



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

DATE: Tuesday, January 9, 2024
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: Johnathan Giroux** – Owner of property located at 3407 S 10th St. Govt. Lot 3, Section 5, T18N–R24E, Town of Manitowoc- Conditional Use Permit Request.
- IV. New Business -
 1. **Christine Schadrie** – Owner of property located at 12395 Sandy Bay Rd. in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, of section 36, T21N-R24E, Town of Two Creeks – After the Fact Variance Request.
 2. **Francis Linsmeier** – Owner of property located off of Moncada Ln., in the SW $\frac{1}{4}$, NE $\frac{1}{4}$, of section 13, T19N-R22E, Town of Cato - Conditional Use Permit and Variance Requests.
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: December 29, 2023

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.



NOTE: The Tuesday, January 9, 2024 BOARD OF ADJUSTMENT ADVISORY COMMITTEE meeting was cancelled due to inclement weather, therefore there are no minutes available.

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

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TIME: 9:00 a.m.
PLACE: Manitowoc County Office Complex
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Date: December 29, 2023

Ralph Schuh, Board Chair
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MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, January 15, 2024
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

Discussion and possible action on:

1. **POSTPONED: Johnathan Giroux** – Owner of property located at 3407 S 10th St. Govt. Lot 3, Section 5, T18N–R24E, Town of Manitowoc- Conditional Use Permit Request.

- VI. NEW BUSINESS

Discussion and possible action on:

1. **Christine Schadrie** – Owner of property located at 12395 Sandy Bay Rd. in the NE¼, SE¼, of section 36, T21N-R24E, Town of Two Creeks – After the Fact Variance Request.
2. **Francis Linsmeier** – Owner of property located off of Moncada Ln., in the SW¼, NE¼, of section 13, T19N-R22E, Town of Cato - Conditional Use Permit and Variance Requests.

- VII. OTHER BUSINESS

1. Set February meeting date.
2. Correspondence.

- VIII. ADJOURNMENT

Date: December 29, 2023

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

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

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

January 15, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, January 15, 2024 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

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

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

A motion was made by, Mr. Christel, seconded by Ms. Timm to approve the January 15, 2024 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Ms. Timm, seconded by Mr. Salm to approve the minutes for the December 18, 2023 meeting. Upon vote, the motion was unanimously approved.

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

The January 9, 2024 onsite meeting was not held due to inclement weather.

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: Jonathan Giroux – Owner of property located at 3407 S 10th St. Govt. Lot 3, Section 5, T18N–R24E, Town of Manitowoc, Manitowoc County, Wisconsin, parcel number (009-500-005-002.02); wherein a conditional use permit is being requested to operate a vacation home rental business in a RR, Rural Residential, S1, Shoreland zoned district.

Mr. Schuh stated; Mr. Giroux sent an email requesting to remain postponed. The Board left the request postponed and moved onto the next applicant.

New Business

Christine Schadrie – Owner of property located at 12395 Sandy Bay Rd. in the NE¼, SE¼, of section 36, T21N-R24E, Town of Two Creeks, Manitowoc County, Wisconsin, parcel number (017-036-013-002.00), wherein an after the fact variance is being requested to construct a 16' 2" x 20' 6" covered porch/entrance at 53 feet from the center line of the road located in a LE, Large Estate Residential zoned district.

Chairperson Schuh opened the public hearing for Christine Schadrie.

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

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

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

Ms. Schadrie had nothing to add to the appeal, she did clarified the reason for the “after the fact”.

Ms. Schadrie answered questions for the Board.

People in attendance in favor of the request:

Roger Sinkula, Town of Two Creeks Supervisor, stated that the Board did not take action on this request however off the record the Town Supervisors have no objection.

People in attendance opposed to the request: none.

Mr. Gaedtke stated the Town of Two Creeks sent a letter stating they are leaving the decision up to the Board of Adjustment. (copy on file).

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

Deliberation

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

Reasons for approval:

1. The existing building which has been in place for years is located close to the road which creates a hardship for the owner who was in need of replacing the patio.
2. The owner is burdened because the old porch was in need of repair and a new porch with overhang is needed to provide safe access in inclement weather.
3. New entrance/porch will not have a negative effect on the public interest because it will be an improvement from the old access and there is a reduced speed limit on that short road so motorists aren't driving as fast and it is setback far enough for this area.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Francis Linsmeier – Owner of property located off of Moncada Ln., in the SW¼, NE¼, of section 13, T19N-R22E, Town of Cato, Manitowoc County, Wisconsin, parcel number (001-013-003-000.00) wherein a conditional use permit and variances are being requested by Jim's Excavating, the applicant, to expand an existing sand and gravel pit to the north; and to excavate within 1000 feet from eight neighboring residences. The property is located in an EA, Exclusive Agricultural, zoned district.

Chairperson Schuh opened the public hearing for Francis Linsmeier. James Sauer representing Jim's Excavating was present.

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

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

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

Mr. Sauer had nothing to add to the appeal.

Mr. Sauer answered questions for the Board.

People in attendance in favor of the request:

Wayne Pearson, neighbor (closest neighboring property), spoke in favor of the request.

Tom Zich, neighbor (2nd closest neighboring property), spoke in favor of the request.

People in attendance opposed to the request: none.

Mr. Gaedtke stated the Town of Cato sent a copy of their town meeting minutes stating the town was in favor of the request. (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Francis Linsmeier.

Deliberation

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

Reasons for Conditional Use Permit Approval:

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 the same operation has been operating on adjacent land without restricting orderly development. Once the excavating is completed the land will be reclaimed so it can be used for agricultural purposes.
3. The intensity of this use won't have a negative effect on surrounding properties because it's been in operation and there has been no evidence of negative effects. In fact the two closest property owners spoke in favor of the request.
4. There was no evidence to show it would discourage development and neighbors spoke in favor of the request.
5. There was no documentation presented at the meeting that would show this type of use would have a negative effect on property values.
6. The use will not endanger the public's health, safety or welfare since it's been in use for years with no problems.
7. Excavation will not occur at or below ground water levels.
8. The amount of traffic and that access to the property will stay the same.
9. There will be no blasting.

Conditions of Conditional Use Permit Approval:

1. Days and hours of operation shall be, Monday through Friday from 6:00 a.m. to 6:00 p.m. and Saturdays from 6:00 a.m. to 12:00 p.m. (noon), all year as weather permits.
2. Number of employees shall be two.
3. Types of equipment will be as listed in the application.
4. Fencing or lighting is not required.
5. If the owner wants to have a sign; it shall meet code setbacks, size and other requirements.
6. There shall be operating mufflers on all equipment.
7. Blasting is prohibited.
8. Extraction shall not occur at or below ground water level.
9. The conditional use permit shall sunset in 10 years to match the lease agreement or upon new operating owners.
10. The operation shall use the same access.
11. The sand extraction operation has been continuous since May 15, 2000 and this approval includes the continued operation of the business and these conditions supersede the old conditions.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

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

The approved distances from excavation to residences would be:

- 999' from the house located at 1704 Highway H Rd.
- 999' from the house located at 10880 Summerset Ln.
- 997' from the house located at 10915 Summerset Ln.
- 983' from the house located at 1590 Moncada Ln.
- 881' from the house located at 1944 Moncada Ln.
- 690' from the house located at 1587 Moncada Ln.
- 528' from the house located at 1864 Summerset Ln.
- 451' from the house located at 1802 Moncada Ln.

Reasons for Variance Approval:

1. The new ordinance setbacks, that took into account blasting in gravel pits, were put in place after this pit had already been operating on an adjacent parcel, and therefore creates a hardship by greatly reducing the operating area on the new parcel where blasting will not be occurring.
2. The owner is burdened because they would not be permitted to operate anymore and without mining the land down, it would be too steep to be farmed.
3. It would not be contrary to the public interest because the pit has been operating on adjacent land since 1995 without any problems and it will be reclaimed back to farm land.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Other Business

Schedule Next Meeting:

The next Board of Adjustment meeting is tentatively scheduled for Monday, February 19, 2024 and the onsite meeting for Monday, February 12, 2024. (Dates and times are subject to change.)

Correspondence not related to a hearing item:


Mr. Gaedtke discussed with the Board changing the August onsite and September regular meeting dates due to the availability of the Code Administrator. After a brief discussion the August onsite meeting date will be Monday, August 12, 2024 and the September regular meeting date has been moved to Tuesday September 17, 2024.

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

Respectfully submitted,


Name (printed): Kenneth Schuler

Title:


Date



MANITOWOC COUNTY

BOARD OF ADJUSTMENT

ADVISORY & ON-SITE MEETING NOTICE

DATE: Tuesday, March 12, 2024
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: Johnathan Giroux** – Owner of property located at 3407 S 10th St. Govt. Lot 3, Section 5, T18N–R24E, Town of Manitowoc- Conditional Use Permit Request.
- IV. New Business -
 1. **Adam and Taran Denor** – Owner of property located at 653 S. Neumeyer Ln. in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, of section 19, T19N-R21E, Town of Rockland – Variance Requests.
 2. **Charles and Carol Hoefner** – Owners of property located at 14132 Rokilio Rd., Lot 1 of CSM V36, P23, section 24, T17N-R21E, Town of Schleswig – Variance Requests.
 3. **Derek and Sara Klein** – Owner of property located at 7409 CTH T in the NW $\frac{1}{4}$, SW $\frac{1}{4}$, of section 19, T20N-R23E, Town of Kossuth – Variance Request.
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: February 29, 2024

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 12, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Tuesday, March 12, 2024 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. Schuler to approve the agenda for the March 12, 2024 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 March 18, 2024 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: Ms. Timm 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

3/18/2023
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, March 18, 2024
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

Discussion and possible action on:

1. **POSTPONED: Johnathan Giroux** – Owner of property located at 3407 S 10th St. Govt. Lot 3, Section 5, T18N–R24E, Town of Manitowoc- Conditional Use Permit Request.

VI. NEW BUSINESS

Discussion and possible action on:

1. **Adam and Taran Denor** – Owner of property located at 653 S. Neumeyer Ln. in the SW¼, NW¼, of section 19, T19N-R21E, Town of Rockland – Variance Requests.
2. **Charles and Carol Hoefner** – Owners of property located at 14132 Rokilio Rd., Lot 1 of CSM V36, P23, section 24, T17N-R21E, Town of Schleswig – Variance Requests.
3. **Derek and Sara Klein** – Owner of property located at 7409 CTH T in the NW¼, SW¼, of section 19, T20N-R23E, Town of Kossuth – Variance Request.

