

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

October 21, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, October 21, 2024 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, Bob Salm, 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 21, 2024 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuler, seconded by Mr. Salm to approve the minutes for the September 17, 2024 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Salm, seconded by Mr. Christel to approve the on-site minutes for the October 15, 2024 meeting. Upon vote, the motion was unanimously approved.

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

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

Old Business- None

New Business-

Joseph Rosenbauer. – Owner of property at 3210 Goodwin Rd., in the SW¹/₄, SE¹/₄, Section 1, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel number (010-001-015-006.00), wherein a conditional use permit is being requested to operate a small automotive repair business in a RR, Rural Residential zoned district.

Chairperson Schuh opened the public hearing for Joseph Rosenbauer.

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. Rosenbauer had nothing to add to his appeal.

Mr. Rosenbauer 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 Joseph Rosenbauer.

Mr. Gaedtke stated an email and a copy of the minutes from the Town of Manitowoc Rapids meeting were received in favor of the request (copy on file).

Mr. Gaedtke also stated a letter was received from Mary Grall opposed to the request (copy on file).

Deliberation

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

Reasons for Approval:

1. Sufficient evidence from the applicant, the on-site visit and testimony, warrants an approval.
2. The use doesn't impede the orderly development of the district.
3. The use is compatible with the surrounding area and won't have a negative effect on surrounding properties. It's allowed with a conditional use permit.
4. There is plenty of room on the parcel for this use.
5. The proposed structures are acceptable for this use.
6. No proof was brought forward to show the use would impair property values.
7. With the conditions applied below 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 5:00 p.m.
3. Number of employees shall be two plus the owner.
4. Fencing is not required.
5. All outdoor lighting must be directed onto the property and not leave the property.
6. Noisy tools and equipment such as compressors, grinders, etc. shall be used inside the building(s), not outside.
7. The applicant is allowed a sign according to code.
8. All parking shall occur on the property; including employee parking. No parking allowed on Goodwin Rd.
9. All deliveries shall occur during hours the hours of operation.
10. No sale of vehicles on the property.
11. Salvaging of vehicles or parking of salvage vehicles on the property is prohibited.
12. Painting of vehicles on the property is prohibited.
13. No dumpster or scrap metal shall be visible from the road.
14. All waste liquids shall be contained in an approved container and kept under roof.

Second by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

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

John and Mary Lou Poch – Owner of property located at 22108 Ruh Rd., in the SW¹/₄, SW¹/₄, Section 21, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-021-011-

001.00), wherein a conditional use permit is being requested to operate a vacation rental business in a SE, Small Estate Residential zoned district.

Chairperson Schuh opened the public hearing for John and Mary Lou Poch.

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. Poch had nothing to add to their appeal.

Mr. & Mrs. Poch 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 John and Mary Lou Poch.

Mr. Gaedtke stated a copy of the minutes from the Town of Schleswig meeting were received in favor of the request. (copy on file).

Deliberation

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

Reasons for Approval:

1. Sufficient evidence from the applicant, the on-site visit and testimony, warrants an approval.
2. The request will not impede the orderly development of the district. It used to be a rental property before.
3. The request is compatible with the surrounding area and won't discourage development or have a negative effect on surrounding properties because it is a residence just like all the other buildings and it's located on 4 acres of land which provides a substantial buffer.
4. No proof was brought forward to show the use would impair property values.
5. With the conditions applied below the use should not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation shall be seven days a week; all year.
2. Hours of operation will be 24 hours per day.
3. Maximum number of occupants shall be 6 people, based on current septic size. If the owners wanted to have more people, they would have to increase the size of the septic system to allow for the additional usage. The maximum number of people allowed is regulated by the zoning code and capped at 12 regardless of septic size.

4. There shall be a code compliant sign located outside in a conspicuous area showing emergency contact information for the property as listed in Chapter 8 code.
5. Number of employees shall be 2.
6. Working smoke detectors and fire extinguishers shall be up to date and installed in the home.
7. No parking allowed on the road. All parking must occur on the property.
8. All state and county licensing and codes must be followed.
9. The septic system and well must be up to code and maintained.
10. The discharge of firearms and use of fireworks and other artificial noises are prohibited.
11. Pets are not allowed for renters but are allowed for family members and owners.
12. There shall be a quiet time from 10:00 p.m. to 7:00 a.m.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Nicholas and Katie Draeger – Owner of property located at 18918 Twin Bay Lane, in the SW¹/₄, SE¹/₄, and the SE¹/₄, SE¹/₄, Section 23, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-023-015-013.00), wherein a variance is being requested to construct a 7.5' x 15' house addition at 31.67 feet from the ordinary high water mark of Cedar lake, located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Nicholas and Katie Draeger. Mrs. Katie Draeger and Warren Roelse, representative, answered questions for the Board.

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

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

Mrs. Katie Draeger & Warren Roelse, spoke and answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Schuh closed the public hearing for Nicholas and Katie Draeger.

Mr. Gaedtke stated a copy of the minutes from the Town of Schleswig meeting were received in favor of the request. (copy on file).

Deliberation

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

Reasons for Approval:

1. The location of the existing house is already within the lake setback and the current structure was poorly built and has significant sagging of the roof. Extending the wall and roof line is the best option for fixing the problem.

2. The owner is burdened because the house is in need of structural repair. This is the best fix for the house. This repair will help prevent further damaged from snow loads.
3. The new addition will not have a negative impact on the public because the owner will be reducing the total amount of impervious surface for the property and the existing residences on adjacent properties are located closer the OHWM than this house.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

Other Business

Correspondence not related to a hearing item: None

Schedule Next Meeting:

The next Board of Adjustment meeting is tentatively scheduled for Monday, November 18, 2024 at 7:00pm and the onsite meeting for Tuesday, November 12, 2024 at 9:30am. (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.

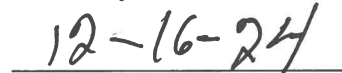
Aye: Schuh, Salm, Christel and Schuler; *No:* none.

Respectfully submitted,



Ken Schuler

Secretary



Date