

**MINUTES OF
GREEN COUNTY BOARD OF ADJUSTMENT
Wednesday, July 20, 2022**

1. CALL TO ORDER AND ROLL CALL

The Board of Adjustment met in the County Board Room of the Green County Courthouse in Monroe on Wednesday, July 20, 2022. At 7:00 p.m., the meeting was called to order by Chairman Fahey. Roll call was taken and present were Ted Fahey, Cal Wasserstrass, Larry Eakins, Ken Clark, Wayne Dieckhoff and Joni Waelchli-Buehl (did not participate in the public hearings). Also present was Adam Wiegel, Zoning Administrator

2. CONSIDER THE MINUTES

Motion by Eakins, second by Waelchi-Buehl to approve the minutes from the June 15, 2022 meeting. Motion carried.

3. DISCUSSION AND POSSIBLE ACTION IN REGARD TO DEPARTMENT OF NATURAL RESOURCES OPINIONS IN REGARD TO GRANTING OR DENYING VARIANCES.

Motion by Clark, second by Dieckhoff to request the Department of Natural Resources comments on shoreland zoning variance requests under 59.692. Motion carried.

4. VIRTUAL SITE VISIT(S)

A. Ashley Doerfer and Evan Larson, landowner: located at N7093 Highway 104, Section 1, Town of Albany.

Application for a variance for the construction of a deck in the setback area of Highway 104, 65' from the centerline vs County Code minimum of 110'.

B. Markus and Elizabeth Borntrager, landowner; located at W509 Atkinson Road, section 35, Town of Albany. Application for a conditional use permit and a variance. The conditional use permit application is for a contractor's storage yard. The variance application is for a change of use of a shed from a storage shed to a business in the setback area of Atkinson Road, 60' from the centerline vs County Code minimum of 63'.

C. Steven and Wendy Krupke, landowners: located at N3927 Brown Deer Drive, section 14, Town of Decatur.

Application for a conditional use permit for the operation of an indoor recreation facility for pitching, hitting, catching and coaching.

5. SCHEDULE NEXT MONTH'S MEETING DATES:

Site visits/Public hearings(s)-Wednesday August 17, 2022, at 7:00 p.m. in the County Board Room

6. CONDUCT HEARING(S)

A. At 7:30 p.m., Fahey called the DOERFER/LARSON public hearing to order, stating that the purpose was to consider application #2022-347 for the issuance of a variance for the construction of a deck in the setback area of Highway 104, 65' from the centerline vs County Code minimum of 110'. The land is zoned agricultural and is located at N7093 Highway 104, section 1, Town of Albany. Roll call of the parties of interest was taken and present was Evan Larson, landowner. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared/Public Hearings APP 2022-347. After hearing all testimony and

evidence presented at the public hearing, Wasserstrass made a motion that was seconded by Clark to approve the variance as requested. Roll call on the motion was as follows: Clark, aye, Eakins, aye, Dieckhoff, aye and Wasserstrass, aye. The motion carried. Motion by Clark, second by Eakins to recess. The motion carried by unanimous voice vote.

B. At 8.00 p.m., Fahey called the BORNTRAGER public hearing to order, stating that the purpose was to consider applications #2022-321 and #2022-320 to consider a conditional use permit and a variance. The conditional use permit application is for a contractor's storage yard. The variance is for a change of use of a shed from a storage shed to a business. The shed is located 60' from the centerline of Atkinson Road vs County Code minimum of 63'. The land is zoned agricultural and is located at W509 Atkinson Road, section 35, Town of Albany. Roll call of the parties of interest was taken and present were Elizabeth and Markus Borntrager, landowner. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared/Public Hearings 2022/APP 2022-320 and 321. After hearing all testimony and evidence presented at the public hearing, Clark made a motion that was seconded by Dieckhoff to approve the variance as requested. Roll call on the motion was as follows: Wasserstrass, aye, Clark, aye, Eakins, aye and Dieckhoff, aye. The motion carried. After hearing all testimony and evidence presented at the public hearing, Wasserstrass made a motion that was seconded by Eakins to approve the conditional use permit with the following conditions:

1. Contractor storage yard;
2. Builds pole barns and roofs;
3. Hours Mon-Fri 6am-9pm;
4. Less than 6 employees;
5. No customers;
6. Materials in 2 buildings (existing);
7. Office in shed (8x8);
8. Office person 4-5 hours per day;
9. No materials will be stored outside; and
10. Notify fire department of business with a copy of the notice sent to the Zoning Department.

Roll call on the motion was as follows: Wasserstrass, aye, Clark, aye, Eakins, aye and Dieckhoff, aye. The motion carried. Motion by Eakins, seconded by Clark to recess the public hearing. The motion carried by unanimous voice vote.

C. At 8:30 p.m., Fahey called the KRUPKE public hearing to order, stating that the purpose was to consider application #2022-319 for the issuance of a conditional use permit for the operation of an indoor recreation facility for pitching, hitting, catching and coaching. The land is zoned agricultural and is located at N3927 Brown Deer Drive, section 14, Town of Decatur. Roll call of the parties of interest was taken and present were Steven Krupke, landowner; Francis and Marie O'Neill and Julie Taylor, adjoining landowner and Allen Schneider, Town of Albany. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared/Public Hearings APP 2022-319. After hearing all testimony and evidence presented at the public hearing, Dieckhoff made a motion that was

seconded by Clark to approve the conditional use permit with the following conditions:

1. Structure 64 x 40;
2. Hitting, pitching, catching and coaching by Steve Krupke only;
3. Facility can be rented for hitting and pitching with no instruction;
4. No other uses allowed for rent in the facility;
5. Lighting outside (north and east side) facing downward;
6. No employees. Has guest instructors that are not of resident family;
7. Maximum number of people of 10 maximum, number of people per day 20 1-hour between group sessions;
8. Hours: 7 days a week 9am-7pm by appointment only-1-hour break between sessions;
9. No outdoor activities or training;
10. No office or office employees;
11. Parking with a permeable surface-parcel 1173 will not have parking;
12. Bathroom in residence;
13. Maximum parking of 8 spaces; and
14. No retail sales.

Roll call on the motion was as follows: Wasserstrass, aye, Clark, aye, Eakins, aye and Dieckhoff, aye. The motion carried. Motion by Clark seconded by Wasserstrass to recess the public hearing. The motion carried by unanimous voice vote.

7. ADJOURNMENT

Motion by Clark, second by Wasserstrass to adjourn. The motion carried by unanimous voice vote.

Larry Eakins
Secretary

Adam Wiegel
Acting Secretary