



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

DATE: Monday, January 11, 2021
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. **Jonathan and Chelsey Duchow** – Owner of property located at 14789 Clarks Mills Rd., in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, of section 21, T19N-R22E, Town of Cato - Conditional Use Request.
 2. **Z Best Storage LLC** – Owner of property located at 12029 CTH Z, in the NW $\frac{1}{4}$, SE $\frac{1}{4}$, of section 21, T21N-R22E, Town of Cooperstown – Conditional Use Request.
 3. **Todd Graf** – Owner of property located at 13227 County Rd. M, in the SE $\frac{1}{4}$, SE $\frac{1}{4}$, of section 17, T17N-R22E, Town of Meeme – Conditional Use Request.
- IV. Old Business
 1. **POSTPONED: Fredrick Fels** - The current property owner and CAREW Concrete and Supply Co. Inc. the applicant, on land located south of Frelich Rd. and north of CTH Z and described as being in the NE $\frac{1}{4}$, SW $\frac{1}{4}$ and the SE $\frac{1}{4}$, SW $\frac{1}{4}$, of section 18 T21N-R22E, Town of Cooperstown – Conditional Use Permit & Variances Request.
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: December 30, 2020

Ralph Schuh, 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 11, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Monday, January 11, 2021 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, James Knorr and Ken Schuler. Members Absent: Dave Christel.

A motion was made by Mr. Hoffman; seconded by Mr. Knorr to approve the agenda for the January 11, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Hoffman, Schuh, Knorr; No: none;

Staff present for advisory meeting: Reed Gaedtke.

The Board received their folders containing the January 18, 2021 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

ADJOURNMENT

Motion by: Mr. Knorr as suggested by the chairman to adjourn.

Seconded by: Mr. Hoffman.

Upon vote: The motion was unanimously approved.

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

The Board conducted the on-site visits individually.

Respectfully submitted,


James Knorr, Secretary

1-18-21
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, January 18, 2021
TIME: 7:00 P.M.
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc, WI 54220

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

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

Discussion and possible action on:

1. **Jonathan and Chelsey Duchow** – Owner of property located at 14789 Clarks Mills Rd., in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, of section 21, T19N-R22E, Town of Cato - Conditional Use Request.
2. **Z Best Storage LLC** – Owner of property located at 12029 CTH Z, in the NW $\frac{1}{4}$, SE $\frac{1}{4}$, of section 21, T21N-R22E, Town of Cooperstown – Conditional Use Request.
3. **Todd Graf** – Owner of property located at 13227 County Rd. M, in the SE $\frac{1}{4}$, SE $\frac{1}{4}$, of section 17, T17N-R22E, Town of Meeme – Conditional Use Request.

VI. OLD BUSINESS

Discussion and possible action on:

1. **POSTPONED: Fredrick Fels** - The current property owner and CAREW Concrete and Supply Co. Inc. the applicant, on land located south of Frelich Rd. and north of CTH Z and described as being in the NE $\frac{1}{4}$, SW $\frac{1}{4}$ and the SE $\frac{1}{4}$, SW $\frac{1}{4}$, of section 18 T21N-R22E, Town of Cooperstown – Conditional Use Permit & Variances Request.

VII. OTHER BUSINESS

1. Correspondence.
2. Set February meeting date.

VIII. ADJOURNMENT

Date: December 30, 2020

Ralph Schuh, 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 18, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, January 18, 2021 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, James Knorr, Dave Christel and Ken Schuler. Members absent: None. Staff present: Reed Gaedtke.

A motion was made by, Mr. Hoffman, seconded by Mr. Schuler to approve the January 18, 2021 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Knorr, seconded by Mr. Christel to approve the minutes for the December 21, 2020 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuler, seconded by Mr. Hoffman to approve the on-site minutes for the January 11, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Christel, Schuler, Knorr, Schuh and Hoffman; 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.

New Business

Jonathan and Chelsey Duchow – Owner of property located at 14789 Clarks Mills Rd., in the SW¼, SW¼, of section 21, T19N-R22E, Town of Cato, Manitowoc County, Wisconsin, parcel number (001-021-011-008.00) wherein a conditional use permit is being requested to operate an automobile sales and service business in a RR, Rural Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Jonathan and Chelsey Duchow.

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

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

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

Jonathan and Chelsey Duchow had nothing to add to their appeal.

Jonathan and Chelsey Duchow answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from neighbors Jake and Stephanie Kaderabek in opposition of the request and minutes from the Town of Cato meeting stating they are in favor of the request if they can meet the

following two conditions. The maximum number of cars on the property should not be more than 20 and the property should stay neat and clean (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Jonathan and Chelsey Duchow.

Deliberation

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

Reasons for approval:

1. Sufficient evidence was provided from the applicant, on-site visit and testimony to warrant an approval.
2. The use does not impede the orderly development of the district because the building looks nice and conditions are in place to keep the property looking nice.
3. The use is compatible with the surrounding area because it's allowable with a conditional use permit and there are other large out buildings in the area located on other properties.
4. The intensity of the operation will not have a negative effect on the area or surrounding properties because it will be kept neat and orderly and there are other large out buildings in the neighborhood.
5. The proposed use fits on the large parcel. There is plenty of room for the business and house.
6. There is an existing driveway that allows for proper access.
7. The nature, location and height of the proposed and existing structures are acceptable on the property because there are other large buildings located on neighborhood parcels.
8. The use will not discourage appropriate development or use of adjacent land or buildings. This will be a family owned business next to their home.
9. The use will not impair property values.
10. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use. The compressor used by the owner will be located in an insulated room within the building and a muffler located on the compressor.
11. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Hours of operation when the business is part-time shall be 3:00 p.m. to 7:00 p.m.; Monday through Friday and from 8:00 a.m. to 12:00 p.m. (noon) on Saturdays.
2. Hours of operation when the business is full-time shall be 8:00 a.m. to 6:00 p.m. Monday through Friday and from 8:00 a.m. to 12:00 p.m. (noon) on Saturdays.
3. Shall not work past the listed hours.
4. Total number of employees will be six.
5. The air compressor being used shall have a muffler and it shall be located in an insulated room within the building.
6. The east and west tree lines must be maintained to help with screening and noise.
7. Can lights are allowed on the building to shine down.
8. They are allowed one light on the sign according to code.
9. One sign is allowed according to code. (32 sq./ft. maximum and at least 60 feet from the centerline of the road.)
10. Maximum number of combined vehicles allowed on the property shall be 20. This includes vehicles for sale, on the property for parts or customers cars for repair or any other types of vehicles for the business.
11. Any outside storage of scrap material parts or any other material shall be completely screened from public view of all property lines, river and roadway.

12. Waste oil shall be stored in approved containers within the building and pumped properly.
13. Scrap metal shall be stored in a bin inside the building and hauled away.
14. The property shall be kept neat, clean and orderly.
15. Vehicles for repair and being used for body work shall not be located on the north side of the building and shall not be visible from the road.
16. Only vehicles for sale are allowed on the north side of the building.
17. There shall be a two year review of the conditional use permit.
18. The conditional use permit will expire if the business is sold to someone outside the immediate family or if the property is sold.

Second by: Mr. Knorr

Upon vote: The motion was unanimously approved.

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

Z Best Storage LLC – Owner of property located at 12029 CTH Z, in the NW¼, SE¼, of section 21, T21N-R22E, Town of Cooperstown, Manitowoc County, Wisconsin, parcel number (003-021-014-001.02) wherein a conditional use permit is being requested to expand an existing ministorage business in a GA, General Agricultural zoned district.

Chairperson Schuh opened the public hearing for Lawrence Wohlwend III.

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

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

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

Mr. Wohlwend had nothing to add at this time.

Mr. Wohlwend answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Cooperstown in favor of the request if the following conditions are met. All water flow from buildings 3 & 4 along with the 2 new proposed buildings flow to the south to elevate water issues. Mr. Gaedtke also received a letter from the property owner to the west, Bernadette, Charles and Pat Fischer. They are not opposed to the request, however, they would like to see the water flow to a retention pond on the south (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Z Best Storage LLC.

Motion by: Mr. Christel to postpone the conditional use request until the next scheduled meeting for more information regarding storm water runoff and retention control methodology.

Second by: Mr. Hoffman

Upon vote: The motion was unanimously approved.

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

Todd Graf – Owner of property located at 13227 County Rd. M, in the SE¼, SE¼, of section 17, T17N-R22E, Town of Meeme, Manitowoc County, Wisconsin, parcel number (012-017-016-006.00) wherein a

conditional use permit is being requested to operate a metal fabrication business in a GA, General Agricultural zoned district.

Chairperson Schuh opened the public hearing for Todd Graf.

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

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

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

Mr. Graf commented on his application and answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Schuh closed the public hearing for Mr. Graf.

Mr. Gaedtke stated he did not receive any correspondence from the Town of Meeme.

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

Second by: Mr. Knorr

Upon vote: The motion was unanimously approved.

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

Deliberation

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

Reasons for approval:

1. Sufficient evidence was provided from the applicant, on-site visit and testimony to warrant an approval.
2. The use does not impede the orderly development of the district because the parcel is surrounded by farmland. The owner's house is located between the shop and neighbors.
3. The use is compatible with the surrounding area because the zoning allows for this type of use with a conditional permit.
4. The intensity of the operation will not have a negative effect on the area or surrounding properties because the most noise will be contained in the building. The business will not use press or punches but rather a screw type compressor used for laser cutting which is quieter.
5. The proposed use fits on the parcel. The building already exists and there's room for parking.
6. There is an existing driveway. However, a wider access may be needed for semis.
7. The nature, location and height of the proposed and existing structures are acceptable on the property. The building already exists and there is additional room to the east as well as screening from the trees to the south and east.
8. The use will not discourage appropriate development or use of adjacent land or buildings.
9. The use will not impair property values.
10. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use because no punches or presses will be used.
11. 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 7:00 a.m. to 5:00 p.m.
3. Number of employees will be three.
4. Type of equipment allowed will be laser cutting fabrication equipment.
5. L.E.D. lighting allowed outdoors on the building.
6. No punching or press equipment allowed.
7. The compressor being used shall be located in a room within the building, to help keep noise at a minimum.
8. A 4' x 8' sign is allowed according to code.
9. Customer and employee parking shall be on site; not allowed on the road.
10. There shall be two metal roll off storage containers for scrap metal to be located on the south of the building. The existing trees will help screen them from view.
11. Outside area shall be kept clean and orderly.
12. This conditional use permit sunsets (expires) when the property or business is sold.

Second by: Mr. Knorr

Upon vote: The motion was unanimously approved.

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

Old Business

POSTPONED: Fredrick Fels the current property owner and CAREW Concrete and Supply Co. Inc. the applicant, of land located south of Frelich Rd. and north of CTH Z which is described as being in the NE¼, SW¼ and the SE¼, SW¼, of section 18 T21N-R22E, Town of Cooperstown, Manitowoc County, Wisconsin, parcel numbers (003-018-009-000.00 and 003-018-012-000.00). Wherein a conditional use permit is being requested to operate a sand and gravel extraction operation and wherein ten variances are being requested. The variances being requested are for excavating at 100 feet from the Frelich Rd. right-of-way line; at 100 feet from the CTH Z right-of-way line; at approximately 133 feet from the centerline of Frelich Rd.; at approximately 136 feet from the centerline of CTH Z; at 25 feet from the west property line; within 1000 feet of three neighboring residences located off of CTH Z and within 1000 feet of two residences located off of Frelich Rd. The proposed use is located in an EA, Exclusive Agricultural zoned district.

Motion by: Mr. Schuler to remove Fredrick Fels & CAREW Concrete and Supply Co Inc's postposed request from the table.

Second by: Mr. Knorr

Upon vote: The motion was unanimously approved.

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

Chairperson Schuh convened the public hearing for Fredrick Fels and CAREW Concrete and Supply Co. Inc.

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

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

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

Mr. John Carew, President of CAREW and Tim Trap, Aggregates Manager commented and answered questions for the Board.

People in attendance in favor of the request: none.

Marti Zellner, adjacent property owner, spoke and submitted documents and a letter opposed to the requests (copy on file).

Ron Frelich, adjacent property owner, spoke and submitted a letter opposed to the requests (copy on file).

Tom Kapinos, adjacent property owner, spoke opposed to the requests.

Dave Frelich, adjacent property owner, spoke opposed to the requests.

Jim Zellner, adjacent property owner, spoke. Mr. Zellner commented on the discrepancy in depth from what they provided and noted he is opposed to the requests.

Tayten Brunner, adjacent property owner, spoke opposed to the requests.

Jennifer Brunner, adjacent property owner, spoke opposed to the requests.

Mr. John Carew, spoke in rebuttal and answered further questions for the Board.

Mr. Gaedtke received numerous correspondences as listed below:

- a phone call from Bruce Schneider in opposition of the requests (copy on file)
- a phone call from Pat VanGroll, citizen of Cooperstown, he would like to see the requests postponed until CAREW is able to answer all the questions that arose during the town meeting
- an email from Ron & Joy Frelich in opposition of the requests (copy on file)
- an email from Clayton Craanen in opposition of the requests (copy on file)
- a letter sent electronically and paper copy from Marti Zelner in opposition of the requests (copy on file)
- a letter from William Collins in favor of the requests (copy on file)
- a letter from the Town of Cooperstown in favor with conditions (copy on file)

There being no further comments, Chairperson Schuh closed the public hearing for Mr. Fels and Carew Concrete and Supply Co Inc.

Motion by: Mr. Knorr to postpone deliberations and decision until the next scheduled meeting to allow more time to review the testimony and provided information.

Second by: Mr. Christel

Upon vote: The motion was unanimously approved.

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

Other Business

Correspondence not related to a hearing item: None

Schedule Next Meeting:

The next Board of Adjustment meeting is tentatively scheduled for Monday, February 15, 2021 and the onsite meeting for Monday, February 8, 2021. (Dates and times are subject to change.)

Adjournment

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

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

Respectfully submitted,


James Knorr, Secretary

2-15-21
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, February 15, 2021
TIME: 7:00 P.M.
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc, WI 54220

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

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

V. NEW BUSINESS

NONE

VI. OLD BUSINESS

Discussion and possible action on:

1. **POSTPONED: Z Best Storage LLC** – Owner of property located at 12029 CTH Z, in the NW¼, SE¼, of section 21, T21N-R22E, Town of Cooperstown – Conditional Use Request.
2. **POSTPONED: Fredrick Fels** - The current property owner and CAREW Concrete and Supply Co. Inc. the applicant, on land located south of Frelch Rd. and north of CTH Z and described as being in the NE¼, SW¼ and the SE¼, SW¼, of section 18 T21N-R22E, Town of Cooperstown – Conditional Use Permit & Variances Request.

VII. OTHER BUSINESS

1. Correspondence.
2. Set March meeting date.

VIII. ADJOURNMENT

Date: February 1, 2021

Ralph Schuh, 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 15, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, February 15, 2021 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, James Knorr, Dave Christel and *Ken Schuler. Members absent: None. Staff present: Reed Gaedtke.

