the end of Springwood Lane, in the E $\frac{1}{2}$ , NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , Section 31, T20N-R24E, Town of Kossuth – Conditional Use Request.

Mr. Gaedtke read an email from applicant, Mark Hamann requesting his variance and conditional use permit be withdrawn from the agenda.

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

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

A motion was made by, Mr. Hoffman to withdraw the requests from the agenda, seconded by Ms. Vondrachek. Upon vote, the motion was unanimously approved.

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

**New Business**

**LMS Rentals LLC / Simply Hardwood** – Owner of property located at 5101 Homestead Rd, in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , and the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 11, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel numbers (010-011-010-003.00, 010-011-009-003.00 and 010-011-009-003.00) wherein an after the fact conditional use permit is being requested by Simply Hardwood LLC, the applicant, to operate a hardwood flooring business in a RR, Rural Residential zoned district.

Chairperson Bonde opened the public hearing for LMS Rentals LLC / Simply Hardwood.

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

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

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

The Board had questions regarding the number of employees and if there is any thought of expanding.

The applicant informed the Board there is one employee plus himself. He would like to increase employees to a total of three for possible future expansion.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke informed the Board of letters he received from Cari McClean, neighboring renter and from the Town of Manitowoc Rapids. The Board indicated they did not need the letters read. (copies on file).

Chairman Bonde closed public input.

There being no further comments, Chairperson Bonde closed the public hearing for LMS Rentals LLC / Simply Hardwood.

### **Deliberation**

*Motion by:* Mr. Schuh to approve the conditional use request to operate a flooring business.

Reasons for Approval:

1. The use does not impede the orderly development of the district.
2. The use is compatible with surrounding properties.
3. The intensity of the operation will not negatively affect the area or surrounding properties.
4. The use fits on the parcel size.
5. There is adequate road frontage and access along the road.
6. The existing structures accommodate the proposed use.
7. It does not discourage any development or impair the value of adjacent land or buildings. The buildings have been there for many years.
8. There is no proposed flashing lights, fumes, noise or other factors that are more objectionable than any other allowable use.
9. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation will be seven days per week.
2. Hours of operation will be 6:00 a.m. to 8:00 p.m.
3. Number of employees will be 3.
4. Two 4'x8' signs are allowed. One on each building.
5. No parking allowed on the road.

*Second by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

**LMS Rentals LLC / Cari McClean** – Owner of property located at 5101 Homestead Rd, in the NE¼, SW¼, and the NW¼, SW¼, Section 11, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel numbers (010-011-010-003.00, 010-011-009-003.00 and 010-011-009-003.00) wherein a conditional use permit, will be reviewed, for operating a dance studio in a RR, Rural Residential zoned district.

Mr. Mark Schisel, LMS Rentals LLC representative, spoke indicating Cari McClean will be moving out officially November 30, 2017.

Mr. Gaedtke questioned if the renter was moved out already.

Mr. Schisel stated he believes they have moved out.

Mr. Gaedtke read a letter from applicant, Cari McClean stating she will be moving out of the LMS building by December 1, 2017 and would no longer need the conditional use permit. (copy on file).

### **Deliberation**

*Motion by:* Mr. Glaeser to postpone the conditional use permit review until next month.

*Seconded by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

**Quality Roasting Inc.** – Owner of property located off of Marken Rd., in the SE¼, SE¼, Section 31, T19N-R22E, Town of Cato, Manitowoc County, Wisconsin, parcel number (001-031-016-001.00) wherein a conditional use permit is being requested to expand an existing agricultural processing operation into an EA, Exclusive Agricultural zoned district.

Chairperson Bonde opened the public hearing for Quality Roasting Inc.

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

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

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

The Board had questions regarding the number of employees.

Ms. Erin Davis, Quality Roasting Inc. representative informed the Board they are requesting 10 additional employees for this expansion.

The Board had questions regarding the amount of deliveries and trucks.

Ms. Davis indicated the amount of deliveries and trucks will not change.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Chairman Bonde closed public input.

