



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

DATE: Monday, January 10, 2022
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. **Jason and Sheila Kittell** – Owner of property located at 13423 Hostak Rd., in the NW¼, SE¼, Section 25, T21N-R22E, Town of Cooperstown – Variance Request.
 2. **KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.
 3. **SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.
- IV. Old Business- None
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: January 5, 2022

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

4319 Expo Drive, P.O. Box 935, Manitowoc, WI 54221-0935

January 10, 2022

Due to unforeseen circumstances there were not enough board of adjustment members present to have a quorum.

Mr. Gaedtke informed Mr. Schuh there would be no meeting today and the Board could not hold a regular meeting on Monday January 17, 2022. Those meetings would have to be rescheduled.

The rescheduled meetings are tentatively set. Onsite meeting to take place on February 14, 2022 and the regular meeting is tentatively scheduled for February 21, 21022.



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, January 17, 2022
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. **Jason and Sheila Kittell** – Owner of property located at 13423 Hostak Rd., in the NW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 25, T21N-R22E, Town of Cooperstown – Variance Request.
- 2. **KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.
- 3. **SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.

VI. OLD BUSINESS

Discussion and possible action on: **NONE**

VII. OTHER BUSINESS

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

VIII. ADJOURNMENT

Date: January 5, 2022

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
ADVISORY & ON-SITE MEETING NOTICE

DATE: Monday, February 14, 2022
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. **Jason and Sheila Kittell** – Owner of property located at 13423 Hostak Rd., in the NW¼, SE¼, Section 25, T21N-R22E, Town of Cooperstown – Variance Request.
 - 2. **KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.
 - 3. **SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.
- IV. Old Business - None
- V. Other Business
 - 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: January 26, 2022

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**

February 14, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Monday, February 14, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

A motion was made by Mr. Schuler; seconded by Mr. Hoffman to approve the agenda for the February 14, 2022 meeting. Upon vote, the motion was unanimously approved.

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

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

The Board received their folders containing the February 21, 2022 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board determined that due to the previous meeting delay they had already viewed the properties individually so no onsite visits were necessary.

ADJOURNMENT

Motion by: Mr. Hoffman to adjourn.


Seconded by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,


Ken Schuler, Secretary


Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, February 21, 2022
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. **Jason and Sheila Kittell** – Owner of property located at 13423 Hostak Rd., in the NW¼, SE¼, Section 25, T21N-R22E, Town of Cooperstown – Variance Request.
- 2. **KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.
- 3. **SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.

VI. OLD BUSINESS

Discussion and possible action on: **NONE**

VII. OTHER BUSINESS

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

VIII. ADJOURNMENT

Date: January 26, 2022

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 21, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, February 21, 2022 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 and Ken Schuler. Members absent: None. Staff present: Reed Gaedtke.

A motion was made by, Mr. Hoffman, seconded by Mr. Schuler to approve the February 21, 2022 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuler, seconded by Mr. Christel to approve the minutes for the December 20, 2021 meeting. 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 on-site minutes for the February 14, 2022 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

Jason and Sheila Kittell – Owner of property located at 13423 Hostak Rd., in the NW¼, SE¼, Section 25, T21N-R22E, Town of Cooperstown, Manitowoc County, Wisconsin, tax parcel number (003-025-014-000.00) wherein a variance is being requested to construct a 20' x 32' barn addition at 33 feet from the centerline of Hostak Rd. and at zero feet from the right-of-way line, located in an EA, Exclusive Agricultural, zoned district.

Chairperson Schuh opened the public hearing for Jason & Sheila Kittell.

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.

Jason Kittell had nothing to add to their appeal.

Jason Kittell 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 (copy on file).

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

Deliberation

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

Reasons for approval:

1. The existing building is located in the road right-of-way and needs to be replaced which creates a hardship. In order to keep the utility portion of the barn in the same place, he has to build in the existing location.
2. The owner is burdened because he can't insure the building because the foundation is cracked. It needs to be replaced.
3. It will not have a negative effect on the public because Hostak Rd. is not a high usage road, the new addition will be outside the right-of-way and setback further than the old building, and a lot of buildings along Hostak Rd. are built closer to the road.

Second by: Mr. Christel

Upon vote: The motion was unanimously approved.

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

KRR Enterprises LLC – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-031-006-002.00) wherein the Manitowoc County Board of Adjustment has scheduled a hearing to review permit conditions, complaints and violations of their permit which allows the operation of a race track, tavern and event camping on their property located in a CB, Commercial Business, zoned district.

and

SDA Ahnapee LLC – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-031-006-005.00) wherein the Manitowoc County Board of Adjustment has scheduled a hearing to review permit conditions, complaints and violations of their permit which allows for event camping and the operation of a parking lot for the race track, in a GA, General Agricultural, zoned district.

Chairman Schuh and the representatives for KRR Enterprises LLC and SDA Ahnapee LLC agreed they would both prefer to combine the reviews and hear them at the same time.

Attorney Terry Gerbers and Dan Ratajczak represented KRR Enterprises LLC & SDA Ahnapee LLC.

Mr. Gaedtke gave an overview.

Chairperson Schuh opened the public hearing for KRR Enterprises LLC & SDA Ahnapee LLC.

Chairperson Schuh informed the audience each person would be limited to three minutes during public input.

Attorney Gerbers gave a brief statement.

Chairperson Schuh asked if the Board had any questions for the representatives.

The Board did not have any questions at this time.

Mr. Jim Thyrle, spoke in favor of the race track.

Mr. Bob Denor, spoke in favor of the race track.

Ms. Brenda Allen read a letter on behalf of Brittney Carma, in favor of the race track.

Mr. Don Kiel, spoke in favor of the race track.

Mr. Allan Thiry, spoke in favor of the race track.

Ms. Marie Jentsch, spoke in favor of the race track.

Mr. Ryan Collins, spoke in favor of the race track.

Ms. Susan Burden, spoke in opposition of the race track.

Ms. Amy Vos, spoke in opposition of the race track.

Ms. Sarah Hills, spoke in opposition of the race track.

Mr. Shane Hills, spoke in opposition of the race track.

Mr. Ken Meleziva, spoke in opposition of the race track.

Mr. Ben Voss, spoke in opposition of the race track.

There being no further comments, Chairperson Schuh closed the public input.

Attorney Gerbers spoke in rebuttal of the public input.

The Board asked questions from the representatives.

Mr. Ratajczak & Attorney Gerbers answered questions for the Board.

Motion by: Mr. Schuh to postpone the balance of the review until the next meeting.

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, March 21, 2022 and the onsite meeting for Monday, March 14, 2022. (Dates and times are subject to change.)

Adjournment

A motion was made by Mr. Christel 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,


Ken Schuler, Secretary

3/25/22
Date



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

DATE: Monday, March 14, 2022
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: KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.
 2. **Postponed: SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.
- IV. New Business
 1. **Silver Creek Nurseries Inc.** – Owner of property located at 1909 Silver Creek Rd., in the NE¼, NW¼, of Section 6, T18N-R24E, Town of Manitowoc – Appeal of Decision.
 2. **Mark Kornely** – Owner of property located at 5916 Pleasant View Ln., in the SE¼, NW¼, Section 19, T20N-R25E, Town of Two Rivers – Conditional Use Permit Request.
 3. **Schuler Dairy Farms Inc. and Kansas Calf Depot LLC** – Owners of property located at 9766 Greendale Rd., in the SE¼, SE¼, Section 35, T18N-R21E, Town of Eaton – Conditional Use Permit Request.
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: March 8, 2022

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 14, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Monday, March 14, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Dave Christel, Robert Salm and Ken Schuler. Members Absent: None.

A motion was made by Mr. Schuler; seconded by Mr. Christel approve the agenda for the February 14, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuh, Christel, Salm and Schuler; No: none;

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

Four citizens present for advisory meeting with concern regarding the Silver Creek Nurseries Inc appeal of decision. Sign in sheet on file.

The Board received their folders containing the March 21, 2022 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. Christel to adjourn.

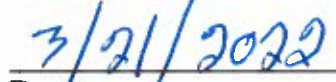
Seconded by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

Aye: Schuh, Christel, Salm and Schuler; No: none

Respectfully submitted,


Ken Schuler, Secretary


Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, March 21, 2022
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

Discussion and possible action on:

1. **Postponed: KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.
2. **Postponed: SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.

VI. NEW BUSINESS

Discussion and possible action on:

1. **Silver Creek Nurseries Inc.** – Owner of property located at 1909 Silver Creek Rd., in the NE¼, NW¼, of Section 6, T18N-R24E, Town of Manitowoc – Appeal of Decision.
2. **Mark Kornely** – Owner of property located at 5916 Pleasant View Ln., in the SE¼, NW¼, Section 19, T20N-R25E, Town of Two Rivers – Conditional Use Permit Request.
3. **Schuler Dairy Farms Inc. and Kansas Calf Depot LLC** – Owners of property located at 9766 Greendale Rd., in the SE¼, SE¼, Section 35, T18N-R21E, Town of Eaton – Conditional Use Permit Request.

VII. OTHER BUSINESS

1. Correspondence.
2. Election of Vice Chair.
3. Set April meeting date.

VIII. ADJOURNMENT

Date: March 8, 2022

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 21, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, March 21, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

A motion was made by, Mr. Christel, seconded by Mr. Salm to approve the March 21, 2022 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Christel, seconded by Mr. Schuler to approve the minutes for the February 21, 2022 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuler, seconded by Mr. Salm to approve the on-site minutes for the March 14, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Christel, Schuler, Schuh and Salm; 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: KRR Enterprises LLC – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-031-006-002.00) wherein the Manitowoc County Board of Adjustment has scheduled a hearing to review permit conditions, complaints and violations of their permit which allows the operation of a race track, tavern and event camping on their property located in a CB, Commercial Business, zoned district.

and

POSTPONED: SDA Ahnapee LLC – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-031-006-005.00) wherein the Manitowoc County Board of Adjustment has scheduled a hearing to review permit conditions, complaints and violations of their permit which allows for event camping and the operation of a parking lot for the race track, in a GA, General Agricultural, zoned district.

Mr. Schuh informed the Board and the public that KRR Enterprises LLC and SDA Ahnapee requested postponement until the April hearing due to a scheduling conflict.

New Business

Silver Creek Nurseries Inc. – Owner of property located at 1909 Silver Creek Rd., in the NE¼, NW¼, of Section 6, T18N-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, parcel number (009-007-005-002.00), is requesting an appeal of a decision regarding the issuance of a violation notice

for operating a concrete business in a GA, General Agricultural zoned district, without having a conditional use permit.

Chairperson Schuh opened the appeal for Jeff Edgar, Owner, Silver Creek Nurseries Inc.

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

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

Chairperson Schuh asked if there was anything to add to the appeal.

Mr. Edgar added to his appeal.

Mr. Schuh reiterated that tonight's purpose is to determine whether or not a violation has occurred.

Mr. Edgar answered questions for the Board.

Mr. Reed Gaedtke, Manitowoc County Zoning Administrator & Attorney Peter Conrad, Manitowoc County Corporation Counsel representing Manitowoc County answered questions for the Board.

Mr. Schuh closed the appeal for Jeffrey Edgar.

Deliberation

Motion by: Mr. Christel to deny the appeal.

Findings regarding the denied appeal:

1. The Board of Adjustments finds reasonable evidence to determine violations of the Manitowoc County Chapter 8 Zoning Ordinance have occurred regarding the occupancy of a recreational vehicle for more than 30 days and for operating a concrete business without the proper approval or permit.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Mark Kornely – Owner of property located at 5916 Pleasant View Ln., in the SE¼, NW¼, Section 19, T20N-R25E, Town of Two Rivers, Manitowoc County, Wisconsin, tax parcel number (018-219-008-002.00); wherein a conditional use permit is being requested to expand his existing mini storage business located in a RR, Rural Residential zoned district.

