

**BOARD OF ADJUSTMENT MINUTES  
OCTOBER 11, 2017**

PRESENT: Helen McDonald Rawson, Roger Wetzel, William Gretzinger, Bernie Spink, Norm Wills (alternate)

ABSENT: Alan Kaltenberg

STAFF: Randy Thompson – Planning & Zoning Administrator  
Lauren Ramirez – Office Administrator

**1:30 PM**

1. View Sites

**3:00 PM**

2. Helen McDonald Rawson called the meeting to order
3. Certification of Open Meeting Law
4. Roll Call was taken and a quorum declared present
5. Approval of Agenda
6. Public Hearing

**Item I Variance Consideration – Road Setback, Mary F Kelly Testamentary Tr & Pamela Kelly Davis, Petitioner – Town of Dekorra**

Randy Thompson reviews the Staff Report. He explains that there is currently a 30 ft. x 30.5 ft. (900 sq. ft.) cottage on the property. The applicant wishes to repair and reconstruct the existing nonconforming structure within the existing footprint, but increase in height. The applicant also is requesting to construct an 8 ft. x 28 ft. deck on the front side of the house facing Tipperary Road. Randy Thompson points out that the Department has received letters from neighbors in favor of this Variance request, as well as the Town.

Pamela Kelly Davis (Petitioner) is present and sworn in.  
2818 Richardson Street  
Fitchburg, WI53711

Pamela Kelly Davis states that she is proposing to make the balcony not as wide, and to actually have it 5 ft. x 28 ft. instead. This is to make it easier to support. This deck she explains is for the view to the lake.

Helen McDonald Rawson asks if there are any questions.

Roger Wetzel questions if petitioner has started on project, if so, why.

Pamela Kelly Davis states that there was a misunderstanding of what permits were all required. She thought that the contractors were taking care of them,

and also misunderstood the Town of Dekorra when she went to them as well. She was under the assumption that permits from Dekorra were enough.

Roger Wetzel asks if she has to contend with any high water out there.

Pamela Kelly Davis stated not yet, but in the past, the water has been higher.

Helen McDonald Rawson questions if snow plows have been in consideration, due to the closeness of the house to the road.

Pamela Kelly Davis states that snow plows have not been an issue in the past, and that she is using a cement block foundation now as well.

Helen McDonald Rawson asks if water running down the hill is an issue.

Pamela Kelly Davis states that at this point, it is not an issue, but she is going to put up stones/landscaping to assist with issue so this will not be a problem to worry about.

Helen McDonald Rawson asks if she has considered the holding tank as well, with the landscaping.

Pamela Kelly Davis states that she is not putting in any more landscaping than what is already there. She has been speaking with the landscaper, and will be removing some trees, and angling it so water is led away, rather than allowing it to go downhill to backyard.

Norm Wills states trees do tend to get in the way, and asks if she has considered riprap on the side of Washington Street. This is because depending on what grade you are dealing with, you do not have a lot of options, to make sure it doesn't wash out.

Pamela Kelly Davis stated that Arlington Hardware is taking care of everything and making sure they are meeting regulations and requirements.

Norm Wills states that with the proximity to Tipperary Road in mind, there will be issues with the plows. Aside from that, he explains that the front deck is also a concern because of the limited space. He states that it is a safety issue due to the Dekorra Fire Department's need to be able to assist if issue were to arise. He explains that the hook up and ladder units are 50 ft. long and could not make the corner to the house. He says allowing this, would put lives in jeopardy.

Pamela Kelly Davis explains if this is true- this is a pre-existing issue, and asks if there is a remedy to this issue.

Norm Wills states he has reservations about putting the deck on the front, and asks how big porch was before.

Pamela Kelly Davis states that there was a 4 ft. x 5 ft. stoop-like porch.

Helen McDonald Rawson questions if there is a door in the back of the house.

Pamela Kelly Davis answers no, 2 front doors on side of house closest to street on left, and they are taking out the door on Washington Street. She then presents the Board of Adjustment with a Plan showing the west/front side.

Bernie Spink questions what speed the road is there going down Washington Street.

Pamela Kelly Davis states that the speed is 25 MPH, however, due to road type, most have to go around 5-10 MPH.

Helen McDonald Rawson asks if the road is paved and what types of sides they have.

Pamela Kelly Davis states that there is no curb and gutter there.

Helen McDonald Rawson asks if the house is part of the right-of-way.

Randy Thompson answers yes, because of the old plat, there are 33 ft. right-of-ways there, whereas normal roads have 66 ft., putting 22 ft. of pavement there. In her case, he explains, she's got 5 ft. to the curve where an extra layer of asphalt is to keep water out, which he says will help somewhat.