*Mr. Schuler arrived after roll call but before old business was discussed.

A motion was made by, Mr. Hoffman, seconded by Mr. Christel to approve the February 15, 2021 meeting agenda. Upon vote, the motion was unanimously approved.
Aye: Christel, Knorr, Schuh and Hoffman; No: none.

A motion was made by, Mr. Hoffman, seconded by Mr. Knorr to approve the minutes for the January 18, 2021 meeting. Upon vote, the motion was unanimously approved.
Aye: Christel, Knorr, Schuh and Hoffman; 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.

New Business - None

Old Business

POSTPONED: Z Best Storage LLC – Owner of property located at 12029 CTH Z, in the NW¼, SE¼, of section 21, T21N-R22E, Town of Cooperstown, Manitowoc County, Wisconsin, parcel number (003-021-014-001.02) wherein a conditional use permit is being requested to expand an existing ministorage business in a GA, General Agricultural zoned district.

Motion by: Mr. Christel to remove Z Best Storage LLC's postponed request from the table.

Second by: Mr. Knorr

Upon vote: The motion was unanimously approved.

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

The Board proceeded directly into deliberations.

Deliberation

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

Reasons for approval:

1. Sufficient evidence was provided from the applicant, the on-site visit and testimony from the hearing, to warrant an approval.
2. The use does not impede the orderly development of the district because the use already exists and the neighboring property on both sides is farmland.

3. The use is compatible with the surrounding area because the use is existing and has been there for years and only agricultural land on both sides.
4. The intensity of the operation will not have a negative effect on the area or surrounding properties because the use exists and there is a drainage plan designed for the new buildings that will direct rain runoff towards the south of his lot.
5. The proposed use fits on the parcel. There is plenty of room for the proposed.
6. There is an existing driveway that allows for proper access to CTH Z.
7. The nature, location and height of the proposed structures are the same type of buildings that already exist on the property.
8. The use will not discourage appropriate development or use of adjacent land or buildings.
9. The use will not impair property values.
10. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use. It will be the same.
11. The use will not endanger the public's health, safety or welfare.
12. There is enough information from the meeting and the submitted drainage plan to show the additional structures are acceptable additions to the property.

Conditions of Approval:

1. The existing number four building and the two new buildings must drain to the south.
2. The submitted drainage plan must be followed.
3. Areas being graded for drainage need to be seeded.

Second by: Mr. Schuler

Upon vote: The motion was unanimously approved.

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

POSTPONED: Fredrick Fels the current property owner and CAREW Concrete and Supply Co. Inc. the applicant, of land located south of Frelich Rd. and north of CTH Z which is described as being in the NE¼, SW¼ and the SE¼, SW¼, of section 18 T21N-R22E, Town of Cooperstown, Manitowoc County, Wisconsin, parcel numbers (003-018-009-000.00 and 003-018-012-000.00). Wherein a conditional use permit is being requested to operate a sand and gravel extraction operation and wherein ten variances are being requested. The variances being requested are for excavating at 100 feet from the Frelich Rd. right-of-way line; at 100 feet from the CTH Z right-of-way line; at approximately 133 feet from the centerline of Frelich Rd.; at approximately 136 feet from the centerline of CTH Z; at 25 feet from the west property line; within 1000 feet of three neighboring residences located off of CTH Z and within 1000 feet of two residences located off of Frelich Rd. The proposed use is located in an EA, Exclusive Agricultural zoned district.

Motion by: Mr. Knorr to remove Fredrick Fels & CAREW Concrete and Supply Co Inc's postponed request from the table.

Second by: Mr. Christel

Upon vote: The motion was unanimously approved.

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

The Board proceeded directly into deliberations.

Deliberation

Motion by: Mr. Schuler to deny the conditional use request.

Second by: Mr. Knorr.

Upon vote: The motion was denied. The vote was 1 in favor and 4 opposed.

Aye: Schuler *No:* Knorr, Christel, Schuh and Hoffman

Motion by: Mr. Christel to approve the conditional use request.

Reasons for approving the conditional use permit:

1. Sufficient evidence was provided from the applicant, on-site visit and hearing testimony to warrant an approval.
2. The use does not impede the orderly development of the district because it is a permitted use in the EA zoning classification with a conditional use permit. There are other similar uses that already exist on adjacent properties.
3. The use is compatible with the surrounding area and won't have a negative effect because it's not a new operation. Similar ongoing operations are located to the south and west of this site.
4. The control measures stated by the applicant and listed conditions of this permit will have less impact to the area than the other existing mining operations.
5. The use will not discourage appropriate development or use of adjacent land or buildings because it will be isolated on the proposed 80 acres. If there were any negative impacts; those impacts would already be present from existing mining operations located to the south and to the west.
6. The use will not impair property values. If there were any impairment, it would already be present from other operations.
7. The use will not endanger the public's health, safety or welfare. The conditions required by this permit would not create any issues. Similar businesses have been operating within the area for years.

Conditions of Approval:

1. Days of operation will be Monday thru Saturday.
2. No operating allowed on Sundays or holidays.
3. Hours of operation will be from 7:00 a.m. to 5:00 p.m. Monday thru Friday and from 7:00 a.m. to 12:00 p.m. (noon) on Saturday. There is no exception for extending hours other than for general maintenance of equipment.
4. Number of employees allowed will be six.
5. Equipment allowed, would be portable washing and crushing equipment, loaders, and trucks.
6. Crushing may only occur between May 1st and October 1st and no more than six cumulative weeks of crushing allowed.
7. The pit operator shall keep crushing records, available for review, upon request.
8. There shall only be a single point of entrance located off of CTH Z.
9. The entrance shall be gated for safety. The gate shall match Carew's other gated sites.
10. The use of limited range, decibel back up equipment, mentioned by the applicant, shall be used on this site.
11. A 4' x 8' on premise sign is allowed by the entrance provided it meets setback and other ordinance requirements. Safety information is allowed on this sign.
12. No employee parking allowed on this site. Employees shall continue to park on the south side of CTH Z at the existing operation.
13. Delivery trucks shall occur during listed hours of operation.
14. Haul trucks are limited to run based on customer need and during hours the listed.
15. No blasting or use of explosives are allowed at this site.
16. Total depth of excavation shall be no more than 40 feet from existing grade.
17. Pit owner shall comply with all other state and county regulations.
18. Three monitoring wells must be installed. These wells cannot be located less than 1000 feet from each other.
19. The five surrounding residences listed in the application shall have well depth and turbidity testing completed by the applicant prior to any excavating. The results of these test shall be submitted to

the county and used as an established base line of information. This testing is subject to property owner's granting access for the tests.

20. After a baseline has been determined; any issue or problem that occurs at one of the five neighboring wells, the applicant (pit owner/operator) shall be responsible for hiring and investigating any problems. If it is determined that the failure of one of those wells is caused by the excavation operation, the pit owner/operator shall be liable for repairing the problem.
21. Berms are required on three sides of the property. The north, south, and east side.
22. No berm required on the west side because of the existing mining operation to the west.
23. All berms shall be 10 to 15 feet high with the exception of the north berm. The height of the north berm shall be determined by the town of Cooperstown due to snow drifting concerns.
24. All berms will have a 3 to 1 slope on the outward side and a 1.5 to 1 slope on the inward side.
25. The outward side of the berms shall be seeded with grass and mowed a minimum of one time per year to reduce the growth of noxious weeds.
26. The existing mature trees along all property lines shall remain in place.

Second by: Mr. Hoffman to include conditions.

Upon vote: The motion was approved. The vote was 4 in favor and 1 opposed.

Aye: Knorr, Christel, Schuh and Hoffman; *No:* Schuler

Motion by: Mr. Christel to deny the variance requests to have the operation located at 100 feet from the right-of-way line of Frelich road and denied the request to excavate at approximately 133 feet from the center line of Frelich Rd and to approve the modifications to the remaining variance requests to excavate sand and gravel at 100 feet from the right-of-way line of CTH Z; and at approximately 136 feet from the centerline of CTH Z; and to excavate at 25 feet from the west property line; and at 301 feet from the house located at 14735 CTH Z; and at 858 feet to the house located at 14519 Frelich Rd.; and at a minimum setback of 750 feet to the other neighboring houses.

Reasons for denying the Frelich Road variances:

1. The Town of Cooperstown was concerned about snow drifting problems created by having the operation to close to the road.
2. Increased drifting would occur on the north side of the property due to the location of a berm within the required road right-of-way setback.

Reasons for approving variances:

1. The use is for sand and gravel extraction only. Blasting will not occur, therefore there is no need for the larger setbacks.
2. A hardship is present because the site would only be for sand and gravel extraction and not for blasting rock. Therefore the excavation area would be unnecessarily reduced creating a hardship on the applicant.
3. The reduced excavation area also causes a burden to the applicant. Quarries tend to require larger setbacks due to blasting and this will not be a quarry site. Therefore the ordinance creates a burden by limiting the usable area.
4. The variance requests to the road and property line will not have a negative effect on the public because the use is for sand and gravel only and not rock extraction. The west side of the property is already an existing pit and conditions were also put in place to address any additional areas of concern.
5. The owner of 14735 CTH Z approved of the reduced setback to their home.
6. The 750 foot setback to neighboring houses provides enough room to residences that will allow for proper dust and noise control, resulting in a cleaner operation.

7. The applicant is burdened by the 1000 foot setback from loss of usable material but not by a 750 foot setback. The additional 250 feet allows enough extra area for material extraction by the applicant while still providing a safe distance to neighboring residences.
8. The variance request to homes will not have a negative effect on the public because blasting will not occur on the site and the distance still provides enough room to residences.

Second by: Mr. Knorr.

Upon vote: The motion was unanimously approved.

Aye: Schuler, Knorr, Christel, Schuh and Hoffman; *No:* None

Other Business

Correspondence not related to a hearing item: None

Schedule Next Meeting:

The next Board of Adjustment meeting is tentatively scheduled for Monday, March 15, 2021 and the onsite meeting for Monday, March 8, 2021. (Dates and times are subject to change.)

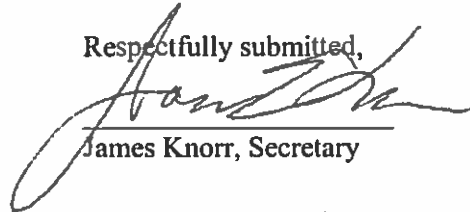
Mr. Gaedtke handed out a flyer to each Board member with regards to some additional training opportunities and gave a brief overview.

Adjournment

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

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

Respectfully submitted,



James Knorr, Secretary

3-17-21
Date



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

DATE: Monday, March 8, 2021

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. **Ryan Skabroud** – Owner of property located at 13632 CTH Q, in the SE¼, NW¼, of Section 28, T21N-R23E, Town of Gibson – Conditional Use Permit Review.
 2. **John Sleik** – Owner of property located at 7223 Reifs Mills Rd., in the NE¼, NW¼, of Section 28, T20N-R23E, Town of Kossuth – Conditional Use Request.
 3. **Mark Barta** – Owner of property located at 9211 N Lake Drive, in G.L. 1, of Section 7, T18N-R23E, Town of Newton – Variance Request.
 4. **Christine Schadrie** – Owner of property located off of Pine Rd., and described as Leclair Beach Subd. G.L. 3, Lot 8, BLK 6 of Section 4, T20N-R25E, Town of Two Rivers – Conditional Use Request.
- IV. Old Business
None
- V. Other Business
 1. Correspondence
 2. Training seminar information
- VI. On-sites
- VII. Adjournment

Date: February 25, 2021

Ralph Schuh, 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 8, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Monday, March 8, 2021 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. Schuler nominating Chuck Hoffman as secretary for the meeting and seconded by Mr. Schuh. Upon vote, the motion was unanimously approved.

Aye: Schuh, Hoffman, and Schuler; No: none;

The roll was called by the secretary. Members present: Ralph Schuh, Chuck Hoffman, and Ken Schuler. Members Absent: James Knorr and Dave Christel.

A motion was made by Mr. Hoffman; seconded by Mr. Schuler to approve the agenda for the March 8, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Hoffman, Schuh; No: none;

Staff present for advisory meeting: Reed Gaedtke.

The Board received their folders containing the March 15, 2021 hearing requests.

Mr. Gaedtke gave a quick overview of each request and inquired if any Board members were interested in any additional training seminars.

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

ADJOURNMENT

Motion by: Mr. Schuler to adjourn.

Seconded by: Mr. Hoffman.

Upon vote: The motion was unanimously approved.

Aye: Schuler, Schuh and Hoffman; No: none.

Respectfully submitted,



Chuck Hoffman

Secretary pro tempore

3/15/21
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, March 15, 2021
TIME: 7:00 P.M.
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc, WI 54220

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

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

V. OLD BUSINESS

NONE

VI. NEW BUSINESS

Discussion and possible action on:

1. **Ryan Skabroud** – Owner of property located at 13632 CTH Q, in the SE¼, NW¼, of Section 28, T21N-R23E, Town of Gibson – Conditional Use Permit Review.
2. **John Sleik** – Owner of property located at 7223 Reifs Mills Rd., in the NE¼, NW¼, of Section 28, T20N-R23E, Town of Kossuth – Conditional Use Request.
3. **Mark Barta** – Owner of property located at 9211 N Lake Drive, in G.L. 1, of Section 7, T18N-R23E, Town of Newton – Variance Request.
4. **Christine Schadrie** – Owner of property located off of Pine Rd., and described as Leclair Beach Subd. G.L. 3, Lot 8, BLK 6 of Section 4, T20N-R25E, Town of Two Rivers – Conditional Use Request.

VII. OTHER BUSINESS

1. Correspondence.
2. Set April meeting date.
3. Discuss July meeting date.

VIII. ADJOURNMENT

Date: February 25, 2021

Ralph Schuh, 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 15, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, March 15, 2021 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

Aye: Christel, Schuler, Schuh and Hoffman; No: none.

The roll was called by the secretary pro tempore. Members present: Ralph Schuh, Chuck Hoffman, Dave Christel and Ken Schuler. Members absent: James Knorr. Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuler, seconded by Mr. Christel to approve the March 15, 2021 meeting agenda. Upon vote, the motion was unanimously approved.

Aye: Christel, Schuler, Schuh and Hoffman; No: none.

A motion was made by, Mr. Hoffman, seconded by Mr. Schuler to approve the minutes for the February 15, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Christel, Schuler, Schuh and Hoffman; No: none.

A motion was made by, Mr. Christel, seconded by Mr. Hoffman to approve the on-site minutes for the March 8, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Christel, Schuler, Schuh and Hoffman; 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.

New Business

Ryan Skabroud – Owner of property located at 13632 CTH Q, in the SE¼, NW¼, of Section 28, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, parcel number (006-028-008-004.00); wherein a two year review of the existing conditional use permit will occur. The current conditional use permit allows for a small firearm manufacturing, firearm and outdoor sales and firearm repair business in a RR, Rural Residential zoned district.

