

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

February 17, 2020

A meeting of the Manitowoc County Board of Adjustment was called to order by Chairperson Bonde at 7:00 P.M. on Monday, February 17, 2020 in the Manitowoc County Office Complex, 4319 Expo Drive, Manitowoc, WI 54220.

The roll was called by the secretary. Members present: Ralph Schuh, Chuck Hoffman, Ken Schuler, Orville Bonde, and Dave Christel. Members absent: James Knorr. Staff present: Reed Gaedtke.

A motion was made by, Mr. Schuh, seconded by Mr. Hoffman to approve the February 17, 2020 meeting agenda. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Hoffman, Christel, Schuler and Schuh; No: none.*

A motion was made by, Mr. Schuh, seconded by Mr. Christel to approve the minutes for the December 16, 2019 meeting. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Hoffman, Christel, Schuler and Schuh; No: none.*

A motion was made by, Mr. Hoffman, seconded by Mr. Schuler to approve the on-site minutes for the February 10, 2020 meeting. Upon vote, the motion was unanimously approved.

*Aye: Bonde, Hoffman, Christel, Schuler and Schuh; 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.

**New Business**

**Lance Morgan** – Owner of property located at 723 N CTH J, in the SW¼, NW¼, of Section 22 T19N-R22E, Town of Cato, Manitowoc County, Wisconsin, parcel number (001-022-007-001.00); wherein a conditional use permit is being requested to operate a mini-storage business in an GA, General Agricultural zoned district.

Chairperson Bonde opened the public hearing for Lance Morgan.

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

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

The Board asked if there was anything to add to the appeal, there was not.

The Board had questions for Mr. Morgan.

Mr. Morgan answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a phone call from the Town of Cato stating they are in favor to the request.

## Deliberation

*Motion by:* Mr. Schuh to approve the request.

Reasons for approval:

1. Sufficient evidence was provided from the applicant, on-site visit and testimony to warrant an approval.
2. The use does not impede the orderly development of the district because the parcel is surrounded by farmland.
3. The use is compatible with the surrounding area because only the applicant's buildings are located in this area and the zoning allows for this type of use with a conditional permit.
4. The intensity of the operation will not have a negative effect on the area or surrounding properties because it consists of the owner's isolated buildings surrounded by agricultural fields. There are no direct neighbors.
5. The proposed use fits on the parcel. There is plenty of room for the proposed buildings and for having vehicles turn around on the property.
6. There is an existing driveway that allows for proper access to the CTH J.
7. The nature, location and height of the proposed and existing structures are acceptable on the property.
8. The use will not discourage appropriate development or use of adjacent land or buildings.
9. The use will not impair property values.
10. There are no unsafe issues, fumes, flashing lights or other issues that are more objectionable than the properties current allowable use.
11. The use will not endanger the public's health, safety or welfare.

Conditions of Approval:

1. Hours and days of operation will be 24 hours a day, seven days a week.
2. There shall be no outside storage of scrap metal, material or tires allowed.

*Second by:* Mr. Hoffman

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman, Christel, Schuler and Schuh; *No:* none.

**Monty & Maureen Meister** – Owners of property located at 9420 Pigeon Lake Rd. in the NW¼, SE¼, of Section 33, T18N-R22E, Town of Liberty, Manitowoc County, Wisconsin, parcel number (008-033-014-012.00); wherein an after the fact variance is being requested for constructing a 23' long fence addition at approximately 14.75 feet, from the ordinary high water mark of Pigeon Lake, located in a LR, Lake Residential, S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Monty & Maureen Meister.

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

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

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

Mr. Meister explained the reason for the after the fact variance request.

The Board had questions for Mr. and Mrs. Meister.

Mr. Meister answered those questions for the Board.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Liberty in favor to the request (copy on file).

Mr. Gaedtke received a letter from the WDNR commenting on the request (copy on file).

### **Deliberation**

*Motion by:* Mr. Hoffman to approve the request.

Reasons for approval:

1. There was significant evidence provided at the hearing and obtained from viewing the property during the on-site visit to approve the request.
2. The short narrow lot and steep slope create a hardship for the owner to control privacy problems. A barrier is needed on the property.
3. The owners are burdened by not having a fence to give them some privacy. They are unable to reasonably use the outdoor area of their property due to privacy problems. Not having a barrier between neighbors creates a burden on the owners.
4. The request will not have a negative effect on the public because the fence is not blocking anyone's view or affecting anyone else's property. Also, due to the close proximity of the neighboring deck, the limited space between them, the steep slope with rocky soil, and the mature shade trees on the property would prevent an adequate vegetative buffer from being constructed.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman, Christel, Schuler and Schuh; *No:* none.

**Robert Staudinger** - Owner of property located at 10528 Sunny Vista Ln., located in Govt. Lot 4 of Section 2, T17N-R21E, Town of Schleswig, Manitowoc County, Wisconsin, parcel number (016-540-000-026.01) wherein variances are being requested to construct a 10' x 12' x 12' high shed at 6 inches from the south property line, 0 feet from the east property line and at 57 feet from the ordinary high water mark of Wilke Lake, located in a LR, Lake Residential, and S1, Shoreland zoned district.

Chairperson Bonde opened the public hearing for Robert Staudinger.

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

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

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

Mr. Staudinger explained the reason for the request.

The Board had questions for Mr. Staudinger.

Mr. Staudinger answered those questions for the Board.

Mr. Gaedtke explained impervious surface regulations for the present and possible future projects.

People in attendance in favor of the request: none.

People in attendance opposed to the request: none.

Mr. Gaedtke received a letter from the Town of Schleswig in favor to the request (copy on file).

Mr. Gaedtke received a letter from the WDNR commenting on the request (copy on file).

### **Deliberation**

*Motion by:* Mr. Hoffman to approve and modify the request to locate at 1 foot from the east and south property lines.

Reasons for approval:

1. The request was modified at 1 foot from the property line to allow for proper maintenance of the shed.
2. There was significant evidence provided at the hearing and obtained from viewing the property during the on-site visit to modify and approve the request.
3. The lot is so narrow and the shape is so unique that it creates a hardship and burden for the owner to fit a storage building on the property.
4. The owner is removing two dilapidated sheds and decreasing impervious surface area.
5. Storage is needed on a property. Not being able to store personal items on the property creates a burden and prevents the owner(s) from reasonably using the property.
6. The request will not have a negative effect on the public because the impervious surface is being decreased, the new shed will be on the landward side of the house away from the lake so it won't be seen from the lake, and it won't have any increased effect on the neighbors view.

*Second by:* Mr. Schuh

*Upon vote:* The motion was unanimously approved.

*Aye:* Bonde, Hoffman, Christel, Schuler and Schuh; *No:* none

### **Other Business**

**Schedule Next Meeting:** The Board scheduled their next regular meeting for Monday, March 16, 2020 and the onsite for Monday, March 9, 2020 (Dates and times are subject to change.)

### **Adjournment**

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

*Aye:* Bonde, Hoffman, Christel, Schuler and Schuh; *No:* none.

Respectfully submitted,

  
Chuck Hoffman, Secretary

6/15/20  
Date