VII. OTHER BUSINESS

1. Set April meeting date.
2. Correspondence

VIII. ADJOURNMENT

Date: February 29, 2024

Ralph Schuh, Board Chair

By: Reed Gaedtke, Code Administrator

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

March 18, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, March 18, 2024 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, Bonnie Timm 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 March 18, 2024 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Salm, seconded by Ms. Timm to approve the minutes for the January 15, 2024 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Ms. Timm, seconded by Mr. Schuler to approve the on-site minutes for the March 12, 2024 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuh, Salm, Timm 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

POSTPONED: Jonathan Giroux – Owner of property located at 3407 S 10th St. Govt. Lot 3, Section 5, T18N–R24E, Town of Manitowoc, Manitowoc County, Wisconsin, parcel number (009-500-005-002.02); wherein a conditional use permit is being requested to operate a vacation home rental business in a RR, Rural Residential, S1, Shoreland zoned district.

Mr. Gaedtke stated he received an email from Mr. Giroux requesting his appeal be withdrawn at this time.

Motion by: Ms. Timm to remove from the table.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Motion by: Mr. Schuler to withdraw Mr. Giroux’s appeal at this time.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

New Business

Adam and Taran Denor – Owner of property located at 653 S. Neumeyer Ln. in the SW¼, NW¼, of section 19, T19N-R21E, Town of Rockland, Manitowoc County, Wisconsin, parcel number (015-019-007-003.00), wherein variances are being requested to construct a new home at 20 feet from the north and south property lines located in a RR, Rural Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Adam and Taran Denor.

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. Adam Denor supplied signatures from his neighbors to the north and south stating they did not have an issue with the proposed variance. (copy on file)

People in attendance in favor of the request:

Larry Boettcher, spoke in favor of the request.

People in attendance opposed to the request: None.

Town of Rockland sent a letter stating they are in favor of the request. (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Adam and Taran Denor.

Deliberation

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

Reasons for approval:

1. Lot is long and narrow creating a hardship for the owner to fit a home on the property. The owners did their best to fit a normal size house on the lot.
2. The owners are burdened because the narrow lot prevents them from constructing a reasonably sized house.
3. The proposed house will not have a negative effect on the public interest because both neighbors are in favor of the project and the structure will be far enough from the road and lakeshore.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Charles and Carol Hoefner – Owners of property located at 14132 Rokilio Rd., Lot 1 of CSM V36, P23, section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-510-002-005.00) wherein variances are being requested to construct a 15' x 20 patio at 39 feet from the ordinary high water mark of Cedar Lake and to also construct a 15' x 15' patio with a fire pit at 2 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 Charles and Carol Hoefner.

Mr. Schuler informed Chairperson Schuh that he would like to recuse himself.

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.

Matt Grohskopf, Pigeon Landscape, stated they have made alterations to the request (copy on file).

Mr. Charles Hoefner and Matt Grohskopf 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 Charles and Carol Hoefner.

Mr. Schuh stated a letter was received from the Town of Schleswig stating they are in favor of the request. (copy on file).

Deliberation

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

Reason for Denial:

1. Based upon the testimony and application submitted; there's no justifiable hardship preventing the owners from reasonable use of the property without the patio.

Second by: Ms. Timm.

Upon vote: The motion was approved with a 3-0 vote.

Aye: Schuh, Salm, and Timm; *No:* none. (Mr. Schuler recused)

Derek and Sara Klein – Owner of property located at 7409 CTH T in the NW¼, SW¼, of section 19, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-019-010-000.00), wherein a variance is being requested to construct a home addition with an attached garage at 5 feet from the north property line located in an EA, Exclusive Agricultural zoned district.

Chairperson Schuh opened the public hearing for Derek and Sara Klein.

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. Derek Klein added clarification on question #1, he stated it would be to dig a new well not a wall.

Mr. Derek Klein 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 Derek and Sara Klein.

Town of Kossuth sent a letter stating they have no objection, if the neighbor to north has no objection. (copy on file).

Deliberation

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

Reasons for Approval:

1. The existing well location and the house location in relation to the property line, creates a hardship for the owner who is in need of expanding their home for a growing family.
2. The owners are burdened because they need the home addition for a growing family and the necessity for a larger garage has changed over time.
3. The new addition and garage will not have a negative effect on the public interest because it will not be any closer to the road than the existing house and the neighbor to the north was okay with the request.

Conditions of Approval:

1. The tree and other vegetation removed for construction shall be replaced and any additional trees, hedges or vegetation needed for screening shall be planted along the north property line.

Second by: Mr. Schuh.

Upon vote: The motion was approved 3-1.

Aye: Schuh, Salm, and Schuler; *No:* Timm.

Other Business

Correspondence not related to a hearing item: None

Schedule Next Meeting:

The next Board of Adjustment meeting is tentatively scheduled for Monday, April 15, 2024 at 7:00pm and the onsite meeting for Tuesday, April 9, 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, Timm and Schuler; No: none.

Respectfully submitted,

Ken Schuler

Ken Schuler

Secretary

4-15-2024

Date



MANITOWOC COUNTY

BOARD OF ADJUSTMENT

ADVISORY & ON-SITE MEETING NOTICE

DATE: Tuesday, April 9, 2024
TIME: 9:30 a.m.
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc, WI 54220

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

- I. Call to Order – Roll Call
- II. Approval of Agenda
"Open Meeting Law Compliance"
- III. Old Business – None
- IV. New Business –
 1. **Bradley and Tori Garber** – Owners of property located at 12536 County Road Q, in the SE¼, NE¼, of section 33, T21N-R23E, Town of Gibson – Conditional Use Permit Request.
 2. **Dave and Cheryl Schneider** – Owners of property located at 14133 Cedar Lake Rd., Part of Govt. Lot 3, section 24, T17N-R21E, Town of Schleswig – Conditional Use Permit Request.
 3. **Michael Lambert** – Owner of property located off of Two Creeks Rd., in the SW¼, SW¼, of section 7, T21N-R24E, Town of Mishicot – Conditional Use Permit and Variance Requests.
- V. Other Business –
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: April 2, 2024

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 9, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:30 A.M. on Tuesday, April 9, 2024 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 April 9, 2024 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 April 15, 2024 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

4-15-2024
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, April 15, 2024
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. **Bradley and Tori Garber** – Owners of property located at 12536 County Road Q, in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, of section 33, T21N-R23E, Town of Gibson – Conditional Use Permit Request.
2. **Dave and Cheryl Schneider** – Owners of property located at 14133 Cedar Lake Rd., Part of Govt. Lot 3, section 24, T17N-R21E, Town of Schleswig – Conditional Use Permit Request.
3. **Michael Lambert** – Owner of property located off of Two Creeks Rd., in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, of section 7, T21N-R24E, Town of Mishicot – Conditional Use Permit and Variance Requests.

VII. OTHER BUSINESS

1. Set May meeting date.
2. Correspondence

VIII. ADJOURNMENT

Date: April 2, 2024

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 15, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, April 15, 2024 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, Bonnie Timm and Ken Schuler. Members absent: Dave Christel. Staff present: Reed Gaedtke.

A motion was made by, Ms. Timm, seconded by Mr. Salm to approve the April 15, 2024 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Salm, seconded by Mr. Schuler to approve the minutes for the March 18, 2024 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Ms. Timm, seconded by Mr. Schuler to approve the on-site minutes for the April 9, 2024 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuh, Salm, Timm 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

Bradley and Tori Garber – Owners of property located at 12536 County Road Q, in the SE¼, NE¼, of section 33, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, parcel number (006-033-004-001.00), wherein a conditional use permit is being requested to operate a metal garden art business, located in a RR, Rural Residential zoned district.

Mr. Gaedtke stated a letter was received from the Town of Gibson requesting they have more time to discuss the request. Therefore, the request was never opened so it will be opened at the May Board of Adjustment meeting.

Dave and Cheryl Schneider – Owners of property located at 14133 Cedar Lake Rd., Part of Govt. Lot 3, section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-024-003-004.00), wherein a conditional use permit is being requested to operate a vacation home rental business, located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Dave & Cheryl Schneider.

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. Schneider had nothing to add to his appeal.

Mr. Schneider answered questions for the Board.

People in attendance in favor of the request:

Richard Glomski, Town of Schleswig Chairperson, spoke for the Town in favor of the request.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Schuh closed the public hearing for Dave and Cheryl Schneider.

Mr. Schuh stated a letter was received from the Town of Schleswig stating they are in favor of the request. (copy on file).

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 request doesn't impede the orderly development of the district.
3. The request is compatible with the surrounding area and won't have a negative effect on surrounding properties because there are other vacation rental properties in the area.
4. The use fits on the parcel.
5. There is adequate parking and road access.
6. The structure is acceptable to the area.
7. The use will not discourage area development.
8. The use will not impair the value of surrounding properties.
9. There are no unsafe fumes, flashing lights or other factors that are more objectionable than any other allowable principal use in that district.
10. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation shall be seven days a week.
2. Hours of operation will be 24 hours per day.
3. There shall be a quiet time from 10:00 p.m. to 7:00 a.m.
4. A 2000 gallon holding tank is required to allow for the maximum 6 people in the home as requested. If the holding tank is does not meet the minimum 2000 gallon requirement then either the number of people allowed to stay in the home shall be reduced to meet septic requirements, or, the septic tank has to be increased to allow for 6 people.
5. Working fire alarms shall be up to date and installed in the home.
6. Pets are not allowed.

7. No parking allowed on the public road.
8. The discharge of firearms is prohibited.
9. The use of fireworks is prohibited.
10. All signage must meet Manitowoc County Code Requirements.
11. There must be a contact sign posted in a conspicuous location as required by county code.
12. Must obtain all State and County Health Department Licenses.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Michael Lambert – Owner of property located off of Two Creeks Rd., in the SW¼, SW¼, of section 7, T21N-R24E, Town of Mishicot, Manitowoc County, Wisconsin, parcel number (013-107-011-004.00), wherein an after the fact conditional use permit and variances are being requested to operate a non-metallic mining operation and to excavate within 1000 feet of eight residences and within the road center line setback, within the 200 foot road right-of-way setback and within the 100 foot property line setback of some adjacent parcels, located in an EA, Exclusive Agricultural zoned district.

Chairperson Schuh opened the public hearing for Michael Lambert.

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. Lambert had nothing to add to his appeal.

Mr. Michael Lambert and Mr. Tom Lambert answered questions for the Board.

People in attendance in favor of the request:

Lee Stefaniak, Town of Mishicot Chairperson, spoke in favor of the requests.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Schuh closed the public hearing for Michael Lambert.

Town of Mishicot sent a letter stating they approved of the requests, provided two conditions be added to the permit. (copy on file).

Mr. Gaedtke stated he received a phone call from Christine Pongratz, adjacent property owner, stating she was in favor of the request but could not attend the meeting.