Chairperson Schuh opened the review for Ryan Skabroud.

Mr. Gaedtke stated he received a letter from Mr. & Mrs. Zellner, neighbors, stating that if things continue as it has been they have no objections to the business. (copy on file)

Mr. Gaedtke stated he received a letter from the Town of Gibson still in favor of the existing conditional use permit. (copy on file)

The Board asked if there was anything Mr. Skabroud would like to discuss. He stated he was happy to be moving forward and that things are going well.

There being no further comments, Chairperson Schuh closed the review for Ryan Skabroaud.

Deliberation

Motion by: Mr. Schuh to approve the review.

The Board approved the review and determined the property is in compliance with the conditions of the permit and the two year review was fulfilled. As long as the business continues to operate as it has the last couple of years there will be no more reviews unless a problem or permit violation would occur.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

John Sleik – Owner of property located at 7223 Reifs Mills Rd., in the NE¼, NW¼, of Section 28, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-028-005-002.00) wherein a conditional use permit is being requested to operate a licensed firearms dealer, repair and manufacturer business in a RR, Rural Residential zoned district.

Chairperson Schuh opened the public hearing for John Sleik.

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

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

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

Mr. Sleik had nothing to add to his appeal.

Mr. Sleik answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke stated that he received a letter form the Town of Kossuth in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for John Sleik.

Deliberation

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

Reasons for approval:

1. Sufficient evidence was provided from the applicant, on-site visit and testimony to warrant an approval.
2. This use does not impede the orderly development of the district and it is compatible with the surrounding area. The property is mainly surrounded by open land and he doesn't have any close neighbors.
3. The intensity of the operation will not have a negative effect on the area or surrounding properties.
4. The use fits on the existing parcel size. There is plenty of room for customer parking.
5. There is an existing driveway that allows for proper access.
6. The nature, location and height of existing structure are appropriate for the proposed use. It's an existing residence.
7. The use will not discourage appropriate development or use of adjacent land or buildings. The business will occur within the home. Other than a sign, no one will see the business.
8. It will not significantly impair the values of surrounding properties.
9. There are no proposed fumes, flashing lights or other factors that are more objectionable than the properties current allowable use. Firearms related to the business will not be discharged on the property.
10. The conditional use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation will be Monday, Tuesday and Wednesday.
2. Hours of operation will be from 4:00 p.m. to 8:00 p.m.
3. The owner shall be the only employee.
4. Equipment associated with gun smithing is allowed.
5. No discharging of customer or commercial firearms allowed on the property.
6. Only the owner's normal private shooting can occur.
7. A code compliant sign is allowed on the property.
8. Must provide off street parking. Parking on the road is not permitted.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Mark Barta – Owner of property located at 9211 N Lake Drive, in G.L. 1, of Section 7, T18N-R23E, Town of Newton, Manitowoc County, Wisconsin, parcel number (014-007-001-012.00); wherein a variance is being requested to construct a 4' x 20' addition onto the existing deck and then enclose the deck by constructing a screened porch addition at 54 feet from the ordinary high water mark of English Lake in a S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Mark Barta.

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

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

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

Mr. Barta had nothing to add to the appeal, however he clarified he will be 54 feet from the water.

Mr. Barta answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke stated that he received a letter from the Town of Newton in favor of the request and a letter containing questions and concerns regarding the variance request from the Wisconsin DNR (copies on file).

There being no further comments, Chairperson Schuh closed the public hearing for Mark Barta.

Deliberation

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

Reasons for approval:

1. The hardship is the steep slope going towards the lake and owner's health issues.
2. The owner is burdened because he has health issues and must stay out of the sun. Without the screened in porch he would not be able to enjoy the outdoors of his riparian lot.
3. The existing deck is too narrow to enclose and be used for an enclosed porch.
4. It will not have a negative effect on the public because there was no opposition from neighbors, and the impervious surface will not increase. The owner will either treat the additional runoff with a rain garden or mitigate it according to code.
5. The town approved of the request.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

Christine Schadrie – Owner of property located off of Pine Rd., and described as Leclair Beach Subd. G.L. 3, Lot 8, BLK 6 of Section 4, T20N–R25E, Town of Two Rivers, Manitowoc County, Wisconsin, parcel number (018-510-006-008.00) wherein a conditional use permit is being requested to operate a vacation home rental in a HD, High Density, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Christine Schadrie.

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

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

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

Ms. Schadrie stated the proposed structure would be smaller than originally stated.

Ms. Schadrie answered questions for the Board.

People in attendance in favor of the request: none.

Ms. Christine Czechanski, spoke opposed to the request. She is concerned due to issues that arose with other rentals in the neighborhood.

Ms. Glenna Gauthier, spoke opposed to the request. She has concerns about well & septic usage.

Mr. Dave Dyzak, Manitowoc County Supervisor, spoke opposed to the request. He was concerned about the possible negative impact this could have on the area.

Mr. Gaedtke noted that he received emails opposed to the request from Melissa Dupke & Mary Reel, Carolyn Khan, Martin & Pamela Horgan, Maureen Birk and Elaine Steckler (copy on file).

In addition, Mr. Gaedtke, noted he received a letter from the Town of Two Rivers in favor of the request (copy on file).

The Board requested to view Ms. Schadrie proposed building plan.

Ms. Schadrie answered additional questions for the Board.

There being no further comments, Chairperson Schuh closed the public hearing for Christine Schadrie.

Deliberation

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

Reasons for approval:

1. Sufficient evidence has been obtained from the applicant, the onsite inspection and public testimony to warrant an approval.
2. This use does not impede the orderly development of the district. A house is allowed on the lot in a High Density zoned district.
3. The use is compatible with the surrounding area. There are other houses in the area and this will also be a house. There is another vacation rental adjacent to this parcel.
4. The intensity of the operation will not have a negative effect on surrounding properties because there are a lot of residences in the area.
5. The proposed use fits on the parcel and will meet the required setbacks.
6. There is enough room to allow for off street parking.
7. The proposed driveway will provide for an adequate access.
8. The proposed structure is acceptable for the use. It will be a single story house.
9. The use will not discourage appropriate development or use of adjacent land or buildings.
10. The use will not impair surrounding property values. New homes raise property values.
11. There are no proposed unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties allowable principal uses.
12. The use will not endanger the public's health, safety or welfare.

Conditions of approval:

1. A sign shall be located on the front of the residence indicating owner and emergency contact information. This sign must meet code requirements.

2. Maximum number of occupancy allowed is 4 people per night.
3. Owner must have working smoke alarms and operating fire extinguishers in the home.
4. The owner must provide off street parking. No parking allowed on the road.
5. All State and Health Department licensing and codes must be followed.
6. Septic and well must be maintained and meet code requirements.
7. No discharge of fireworks or firearms allowed on the property.
8. One pet is allowed but it must be leashed at all times when not in the house.
9. Quiet hours shall be from 10:00 p.m. to 7:00 a.m.
10. Excess storm water runoff from the house shall be contained on the property by way of a rain garden or retention pond. If the runoff runs to a ditch, that ditch must be designed properly to carry the water away.
11. There shall be a published review of this permit in two years. The review shall occur sometime within the fourth quarter of 2023.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Old Business - NONE

Other Business

Correspondence not related to a hearing item: None

Schedule Next Meeting:

The next Board of Adjustment meeting is tentatively scheduled for Monday, April 19, 2021 and the onsite meeting for Monday, April 12, 2021. (Dates and times are subject to change.)

Mr. Gaedtke stated he will be out of town the third week of July. The Board has chosen to move the July meeting date to July 26, 2021.

Adjournment

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

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

Respectfully submitted,

Dave Christel

Dave Christel,
Secretary pro tempore

May 17, 2021

Date



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

DATE: Monday, May 10, 2021
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. **Lakeside Mennonite Church** – Owner of property located at 722 Hillview Rd., in the SE¼, NW¼, of Section 24, T21N-R23E, Town of Gibson – Variance Request.
 2. **Peter DeGross** – Owner of property located at 11319 CTH O, PRT of Govt. Lot 2, of Section 4, T20N-R25E, Town of Two Rivers – Conditional Use Request.
 3. **Guillermo Rameriz** – Owner of property located at 7214 Seidl Rd., in the SE ¼, SW ¼, of Section 21, T20N-R23E, Town of Kossuth – Conditional Use Request.
- IV. Old Business
None
- V. Other Business
 1. Correspondence
 2. Discussion and possible action on Sportcomp complaint.
- VI. On-sites
- VII. Adjournment

Date: April 30, 2021

Ralph Schuh, 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 10, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Monday, May 10, 2021 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, James Knorr and Ken Schuler. Members Absent: Dave Christel.

A motion was made by Mr. Schuler; seconded by Mr. Hoffman to approve the agenda for the May 10, 2021 meeting. Upon vote, the motion was unanimously approved.
Aye: Schuler, Hoffman, Schuh, Knorr; No: none;

Staff present for advisory meeting: Reed Gaedtke

The Board received their folders containing the May 17, 2021 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. Knorr to adjourn.

Seconded by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,


James Knorr, Secretary

5-17-21
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, May 17, 2021
TIME: 7:00 P.M.
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc, WI 54220

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

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

V. OLD BUSINESS

NONE

VI. NEW BUSINESS

Discussion and possible action on:

1. **Lakeside Mennonite Church** – Owner of property located at 722 Hillview Rd., in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, of Section 24, T21N-R23E, Town of Gibson – Variance Request.
2. **Peter DeGroff** – Owner of property located at 11319 CTH O, PRT of Govt. Lot 2, of Section 4, T20N-R25E, Town of Two Rivers – Conditional Use Request.
3. **Guillermo Rameriz** – Owner of property located at 7214 Seidl Rd., in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 21, T20N-R23E, Town of Kossuth – Conditional Use Request.

VII. OTHER BUSINESS

1. Correspondence.
2. Discussion and possible action on Sportcomp complaint.
3. Set June meeting date.

VIII. ADJOURNMENT

Date: April 30, 2021

Ralph Schuh, 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 17, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, May 17, 2021 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, Dave Christel, James Knorr and Ken Schuler. Members absent: None. Staff present: Reed Gaedtke.

A motion was made by, Mr. Hoffman, seconded by Mr. Knorr to approve the May 17, 2021 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Christel, seconded by Mr. Schuler to approve the minutes for the March 15, 2021 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuler, seconded by Mr. Knorr to approve the on-site minutes for the May 10, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Christel, Schuler, Schuh, Knorr and Hoffman; 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.

New Business

Lakeside Mennonite Church – Owner of property located at 722 Hillview Rd., in the SE¼, NW¼, of Section 24, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, parcel number (006-024-008-000.00); wherein a variance is being requested to construct an on premise sign at 45 feet from the centerline of Hillview Rd. located in a RR, Rural Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Lakeside Mennonite Church.

No one was present to represent the church, the Board chose to proceed without a representative because due to the application site plan & onsite inspection the Board had enough information to proceed with the hearing.

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

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

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke stated that he received a letter form the Town of Gibson in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Lakeside Mennonite Church.

Deliberation

Motion by: Mr. Hoffman to approve the variance.

Reasons for approval:

1. The location of the road to the parking lot creates a hardship because the sign would be in the middle of the parking lot and create a hazard for vehicles using the lot.
2. The owner is burdened because the sign would not be easily seen by vehicles driving by if it was set back further and it would create a hazard to vehicles using the parking lot.
3. It will not have a negative effect on the public because it is not a large sign and the sign will not block the view of oncoming traffic when someone leaves the parking lot.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Peter DeGroff – Owner of property located at 11319 CTH O, PRT of Govt. Lot 2, of Section 4, T20N-R25E, Town of Two Rivers, Manitowoc County, Wisconsin, parcel numbers (018-204-008-019.00 and 018-204-008-004.00) wherein a conditional use permit is being requested to operate a vacation home rental property in a HD, High Density Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Peter DeGroff.

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

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

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

Mr. Jones stated they would like to change the guest capacity to 4. He also shared previous experience with his other vacation homes he operates.

Mr. Jones & Mr. DeGroff answered questions for the Board.

People in attendance in favor of the request: none.

Aimee Bachmann & Mark Pokuta, neighbors to the north of Mr. DeGroff, shared their concerns with them operating a rental property next door.

Mr. Gaedtke stated that he received 2 emails from neighbors to the north and one letter from the Town of Two Rivers in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Peter DeGroff.

Deliberation

Motion by: Mr. Schuler to approve the conditional use request.

Reasons for approval:

1. Sufficient evidence has been obtained from the applicant, the onsite inspection and public testimony to warrant an approval.
2. This use does not impede the orderly development of the district. A house is allowed on the lot and it is a low impact use with only for guests or less and quality managed.
3. The use is compatible with the surrounding area. There are other houses in the area and this would continue to keep the quiet rustic feel of the surrounding area.
4. The intensity of the operation will not have a negative effect on surrounding properties because nothing is changing. It will still be a residence and it will only be rented out to four guests or less.
5. The existing driveway provides proper access and plenty room for parking.
6. The use will not discourage appropriate development or use of adjacent land or buildings because it's a residence.
7. The use will not impair surrounding property values because it would be the same as any other house in the area.
8. The use will not endanger the public's health, safety or welfare.

Conditions of approval:

1. A code compliant sign shall be located on the residence indicating owner and emergency contact information.
2. Maximum number of occupancy allowed is 4 people per night.
3. Days and hours of operation will be 7 days a week and 24 hours a day.
4. Door lights are permitted.
5. Two "No Trespassing Signs" shall be placed at equal distances along the north property line.
6. Quiet hours will be from 10:00 p.m. to 7:00 a.m.
7. There will be no discharge of fireworks or firearms on the property.
8. Parking on the road is prohibited. Owner shall provide off street parking.
9. All State and Health Department licensing and codes must be followed.
10. At least one occupant must be 18 years old or older.
11. Maximum occupancy will be four.
12. One pet is allowed and it must be leashed when it is outside.
13. A review of this permit will occur if there are any substantiated violations of trespassing or these conditions.

Second by: Mr. Knorr.

Upon vote: The motion was unanimously approved.

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

Guillermo Rameriz – Owner of property located at 7214 Seidl Rd., in the SE ¼, SW ¼, of Section 21, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-021-012-001.01) wherein a conditional use permit is being requested to operate a towed vehicle holding/impound area business in a RR, Rural Residential, zoned district.

Mr. Gaedtke stated he received a letter from Attorney Dewane requesting a postponement of the hearing until the next meeting (copy on file).

Motion by: Mr. Hoffman to postpone the conditional use hearing until the next meeting.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

Old Business - NONE

Other Business

Correspondence not related to a hearing item:

Mr. Gaedtke stated he received a call from Carew (gravel pit, CTH Z & Froelich). They are about to start contacting residents and had some questions.

Sportcomp –

Mr. Gaedtke informed the Board of 2 complaints from citizen(s).