Chairperson Schuh opened the public hearing for Mark Kornely.

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.

Mark Kornely had nothing to add to their appeal, except he stated the address should be Pleasantview Lane not Pleasantview Court as read by the Secretary.

Mark Kornely 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.

Deliberation

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

Reasons for Appeal:

1. Sufficient evidence from the applicant, on-site visit and testimony warrants an approval.
2. The request doesn't impede the orderly development of the area because the business and other buildings already exist that is in line with the surrounding area.
3. It's compatible with the district because the use and some buildings already exist.
4. The intensity will not affect the area or surrounding properties the business exists and they addressed runoff concerns.
5. Based on the site plan and onsite visit; the use fits on the parcel size.
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 and none of the buildings are any higher than what is currently on the property.
8. The use will not discourage appropriate development or use of adjacent land or buildings. This is only an expansion of an existing business.
9. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use.
10. The use will not endanger the public's health, safety or welfare.

Conditions of Appeal:

1. Outside storage is allowable for a period of time. However, once buildings number 5 and 6 are constructed all outside storage must cease and desist.

Second by: Mr. Salm

Upon vote: The motion was unanimously approved.

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

Schuler Dairy Farms Inc. and Kansas Calf Depot LLC – Owners of property located at 9766 Greendale Rd., in the SE1/4, SE1/4, Section 35, T18N-R21E, Town of Eaton, Manitowoc County, Wisconsin, tax parcel numbers (004-035-016-002.00 and 004-035-016-000.00); wherein a conditional use permit is being requested by the applicant, Greendale Dairy LLC, to operate a calf hauling depot located in an EA, Exclusive Agricultural zoned district.

Chairperson Schuh opened the public hearing for Schuler Dairy Farms Inc. and Kansas Calf Depot LLC.

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.

Christine Schoenberger had nothing to add to their appeal.

Christine Schoenberger 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 Eaton in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Schuler Dairy Farms Inc. and Kansas Calf Depot LLC.

Deliberation

Mr. Christel stated he knows the applicant and will abstain from voting.

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

Reasons for Appeal:

1. Sufficient evidence from the applicant, on-site visit and testimony warrants an approval.
2. The request doesn't impede the orderly development of the district because it's surrounded by agricultural land.
3. There was no opposition at the town or county meetings.
4. It's compatible with the surrounding area.
5. The intensity will not affect the area or surrounding properties.
6. Based on the site plan and onsite visit; the use fits on the parcel size.
7. There is proper access.
8. The nature, location and height of the proposed and existing structures are acceptable on the property.
9. The use will not discourage appropriate development or use of adjacent land.
10. The use will not impair the value of surrounding properties.
11. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use.
12. The use will not endanger the public's health, safety or welfare.

Conditions of Appeal:

1. Days of operation will be seven days per week.
2. Hours of operation will be 5:00 a.m. to 4:00 p.m.
3. Number of employees will be 25.
4. Number of buildings allowed are as shown on the site plan.

Second by: Mr. Salm.

Upon vote: The motion was approved, 3-0.

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

Other Business

Correspondence not related to a hearing item:

Mr. Gaedtke informed the Board that they need to elect a new Vice Chair.

A motion was made by, Mr. Schuler, seconded by Mr. Salm to elect Dave Christel as Vice Chair for the remainder of term. Upon vote, the motion was unanimously approved.

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

Schedule Next Meeting:

The next Board of Adjustment meeting is tentatively scheduled for Monday, April 18, 2022 and the onsite meeting for Tuesday, April 12, 2022. (Dates and times are subject to change.)

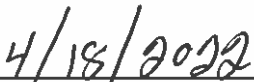
Adjournment

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

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

Respectfully submitted,


Ken Schuler, Secretary


Date



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

DATE: Tuesday, April 12, 2022
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. **Chad and Jessica Hemenway** – Owners of property located off of East Spring Valley Rd., in the NW¼, NE¼, Section 23, T17N-R22E, Town of Two Meeme – Conditional Use Permit Request.
 - 2. **Jeffrey Rochon and Joyce Judkins** – Owners of property located off of South 10th Street, on LOT 12 of Govt. Lot 3 E of CTH LS Calvin Creek Estates, Section 7, T18N-R24E, Town of Manitowoc – Variance Permit Request.
- IV. Old Business
 - 1. **Postponed: KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.
 - 2. **Postponed: SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.
- V. Other Business
 - 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: April 4, 2022

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**

April 12, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Tuesday, April 12, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Robert Salm and Ken Schuler. Members Absent: Dave Christel.

Staff present for advisory meeting: Reed Gaedtke.

The Board received their folders containing the April 18, 2022 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. Salm.

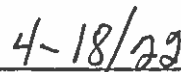
Upon vote: The motion was unanimously approved.

Aye: Schuh, Salm and Schuler; *No:* none

Respectfully submitted,



Ken Schuler, Secretary



Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, April 18, 2022
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. **Chad and Jessica Hemenway** – Owners of property located off of East Spring Valley Rd., in the NW¼, NE¼, Section 23, T17N-R22E, Town of Two Meeme – Conditional Use Permit Request.
- 2. **Jeffrey Rochon and Joyce Judkins** – Owners of property located off of South 10th Street, on LOT 12 of Govt. Lot 3 E of CTH LS Calvin Creek Estates, Section 7, T18N-R24E, Town of Manitowoc – Variance Permit Request.

VI. OLD BUSINESS

Discussion and possible action on:

- 1. **Postponed: KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.
- 2. **Postponed: SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – Review of complaints and conditions of existing Conditional Use Permit.

VII. OTHER BUSINESS

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

VIII. ADJOURNMENT

Date: April 4, 2022

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**

April 18, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, April 18, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Bob Salm, and Ken Schuler. Members absent: Dave Christel. Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuler, seconded by Mr. Salm to approve the April 18, 2022 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Salm, seconded by Mr. Schuler to approve the minutes for the March 21, 2022 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuler, seconded by Mr. Salm to approve the on-site minutes for the April 12, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Schuh and Salm; 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

Chad and Jessica Hemenway – Owners of property located off of East Spring Valley Rd., in the NW¼, NE¼, Section 23, T17N-R22E, Town of Meeme, Manitowoc County, Wisconsin, tax parcel number (012-023-002-001.00); wherein a conditional use permit is being requested to construct a single family home and detached garage in a NA, Natural Area, S1, Shoreland, zoned district.

Chairperson Schuh opened the public hearing for Chad Hemenway.

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.

Chad Hemenway stated they are in discussion with the builder and are aware they may have to do an elevation survey.

Chad Hemenway 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 Chad Hemenway.

Deliberation

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

Reasons for Appeal:

1. Sufficient evidence from the applicant, on-site visit and testimony warrants an approval.
2. The request complies with zoning regulations.
3. The request doesn't impede the orderly development of the area because it will be a house.
4. It's compatible with the surrounding area.
5. The intensity will not affect the area or surrounding properties because it is an isolated area.
6. The use fits on the parcel size.
7. There is an existing driveway that allows for proper access.
8. The nature, location and height of the proposed and existing structure are acceptable on the property. It will be a house with a detached garage.
9. The use will not discourage appropriate development or use of adjacent land or buildings. It is fairly isolated and there is plenty of room for a house.
10. The use will not impair the value of surrounding properties.
11. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use.
12. The use will not endanger the public's health, safety or welfare.

Second by: Mr. Salm

Upon vote: The motion was unanimously approved.

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

Jeffrey Rochon and Joyce Judkins – Owners of property located off of South 10th Street, on LOT 12 of Govt. Lot 3 E of CTH LS Calvin Creek Estates, Section 7, T18N-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, tax parcel number (009-007-012-002.12); wherein a variance is being requested to construct a house within the Lake Michigan bluff setback, located in a RR, Rural Residential, S1, Shoreland, zoned district.

Chairperson Schuh opened the public hearing for Jeffrey Rochon & Joyce Judkins.

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.

Jeffrey Rochon spoke regarding the history of this parcel.

Jeffrey Rochon answered questions for the Board.

People in attendance in favor of the request:

Mr. Steve Lankton, spoke in favor of the request.

People in attendance opposed to the request: none.

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 Jeffrey Rochon and Joyce Judkins.

Deliberation

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

Reasons for approval:

1. The lot has a unique shape and it is also restricted by a steep bluff to the east, a steep bank from the creek to the south west, and some drainage issues which create hardships and a burden on the owner by limiting a buildable area for a home.
2. It will not have a negative effect on the public because the house will be isolated at the end of a subdivision and the applicant has stated the bluff and creek slope will be stabilized which will actually be a benefit to the public.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Old Business

POSTPONED: KRR Enterprises LLC – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-031-006-002.00) wherein the Manitowoc County Board of Adjustment has scheduled a hearing to review permit conditions, complaints and violations of their permit which allows the operation of a race track, tavern and event camping on their property located in a CB, Commercial Business, zoned district.

and

POSTPONED: SDA Ahnapee LLC – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-031-006-005.00) wherein the Manitowoc County Board of Adjustment has scheduled a hearing to review permit conditions, complaints and violations of their permit which allows for event camping and the operation of a parking lot for the race track, in a GA, General Agricultural, zoned district.

Motion by: Mr. Salm to remove KRR Enterprises LLC and SDA Ahnapee LLC's postponed conditional use review from the table.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

The Board reviewed KRR Enterprises LLC & SDA Ahnapee LLC's request to change conditions.

Attorney Terry Gerbers and Mr. Scott Rajtychek representing KRR Enterprises LLC and SDA Ahnapee LLC answered questions for the Board.

Motion by: Mr. Schuh that KRR Enterprises LLC and SDA Ahnapee LLC did not comply with all the conditions on their permit.

If KRR Enterprises LLC & SDA Ahnapee LLC wanted modification to their existing permits; the Board would make a reasonable effort to review KRR Enterprises LLC and SDA Ahnapee LLC's application for conditional use permit amendments, which shall be designed to mitigate the concerns and complaints.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Other Business

Correspondence not related to a hearing item:

Mr. Gaedtke shared an educational opportunity with the Board to attend various zoning webinars.

Schedule Next Meeting:

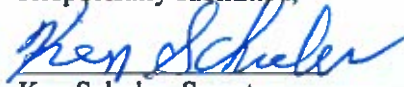
The next Board of Adjustment meeting is tentatively scheduled for Monday, May 16, 2022 and the onsite meeting for Tuesday, May 10, 2022. (Dates and times are subject to change.)

Adjournment

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

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

Respectfully submitted,


Ken Schuler, Secretary

5-16-2022
Date



MANITOWOC COUNTY

BOARD OF ADJUSTMENT

ADVISORY & ON-SITE MEETING NOTICE

DATE: Tuesday, May 10, 2022
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. **Tim Rindt** – Owner of property located at 9230 Pigeon Lake Rd., in the SW¼, NE¼, Section 33, T18N-R22E, Town of Liberty – Variance Permit Request.
 2. **T & L Invesment Group LLC** – Owner of property located off of CTH CR, in the SW¼, SW¼, Section 23, T18N-R23E, Town of Newton – Variance Permit Request.
 3. **Eric Hagenow** – Owner of property located at 22107 Point Creek Rd., in the SW¼, SW¼, Section 4, T17N-R21E, Town of Schleswig – Variance Permit Request.
 4. **Titus & Rachel Beachy** – Owner of property located at 3405 STH 147 W, in the NW¼, SE¼, Section 27, T21N-R23E, Town of Gibson – Conditional Use Permit Request.
 5. **Silver Creek Nurseries Inc.** – Owner of property located at 1909 Silver Creek Rd., in the NE¼, NW¼, of Section 7, T18N-R24E, Town of Manitowoc – Conditional Use Permit Request.
 6. **KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – requesting modifications to their existing conditional use permit conditions.
 7. **SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson – requesting modifications to their existing conditional use permit conditions.
- IV. Old Business
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: May 4, 2022

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, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Tuesday, May 10, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Bonnie Timm, Robert Salm and Ken Schuler. Members Absent: Dave Christel.

