

**BOARD OF ADJUSTMENT MINUTES
JANUARY 11, 2023**

PRESENT: Pat Beghin, Al Kaltenberg, Craig Robson

EXCUSED ABSENT: Ralph Hemling

STAFF: Kurt Calkins – Director of Planning & Zoning, Lauren Ramirez – Office Administrator, Kenneth Thiele – Senior Zoning & Sanitary Specialist, Haley Nielsen – Zoning & Land Use Specialist

2:00 PM

1. Call to Order

Al Kaltenberg calls the meeting to order.

2. Certification of Open Meeting Law

3. Roll Call

A roll call was taken and a quorum was declared present.

4. View Site(s)

5. Recess

3:00 PM

6. Reconvene Meeting

Al Kaltenberg reconvened the meeting at 3:00.

7. Confirmation of Certification of Open Meeting Law

8. Roll Call

A roll call was taken and a quorum was declared present.

9. Approval of Agenda

**Motion by Pat Beghin to approve Agenda of January 11, 2023 Board of Adjustment
Regular Meeting & Public Hearing.**

Seconded by Craig Robson.

Motion carried unanimously.

10. Approval of Previous Meeting Minutes

**Motion by Craig Robson to approve Minutes of December 14, 2022 Board of Adjustment
Regular Meeting & Public Hearing.**

Seconded by Pat Beghin.

Abstain: Al Kaltenburg

Motion carried.

11. Public Hearings

Item I Variance Consideration – Minimum Required Setback for Front and Street Side Yards, and Visual Clearance Triangle; Applicant: Ryan Steven Heiar – Town of Dekorra

Al Kaltenberg opens the public hearing.

Kenneth Thiele reviews the Background, Town Recommendation, Analysis, Standards for Review, and Recommendation portion of the Staff Report on record.

Ryan Haier (applicant) is present and sworn in.
N3415 Tipperary Road
Poynette, WI

Ryan Haier states that the biggest issue is 2nd Street access. He says that the way it's currently by the lake, is an issue. The way that everyone knows it as now, is a park. Dekorra has said they have no intentions of making it a road. He states that what constitutes it as a hardship is the conformity is burdensome. He elaborates the property lines in regards to the garage. With this request, they would have adequate space, within the same amount that most others on Tipperary have as well.

Al Kaltenberg asks if anyone has questions.

Al Kaltenberg asks if anyone is in favor of the request.

Kenneth Thiele reads in an email from Troy Dull – N3425 Tipperary Road, who voiced support for request.

Al Kaltenberg asks if anyone else is in favor of the request. (no comments)

Al Kaltenberg asks if anyone is against the petition.

Susanne Eichorst (neighbor) was present and sworn in.
N3427 Tipperary Road
Poynette, WI

Susan Eichorst states questions about request in regards to visual clearance triangle.

Kenneth Thiele explains variance request in regards to visual clearance triangle and 2nd Street.

Al Kaltenberg asks if anyone is against the petition.

Kenneth Thiele reads in an email from Jeff Snyder – N3415 Tipperary Road, who voiced concern about the request, stating he's not against it, but states he asked for same request in-office back when he built his house in 2017 and had to change plans to fit visual clearance triangle.

Al Kaltenberg asks if anyone else is against the petition. (no comments)

Al Kaltenberg asks if there is anyone else wishing to speak.

Al Kaltenberg opens up Board of Adjustment Discussion and Deliberation.

Pat Beghin states they have dealt with platted roads along the river and lake and they've always had problems when they will never be developed. He states that highway doesn't see an issue with the variance, he doesn't see the town ever developing it into a road, there's a 25 MPH speed limit on the road with limited parking and no boat landing either, there's no issues present.

Al Kaltenberg states that there's a unique property limitation with this property and all that are along that lake.

Craig Robson states that he doesn't think it's that different from the other properties around the lake, with the exception of the 2nd Street argument. He thinks the town should be handling this. He believes that 2nd Street creates a unique property limitation.

Al Kaltenberg states that there's a hardship due to 2nd Street being used for a different purpose than what it was platted for.

Craig Robson states he's not sure unnecessary hardship would allow the variance for the distance to the centerline of Tipperary Road.

Al Kaltenberg asks if the county has been talking about doing something about these roads.

Kenneth Thiele responds that it's a town road so the county cannot fix it. He states that the issue is the town didn't require the developer to install everything that was platted. They were meant for public access to the lake, and at that time, they had certain accesses to lake that were required based on the subdivision plat. He stated that all of them were not needed, and they were not all installed. The problem now is that we can't say what the likelihood of them being installed is, but it's a platted road and we have to treat it as such at this time.

Pat Beghin states that this is common, there were roads that were planned, but not installed.

Kurt Calkins states that if the town ever exercised the right to do something, the request is not infringing on that, we'd just be closer to that road.

Craig Robson states that the 2nd part of this – is the front of this new garage is proposed to be 52 feet to the centerline of Tipperary Road (Exhibit B on Staff Report on file).

Kenneth Thiele states that he measured 40 feet, and the site plan says 52 feet. We'd have to amend Findings of Fact to correct measurement.

Motion by Pat Beghin to approve the variance for “Minimum Required Setback for Front and Street Side Yards” and “Visual Clearance Triangle” as presented, including the Findings of Fact, Conclusions of Law, Decision, and Conditions of the Staff Report with correction to Findings of Fact.

Seconded by Al Kaltenberg.

Craig Robson – No, Pat Beghin – Yes, Al Kaltenberg – Yes.

Motion carried 2-1.

**Motion by Craig Robson to adjourn meeting.
Seconded by Pat Beghin.
Motion carried unanimously.**

Meeting adjourned at 3:36 PM.

Respectfully submitted,



Board of Adjustment



Recording Secretary
Lauren Ramirez, Office Administrator

cc: Board of Adjustment Members
County Clerk
County Board Chair