1. “Motocross vehicles being used on Sunday after the 1:00 p.m. deadline.”
2. “Two campers, one Class A motorhome and a trailer, were on the premise longer than five days.”
The motor home was on the property for approximately eight days and the trailer for ten days.

The Board reviewed the complaint information, information received from Sportcomp and the conditions of the permit.

The Board concluded that regardless of the situation with the motorhome, the conditions listed in the conditional use permit apply and it should have been removed within five days. The owner’s personal camper is allowed on the property beyond the five days but must conform to normal ordinance requirements.

Any members, regardless of being friends or family, that were riding past 1:00 p.m. on Sunday would be a violation of the permit conditions. However these two issues do not warrant a change of permit conditions or revocation of the permit and therefore this matter will be noted in the file.

Schedule Next Meeting:

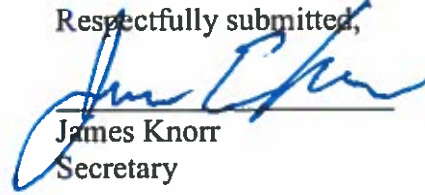
The next Board of Adjustment meeting is tentatively scheduled for Monday, June 21, 2021 and the onsite meeting for Tuesday, June 15, 2021. (Dates and times are subject to change.)

Adjournment

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

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

Respectfully submitted,



James Knorr
Secretary

6-15-2021
Date



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

DATE: Tuesday, June 15, 2021
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. Old Business
 1. **POSTPONED: Guillermo Rameriz** – Owner of property located at 7214 Seidl Rd., in the SE ¼, SW ¼, of Section 21, T20N-R23E, Town of Kossuth – Conditional Use Request.
- IV. New Business
 1. **Mark and Angie Ulness** – Owners of property located at 4718 CTH J, in the NE¼, SE¼, of Section 8, T18N-R22E, Town of Liberty– Variance Request.
 2. **The Production Farm Inc.** – Owner of property located at 9003 Polifka Rd., in the E¼, NE¼, NE¼ & E 8.25' of W¾, of Section 18, T20N-R23E, Town of Kossuth – Conditional Use Request.
- V. Other Business
 1. Correspondence
 2. Appointment terms Ralph Schuh and Chuck Hoffman.
- VI. On-sites
- VII. Adjournment

Date: June 3, 2021

Ralph Schuh, Board Chair
By: Reed Gaedtker, 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 15, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Tuesday, June 15, 2021 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, James Knorr and Ken Schuler. Members Absent: Dave Christel and Chuck Hoffman.

A motion was made by Mr. Knorr; seconded by Mr. Schuler to approve the agenda for the June 15, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Schuh, Knorr; No: none;

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

The Board received their folders containing the June 21, 2021 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. Schuler to adjourn.

Seconded by: Mr. Knorr.

Upon vote: The motion was unanimously approved.

Aye: Schuler, Schuh, and Knorr; No: none.

Respectfully submitted,


James Knorr, Secretary

6-21-21
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, June 21, 2021
TIME: 7:00 P.M.
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc, WI 54220

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

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

V. OLD BUSINESS

1. **POSTPONED: Guillermo Rameriz** – Owner of property located at 7214 Seidl Rd., in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 21, T20N-R23E, Town of Kossuth – Conditional Use Request.

VI. NEW BUSINESS

Discussion and possible action on:

1. **Mark and Angie Ulness** – Owners of property located at 4718 CTH J, in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, of Section 8, T18N-R22E, Town of Liberty– Variance Request.
2. **The Production Farm Inc.** – Owner of property located at 9003 Polifka Rd., in the E $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$ & E 8.25' of W $\frac{3}{4}$, of Section 18, T20N-R23E, Town of Kossuth – Conditional Use Request.

VII. OTHER BUSINESS

1. Correspondence.
2. Review of Dean Schultz Conditional Use Permit complaint.
3. Set July meeting date.

VIII. ADJOURNMENT

Date: June 16, 2021

Ralph Schuh, 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 21, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, June 21, 2021 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, Dave Christel, James Knorr and Ken Schuler. Members absent: None. Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuler, seconded by Mr. Hoffman to approve the June 21, 2021 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Hoffman, seconded by Mr. Knorr to approve the minutes for the May 17, 2021 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Christel, seconded by Mr. Schuler to approve the on-site minutes for the June 15, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Christel, Schuler, Schuh, Knorr and Hoffman; 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

POSTPONED: Guillermo Rameriz – Owner of property located at 7214 Seidl Rd., in the SE ¼, SW ¼, of Section 21, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-021-012-001.01) wherein a conditional use permit is being requested to operate a towed vehicle holding/impound area business in a RR, Rural Residential, zoned district.

Mr. Gaedtke stated he received a letter from Attorney Dewane requesting a postponement of the hearing until the next meeting (copy on file).

New Business

Mark and Angie Ulness – Owners of property located at 4718 CTH J, in the NE¼, SE¼, of Section 8, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, parcel number (008-008-013-000.00); wherein a variance is being requested to construct a barn addition at 96 feet from the centerline of CTH J, located in a EA, Exclusive Agricultural zoned district.

Chairperson Schuh opened the public hearing for Mark & Angie Ulness.

No one was present to represent the property, the Board chose to proceed without a representative because due to the application site plan & onsite inspection the Board had enough information to proceed with the hearing.

Mr. Gaedtke gave a summary of his phone conversation with Mr. Ulness.

Mr. Christel gave an overview of the project as explained at the town meeting by Mr. Ulness.

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

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

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke stated that he received a letter form the Town of Liberty in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Mark & Angie Ulness.

Deliberation

Motion by: Mr. Christel to approve the variance.

Reasons for approval:

1. The location of the existing barn creates a hardship because the addition needs to be on the east side to provide the proper layout and health conditions for the cattle.
2. Only adding an additional 12 to the barn and it will still be 96' from the road.
3. It will not have a negative effect on the public because it is a minimal 4 feet that is being requested and there is plenty of site line to see traffic and also, a diesel tank will be moved to make room for the addition. This tank will be further from the ditch which will be safer for any vehicle that would happen to leave the road in this area.
4. The owner doesn't have reasonable use and is burdened because meeting the setback would incur a greater cost, and addition is the minimum size needed help improve the animals' health. Without the addition it would negatively affect his herd.

Second by: Mr. Hoffman.

Upon vote: The motion was unanimously approved.

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

The Production Farm Inc. – Owner of property located at 9003 Polifka Rd., in the E¼, NE¼, NE¼ & E 8.25' of W¾, of Section 18, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-018-001-001.00) wherein a conditional use permit is being requested by the applicant, Wyatt Kuether, to operate a community arts and behavioral health center in a LE, Large Estate Residential zoned district.

Chairperson Schuh opened the public hearing for The Production Farm Inc.

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

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

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

Mr. Wyatt Kuether answered questions for the Board.

People in attendance in favor of the request: none.

Jeff Froelich, adjacent property owner, shared his concerns regarding the issuance of a conditional use permit.

Mr. Wyatt Kuether answered additional questions.

Mr. Gaedtke stated that he received one letter from the Town of Kossuth in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for The Production Farm Inc.

Deliberation

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

Reasons for approval:

1. Sufficient evidence was provided from the applicant, on-site visit and testimony to grant approval.
2. This use does not impede the orderly development of the district. The property will remain a small farm setting some buildings will be torn down and others added or repaired.
3. The use is compatible with the zoning because it is a small farm setting in a farm area and it's an allowable use with a conditional use permit.
4. The use will not have a negative effect on the area or surrounding properties as long as the owner follows through on the remodeling and repairs of the buildings.
5. The use fits on the existing parcel size. There is plenty of room for customer parking.
6. There is an existing driveway that allows for proper access.
7. The nature, location and height of existing structure are appropriate for the proposed use. The buildings already exist.
8. The use will not discourage appropriate development or use of adjacent land or buildings.
9. It will not significantly impair the values of surrounding properties.
10. There are no proposed fumes, flashing lights or other factors that are more objectionable than the properties current allowable use.
11. The conditional 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 from 8:00 a.m. to 7:00 p.m.
3. All music and noise to be done and over with by 7:00 p.m.
4. The combined number of employees/volunteers allowed onsite at one time shall be 10.
5. The total number of clients allowed at one time shall be 10.
6. The client to employee/volunteer ratio shall be 1 to 1.
7. The maximum number of people allowed on the property for cleanup or a work on property day would be 20.
8. Maximum number of people allowed for a class or special event shall be 30.
9. A yard light is required.
10. Adequate off street parking must be made available for customers, workers and volunteers.
11. Parking on the road is prohibited.
12. Garbage consisting of normal household waste shall not accumulate or be in view of the road or adjacent properties.
13. Construction and other structure debris from buildings shall be contained in a dumpster and the dumpster does not need to be screened from view.
14. The dumpster shall be emptied a minimum of one time per month or sooner if needed.
15. There shall be an annual review or a review if a complaint is received. This review is subject to change to longer durations; if the board determines compliance is being met.
16. This conditional use permit will sunset when property ownership changes.
17. The, raze and remodeling plan, must be completed by the time of the first annual review.
18. The owner must comply with all local and state regulations regarding fire, septic and health.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

Other Business

Correspondence not related to a hearing item:

Mr. Gaedtke stated he received a complaint regarding the Conditional Use Permit for Dean Schultz regarding the berms on his property (east & south side).

The Board reviewed the complaint information and the conditions of the permit.

The Board concluded that the berms on the west end of the south side had a lot of weed growth. Mr. Gaedtke was instructed by the Board to send Mr. Schultz a letter of violation.

Schedule Next Meeting:

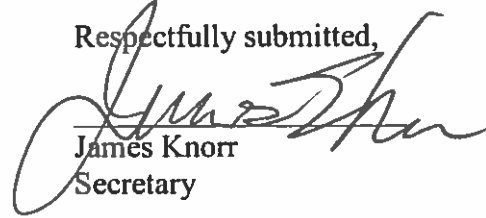
The next Board of Adjustment meeting is tentatively scheduled for Monday, July 26, 2021 and the onsite meeting for Tuesday, July 20, 2021. (Dates and times are subject to change.)

Adjournment

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

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

Respectfully submitted,



James Knorr
Secretary

7-26-2021

Date



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

DATE: Tuesday, July 20, 2021
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. Old Business
 1. **POSTPONED: Guillermo Rameriz** - Owner of property located at 7214 Seidl Rd., in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 21, T20N-R23E, Town of Kossuth - Conditional Use Request.
- IV. New Business
 1. **Jason and Melissa Radandt** - Owners of property located in the N $\frac{1}{2}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, of Section 35, T19N-R22E, Town of Cato - Conditional Use Request.
 2. **Jason Stueck** - Owner of property located at 7427 CTH R, in the NW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 23, T20N-R23E, Town of Kossuth - Conditional Use Request.
- V. Other Business
 1. Discussion of Election of Officers.
 2. Update on 141 Speedway and SDA Ahnapee violations.
 3. Correspondence.
- VI. On-sites
- VII. Adjournment

Date: July 7, 2021

Ralph Schuh, 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 20, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Tuesday, July 20, 2021 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, James Knorr, Chuck Hoffman and Ken Schuler. Members Absent: Dave Christel.

A motion was made by Mr. Hoffman; seconded by Mr. Schuler to approve the agenda for the July 20, 2021 meeting. Upon vote, the motion was unanimously approved.
Aye: Schuler, Schuh, Knorr & Hoffman; No: none;

Staff present for advisory meeting: Kaila Boeckman.

The Board received their folders containing the July 26, 2021 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

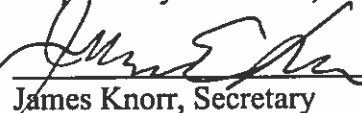
Motion by: Mr. Schuler to adjourn.

Seconded by: Mr. Knorr.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,


James Knorr, Secretary

7-26-2021
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, July 26, 2021
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. CALL TO ORDER AND ROLL CALL
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES

V. OLD BUSINESS

1. **POSTPONED: Guillermo Rameriz** - Owner of property located at 7214 Seidl Rd., in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 21, T20N-R23E, Town of Kossuth - Conditional Use Request.

VI. NEW BUSINESS

Discussion and possible action on:

1. **Jason and Melissa Radandt** - Owners of property located in the N $\frac{1}{2}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, of Section 35, T19N-R22E, Town of Cato - Conditional Use Request.
2. **Jason Stueck** - Owner of property located at 7427 CTH R, in the NW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 23, T20N-R23E, Town of Kossuth - Conditional Use Request.

VII. OTHER BUSINESS

1. Election of Officers.
2. Discussion of 141 Speedway and SDA Anahpee's C.U.P. violations.
3. Set August meeting date.
4. Correspondence.

VIII. ADJOURNMENT

Date: July 7, 2021

Ralph Schuh, 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 26, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, July 26, 2021 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, Dave Christel, James Knorr and Ken Schuler. Members absent: None. Staff present: Reed Gaedtke.

A motion was made by, Mr. Hoffman, seconded by Mr. Schuler to approve the July 26, 2021 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Knorr, seconded by Mr. Christel to approve the minutes for the June 21, 2021 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuler, seconded by Mr. Knorr to approve the on-site minutes for the July 20, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Christel, Schuler, Schuh, Knorr and Hoffman; 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

POSTPONED: Guillermo Rameriz – Owner of property located at 7214 Seidl Rd., in the SE ¼, SW ¼, of Section 21, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-021-012-001.01) wherein a conditional use permit is being requested to operate a towed vehicle holding/impound area business in a RR, Rural Residential, zoned district.

Motion by: Mr. Hoffman to remove Guillermo Rameriz's postponed request from the table.

Second by: Mr. Knorr

Upon vote: The motion was unanimously approved.

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

Chairperson Schuh opened the public hearing for Guillermo Rameriz.

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

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

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

Attorney Pat Dewane Jr. addressed the Board regarding the handout he supplied and answered questions for the Board.

People in attendance in favor of the request: none.

Jeff Mueller, property owner to the north, shared his reasons why he is opposed to the issuance of a conditional use permit.

Irene McCowen, neighboring property owner, shared her reasons why she is opposed to the issuance of a conditional use permit.

Attorney Dewane answered additional questions.

Mr. Gaedtke stated that he received a letter from the Town of Kossuth opposed to the request and listed the town's three reasons for requesting denial (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Guillermo Rameriz.

Deliberation

Motion by: Mr. Christel to postpone the decision until additional info is acquired.

Second by: Mr. Hoffman.

Upon vote: The motion was unanimously approved.

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

New Business

Jason and Melissa Radandt – Owners of property located in the N½, SW¼, NE¼, of Section 35, T19N-R22E, Town of Cato, Manitowoc County, Wisconsin, parcel number (001-035-003-001.00); wherein a conditional use permit is being requested to construct a house and detached garage in a NA, Natural Area zoned district.

Chairperson Schuh opened the public hearing for Jason & Melissa Radandt.

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

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

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

Mr. Jason Radandt answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke stated that he received a phone call from the Town of Cato in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Melissa & Jason Radandt.

