

**GREEN LAKE COUNTY
BOARD OF ADJUSTMENT
Meeting Minutes – May 16, 2008**

CALL TO ORDER

The meeting of the Board of Adjustment was called to order by Board Chair Don Ahonen at 9:04 a.m., in the County Board Room, Courthouse, Green Lake, WI. The requirements of the open meeting law were certified as being met.

Present: Donald Ahonen, Jill Ladwig, Shirley Parker, Charles Lepinski (Alternate 1)
Absent: Roger Ladwig (Alternate 2)
Also present: Al Shute, County Surveyor/Land Development Director
Matt Kirkman, Code Enforcement Officer
Cory Zibung, Code Enforcement Officer
Carole DeCramer, Board Secretary
Kate Worth, Court Reporter
Jeff Haase, Assistant Corporation Counsel

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Motion by J. Ladwig/Parker, unanimously carried, to approve the minutes of the March 20, 2008, meeting. Motion carried.

Audio Tape is available for verbatim discussion:

RECESS FOR FIELD INSPECTION

Time: 9:05 a.m.

PUBLIC HEARING MATTERS

Board reconvened at 10:07 a.m.

Board Chair Ahonen read the Rules of Order.

See Transcript of Proceedings for verbatim testimony:

Item I: Owner: Stephen & Jean Allen **Applicant/Agent:** Attorney Jenna E. Walker **Address:** N4112 Lakeshore Drive, Parcel #016-01230-0000, Lot 4 of Block 7, Green Lake Terrace Plat, Located in Section 10, T15N, R12E, Town of Princeton **Explanation:** The property owners are appealing the decision of the Land Use Planning and Zoning Department to deny a land use permit for a nonconforming boathouse.

- a. Public Hearing

Ahonen – Disclosed that he had sold the property to the Allens fifteen years ago. He also stated that the Allens came to his office in the late summer or early fall of 2007 and stated that they had a matter that they wanted to discuss with him. Ahonen told the Allens that if he did have a discussion about an issue that would eventually come to the Board of Adjustment, he would have to recuse himself and would not be able to vote on that issue. He advised them to contact an attorney and the Allens left Ahonen’s office without further discussion. Ahonen stated that he feels that he can render a fair opinion.

Attorney Steven Sorenson, Sorenson Law Office, Ripon, WI – Along with Attorney Jenna Walker, representing Mr. and Mrs. Allen. Presented Exhibits 1 (Wisconsin State Statute § 59.692(1s)), and 2A, 3B, 4C, 5D (Pictures of the damage to the boathouse). Attorney Sorenson spoke in favor of the request.

Stephen Allen – N4112 Lakeshore Drive, Markesan, WI 53946 – Property owner and applicant spoke in favor of the request.

Al Shute – Green Lake County Land Development Director – Presented information related to staff’s position.

Matt Kirkman – Green Lake County Code Enforcement Officer – Presented additional information related to staff’s position.

Close public hearing.

b. Board Discussion & Deliberation

Attorney Jeff Haase – Advised the Board that they need to look at the damage and what caused it and consider when it occurred.

After discussing the damage to the Allen boathouse, the Board agreed that, of the damages listed in the above referenced statute, the most obvious damage was the damage to the floor caused by the ice shove. The Board also agreed that the damage to the floor should be allowed to be restored.

c. Board Decision

Motion by J. Ladwig/Parker, unanimously carried on roll call (3-eyes, 0-nays) to grant the appeal according to the petition. Motion carried.

PUBLIC COMMENT – None

PUBLIC APPEARANCES – None

CORRESPONDENCE – None

BOARD DISCUSSION – None

J. Ladwig – A few months ago we discussed fees and you (directed to Shute) were going to talk to Mr. Helmer about raising fees for variance applications to cover the cost of providing counsel for the Board of Adjustment.

Shute – This was taken to the Planning & Zoning Committee and they were not interested in raising fees. Attorney Haase presented information to the committee indicating one attorney could handle most requests to the Board of Adjustment.

Parker – There are times when we have conflicts of interest because we are pitted against staff.

Shute – After hearing Attorney Haase's comments, the committee made no recommendation to increase the fees to support another attorney at Board of Adjustment meetings.

J. Ladwig – It made me uncomfortable that the staff attorney (Haase) was interpreting the statute for the Board.

Ahonen – We know the dates beforehand for the appeal requests so we would have time to request an attorney. After this, the Board won't hear an appeal without an attorney representing the Board of Adjustment

Motion by Ahonen/Parker, unanimously carried, that the Board of Adjustment will require separate counsel for future appeals. Motion carried.

NEXT MEETING DATE

June 20, 2008

ADJOURN

The meeting was adjourned at 11:53 a.m.

Recorded by,
Carole DeCramer
Board of Adjustment Secretary

**APPROVED ON:
November 21, 2008**