

**GREEN LAKE COUNTY
BOARD OF ADJUSTMENT
Meeting Minutes – Thursday, July 19, 2019**

CALL TO ORDER

The meeting of the Board of Adjustment was called to order by Land Use Planning & Zoning Director Matt Kirkman at 9:00 a.m. in County Board Room 0902 of the Government Center, Green Lake, WI. The requirements of the open meeting law were certified as being met.

Present: Janice Hardesty, Ben Moderow, Ron Triemstra
Absent: Rich Dornfeld (Alternate), Michael Lehner (Alternate)
Also present: Matt Kirkman, Land Use Planning and Zoning Director
Carole DeCramer, Board Secretary
Caleb Edwards, Land Use Specialist
Kate Worth, Court Reporter, Worth Court Reporting

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Motion by Triemstra/Hardesty, unanimously carried, to approve the agenda.

APPROVAL OF MINUTES

Motion by Triemstra/Hardesty, unanimously carried, to approve the 04/18/19 minutes.

ELECTION OF BOARD OF ADJUSTMENT CHAIR AND VICE CHAIR

Kirkman asked for nominations for Chair.

Nomination of Janice Hardesty as Chair offered by Ron Trimestra. No other nominations.

Motion by Triemstra/Moderow, unanimously carried, to close nominations and cast a unanimous ballot for Janice Hardesty.

Chair Hardesty conducted the remainder of the meeting.

Hardesty asked for nominations for Vice Chair.

Nomination of Ron Triemstra as Vice Chair offered by Ben Moderow.

Motion by Moderow/Hardesty, unanimously carried, to close nominations and cast a unanimous ballot for Ron Triemstra.

APPROVAL OF AGENDA

Motion by Triemstra/Hardesty, unanimously carried, to approve the agenda.

APPROVAL OF MINUTES

Motion by Triemstra/Hardesty, unanimously carried, to approve the 04/18/19 minutes.

RECESS FOR FIELD INSPECTION

Time: 9:03 a.m.

PUBLIC HEARING MATTERS

Board reconvened at 10:47 a.m.

Chair Hardesty read the Rules of Order.

Item I: Owner/Agent: Wisconsin Power & Light; Jerry Lund, Agent **Site Description:** N6499 Berlin Rd, Parcel #004-00322-0100 (±1.18 acres), Located at the section corner of Sections 9, 10, 15 & 16, T16N, R13E, Town of Brooklyn **Request:** Variance from Section 350-50.A of the County Zoning Ordinance to rebuild an electricity distribution substation including a switchgear building, transformer, high-side circuit breaker, & other components that would provide a 14-foot street-yard setback; whereas, a 67-foot street-yard setback is required.

a. Public hearing

Jerry Lund, Agent for Wisconsin Power & Light, 4902 Biltmore Lane, Madison – Explained the request and spoke in favor of it. Used a plat of survey for describing request.

Greg Ardry – Manager of Substations, Wisconsin Power & Light, 4902 Biltmore Land, Madison -

Motion by Triemstra/Moderow, to close the public hearing.

Motion by Triemstra to approve the variance request.

The Board discussed the following conditions:

1. A land use permit shall be applied for and obtained prior to the project commencing.
2. A Certificate of Survey (COS) shall be completed and filed with the Green Lake County Surveyor's Office once the project has been completed. The Survey shall identify all lot lines, include all existing and new structures, including but not limited to: fenced areas, power poles, transformers, circuit breaker, switchgear, access driveways, gates, easements, etc.

Motion by Hardesty/Triemstra, unanimously carried, to amend the motion to include the aforementioned conditions as listed in the staff report.

b. Board discussion and deliberation to include relevant correspondence.

The Board also discussed the following:

- Criteria 1 – Unnecessary Hardship
- Criteria 2 – Unique Property Limitations
- Criteria 3 – Harm to Public Interest

c. Board decision.

Hardesty called for a roll call vote:

Hardesty – aye, Triemstra – aye, Moderow – aye. Motion carried.

Item II: Item II: Owners: Wayne & Sandy Kieck **Applicant:** Wesley Smith **Site Description:** W6586 Puckaway Rd, Parcel #014-00349-0000 (±2.48 acres), Lot 1 Certified Survey Map 1336, Located in Government Lot 1, Section 32, T15N, R11E, Town of Marquette **Request:** Variance from Section 350-18 of the County Zoning Ordinance to create a lot with an average lot width of 94.25 feet; whereas, all newly created lots are required to be an average width of 100 feet.

a. Public hearing

Wayne Kieck, W1798 Barry Road, Dalton – Spoke in favor of the request.

Wesley Smith, 527 Wellington Drive, West Bend – Spoke in favor of the request.

d. Board discussion and deliberation to include relevant correspondence.

The Board discussed the conditions listed in the staff report.

The Board also discussed the following:

- Criteria 1 – Unnecessary Hardship
- Criteria 2 – Unique Property Limitations
- Criteria 3 – Harm to Public Interest

e. Board decision.

Motion by Moderow/Triemstra to grant the variance from Section 350-18 of the County Zoning Ordinance to create a lot with an average lot width of 94.25 feet; whereas, all newly created lots are required to be an average width of 100 feet. The variance approval includes the following condition:

- 1. A certified survey map shall be prepared and approved in accordance with the County's Land Division and Subdivision Ordinance as well as Chapter 236, Wis Stats. The CSM shall be recorded in the Green Lake County Register of Deeds Office as well as submitted to the Green Lake County Surveyor's Office.**

Hardesty called for a roll call vote

Hardesty – nay, Triemstra – nay, Moderow – nay. Motion denied.

CORRESPONDENCE - None

NEXT MEETING DATE

September 20, 2019.

ADJOURN

11:25 p.m. Motion by Triemstra to adjourn.

RECORDED BY:

Carole DeCramer, Board of Adjustment Secretary

APPROVED:

September 20, 2019