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

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

### **Deliberation**

*Motion by:* Mr. Glaeser to approve the conditional use permit.

Reasons for Approval:

1. The use does not impede the orderly development of the district.
2. The use will not endanger the public's health, safety or welfare.
3. The use is in harmony with surrounding properties. The operation has been around for years.
4. It does not impair the value of adjacent properties because the use has been there for a long time, railroad tracks border the property to the south and there is an agricultural business across the road.
5. It will not discourage development of adjacent land.
6. The intensity of the use is no greater than what was there before and it is located on a 35 acre parcel and the amount of trucks accessing the property will be the same.
7. The proposed buildings are similar to what's currently on the property and across the road at the neighboring business.
8. The use fits on the parcel.

Conditions of Approval:

1. Days of operation will be seven days per week.
2. Hours of operation will be 24 hours per day.
3. Number of employees will be 10.
4. A sign is permitted on the building.

*Seconded by:* Mr. Glaeser

*Upon vote:* The motion was unanimously approved.

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

**David Shultz** – Owner of property located at 2941 STH 147 W, in the SE ¼, SE ¼, Section 27, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, parcel number (006-027-016-001.00) wherein a conditional use permit is being requested by Country Vision Coop, the applicant, to expand an existing utility located in an EA, Exclusive Agricultural zoned district.

Chairperson Bonde opened the public hearing for David Schultz.

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

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



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

Mr. Gaedtke had questions for Mr. Scott Pritzl, representative for Country Vision Coop.

The Board also had questions for Mr. Pritzl regarding the number of small tanks and their size capacity.

Mr. Pritzl informed Mr. Gaedtke and the Board he would estimate 30-50 tanks would be stored at a given time and each under 1000 gallon capacity.

The Board questioned how many employees at a given time.

Mr. Pritzl informed the Board there would be no more than three employees at a time.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Chairman Bonde closed public input.

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

There being no further comments, Chairperson Bonde closed the public hearing for David Schultz.

### **Deliberation**

*Motion by:* Mr. Hoffman to approve the conditional use permit.

Reasons for Approval:

1. The use does not impede the orderly development of the district because there is an existing tank on the property, a similar utility across the road and gravel pit nearby.
2. The use is compatible with surrounding properties because there is an existing storage unit on the property and a similar utility on the other side of STH 147.
3. The use will not have a negative effect on surrounding properties because a tank already exists on the property.
4. The use fits on the parcel. There is plenty of room to allow for parking, driving and the placement of another tank.
5. There is an existing and adequate access to the property from a Town Road.
6. The proposed tank is smaller than the exiting one.
7. It does not discourage the use or impair the value of adjacent land because the use already exists and it's compatible with surrounding properties.
8. There are no flashing lights, fumes, vibrations or other unsafe issues that would be more objectionable than any other permitted use. Nothing will change because the same existing equipment will be used.
9. The use will not endanger the public's health, safety or welfare. It's located far enough off the road.

Conditions of Approval:

1. Days of operation will be seven days per week.

2. Hours of operation will be 24 hours per day.
3. Number of employees allowed is 3.
4. A sign decal is permitted on the new tank.
5. Outside yard light(s) to be used for safety purposes.
6. Fencing shall be placed around the tank.
7. Allowed to have one 30,000 gallon tank, one 26,000 gallon tank, and up to 50 residential size tanks less than 1000 gallons in size located on the property.

*Seconded by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

**Michael Willeford** – Owner of property located at 10728 Sunny Vista Ln., Lots 11 & 12 Govt. Lot 4, Section 2, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-540-000-011.00) wherein a variance is being requested to reconstruct a storage building at 1 foot from the east property line in a LR, Lake Residential, S1, Shoreland zoned district.

Mr. Gaedtke notified the Board Mr. Willeford asked for the request to be postponed until the next meeting giving him time to determine where the property line is and what he plans to do. He may change his request.

### **Deliberation**

*Motion by:* Mr. Schuh to postpone the request until the next meeting to allow the owner time to survey the property lines.