A motion was made by Ms. Timm; seconded by Mr. Schuler to approve the agenda for the May 10, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuh, Timm, Salm and Schuler; No: none;

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

The Board received their folders containing the May 16, 2022 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: Ms. Timm.

Upon vote: The motion was unanimously approved.

Aye: Schuh, Timm, Salm and Schuler; No: none

Respectfully submitted,



Ken Schuler, Secretary

5-17-22
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, May 16, 2022
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. **Tim Rindt** – Owner of property located at 9230 Pigeon Lake Rd., in the SW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 33, T18N-R22E, Town of Liberty – Variance Permit Request.
2. **T & L Investment Group LLC** – Owner of property located off of CTH CR, in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 23, T18N-R23E, Town of Newton – Variance Permit Request.
3. **Eric Hagenow** – Owner of property located at 22107 Point Creek Rd., in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 4, T17N-R21E, Town of Schleswig – Variance Permit Request.
4. **Titus & Rachel Beachy** – Owner of property located at 3405 STH 147 W, in the NW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 27, T21N-R23E, Town of Gibson – Conditional Use Permit Request.
5. **Silver Creek Nurseries Inc.** – Owner of property located at 1909 Silver Creek Rd., in the NE $\frac{1}{4}$, NW $\frac{1}{4}$, of Section 7, T18N-R24E, Town of Manitowoc – Conditional Use Permit Request.
6. **KRR Enterprises LLC** – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 31, T21N-R23E, Town of Gibson – requesting modifications to their existing conditional use permit conditions.
7. **SDA Ahnapee LLC** – Owner of property located off of CTH R in the NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 31, T21N-R23E, Town of Gibson – requesting modifications to their existing conditional use permit conditions.

VI. OLD BUSINESS

Discussion and possible action on: None

VII. OTHER BUSINESS

1. Correspondence.
2. Set June meeting date.
3. Discussion of July meeting date.

VIII. ADJOURNMENT

Date: May 4, 2022

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 16, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, May 16, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

A motion was made by, Mr. Christel, seconded by Mr. Salm to approve the May 16, 2022 meeting agenda. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

A motion was made by, Mr. Schuler, seconded by Mr. Christel to approve the minutes for the April 18, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

A motion was made by, Mr. Salm, seconded by Ms. Timm to approve the on-site minutes for the May 10, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; 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

Tim Rindt – Owner of property located at 9230 Pigeon Lake Rd., in the SW¼, NE¼, Section 33, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, tax parcel number (008-033-003-007.00) wherein a variance is being requested to construct a 9' x 17' screened patio over an existing deck at 40 feet from the ordinary high water mark of Pigeon Lake, located in a LR, Lake Residential, S1, Shoreland, zoned district.

Chairperson Schuh opened the public hearing for Mr. Rindt.

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. Rindt stated the storm water would be going to the north into the grassy area.

Mr. Rindt answered questions for the Board.

Chairperson Schuh informed the public they would be limiting public input to 3 minutes per person.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

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

Deliberation

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

Reasons for approval:

1. The lot is long, narrow and steep which creates a hardship for the owner. There is no area to expand the existing structure, and the steep slope prevents them from encroaching closer to the lake.
2. Due to the owner's medical condition and needing to stay out of the sun and the long, narrow, steep lot prevents the owner from the full use of his property.
3. It will not have a negative effect on the public because the structure will be built over an existing deck and it will not impede the adjacent neighbors' line of site from the north or south.
4. There won't be any increased sediment or runoff to the lake.
5. The Town of Liberty received positive input for the construction project and sent a letter recommending approval.

Second by: Mr. Salm

Upon vote: The motion was unanimously approved.

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

T & L Investment Group LLC – Owner of property located off of CTH CR, in the SW¼, SW¼, Section 23, T18N-R23E, Town of Newton, Manitowoc County, Wisconsin, tax parcel number (014-023-011-004.03) wherein a variance is being requested to construct a 40' x 150' mini-warehouse building at approximately 40 feet from the ordinary high water mark of a navigable stream located in a S1, Shoreland, zoned district.

Chairperson Schuh opened the public hearing for Tim Fettig, representing T&L Investment Group LLC.

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. Fettig had nothing to add to his appeal.

Mr. Fettig 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 in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for T&L Investment Group LLC.

Deliberation

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

Reasons for approval:

1. The after the fact discovery of a questionable navigable water way creates a hardship on the owner. Navigability of the nearby stream wasn't determined until after the project was approved to begin. The Wisconsin Department of Natural Resources (WDNR) visited the site and determined the existing manmade retention pond is part of the navigable stream.
2. The owner is burdened because the WDNR approved the construction plans prior to the navigability determination of the manmade pond. By that time, the plans and project were started. There was already an investment into the property and the loss of revenue due to removing or decreasing a building would have an added burden on the owner.
3. The request will not have a negative effect on the public because in the past there was no issue with the manmade pond. Runoff from the new project will not run into the navigable waterway because the owner is constructing a new retention pond to accept water runoff.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Eric Hagenow – Owner of property located at 22107 Point Creek Rd., in the SW¼, SW¼, Section 4, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel number (016-004-011-005.01) wherein a variance is being requested to construct a 40' x 68' storage building at 60 feet from the ordinary high water mark of a navigable stream located in a LE, Large Estate, S1, Shoreland, zoned district.

Chairperson Schuh opened the public hearing for Mr. Hagenow.

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

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

Mr. Hagenow 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. Hagenow.

Deliberation

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

Reasons for approval:

1. The property layout and location of the driveway create a hardship making it not feasible to construct the needed building at 75 feet from the waterway.
2. The new proposed building will be further from the water way than the old building.
3. The owner is burdened because he needs a building for his farm equipment. The old building was destroyed by winds a number of years ago and it would be an added burden to try and fix the old building.
4. The structure will not have a negative effect on the public because it won't impede any adjacent property owner's view and the new building will be further from the water way to allow more room for runoff water to infiltrate into the soil.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Titus & Rachel Beachy – Owner of property located at 3405 STH 147 W, in the NW¼, SE¼, Section 27, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-027-014-002.01) wherein a conditional use permit is being requested to operate a small outdoor furniture business in a RR, Rural Residential, zoned district.

Chairperson Schuh opened the public hearing for Mr. Beachy.

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. Beachy stated he was considering having a sign on his building not in the yard, as stated in application.

Mr. Beachy answered questions for the Board.

People in attendance in favor of the request:

Richard Wegner, Town Chairperson, spoke and stated the Town Board approved the request.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter 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 Mr. Beachy.

Deliberation

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

Reasons for Approval:

1. Sufficient evidence from the applicant, on-site visit and testimony warrants an approval.
2. The proposed use does not impede the orderly development of the district.
3. It's compatible with the surrounding area and was approved by the town and neighbors.
4. The intensity will not have a negative effect to the area or surrounding properties.
5. Based on the site plan and onsite visit; the use fits on the parcel size.
6. There is proper access.
7. The nature, location and height of the existing structure is acceptable.
8. The use will not discourage appropriate development or use of adjacent land.
9. The use will not impair the value of surrounding properties. It's located quite far from any other neighboring adjacent building.
10. There are no unsafe factors, 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. Days of operation shall be Monday through Saturday.
2. Hours of operation shall be 8:00 a.m. to 7:00 p.m.
3. Noise from equipment shall be contained inside the building.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Silver Creek Nurseries Inc. – Owner of property located at 1909 Silver Creek Rd., in the NE¼, NW¼, of Section 7, T18N-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, parcel number (009-007-005-002.00), wherein a conditional use permit is being requested to operate a masonry, storage and snow removal business in a GA, General Agricultural zoned district.

Chairperson Schuh opened the public hearing for Silver Creek Nurseries. Jeff Edgar for Silver Creek Nurseries, Anthony Seiler Jr (a/k/a TJ Seiler), Attorney Trent Nelson.

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.

Attorney Nelson highlighted a few items listed on the application. Mr. Edgar gave a history of the property & nursery business. In addition, Mr. Seiler described his required use of the property for the proposed business.

Mr. Seiler answered questions for the Board.

People in attendance in favor of the request:

Jason Novak, employee of SC Concrete, spoke in favor of the request.

Dean Sprang, previous employee of Silver Creek Nursery, spoke in favor of the request.

Jane Sleep, adjacent property owner, spoke in favor of the request.

James & Kristen Odell, adjacent property owner, spoke in favor of the request.

Dave Noworatzky, adjacent property owner, spoke in favor of the request.

People in attendance opposed to the request: none:

Attorney Jeff Jakles, brother to adjacent property owner Sue Klinkner, spoke opposed to the request.

Sue Klinkner, adjacent property owner, spoke opposed to the request.

Tom Stanton, adjacent property owner, spoke opposed to the request.

Steve Klinkner, adjacent property owner, spoke opposed to the request.

Ronald Ratajczak, property owner on Silver Creek Rd, spoke opposed to the request.

Don Cichantek, adjacent property owner, spoke opposed to the request.

Mr. Seiler & Mr. Edgar responded to statements made by people opposed to the request. Attorney Nelson addressed the statements by Attorney Jeff Jakles.

There being no further comments, Chairperson Schuh closed the public hearing for Silver Creek Nurseries Inc.

Deliberation

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

Reasons for Approval:

1. Sufficient evidence from the applicant, on-site visit and testimony warrants an approval.
2. Based on the conditions put in place; the request does not impede the orderly development of the district.
3. The conditions of approval make the proposed use compatible with the surrounding area.
4. The intensity will not affect the area or surrounding properties because it is no more objectionable than the permitted use allowed on the property, because of the conditions that are in place and because no concrete crushing or shaking will occur on site.
5. Based on the site plan and onsite visit; the use fits on the parcel size.
6. There is proper access.

7. The nature, location and height the existing structures are acceptable on the property. They have been in place for years without any objection.
8. The use will not discourage appropriate development or use of adjacent land because of the added conditions and because the existing operations have been in place for several years with no discouragement. Also because the use of a shaker, crusher, and breaking of concrete will not occur on the property.
9. The use will not impair the value of surrounding properties. The permitted tree nursery and the proposed business have both been operating on site for several years with no impairment to property value and there was no evidence or proof to show otherwise.
10. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use. The applicant will eliminate the shaker noises so the remaining business noises will be in line with similar noises and uses of the zoning district.
11. The use will not endanger the public's health, safety or welfare and no factual evidence has been brought forward to show otherwise.

Conditions of Approval:

1. Days of operation shall be Monday through Saturday.
2. Summer hours of operation shall be 6:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 12:00 p.m. (noon) on Saturday.
3. Winter hours of operation shall be 7:00 a.m. to 5:00 p.m. Monday through Friday and 7:00 a.m. to 12:00 p.m. (noon) on Saturday.
4. No vehicles shall start before hours of operation unless they are inside a building.
5. Summer Season is defined as being April 1st through November 30th.
6. Winter Season is defined as being December 1st through March 31st.
7. Snow removal hours will be 24/7 as needed.
8. Number of employees will be 12.
9. A vegetative buffer that is evergreen in nature shall be established on the east and west sides of the property for screening purposes.
10. The vegetative buffer shall be established within one year.
11. Crushing, screening, braking of concrete or use of an elevator is prohibited.
12. A review of this conditional use permit shall occur in July 2023.
13. Material storage is limited to 100 cubic yards total.
14. The conditions of this permit are for the proposed use only and do not include the nursery which is a permitted use.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

KRR Enterprises LLC – Owner of property located at 12812 CTH R (a.k.a. 141 Speedway), in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-031-006-002.00) wherein the applicant is requesting modifications to their existing conditional use permit which currently allows for a race track, tavern and event camping business on property located in a CB, Commercial Business, zoned district.

and

SDA Ahnapee LLC – Owner of property located off of CTH R in the NW¼, NW¼, Section 31, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-031-006-005.00) wherein the applicant is requesting modifications to their existing conditional use permit which currently allows for event camping and the operation of a parking lot for the race track. The property is located in a GA, General Agricultural, zoned district.

