

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

March 17, 2025

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Schuh at 7:00 P.M. on Monday, March 17, 2025 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, Brian Kraemer and Ken Schuler. Members absent: None. Staff present: Reed Gaedtke.

A motion was made by, Mr. Salm, seconded by Mr. Schuler to approve the March 17, 2025 meeting agenda. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Christel, seconded by Mr. Salm to approve the minutes for the February 17, 2025 meeting. Upon vote, the motion was unanimously approved.

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

A motion was made by, Mr. Salm, seconded by Mr. Kraemer to approve the on-site minutes for the March 11, 2025 meeting. Upon vote, the motion was unanimously approved.

*Aye: Schuh, Salm, Christel, Kraemer 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: PMK Wisconsin LLC** – Owner of property located at 6000 CTH JJ, in the SW¼, SE¼, Section 15, T19N-R23E, Town of Manitowoc Rapids, Manitowoc County, Wisconsin, parcel number (010-015-015-004.00), wherein a conditional use permit is being requested by Basudev Adhikari, the applicant, to operate a truck stop with public showers, along with a gas station, convenience store and restaurant located in a CB, Commercial Business zoned district.

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

*Second by:* Mr. Schuler.

*Upon vote:* The motion was unanimously approved.

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

Chairperson Schuh opened the public hearing for PMK Wisconsin LLC.

Mr. Gaedtke stated he received an email from the applicant requesting withdrawal of his appeal. (copy on file).

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

*Motion by: Mr. Christel to close the appeal based on withdrawal request.*

*Second by: Mr. Salm.*

*Upon vote: The motion was unanimously approved.*

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

## **New Business-**

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

Chairperson Schuh opened the public hearing for SDA Ahnapee LLC. Kyle Domalick representing SDA Ahnapee LLC.

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

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

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

Mr. Domalick had nothing to add to his appeal.

Mr. Domalick answered questions for the Board.

People in attendance in favor of the request:

Duane Argall, Town of Gibson, spoke in favor.

Jim Theyerl, citizen, spoke in favor.

People in attendance opposed to the request:

Sarah Hills, adjacent property owner, spoke in opposition.

Ken Mleziva, property owner, spoke in opposition.

Shannon Liptow, property owner, spoke in opposition.

Susan Burden, property owner, spoke in opposition.

Shane Hills, adjacent property owner, spoke in opposition.

Mallaidh Mleziva, property owner, spoke in opposition.

Nichole Paulow, property owner, spoke in opposition.

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

Mr. Domalick spoke in rebuttal and answered additional questions for the Board.

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

Mr. Gaedtke stated he received an email from Nancy Weber in opposition of the request. (copy on file)  
Mr. Gaedtke also stated an email explaining the types of camping was received from the Health Department as well. (copy on file)

### **Deliberation**

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

#### **Reasons for Approval:**

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

#### **Conditions of Approval:**

1. The approval of this conditional use permit is subject to the property being rezoned to the GA, General Agricultural district.
2. The safety plan from Ayres Associates must be implemented with the omission of the police officer control requirement and the omission of the last two items of the plan listed in the "Major" section: (Parking Shuttle Service and purchasing additional land on the west side of CTH R.). This plan shall be the minimum safety standards to be followed. All additional conditions of this permit also apply. **The current property owner** must work with the Manitowoc County Highway Department and Traffic Safety Commission and assist in the implementation of these and any additional recommendations.