Deliberation

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

Reasons for Conditional Use Permit Approval:

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 and won't have a negative effect on surrounding properties because it is located in a field and will be reclaimed back to a field within a few months.
3. The use is compatible with the area and will benefit agricultural production once the sand is removed and that pit is reclaimed.
4. The use fits on the parcel and has adequate access to a town road.
5. There are no buildings proposed for this use.
6. The use will not discourage development because it will go back to being a field.
7. The use will not impair the value of surrounding properties and should improve the value of the property and future crop growth.
8. There are no unsafe fumes, flashing lights or other factors that are more objectionable than any other allowable principal use in that district.
9. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. The site shall be fully reclaimed by August 31, 2024.
2. Any additional mining after August 31, 2024, shall require approval of a new conditional use permit.
3. Days of operation shall be Monday thru Friday.
4. Hours of operation shall be 7:00 a.m. to 5:00 p.m.
5. The owners are allowed two employees.
6. Signage is not required.
7. At a minimum, a temporary barrier fence shall be installed between the field access and neighboring house property lines for safety purposes.
8. Trucks shall enter from the west and exit to the west and go towards CTH B. Trucks are prohibited from going east or coming from the east.
9. Weight of trucks shall comply with Town road limit requirements.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

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

The variances granted from excavation to residences and a bar are as follows:

1. At 78 feet from the house located at 621 Two Creeks Rd.
2. At 221 feet from the house located at 622 Two Creeks Rd.
3. At 270 feet from the house located at 275 Two Creeks Rd.
4. At 447 feet from the house located at 16920 Lambert Rd.
5. At 953 feet from the bar/restaurant located at 15506 CTH B.

Reasons for Variance Approval:

1. Testimony and evidence showed, not leveling the area off and removing the "bad" sand would create a hardship on the owner and be detrimental to crop grown in that field.
2. The owner of the property is burdened because not removing that specific sand would make crop growth harder. By having that sand gone the field would be leveled making it easier to cultivate crops and crop production better.
3. The use would not be contrary to the public use because the board did not receive any objections to this request. In fact one neighbor and the Town of Mishicot spoke in favor of the request.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

Aye: Schuh, Salm, Timm 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, May 20, 2024 at 7:00pm and the onsite meeting for Tuesday, May 14, 2024 at 9:00am. (Dates and times are subject to change.)

Adjournment

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

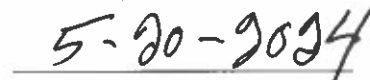
Aye: Schuh, Salm, Timm and Schuler; *No:* none.

Respectfully submitted,



Ken Schuler

Secretary



Date



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

DATE: Tuesday, May 14, 2024
TIME: 9:00 a.m.
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc, WI 54220

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

- I. Call to Order - Roll Call
- II. Approval of Agenda
"Open Meeting Law Compliance"
- III. Old Business – None
- IV. New Business –
 1. **Bradley and Tori Garber** – Owners of property located at 12536 County Road Q, in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, of section 33, T21N-R23E, Town of Gibson – Conditional Use Permit Request.
 2. **Trinity Ev. Lutheran Church** – Owner of property located at 11303 Wehausen Rd., in the NW $\frac{1}{4}$, NW $\frac{1}{4}$, of section 13, T18N-R22E, Town of Liberty – Conditional Use Permit and Variance Requests.
 3. **Dave and Cheryl Schneider** – Owners of property located at 14136 Cedar Lake Rd., Part of Govt. Lot 3, section 24, T17N-R21E, Town of Schleswig – Variance Request.
 4. **Don Mjelde** – Owner of property located at 13231 Lakeshore Rd., in Govt. Lot 3, of section 30, T21N-R25E, Town of Two Creeks – Variance Request.
 5. **Chris and Brittany Schultz** – Owners of property located at 3722 Branch River Rd., in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, and NW $\frac{1}{4}$, SE $\frac{1}{4}$, section 5, T19N-R23E, Town of Manitowoc Rapids – Conditional Use Permit Request.
- V. Other Business –
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: May 6, 2024

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 14, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Tuesday, May 14, 2024 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, Dave Christel and Bonnie Timm. Members Absent: None.

A motion was made by Ms. Timm; seconded by Mr. Christel to approve the agenda for the May 14, 2024 meeting. Upon vote, the motion was unanimously approved.
Aye: Schuh, Salm, Timm Christel and Schuler; No: none;

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

The Board received their folders containing the May 20, 2024 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites (Mr. Christel and Ms. Timm, did not attend) 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

5-20-2024
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, May 20, 2024
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. **Bradley and Tori Garber** – Owners of property located at 12536 County Road Q, in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, of section 33, T21N-R23E, Town of Gibson – Conditional Use Permit Request.
2. **Trinity Ev. Lutheran Church** – Owner of property located at 11303 Wehausen Rd., in the NW $\frac{1}{4}$, NW $\frac{1}{4}$, of section 13, T18N-R22E, Town of Liberty – Conditional Use Permit and Variance Requests.
3. **Dave and Cheryl Schneider** – Owners of property located at 14136 Cedar Lake Rd., Part of Govt. Lot 3, section 24, T17N-R21E, Town of Schleswig – Variance Request.
4. **Don Mjelde** – Owner of property located at 13231 Lakeshore Rd., in Govt. Lot 3, of section 30, T21N-R25E, Town of Two Creeks – Variance Request.
5. **Chris and Brittany Schultz** – Owners of property located at 3722 Branch River Rd., in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, and NW $\frac{1}{4}$, SE $\frac{1}{4}$, section 5, T19N-R23E, Town of Manitowoc Rapids – Conditional Use Permit Request.

VII. OTHER BUSINESS

1. Set June meeting date.
2. Correspondence

VIII. ADJOURNMENT

Date: May 6, 2024

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 20, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, May 20, 2024 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, Bonnie Timm, Dave Christel and Ken Schuler. Members absent: None. Staff present: Reed Gaedtke.

A motion was made by, Ms. Timm, seconded by Mr. Christel to approve the May 20, 2024 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Salm, seconded by Mr. Schuler to approve the minutes for the April 15, 2024 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuler, seconded by Mr. Salm to approve the on-site minutes for the May 14, 2024 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuh, Salm, Timm, 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

Bradley and Tori Garber – Owners of property located at 12536 County Road Q, in the SE¼, NE¼, of section 33, T21N-R23E, Town of Gibson, Manitowoc County, Wisconsin, parcel number (006-033-004-001.00), wherein a conditional use permit is being requested to operate a metal garden art business, located in a RR, Rural Residential zoned district.

Chairperson Schuh opened the public hearing for Bradley and Tori Garber.

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. Garber had nothing to add to his appeal.

Mr. Garber answered questions for the Board.

People in attendance in favor of the request:

Richard Wegner, Town of Gibson Chairperson, spoke for the Town in favor of the request.

Chris Schultz, spoke in favor of the request.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Schuh closed the public hearing for Bradley and Tori Garber.

An email was received from the Town of Gibson stating they are in favor of the request (copy on file).

Mr. Gaedtke stated a letter was received from Badgerland Aggregates, adjacent property owner, 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, on-site visit and testimony warrants an approval.
2. The request doesn't impede the orderly development of the district because it's permitted as a conditional use.
3. The intensity won't have a negative effect to surrounding properties because the business will occur within an insulated building so it will be quiet. There are greater noises coming from other neighboring properties.
4. There is minimal exposure outside.
5. The use will not endanger the public's health, safety or welfare. This use has very little impact to the area.

Conditions of Approval:

1. Days of operation shall be seven days a week.
2. Hours of operation will be Monday through Friday 4:00 p.m. to 7:00 p.m. and weekends from 7:00 a.m. to 7:00 p.m.
3. The only employees will be the owners.
4. Type of equipment used will be fabrication equipment and technologies for this type of work.
5. Outdoor lighting must be residential type lighting and it must shine down onto the property.
6. A 32 sq/ft sign is permitted according to county code.
7. Customer parking must occur on the property. Parking on the road is prohibited.
8. Any storage of scrap metal shall be out of view of the roads.
9. Aerosol or hand painting of the metal is permitted.
10. A single pallet or one scrap luger type container is permitted for storage of scrap. All scrap must be stored on the pallet or within the container.

Second by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

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

Trinity Ev. Lutheran Church – Owner of property located at 11303 Wehausen Rd., in the NW¼, NW¼, of section 13, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, parcel number (008-013-006-002.00 and 008-013-006-001.00), wherein a conditional use permit and variances are being requested to expand a cemetery onto a new parcel of land and to locate burial plots and structures approximately 60' from the centerline of Wehausen Rd. and at 25 feet from the road right-of-way line, located in a RR, Rural Residential zoned district.

Chairperson Schuh opened the public hearing for Trinity Ev. Lutheran Church.

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. Brad Buechel, Meridian Surveying, representing Trinity Ev. Lutheran Church, stated they have received approval from the Town of Liberty earlier this year.

Mr. Buechel 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 Trinity Ev. Lutheran Church.

Mr. Schuh stated a letter was received from the Town of Liberty stating they are in favor of the request. (copy on file).

Deliberation

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

Reasons for Conditional Use Permit Approval:

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 a cemetery already exists on the parcel and this is just an expansion of that cemetery.
3. The use will not have a negative impact on surrounding properties because it's surrounded by agricultural land and has been there for a number of years.
4. The use will not discourage area development.
5. The use will not impair property values. It's surrounded by agricultural fields and a cemetery has existed there for years without any issues to property values.
6. The use will not endanger the public's health, safety or welfare. The new area will actually be further from the road than the older existing part of the cemetery and there were no problems with the older cemetery location.

Second by: Mr. Timm.

Upon vote: The motion was unanimously approved.

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

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

Reasons for Variance Approval:

1. The hardship for the property is that a cemetery already exists and not allowing them to expand onto the other area would limit them to the amount of land needed for the cemetery.
2. The church needs more space.
3. The church is burdened because they need to expand their cemetery and only have the land would be allowed to be utilized and the parcel size is limited due to steeper slopes and wetter conditions towards the south.
4. The cemetery will not have a negative effect on the public interest because it has existed for years without any issues or accidents; and it won't impede the roads line of site.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Dave and Cheryl Schneider – Owners of property located at 14136 Cedar Lake Rd., Part of Govt. Lot 3, section 24, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-024-003-004.00), wherein a variance is being requested to relocate a 24' x 26' garage at 32' from the centerline of Cedar Lake Rd. and 6 feet from the road right-of-way line, located in a CB, Commercial Business, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Dave & Cheryl Schneider.

Mr. Brad Buechel, Meridian Surveying, joined Mr. Schneider to answer questions for the Board.

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. Buechel gave some history regarding the parcel.

Mr. Buechel and Mr. Schneider 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 Dave and Cheryl Schneider.