Attorney Terry Gerbers, Mr. Scott Ratajczak, Ms. Emma Ratajczak representing KRR Enterprises LLC and SDA Ahnapee LLC answered questions for the Board.

Attorney Gerbers requested both KRR Enterprises LLC and SDA Ahnapee LLC be heard together.

Chairperson Schuh opened the public hearing for KRR Enterprises LLC and SDA Ahnapee LLC.

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.

Attorney Gerbers gave a recap of how they came to the point of requesting condition modifications.

The representatives answered questions for the Board.

People in attendance in favor of the request:

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

Jim Thyrle spoke in favor of the request.

People in attendance opposed to the request:

Amy Voss spoke in opposition of the request.

Sarah Hills spoke in opposition of the request.

Linda Wagner spoke in opposition of the request.

Jessica Wanserski, Manitowoc Health Department, explained the camping regulations to the Board.

Sue Burden spoke in opposition of the request.

Ben Voss spoke in opposition of the request.

Shane Hills spoke in opposition of the request.

Mr. Gaedtke stated the Town of Gibson sent a letter in favor of the request.

There being no further comments, Chairperson Schuh closed the public hearing for Silver Creek Nurseries Inc.

Attorney Gerbers spoke in rebuttal of the public input.

The representatives answered additional questions for the Board.

Deliberation

Motion by: Mr. Schuh to approve the conditional use permit requests.

KRR Enterprises LLC

Reasons for Approval:

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

Conditions of Use:

1. The tavern and restaurant operation fall under other State, County and Town regulations and are not subject to additional conditions. The tavern conditions remain the same as the previous permit; no conditions.
2. An event shall be described as any day or portion thereof that the track is in use for any purpose, excluding maintenance activity. This includes but is not limited to: races, practice sessions (regardless of number of vehicles or laps), concerts or other venues.
3. Crowd control and security shall be provided by a minimum of two security officers for events over 500 people and four security officers for events over 1000 people.
4. Litter and trash shall be removed within 24 hours of an event and not allowed to become windblown.
5. Unless used in the operation of the track for safety purposes, no surplus tires shall be stored outdoors on the property.
6. Junk vehicles are not allowed on the property.
7. Three convicted violations of County Ordinances or these conditions within a 12 month period shall be grounds for revocation of this conditional use permit.

8. Days of operation shall be limited to no more than three days in any calendar week, Monday through Saturday. Sunday events shall be limited to no more than three Sundays in a calendar year and no more than one Sunday in a calendar month.
However, if extraordinary circumstances exist, the three (3) day special race events may be extended to a fourth (4th) day. Extraordinary circumstances would include, but are not limited to, medical events requiring medical transportation from the track, weather delays and power outages. The owners (KRR) shall provide a written notice to the Manitowoc County Board of Adjustment and the Town of Gibson, any time race events are extended to a fourth (4th) day because of extraordinary circumstances, which shall identify the specific circumstance.
9. No practice allowed on Sundays.
10. Hours of operation for track events shall be limited to 11:00 a.m. to 10:30 p.m. all year, except for concerts.
However, if extraordinary circumstances exist, the hours of operation maybe extended in order to complete the racing program, provided they do not extend beyond 11:30 p.m. Extraordinary circumstances would include, but are not limited to, medical events requiring medical transportation from the track, weather delays and power outages. The owner (KRR) shall provide a written notice to the Manitowoc County Board of Adjustment and the Town of Gibson any time the hours are extended because of extraordinary circumstances, which shall identify the specific circumstances and the time that the event concluded.
11. Concert hours shall be from 11:00 a.m. to 12:00 midnight.
12. Concerts are limited to no more than three in a calendar year.
13. Fireworks are not permitted without a permit from the town.
14. Dust control measures shall be employed regularly and reviewed for better practices, in an effort to minimize fugitive dust during events, practice sessions and dry weather.
15. Use of a public address system (P.A.) is acceptable for announcements, event organization, low volume background music and safety purposes. However, the volume must not be excessive and it shall be used only during the authorized hours of operation. Use of a speaker system for other purposes is not allowed.
16. Adequate fencing must be maintained to separate spectators from participant activity to maximize safety.
17. Lighting is allowed for night events and parking areas and it is to be directed onto the track and parking areas. To the extent possible, without reducing track safety, reasonable efforts shall be implemented to reduce lighting off KRR's property. The two eighty-foot tall track lights must be turned off within one half-hour after the event ends.
18. Lighting for the pits shall be turned off one hour after the event ends.
19. Lighting for the parking lot can remain on until closing.
20. Overnight camping is allowed from April through October in accordance with Manitowoc County Health Department regulations. Parking and camping on non-event nights shall be in locations to minimize noise and inconvenience to neighboring properties. Camping is restricted to no more than two days prior to an event and on event nights.
21. Noise shall be limited to automobile engines, PA system and music concerts and to be prevalent only during authorized hours of operation. The only exception shall be for the unloading and loading of participant vehicles before and for one hour after an event. Any vehicles to be loaded more than one hour after an event shall be winched onto a trailer.
22. The tree lines on both the north and south property lines shall be maintained to improve aesthetics and help reduce noise and dust. These tree lines shall run along the entire length of the property lines beginning outside the right-of-way and terminating at the end of the property. They are to be staggered rows of cedar or spruce trees that are a minimum of five feet in height, closely spaced and have sufficient branches to form an effective screen. A minimum of two

rows is required. Trees do not need to be planted on the southwest corner of the property near the pits, where bedrock is located near the surface.

23. There will be no parking on any County or Town roads by employees, participants or attendees.
24. This conditional use permit will be subject to a one year performance review by the Board of Adjustment starting October 2017. Subsequent timing of additional reviews will be at the discretion of the Board and based upon the findings at that time.
25. The owner shall keep records regarding event frequency, hours of use, dust control measures, security provisions and any other pertinent information for review purposes in case of complaints.

SDA Ahnappee LLC

Reasons for Approval:

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

Conditions of Approval:

1. The approval of this conditional use permit is subject to the property being rezoned to the GA, General Agricultural district.
2. The safety plan from Ayres Associates must be implemented with the omission of the police officer control requirement and the omission of the last two items of the plan listed in the "Major" section: (Parking Shuttle Service and purchasing additional land on the west side of CTH R.). This plan shall be the minimum safety standards to be followed. All additional conditions of this permit also apply. SDA Ahnappee LLC must work with the Manitowoc County Highway Department and Traffic Safety Commission and assist in the implementation of these and any additional recommendations.
3. They must have an insurance policy approved by the Corporation Counsel that satisfies Manitowoc County's requirements.
4. Camping is permitted, subject to county Health Department Regulations.
5. An event shall be described as any day or portion thereof that the race track is in use for any purpose, excluding maintenance activity. This includes but is not limited to; races, practice sessions (regardless of number of vehicles or laps), concerts or other venues."
6. Hours of operation for track event parking shall be 11:00 a.m. to 2:30 a.m.

7. Hours of operation for concert event parking shall be 11:00 a.m. to 2:30 a.m.
8. Litter and trash shall be removed within 24 hours of an event and not allowed to become windblown.
9. Three convicted violations of Manitowoc County Ordinances or these conditions within a 12 month period shall be grounds for revocation of this conditional use permit.
10. Lighting for the parking lot and pedestrian areas may remain on for safety and security purposes until 3:00 a.m.
11. There will be no parking on any County or Town roads by employees, participants or attendees.
12. Camping overnight two days before an event and for an event duration is acceptable.
13. Camping on a week to week basis is not allowed.
14. This conditional use permit is subject to an annual review with the next review taking place October 2017 and then yearly reviews after that. However, depending upon conditions found, or noted or complaints reported; additional reviews and permit modifications may occur.
15. If additional findings are made by the Traffic Safety Commission, the Board of Adjustment will reserve the right to have earlier reviews.
16. Ingress and egress for vehicular traffic shall use driveway #4, located on Old Y Road, as shown in the Ayres Associates safety plan.
17. Pedestrian crossing shall occur at driveway #3 only, as shown in the Ayres Associates safety plan.
18. Roadway lighting with designated pedestrian crossing area shall be illuminated a half hour before dusk and remain lit until dawn. Lighting use and placement shall be approved by Highway Department permit.
19. All traffic cones listed in the Ayres Associates safety recommendations must meet MUTCD (Manual on Uniform Traffic Control Devices) requirements.
20. Fencing must be provided according to the submitted safety plan from Ayres Associates.
21. The parking requirements listed in section 8.35 of the Manitowoc County General Zoning and Land Use Regulation Ordinance must be followed. This may include additional fencing. To the extent existing fencing is insufficient to prevent damage or entry onto neighboring properties, other landscape or barriers shall be placed to prevent further entry onto such properties.
22. Pit cars and transport haulers for cars are only permitted to be parked on this property. No loading or unloading shall occur on this property.
23. The parking and camping area allowed shall be restricted to 10 acres. This acreage is subject to future reviews by the Board and the needs of the business.
24. Pedestrian crossing lights shall be turned on one hour before events begin and left on until close or 3:00 a.m.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Old Business: None

Other Business:

Correspondence not related to a hearing item: None

Schedule Next Meeting:

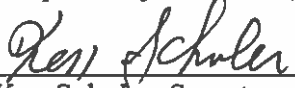
The next Board of Adjustment meeting is tentatively scheduled for Monday, June 20, 2022 and the onsite meeting for Tuesday, June 14, 2022. (Dates and times are subject to change.)

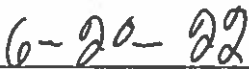
Adjournment

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

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

Respectfully submitted,


Ken Schuler, Secretary


Date



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

DATE: Tuesday, June 14, 2022
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. **Kyle & Rachel Karstaedt** – Owners of property located off of Seidl Rd., in the NW¼, SE¼, Section 21, T20N-R23E, Town of Kossuth – Conditional Use Permit Request.
 2. **Mathew Endries** – Owner of property located at 14207 CTH C, in the NW¼, NE¼, Section 28, T18N-R22E, Town of Liberty – Variance Permit Request.
 3. **The Production Farm Inc. – 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 Permit Review.
 4. **Jim Schultz Commercial LLC.** – Owner of property located at 12901 CTH M in the SW¼, NE¼, of Section 17, T17N-R22E, Town of Meeme – Conditional Use Permit Review.
- IV. Old Business
- V. Other Business
 1. Correspondence
 2. Reappointment procedure.
- VI. On-sites
- VII. Adjournment

Date: June 6, 2022

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**

June 14, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Tuesday, June 14, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Bonnie Timm, Robert Salm and Ken Schuler. Members Absent: Dave Christel.

A motion was made by Mr. Schuler; seconded by Ms. Timm to approve the agenda for the June 14, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuh, Timm, Salm and Schuler; No: none;

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

The Board received their folders containing the June 20, 2022 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

Mr. Gaedtke received clarification from the Board regarding condition #18 for KRR Enterprises LLC.

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

ADJOURNMENT

Motion by: Ms. Timm to adjourn.

Seconded by: Mr. Salm.

Upon vote: The motion was unanimously approved.

