

**BOARD OF ADJUSTMENT MINUTES
MARCH 13, 2024**

PRESENT: Al Kaltenberg, Craig Robson, Ralph Hemling, Charlie Kirk

STAFF: Kurt Calkins – Director of Planning & Zoning, Lauren Ramirez – Office Administrator, Bryce Johnson – Zoning & Sanitary Specialist

OTHERS PRESENT:

1:00 PM

1. Call to Order

Al Kaltenberg calls the meeting to order.

2. Certification of Open Meeting Law

3. Roll Call

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

4. View Site(s)

5. Recess

3:00 PM

6. Reconvene Meeting

Al Kaltenberg reconvenes the meeting at 3:00.

7. Confirmation of Certification of Open Meeting Law

Craig Robson reads the Public Hearing Notice into the record.

8. Roll Call

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

9. Approval of Agenda

**Motion by Ralph Hemling to approve Agenda of March 13, 2024 Board of Adjustment
Regular Meeting & Public Hearing.
Seconded by Charlie Kirk.
Motion carried unanimously.**

10. Approval of Previous Meeting Minutes

**Motion by Craig Robson to approve Minutes of February 14, 2024 Board of Adjustment
Regular Meeting & Public Hearing.
Seconded by Ralph Hemling.
Motion carried unanimously.**

11. Public Hearing

Item I Variance Consideration – Parcel and Building Standards in Residential Zoning Districts and Minimum Required Setback for Front and Street Side Yards; Applicant: Donald L Denure – Town of Lodi

Al Kaltenberg opens the public hearing.

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

Jill Gazetta, applicant's fiancé, is present and sworn in.
W10958 West Harmony Drive
Lodi, WI

Donald Denure, applicant, is present and sworn in.
W10958 West Harmony Drive
Lodi, WI

Donald Denure states he didn't know about town meeting and would like to keep carport. He states he was unaware he needed permit.

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

David Sutfin, neighbor, is present and sworn in.
10959 West Harmony Drive
Lodi, WI

David Sutfin states he is in favor of request, and states it looks nice and useful to property owner.

Dorothea Sutfin, neighbor, is present and sworn in.
10959 West Harmony Drive
Lodi, WI

Dorothea Sutfin states she has no issues with it and it looks nice and serves purpose for what property owner needs it for.

Bridget Schindhelm, neighbor, is present and sworn in.
W10964 West Harmony Drive
Lodi, WI

Bridget Schindhelm states she is in favor of request and the carport makes the driveway look nicer.

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

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

Al Kaltenberg asks if anyone from the town is present.

Steve Neander, Town of Lodi Chair, is present and sworn in.
W11060 Bayview Drive
Lodi, WI

Steve Neander states town clerk verified property owner was notified properly by town regarding town meeting. He states the town is against request because it is unrealistic to ask for 27 foot variance, it's not the first time this property owner has built without permits, and town feels structure should be removed.

Al Kaltenberg asks if property owner has rebuttal.

Donald Denure states he never got paperwork for town meeting.

Al Kaltenberg closes the public hearing and opens up Board of Adjustment Discussion and Deliberation.

Al Kaltenberg states there is no unnecessary hardship, property owner created this hardship, and not going through rules and getting permits is not a hardship. He states he doesn't see any unique property limitations, as all properties in area are like this, there's nothing special to this project, and no safety concerns.

Craig Robson states he agrees, and reviewing the 3 standards of review for variances, this doesn't qualify. He states he doesn't see unnecessary hardship that exists, and if property owner really wants carport, they can relocate it to be in compliance. He states there's no unique property limitations, as most properties in area are similar. He states that town has reasonable leg to stand on for public safety and protection of public interest.

Ralph Hemling states that he sees a lot of people here to support, but this doesn't meet variance criteria, no hardship, no unique situation, so he agrees with Al and Craig.

Charlie Kirk states he agrees, and that had the property owner applied for a permit before the project, they wouldn't have gotten into this issue and it would have been taken care of ahead of time.

Craig Robson adds that he appreciates neighbors coming to state their opinions, and he wants them to understand they can't approve variance based off usefulness or aesthetics, and they can't approve because it doesn't fall under the parameters of approval.

Motion by Craig Robson to deny the variance for "Parcel and Building Standards in Residential Zoning Districts" and "Minimum Required Setback for Front and Street Side Yards", as presented, including the Findings of Fact, Conclusions of Law, Decision, and Conditions of the Staff Report.

Seconded by Charlie Kirk.

Craig Robson – Yes, Al Kaltenberg – Yes, Ralph Hemling – Yes, Charlie Kirk – Yes.

Motion carried unanimously.

12. Adjourn

Motion by Al Kaltenberg to adjourn meeting.

Seconded by Craig Robson.

Motion carried unanimously.

Meeting adjourned at 3:23 PM.

Respectfully submitted,

A handwritten signature in black ink that reads "Craig Robson". The signature is written in a cursive style with a large, sweeping flourish at the end.

Craig Robson, Board of Adjustment Secretary

A handwritten signature in black ink that reads "Lauren Ramirez". The signature is written in a cursive style with a long, sweeping flourish at the end.

Recording Secretary
Lauren Ramirez, Office Administrator

cc: Board of Adjustment Members
County Clerk
County Board Chair