

**BOARD OF ADJUSTMENT MINUTES
AUGUST 9, 2023**

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

EXCUSED ABSENT:

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

OTHERS PRESENT:

1:30 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 Charlie Kirk to approve Agenda of August 9, 2023 Board of Adjustment
Regular Meeting & Public Hearing.
Seconded by Ralph Hemling.
Motion carried unanimously.**

10. Approval of Previous Meeting Minutes

**Motion by Ralph Hemling to approve Minutes of July 12, 2023 Board of Adjustment
Regular Meeting & Public Hearing.**

**Seconded by Al Kaltenberg.
Motion carried unanimously.**

11. Public Hearings

Item I Variance Consideration – Parcel and Building Standards in Residential Zoning Districts, Minimum Required Setback for Front and Street Side Yards, and Shoreland Setbacks; Applicants: Steven J Britt & Lisa A Britt – Town of West Point

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.

Steven Britt (applicant) is present and sworn in.
W12693 Pleasant View Park Road
Lodi, WI

Steven Britt reviews the process he's been through, hiring an architect to shrink footprint and meet other goals. He states that there's no building envelope for this property and that's his hardship. He states that he measured all others on road and what he's asking for is within the middle of what's already there. He states the lots are all small and this would fit in the neighborhood. He adds that he went to neighborhood and presented plans with everyone adjacent and has their signatures in support on a letter.

Al Kaltenberg asks if there are any other questions.

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

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

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

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

Al Kaltenberg notes that the Town's recommendation and concerns are being met.

Charlie Kirk states that all the lots in that area are unique, and they purchased knowing this already. He adds that his concern is meeting the setback from the OHWM.

Kenneth Thiele clarifies the deck and house setbacks.

Al Kaltenberg states that with the road and small lots consist of a hardship in my opinion.

**Motion by Al Kaltenberg to approve the variance for "Parcel and Building Standards in Residential Zoning Districts", "Minimum Required Setback for Front and Street Side Yards", and "Shoreland Setbacks" as presented, including the Findings of Fact, Conclusions of Law, Decision, and Conditions of the Staff Report.
Seconded by Ralph Hemling.**

**Ralph Hemling – Yes, Charlie Kirk – No, Craig Robson – Yes, Al Kaltenberg - Yes.
Motion carried non-unanimously.**

Al Kaltenberg notes that the motion is due to the unnecessary hardship based on the way the road is constructed and not consistent, along with the unorthodox way it's located.

Item II Variance Consideration – Parcel and Building Standards in Residential Zoning Districts, Minimum Required Setback for Front and Street Side Yards, Expansions and Repairs of Nonconforming Structures, and Shoreland Setbacks; Applicants: Brian J Kreul and Sally A Kreul – 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.

Brian Kreul (applicant) is present and sworn in.
2996 Bailey Road
Sun Prairie, WI

Brian Kreul reviews his plan and history stating that they wanted to make this their retirement home, so he spoke with Grothman and started on plans.

Sally Kreul (applicant) is present and sworn in.
2996 Bailey Road
Sun Prairie, WI

Sally Kreul states that they didn't intend to make this their retirement home, and possibly still may not use this as retirement home to finances and the cost of the project. She states they still plan to get CSM done to get all on one parcel.

Kenneth Thiele reviews town's concerns for stormwater management in regards to what they're going to do, and explains this is a win for the county, moving everything further from the road and back on their own property. This is what he and Tomas from Grothman came up with as their best plan.

Al Kaltenberg agrees that combining the lots would be beneficial and a step forward.

Ralph Hemling agrees it's safer to have garage further back.

Al Kaltenberg asks if there are any other questions.

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

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

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

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

Charlie Kirk agrees that putting the garage further back and getting parking off the road would be a safety feature.

Craig Robson agrees and also notes that the lot itself is unique, not to area, but overall is, and a unique circumstance being that it's encroaching on the neighbor's property.

Ralph Hemling adds that there's a conflict with the zoning and shoreland ordinances.

Al Kaltenberg states that a hardship would be that the house was built on 3 different parcels. He states it wasn't the owners fault, but that's how they were done back in the day prior to zoning ordinance.

Craig Robson states that it's unusual that the road goes through the center of the shoreland setback line, so that discounts in a way, the 75 foot buffer.

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

Seconded by Charlie Kirk.

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

Motion carried unanimously.

12. Adjourn

Motion by Ralph Hemling to adjourn meeting.

Seconded by Craig Robson.

Motion carried unanimously.

Meeting adjourned at 4:05 PM.

Respectfully submitted,



Board of Adjustment



Recording Secretary

Lauren Ramirez, Office Administrator

cc: Board of Adjustment Members
County Clerk
County Board Chair