Aye: Schuh, Timm, Salm and Schuler; No: none

Respectfully submitted,


Ken Schuler, Secretary

6-20-22
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, June 20, 2022
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. **Kyle & Rachel Karstaedt** – Owners of property located off of Seidl Rd., in the NW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 21, T20N-R23E, Town of Kossuth – Conditional Use Permit Request.
- 2. **Mathew Endries** – Owner of property located at 14207 CTH C, in the NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 28, T18N-R22E, Town of Liberty – Variance Permit Request.
- 3. **The Production Farm Inc. – 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 Permit Review.
- 4. **Jim Schultz Commercial LLC.** – Owner of property located at 12901 CTH M in the SW $\frac{1}{4}$, NE $\frac{1}{4}$, of Section 17, T17N-R22E, Town of Meeme – Conditional Use Permit Review.

VI. OLD BUSINESS

Discussion and possible action on: None

VII. OTHER BUSINESS

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

VIII. ADJOURNMENT

Date: June 6, 2022

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 20, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, June 20, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

A motion was made by, Ms. Timm, seconded by Mr. Salm to approve the June 20, 2022 meeting agenda. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

A motion was made by, Mr. Schuler, seconded by Ms. Timm to approve the minutes for the May 16, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

A motion was made by, Mr. Salm, seconded by Mr. Christel to approve the on-site minutes for the June 14, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; 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

Kyle & Rachel Karstaedt – Owners of property located off of Seidl Rd., in the NW¼, SE¼, Section 21, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, tax parcel number (007-021-014-000.00) wherein a conditional use permit is being requested to construct a single family home and garage in a NA, Natural Area, S1, Shoreland, zoned district.

Chairperson Schuh opened the public hearing for Mr. & Mrs. Karstaedt.

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. & Mrs. Karstaedt had nothing to add to their appeal.

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

People in attendance opposed to the request:

Richard Kunz, adjacent neighbor, he would like to see the water drainage area to the north preserved.

People in attendance in favor of the request: none.

Mr. Schuh stated the Town of Kossuth voted in favor of the request.

There being no further comments, Chairperson Schuh closed the public hearing for Mr. & Mrs. Karstaedt.

Deliberation

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

Reasons for Appeal:

1. Sufficient evidence from the applicant, on-site visit and testimony warrants an approval.
2. The request doesn't impede the orderly development of the area because it will be a house.
3. The use will not affect the area or surrounding properties because it is a residence surrounded by a moderate amount of neighboring residences.
4. The use fits on the large parcel.
5. There is an existing driveway that allows for proper access.
6. The nature, location and height of the proposed structure is acceptable and falls in line with other structures in the area.
7. The use will not discourage appropriate development or use of adjacent land or buildings because it's a residence in a development area.
8. The use will not impair the value of surrounding properties.
9. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable because it will be a house.
10. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. The natural drainage area shall remain unaltered.

Second by: Mr. Schuler

Upon vote: The motion was unanimously approved.

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

Mathew Endries – Owner of property located at 14207 CTH C, in the NW¼, NE¼, Section 28, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, tax parcel number (008-028-002-001.00) wherein a variance is being requested to construct a 21' x 21' house addition at 75 feet from the centerline of CTH C, located in a RR, Rural Residential zoned district.

Chairperson Schuh opened the public hearing for Mathew Endries.

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. Endries had nothing to add to his appeal.

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

There being no further comments, Chairperson Schuh closed the public hearing for Matthew Endries.

Deliberation

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

Reasons for Approval:

1. The existing home is located within the road setback creating a hardship for constructing the new addition which is needed for safe access in inclement weather.
2. The owners are burdened because they need safe access into the home during inclement weather. The existing access is unsafe.
3. It will not have a negative effect on the public because the proposed addition is located behind the house and will be further from the road than the existing house.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; *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 – Conditional Use Permit Review.

Chairperson Schuh opened the review for The Production Farm Inc.

Mr. Gaedtke stated he has not heard of any complaints or issues.

Mr. Schuh stated he has not had any issues with the applicant as far as the Town of Kossuth is concerned.

Mr. Wyatt Kuether gave an update to the Board and answered questions.

The Board inquired on a new deck that appeared to be in construction. It was found that a Town building permit was obtained, however a zoning setback permit from the County still needs to be acquired.

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

Motion by: Mr. Christel to close the review for The Production Farm Inc.

The Board determined the property is in compliance with the conditions of the permit and the annual year review has been fulfilled. As long as the business continues to operate as it has 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: Schuler, Salm, Christel, Schuh and Timm; *No:* none.

Jim Schultz Commercial LLC – Owner of property located at 12901 CTH M in the SW¼, NE¼, of Section 17, T17N-R22E, Town of Meeme – Conditional Use Permit Review.

Chairperson Schuh opened the review for Jim Schultz Commercial LLC.

Mr. Gaedtke stated he has not heard of any complaints or issues.

Mr. Salm stated he was aware of one complaint. He stated that customers are missing the entrance and turning around in the neighbor's driveway. He was wondering if they are working on having a sign installed.

Mr. Jim Schultz & Theodore Schultz answered questions for the Board.

There being no further comments, Chairperson Schuh closed the review for Jim Schultz Commercial LLC.

Motion by: Mr. Christel to close the review for Jim Schultz Commercial LLC.

The Board 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: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Old Business: None

Other Business:

Correspondence not related to a hearing item:

Mr. Gaedtke made the Board aware of a complaint about KRR Enterprises LLC.

Mr. Gaedtke reminded the Board that elections of officers will be done at the July meeting.

Schedule Next Meeting:


The next Board of Adjustment meeting is tentatively scheduled for Monday, July 18, 2022 and the onsite meeting for Tuesday, July 12, 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: Schuler, Salm, Christel, Schuh and Timm; No: none.

Respectfully submitted,


Ken Schuler, Secretary

7-18-2022
Date



MANITOWOC COUNTY

BOARD OF ADJUSTMENT

ADVISORY & ON-SITE MEETING NOTICE

DATE: Tuesday, July 12, 2022
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. **Joseph Horst** – Owner of property located at 5711 Nuclear Rd., in the NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 26, T21N-R24E, Town of Two Creeks - Conditional Use Request.
 2. **Richard Carr Trust** – Owner of property located at 19536 Henning Rd., in G.L. 3, Section 2, T17N-R21E, Town of Schleswig - Variance Request.
 3. **Michael Lindgren** – Owner of property located at 8904 Pigeon Lake Rd., in the NW $\frac{1}{4}$, NE $\frac{1}{4}$, and the SW $\frac{1}{4}$, NE $\frac{1}{4}$, of Section 33, T18N-R22E, Town of Liberty - Variance Request.
 4. **Mark & Janet Scharenbrock** – Owners of property located at 10634 Sunny Vista Ln., in GL. 4, of Section 2, T17N-R21E, Town of Schleswig - Variance Request.
 5. **Richard & Christine Hoerth** – Owners of property located at 13709 Steintal Rd., in the N $\frac{1}{2}$, NW $\frac{1}{4}$, of Section 21, T17N-R21E, Town of Schleswig - Conditional Use Request.
- IV. Old Business - **None**
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: June 30, 2022

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 12, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Tuesday, July 12, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Robert Salm and Ken Schuler. Members Absent: Dave Christel and Bonnie Timm

A motion was made by Mr. Schuler; seconded by Mr. Salm to approve the agenda for the July 12, 2022 meeting. Upon vote, the motion was unanimously approved.

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

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

The Board received their folders containing the July 18, 2022 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. Salm to adjourn.

Seconded by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

Aye: Schuh, Salm and Schuler; No: none

Respectfully submitted,


Ken Schuler, Secretary

7-18-2022

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, July 18, 2022
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. **Joseph Horst** – Owner of property located at 5711 Nuclear Rd., in the NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 26, T21N-R24E, Town of Two Creeks - Conditional Use Request.
2. **Richard Carr Trust** – Owner of property located at 19536 Henning Rd., in G.L. 3, Section 2, T17N-R21E, Town of Schleswig - Variance Request.
3. **Michael Lindgren** – Owner of property located at 8904 Pigeon Lake Rd., in the NW $\frac{1}{4}$, NE $\frac{1}{4}$, and the SW $\frac{1}{4}$, NE $\frac{1}{4}$, of Section 33, T18N-R22E, Town of Liberty - Variance Request.
4. **Mark & Janet Scharenbrock** – Owners of property located at 10634 Sunny Vista Ln., in GL. 4, of Section 2, T17N-R21E, Town of Schleswig - Variance Request.
5. **Richard & Christine Hoerth** – Owners of property located at 13709 Steinthal Rd., in the N $\frac{1}{2}$, NW $\frac{1}{4}$, of Section 21, T17N-R21E, Town of Schleswig - Conditional Use Request.

VII. OTHER BUSINESS

1. Election of Officers.
2. Set August meeting date.
3. Correspondence

VIII. ADJOURNMENT

Date: June 30, 2022

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 18, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, July 18, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

A motion was made by, Mr. Salm, seconded by Mr. Christel to approve the July 18, 2022 meeting agenda. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

A motion was made by, Ms. Timm, seconded by Mr. Schuler to approve the minutes for the June 20, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

A motion was made by, Mr. Schuler, seconded by Mr. Salm to approve the on-site minutes for the July 12, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; 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

Joseph Horst – Owner of property located at 5711 Nuclear Rd., in the NE¼, NW¼, Section 26, T21N-R24E, Town of Two Creeks, Manitowoc County, Wisconsin, tax parcel number (017-026-005-000.00) wherein a conditional use permit is being requested to operate an auto repair and welding business in a GA, General Agricultural, zoned district.

Chairperson Schuh opened the public hearing for Mr. Horst.

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. Horst had nothing to add to their appeal.

Mr. Horst 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 the Town of Two Creeks sent a letter stating no opposition or objection to the request.

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

Deliberation

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

Reasons for Approval:

1. Sufficient evidence from the applicant, on-site visit and testimony warrants an approval.
2. The proposed use does not impede the orderly development of the district.
3. With the conditions put in place by the Board, this use is compatible with the surrounding area.
4. The intensity will not have a negative effect to the area or surrounding properties because it is surrounded by farmland and a solar farm.
5. The use fits on the parcel size. There is adequate road frontage and buildings.
6. There is proper access.
7. The nature, location and height of the existing structures are acceptable for this type of activity in this area.
8. The use will not discourage appropriate development or use of adjacent land.
9. The use will not impair the value of surrounding properties.
10. There are no proposed unsafe factors, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use. Conditions will be in place to mitigate any future issues and therefore the use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation shall be Monday through Saturday.
2. Hours of operation shall be 7:00 a.m. to 6:00 p.m. Monday thru Friday and 7:00 a.m. to 2:00 p.m. on Saturdays.
3. Any sandblasting and other noise from equipment shall be contained inside the building to limit noise and fugitive dust.
4. All scrap metal shall be confined to a bin dedicated for that purpose and the bin shall be emptied regularly to keep it from overflowing.
5. Fluid containment from vehicles shall be contained in some manner and also in accordance with WDNR requirements.
6. Vehicles waiting to be repaired may not sit outside longer than 30 days.
7. Vehicles for salvage shall be removed from the property within 30 days or contained inside a building.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Richard Carr Trust – Owner of property located at 19536 Henning Rd., in G.L. 3, Section 2, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel number (016-530-002-006.00) wherein a variance is being requested to construct a house/cabin at 37 feet from the ordinary high water mark of Wilke Lake, located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Mr. Carr.

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. Carr had nothing to add to his appeal.

Mr. Carr answered questions for the Board.

People in attendance in favor of the request:

David Detroye, neighbor, spoke in favor of the request.

People in attendance opposed to the request: none.