*Seconded by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

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

**Tobias Olsen** – Owner of property located at 18131 Mulberry Ln., in G.L. 2, Section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-024-003-002.07) wherein a variance is being requested to construct a 10' x 15' house addition at 62' from the ordinary high water mark of the lake in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Tobias Olsen.

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

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

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

Mr. Olsen indicated he wanted to enter two letters he received from each the north and south adjacent property owners.

The Board questioned where the septic system was located.

Mr. Olsen proceeded to the front to show the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Chairman Bonde closed public input.

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

Mr. Gaedtke read a letter from an adjacent property owner at 17622 Carol Dr. in favor of this request (copy on file).

Mr. Gaedtke read a letter from adjacent property owner Greg Madigan in favor of this request (copy on file).

There being no further comments, Chairperson Bonde closed the public hearing for Tobias Olsen.

### **Deliberation**

*Motion by:* Ms. Vondrachek to postpone the request until the next meeting in order to republish the request.

*Seconded by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

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

### **Other Business**

#### **KRR Enterprise Annual Review**

Mr. Steve Frassetto representing KRR Enterprise spoke and gave an overview.

Mr. Frassetto submitted a list of starting and stopping times and a detailed operation of this past year.

*Motion by:* Mr. Schuh to approve the conditional use permit review.

*Seconded by:* Mr. Glaeser

*Upon vote:* The motion was unanimously approved.

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

#### **Jeff Nichols Conditional Use Permit Review**

Mr. Gaedtke gave an overview for the review.

Mr. Nichols answered questions for the Board and provided clarification.

#### **SportComp condition number 6 clarification-**

Mr. Gaedtke gave an overview of why clarification is needed.

The Board made it clear the calendar for events begins the first of the year.

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

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Wednesday, December 13, 2017 and the onsite for Monday, December 4, 2017 (Dates and times are subject to change.)

**Adjournment**

*Motion by:* Mr. Schuh to adjourn.

*Seconded by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,

\_\_\_\_\_  
Ralph Schuh, Secretary

\_\_\_\_\_  
Date



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

DATE: Monday, December 4, 2017  
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. **Mary Ann Krause** - Owner of property located at 12233 Lakeshore Rd., in G.L. 3, Section 11, T17N-R23E, Town of Centerville – Variance Request.
  2. **Riverside Landscaping Inc.** - Owner of property located at 4800 Redwood Dr., in the (NE-NW) SE¼, NW¼, Section 11, T19N-R23E, Town of Manitowoc Rapids – After the Fact Variance Request.
- IV. Old Business
  1. **Tobias Olsen** – Owner of property located at 17711 Carol Dr., in the NE¼, NW¼, Section 10, T21N-R22E, Town of Cooperstown– Variance Request.
  2. **Michael Willeford** – Owner of property located at 10728 Sunny Vista Ln., Lots 11 & 12 Govt. Lot 4, Section 2, T17N-R21E, Town of Schleswig – Variance request.
  3. **LMS Rentals LLC & Cari McLean** – Owner of property located at 5101 Homestead Rd, in the NE¼, SW¼, and the NW¼, SW¼, Section 11, T19N-R23E, Town of Manitowoc Rapids – Review of the current conditional use permit.
- V. Other Business
  1. Correspondence
- VI. Approval of Minutes
- VII. On-sites
- VIII. Adjournment

Date: November 28, 2017

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**

December 4, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 9:00 A.M. on Monday, December 4, 2017 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

Staff present for advisory meeting: Reed Gaedtke and Kaila Boeckman

A motion was made by; Mr. Schuh seconded by Mr. Hoffmann to approve the agenda for the December 4, 2017 meeting. Upon vote, the motion was unanimously approved. *Aye: Vondrachek, Schuh, Hoffman, Glaeser and Bonde; No: none;*

The Board received their folders containing the December 13, 2017 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

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

**ADJOURNMENT**

*Motion by:* Mr. Schuh to adjourn.

*Seconded by:* Ms. Vondrachek.