Deliberation

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

Reasons for approval:

1. Sufficient evidence was provided from the applicant, on-site visit and testimony to grant approval.
2. This use does not impede the orderly development of the district.
3. The use is compatible with the zoning because a residence is allowable with a conditional use permit.
4. The use will not have a negative effect on the area or surrounding properties.
5. The use fits on the existing parcel size; it's plenty big to fit a house and garage.
6. There is an existing driveway that allows for proper access and the driveway must meet proper turn around points for emergency vehicles.
7. The nature, location and height of existing structure are appropriate for the proposed use.
8. The use will not discourage appropriate development or use of adjacent land or buildings.
9. It will not impair the values of surrounding properties. In fact because it's a residence it will increase property values.
10. There are no proposed fumes, flashing lights or other factors that are more objectionable than the properties current allowable use.
11. The conditional use will not endanger the public's health, safety or welfare.

Second by: Mr. Knorr.

Upon vote: The motion was unanimously approved.

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

Jason Stueck – Owner of property located at 7427 CTH R, in the NW¼, SE¼ of Section 23, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-023-014-003.00) wherein a conditional use permit is being requested to operate a boat repair shop in a RR, Rural Residential zoned district.

Chairperson Schuh opened the public hearing for Jason Stueck.

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

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

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

Mr. Jason Stueck answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

There being no further comments, Chairperson Schuh closed the public hearing for Jason Stueck.

Deliberation

Motion by: Mr. Schuler to postpone deliberations to allow republication of the request to include the neighboring parcel.

Second by: Mr. Knorr.

Upon vote: The motion was unanimously approved.

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

Other Business

Correspondence not related to a hearing item: None

Election of Officers

Motion by: Mr. Hoffman to cast a unanimous vote to have Mr. Schuch as chairman; Mr. Hoffman as vice chairman; and Mr. Knorr as secretary.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

SDA Ahnapee and KRR Enterprise LLC Camping Issues

Mr. Gaedtke stated he received notice from the Manitowoc County Health Department that SDA Ahnapee had received four violations for camping on the property without having Health Department approval and that both SDA Ahnapee and KRR Enterprise LLC are allowing camping on non-event nights.

The Board advised Mr. Gaedtke to send a letter to SDA Ahnapee informing them they cannot allow camping until they first obtain Health Department approval and even then, camping is only allowed on event nights. They also advised Mr. Gaedtke to send a letter to KRR Enterprise LLC informing them they cannot allow camping on non-event nights; and to remind both owners that violations of permit conditions could lead to modifications or revocation of their conditional use permits.

Schedule Next Meeting:

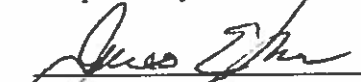
The next Board of Adjustment meeting is tentatively scheduled for Monday, August 16, 2021 and the onsite meeting for Tuesday, August 10, 2021. (Dates and times are subject to change.)

Adjournment

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

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

Respectfully submitted,


James Knorr
Secretary

8-16-21
Date



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

DATE: Tuesday, August 10, 2021
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. Old Business
 1. **POSTPONED: Jason Stueck** – Owner of property located at 7427 CTH R and a portion of the adjacent property to the south located at 7401 CTH R owned by Mr. Lyle Habeck. Both properties are in the NW¼, SE¼ of Section 23, T20N-R23E, Town of Kossuth – Conditional Use Request.
 2. **POSTPONED: Guillermo Rameriz** – Owner of property located at 7214 Seidl Rd., in the SE ¼, SW ¼, of Section 21, T20N-R23E, Town of Kossuth – Conditional Use Request.
- IV. New Business
 1. **Renae and Gale Grahn** – Owners of property located at 14217 Woodside Ln., in Govt. Lot 1 of Section 23, T17N-R21E, Town of Schleswig – Variance Request.
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: August 4, 2021

Ralph Schuh, 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 10, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Tuesday, August 10, 2021 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, James Knorr, Chuck Hoffman and Ken Schuler. Members Absent: Dave Christel.

A motion was made by Mr. Hoffman; seconded by Mr. Knorr to approve the agenda for the August 10, 2021 meeting. Upon vote, the motion was unanimously approved.
Aye: Schuler, Schuh, Knorr & Hoffman; No: none.

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

The Board received their folders containing the August 16, 2021 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

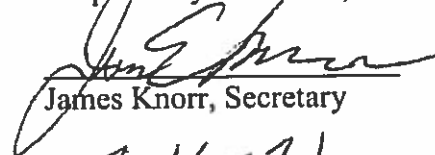
Motion by: Mr. Knorr to adjourn.

Seconded by: Mr. Hoffman.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,


James Knorr, Secretary

8-16-21
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, August 16, 2021
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. CALL TO ORDER AND ROLL CALL
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES

V. OLD BUSINESS

1. **POSTPONED: Jason Stueck** – Owner of property located at 7427 CTH R and a portion of the adjacent property to the south located at 7401 CTH R owned by Mr. Lyle Habeck. Both properties are in the NW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 23, T20N-R23E, Town of Kossuth – Conditional Use Request.
2. **POSTPONED: Guillermo Rameriz** – Owner of property located at 7214 Seidl Rd., in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 21, T20N-R23E, Town of Kossuth – Conditional Use Request.

VI. NEW BUSINESS

Discussion and possible action on:

1. **Renae and Gale Grahn** – Owners of property located at 14217 Woodside Ln., in Govt. Lot 1 of Section 23, T17N-R21E, Town of Schleswig – Variance Request.

VII. OTHER BUSINESS

1. Correspondence
2. Set September meeting date.

VIII. ADJOURNMENT

Date: August 4, 2021

Ralph Schuh, 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 16, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, August 16, 2021 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, Dave Christel, James Knorr and Ken Schuler. Members absent: None. Staff present: Reed Gaedtke.

A motion was made by, Mr. Hoffman, seconded by Mr. Schuler to approve the August 16, 2021 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Christel, seconded by Mr. Knorr to approve the minutes for the July 26, 2021 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuler, seconded by Mr. Hoffman to approve the on-site minutes for the August 10, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Christel, Schuler, Schuh, Knorr and Hoffman; 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

POSTPONED: Jason Stueck – Owner of property located at 7427 CTH R, in the NW¼, SE¼ of Section 23, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-023-014-003.00) wherein a conditional use permit is being requested to operate a boat repair business and shop; and to only use part of the neighboring property to the east, owned by Lyle Habeck, for overflow parking. The property for the additional parking area is described as being in the NW¼, SE¼, of Section 23, T20N-R23E, Town of Kossuth, parcel number (007-023-014-005.00). Both parcels are located in a RR, Rural Residential zoned district.

Motion by: Mr. Hoffman to remove Jason Stueck's postponed request from the table.

Second by: Mr. Knorr

Upon vote: The motion was unanimously approved.

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

Chairperson Schuh reopened the public hearing for Jason Stueck.

Mr. Gaedtke updated the Board regarding the postponement. Mr. Stueck's request was postponed to include a neighboring portion of property in public hearing notice. Said portion of neighbors land is being used for overflow parking.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Schuh closed the public hearing for Jason Stueck.

Deliberation

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

Reasons for approval:

1. Sufficient evidence was provided from the applicant, on-site visit and testimony to grant approval.
2. This use does not impede the orderly development of the district. The property will remain a small business use. A small business snowmobile repair shop was there before and it will be a small business boat repair shop, now.
3. The use is compatible with the surrounding properties because there are no other neighboring buildings close to the proposed use. There is plenty of room between the business and neighboring houses.
4. The use will not have a negative effect on the area or surrounding properties because the southern neighbor has given permission to allow overflow parking on his property.
5. The repair business fits on the existing parcel size and the owner has permission from the neighbor to use some land for overflow parking. So there will be plenty of room for off street parking.
6. There is an existing wide driveway off of CTH R that allows for proper access.
7. There is an existing two car garage that is appropriate for the proposed use and it fits well in the area.
8. The use will not discourage appropriate development or use of adjacent land or buildings.
9. It will not impair the values of surrounding properties. The property is kept clean and there is no sign of any garbage laying around.
10. There are no proposed fumes, flashing lights or other factors that are more objectionable then the properties current allowable use.
11. The conditional use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation will be six days per week, Monday thru Saturday.
2. Hours of operation will be from 8:00 a.m. to 5:00 p.m.
3. Number of employees will be two.
4. A sign is allowed but it must meet county code requirements.
5. Overflow parking is allowed on the neighbors land to the south according to the submitted plan and neighbor's approval.
6. Number of boats allowed on the property at one time is ten.

7. This conditional use permit does have a sunset clause for the following scenarios:
 - a. If the neighboring property, owned by Mr. Lyle Habeck (at 7401 CTH R), is sold, then the overflow parking portion of the conditional use permit would end. The owner of the boat repair business would either have to keep all parking on his parcel or come back to the Board with an approval letter from the new owner of the Habeck property. This letter must state that the new owner of 7401 agrees to continue allowing overflow parking on their land.
 - b. If Mr. Stueck sells his property at 7427 CTH R to a new owner, the new owner would have to come back before the Board of Adjustment with an approval letter from Mr. Habeck or whomever owns Mr. Habeck's property at that point in time.
8. If Mr. Stueck or a future owner of the boat repair business purchases that portion of Mr. Habeck's property that allows for overflow parking, or if they purchase all of the Mr. Habeck's property; then no sunset clause is enacted.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

POSTPONED: Guillermo Rameriz – Owner of property located at 7214 Seidl Rd., in the SE ¼, SW ¼, of Section 21, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-021-012-001.01) wherein a conditional use permit is being requested to operate a towed vehicle holding/impound area business in a RR, Rural Residential, zoned district.

Mr. Gaedtke stated he received a phone call from Attorney Dewane requesting a postponement of the hearing until the next meeting.

New Business

Renaë and Gale Grahn – Owners of property located at 14217 Woodside Ln., in Govt. Lot 1 of Section 23, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-023-013-007.00) wherein a variance is being requested to construct a house addition with an attached garage at 7.2 feet from the west property line; at 7 feet from the east property line; and at 59 feet from the ordinary high water mark of Cedar Lake, located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Renaë & Gale Grahn.

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

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

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

Mr. Gale Grahn affirmed the reason for the variance request and answered questions for the Board.

Mr. Harry Brill, adjacent neighbor to the west spoke in support of the project.

People in attendance opposed to the request: none.

Mr. Gaedtke stated that he received an email from the Town of Schleswig in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Renae and Gale Grahn.

Deliberation

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

Reasons for approval:

1. The lot narrows to the north towards the road creating a hardship by decreasing the buildable area and preventing the use of a long term structure.
2. The owner is burdened because existing structure is not suitable for long term living and the existing foundation is not in good condition and needs to be repaired for long term living.
3. It will not have a negative effect on the public because the existing footprint will be used for the new home, it will not be going any closer to the lake, and rain gardens will be designed to control any increased impervious surface runoff.

Second by: Mr. Knorr.

Upon vote: The motion was unanimously approved.

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

Other Business

Correspondence not related to a hearing item: None

Schedule Next Meeting:

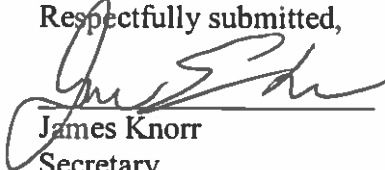
The next Board of Adjustment meeting is tentatively scheduled for Monday, September 20, 2021 and the onsite meeting for Tuesday, September 14, 2021. (Dates and times are subject to change.)

Adjournment

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

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

Respectfully submitted,


James Knorr
Secretary

9-22-21
Date



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

DATE: Tuesday, September 14, 2021
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. Old Business
 1. **POSTPONED: Guillermo Rameriz** – Owner of property located at 7214 Seidl Rd., in the SE ¼, SW ¼, of Section 21, T20N-R23E, Town of Kossuth – Conditional Use Request.
- IV. New Business
 1. **Woodland Dunes (City of Manitowoc, Applicant)** – Owner of properties located off of South Parkview Rd., in the NW¼, SW¼ and also the NE¼, of the SW¼, of Section 26, T19N-R23E, Town of Manitowoc Rapids- Variance Requests.
 2. **Tim Hoida** – Owner of property located at 2532 W Zander Rd., in the NE¼, SW¼, of Section 2, T21N-R23E, Town of Gibson – Variance Request.
 3. **Mark and Sue Hilbelink** – Owners of property located at 9226 Pigeon Lake Rd., in the SW¼, NE¼, of Section 33, T18N-R22E, Town of Liberty – Variance Request
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: September 3, 2021

Ralph Schuh, 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 14, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Tuesday, September 14, 2021 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, James Knorr, Chuck Hoffman and Ken Schuler. Members Absent: Dave Christel.

A motion was made by Mr. Schuler; seconded by Mr. Hoffman to approve the agenda for the September 14, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Schuh, Knorr & Hoffman; No: none.

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

The Board received their folders containing the September 20, 2021 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

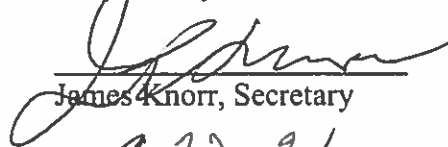
Motion by: Mr. Knorr to adjourn.

Seconded by: Mr. Hoffman.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,



James Knorr, Secretary

9-22-21

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, September 20, 2021
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. CALL TO ORDER AND ROLL CALL
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES
- V. OLD BUSINESS
 1. **POSTPONED: Guillermo Rameriz** – Owner of property located at 7214 Seidl Rd., in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 21, T20N-R23E, Town of Kossuth – Conditional Use Request.
- VI. NEW BUSINESS

Discussion and possible action on:

 1. **Woodland Dunes (City of Manitowoc, Applicant)** – Owner of properties located off of South Parkview Rd., in the NW $\frac{1}{4}$, SW $\frac{1}{4}$ and also the NE $\frac{1}{4}$, of the SW $\frac{1}{4}$, of Section 26, T19N-R23E, Town of Manitowoc Rapids- Variance Requests.
 2. **Tim Hoida** – Owner of property located at 2532 W Zander Rd., in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 2, T21N-R23E, Town of Gibson – Variance Request.
 3. **Mark and Sue Hilbelink** – Owners of property located at 9226 Pigeon Lake Rd., in the SW $\frac{1}{4}$, NE $\frac{1}{4}$, of Section 33, T18N-R22E, Town of Liberty – Variance Request
- VII. OTHER BUSINESS
 1. Correspondence
 2. Set October meeting date.

VIII. ADJOURNMENT

Date: September 3, 2021

Ralph Schuh, 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 20, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, September 20, 2021 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

Aye: Schuler, Schuh and Hoffman; No: none.

The roll was called by the secretary pro tempore. Members present: Ralph Schuh, Chuck Hoffman, and Ken Schuler. Members absent: James Knorr and Dave Christel. Staff present: Reed Gaedtke.

A motion was made by, Mr. Hoffman, seconded by Mr. Schuler to approve the September 20, 2021 meeting agenda. Upon vote, the motion was unanimously approved.