Helen McDonald Rawson asks if there are any more questions.

Roger Wetzel explains that when a snow plow comes through on County Highway V, mailboxes frequently needs to be put back up due to speed, however, in this situation, the speed is 25 MPH, so this is not much of a concern to him.

Roger Wetzel further explains that the Lodi Fire Department is not bashful on letting people know when situations are dangerous. They make it clear when they are out and see things that pose a concern to them. He states that as for the deck, there is one there now below and that works fine.

Pamela Kelly Davis states that she does not want there to be things in the way for safety, and hopes to retire there herself. She adds that she plans to get a chair lift to help them up the stairs.

Roger Wetzel adds one more thing, that the water issue is a valid concern. He states that she will need to have adequate plans to revert the water.

Helen McDonald Rawson questions if the neighbors have concerns about height of structure.

Pamela Kelly Davis explains that the neighbors are very happy that the brush has been cleaned out there. She states that the neighbors asked her if she wanted them to come today to voice approval to the Board, and they wrote letters of approval to the Department.

Helen McDonald Rawson asks if there are any other questions from the Board or the Petitioner.

Pamela Kelly Davis states that she just wants to do right by the County and Town and does not want to cut corners.

Bernie Spink questions why Petitioner changed dimensions from 8 ft. to 5 ft.

Pamela Kelly Davis stated that this was for safety reasons.

Helen McDonald Rawson asks about the location of doors, is it correct that there is 1 towards the trees and to the neighbors, and one in back?

Pamela Kelly Davis answers yes, that is true, and there are also steps to go down as well on side door where there is a little landing before the stairs.

Randy Thompson states he did not see this in the plans. He states that the area where the door to the south is, could have the deck where it would be more compliant, than the proposed deck Petitioner is requesting, and this needs to be considered by the Board.

Pamela Kelly Davis states that she would not put a deck there, as the view to the lake is minimal and they would be facing their neighbors.

Randy Thompson explains that although that is true, this would allow more frontage to the lake-side and it'd be more compliant. He says the entire deck there could be picked up and put to the west on the other side of the house where a side portion would face the water.

Helen McDonald Rawson questions if deck would be on the other side, what size could go there.

Randy Thompson explains that the 8 ft. x 28 ft. deck could go there. He says that either way, this needs to be reflected in the motion now.

Pamela Kelly Davis states that she would not put a deck there, and became upset.

**4:02** Helen McDonald Rawson stated there will now be a 5 minute recess.

**4:07** Helen McDonald Rawson states the meeting is now back in order.

Helen McDonald Rawson asks if there are any further questions.

Norm Wills states that removing the trees exacerbated potential erosion

William Gretzinger questions if putting a gutter in would be appropriate.

Roger Wetzel questions if Town put in the request to have earth tones.

Pamela Kelly Davis states that yes, first it was in her plans, then the Town made it a requirement as well.

Bernie Spink questions what Conditions are required for motion.

Randy Thompson states that location is required and size of deck. He explains that Greg Knuteson did a survey that reflected if Decision allows for house to remain in existing location, and for deck to show new dimensions or original dimensions.

Helen McDonald Rawson asks if anyone has any further questions or comments.

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

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

**Motion by Bernie Spink to approve Variance for “Road Setback”, with Condition #3 revised to 5 ft. x 28 ft. deck located frontage to Tipperary Road, including the Findings of Fact, Conclusions, Decisions and Conditions of the Staff Report.**

**Seconded by Roger Wetzel.**

**Motion carried, unanimously.**

**Norm Wills – Yes, Roger Wetzel – Yes, Bernie Spink – Yes, William Gretzinger – Yes, Helen McDonald Rawson – Yes.**

7. Close Public Hearing

**Motion by Bernie Spink to close public hearing.**

**Seconded by William Gretzinger.**

**Motion carried unanimously.**

8. Approval of Minutes

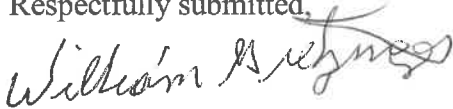
**Motion by Bernie Spink to approve Minutes of August 9, 2017 Board of  
Adjustment Regular Meeting & Public Hearing.  
Seconded by William Gretzinger.  
Motion carried unanimously.**

9. Adjourn

**Motion by Roger Wetzel to adjourn meeting.  
Seconded by Bernie Spink.  
Motion carried unanimously.**

Meeting adjourned at 4:25 pm.

Respectfully submitted,



William Gretzinger, Secretary  
Board of Adjustment



Recording Secretary  
Lauren Ramirez, Office Administrator

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