Mr. Christel informed Chairperson Schuh that he would like to recuse himself.

Deliberation

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

Reasons for Approval:

1. The road was originally located in the wrong location and it was determined to be closer to the owner's lot.
2. The owner is burdened because the existing road is closer to his property than what is shown. The road location was put in a different area from what surveys show and the new location limits where he can build.
3. The request will not have a negative effect on the area because it is not increasing impervious surface, the roadway will actually become wider to allow for easier snow removal; and there is a reduced speed limit in that location.

Second by: Ms. Timm.

Upon vote: The motion was approved with a 4-0 vote.

Aye: Schuh, Salm, Timm, and Schuler; *No:* none. (Mr. Christel recused)

Don Mjelde – Owner of property located at 13231 Lakeshore Rd., in Govt. Lot 3, of section 30, T21N-R25E, Town of Two Creeks, Manitowoc, County, Wisconsin, parcel number (017-130-011-002.00), wherein a variance is being requested to construct a 20' x 20' shed at 50 feet from the toe of the bluff and the ordinary high water mark of Lake Michigan, located in a LE, Large Estate Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Don Mjelde.

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. Mjelde added an adjustment to the shed dimensions.

Mr. Mjelde answered questions for the Board.

People in attendance in favor of the request:

Bill Schwerma, Supervisor, Town of Two Creeks, spoke for the Town in favor of the request.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Schuh closed the public hearing for Don Mjelde.

The Town of Two Creeks sent a copy of the town minutes in favor of the request. (copy on file).

Deliberation

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

Reasons for Approval:

1. The small lot and it's unique configuration, along with the steep slope to the east, the mound and road to the west and the house to the south, creates a hardship for the owner which limits his buildable area for a shed which is needed. There is no other logical place for a shed on this lot.
2. The owner is burdened because he would not have any storage for his small lot, which is needed in this area due to inclement weather. The shed size is adequate for this lot.
3. The shed will not have a negative effect on the public interest because of its size and ability to be moved fairly easy if erosion were to occur.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Chris and Brittany Schultz – Owners of property located at 3722 Branch River Rd., in the NE¼, SE¼, and NW¼, SE¼, section 5, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel number (010-005-013-006.00), wherein a conditional use permit is being requested to operate a vacation home rental business, located in a HD, High Density Residential, zoned district.

Chairperson Schuh opened the public hearing for Chris and Brittany Schultz.

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. Schultz added that he spoke to his direct two neighbors and informed them of their intent for the vacation home rental.

Mr. and Mrs. Schultz answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

There being no further comments, Chairperson Schuh closed the public hearing for Chris and Brittany Schultz.

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 request doesn't impede the orderly development of the district. It's a rural area with a field on one side.
3. The request is compatible with the surrounding area and won't have a negative effect on surrounding properties.
4. There is adequate parking and road access.
5. The structure(s) are acceptable to the area.
6. The use will not discourage area development.
7. The use will not impair the value of surrounding properties.
8. There are no unsafe fumes, flashing lights or other factors that are more objectionable than any other allowable principal use in this district.
9. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation shall be seven days a week.
2. Hours of operation will be 24 hours per day.
3. Number of employees will be two.
4. Maximum number of occupancy shall be 6.
5. There shall be a code compliant sign located outside in a conspicuous area showing emergency contact information for the property.
6. Owners are allowed a 32 square foot on premise business sign provided it meets setbacks and other code requirements.
7. There shall be a quiet time from 10:00 p.m. to 7:00 a.m.
8. Working smoke detectors and fire extinguishers shall be up to date and installed in the home.
9. Pets are not allowed.
10. No parking allowed on the public road.
11. The discharge of firearms is prohibited.
12. The use of fireworks is prohibited.
13. Must obtain all State and County Health Department Licenses.

Motion by: Mr. Schuler to pause deliberation to ask the applicants additional questions.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

The Board asked the applicants additional questions.

Mr. & Mrs. Schultz answered additional questions for the Board.

Chairperson Schuh closed the additional input from Chris and Brittany Schultz and continued with deliberations.

Second by: Mr. Salm to approve the conditional use permit request.

Upon vote: The motion was unanimously approved.

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

Other Business

Correspondence not related to a hearing item:

Silver Creek Nurseries Inc – Discussion was had between the Board members with regards to condition number nine on the conditional use permit.

The Board stated the fence that was installed on part of the west side for screening purposes is acceptable. However, the open areas on the west side of the property between the trees and below the pine tree branches, where there is not fence, must be screened with evergreen vegetation or a privacy fence like they currently have towards the back of the property.

If vegetation is planted on the west side in lieu of fencing, the vegetation should cover the areas below the existing tree limbs and placed in an area where they can get sunlight and grow.

Motion by: Mr. Schuler to send letter regarding condition clarification and complaint as stated.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

141 Speedway – Mr. Gaedtke stated he received a phone call complaint about running after hours. Owners called and notified office they ran long one night.

Schedule Next Meeting:

The next Board of Adjustment meeting is tentatively scheduled for Monday, June 17, 2024 at 7:00pm and the onsite meeting for Tuesday, June 11, 2024 at 9:00am. (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: Schuh, Salm, Timm, Christel and Schuler; *No:* none.

Respectfully submitted,



Ken Schuler
Secretary



Date



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

DATE: Tuesday, June 11, 2024
TIME: 9:00 a.m
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc, WI 54220

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

- I. Call to Order - Roll Call
- II. Approval of Agenda
"Open Meeting Law Compliance"
- III. Old Business – None
- IV. New Business –
 1. **Eric and Erica Berg** – Owners of property located at 3068 Cottage Ln., in the SE¼, NE¼, Section 34, T20N-R24E, Town of Two Rivers - After the Fact Conditional Use Permit Request.
 2. **Sixel Cottage LLC** – Owners of property located at 14006 Woodside Ln., in the SW¼, NE¼, Section 20, T17N-R22E, Town of Meeme – After the Fact Conditional Use Permit Request.
 3. **Joe and Alice Oberbroeckling** – Owners of property located at 8809 Pigeon Lake Rd., in the NW¼, NE¼, Section 33, T18N-R22E, Town of Liberty - After the Fact Conditional Use Permit Request.
 4. **Andy Boncher** – Owner of property located at 12419 CTH NN, in the SW¼, NW¼, section 31, T21N-R22E, Town of Cooperstown - Variance Request.
 5. **Jonathan W. Thompson** – Owner of property located at 2817 Basswood Rd., in the SE¼, NW¼, Section 24, T19N-R23E, Town of Manitowoc Rapids- Variance Request.
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: June 5, 2024

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 11, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:00 A.M. on Tuesday, June 11, 2024 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 June 11, 2024 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 June 17, 2024 hearing requests.

Mr. Dave Christel showed up for the meeting shortly after roll call.

Mr. Gaedtke gave a quick overview of each request and correspondences.

The Board proceeded to the on-sites (Mr. Christel did not attend) and returned to the Manitowoc County Office Complex when completed.

ADJOURNMENT

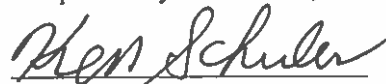
Motion by: Mr. Schuler to adjourn.

Seconded by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,



Ken Schuler, Secretary

6-17-2024

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, June 17, 2024
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. **Eric and Erica Berg** – Owners of property located at 3068 Cottage Ln., in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 34, T20N-R24E, Town of Two Rivers - After the Fact Conditional Use Permit Request.
2. **Sixel Cottage LLC** – Owners of property located at 14006 Woodside Ln., in the SW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 20, T17N-R22E, Town of Meeme – After the Fact Conditional Use Permit Request.
3. **Joe and Alice Oberbroeckling** – Owners of property located at 8809 Pigeon Lake Rd., in the NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 33, T18N-R22E, Town of Liberty - After the Fact Conditional Use Permit Request.
4. **Andy Boncher** – Owner of property located at 12419 CTH NN, in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, section 31, T21N-R22E, Town of Cooperstown - Variance Request.
5. **Jonathan W. Thompson** – Owner of property located at 2817 Basswood Rd., in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 24, T19N-R23E, Town of Manitowoc Rapids- Variance Request.

VII. OTHER BUSINESS

1. Set July meeting date.
2. Correspondence

VIII. ADJOURNMENT

Date: June 5, 2024

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 17, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, June 17, 2024 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, Bonnie Timm, Dave Christel and Ken Schuler. Members absent: None. Staff present: Reed Gaedtke.

A motion was made by, Mr. Christel, seconded by Ms. Timm to approve the June 17, 2024 meeting agenda. Upon vote, the motion was unanimously approved.
Aye: Schuh, Salm, Timm, Christel and Schuler; No: none.

A motion was made by, Mr. Salm, seconded by Ms. Timm to approve the minutes for the May 20, 2024 meeting. Upon vote, the motion was unanimously approved.
Aye: Schuh, Salm, Timm, Christel and Schuler; No: none.

A motion was made by, Ms. Timm, seconded by Mr. Schuler to approve the on-site minutes for the June 11, 2024 meeting. Upon vote, the motion was unanimously approved.
Aye: Schuh, Salm, Timm, 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

Eric and Erica Berg – Owners of property located at 3068 Cottage Ln., in the SE¼, NE¼, Section 34, T20N-R24E, Town of Two Rivers, Manitowoc County, Wisconsin, parcel number (018-134-004-002.00), wherein an after the fact conditional use permit is being requested to continue operating a vacation home rental business, located in a RR, Rural Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Eric and Erica Berg. Ken Berg, agent (and father to Eric Berg) representing the Bergs.

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. Ken Berg had nothing to add to the appeal.

Mr. Ken Berg 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 Eric and Erica Berg.

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

Deliberation

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

Reasons for Approval:

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. It's a permitted use in that zoning district with a conditional use permit, and has operated as a vacation rental before.
3. The request is compatible with the surrounding area and won't have a negative effect on surrounding properties.
4. The use will not discourage area development. It was a vacation rental before with no problems.
5. The use will not impair the value of surrounding properties. No proof was brought forward to show otherwise.
6. The use will not endanger the public's health, safety or welfare.
7. The board did not receive any negative feedback on the property when it was previously operating as a vacation home rental.

Conditions of Approval:

1. Days of operation shall be seven days a week.
2. Hours of operation will be 24 hours per day.
3. Number of employees can be one.
4. Maximum number of occupancy shall be 6.
5. There shall be a code compliant sign located outside in a conspicuous area showing emergency contact information for the property.
6. There shall be a quiet time from 10:00 p.m. to 7:00 a.m.
7. Working smoke detectors and fire extinguishers shall be updated and installed in the home.
8. Pets are not allowed.
9. No additional fencing is required.
10. There shall be a designated area for campfires.
11. No parking allowed on the road. All parking shall occur on the property.
12. Employee parking shall occur on the property.
13. The discharge of firearms is prohibited.
14. The use of fireworks or other artificial noise is prohibited.
15. Must obtain all State and County Health Department Licenses.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Sixel Cottage LLC – Owners of property located at 14006 Woodside Ln., in the SW¼, NE¼, Section 20, T17N-R22E, Town of Meeme, Manitowoc County, Wisconsin, parcel number (012-020-003-014.00), wherein an after the fact conditional use permit is being requested to continue operating a vacation home rental business, located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Sixel Cottage 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.

