

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

January 20, 2025

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, January 20, 2025 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

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

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

The roll was called by the secretary pro tempore. Members present: Ralph Schuh, Dave Christel, Bob Salm and Brian Kraemer. Members absent: Ken Schuler. Staff present: Kaila Boeckman.

A motion was made by, Mr. Kraemer seconded by Mr. Christel to approve the January 20, 2025 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Salm, seconded by Mr. Kraemer to approve the December 16, 2024 meeting minutes. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Christel, seconded by Mr. Kraemer to approve the minutes for the January 14, 2025 meeting. Upon vote, the motion was unanimously approved.

Aye: Schuh, Christel, Salm and Kraemer; 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

POSTPONED: 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.

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

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Chairperson Schuh opened the public hearing for Holschbach Enterprises LLC.

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

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

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

Mr. Jacob Holschbach had nothing to add to his appeal.

Mr. Jacob Holschbach answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request:

Mike Wech, adjacent property owner, requested they consider building a single family home.

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

Mr. Schuh stated a letter was received from the Town of Manitowoc stating they have no objection. (copy on file).

Deliberation

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

Reasons for Approval:

1. The use does not impede the orderly development of the district. There are other duplexes on this street.
2. The intensity of the use will not negatively affect the area or the surrounding properties. It blends in well with the surrounding properties.
3. The use does not discourage appropriate development or use of adjacent land or the buildings surrounding the property. It is the last lot in that area.
4. It will not impair the value of surrounding properties because it is a residence. It blends in with the other properties on the street.
5. It will not endanger the health, safety, or welfare of the public.

Conditions of Approval:

1. 365 days per year, 24 hrs/day
2. No employees.
3. No other equipment.
4. No fencing.
5. Typical outdoor lighting.
6. Residential noise.
7. Sign only for advertising rental when unoccupied.
8. Delivery trucks only during construction.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

New Business

Kenneth & Tina Alfson – Owner of property at 416 N CTH J, in the NE¹/₄, SE¹/₄, and the SE¹/₄, SE¹/₄, Section 21, T19N-R22E, Town of Cato, Manitowoc County, Wisconsin, parcel number (001-021-013-002.00), wherein a conditional use permit is being requested to continue operating a small construction business in a RR, Rural Residential zoned district.

Chairperson Schuh opened the public hearing for Kenneth & Tina Alfson.

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

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

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

Mr. & Mrs. Alfson had nothing to add to the appeal.

Mr. & Mrs. Alfson explained the “after the fact” situation and 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 the Town of Cato sent a correspondence indicating they have no issue with issuing the conditional use permit. (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Kenneth & Tina Alfson.

Deliberation

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

Reasons for Approval:

1. The use doesn't impede the orderly development of the district. Based on evidence provided by the applicant and that it is an after the fact application.
2. The intensity won't have a negative effect on the area or on surrounding properties.
3. The proposed use does not discourage appropriate development and use of adjacent land and buildings.
4. No evidence was provided this evening that it would impair the value of surrounding properties.
5. No evidence was brought forth that the use will endanger the public's health, safety or welfare.

Conditions of Approval:

1. Typical days of operation shall be Monday through Saturday, unless an emergency warrants a Sunday.
2. Hours of operation shall be one hour before sunrise to one hour after sunset, unless in the case of an emergency.
3. Number of employees shall be limited to 13, which includes the owner and work from home employee.

4. Type of equipment: excavators, loaders, skid steers, semi, dump trucks and similar equipment and job trailers.
5. Privacy fence on the house side facing Clarks Mills Rd.
6. Landscaping berms on the west and southeast sides shall be maintained so that there is no brush or other undesirable growth.
7. Lighting: Wall packs on building. Future lighting to face onto the property and not directed off the property.
8. Typical equipment sounds, such as back up alarms, etc. associated with equipment stated above.
9. The applicant is allowed a sign according to code.
10. Customer parking: N/A. Employee parking on the east and north side of the building.
11. All deliveries shall occur on the property and not on any public roadways.
12. Existing shipping containers need to be permitted within a twelve-month period.
13. Material storage cannot exceed 100 yds.
14. Scrap metal and salvage vehicles limited to one inoperable vehicle and a single container for scrap metal.
15. Vehicle fluids shall be stored under roof in proper containment.

