

**GREEN LAKE COUNTY
BOARD OF ADJUSTMENT
Meeting Minutes – September 17, 2010**

CALL TO ORDER

The meeting of the Board of Adjustment was called to order by Chair Ahonen at 9:00 a.m., in the County Board Room, Courthouse, Green Lake, WI. The requirements of the open meeting law were certified as being met.

Present: Don Ahonen, Roger Ladwig, Charles Lepinski (Alternate 1)
Absent: Janice Hardesty
Also present: Matt Kirkman, Code Enforcement Officer
Al Shute, County Surveyor/Land Development Director
Carole DeCramer, Board Secretary
Kate Worth, Court Reporter
Jeff Haase, Assistant Corporation Counsel

APPROVAL OF AGENDA

Motion by Ladwig/Lepinski, unanimously carried, to approve the agenda. Motion carried.

APPROVAL OF MINUTES

Motion by Ladwig/Lepinski, unanimously carried, to approve the August 20, 2010, minutes.

Audio tape is available for verbatim discussion.

RECESS FOR FIELD INSPECTION

Time: 9:07 a.m.

PUBLIC HEARING MATTERS

Board reconvened at 10:05 a.m.

Board Chair Ahonen read the Rules of Order.

See Transcript of Proceedings for verbatim testimony:

Item I: Owner/Applicant: Carol J Catardi Trust **Applicant:** William Catardi **Address:** N4204 Lakeshore Dr, Parcel #016-01208-0000, Green Lake Terrace Lot 6 Block 4, Section 10, T15N, R12E, Town of Princeton **Explanation:** The owners are requesting a variance to allow for the construction of two residential additions that will expand the dwelling into the side-yard setback, whereas, Section 338-32.2.B(1)(c)[1] of the Green Lake County Shoreland Protection Ordinance states that there shall be no expansion within the required side-yard setback area.

- a. Public hearing.

Lillian Koch, N4198 Lakeshore Drive, Markesan, immediate neighbor to the south – Spoke against the request.

Attorney Steven Sorenson, 479 Golf Court, Green Lake, representing the applicant – Entered Exhibits 1-6. Spoke in favor of the request.

Exhibit 1 – Sorenson Law Statement of the Law: Legal Standards to Grant a Variance

Exhibit 2 – Swanke Concrete Construction, LLC letter

Exhibit 3 – David Severson & Son, Inc. letter

Exhibit 4 – Tim Abendroth letter

Exhibit 5 – A. Quade Construction letter

Exhibit 6 – Green Lake County Staff Report

William Catardi, N4204 Lake Shore Drive, Markesan – Spoke in favor of the request.

David Severson, W3491 North Road, Markesan – Spoke in favor of the request.

Public hearing closed.

- b. Board discussion and deliberation.

Chairman Ahonen reopened the public hearing in order to ask Mr. Catardi more questions.

Public hearing closed.

Chairman Ahonen reopened the public hearing again for further questions.

Public hearing closed.

Motion by Lepinski/Ladwig, on roll call (Lepinski – aye, Ladwig – nay, Ahonen – aye), to approve the variance request to allow for the construction of two residential additions that will expand the dwelling into the side-yard setback, with the following conditions:

- 1. That the owner/applicant consults with the Land Conservation Department to:
 - a. Determine through the scope of the proposed project the need for a stormwater management plan or a stormwater drainage plan, if any.
 - b. Create, if deemed necessary by the Land Conservation Department, a stormwater management plan or a stormwater drainage plan that will address the stormwater issues identified in a. above.
 - c. Execute the stormwater plan pursuant to standards developed by the Land Conservation Department.**
- 2. That all future additions to the dwelling provide a sum total of 20 feet of the two side-yard setbacks.**
- 3. That this variance approval is granted specifically for the project proposed and reviewed by the Board of Adjustment under this variance request. The variance shall not be applicable to any future construction projects relating to the subject structure.**

Findings:

Ahonen – The hardship, in this case, was created by the raising of the lake level at the dam, and also the high ground water level in that area, and the raising of Lakeshore Drive when then sanitary sewer system was installed. The owner has a safety need for moving the utilities from the crawl space to the main level of the home and there is no area, as the building exists, to accomplish that. Also, Swanke letter, who is a professional cement contractor, outlines in his professional opinion that jogging the foundation would jeopardize the integrity of the rest of the walls and his strong recommendation was to keep running walls north and south, east and west, in a rectangular fashion rather than creating jogs. The other hardship was created by the 2006 Shoreland Zoning Ordinance requiring a 10’ sideyard setback on lots that were less than 85’; up until that period of time, the residence was code compliant, so this was a down-zoning issue that created the sideyard setback hardship. The unique property limitations, again, are the narrow, small lot, and that the structure foundation wall underpinning is deteriorating from flooding due to the high ground water and the water shedding. We found there is no harm to the public interest. The 44.1 approximate square feet of addition into the sideyard setback is very minimal to the public; the immediate neighbor adjoining the property to the north condones the project, has no objection. This area is sewered so there is no septic system or other sanitary problems caused to the public.

CORRESPONDENCE

Green Lake County Board Chair Dan Priske asked that a copy of the Kathleen Moore letter be given to each of the board members. Ms. Moore is requesting that she be considered for the Board of Adjustment vacancy.

BOARD DISCUSSION – None

NEXT MEETING DATE

November 19, 2010

ADJOURN

On a motion by Lepinski/Ladwig, unanimously carried, the meeting was adjourned.

Time: 11:44 a.m.

Recorded by,
Carole DeCramer
Board of Adjustment Secretary

APPROVED ON:

October 22, 2010