Ms. Diane Sixel, representing Sixel Cottage LLC, had nothing to add to the appeal.

Ms. Sixel 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 Sixel Cottage LLC.

Deliberation

Motion by: Mr. Christel to approve the after the fact 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 doesn't impede the orderly development of the district. It has already operated as a vacation rental property without any problems and the use is permitted in the ordinance with a conditional use permit.
3. The request is compatible with the surrounding area and won't have a negative effect on surrounding properties because it is a residence just like all the other buildings in the area.
4. The use will not discourage area development because it's a residence.
5. No proof was brought forward to show the use would impair property values.
6. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation shall be seven days a week.
2. Hours of operation will be 24 hours per day.
3. Maximum number of occupants shall be 4.
4. Residential type lighting can be used but it shall be pointed down onto the property and not shine onto neighboring property or roads.
5. There shall be a code compliant sign located outside in a conspicuous area showing emergency contact information for the property.
6. There shall be a quiet time from 10:00 p.m. to 7:00 a.m.
7. Working smoke detectors and fire extinguishers shall be up to date and installed in the home.

8. Pets are not allowed for renters but are allowed for family members and owners.
9. There shall be a designated area for campfires.
10. No parking allowed on roads. All parking must occur on the property.
11. The discharge of firearms, use of fireworks and artificial noises are prohibited.
12. Owner(s) must obtain all State and County Health Department Licenses.

Second by: Ms. Timm.

Upon vote: The motion was unanimously approved.

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

Joe and Alice Oberbroeckling – Owners of property located at 8809 Pigeon Lake Rd., in the NW¼, NE¼, Section 33, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, parcel number (008-033-002-001.08), wherein an after the fact conditional use permit is being requested to continue operating a vacation home rental business, located in a, SE, Small Estate Residential, zoned district.

Chairperson Schuh opened the public hearing for Joe and Alice Oberbroeckling.

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. Joe Oberbroeckling added to his appeal.

Mr. Joe Oberbroeckling answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request:

Gary Brachmann, neighbor, spoke in opposition to the request.

Mr. Oberbroeckling spoke in rebuttal.

There being no further comments, Chairperson Schuh closed the public hearing for Joe and Alice Oberbroeckling.

Mr. Gaedtke stated a letter was received from the Town of Liberty stating they are in favor of the request with conditions (copy on file).

Mr. Gaedtke also stated a letter and an email were received from Mr. Brachmann (copy on file).

Deliberation

Motion by: Mr. Christel to approve the after the fact 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 doesn't impede the orderly development of the district. It's a residence and a vacation rental is allowable in this district with a conditional use permit.
3. The request is compatible with the surrounding area and won't have a negative effect on surrounding properties.
4. No proof was brought forward that shows the use would impair property values.
5. The use will not discourage area development.
6. The use will not endanger the public's health, safety or welfare. Any concerns are addressed with the listed conditions.

Conditions of Approval:

1. Days of operation shall be seven days a week, 365 days per year.
2. Hours of operation will be 24 hours per day.
3. Number of employees will be two.
4. Maximum number of occupancy shall be 8.
5. Fencing is not required. However, all property lines shall be clearly marked and maintained.
6. Residential lighting is allowed but it must shine down onto the property and not onto neighboring property.
7. There shall be a quiet time from 10:00 p.m. to 7:00 a.m.
8. The discharge of firearms, fireworks and other artificial noises are prohibited.
9. There shall be a code compliant sign located outside, in a conspicuous area, showing emergency contact information for the property.
10. All parking shall occur on the property. Parking on the road is prohibited.
11. Smoke detectors and fire extinguishers shall be installed and up to date.
12. No more than two pets allowed at a time and they must be leashed when they are outside.
13. There shall be a designated area for campfires.
14. Must obtain all State and County Health Department Licenses.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Andy Boncher – Owner of property located at 12419 CTH NN, in the SW¼, NW¼, section 31, T21N-R22E, Town of Cooperstown, Manitowoc County, Wisconsin, parcel number (003-031-007-002.00), wherein a variance is being requested for replacing an old garage with a new 30' x 50' garage at 37 feet from the ordinary high water mark of a small stream located in a RR, Rural Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Andy Boncher.

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. Boncher had nothing to add to his appeal.

Mr. Boncher answered questions for the Board.

People in attendance in favor of the request:

Mr. Boncher's girlfriend, a Denmark resident, spoke in favor of the request.

People in attendance opposed to the request: none.

There being no further comments, Chairperson Schuh closed the public hearing for Andy Boncher.

Mr. Gaedtke stated he received a letter from the DNR. In addition, he received a copy of the town minutes from the Town of Cooperstown in favor of the request. (copy on file).

Deliberation

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

Reasons for Approval:

1. The layout of the lot with the mound to the south and the creek going through the property cutting it almost in half, creates a hardship on the owner and restricts his buildable area. There's no other place for the owner to build.
2. The owner is burdened because he needs to have a place to store equipment and personal belongings and to have them inside during inclement weather.
3. The town approved of the location and request.
4. It will not be contrary to public interest because there is a garage there now and there will be sufficient vegetative buffering between the new garage and the creek.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Jonathan W. Thompson – Owner of property located at 2817 Basswood Rd., in the SE¼, NW¼, Section 24, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel number (010-011-008-005.00), wherein a variance is being requested to construct a 37' x 50' building addition at 15 feet from the road right-of-way line located in a ID, Industrial zoned district.

Chairperson Schuh opened the public hearing for Jonathan W. Thompson.

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. Thompson had nothing to add to his appeal.

Mr. Thompson 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 a letter and a copy of the Town Board meeting minutes were received from the Town of Manitowoc Rapids stating they are in favor of the request (copy on file).

An email was also received from Gerry Neuser, Director of Public Works, stating the Public Works Committee approved the request. Approval from the Planning & Park Commission would still be required (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Jonathan W. Thompson.

Deliberation

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

Reasons for Approval:

1. The abnormally wider than typical right of way in this area creates a hardship and burdens the owner by restricting the owner's area to build.
2. The owner is already going to have to relocate the holding tank to make room for the addition.
3. It will not have a negative effect on the public because the structure will still meet the setback from the centerline of the road and it will also be located outside the site triangle.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Other Business

Correspondence not related to a hearing item:

141 Speedway – Mr. Gaedtke stated he received an email from the speedway stating they ran late that night. By morning he had received a call from an upset citizen stating they operated late.

Schedule Next Meeting:

The next Board of Adjustment meeting is tentatively scheduled for Monday, July 15, 2024 at 7:00pm and the onsite meeting for Tuesday, July 9, 2024 at 9:30am. (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: Schuh, Salm, Timm, Christel and Schuler; *No:* none.

Respectfully submitted,



Ken Schuler

Secretary

7-15-2024

Date



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

DATE: Tuesday, July 9, 2024
TIME: 9:30 a.m
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc, WI 54220

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

- I. Call to Order - Roll Call
- II. Approval of Agenda
"Open Meeting Law Compliance"
- III. Old Business – None
- IV. New Business –
 1. **JBLA Properties LLC** – Owners of property located at 19817 Kunish Ln., in Govt. Lot 1, Section 3, T17N-R21E, Town of Schleswig - Conditional Use Permit Request.
 2. **Randy Fretwell** – Owner of property located at 19707 U.S. HWY 57, in the SW¼, SW¼, Section 35, T17N-R21E, Town of Schleswig – Variance Request.
 3. **James and Kelly Eells Trust** – Owner of property located at 98 Crystal Springs Rd., in the E½, NW¼, SE¼, Section 20, T20N-R24E, Town of Two Rivers, - Conditional Use Permit Request.
 4. **Dwight Brubaker** – Owner of property located at 35 West Samz Rd., in the NW¼, NE¼, Section 8, T20N-R24E, Town of Mishicot, – Conditional Use Permit Request.
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: June 27, 2024

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 9, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:30 A.M. on Tuesday, July 9, 2024 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, Dave Christel and Bonnie Timm. Members Absent: None.

A motion was made by Ms. Timm; seconded by Mr. Christel to approve the agenda for the July 9, 2024 meeting.

Upon vote: The motion was unanimously approved.

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

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

The Board received their folders containing the July 15, 2024 hearing requests.

Mr. Gaedtke gave a quick overview of each request.

The Board proceeded to the on-sites (Mr. Christel, did not attend) 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, Salm, Timm and Schuler; *No:* none

Respectfully submitted,


Ken Schuler, Secretary

7-15-2024
Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, July 15, 2024
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. **JBLA Properties LLC** – Owners of property located at 19817 Kunish Ln., in Govt. Lot 1, Section 3, T17N-R21E, Town of Schleswig - Conditional Use Permit Request.
2. **Randy Fretwell** – Owner of property located at 19707 U.S. HWY 57, in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 35, T17N-R21E, Town of Schleswig – Variance Request.
3. **James and Kelly Eells Trust** – Owner of property located at 98 Crystal Springs Rd., in the E $\frac{1}{2}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 20, T20N-R24E, Town of Two Rivers, - Conditional Use Permit Request.
4. **Dwight Brubaker** – Owner of property located at 35 West Samz Rd., in the NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 8, T20N-R24E, Town of Mishicot, – Conditional Use Permit Request.

VII. OTHER BUSINESS

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

VIII. ADJOURNMENT

Date: June 27, 2024

By: Ralph Schuh, Board Chair
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 15, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, July 15, 2024 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, Bonnie Timm, Dave Christel and Ken Schuler. Members absent: None. Staff present: Reed Gaedtke.

A motion was made by, Ms. Timm, seconded by Mr. Salm to approve the July 15, 2024 meeting agenda. Upon vote, the motion was unanimously approved.

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

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

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

A motion was made by, Mr. Salm, seconded by Ms. Timm to approve the on-site minutes for the July 9, 2024 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuh, Salm, Timm, 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

JBLA Properties LLC – Owners of property located at 19817 Kunish Ln., in Govt. Lot 1, Section 3, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-003-013-002.00), wherein a conditional use permit is being requested to operate a vacation home rental business, located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for JBLA Properties LLC. Mr. Andrew Pfister, property owner, answered questions for the Board.

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. Andrew Pfister had nothing to add to the appeal.