3. They must have an insurance policy approved by the Corporation Counsel that satisfies Manitowoc County's requirements.
4. Camping is permitted, subject to county Health Department Regulations.
5. An event shall be described as any day or portion thereof that the race track is in use for any purpose, excluding maintenance activity. This includes but is not limited to; races, practice sessions (regardless of number of vehicles or laps), concerts or other venues."
6. Hours of operation for track event parking shall be 11:00 a.m. to 2:30 a.m.
7. Hours of operation for concert event parking shall be 11:00 a.m. to 2:30 a.m.
8. Litter and trash shall be removed within 24 hours of an event and not allowed to become windblown.
9. Three citations resulting from violations of Manitowoc County Ordinances or these conditions within a 12 month period shall be grounds for revocation of this conditional use permit.
10. Lighting for the parking lot and pedestrian areas may remain on for safety and security purposes until 3:00 a.m.
11. There will be no parking on any County or Town roads by employees, participants or attendees.
12. Camping overnight two days before an event and for an event duration is acceptable.
13. Camping on a week to week basis is not allowed.
14. This conditional use permit is subject to an annual review with the next review taking place October 2017 and then yearly reviews after that. However, depending upon conditions found, or noted or complaints reported; additional reviews and permit modifications may occur.
15. If additional findings are made by the Traffic Safety Commission, the Board of Adjustment will reserve the right to have earlier reviews.
16. Ingress and egress for vehicular traffic shall use driveway #4, located on Old Y Road, as shown in the Ayres Associates safety plan.
17. Pedestrian crossing shall occur at driveway #3 only, as shown in the Ayres Associates safety plan.
18. Roadway lighting with designated pedestrian crossing area shall be illuminated a half hour before dusk and remain lit until dawn. Lighting use and placement shall be approved by Highway Department permit.
19. All traffic cones listed in the Ayres Associates safety recommendations must meet MUTCD (Manual on Uniform Traffic Control Devices) requirements.
20. Fencing must be provided according to the submitted safety plan from Ayres Associates.
21. The parking requirements listed in section 8.35 of the Manitowoc County General Zoning and Land Use Regulation Ordinance must be followed. This may include additional fencing. To the extent existing fencing is insufficient to prevent damage or entry onto neighboring properties, other landscape or barriers shall be placed to prevent further entry onto such properties.
22. Pit cars and transport haulers for cars are only permitted to be parked on this property. No loading or unloading shall occur on this property.
23. The parking and camping area is allowed to occur on the entire 15.76 acres.
24. Pedestrian crossing lights shall be turned on one hour before events begin and left on until close or 3:00 a.m.
25. An 8 foot tall wooden privacy fence shall be constructed along the entire south property line. This fence shall be completed before June 30, 2025 and constructed so the boards are tight to one another when built so that the gap between the boards is minimal. This fence shall be setback a minimum of 5 feet from the south property line to allow for enough room to mow the lawn regularly, control weeds and perform routine fence maintenance.
26. An 8 foot tall wooden privacy fence shall be constructed along the north property line, and be located a minimum of 5 feet from the right-of-way line. The fence shall start on the east side of the west driveway and extend to the east property line. Driveway accesses opening shall be no greater than 40 feet. This fence shall be completed before June 30, 2026.
27. The fences shall be maintained and the areas around them mowed.
28. There shall be a quiet time established between the hours of 12:00 a.m. and 7:00 a.m.

29. A track employee shall patrol the property from 12:00 a.m. to 7:00 a.m. when the property is occupied for an event, to ensure the conditions of this permit are not being violated.
30. The use of any ATV, UTV, minibikes or similar motorized vehicles are prohibited on this property.
31. For the sake of this permit, "camping" is considered any time a camper, trailer, tent or recreational vehicle is placed on the grounds. It doesn't matter if they are occupied or not.
32. The restrooms/shower and dump station facilities shall be located a minimum of 200 feet from the south and north property lines and between 150' to 250' from the east property line.

*Second by: Mr. Christel.*

*Upon vote: The motion was unanimously approved.*

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

**Taylor Wittmus** – Owner of property at 4811Torrison Ln., in SE¼, SE¼, Section 7, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, parcel numbers (008-007-016-002.00), wherein a variance is being requested to construct a 66' x 96' storage building at 50 feet from the centerline of Torrison Ln. in a SE, Small Estate Residential zoned district.

Chairperson Schuh opened the public hearing for Taylor Wittmus.

Jeff Wittmus was present to speak as a representative for Taylor Wittmus.

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. Jeff Wittmus answered questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

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

There being no further comments, Chairperson Schuh closed the public hearing for Taylor Wittmus.

### **Deliberation**

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

Reasons for Approval:

1. An unnecessary hardship and physical limitation is present based upon the fact that there is a need for a new building but a steep slope to the north preventing the owner from moving it over. The existing structure doesn't allow for access into the barn.
2. The new building will be moved back further from the road and be placed in the best site location.

3. The garage will not be contrary to the public interest because it is moving further from the road than the old one and there hasn't been any issues with the old structure. The road is lightly traveled and only one residence located past this location.

*Second by:* Mr. Schuler.

*Upon vote:* The motion was unanimously approved.

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

### **Other Business**

#### **Schedule Next Meeting:**

The next Board of Adjustment meeting is tentatively scheduled for Monday, April 21, 2025 at 7:00pm and the onsite meeting for Tuesday, April 15, 2025 at 9:30am. (Dates and times are subject to change.)

**Correspondence not related to a hearing item: 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.

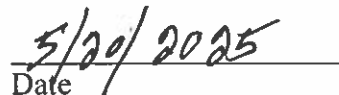
*Aye:* Schuh, Salm, Christel, Kraemer and Schuler; *No:* none.

Respectfully submitted,



Ken Schuler

Secretary



Date