Second by: Mr. Schuh.

Upon vote: The motion was unanimously approved.

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

Jason Stutzman – Owner of property at 2629 E CTH BB, in the NW¼, NE¼, Section 05, T21N-R24E, Town of Mishicot, Manitowoc County, Wisconsin, parcel numbers (013-105-002-001.00), wherein a variance is being requested to construct a 32 sq ft sign at 60' from the centerline of a county trunk highway in a GA, General Agricultural zoned district.

Chairperson Schuh opened the public hearing for Jason Stutzman.

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

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

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

Mr. Strutzman had nothing to add to the appeal.

Mr. Strutzman answered questions for the Board.

People in attendance in favor of the request:

Craig Froelich inquired with regards to Mr. Strutzman license to sell live animals or meat.

People in attendance opposed to the request: none.

Mr. Schuh stated the Town of Mishicot sent correspondence stating they are in favor of granting the variance. (copy on file).

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

Deliberation

Motion by: Mr. Schuh to approve a modified variance permit request of 25' from the right of way.

Reasons for Approval:

1. An unnecessary hardship or physical limitation is present based upon the lay of the land in that location and visibility of any signage for the public along that section of roadway. There are trees and berms on one side and berms and a high ditch line on the other.
2. The ordinance creates an unnecessary burden on the owner because he already has a permit to sell animals from that location and its best if the public can see where to enter the premises.
3. As long as the sign is located outside of the highway right-of-way, it will not negatively harm or effect the public interest. With the condition that the sign post concrete, be undergrade and the posts need to be break away style posts to minimize damage or impact to a vehicle.

Second by: Mr. Christel.

Upon vote: The motion was unanimously approved.

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

Craig Froelich – Owner of property located at 2622 Rockwood Rd, in the SE¼, SE¼, Section 25, T20N-R23E, Town of Kossuth, Manitowoc County, Wisconsin, parcel number (007-025-016-004.00), wherein a variance is being requested to construct a 32' x 38' attached garage at 15' from the north property line in a RR, Rural Residential zoned district.

Chairperson Schuh opened the public hearing for Craig Froelich.

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

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

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

Mr. Froelich added a drawing of the first floor plan to his appeal.

Mr. Froelich 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 the Town of Kossuth sent correspondence recommending granting the variance as presented. (copy on file).

There being no further comments, Chairperson Schuh closed the public hearing for Craig Froelich.

Deliberation

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

Reasons for Approval:

1. An unnecessary hardship or physical limitation is present based upon the fact that the lot has a cemetery located to the north, the elevation changes to the south and east make placement of the garage limited in its location and do to the current well location.
2. The ordinance creates an unnecessary burden on the owner because the northern climate that we reside in requires a garage and that locating it to meet all setback requirements does not provide an adequate building size or would require redevelopment of the lot, as far as location of the septic, well and other things to meet setbacks.
3. It will not negatively harm or effect the public interest. Based on the proposal and support from the Town.

Second by: Mr. Salm.

Upon vote: The motion was unanimously approved.

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

Other Business

Schedule Next Meeting:

The next Board of Adjustment meeting is tentatively scheduled for Monday, February 17, 2025 and the onsite meeting for Tuesday, February 11, 2025. (Dates and times are subject to change.)

Correspondence not related to a hearing item: None.

Adjournment

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

Aye: Schuh, Christel, Salm and Kraemer; *No:* None.

Respectfully submitted,

DAVE CHRISTEL *Dave Christel*

Name (printed):

Title:

Feb 17, 2025

Date