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

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

Deliberation

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

Reasons for approval:

1. The small lot and dilapidated foundation and cabin create a hardship for the owner to fit a new livable structure on the parcel.
2. The new building and deck will not be any closer to the lake than the existing cabin and deck.
3. The owner is burdened because the existing cabin is dilapidated and the foundation is failing. The owner needs to be able to safely use the property.
4. The proposed structure won't have a negative effect on the public because any additional runoff will be treated and the Town and a neighbor are in favor of the request.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Michael Lindgren – Owner of property located at 8904 Pigeon Lake Rd., in the NW¼, NE¼, and the SW¼, NE¼, of Section 33, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, tax parcel numbers (008-033-003-008.01 and 008-033-002-001.02) wherein a variance is being requested to

construct a detached garage at 42 feet from the centerline of Pigeon Lake Rd. and at 45 feet from the ordinary high water mark of Pigeon Lake located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Mr. Lindgren.

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. Lindgren had nothing to add to his appeal.

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

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

Deliberation

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

Reasons for approval:

1. The unique shape of the lot and the steep slope create a hardship for the owner which restricts the buildable area.
2. The new garage will be placed over an existing paved area.
3. The owner is burdened because the use of the home year round limited without a garage for inclement weather.
4. The proposed garage will not have a negative effect on the public because water runoff will be split into two separate flow areas of which one of them will be slightly further from the lake; the garage will not impede any neighbors line of site to the lake or to the road; and the impervious surface will remain the same or be reduced.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Mark & Janet Scharenbrock – Owners of property located at 10634 Sunny Vista Ln., in GL. 4, of Section 2, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel number (016-540-000-019.00) wherein a variance is being requested to construct a new home at 7.9 feet from the ordinary high water mark of Wilke Lake, located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Mark & Janet Scharenbrock.

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. Scharenbrock had nothing to add to his appeal.

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

Peter Kraus, Kraus Construction, added details on size of proposed house.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received letters from the neighbors in favor of the request (copy on file).

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 Mark & Janet Scharenbrock.

Deliberation

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

Reasons for Approval:

1. The small lot is not very deep and the owner has physical limitations that must be taken into consideration. Both create hardships for the owner.
2. The new will not be any closer to the lake than the existing house.
3. The owner is burdened due to physical limitations which require changes for the applicant to utilize the property, such as having stairs indoors rather than outside.
4. The structure will not have a negative effect on the public because raingardens are designed to treat any increase in impervious surface and the new home will not impede any neighbor's line of sight to the lake.

Conditions of Approval:

1. Any trees being removed to allow for the new home, must be replaced with trees in kind (native), within 35' of the ordinary high water mark.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Richard & Christine Hoerth – Owners of property located at 13709 Steinthal Rd., in the N½, NW¼, of Section 21, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel number (016-021-005-001.00), wherein a conditional use permit is being requested to construct a single family home and garage in a NA, Natural Area, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Richard Hoerth.

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. Hoerth had nothing to add to his appeal.

Mr. Hoerth 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 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 Richard & Christine Hoerth.

Deliberation

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

Reasons for Appeal:

1. Sufficient evidence from the applicant, on-site visit and testimony warrants an approval.
2. The request complies with zoning regulations.
3. The request doesn't impede the orderly development of the area because it will be a house.
4. It's compatible with the surrounding area.
5. The intensity will not affect the area or surrounding properties.
6. The use fits on the parcel size.
7. There is an existing driveway that allows for proper access.
8. The nature, location and height of the proposed structure is acceptable on the property.
9. The use will not discourage appropriate development or use of adjacent land or buildings.
10. The use will not impair the value of surrounding properties.
11. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use.
12. The use will not endanger the public's health, safety or welfare.

Second by: Ms. Timm.

*Upon vote: The motion was unanimously approved.
Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.*

Old Business: None

Other Business:

Correspondence not related to a hearing item:

Mr. Gaedtke informed the Board that he received a complaint regarding a motor cross business. Mr. Schuh suggested that we keep the complaint on file and if it progresses at that time we will contact the owner.

Mr. Gaedtke informed the Board that we are going to return to the 2nd Monday of the month for onsite meetings.

Election of Officers

Motion by: Mr. Schuler to cast a unanimous vote to have Mr. Schuh as chairman; Mr. Christel as vice chairman; and Mr. Schuler as secretary.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

Schedule Next Meeting:


The next Board of Adjustment meeting is tentatively scheduled for Monday, August 15, 2022 and the onsite meeting for Monday, August 8, 2022. (Dates and times are subject to change.)

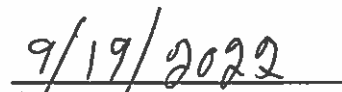
Adjournment

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

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

Respectfully submitted,


Ken Schuler, Secretary


Date



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

DATE: Monday, September 12, 2022
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. **Ellen Polifka** – Owner of property located at 11 Halverson Lane, in the SW¹/₄, SE¹/₄, Section 23, T19N-R22E, Town of Cato - Conditional Use Request.
 - 2. **Cheryl Olson** – Owner of property located at 6238 Johnston Drive, in NW¹/₄, SE¹/₄, Section 29, T20N-R24E, and Lot 10 Block 5 and Part of Lot 11 Block 5 and all lands lying between lots 10 & 11 and river, Section 29, T20N-R24E, Town of Two Rivers- Variance Request.
 - 3. **Victor and LuAnn Pappas** – Owners of property located at 10510 Karstaedt Road, in GL 4, of Section 2, T17N-R21E, Town of Schleswig- Variance Request.
 - 4. **Fisherville LLC** – Owner of property located at 2516 Fisherville Rd., in the SW¹/₄, SW¹/₄, of Section 35, T21N-R23E, Town of Gibson – After the Fact Variance Request.
 - 5. **Krin Rabe** – Owner of property located at 11421 Sy Lake Lane, in the SE¹/₄, NE¹/₄, of Section 11, T17N-R21E, Town of Schleswig – Variance Request.
- IV. Old Business - **None**
- V. Other Business
 - 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: September 1, 2022

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 12, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Monday, September 12, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Robert Salm, Ken Schuler and Bonnie Timm. Members Absent: Dave Christel.

A motion was made by Ms. Timm; seconded by Mr. Salm to approve the agenda for the September 12, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuh, Salm, Timm and Schuler; No: none;

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

The Board received their folders containing the September 19, 2022 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

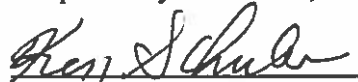
Motion by: Mr. Schuler to adjourn.

Seconded by: Mr. Salm.

Upon vote: The motion was unanimously approved.

Aye: Schuh, Salm, Timm and Schuler; No: none

Respectfully submitted,



Ken Schuler, Secretary

9-19-2022

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, September 19, 2022
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. **Ellen Polifka** – Owner of property located at 11 Halverson Lane, in the SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 23, T19N-R22E, Town of Cato - Conditional Use Request.
- 2. **Cheryl Olson** – Owner of property located at 6238 Johnston Drive, in NW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 29, T20N-R24E, and Lot 10 Block 5 and Part of Lot 11 Block 5 and all lands lying between lots 10 & 11 and river, Section 29, T20N-R24E, Town of Two Rivers- Variance Request.
- 3. **Victor and LuAnn Pappas** – Owners of property located at 10510 Karstaedt Road, in GL. 4, of Section 2, T17N-R21E, Town of Schleswig- Variance Request.
- 4. **Fisherville LLC** – Owner of property located at 2516 Fisherville Rd., in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, of Section 35, T21N-R23E, Town of Gibson – After the Fact Variance Request.
- 5. **Krin Rabe** – Owner of property located at 11421 Sy Lake Lane, in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, of Section 11, T17N-R21E, Town of Schleswig – Variance Request.

VII. OTHER BUSINESS

- 1. Set October meeting date
- 2. Correspondence

VIII. ADJOURNMENT

Date: September 1, 2022

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 19, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, September 19, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

A motion was made by, Ms. Timm, seconded by Mr. Christel to approve the September 19, 2022 meeting agenda. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

A motion was made by, Ms. Timm, seconded by Mr. Salm to approve the minutes for the July 18, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

A motion was made by, Mr. Schuler, seconded by Mr. Salm to approve the on-site minutes for the September 12, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; 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

Ellen Polifka – Owner of property located at 11 Halverson Lane, in the SW¼, SE¼, Section 23, T19N-R22E, Town of Cato, Manitowoc County, Wisconsin, tax parcel number (001-023-015-001.00) wherein a conditional use permit is being requested to operate a vacation home rental business in a RR, Rural Residential, zoned district.

Chairperson Schuh opened the public hearing for Ms. Polifka.

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. Polifka had nothing to add to their appeal.

Ms. Polifka answered questions for the Board.

People in attendance opposed to the request: none.

People in attendance in favor of the request:

Jeff Slager, adjacent property owner, spoke in favor of the request.

Ted Shove, adjacent property owner, spoke in favor of the request.

Mr. Schuh stated the Town of Cato sent a copy of the town minutes in favor of the request.

There being no further comments, Chairperson Schuh closed the public hearing for Ms. Polifka.

Deliberation

Motion by: Mr. Christel 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. The structures already exist.
3. The use is compatible with the surrounding area because it's an open residential area and the neighbors are in support of the request.
4. The intensity of the operation will not have a negative effect on surrounding properties. There will be a limited number of occupants.
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.
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 7 days a week.
2. Hours of operation will be 24 hours a day.
3. The number of sign(s), their locations and types of signs must meet code requirements.
4. Maximum number of occupancy allowed is 6 people per night.
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. Garbage control and removal is the owner's responsibility.
12. No pets permitted.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Cheryl Olson – Owner of property located at 6238 Johnston Drive, in NW¼, SE¼, Section 29, T20N-R24E, and Lot 10 Block 5 and Part of Lot 11 Block 5 and all lands lying between lots 10 & 11 and river, Section 29, T20N-R24E, Town of Two Rivers, Manitowoc County, Wisconsin, tax parcel numbers (018-129-014-020.00 and 018-530-005-010.00) wherein a variance is being requested to construct a house addition at 40 feet from the centerline of the road and at 0 feet from the right-of-way line of Johnston Drive, and at 15 feet from the west property line located in a RR, Rural Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Ms. Olson.

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. Olson stated that she sent letters to her neighbors to inform them of the proposed addition.

Ms. Olson answered questions for the Board.

People in attendance opposed to the request: none.

People in attendance in favor of the request: none.

There being no further comments, Chairperson Schuh closed the public hearing for Ms. Olson.

Ms. Timm stated the Town of Two Rivers sent a letter in favor of the request (copy on file).

Deliberation

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

Reasons for Approval:

1. The lot shape, steep slope, wetland and floodplain location, and the location of the septic system create a hardship for the owner, preventing them from constructing the addition according to code.
2. By current standards, the house is small and the family needs more space.
3. The owner is burdened because there is not adequate space in the residence. The addition to the west as requested in the application is reasonable.
4. It will not have a negative effect on the public because there are trees and vegetation between the road and structure and there's a reduced speed limit in that area.

Conditions of Approval:

1. A surveyor must locate the right-of-way line, the neighboring lot line and the 40 foot mark from the centerline of the road.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Victor and LuAnn Pappas – Owners of property located at 10510 Karstaedt Road, in GL. 4, of Section 2, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel number (016-002-010-001.02) wherein a variance is being requested to construct a 26' x 36' garage at approximately 36 feet from the centerline and 28 feet 8 inches from the edge of Karstaedt Road located in a NA, Natural Area, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Mr. Pappas.

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. Pappas added the Town Planning Commission visited the property and that the Town Board had approved his request. In addition, he brought a copy of the minutes if needed.

Mr. Pappas answered questions for the Board.