Mr. Andrew Pfister 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 JBLA Properties LLC.

Mr. Gaedtke stated a letter was received from the Town of Schleswig stating they are 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 doesn't impede the orderly development of the district. The use is permitted in the ordinance with a conditional use permit.
3. The request is compatible with the surrounding area and won't have a negative effect on surrounding properties because it is a residence just like all the other buildings in the area.
4. The use will not discourage area development because it's not a congested location.
5. No proof was brought forward to show the use would impair property values.
6. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation shall be seven days a week.
2. Hours of operation will be 24 hours per day.
3. Maximum number of occupants shall be determined by state sanitary code with a maximum occupancy of 10 people. Currently, sanitary records show the septic is sized for a three bedroom home or for 6 people. Therefore only six people can occupy the home unless the septic system is increased.
4. Residential type lighting can be used but it shall be pointed down onto the property and not shine onto neighboring property or roads.
5. There shall be a code compliant sign located outside in a conspicuous area showing emergency contact information for the property.
6. Any other type of sign shall meet code requirements.
7. There shall be a quiet time from 10:00 p.m. to 7:00 a.m.
8. Working smoke detectors and fire extinguishers shall be up to date and installed in the home.
9. Pets are not allowed for renters but are allowed for family members and owners.
10. There shall be a designated area for campfires.
11. No parking allowed on roads. All parking must occur on the property.
12. The discharge of firearms is prohibited.
13. The use of fireworks and artificial noises are prohibited.
14. Owner(s) must obtain all State and County Health Department Licenses.

Second by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

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

Randy Fretwell – Owner of property located at 19707 U.S. HWY 57, in the SW¼, SW¼, Section 35, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-515-000-017.00), wherein a variance is being requested to construct a 14' x 42' deck/entrance at 75 feet from the center line of the road, located in a RR, Rural Residential zoned district.

Chairperson Schuh opened the public hearing for Randy Fretwell.

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. Fretwell had nothing to add to the appeal.

Mr. Fretwell 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 Randy Fretwell.

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

Deliberation

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

Reasons for Approval:

1. The proximity of the existing house to the road creates a hardship for the property owner.
2. The owner is burdened because the house is within the setback and no matter what he built on the house it would require a variance.
3. The structure will not have a negative impact because the house has been at that distance for years without any issues.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

James and Kelly Eells Trust – Owner of property located at 98 Crystal Springs Rd., in the E½, NW¼, SE¼, Section 20, T20N-R24E, Town of Two Rivers, Manitowoc County, Wisconsin, parcel number (018-120-014-006.00), wherein a conditional use permit is being requested to operate a soap making business, located in a RR, Rural Residential, zoned district.

Chairperson Schuh opened the public hearing for James and Kelly Eells Trust.

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. Eells had nothing to add to their appeal.

Mr. & Mrs. Eells 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 James and Kelly Eells Trust.

Mr. Gaedtke stated a letter was received from the Town of Two Rivers stating they are 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, on-site visit and testimony warrants an approval.
2. The request doesn't impede the orderly development of the district because it's permitted as a conditional use.
3. The intensity won't have a negative effect to surrounding properties because the business is a low impact operation.
4. No proof was brought forward to show the use would discourage development in the area.
5. There was no information or proof to show the use would impair property values.
6. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation shall be seven days a week.
2. Hours of operation will be Monday through Friday 7:00 a.m. to 7:00 p.m. or by appointment.
3. In addition to the owners, they can have one employee.
4. Outdoor lighting must be residential type and it must shine down onto the property.
5. A 32 sq/ft sign is permitted according to county code.
6. Customer parking must occur on the property. Parking on the road is prohibited.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Dwight Brubaker – Owner of property located at 35 West Samz Rd., in the NW¼, NE¼, Section 8, T20N-R24E, Town of Mishicot, Manitowoc County, Wisconsin, parcel number (013-008-002-000.00), wherein a conditional use permit is being requested to operate a shed and outdoor decoration

manufacturing and sales business and to also sell produce and crafts, located in a RR, Rural Residential, zoned district.

Chairperson Schuh opened the public hearing for Dwight Brubaker.

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. Brubaker made clarification to his appeal.

Mr. Brubaker 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 Dwight Brubaker.

Deliberation

Motion by: Mr. Schuh 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 request doesn't impede the orderly development of the district because the road is not heavily traveled.
3. The use is compatible with the surrounding area. Mostly farmland with very few neighbors.
4. The intensity won't have a negative effect to surrounding properties because the work will be done inside a building.
5. The parcel is large enough to allow the use to fit on the property and there's adequate road frontage.
6. There is proper access for this type of use and the owner has petitioned the township for an additional driveway to make it even better.
7. The structures associated with this type of use are acceptable.
8. No evidence was brought forward to show this type of use would have a negative effect on property values.
9. There are no objectionable factors associated with this use that would be any different from other permitted uses in the area.
10. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Days of operation shall be Monday thru Friday and also Saturday mornings.
2. Hours of operation shall be Monday through Friday 8:00 a.m. to 6:00 p.m. and Saturdays from 8:00 a.m. to 12:00 noon.
3. Number of employees shall be four.

4. Manufacturing to occur inside the building.
5. Storage of products shall be on the north, south and east sides of the new building.
6. All products and materials shall be stored at least 60 feet from the center line of the road.
7. A sign is permitted and it shall meet code requirements.
8. Outdoor lighting must be residential type lighting and it must shine down onto the property and not onto neighboring property or the road.
9. Customer parking must occur on the property. Parking on the road is prohibited.
10. Truck unloading on the road shall only be incidental in nature but primarily be confined to the property.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

Aye: Schuh, Salm, Timm, 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, August 19, 2024 at 7:00pm and the onsite meeting for Tuesday, August 13, 2024 at 9:30am. (Dates and times are subject to change.)

Election of Officers

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

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Adjournment

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


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

Respectfully submitted,



Ken Schuler

Secretary



Date



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

DATE: Tuesday, August 13, 2024
TIME: 9:30 a.m.
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc, WI 54220

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

- I. Call to Order - Roll Call
- II. Approval of Agenda
"Open Meeting Law Compliance"
- III. Old Business - None
- IV. New Business -
 1. **Ann Marie Verlare Living Trust** – Owner of property located at 9214 Radtke Rd., in the SW¼, SW¼, Section 13, T21N-R22E, Town of Cooperstown - Variance Request.
 2. **Ross and Daisy Sippel** – Owners of property located at 20620 CTH X, in the SE¼, SW¼, Section 10, T17N-R21E, Town of Schleswig - Variance Request.
 3. **Wieslaw Labaj** – Owner of property located at 5405 S. 10th Street., in Govt. Lot 2, Section 18, T18N-R24E, Town of Manitowoc – Conditional Use Permit Request.
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: July 31, 2024

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

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

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

August 13, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:30 A.M. on Tuesday, August 13, 2024 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 August 13, 2024 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.

One citizen present for advisory meeting. Sign in sheet on file.

The Board received their folders containing the August 19th 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

8-19-24

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, August 19, 2024
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. **Ann Marie Verlare Living Trust** – Owner of property located at 9214 Radtke Rd., in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 13, T21N-R22E, Town of Cooperstown - Variance Request.
2. **Ross and Daisy Sippel** – Owners of property located at 20620 CTH X, in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 10, T17N-R21E, Town of Schleswig - Variance Request.
3. **Wieslaw Labaj** – Owner of property located at 5405 S. 10th Street., in Govt. Lot 2, Section 18, T18N-R24E, Town of Manitowoc – Conditional Use Permit Request.

VII. OTHER BUSINESS

1. Set September meeting date.
2. Correspondence

VIII. ADJOURNMENT

Date: July 31, 2024

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

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

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

August 19, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, August 19, 2024 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: David Christel and Bonnie Timm. Staff present: Reed Gaedtke.

A motion was made by, Mr. Salm, seconded by Mr. Schuler to approve the August 19, 2024 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Schuler, seconded by Mr. Salm to approve the minutes for the July 15, 2024 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Salm, seconded by Mr. Schuler to approve the on-site minutes for the August 13, 2024 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuh, Salm, 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

Ann Marie Verlare Living Trust – Owner of property located at 9214 Radtke Rd., in the SW¼, SW¼, Section 13, T21N-R22E, Town of Cooperstown, Manitowoc County, Wisconsin, parcel number (003-013-011-000.00), wherein a variance is being requested to construct an attached 22' x 28' garage at 1 foot from the west property line, located in a LE, Large Estate Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Ann Marie Verlare Living Trust. Ms. Ann Marie Verlare and Mr. Jerry Duggan, contractor, answered questions for the Board.

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. Ann Marie Verlare spoke.

Ms. Ann Marie Verlare and Mr. Jerry Duggan, contractor, answered questions for the Board.

People in attendance in favor of the request:

Jennifer Gill spoke in favor of the request.

Sandy Johnson spoke in favor of the request.

People in attendance opposed to the request:

Lisa Loberger, adjacent property owner, spoke opposed to the request.

Lorri Havlovitz, adjacent property owner, spoke opposed to the request.

Ms. Verlare and Mr. Duggan spoke in rebuttal.

There being no further comments, Chairperson Schuh closed the public hearing for Ann Marie Verlare Living Trust.

Mr. Gaedtke stated a letter was received from the Town of Cooperstown stating they are opposed to the request. (copy on file).

Deliberation

Motion by: Mr. Schuler to approve a modified variance request to 8' setback to the property line.

Reasons for Approval:

1. The sloped areas creates a hardship for the owner as well as a safety concern in winter when the slopes become icy. The location of the well, septic and existing home also creates a hardship for the owner and prevents the addition from being located anywhere else.
2. The owner is burdened because the owner needs an attached garage due to inclement weather and safety issues due to the sloped land becoming icy in winter.
3. The structure will not have a negative impact on surrounding property because the 8 foot setback allows for enough room for construction and maintenance of the structure as well as separation from the neighboring property line. An 8 foot setback also allows for an acceptable property access to the back yard if needed. The property is also secluded and there is no one in the immediate area of the addition location.

Second by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

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

Ross and Daisy Sippel – Owners of property located at 20620 CTH X, in the SE¼, SW¼, Section 10, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-010-012-002.00), wherein a variance is being requested to construct a 24' x 28' house addition at 82 feet from the center line of CTH X, located in a LE, Large Estate Residential zoned district.

Chairperson Schuh opened the public hearing for Ross and Daisy Sippel.

Mr. Gaedtke stated a letter was received from the Town of Schleswig requesting they have more time to discuss the request.

Motion by: Mr. Schuh to postpone the variance request until the next Board of Adjustment meeting.
Second by: Mr. Salm.
Upon vote: The motion was unanimously approved.
Aye: Schuh, Salm, and Schuler; *No:* none.