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,

\_\_\_\_\_  
Ralph Schuh, Secretary

\_\_\_\_\_  
Date



# MANITOWOC COUNTY BOARD OF ADJUSTMENT MEETING NOTICE

DATE: Wednesday, December 13, 2017  
TIME: 7:00 P.M.  
PLACE: Manitowoc County Office Complex  
4319 Expo Drive, Manitowoc, WI 54220

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

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

Discussion and possible action on:

1. **Tobias Olsen** – Owner of property located at 17711 Carol Dr., in the NE¼, NW¼, Section 10, T21N-R22E, Town of Cooperstown– Variance Request.
2. **Michael Willeford** – Owner of property located at 10728 Sunny Vista Ln., Lots 11 & 12 Govt. Lot 4, Section 2, T17N-R21E, Town of Schleswig – Variance request.
3. **LMS Rentals LLC & Cari McLean** – Owner of property located at 5101 Homestead Rd, in the NE¼, SW¼, and the NW¼, SW¼, Section 11, T19N-R23E, Town of Manitowoc Rapids – Review of the current conditional use permit.

## VI. NEW BUSINESS

Discussion and possible action on:

1. **Mary Ann Krause** - Owner of property located at 12233 Lakeshore Rd., in G.L. 3, Section 11, T17N-R23E, Town of Centerville – Variance Request.
2. **Riverside Landscaping Inc.** - Owner of property located at 4800 Redwood Dr., in the (NE-NW) SE¼, NW¼, Section 11, T19N-R23E, Town of Manitowoc Rapids – After the Fact Variance Request.

## VII. OTHER BUSINESS

1. Correspondence
2. Set January meeting date

## VIII. ADJOURNMENT

Date: November 13, 2017

Orville Bonde, Board Chair

By: Reed Gaedtke, Code Administrator

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

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

December 13, 2017

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Wednesday, December 13, 2017 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

A motion was made by, Mr. Hoffman, seconded by Ms. Vondrachek to approve the November 20, 2017 regular meeting minutes. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Schuh, Hoffman and Vondrachek; No: none.*

A motion was made by, Mr. Hoffman, seconded by Mr. Schuh to approve the December 4, 2017 advisory meeting minutes. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Schuh, Hoffman and Vondrachek; No: none.*

A motion was made by, Ms. Vondrachek, seconded by Mr. Hoffman to approve the agenda for the December 13, 2017 meeting. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Schuh, Hoffman and Vondrachek; No: none.*

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

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

**Old Business**

**Tobias Olsen** – Owner of property located at 17711 Carol Dr., in the NE¼, NW¼, Section 10, T21N-R22E, Town of Cooperstown, Manitowoc County, Wisconsin, parcel number (003-010-005-005.00) wherein a variance is being requested to construct a 40' x 44' home addition at 19 feet from the north property line in a RR, Rural Residential zoned district.

A motion was made by Ms. Vondrachek to remove the request from the table, seconded by Mr. Schuh. Upon vote, the motion was unanimously approved.  
*Aye: Bonde, Schuh, Hoffman and Vondrachek; No: none.*

Mr. Gaedtke reminded the Board the request had been postponed for republishing purposes and all information was heard at the November meeting.

**Deliberation**

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

**Reasons for Approval:**

1. The unique and irregular shape of the lot along with the proximity of the existing septic system, create hardships for the owner which prevents them from constructing the needed addition according to the required setback.



2. Without the variance, the owners could not use the property as needed.
3. The use does not affect the public interest because the addition will still be located far enough from the neighbors and public.

*Second by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

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

**Michael Willeford** – Owner of property located at 10728 Sunny Vista Ln., Lots 11 & 12 Govt. Lot 4, Section 2, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-540-000-011.00) wherein variances are being requested to reconstruct the same size storage building but with a new attached deck at 0 feet from the east property line and at 41 feet from the ordinary high water mark of Wilke Lake in a LR, Lake Residential, S1, Shoreland zoned district.

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

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

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

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

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

Mr. David Charles with Charles Carpentry answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Chairman Bonde closed public input.