People in attendance opposed to the request: none.

People in attendance in favor of the request: none.

The Town of Schleswig sent an email in favor of the request (copy on file).

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

Deliberation

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

Reasons for approval:

1. The existing building is dilapidated, has water issues and is need of repair. These reasons and the unique triangular lot shape creates a hardship for the owner.
2. The owner is burdened because they need a garage for storage and the triangular lot and location of a creek on the northwest corner of the lot reduce the buildable area. The location picked by the owner has a higher elevation and although it is closer to the road this location allows for better use of the land and less burden to the owner.
3. The garage will not have a negative effect on the public because there is a slow speed limit and it would be the in the best interest of the public to replace the dilapidated structure.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Fisherville LLC – Owner of property located at 2516 Fisherville Rd., in the SW¼, SW¼, of Section 35, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, tax parcel number (006-035-011-006.00), wherein an after the fact variance is being requested for constructing an outdoor bar and patio area at 51 feet from the centerline of Fisherville Rd. located in a RR, Rural Residential zoned district.

Chairperson Schuh opened the public hearing for Fisherville LLC.

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. Edward Ledvina, representing Fisherville LLC had nothing to add to his appeal.

Mr. Ledvina answered questions for the Board.

People in attendance opposed to the request: none.

People in attendance in favor of the request:

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

Mr. Gaedtke received letters from the neighbors in favor of the request (copy on file).

The Town of Gibson had no objection to the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Fisherville LLC.

Deliberation

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

Reasons for approval:

1. The existing building is located within the road setback and the patio will not be any closer to the road than the existing building. There is also a limited area to build due to the septic and well location.
2. The owner is burdened because he needed more room and a safe area for patrons to congregate outside rather than standing near the road or in the parking lot.
3. It will not have a negative effect on the public because it's in line with the building, and the road is straight in that area with a good line of sight.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

Krin Rabe – Owner of property located at 11421 Sy Lake Lane, in the SE¼, NE¼, of Section 11, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel number (016-011-004-

003.00), wherein a variance is being requested by Amanda Jurss, applicant and future property owner, to construct a detached garage at 2 feet from the west property line and to construct a fence at 0 feet from the ordinary high water mark of Sy Lake, located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Amanda Jurss (Krin Rabe former property owner).

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. Jurss had nothing to add to her appeal.

Ms. Jurss answered questions for the Board.

People in attendance opposed to the request:

Marcia Miller, adjacent property owner, stated concerns regarding the garage and fence.

Henry Waldren, President of Sy Lake Advancement Association, stated the organization would like to be notified in the future regarding variance requests. In addition, he stated concerns about the garage and line of sight along with the size of fence.

People in attendance in favor of the request: none.

The Town of Schleswig in favor of the request (copy on file).

Ms. Jurss spoke and answered additional questions.

There being no further comments, Chairperson Schuh closed the public hearing for Amanda Jurss.

Deliberation

Motion by: Mr. Schuler to deny the fence variance request.

Reasons for Denial of the Fence Request:

1. There is no physical limitation or hardship of the property that requires the fences to be located within the shoreland setback.
2. The owner is not burdened by not having a fence. There are other options such as an invisible fence for dogs or planting vegetation. The owner can still live there and use the property without a fence.
3. The public would be negatively affected by fences because the fences would block or inhibit neighboring views of the lake.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Motion by: Mr. Salm to approve garage variance request.

Reasons for Approval of the Garage Request:

1. There is no garage on the property. A garage is needed for inclement weather and for storage. The short lot and location of the house, septic and well create a hardship for the owners.
2. The owner is burdened because in order to use the property, she needs a garage for inclement weather storage.
3. The garage will not have a negative effect on the public because the road is a private road and it curves away from the garage. The garage will still be approximately 6 feet from the edge of the roadway.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; 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, October 17, 2022 and the onsite meeting for Tuesday, October 11, 2022. (Dates and times are subject to change.)

Adjournment

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

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

Respectfully submitted,


Ken Schuler, Secretary

10-17-22
Date



MANITOWOC COUNTY

BOARD OF ADJUSTMENT

ADVISORY & ON-SITE MEETING NOTICE

DATE: Tuesday, October 11, 2022
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. **Gary and Bridgette Jaunal** – Owners of property located at 11225 Lake Drive, in Govt. Lot 2, Section 4, T20N-R25E, Town of Two Rivers – Variances Request.
 2. **Bay Lakes Council; Camp Rokilio** – Owner of property located at 14404 Rokilio Rd. in G.L. 5, Section 24, T17N-R21E, Town of Schleswig – Variance Request.
 3. **Bradley Sonnenburg** – Owner of property located at 19818 Vogel Ln. in PRT Govt. Lot 2, Section 3, T17N-R21E, Town of Schleswig – Variance Request.
 4. **Daniel and Kay Gilbert** – Owners of property located at 10615 Glen Flora Rd., in PRT Govt. Lot 2, Section 2, T17N-R21E, Town of Schleswig – Variances Request.
- IV. Old Business – **None**
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: September 30, 2022

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 11, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Tuesday, October 11, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Robert Salm and Ken Schuler. Members Absent: Dave Christel and Bonnie Timm

A motion was made by Mr. Salm; seconded by Mr. Schuler to approve the agenda for the October 11, 2022 meeting. Upon vote, the motion was unanimously approved.

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

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

The Board received their folders containing the October 17, 2022 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. Salm.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,



Ken Schuler, Secretary

10-17-22
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, October 17, 2022
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. **Gary and Bridgette Jaunal** – Owners of property located at 11225 Lake Drive, in Govt. Lot 2, Section 4, T20N-R25E, Town of Two Rivers – Variances Request.
- 2. **Bay Lakes Council; Camp Rokilio** – Owner of property located at 14404 Rokilio Rd. in G.L. 5, Section 24, T17N-R21E, Town of Schleswig – Variance Request.
- 3. **Bradley Sonnenburg** – Owner of property located at 19818 Vogel Ln. in PRT Govt. Lot 2, Section 3, T17N-R21E, Town of Schleswig – Variance Request.
- 4. **Daniel and Kay Gilbert** – Owners of property located at 10615 Glen Flora Rd., in PRT Govt. Lot 2, Section 2, T17N-R21E, Town of Schleswig – Variances Request.

VII. OTHER BUSINESS

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

VIII. ADJOURNMENT

Date: September 30, 2022

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 17, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, October 17, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

A motion was made by, Mr. Christel, seconded by Mr. Salm to approve the October 17, 2022 meeting agenda. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

A motion was made by, Mr. Christel, seconded by Mr. Schuler to approve the minutes for the September 19, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

A motion was made by, Mr. Salm, seconded by Mr. Christel to approve the on-site minutes for the October 11, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; 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

Gary and Bridgette Jaunal – Owners of property located at 11225 Lake Drive, in Govt. Lot 2, Section 4, T20N-R25E, Town of Two Rivers, Manitowoc County, Wisconsin, tax parcel numbers (018-204-008-003.00) wherein variances are being requested to reconstruct a house with walkways at 12 feet from the ordinary high water mark and bluff of Lake Michigan; and to reconstruct a garage at 67.2 feet from the ordinary high water mark and bluff of Lake Michigan; and to reconstruct a patio at 11.9' feet from the ordinary high water mark and bluff of Lake Michigan located in a HD, High Density Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Gary & Bridgette Jaunal.

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.

Mrs. Jaunal expanded on the reasons for the variance requests and limitation they are faced with.

Mrs. Jaunal and Jim Reif, builder, answered questions for the Board.

People in attendance opposed to the request: none.

People in attendance in favor of the request: none.

Mr. Gaedtke stated the Town of Two River sent a letter in favor of the request. (copy on file)

There being no further comments, Chairperson Schuh closed the public hearing for Gary & Bridgette Jaunal.

Deliberation

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

Reasons for approval:

1. The terrain and high bluff on the lot is a characteristic that is unique to this property which creates a hardship on the owners trying to build a replacement home.
2. The owners are burdened because the existing house is close to 100 years old and needs to be replaced. Having to remove all the additional trees on the lot to move the house back would also be an unnecessary burden on the owners. Due to the size and location of the lot, they could not construct a home without being within a required setback.
3. It will not have a negative effect on the public interest because the owners are trying to limit the new house to be as close to the existing footprint as possible and even though there is an increase in impervious surface, the additional runoff will be treated. The new two story structure will not impede the neighboring views of the lake and it will be an asset to adjacent properties.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Bay Lakes Council; Camp Rokilio – Owner of property located at 14404 Rokilio Rd. in G.L. 5, Section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel numbers (016-024-003-014.00) wherein a variance is being requested to construct a lean-to onto an existing shed at 45 feet from the ordinary high water mark of Cedar Lake located in a NA, Natural Area, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Bay Lakes Council.

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.

Derek Fournier, representative for Camp Rokilio clarified a portion of the application.

Mr. Fournier answered questions for the Board.

People in attendance opposed to the request: none.

People in attendance in favor of the request: none.

There being no further comments, Chairperson Schuh closed the public hearing for Bay Lakes Council.

Deliberation

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

Reasons for Approval:

1. The steep hillside creates a hardship to build further back from the water. Also, the equipment needs to be stored near the water and taken care of because the equipment consists of kayaks, canoes and other boating items.
2. The topography of the land creates a burden to campers and anyone needing to use the boats and equipment because they would have to go up and down the hill to get watercrafts to the lake.
3. The lean-to will not have a negative effect on the public because the structure will be located out of view from the public behind the existing building and it will not affect impervious runoff due to the size of the property.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Bradley Sonnenburg – Owner of property located at 19818 Vogel Ln. in PRT Govt. Lot 2, Section 3, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel numbers (016-003-016-003.00) wherein a variance is being requested to construct a 8' x 20' 1" first floor deck with staircase at a distance ranging between 17' 8" and 23' 2" from the ordinary high water mark of Wilke Lake located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Bradley Sonnenburg.

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. Sonnenburg highlighted the major reasons for the variance request.

Mr. Sonnenburg answered questions for the Board.

People in attendance opposed to the request: none.

People in attendance in favor of the request: none.

Mr. Gaedtke stated the Town of Schleswig left a phone message in favor of the request (copy on file). There being no further comments, Chairperson Schuh closed the public hearing for Mr. Sonnenburg.

Deliberation

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

Reasons for Approval:

1. The grade of the property which has a 9 foot drop within 21 feet creates a hardship for the owner who needs to create a 2nd exit to be connected to the home in order to meet building codes. No matter where a second exit would be placed, it would need a deck and be within the 75 foot setback.
2. The owner is burdened because according to code they need to have a secondary exit. And without it there is no secondary exist on the first floor it wouldn't meet code and would be unsafe for the homeowners. The secondary exit is also needed since the house will have two stories above grade.
3. The deck will not be contrary to the public or have a negative effect on the public because the construction of the deck and exit will meet code requirements and enhance the use of the property. The new deck is within the save footprint as the walkout patio so it will be over existing impervious surface, it will bring the existing structure up to code and it will be further from the lake than the patio.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Daniel and Kay Gilbert – Owners of property located at 10615 Glen Flora Rd., in PRT Govt. Lot 2, Section 2, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, tax parcel number (016-002-008-005.01) wherein variances are being requested to rebuild and reconstruct a new home at 7.2 feet from the north property line and at 24 feet from the ordinary high water mark of Wilke Lake located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Daniel and Kay Gilbert.

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. Gilbert commented on his appeal and answered questions for the Board.

Mr. Peter Kraus, builder, also answered questions for the Board.

People in attendance in favor of the request:

Mr. Arthur Glor, adjacent neighbor, spoke in favor of the request.

People in attendance opposed to the request: none.

Mr. Gaedtke stated the Town of Schleswig left a phone message in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Daniel and Kay Gilbert.

