

**BOARD OF ADJUSTMENT MINUTES
OCTOBER 10, 2018**

PRESENT: Helen McDonald Rawson, Patrick Beghin, Alan
Kaltenberg, William Gretzinger, Bernard Spink

STAFF: Lauren Ramirez – Office Administrator, Kurt Calkins –
Director of Planning & Zoning, Andrew O’Brion –
Sanitary and Zoning Specialist

OTHERS PRESENT:

1:15 PM

1. Helen McDonald Rawson calls the meeting to order
2. Certification of Open Meeting Law
3. A roll call was taken and a quorum was declared present
4. The Board of Adjustment reported to the site for a site visit
5. Recess

**Motion by Alan Kaltenberg to recess meeting at 1:23 PM.
Seconded by Patrick Begin.
Motion carried unanimously**

3:00 PM

6. Helen McDonald Rawson reconvened the meeting at 3:00 PM
7. Confirmation of Certification of Open Meeting Law

Secretary William Gretzinger reads in the Public Hearing Notice and confirms with staff the requirements of the open meeting law were certified as being met.

8. A roll call was taken and a quorum was declared present
9. Approval of Agenda

**Motion by Alan Kaltenberg to approve Agenda of October 10, 2018 Board of
Adjustment Regular Meeting & Public Hearing.
Seconded by William Gretzinger.
Motion carried unanimously.**

10. Approval of Previous Meeting Minutes

Helen McDonald Rawson asks if everyone has read the Minutes from August 8, 2018 Board of Adjustment Regular Meeting & Public Hearing and if there are any changes that need to be made.

All confirm they have read and confirms no changes need to be made.

**Motion by Alan Kaltenberg to approve Minutes of August 8, 2018 Board of
Adjustment Regular Meeting & Public Hearing.**

**Seconded by Patrick Beghin.
Motion carried unanimously.**

11. Public Hearing

Helen McDonald Rawson reviews the proceedings.

**Item I Variance Consideration – Road Setbacks, Mark Behnke, Petitioner –
Town of Fort Winnebago**

Mark Behnke (Petitioner) is present and sworn in.
N7606 County Road EE
Portage, WI 53901

Helen McDonald Rawson opens the public hearing.

Andrew O’Brion presents Staff Report. The original Certified Survey Map #657 was modified when County Highway EE was relocated. The lot lost land to the North of the relocated road, but added some land to the West. The change in the lot reduced the area that was available to construct an accessory building. The current house meets all setbacks. Mr. Behnke is requesting to add a 16 ft. by 26 ft. addition to his attached garage towards County Highway EE. The addition would put his garage/house 26.08 ft. from the right-of-way and 59.08 ft. from the center line of County Highway EE. The required setbacks for a county highway are 42 ft. from the right-of-way or 75 ft. from the center line, whichever is greater.

He further explains the hardship for this situation comes from the loss of land when County Highway EE was moved. It greatly reduced the area available to build an accessory building. He explains there is a unique property limitation in the fact that there was a loss of land when County Highway EE was moved. The lot was widened but only to the minimum setbacks, leaving no room for expansion. He then adds as far as protection of the public interest, with respect to the highway setback requirement, the public interest in maintaining highway safety is not compromised by the granting of the proposed variance. The lot in question is near the intersection of County Highway EE and State Highway 33, so the traffic on County Highway EE is either beginning to accelerate from turning the corner or decelerating to stop at the stop sign.

Helen McDonald Rawson asks if there is anything petitioner would like to add.

Mark Behnke adds that if currently cannot get in the garage and cannot go in the back yard to the south due to the septic system and drain field. He also states that the front has the deck and well system, so he is land locked in a way right now.

Helen McDonald Rawson asks if there is anything else petitioner would like to add.

Helen McDonald Rawson asks if there are any other questions.

Helen McDonald Rawson asks if anyone is in favor of the petition. (no comments)

Helen McDonald Rawson asks if anyone is against the petition. (no comments)

Helen McDonald Rawson asks if there are any other parties wishing to speak.

Andrew O’Brion added that the Town has recommended approval and Minutes are on file.

Helen McDonald Rawson closes the public hearing and opens discussion and deliberation for the board of adjustment members.

Helen McDonald Rawson asks if anyone would like to add to the discussion.

**Motion by Patrick Beghin to approve variance for
“Road Setback” as presented, including the findings of fact, conclusions,
decisions and conditions of the Staff Report.**

Seconded by Alan Kaltenberg.

Motion carried, unanimously.

**Bernard Spink – Yes, William Gretzinger – Yes, Helen McDonald Rawson –
Yes, Alan Kaltenberg – Yes, Patrick Beghin – Yes**

12. Adjourn Meeting

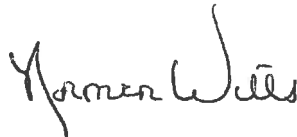
Motion by William Gretzinger to adjourn meeting.

Seconded by Bernard Spink.

Motion carried unanimously.

Meeting adjourned at 3:13 PM.

Respectfully submitted,



~~William Gretzinger, Secretary~~ Norman Willis, Alternate Secretary
Board of Adjustment


Recording Secretary

Lauren Ramirez, Office Administrator

cc: Board of Adjustment Members
County Clerk
Vern Gove, County Board Chair