Wieslaw Labaj – Owner of property located at 5405 S. 10th Street., in Govt. Lot 2, Section 18, T18N-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, parcel number (009-018-006-003.03), wherein a conditional use permit is being requested to operate a vacation home rental business, located in a RR, Rural Residential, S1, Shoreland zoned district.

Chairperson Schuh opened the public hearing for Wislaw Labaj.

Mr. Gaedtke stated an email was received from Wislaw Labaj stating his wife and daughter could attend the meeting but he would be absent. At the time of hearing no one was in attendance to answer questions.

Motion by: Mr. Schuler to postpone the conditional use permit request until the next Board of Adjustment meeting.
Second by: Mr. Schuh.
Upon vote: The motion was unanimously approved.
Aye: Schuh, Salm, 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 Tuesday, September 17, 2024 at 7:00pm and the onsite meeting for Tuesday, September 10, 2024 at 9:30am. (Dates and times are subject to change.)

A discussion regarding the open Board seat was had between Mr. Gaedtke and the Board members.

Adjournment

A motion was made by Mr. Salm and seconded by Mr. Schuler to approve the adjournment. Upon vote, the motion was unanimously approved.
Aye: Schuh, Salm, and Schuler; *No:* none.

Respectfully submitted,



Ken Schuler

Secretary

9-17-24

Date



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

DATE: Tuesday, September 10, 2024
TIME: 9:30 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: Ross and Daisy Sippel** – Owners of property located at 20620 CTH X, in the SE¼, SW¼, Section 10, T17N-R21E, Town of Schleswig - Variance Request.
 2. **POSTPONED: Wieslaw Labaj** – Owner of property located at 5405 S. 10th Street., in Govt. Lot 2, Section 18, T18N-R24E, Town of Manitowoc – Conditional Use Permit Request.
- IV. New Business –
 1. **Siemers Holstein Farm Inc** – Owner of property at 14421 Mineral Springs Rd. and located in the NE¼, SE¼, Section 21, T17N-R22E, Town of Meeme – Conditional Use Permit Request.
 2. **Ethan Binish** – Owner of property located at 13307 Rameker Rd., in the W½, SE¼, Section 32, T21N-R22E, Town of Cooperstown – Conditional Use Permit Request.
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: September 3, 2024

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 10, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:30 A.M. on Tuesday, September 10, 2024 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.

A motion was made by Mr. Salm; seconded by Mr. Schuler to approve the agenda for the Septebmer 10, 2024 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 September 17, 2024 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

9-17-24

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Tuesday, September 17, 2024
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

Discussion and possible action on:

1. **POSTPONED: Ross and Daisy Sippel** – Owners of property located at 20620 CTH X, in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 10, T17N-R21E, Town of Schleswig - Variance Request.
2. **POSTPONED: Wieslaw Labaj** – Owner of property located at 5405 S. 10th Street., in Govt. Lot 2, Section 18, T18N-R24E, Town of Manitowoc – Conditional Use Permit Request.

VI. NEW BUSINESS

Discussion and possible action on:

1. **Siemers Holstein Farm Inc** – Owner of property at 14421 Mineral Springs Rd. and located in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 21, T17N-R22E, Town of Meeme – Conditional Use Permit Request.
2. **Ethan Binish** – Owner of property located at 13307 Rameker Rd., in the W $\frac{1}{2}$, SE $\frac{1}{4}$, Section 32, T21N-R22E, Town of Cooperstown – Conditional Use Permit Request.

VII. OTHER BUSINESS

1. Set October meeting date.
2. Correspondence

VIII. ADJOURNMENT

Date: September 3, 2024

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 17, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, September 17, 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 September 17, 2024 meeting agenda. 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. Schuler to approve the minutes for the August 19, 2024 meeting. 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 on-site minutes for the September 10, 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

Ross and Daisy Sippel – Owners of property located at 20620 CTH X, in the SE¼, SW¼, Section 10, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-010-012-002.00), wherein a variance is being requested to construct a 24' x 28' house addition at 82 feet from the center line of CTH X, located in a LE, Large Estate Residential zoned district.

Motion by: Mr. Schuh to remove the request from the table.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

Chairperson Schuh opened the public hearing for Ross and Daisy Sippel.

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. Sippel had nothing to add to his appeal.

Mr. Ross Sippel 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 Ross and Daisy Sippel.

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 variance request.

Reasons for Approval:

1. The location of the existing house to the road and the well to the north and septic system to the east creates a hardship for the owner by limiting the area where an addition can be built.
2. The owner is burdened because the house is already within the road setback and moving the addition back to meet the road setback would almost detach it from the house. The new addition will allow for safe space in the basement and reduce the uneven existing space that is currently unsafe for the homeowner to use.
3. The new addition will not have a negative impact on the public because the owner is setting the addition two feet further back from the road than the existing house. There's adequate room to relocate a driveway if needed; and the structure would not create any blind spots or block the view of the road.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Wieslaw Labaj – Owner of property located at 5405 S. 10th Street., in Govt. Lot 2, Section 18, T18N-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, parcel number (009-018-006-003.03), wherein a conditional use permit is being requested to operate a vacation home rental business, located in a RR, Rural Residential, S1, Shoreland zoned district.

Motion by: Mr. Schuler to remove the request from the table.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Chairperson Schuh opened the public hearing for Wislaw Labaj.

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. Labaj had nothing to add to his appeal.

Mr. Labaj 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 Wieslaw Labaj.

Deliberation

Motion by: Mr. Schuh 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 doesn't impede the orderly development of the district.
3. The request is compatible with the surrounding area and won't have a negative effect on surrounding properties because it is a residence just like all the other buildings in the area and the use is permitted with a conditional use permit in that district.
4. The use fits on the parcel size.
5. There is proper access for this use.
6. The structure is a single family home and is adequate in size for the proposed occupancy.
7. The use will not discourage area development because its' a residence.
8. No proof was brought forward to show the use would impair property values.
9. There are no proposed noise, fumes, flashing lights or other factors that will make this use unsafe or more objectionable than any other principal use in the RR zoning district.
10. 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 seven days a week.
2. Hours of operation will be 24 hours per day.
3. Maximum number of occupants shall be 7 people. Current, sanitary records show the septic is sized for a five bedroom home.
4. There shall be a code compliant sign located outside in a conspicuous area showing emergency contact information for the property.
5. Working smoke detectors and fire extinguishers shall be up to date and installed in the home.
6. No parking allowed on the road. All parking must occur on the property.
7. All state and county licensing and codes must be followed.
8. The septic system and well must be up to code and maintained.
9. The discharge of firearms and use of fireworks and other artificial noises are prohibited.
10. Pets are not allowed for renters but are allowed for family members and owners.
11. There shall be a quiet time from 10:00 p.m. to 7:00 a.m.
12. Property lines must be delineated so renters know the property boundaries.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

NEW BUSINESS:

Siemers Holstein Farm Inc. – Owner of property at 14421 Mineral Springs Rd. and located in the NE¼, SE¼, Section 21, T17N-R22E, Town of Meeme, Manitowoc County, Wisconsin, parcel number (012-021-013-001.00), wherein a conditional use permit is being requested to operate a utility, Renewable Natural Gas Injection facility, located in an EA, Exclusive Agricultural zoned district.

Chairperson Schuh opened the public hearing for Siemers Holstein Farm Inc. Mr. Steve Paplham, Wisconsin Public Service, answered questions for the Board.

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. Paplham had nothing to add to the appeal.

Mr. Steve Paplham, Wisconsin Public Service, 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 Siemers Holstein Farm Inc.

Motion by: Mr. Christel to reopen public input to hear testimony from the town.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Mr. Henry Langenhahn, Town of Meeme Supervisor, spoke in favor of the request.

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

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 doesn't impede the orderly development of the district because a utility is allowed in this zoning district with a conditional use permit and is a byproduct of an agricultural operation.
3. The request is compatible with the surrounding area and won't have a negative effect on surrounding properties because there is adequate land for this type of use and it's in close proximity to manure digesters which are needed for this process.

4. The use fits on the parcel and the land is zoned for this use.
5. There is proper access for this use.
6. The structure(s) associated with this use is acceptable.
7. The use will not discourage area development.
8. No evidence was submitted to show the use would impair property values.
9. There are no proposed noise, fumes, flashing lights or other factors that will make this more objectionable than any other principal use in this zoning district. The shed will have warning lights for gas monitoring and the use is still agricultural related.
10. The use, as presented through the application, meeting and questioning should not endanger the health, safety or welfare of the public.

Conditions of Approval:

1. Days of operation shall be 365 days a year.
2. Hours of operation shall be 24 hours per day.
3. Number of employees allowed shall be one.
4. Type of equipment used shall be pipes, valves, odorizers, analyzers, regulators and remote monitoring transmitters, trucks and other equipment associated with this type of project.
5. A minimum six foot high fence shall be installed around the area with barbwire at the top.
6. There shall be a minimum 3' x 4' emergency sign with contact information located on the fence or building.
7. Outdoor lighting is allowed but is shall shine down onto the property and not leave the property or shine onto the road or neighbors land.
8. Applicant and operator shall abide by all State, Federal and County licenses and regulations.
9. Only gas and manure generated by a Siemers Holstein Dairy farm operation shall be processed through this facility.
10. The transfer station shall be maintained in a secure manner.

Second by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

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

Ethan Binish – Owner of property located at 13307 Rameker Rd., in the W½, SE¼, Section 32, T21N-R22E, Town of Cooperstown, Manitowoc County, Wisconsin, parcel number (003-032-015-000.00), wherein a conditional use permit is being requested to operate a small salon business in a GA, General Agricultural zoned district.

Chairperson Schuh opened the public hearing for Ethan Binish.

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. Ethan & Cayla Binish spoke and answered questions for the Board.

People in attendance in favor of the request:

Stephen Deidrich spoke in favor of the request.

People in attendance opposed to the request: none

There being no further comments, Chairperson Schuh closed the public hearing for Ethan Binish.

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

Deliberation

Motion by: Mr. Schuler 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. There is very little impact.
3. The use is compatible with the surrounding area and won't have a negative effect on surrounding properties because it's low impact and located inside a building.
4. There is plenty of room on the parcel for this type of use.
5. There is an existing access on the property and it is sized properly for this use.
6. The proposed structure is acceptable and part of a machine shed.
7. The use will not discourage area development, it's not close to any other parcels.
8. No proof was brought forward to show the use would impair property values. It's a long way from any other properties and there is no visible impact.
9. There are no noises, fumes or lights that would be any more objectionable than any other permitted use in this district.
10. With the conditions applied below the use will not endanger the public's health, safety or welfare. It is a very low impact to the area and the public will be well served to have this type of business in the area.