Aye: Schuler, Schuh and Hoffman; No: none.

A motion was made by, Mr. Hoffman, seconded by Mr. Schuler to approve the minutes for the August 16, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Schuh and Hoffman; No: none.

A motion was made by, Mr. Schuler, seconded by Mr. Hoffman to approve the on-site minutes for the September 14, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Schuh and Hoffman; 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

POSTPONED: Guillermo Rameriz – Owner of property located at 7214 Seidl Rd., in the SE ¼, SW ¼, of Section 21, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-021-012-001.01) wherein a conditional use permit is being requested to operate a towed vehicle holding/impound area business in a RR, Rural Residential, zoned district.

Mr. Schuh stated that Mr. Rameriz would like to withdraw his request for a conditional use permit.

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

Aye: Schuler, Schuh and Hoffman; No: none.

New Business

Woodland Dunes – Owner of properties located off of South Parkview Rd., in the NW¼, SW¼ and also the NE¼, of the SW¼, of Section 26, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel numbers (010-026-010-001.00 and 010-026-009-005.00) wherein variances are being requested by the City of Manitowoc, the applicant, to construct two 8' x 26' footbridges at 0 feet from the ordinary high water mark of an intermittent stream; and to construct one 8'x 38' footbridge at 0 feet from the ordinary high water mark of the stream and at 0 feet from the north property line which is owned by the City of Manitowoc. The parcels are located in a NA, Natural Area, RR, Rural Residential and S1 Shoreland zoned district.

Chairperson Schuh opened the public hearing for Woodland Dunes. Mr. Brock Wetenkamp, was present representing Woodland Dunes & City of Manitowoc.

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

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

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

Mr. Wetenkamp simply stressed the importance of the bridges to complete this project.

Mr. Wetenkamp answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke stated that he received a letter form the Town of Manitowoc Rapids in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Woodland Dunes.

Deliberation

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

Reasons for approval:

1. The stream winding through the property creates a hardship because it causes an unsafe area for people to walk. The bridges will provide safe passage over the stream.
2. A burden exists because without the bridges people would not be able to safely enter the park.
3. It will not have a negative effect on the public because the walking path and bridges will allow for safe passage to the park which will be beneficial to the public.
4. The City of Manitowoc has an easement granted by Woodland Dunes for the path and bridges.

Second by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

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

Tim Hoida – Owner of property located at 2532 W Zander Rd., in the NE¼, SW¼, of Section 2, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, parcel number (006-002-009-000.00) wherein a variance is being requested to construct a garage addition at 5 feet from the south property line located in a LE, Large Estate Residential and EA, Exclusive Agriculture zoned district.

Chairperson Schuh opened the public hearing for Tim Hoida.

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

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

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

Mr. Hoida had nothing to add to his appeal.

Mr. Hoida answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke stated that he received an email from the Town of Gibson in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Tim Hoida.

Deliberation

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

Reasons for approval:

1. The majority of the lot is covered with wetlands or floodplain which creates a burden and hardship on the owner by reducing his area to construct a needed garage addition.
2. A building already exists in that area and the proposed structure will be added onto the existing one.
3. It will not have a negative effect on the public because the structure will be no closer than the existing building, it will not be in a wetland or floodplain and the addition will be located far away from neighbors and the road.

Second by: Mr. Hoffman.

Upon vote: The motion was unanimously approved.

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

Mark and Sue Hilbelink – Owners of property located at 9226 Pigeon Lake Rd., in the SW¼, NE¼, of Section 33, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, parcel number (008-033-003-006.00) wherein a variance is being requested to construct a 9' x 26' deck addition at 20 feet from the ordinary high water mark of Pigeon Lake in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Mark & Sue Hilbelink.

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

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

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

Mr. Hilbelink stated the lower deck is in poor condition and needs to be replaced, he also stated he is working with a landscaper.

Mr. Hilbelink answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

There being no further comments, Chairperson Schuh closed the public hearing for Mark & Sue Hilbelink.

Deliberation

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

Reasons for approval:

1. The lot is narrow and steep and the deck will make use of the area behind the retaining wall by allowing a sitting space and for a way to utilize that part of the property.
2. A railing can be added for safety purposes.
3. The owner is burdened because without the larger deck they don't have enough room for their expanding family.
4. It will not have a negative effect on the public because the deck will not be any closer to the lake than the adjacent neighbors and a rain garden will be installed to divert water runoff.

Second by: Mr. Schuler.

Upon vote: The motion was approved 2-1.

Aye: Schuler, Hoffman; *No:* Schuh.

Other Business

Correspondence not related to a hearing item: None

Schedule Next Meeting:

The next Board of Adjustment meeting is tentatively scheduled for Monday, October 18, 2021 and the onsite meeting for Tuesday, October 12, 2021. (Dates and times are subject to change.)

Adjournment

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

Aye: Schuler, Schuh and Hoffman; No: none.

Respectfully submitted,



Ken Schuler

Secretary pro tempore

10/18/21
Date



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

DATE: Tuesday, October 12, 2021
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. Old Business
None
- IV. New Business
 1. **Kathy Hardrath** – Owner of property located at 7702 Carstens Lake Rd., in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 16, T18N-R23E, Town of Newton- Variance Request.
 2. **Mark Kornely** – Owner of property located at 9435 Ravine Dr., in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 8, T20N-R25E, Town of Two Rivers- Conditional Use Request.
 3. **Mary Dupke-Bourgeois, fka. Mary Reel** – Owner of property located at 10907 CTH O, in Govt. Lot 3, of Section 4, T20N-R25E, Town of Two Rivers – Conditional Use Request.
 4. **Louis VandeHey** – Owner of property located at 6127 Hickory Hills Rd., in the S $\frac{1}{2}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 28, T20N-R21E, Town of Maple Grove – Conditional Use Request.
 5. **Aaron Nelson** – Owner of properties located at 8718 CTH K, in the W $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, and also part of the SW $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 5, T20N-R23E, Town of Kossuth- Conditional Use Request and Variance Requests.
 6. **Parker and Megan Mathers** – Owners of property located off of CTH LS aka South 10th Street, in Govt. Lot 2 of Section 7, T18-R24E, Town of Manitowoc- Variance Requests.
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: October 5, 2021

Ralph Schuh, Board Chair
By: Reed Gaedtke, Code Administrator

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

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

October 12, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Tuesday, October 12, 2021 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, James Knorr, Chuck Hoffman and Ken Schuler. Members Absent: Dave Christel.

A motion was made by Mr. Hoffman; seconded by Mr. Knorr to approve the agenda for the October 12, 2021 meeting. Upon vote, the motion was unanimously approved.
Aye: Schuler, Schuh, Knorr & Hoffman; No: none.

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

The Board received their folders containing the October 18, 2021 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. Schuler to adjourn.

Seconded by: Mr. Knorr.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,



James Knorr, Secretary

10-18-2021

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, October 18, 2021
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. CALL TO ORDER AND ROLL CALL
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES
- V. OLD BUSINESS

None

VI. NEW BUSINESS

Discussion and possible action on:

1. **Kathy Hardrath** – Owner of property located at 7702 Carstens Lake Rd., in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 16, T18N-R23E, Town of Newton- Variance Request.
2. **Mark Kornely** – Owner of property located at 9435 Ravine Dr., in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 8, T20N-R25E, Town of Two Rivers- Conditional Use Request.
3. **Mary Dupke-Bourgeois, fka. Mary Reel** – Owner of property located at 10907 CTH O, in Govt. Lot 3, of Section 4, T20N-R25E, Town of Two Rivers – Conditional Use Request.
4. **Louis VandeHey** – Owner of property located at 6127 Hickory Hills Rd., in the S $\frac{1}{2}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 28, T20N-R21E, Town of Maple Grove – Conditional Use Request.
5. **Aaron Nelson** – Owner of properties located at 8718 CTH K, in the W $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, and also part of the SW $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 5, T20N-R23E, Town of Kossuth- Conditional Use Request and Variance Requests.
6. **Parker and Megan Mathers** – Owners of property located off of CTH LS aka South 10th Street, in Govt. Lot 2 of Section 7, T18-R24E, Town of Manitowoc- Variance Requests.

VII. OTHER BUSINESS

1. Correspondence
2. Set November meeting date.

VIII. ADJOURNMENT

Date: October 5, 2021

Ralph Schuh, Board Chair
By: Reed Gaedtke, Code Administrator

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

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

October 18, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, October 18, 2021 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: James Knorr, Ralph Schuh, Chuck Hoffman, Dave Christel and Ken Schuler. Members absent: None. Staff present: Reed Gaedtke.

A motion was made by, Mr. Hoffman, seconded by Mr. Knorr to approve the October 18, 2021 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuler, seconded by Mr. Knorr to approve the minutes for the September 20, 2021 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Knorr, seconded by Mr. Hoffman to approve the on-site minutes for the October 12, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Knorr, Schuh, Hoffman, Christel and Schuler; 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.

New Business

Kathy Hardrath – Owner of property located at 7702 Carstens Lake Rd., in the SW¼, SW¼, of Section 16, T18N-R23E, Town of Newton, Manitowoc County, Wisconsin, parcel number (014-016-011-002.00) wherein a variance is being requested to construct a replacement garage at 26 feet from the ordinary high water mark of Pine Creek, located in a S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Kathy Hardrath.

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

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

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

The Board had questions for Ms. Hardrath.

Ms. Hardrath answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Newton stating they are in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Kathy Hardrath.

Deliberation

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

Reasons for approval:

1. The location of the creek winding through the property limits the buildable area for a replacement garage.
2. The old structure is dilapidated and needs to be replaced.
3. The new structure will be smaller and farther from the creek.
4. The owner is burdened because existing structure is dilapidated, she needs more storage room and the creek running through her property limits her buildable area. This prevents the owner from reasonably using their property.
5. It will not have a negative effect on the public because the new garage will be a smaller footprint, impervious surface will be reduced because she will remove additional concrete slabs located west of the garage and the new garage will be further from the creek.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Mary Dupke-Bourgeois, fka. Mary Reel – Owner of property located at 10907 CTH O, in Govt. Lot 3, of Section 4, T20N-R25E, Town of Two Rivers, Manitowoc County, Wisconsin, parcel number (018-510-006-010.00) wherein a conditional use permit is being requested to operate a vacation home rental in a HD, High Density zoned district.

Chairperson Schuh opened the public hearing for Mary Dupke-Bourgeois.

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

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

The Board asked if there was anything to add to the appeal, the owner stated the electrician is in the process of completing some remodeling.

The Board had questions for Ms. Dupke-Bourgeois.

Ms. Dupke-Bourgeois answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

There being no further comments, Chairperson Schuh closed the public hearing for Mary Dupke-Bourgeois.

Deliberation

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

Reasons for approval:

1. Sufficient evidence has been obtained from the applicant, the onsite inspection and public testimony to warrant an approval.
2. This use does not impede the orderly development of the district.
3. The use is compatible with the surrounding area. There are other houses and vacation rentals in the surrounding area.
4. The intensity of the operation will not have a negative effect on surrounding properties because there are other residences and rentals in the area.
5. The proposed use fits on the parcel.
6. There is enough room to allow for off street parking.
7. The proposed driveway will provide an adequate access.
8. The proposed structure is acceptable for the use.
9. The use will not discourage appropriate development or use of adjacent land or buildings.
10. The use will not impair surrounding property values. New homes raise property values.
11. There are no proposed unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties allowable principal uses.
12. The use will not endanger the public's health, safety or welfare.

Conditions of approval:

1. Days and hours of operation will be 24 hours a day; seven days per week.
2. A sign shall be located on the front of the residence indicating owner and emergency contact information. This sign must meet code requirements.
3. Maximum number of occupancy allowed is 4 people per night.
4. Owner must have working smoke alarms and operating fire extinguishers in the home.
5. The owner must provide off street parking. No parking allowed on the road.
6. Can have outdoor lighting.
7. Septic and well must be maintained and meet code requirements.
8. All State and Health Department licensing and codes must be obtained and followed.
9. No discharge of fireworks or firearms allowed on the property.
10. Two pets are allowed but they must be leashed at all times when not in the house.
11. Quiet hours shall be from 10:00 p.m. to 7:00 a.m.

Second by: Mr. Christel

Upon vote: The motion was unanimously approved.

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

Louis VandeHey – Owner of property located at 6127 Hickory Hills Rd., in the S½, NW¼, SW¼, of Section 28, T20N-R21E, Town of Maple Grove, Manitowoc County, Wisconsin, parcel number (011-028-010-002.00) wherein a conditional use permit is being requested to operate a small business to construct and sell wood furniture on property located in a RR, Rural Residential zoned district.

Chairperson Schuh opened the public hearing for Louis VandeHey.

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

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

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

Mr. VandeHey asked and answer questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

There being no further comments, Chairperson Schuh closed the public hearing for Louis VandeHey.

Deliberation

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

Reasons for approval:

1. Sufficient evidence was provided from the applicant, the on-site visit and testimony from the hearing, to warrant an approval.
2. The use does not impede the orderly development of the district. Low traffic volume.
3. The use is compatible with the surrounding area.
4. The intensity of the operation will not have a negative effect on the area or surrounding properties. Traffic will be minimum, deliveries are only to be a few times per year.
5. The proposed use fits on the parcel.
6. There is an existing driveway that allows for proper access.
7. The nature, location and height of the proposed structures are the same type of buildings that already exist on the property.
8. The use will not discourage appropriate development or use of adjacent land or buildings.
9. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use. Any dust or noise would be contained within the building.
10. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation will be Sunday through Saturday.
2. Hours of operation will be 6:00 a.m. to 10:00 p.m.
3. Number of employees allowed will be one.
4. Equipment to be used shall be consumer grade wood working tools.
5. Adequate parking must be provided for customers, employees and delivery vehicles.

Second by: Mr. Knorr

Upon vote: The motion was unanimously approved.

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

Aaron Nelson – Owner of properties located at 8718 CTH K, in the W¼, SE¼, SW¼, and also part of the SW¼, SW¼, of Section 5, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel numbers (007-005-012-002.00 and 007-005-011-001.01) wherein a conditional use permit and variances are being requested to expand the business into the east parcel to allow for additional truck and trailer parking and to construct a new building on the west parcel for truck maintenance and repair; and to construct a retention pond at 51 feet from the centerline of CTH K and at 18 feet from the east property line, located in a CB, Commercial Business zoned district.

Chairperson Schuh opened the public hearing for Aaron Nelson. Mr. Joe Novy, Keller Building & Design and Colin Meisel, project manager representing Mr. Nelson.

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

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

The Board asked the representatives if there was anything to add to the appeals; they noted the WDNR has approved storm water runoff and the pond design.

The Board had questions for the representatives.