Mr. Gaedtke received a letter from the Town of Schleswig last month requesting the hearing be postponed giving the applicant time to determine where the property line is and what he plans to do (copy on file).

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

### **Delibertation**

*Motion by:* Mr. Schuh to approve the variance to replace a building approximately 1.5 feet from the property line and a deck to not exceed 3'8" x 10'.

Reasons for Approval:

1. With the reduction of the deck width, the structure(s) will be in the same location and the same size as the previous structure(s). Therefore no variance from the ordinary high water mark is required.
2. The properties wet soils and drainage concerns to the lake create a hardship preventing the owner from relocating the structure(s) further from the property line.
3. The request will not have a negative impact to the public interest because the runoff will be directed onto the owner's property.
4. Without the variance, the owner would have less use of the property because he would not have the same use of the property as it existed.

Conditions of Approval:

1. The deck shall not exceed 3'8" because that was the same width as the paver bricks that were there before.
2. The deck shall be 10' long.
3. Gutter(s) shall be installed on the east side of the building to collect rain runoff and shall be directed towards the house side of the property (west side), not towards the neighbor's property.
4. The roof and gutters shall not hang over the property line.

*Second by: Ms. Vondrachek*

*Upon vote: The motion was unanimously approved.*

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

**LMS Rentals LLC & Cari McLean** – Owner of property located at 5101 Homestead Rd, in the NE¼, SW¼, and the NW¼, SW¼, Section 11, T19N-R23E, Town of Manitowoc Rapids – Review of the current conditional use permit.

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

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

Mr. Gaedtke received information and informed the Board Manty Dance, has in fact moved and the conditional use permit review is no longer needed.

**Deliberation**

*Motion by: Ms. Vondrachek to withdraw the review because the applicant no longer operates at that location.*

*Seconded by: Mr. Hoffman*

*Upon vote: The motion was unanimously approved.*

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

**New Business**

**Mary Ann Krause** – Owner of property located at 12233 Lakeshore Rd., in G.L. 3, Section 11, T17N-R23E, Town of Centerville, Manitowoc County, Wisconsin, parcel number (002-011-014-004.00) wherein a variance is being requested to relocate the existing cottage along with a new deck and patio at 137 feet from the ordinary high water mark of Lake Michigan in a S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Mary Ann Krause.

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

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

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

The Board asked the distance from the bluff.

Mr. Gaedtke informed the Board of the distance.

Ms. Mary Ann Krause answered questions for the Board.

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

Mr. Russ Tooley, Town of Centerville, supports the request and feels it will be good.

People in attendance opposed to the request: none.

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

Chairman Bonde closed public input.

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

### **Deliberation**

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

Reasons for Approval:

1. The small lot and unique shape of the lot along with the receding bluff create a hardship for the owner which prevents her from locating the structure according to the ordinance.
2. The small lot and large setback prevents the owner from reasonably using the property because she would not have enough room to locate the cottage according to the ordinance which creates a burden to the owner.
3. The use will not negatively affect the public because the cottage already exists on the property, it's being moved further back from the top of the bluff and from the lake and there are only 2 homes located on the private access.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

**Riverside Landscaping Inc.** – Owner of property located at 4800 Redwood Dr., in the (NE-NW) SE¼, NW¼, Section 11, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel number (010-011-008-010.00) wherein an after the fact variance is being requested to locate landscaping storage bins at 0 feet from the west property line in an ID, Industrial zoned district.

### **Deliberation**

*Motion by:* Mr. Hoffman to postpone the request until next month as the owner was not present and the Board wants to know where the property line is located.

*Seconded by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

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

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

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, January 15, 2018 and the onsite for Monday, January 8, 2018 (Dates and times are subject to change.)

**Adjournment**

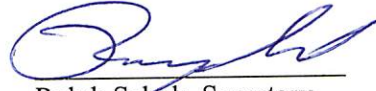
*Motion by:* Mr. Schuh to adjourn.

*Seconded by:* Ms. Vondrachek

*Upon vote:* The motion was unanimously approved.

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

Respectfully submitted,



Ralph Schuh, Secretary

3/19/18  
Date