Deliberation

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

Reasons for Denial:

1. The existing building location to the lake and the size of the property does create a hardship to meet the 75 foot setback from the lake.
2. There is no burden. The owners are not burdened if they are not able to have the additional living space. The current structure could be rebuilt within the existing footprint which would allow the owners to mitigate any water or drainage issues and interior design issues to meet their needs.
3. It will not have a negative effect or be contrary to the public. However because there is no burden, this last finding is a moot point.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

Old Business: None

Other Business:

Correspondence not related to a hearing item:

Mr. Gaedtke informed the Board of 2 complaints against KRR Enterprises LLC. One of the complaints is a violation of their conditional use permit, he stated the Health department contacted

Planning and Zoning department about 2 campers present 4 days prior to event. The second complaint was the use of 4-wheelers driving on the road for multiple days and people not using designated road crossing areas.

Schedule Next Meeting:

The next Board of Adjustment meeting is tentatively scheduled for Monday, November 21, 2022 and the onsite meeting for Monday, November 14, 2022. (Dates and times are subject to change.)

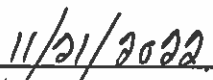
Adjournment

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

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

Respectfully submitted,


Ken Schuler, Secretary


Date



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

DATE: Monday, November 14, 2022
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. **Vertical Bridge LLC** – Appealing a decision regarding the denial of a cell tower application on property owned by Michael and Patricia Sobush, located at the west end of Apple Blossom Lane, in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, of Section 15, T20N-R23E, Town of Kossuth – Appeal of Decision
 - 2. **Nickolas Scheeter** – Owner of property located at 3106 Woodview Ln., in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, of Section 27, T20N-R24E, Town of Two Rivers - Conditional Use Permit Request.
 - 3. **Joshua and Becky Lemke** – Owners of property located off of USH 151, in the E $\frac{1}{2}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 17, T18N-R21E, Town of Eaton - Conditional Use Permit Request.
 - 4. **IC Investments** – Owner of property located at 7718 CTH Q, in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, of Section 24, T20N-R23E, Town of Kossuth - Conditional Use Permit
- IV. Old Business - **None**
- V. Other Business
 - 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: October 31, 2022

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 14, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Monday, November 14, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Robert Salm, Ken Schuler and Bonnie Timm. Members Absent: Dave Christel.

A motion was made by Ms. Timm; seconded by Mr. Salm to approve the agenda for the November 14, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuh, Salm, Timm and Schuler; No: none;

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

The Board received their folders containing the November 21, 2022 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: Ms. Timm.


Upon vote: The motion was unanimously approved.

Aye: Schuh, Salm, Timm and Schuler; No: none

Respectfully submitted,



Ken Schuler, Secretary



Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, November 21, 2022
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. **Vertical Bridge LLC** – Appealing a decision regarding the denial of a cell tower application on property owned by Michael and Patricia Sobush, located at the west end of Apple Blossom Lane, in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, of Section 15, T20N-R23E, Town of Kossuth – Appeal of Decision
- 2. **Nickolas Scheeter** – Owner of property located at 3106 Woodview Ln., in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, of Section 27, T20N-R24E, Town of Two Rivers - Conditional Use Permit Request.
- 3. **Joshua and Becky Lemke** – Owners of property located off of USH 151, in the E $\frac{1}{2}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 17, T18N-R21E, Town of Eaton - Conditional Use Permit Request.
- 4. **IC Investments** – Owner of property located at 7718 CTH Q, in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, of Section 24, T20N-R23E, Town of Kossuth - Conditional Use Permit.

VII. OTHER BUSINESS

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

VIII. ADJOURNMENT

Date: October 31, 2022

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 21, 2022

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, November 21, 2022 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Bob Salm, Dave Christel, Bonnie Timm and Ken Schuler. Members absent: None. Staff present: Reed Gaedtke and Peter Conrad representation for Manitowoc County Planning and Zoning Department.

A motion was made by, Mr. Salm, seconded by Ms. Timm to approve the November 21, 2022 meeting agenda. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

A motion was made by, Mr. Schuler, seconded by Mr. Salm to approve the minutes for the October 17, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

A motion was made by, Ms. Timm, seconded by Mr. Salm to approve the on-site minutes for the November 14, 2022 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; 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

Vertical Bridge LLC – Is requesting an appeal of a decision by the Planning and Zoning Department for denying a cell tower application on property owned by Michael and Patricia Sobush, located at the west end of Apple Blossom Lane, in the SE¼, NW¼, of Section 15, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-015-008-001.00), in a RR, Rural Residential, zoned district

Chairperson Schuh opened the public hearing for Vertical Bridge LLC. In attendance for Vertical Bridge LLC are Attorney Michael Long, Steve Hedges, Real Estate Consultant Mike Bienier and Rick Brooks from Cellcom.

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

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

Attorney Long, Mr. Brooks and Mr. Hedges gave statements and answered questions for the board.

Reed Gaedtke, Manitowoc County Code Administrator and Peter Conrad, Manitowoc County Corporation Counsel gave their statements and answered questions for the board.

Attorney Long and Mr. Brooks were given an opportunity to rebut statements by Mr. Gaedtke.

There being no further comments, Chairperson Schuh closed the public hearing for Vertical Bridge LLC.

Deliberation

Motion by: Mr. Schuler to deny the appeal request.

Findings regarding the denied appeal:

Based on the evidence submitted and the reasons listed below; the Board of Adjustment denied your appeal and affirmed the Planning and Zoning Departments decision to deny the application for a new cell tower based on the information that was on file and submitted to the department at that time.

The board also stated the applicant can reapply to the Planning and Zoning Department and to submit a more thorough application.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Nickolas Scheeter – Owner of property located at 3106 Woodview Ln., in the NE¼, NE¼, of Section 27, T20N-R24E, Town of Two Rivers, Manitowoc County, Wisconsin, parcel number (018-127-001-002.00) wherein a conditional use permit is being requested to expand the existing indoor ministorage business to also include outside storage, located in a RR, Rural Residential, zoned district.

Chairperson Schuh opened the public hearing for Nickolas Scheeter.

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.

Nickolas Scheeter had nothing to add to his appeal.

Nickolas Scheeter answered questions for the Board.

People in attendance in favor of the request:

Mike Chevalier, spoke in favor of the request.

People in attendance opposed to the request: none.

Town of Two Rivers sent a letter in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Nickolas Scheeter.

Deliberation

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

Reasons for Appeal:

1. The use does not impede the orderly development of the area.
2. The use is compatible with the surrounding area and a good spot for two mini-warehouses.
3. The intensity of the use will not have a negative effect on the surrounding properties because it is located off the main highway and in a good area.
4. The use fits on the property and the layout of the lot allows you to see in every direction.
5. The nature, location and height of the structures associated with the use are acceptable for this size parcel.
6. The use does not discourage the appropriate development or use of adjacent land.
7. The use will not impair the value of surrounding properties.
8. There will be no flashing lights, fumes, or noise which would be objectionable to the area.
9. The proposed use will not endanger the public's health, safety and welfare. He does not have access onto 147; it is located on a side road which is not heavily traveled.

Conditions of Appeal:

1. Days and hours of operation will be seven days a week and twenty four hours a day.
2. Allowed seven outside storage spots.
3. Items stored outside must be a minimum of five feet from property lines.
4. Items being stored outside cannot be located within the road site triangle.
5. Any fencing must be located outside the right-of-way and road site triangle.
6. No employees other than the owner.
7. No heavy equipment located on lot.
8. Can have wall lights for lighting.
9. One on premise business sign allowed on the building.
10. No landscaping is required.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Joshua and Becky Lemke – Owners of property located off of USH 151, in the E½, SE¼, NW¼, Section 17, T18N-R21E, Town of Eaton, Manitowoc County, Wisconsin, parcel number (004-017-008-001.00) wherein a conditional use permit is being requested to construct a single family home in an NA, Natural Area zoned district.

Chairperson Schuh opened the public hearing for Joshua & Becky Lemke.

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. & Mrs. Lemke and Mr. Joel Brassfield, builder answered questions for the Board.

People in attendance opposed to the request: none.

People in attendance in favor of the request: none.

Town of Eaton sent a letter in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Joshua & Becky Lemke.

Deliberation

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

Reasons for Appeal:

1. Sufficient evidence from the applicant, on-site visit and testimony warrants an approval.
2. The request doesn't impede the orderly development of the area because the location would not have any impact to land around it.
3. It's compatible with the surrounding area and will not have a negative effect on the area or surrounding properties. On three sides of the property is DNR land and farmland which won't be affected by this use.
4. The use fits on the parcel size.
5. The nature, location and height of the proposed structure is acceptable on the property.
6. The use will not discourage appropriate development or use of adjacent land or buildings.
7. The use will not impair the value of surrounding properties. It will increase value by having a residence on it.
8. The use will not endanger the public's health, safety or welfare. It is located far off the highway and won't have any negative impact.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

IC Investments – Owner of property located at 7718 CTH Q, in the SE¼, NE¼, of Section 24, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-024-004-003.00) wherein a conditional use permit is being requested to expand the existing business to include indoor media blasting, painting, and the machining and manufacturing of parts on property located in an RR, Rural Residential, zoned district.

Chairperson Schuh opened the public hearing for IC Investments. Mike Chevalier representing IC Investments.

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. Chevalier added they are in the process of deciding the final location of the building addition.

Mr. Chevalier answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Town of Kossuth sent a letter in favor of the request (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for IC Investments.

Deliberation

Motion by: Mr. Christel to reopen the public hearing to obtain additional information from applicant.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Mr. Chevalier answered additional questions for the Board.

There being no further comments, Chairperson Schuh closed the public hearing for IC Investments.

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

Reasons for Appeal:

1. Sufficient evidence from the applicant, on-site visit and testimony warrants an approval.
2. The request will not impede the orderly development of the area because existing manufacturing has been occurring on the site with no problems.
3. It's compatible with the district because the use and building already exists.

4. The intensity will not affect the area or surrounding properties because the business existed with varying intensity in the past.
5. Based on the site plan and onsite visit; the use fits on the parcel size.
6. The nature, location and height of the proposed and existing structures are acceptable on the property and none of the buildings are any higher than what is currently on the property.
7. The use will not discourage appropriate development or use of adjacent land or buildings. This is only an expansion of an existing business and there is no history of any previous problems.
8. It will not impair property values.
9. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use.
10. The use will not endanger the public's health, safety or welfare because the expansion is not significantly different from the type of business that exists there now.

Conditions of Appeal:

1. The approval of this conditional use permit sunsets the other previous conditional use permits for this property. The approval of those uses are also based off of these findings and conditions. (Those past permits being April 18, 2011; ZPA-007-11 permit and the April 20, 1998; ZPA-052-98 permit.)
2. Days and hours of operation will be Monday thru Friday from 5:00 a.m. to 10:00 p.m. and Saturday from 6:00 a.m. to 6:00 p.m.
3. Number of employees will be 30.
4. Type of equipment to be used will be as needed for metal fabrication.
5. Fencing to be constructed at owner's discretion.
6. Outdoor lights are permitted as needed.
7. A sign is allowed according to Manitowoc County code.
8. There must be a place provided for customer and delivery parking.
9. No parking along CTH Q.
10. Scrap metal, iron and other types of scrap and junk shall be contained in some type of enclosed container designed for that purpose.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

Aye: Schuler, Salm, Christel, Schuh and Timm; 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, December 12, 2022 and the onsite meeting for Monday, December 19, 2022. (Dates and times are subject to change.)

Adjournment

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

Aye: Schuler, Salm, Christel, Schuh and Timm; No: none.

Respectfully submitted,



Robert Salm, Secretary Pro Tempore

1-18-23

Date