The representatives answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

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

Deliberation

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

Reasons for Conditional Use Permit Approval:

1. Sufficient evidence was provided from the applicant, the on-site visit and testimony from the hearing, to warrant an approval.
2. The use does not impede the orderly development of the district because the use already exists and there is farmland around the property.
3. The use is compatible with the surrounding area because the use is existing and has been there for years and adjacent land is agricultural.
4. The intensity of the operation will not have a negative effect on the area or surrounding properties because the use exists and there is a drainage plan designed for rain runoff.
5. The proposed use fits on the parcel.
6. There is an existing driveway that allows for proper access to CTH K and it will even be made wider.
7. The nature, location and height of the proposed structures are similar to the same type of buildings that already exist on the property.
8. The use will not discourage appropriate development or use of adjacent land or buildings.
9. The use will not impair property values.
10. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use. It will be the same like what already exists.
11. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation will primarily be Monday through Friday with occasional weekends.
2. Hours of operation will be 24 hours a day as needed.
3. Type of equipment would be semi tractors, semi-trailers, lifts, cranes etc.
4. Number of employees will be 12.
5. All lighting shall be directed down onto the property. No lighting shall extend past property lines onto neighboring property.
6. Deliveries are allowed as needed.
7. Grass around the pond and property must be mowed and kept trimmed.
8. The submitted drainage plan must be followed.

Reasons for Variance Approval:

1. The slope of the land, the well and septic system create a hardship for the owner and limits the area needed for a retention pond. The pond must be located in the south east corner of the property because that is the low area of the land that isn't affected by the location of the existing well and septic.
2. The owner is burdened because in order to use the property for the business, the WDNR requires a retention pond be constructed to catch additional runoff. The septic and well are limiting the area needed for a retention pond.
3. The design and size of the pond are reasonable and has been approved by the WDNR.
4. It will not have a negative effect on the public because, according to state requirements, the pond is far enough from the road and there is a berm around the pond which is sloped properly to prevent a negative effect on the public or vehicle travel.

Second by: Mr. Knorr.

Upon vote: The motion was unanimously approved.

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

Parker and Megan Mathers – Owners of property located off of CTH LS aka South 10th Street, in Govt. Lot 2 of Section 7, T18-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, parcel number (009-007-014-026.00) wherein variances are being requested to construct a home at 21.8 feet from the north and south property lines located in a RR, Rural Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Parker and Megan Mathers. Mr. John Ader, Hillcrest Builder, representing Mr. & Mrs. Mathers.

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

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

The Board had questions for Mr. Ader.

Mr. Ader answered questions for the Board.

People in attendance opposed to the request:

Donna Firman, neighbor, spoke in opposition to the request.

Patricia Fell, neighbor, had a question regarding accessory structure setbacks.

Laird Post, neighbor, spoke in opposition to the request.

People in attendance in favor of the request: none.

Mr. Ader, shared additional information rebutting opposed neighbors' concerns.

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

There being no further comments, Chairperson Schuh closed the public hearing for Parker and Megan Mathers.

Deliberation

Motion by: Mr. Hoffman to deny the request.

Reasons for denial:

1. There is no hardship; the hardship is self-imposed.
2. There is no unique physical limitation.
3. The owner is not burdened because a home can be designed to fit within the setbacks.
4. Allowing a variance based on personal preference would be a negative effect.

Second by: Mr. Christel

Upon vote: The motion was unanimously approved.

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

Mark Kornely – Owner of property located at 9435 Ravine Dr., in the SW¼, SW¼, of Section 8, T20N-R25E, Town of Two Rivers, Manitowoc County, Wisconsin, parcel number (018-208-011-001.00) wherein a conditional use permit is being requested to operate a vacation home rental in a GA, General Agricultural zoned district.

Chairperson Schuch opened the public hearing for Mark Kornely, owner and John Molinare, applicant.

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

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

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

Mr. Molinare, applicant, answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

There being no further comments, Chairperson Schuh closed the public hearing for Mark Kornely and John Molinare.

Deliberation

Motion by: Mr. Christel to approve the Conditional Use Permit request.

Reasons for approval:

1. Sufficient evidence has been obtained from the applicant, the onsite inspection and public testimony to warrant an approval.
2. This use does not impede the orderly development of the district. The area is fairly secluded and the house already exists.
3. The use is compatible with the surrounding area because this is a residence and there are other residences in the area.
4. The intensity of the operation will not have a negative effect on surrounding properties. This property is secluded and has a large parcel.
5. The proposed use fits on the parcel.
6. There is enough room to allow for off street parking.
7. The existing driveway provides adequate access.
8. The proposed structure is acceptable for the use. It's an existing house in a rural setting.
9. The use will not discourage appropriate development or use of adjacent land or buildings.
10. The use will not impair surrounding property values.

11. There are no proposed unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties allowable principal uses.
12. The use will not endanger the public's health, safety or welfare.

Conditions of approval:

1. Days and hours of operation will be 24 hours a day; seven days a week.
2. A sign shall be located on the front of the residence indicating owner and emergency contact information. This sign must meet code requirements.
3. Maximum number of occupancy allowed is 8 people per night.
4. There must be a local property manager/contact person in case of emergencies or questions.
5. Owner must have working smoke alarms and operating fire extinguishers in the home.
6. The owner must provide off street parking. No parking allowed on the road.
7. All State and Health Department licensing and codes must be followed.
8. Septic and well must be maintained and meet code requirements.
9. No discharge of fireworks or firearms allowed on the property, by renters.
10. Only typical residence deliveries are allowed by renters. (Food, groceries etc.)
11. Two pets allowed per rental period. However, the pets must be leashed at all times when not in the house.
12. Quiet hours shall be from 10:00 p.m. to 7:00 a.m.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Other Business

Correspondence not related to a hearing item:

The Board was informed of the complaints and violations associated with 141 Speedway Race Track properties.

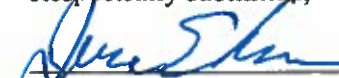
Schedule Next Meeting: The next Board of Adjustment meeting is tentatively scheduled for Monday, November 15, 2021 and the onsite meeting for Tuesday, November 9, 2021. (Dates and times are subject to change.)

Adjournment

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

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

Respectfully submitted,


James Knorr, Secretary

11-15-21
Date



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

DATE: Tuesday, November 9, 2021
TIME: 10:00 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. Old Business
None
- IV. New Business
 1. **Dale Wagner** – Owner of property located at 9429 USH 151, in the SW¼, NE¼, of Section 31, T19N-R23E, Town of Manitowoc Rapids- Variance Request
 2. **Rebecca Bush** – Owner of property located at 5739 CTH LS, in Govt. Lot 3 of Section 18, T18N-R24E, Town of Manitowoc – Conditional Use Request.
 3. **Joseph Higgins** – Owner of property located at 2514 Elm Rd., in the W½, of the SW¼, NW¼, Section 6, T18N-R24E, Town of Manitowoc - After the Fact Variance Request.
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: October 29, 2021

Ralph Schuh, 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 9, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 10:00 A.M. on Tuesday, November 9, 2021 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, James Knorr and Ken Schuler. Members Absent: Dave Christel and Chuck Hoffman

A motion was made by Mr. Schuler; seconded by Mr. Knorr to approve the agenda for the November 9, 2021 meeting. Upon vote, the motion was unanimously approved.
Aye: Schuler, Schuh & Knorr; No: none.

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

The Board received their folders containing the November 15, 2021 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

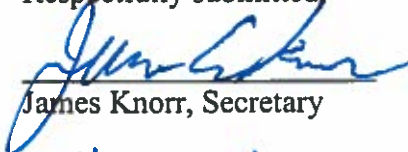
Motion by: Mr. Knorr to adjourn.

Seconded by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

Aye: Schuh, Schuler and Knorr; No: none.

Respectfully submitted,


James Knorr, Secretary

11-15-21
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, November 15, 2021
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. CALL TO ORDER AND ROLL CALL
- II. OPEN MEETING LAW COMPLIANCE
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES

V. OLD BUSINESS

None

VI. NEW BUSINESS

Discussion and possible action on:

1. **Dale Wagner** – Owner of property located at 9429 USH 151, in the SW $\frac{1}{4}$, NE $\frac{1}{4}$, of Section 31, T19N-R23E, Town of Manitowoc Rapids- Variance Request
2. **Rebecca Bush** – Owner of property located at 5739 CTH LS, in Govt. Lot 3 of Section 18, T18N-R24E, Town of Manitowoc – Conditional Use Request.
3. **Joseph Higgins** – Owner of property located at 2514 Elm Rd., in the W $\frac{1}{2}$, of the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 6, T18N-R24E, Town of Manitowoc - After the Fact Variance Request.

VII. OTHER BUSINESS

1. Correspondence
2. Set December meeting date.

VIII. ADJOURNMENT

Date: October 29, 2021

Ralph Schuh, 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 15, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, November 15, 2021 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: James Knorr, Ralph Schuh, Chuck Hoffman, Dave Christel and Ken Schuler. Members absent: None. Staff present: Reed Gaedtke.

A motion was made by, Mr. Hoffman, seconded by Mr. Knorr to approve the November 15, 2021 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuler, seconded by Mr. Knorr to approve the minutes for the October 18, 2021 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Knorr, seconded by Mr. Christel to approve the on-site minutes for the November 9, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Knorr, Schuh, Hoffman, Christel and Schuler; 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.

New Business

Dale Wagner – Owner of property located at 9429 USH 151, in the SW¼, NE¼, of Section 31, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel number (010-031-003-001.00) wherein a variance is being requested to construct a barn addition at 15 feet from the right-of-way line of USH 151, located in an EA, Exclusive Agricultural zoned district.

Chairperson Schuh opened the public hearing for Dale Wagner.

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

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

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

The Board had questions for Mr. Wagner.

Mr. Wagner answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

There being no further comments, Chairperson Schuh closed the public hearing for Dale Wagner.

Deliberation

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

Reasons for Approval:

1. The right-of-way changed after the building was already built due to relocating USH 151. This change created an unusual three way stop and non-typical right-of-way, which burdens the owners by limiting their buildable area needed for the barn.
2. The owner is burdened because in order to use the barn, a feed pad is needed.
3. The site triangle is not obstructed.
4. The building will not have a negative effect on the public because, the setback from the centerline of both roads and the site triangle requirement will still be met. USH 151 is also straight in that location and therefore the line of site will not be obstructed.

Second by: Mr. Knorr.

Upon vote: The motion was unanimously approved.

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

Rebecca Bush – Owner of property located at 5739 CTH LS, in Govt. Lot 3 of Section 18, T18N-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, parcel number (009-018-006-006.00) wherein a conditional use permit is being requested to operate a vacation home rental in a RR, Rural Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Rebecca Bush.

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

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

The Board asked if there was anything to add to the appeal, Ms. Bush questioned the need for her personal address on the sign on the rental property.

The Board had questions for Ms. Bush.

Ms. Bush answered questions for the Board.

People in attendance in favor of the request:

Geraldine Gilbert, Town of Manitowoc Clerk, stated Manitowoc Town Board approved the request at the Town Meeting on Monday.

People in attendance opposed to the request:

Carolyn Lanza, neighboring property, spoke with concerns about the request.

There being no further comments, Chairperson Schuh closed the public hearing for Rebecca Bush.

Deliberation

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

Reasons for approval:

1. Sufficient evidence has been obtained from the applicant, the onsite inspection and public testimony to warrant an approval.
2. This use does not impede the orderly development of the district. The lot is large and fairly secluded and the house has existed for a number of years.
3. The use is compatible with the surrounding area because this is a residence and there are other residences and rentals along Lake Michigan.
4. The intensity of the operation will not have a negative effect on surrounding properties. The house is existing and the owner will be responsible for explaining property line locations to renters and make sure the renters do not trespass.
5. The proposed use fits on the parcel.
6. There is enough room to allow for off street parking.
7. The existing driveway provides adequate access.
8. The proposed structure is acceptable for the use. It's an acceptable existing two story cottage/house in a rural setting.
9. The use will not discourage appropriate development or use of adjacent land or buildings because it is a large lot and far enough from neighboring lot lines.
10. There has been no information to show surrounding property values would be affected. It's far enough away from the neighbor's property.
11. There are no proposed unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties allowable principal uses. The conditions also address this matter.
12. The use will not endanger the public's health, safety or welfare.

Conditions of approval:

1. Days and hours of operation will be 24 hours a day; seven days a week.
2. A sign shall be located on the front of the residence indicating owner and emergency contact information. This sign must meet code requirements.
3. Maximum number of occupancy allowed is 6 people per night, based on septic system.
4. Owner must have working smoke alarms and operating fire extinguishers in the home.
5. The owner must provide off street parking. No parking allowed on the road.
6. All State and Health Department licensing and codes must be followed.
7. No discharge of fireworks or firearms allowed on the property.
8. Two pets allowed per rental period. However, the pets must be leashed at all times when not in the house.
9. Quiet hours shall be from 10:00 p.m. to 7:00 a.m.
10. If there are complaints regarding this vacation rental, the board may conduct a review.
11. The conditions listed only pertain to renters and not the property owners.

Second by: Mr. Christel

Upon vote: The motion was unanimously approved.

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

Joseph Higgins – Owner of property located at 2514 Elm Rd., in the W $\frac{1}{2}$, of the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 6, T18N-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, tax parcel number (009-006-007-005.01) wherein an after the fact variance is being requested to construct a garage at 45 feet from the center line of South 26th Street and less than 25 feet from the road right-of-way line, located in a RR, Rural Residential, zoned district.

Chairperson Schuh opened the public hearing for Joseph & April Higgins.

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

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

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

Mr. & Mrs. Higgins answered questions for the Board.

People in attendance in favor of the request:

Geraldine Gilbert, Town of Manitowoc Clerk, stated Manitowoc Town Board had no objections to the request at the Town Meeting on Monday.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Schuh closed the public hearing for Joseph Higgins.

Deliberation

Motion by: Mr. Knorr to deny the after the fact variance request.

Reasons for Denial:

1. There is no physical limitation creating the hardship. The hardship was self-created by building a garage that is too large for the lot. They did get a permit that showed the setbacks would be met but the garage wasn't built according to the permit standards.
2. The owner is not burdened because the garage could be a different size and still provide adequate storage while meeting setback requirements.
3. It will not have a negative effect on the public because it is outside the site triangles line of site. However it doesn't meet the ordinance requirements and is still too close to the centerline of the road.

Second by: Mr. Schuler

Upon vote: The motion was unanimously approved.

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

Other Business

Schedule Next Meeting: The next Board of Adjustment meeting is tentatively scheduled for Monday, December 20, 2021 and the onsite meeting for Tuesday, December 14, 2021. (Dates and times are subject to change.)

Correspondence not related to a hearing item:

Mrs. Higgins inquired about a time line for compliance. The Board asked where that should occur. Mr. Gaedtke informed the Board that it could be done under other business. The Board agreed to give Mr. Higgins until July 1, 2022 to have the garage in compliance. If more time is needed they should reach out to the Planning and Zoning department.