Conditions of Approval:

1. Days of operation shall be Monday through Friday.
2. Hours of operation shall be 9:00 a.m. to 7:00 p.m.
3. Number of employees shall be one plus the owner.
4. Residential type lighting can be used but it shall be pointed down onto the property and not shine onto neighboring property or roads.

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, October 21, 2024 at 7:00pm and the onsite meeting for Tuesday, October 15, 2024 at 9:30am. (Dates and times are subject to change.)

Adjournment

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

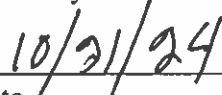
Aye: Schuh, Salm, Christel and Schuler; No: none.

Respectfully submitted,



Ken Schuler

Secretary



Date



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

DATE: Tuesday, October 15, 2024
TIME: 9:30 a.m.
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc, WI 54220

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

- I. Call to Order - Roll Call
- II. Approval of Agenda
"Open Meeting Law Compliance"
- III. Old Business – None
- IV. New Business –
 1. **Joseph Rosenbauer**. – Owner of property at 3210 Goodwin Rd., in the SW¼, SE¼, Section 1, T19N-R23E, Town of Manitowoc Rapids – Conditional Use Permit Request.
 2. **John and Mary Lou Poch** – Owner of property located at 22108 Ruh Rd., in the SW¼, SW¼, Section 21, T17N-R21E, Town of Schleswig– Conditional Use Permit Request.
 3. **Nicholas and Katie Draeger** – Owner of property located at 18918 Twin Bay Lane, in the SW¼, SE¼, and the SE¼, SE¼, Section 23, T17N-R21E, Town of Schleswig – Variance Permit Request.
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: October 3, 2024

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 15, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:30 A.M. on Tuesday, October 15, 2024 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.

A motion was made by Mr. Salm; seconded by Mr. Schuler to approve the agenda for the October 15, 2024 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 21, 2024 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.

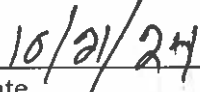
Seconded by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Respectfully submitted,


Ken Schuler, Secretary


Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, October 21, 2024
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

Discussion and possible action on: None

- VI. NEW BUSINESS

Discussion and possible action on:

1. **Joseph Rosenbauer**. – Owner of property at 3210 Goodwin Rd., in the SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 1, T19N-R23E, Town of Manitowoc Rapids – Conditional Use Permit Request.
2. **John and Mary Lou Poch** – Owner of property located at 22108 Ruh Rd., in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 21, T17N-R21E, Town of Schleswig– Conditional Use Permit Request.
3. **Nicholas and Katie Draeger** – Owner of property located at 18918 Twin Bay Lane, in the SW $\frac{1}{4}$, SE $\frac{1}{4}$, and the SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 23, T17N-R21E, Town of Schleswig – Variance Permit Request.

- VII. OTHER BUSINESS

1. Set November meeting date.
2. Correspondence

- VIII. ADJOURNMENT

Date: October 3, 2024

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 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 SW¼, SE¼, 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.

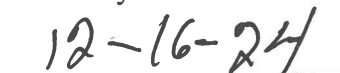
Aye: Schuh, Salm, Christel and Schuler; *No:* none.

Respectfully submitted,



Ken Schuler

Secretary



Date



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

DATE: Tuesday, December 10, 2024
TIME: 9:30 am
PLACE: Manitowoc County Office Complex
4319 Expo Drive, Manitowoc, WI 54220

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

- I. Call to Order – Roll Call
- II. Approval of Agenda
"Open Meeting Law Compliance"
- III. Old Business – None
- IV. New Business –
 1. **David Petersen** – Owner of property at 6565 Nagel Rd., in the NW¼, NE¼, and the SW¼, NE¼, Section 23, T18N-R22E, Town of Liberty – Conditional Use Permit Request.
 2. **David Petersen** – Owner of property at 7002 Nagel Rd., in the NE¼, SW¼, Section 23, T18N-R22E, Town of Liberty – Conditional Use Permit Request.
 3. **Holschbach Enterprises LLC** – Owner of property located off of Cimarron Ct. in the NW¼, SW¼, Section 6, T18N-R24E, Town of Manitowoc – Conditional Use Permit Request.
 4. **Nickolas Sheeter** – Owner of property located at 3106 Woodview Ln, in the NE¼, NE¼, Section 27, T20N-R24E, Town of Two Rivers - Conditional Use Permits Amendment.
- V. Other Business
 1. Correspondence
- VI. On-sites
- VII. Adjournment

Date: November 27, 2024

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

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

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

December 10, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 9:30 A.M. on Tuesday, December 10, 2024 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 Dave Christel. Members Absent: None.

A motion was made by Mr. Christel; seconded by Mr. Salm to approve the agenda for the December 10, 2024 meeting. Upon vote, the motion was unanimously approved.
Aye: Schuh, Salm, Christel and Schuler; No: none;

Staff present for advisory meeting: Kaila Boeckman and Andrea Raymakers.

The Board received their folders containing the December 16, 2024 hearing requests.

Ms. Boeckman gave a quick overview of each request.

The Board proceeded to the on-sites (Mr. Christel, did not attend) and returned to the Manitowoc County Office Complex when completed.

ADJOURNMENT

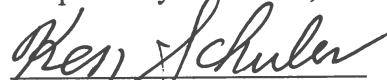
Motion by: Mr. Schuler to adjourn.

Seconded by: Mr. Salm.

Upon vote: The motion was unanimously approved.

Aye: Schuh, Salm and Schuler; No: none

Respectfully submitted,



Ken Schuler, Secretary

12-16-24

Date



MANITOWOC COUNTY BOARD OF ADJUSTMENT REGULAR MEETING NOTICE

DATE: Monday, December 16, 2024
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

Discussion and possible action on: None

VI. NEW BUSINESS

Discussion and possible action on:

1. **David Petersen** – Owner of property at 6565 Nagel Rd., in the NW¼, NE¼, and the SW¼, NE¼, Section 23, T18N-R22E, Town of Liberty – Conditional Use Permit Request.
2. **David Petersen** – Owner of property at 7002 Nagel Rd., in the NE¼, SW¼, Section 23, T18N-R22E, Town of Liberty – Conditional Use Permit Request.
3. **Holschbach Enterprises LLC** – Owner of property located off of Cimarron Ct. in the NW¼, SW¼, Section 6, T18N-R24E, Town of Manitowoc – Conditional Use Permit Request.
4. **Nickolas Sheeter** – Owner of property located at 3106 Woodview Ln, in the NE¼, NE¼, Section 27, T20N-R24E, Town of Two Rivers - Conditional Use Permits Amendment.

VII. OTHER BUSINESS

1. Set January meeting date.
2. Correspondence

VIII. ADJOURNMENT

Date: November 27, 2024

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

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

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

December 16, 2024

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, December 16, 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: Kaila Boeckman.

A motion was made by, Mr. Salm, seconded by Mr. Schuler to approve the December 16, 2024 meeting agenda. Upon vote, the motion was unanimously approved.
Aye: Schuh, Salm, Christel and Schuler; No: none.

A motion was made by, Mr. Christel, seconded by Mr. Salm to approve the minutes for the October 21, 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. Schuler to approve the on-site minutes for the December 10, 2024 meeting. Upon vote, the motion was unanimously approved.
Aye: Schuh, Salm, Christel and Schuler; No: none.

Ms. Boeckman explained the procedure for the meeting that would follow. She 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-

David Petersen – Owner of property at 6565 Nagel Rd., in the NW¼, NE¼, and the SW¼, NE¼, Section 23, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, parcel number (008-023-002-002.00), wherein a conditional use permit is being requested to operate a small septic system installation business in a RR, Rural Residential zoned district.

Chairperson Schuh opened the public hearing for David Petersen.

Ms. Boeckman 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. Petersen had nothing to add to his appeal.

Mr. Petersen answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Schuh stated an email and a copy of the minutes from the Town of Liberty meeting were received in with no objections (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for David Petersen.

Deliberation

Motion by: Mr. Schuh 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 three plus the owner.
4. Fencing and special lighting are not required.
5. The applicant is allowed a sign according to code.
6. All deliveries shall occur on the property and not on Nagel Rd.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

David Petersen – Owner of property at 7002 Nagel Rd., in the NE¹/₄, SW¹/₄, Section 23, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, parcel numbers (008-023-009-000.00 and 008-023-009-002.00), wherein a conditional use permit is being requested to continue operating a small septic system installation business in a GA, General Agricultural zoned district.

Chairperson Schuh opened the public hearing for David Petersen.

Ms. Boeckman 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. Petersen had nothing to add to their appeal.

Mr. Petersen answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Schuh stated an email and a copy of the minutes from the Town of Liberty meeting were received in with no objections (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for David Petersen.

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 three plus the owner.
4. Trucks, trailers, skid steer, small excavator and similar equipment allowed on the property.
5. Fencing is not required.
6. All outdoor lighting must be directed onto the property and not leave the property.
7. Typical road vehicle noise allowed.
8. The applicant is allowed a sign according to code.
9. Employee parking shall occur on the property adjacent to the building.
10. Deliveries must unload on the property and not on Nagel Rd.
11. Weeds and brush to be controlled and trimmed at least annually, so as not to become unsightly.

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Holschbach Enterprises LLC – Owner of property located off of Cimarron Ct. in the NW¼, SW¼, Section 6, T18N-R24E, Town of Manitowoc, Manitowoc County, Wisconsin, parcel number (009-006-010-010.02), wherein a conditional use permit is being requested to construct a two family residence in a RR, Rural Residential zoned district.

Chairperson Schuh stated a letter was received from Holschbach Enterprises LLC requesting postponement until the next Board of Adjustment meeting.

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

Second by: Mr. Schuler.

Upon vote: The motion was unanimously approved.

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

Nickolas Sheeter – Owner of property located at 3106 Woodview Ln, in the NE¼, NE¼, Section 27, T20N-R24E, Town of Two Rivers, Manitowoc County, Wisconsin, parcel number (018-127-001-002.00), where two existing conditional use permits are being amended. This parcel is located in an RR, Rural Residential zoned district.

Chairperson Schuh opened the public hearing for Nickolas Sheeter.

Ms. Boeckman read the reason for the appeal (copy on file).

Mr. Sheeter spoke and answered questions for the Board.

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

Deliberation

Motion by: Mr. Christel to amend the existing conditional use permit 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. Can have wall lights for lighting.
8. One on premise business sign allowed on the building.
9. No landscaping is required.

Second by: Mr. Salm.

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, January 20, 2024 at 7:00pm and the onsite meeting for Tuesday, January 14, 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,

Dave Christel

~~Ken Schuler~~ Dave Christel
Secretary Tempora

Jan 20, 2025

Date