Adjournment

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

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

Respectfully submitted,


Ken Schuler, Secretary

12-22-2021

Date



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

DATE: Tuesday, December 14, 2021
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. Old Business - **None**
- IV. New Business
 1. **Nicholas Sieracki** – Owner of property located at 2408 Elm Rd., in the SW¼, NW¼, of Section 6, T18N-R24E, Town of Manitowoc – Appeal of Decision.
 2. **Judith Badura** – Owner of property located at 18530 Feltes Lane, in Govt. Lot 3 of Section 24, T17N-R21E, Town of Schleswig – After the Fact Variance Requests.
 3. **Brett Fischer** – Owner of property located at 1137 S. Union Rd., in the NW¼, SW¼, of Section 29, T19N-R23E, Town of Manitowoc Rapids – Conditional Use Permit Request.
 4. **Russ Minaker** – Owner of property located at 12007 Sandy Bay Rd., in Govt. Lot 4 of Section 31, T21N-R25E, Town of Two Creeks – Conditional Use Permit Request.
 5. **Daniel Kleinhans** – Owner of property located at 11424 Spring Lake Rd., in the SE¼, NW¼, of Section 8, T17N-R22E, Town of Meeme – Conditional Use Permit Request.
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: November 30, 2021

Ralph Schuh, 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 14, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Tuesday, December 14, 2021 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 Mr. Schuler as secretary for the meeting and seconded by Mr. Schuh. Upon vote, the motion was unanimously approved.

Aye: Schuler, Schuh and Hoffman; No: none.

The roll was called by the secretary pro tempore. Members present: Ralph Schuh, Chuck Hoffman and Ken Schuler. Members Absent: Dave Christel

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

The Board received their folders containing the December 20, 2021 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. Schuler to adjourn.

Seconded by: Mr. Hoffman.

Upon vote: The motion was unanimously approved.

Aye: Schuh, Schuler and Hoffman; No: none.

Respectfully submitted,



Ken Schuler, Secretary Pro Tempore

12-20-2021

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, December 20, 2021
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. CALL TO ORDER
- II. ELECTION OF SECRETARY
- III. ROLL CALL
- IV. OPEN MEETING LAW COMPLIANCE
- V. APPROVAL OF AGENDA
- VI. APPROVAL OF MINUTES
- VII. OLD BUSINESS

None

VIII. NEW BUSINESS

Discussion and possible action on:

1. **Nicholas Sieracki** – Owner of property located at 2408 Elm Rd., in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, of Section 6, T18N-R24E, Town of Manitowoc – Appeal of Decision.
2. **Judith Badura** – Owner of property located at 18530 Feltes Lane, in Govt. Lot 3 of Section 24, T17N-R21E, Town of Schleswig – After the Fact Variance Requests.
3. **Brett Fischer** – Owner of property located at 1137 S. Union Rd., in the NW $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 29, T19N-R23E, Town of Manitowoc Rapids – Conditional Use Permit Request.
4. **Russ Minaker** – Owner of property located at 12007 Sandy Bay Rd., in Govt. Lot 4 of Section 31, T21N-R25E, Town of Two Creeks – Conditional Use Permit Request.
5. **Daniel Kleinhans** – Owner of property located at 11424 Spring Lake Rd., in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, of Section 8, T17N-R22E, Town of Meeme – Conditional Use Permit Request.

IX. OTHER BUSINESS

1. Correspondence
2. Set January meeting date.

X. ADJOURNMENT

Date: November 30, 2021

Ralph Schuh, 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 20, 2021

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, December 20, 2021 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

A motion was made by, Mr. Hoffman, seconded by Mr. Christel to elect Ken Schuler as secretary for the remainder of term. Upon vote, the motion was unanimously approved.

Aye: Schuh, Hoffman, Christel and Schuler; No: none.

The roll was called by the secretary. Members present: Ralph Schuh, Chuck Hoffman, Dave Christel and Ken Schuler. Members absent: None. Staff present: Reed Gaedtke.

A motion was made by, Mr. Hoffman, seconded by Mr. Christel to approve the December 20, 2021 meeting agenda. Upon vote, the motion was unanimously approved.

Aye: Schuh, Hoffman, Christel and Schuler; No: none.

A motion was made by, Mr. Schuler, seconded by Mr. Christel to approve the minutes for the November 15, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuh, Hoffman, Christel and Schuler; No: none.

A motion was made by, Mr. Hoffman, seconded by Mr. Christel to approve the on-site minutes for the December 14, 2021 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuh, Hoffman, Christel and Schuler; 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: None

New Business:

Nicholas Sieracki – Owner of property located at 2408 Elm Rd., in the SW¼, NW¼, of Section 6, T18N-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, parcel number (009-006-007-005.07), is requesting an appeal of a decision regarding the issuance of a violation notice sent by the Planning and Zoning Department for constructing an alleged second residence on one lot located in a RR, Rural Residential, zoned district

Chairperson Schuh opened the public hearing for Nicholas Sieracki and Michael Sieracki, builder.

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

Chairperson Schuh stated they will need to determine whether or not the appeal was timely.

Mr. Schuler read the case summary/staff analysis (copy on file).

The Board asked questions of the Sieracki's and discussed the timeliness.

Motion by: Mr. Hoffman that the appeal was filed timely.

Findings of a timely appeal:

1. The appeal was timely because of a lack of clear communication between the department and Mr. Sieracki, from September to November, regarding his appeal rights.
2. Once Mr. Sieracki received information regarding the appeal process, an appeal and associated fee was submitted within the time frame.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

Mr. Schuler read the appeal application (copy on file).

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

Michael & Nicholas Sieracki answered questions for the Board.

There being no further comments, Chairperson Schuh closed the public hearing for Nicholas Sieracki.

Motion by: Mr. Christel that the appeal structure is a principal structure.

Findings regarding the request for an appeal of a decision:

1. The Board of Adjustments finds that the structure in question is a second residence (principal structure).
2. The structure is easily inhabited, has two bathrooms, second story, kitchenette and goes above and beyond features of what is typically expected of a garage.

Second by: Mr. Schuler.

Upon vote: The motion was approved 3-1.

Aye: Schuh, Christel and Schuler; *No:* Hoffman.

Judith Badura – Owner of property located at 18530 Feltes Lane, in Govt. Lot 3 of Section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-024-003-004.01) wherein after the fact variances are being requested for constructing two concrete slabs at 46' and 51 feet from the ordinary high water mark of Cedar Lake, located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Judith Badura.

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

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

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

Ms. Badura added that she wasn't aware that she needed permits for the concrete slabs.

The Board had questions for Ms. Badura.

Ms. Badura answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

There being no further comments, Chairperson Schuh closed the public hearing for Judith Badura.

Deliberation

Motion by: Mr. Hoffman to approve the after the fact variance requests.

Reasons for approval:

1. The unique pie shaped lot is low with wetland around it and on the sides which creates a hardship for the owner by limiting their buildable area.
2. The owner is burdened because without the smaller slab they would not have anywhere for the hot tub to sit. This slab frees up the deck allowing the owner's to have enough room to use the outdoor area. Also, the additional slab alongside the garage provides the owner with needed room for parking. This keeps vehicles from parking in roadway which is an access to the neighbor and allows the neighbors to pass through the property without any problems.
3. It will not have a negative effect on the public because they are just concrete slabs used for parking and the storing.

Second by: Mr. Christel

Upon vote: The motion was unanimously approved.

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

Brett Fischer – Owner of property located at 1137 S. Union Rd., in the NW¼, SW¼, of Section 29, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel number (010-029-010-000.00) wherein a conditional use permit is being requested to operate a ministorage and outside storage business in a RR, Rural Residential, zoned district.

Chairperson Schuh opened the public hearing for Brett Fischer.

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

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

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

Mr. Fischer had nothing to add to his appeal.

Mr. Fischer answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

There being no further comments, Chairperson Schuh closed the public hearing for Brett Fischer.

Deliberation

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

Reasons for approval:

1. Sufficient evidence was provided from the applicant, the on-site visit and testimony from the hearing, to warrant an approval.
2. The use does not impede the orderly development of the district because it's permitted as a conditional use permit in the zoning district.
3. The use is compatible with the surrounding area because it's allowable in the RR zoning district.
4. The proposed use fits on the parcel. There is plenty of room for storage units.
5. There is an existing driveway that allows for proper access to South Union Rd.
6. The nature, location and height of the proposed structures are acceptable and would not stand out.
7. The proposed business will not have a negative effect on the area or surrounding properties.
8. The use will not impair property values.
9. The use will not discourage appropriate development or use of adjacent land or buildings.
10. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use.
11. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. The maximum number of outdoor units allowed on the property will be 10.
2. The ministorage units shall be according to the submitted plan.
3. Days of operation will be 365 days a year.
4. Hours of operation will be from 7:00 a.m. to 10:00 p.m.
5. Fencing is not required.
6. Dusk to dawn lighting shall be used.
7. Lighting must face the property of the business and cannot shine onto other properties or roads.
8. A sign is permitted according to code.
9. All customer parking must be on the parcel. No parking on any roads.
10. Cannot build or block the roads site triangle.

Second by: Mr. Hoffman

Upon vote: The motion was unanimously approved.

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

Russ Minaker – Owner of property located at 12007 Sandy Bay Rd., in Govt. Lot 4 of Section 31, T21N-R25E, Town of Two Creeks, Manitowoc County, Wisconsin, tax parcel number (017-131-012-002.00) wherein a conditional use permit is being requested to operate a vacation home rental in a LE, Large Estate Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Russ Minaker.

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

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

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

Mr. Minaker stated a few changes to his application.

The Board had questions for the Mr. Minaker.

Mr. Minaker answered questions for the Board.

People in attendance in favor of the request:

Lee Engelbrecht, Chairperson, Town of Two Creeks, spoke stating the town was in favor of the request.

Chris Baudhuin, adjacent property owner, spoke regarding the request.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Schuh closed the public hearing for Russ Minaker.

Deliberation

Motion by: Mr. Hoffman to approve the conditional use permit.

Reasons for approval:

1. Sufficient evidence has been obtained from the applicant, the onsite inspection and public testimony to warrant an approval.
2. This use does not impede the orderly development of the district.
3. The use is compatible with the surrounding area. It is a house/cottage that has been present for many years.
4. The intensity of the operation will not have a negative effect on surrounding properties. The lots on either side of the proposed location are vacant and owned by the applicant.
5. The proposed use fits on the parcel.
6. There is enough room to allow for off street parking.
7. The existing driveway provides proper access.
8. The proposed structure is acceptable for the use.
9. The use will not discourage appropriate development or use of adjacent land or buildings.
10. The use will not impair surrounding property values because the building already exists and the area will look the same.
11. There are no proposed unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties allowable principal uses.
12. The use will not endanger the public's health, safety or welfare.

Conditions of approval:

1. Days of operation will be Wednesday thru Sunday.
2. Hours of operation will be 24 hours a day.
3. A sign shall be located on the front of the residence indicating owner and emergency contact information. This sign must meet code requirements.
4. Maximum number of occupancy allowed is 2 people per night with another two people who are allowed to visit but not stay overnight.
5. Owner must have working smoke alarms and operating fire extinguishers in the home.
6. The owner must provide off street parking.
7. No parking allowed on the road or right-of-way.
8. Septic and well must be maintained and meet code requirements.
9. All State and Health Department licensing and codes must be obtained and followed.
10. No discharge of fireworks or firearms allowed on the property.
11. No hunting allowed on the property.
12. No fires allowed on the property.
13. No pets allowed.
14. Quiet hours shall be from 10:00 p.m. to 7:00 a.m.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

Daniel Kleinhans – Owner of property located at 11424 Spring Lake Rd., in the SE¼, NW¼, of Section 8, T17N-R22E, Town of Meeme, Manitowoc, County, Wisconsin, tax parcel number (012-008-008-006.00) wherein a conditional use permit is being requested to operate a barn even venue in a GA, General Agricultural zoned district.

Chairperson Schuh opened the public hearing for Daniel Kleinhans.

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

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

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

Mr. Kleinhans had nothing to add to his appeal.

The Board had questions for Mr. Kleinhans.

Mr. Kleinhans answered questions for the Board.

People in attendance in favor to the request:

Bob Salm, representative for the Town of Meeme Land Use Committee, stated they approved the request.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Schuh closed the public hearing for Daniel Kleinhans.

Deliberation

Motion by: Mr. Christel to approve the Conditional Use Permit request.

Reasons for approval:

1. Sufficient evidence has been obtained from the applicant, the onsite inspection and public testimony to warrant an approval.
2. This use does not impede the orderly development of the district because it is a permitted as a conditional use within the GA district.
3. Based on public input, there was no opposition to the request.
4. The use is compatible with the surrounding area. It is permitted as a conditional use and the Town supported the request.
5. The intensity of the operation will not have a negative effect on surrounding properties because it provides adequate parking and is not close to any adjacent residences. Also, due to the proposed intensity regarding music, the speakers would be located inside the building and there would be no use of fireworks.
6. The proposed use fits on the parcel.
7. There is enough room to allow for off street parking.
8. The proposed driveway will provide adequate access.
9. The existing structure is acceptable to the area and has been there for a long time.

10. The use will not discourage appropriate development or use of adjacent land or buildings. The area is large enough and the structure already exists so it wouldn't affect adjacent development.
11. The use will not impair surrounding property values. There was no information to show that property values would be affected and this venue is greater than 600 feet from adjacent residences.
12. There are no proposed unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties allowable principal uses.
13. The use will not endanger the public's health, safety or welfare.

Conditions of approval:

1. Days of operation will be mostly on Saturdays from May thru October.
2. Hours of operation will be irregular but occur mostly between 12:00 p.m. and 1:00 a.m.
3. Lighting of the barn and grounds must be maintained in the barn and on the property.
4. Speakers must be located in the barn to help control noise.
5. Owner can have an on premise sign according to code.
6. Owner must provide off street parking. Parking will be located in the field, northeast of the barn.
7. No parking allowed on the town road.
8. Owner must work with the town to have "no parking" signs place on the road and determine the sign locations.
9. Delivery trucks for supplies for the venue are allowed.
10. All State and Health Department licensing and codes must be obtained and followed.
11. No discharge of fireworks allowed. However the property owner can use fireworks for his own private use.
12. The maximum number of occupancy shall be determined by the local fire department and the results posted on the venue for all to see.
13. Owner must have working smoke alarms and operating fire extinguishers on the grounds.
14. Bathrooms must follow county and state health codes.
15. Egress lighting shall be provided.
16. Other tents or short term structures needed for an event are allowed.

Second by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

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

Other Business

Correspondence not related to a hearing item:

Mr. Gaedtke informed the Board that he will notify the County Clerk of the secretary change.

Mr. Gaedtke informed the Board of next month's meeting agenda items to date.

Schedule Next Meeting: The next Board of Adjustment meeting is tentatively scheduled for Monday, January 17, 2022 and the onsite meeting for Monday, January 10, 2022. (Dates and times are subject to change.)

Adjournment

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

Aye: Schuh, Hoffman, Christel and Schuler; No: none.

Respectfully submitted,



Ken Schuler, Secretary



Date