

**GREEN LAKE COUNTY  
BOARD OF ADJUSTMENT  
Meeting Minutes – January 19, 2007**

**CALL TO ORDER**

The meeting of the Board of Adjustment was called to order by Vice-Chair Shirley Parker at 9:03 a.m., in the County Board Room, Courthouse, Green Lake, WI. The requirements of the open meeting law certified as being met.

Present: Don Ahonen, Roger Ladwig (Alternate 1), Charles Lepinski (Alternate 2),  
Shirley Parker  
Absent: Bill DePue  
Also present: Al Shute, County Surveyor/Land Development Director  
Bernie Sorenson, Code Enforcement Officer  
Carole DeCramer, Secretary  
Dan Sondalle, Assistant Corporation Counsel  
Kate Worth, Court Reporter

Vice-Chair Parker was seated in Mr. DePue's absence; Alternate #1 Ladwig was seated in Mrs. Parker's position.

**APPROVAL OF AGENDA**

**Motion by Ahonen/Ladwig, unanimously carried, to approve the agenda. Motion carried.**

**APPROVAL OF MINUTES**

**Motion by Ladwig/Parker, unanimously carried, to approve the minutes of November 11, 2006. Motion carried.**

**RECESS FOR FIELD INSPECTION**

Time: 9:05 a.m.

**PUBLIC HEARING MATTERS**

Board reconvened at 10:12 a.m.

Vice-Chair Parker read the Rules of Order.

**See Transcript of Proceedings for verbatim testimony:**

**Item I: Owner:** James C Kanelos **Site Address:** N4249 Lakeshore Dr, Town of Princeton, Parcel #016-1268-0000, Lot 1 of Block 10 of the Green Lake Terrace Plat located in the NW ¼ of the SW ¼ of Section 10, T15N R12E, in the Town of Princeton **Explanation:** The owner requests a variance to Section 338-32.2.B.(3)(B) Nonconforming Structures, of the county shoreland protection ordinance, to allow an addition to a structure to be built by expanding into the required front yard, whereas the expansion of a nonconforming structure into a required front yard setback is prohibited.

a. Public Hearing

James Kanelos, N4249 Lake Shore Drive – Owner/applicant explained the proposed request.

Vern Ammentorp, County Board Supervisor – This project is located in his district and he appeared in favor of the request.

Art Hartwig, Representing Nancy Cederholm, W3611 North Lawn – An adjoining property owner opposed to the request. Presented chart (Exhibit A) demonstrating alternative building placement.

Nancy Cederholm – Adjoining property owner concerned about the drainage problems.

Shute read the following letters from two neighbors:

Lawrence Wilkinson, N4230 Lake Shore Drive (Exhibit B) – Opposed to the project.

Jill Ladwig, N4233 Lake Shore Drive (Exhibit C) – In favor of the project.

Public hearing closed.

- b. Board Discussion & Deliberation

Attorney Sondalle reminded the board about the three-prong criteria.

- c. Board Decision

**Motion by Ladwig/Ahonen to approve the variance request as submitted.**

**Motion by Ladwig/Ahonen, unanimously carried, to suspend the rules to allow Mr. Kanelos to answer questions. Motion carried.**

**Motion by Ladwig to amend the original motion to include conditions as listed in the staff report and limit the structure to the existing footprint. Motion died.**

**Original motion –**

**Motion by Ladwig/Ahonen to approve the variance request as submitted.**

**Ahonen – nay, Ladwig – nay, Parker – nay. Motion unanimously lost.**

**Motion by Ahonen/Parker to rescind the last action. Ahonen – aye, Ladwig – aye, Parker – aye. Motion unanimously carried.**

**Motion by Ahonen-Ladwig to approve the applicant’s request with the following conditions:**

- 1. That a land surveyor document the location of the existing footprint of the structure and file a “Certificate of Survey” as a report of that location and stakeout the proposed basement foundation to ensure compliance with the Green Lake County Shoreland Protection Ordinance and the variance being granted.**
- 2. The project is limited to the existing footprint and proposed porch towards the lake, with no additions horizontally.**

3. **The applicant work with the Green Lake Land Conservation Department on a drainage plan for the proposed building project and on the lot in question.**

Ahonen – aye, Ladwig – nay, Parker – aye. Motion carried (2-1).

**Findings –**

**Parker – The hardship is the uniqueness of the lot. It may be somewhat self-created, but the plan seems to be in compliance with everything we requested. There are some unique property limitations, but I think the plan is going to fit that property fine. As far as public interest is concerned, the changes that will be made are going to be an improvement to the neighborhood and are limited to just a few individuals.**

**Item II: Owner:** Michael L. Sargent **Applicant:** Sheb Heissner, Weatherguard **Site Address:** N3047 E Little Green Rd, Town of Green Lake, Parcel #006-00542-0200, Lot 3 of Certified Survey Map 271, V1, Sec 29, T15N R13E **Explanation:** The owner requests a variance to Section 338-32.2.C.(1)Nonconforming Principal Structures, of the county shoreland protection ordinance, to allow a second story addition to a structure to be built, whereas the expansion of a nonconforming principal structure within thirty-five feet of the ordinary high water mark is prohibited.

- a. Public Hearing

Sheb Heissner, Contractor – Discussed the proposed project. Presented pictures of the site (Exhibits A-G).

Public hearing closed.

- b. Board Discussion & Deliberation

Attorney Sondalle reminded the board about the three-prong criteria.

- c. Board Decision

**Motion by Ladwig/Ahonen to approve the request with the conditions listed in the staff report:**

1. **That the vegetative buffer to the south of the dwelling be evaluated by an RSVP certified professional and a report (map & text) is filed with the Land Use Planning & Zoning Department for review. If required by the Land Use Planning and Zoning Department, a vegetative buffer shall be designed and installed by an RSVP certified landscape professional.**
2. **That the vegetative buffer is maintained and that an affidavit is recorded with the deed to alert future owners that the vegetative buffer is to exist.**

Ahonen – aye, Ladwig – aye, Parker – aye. Motion unanimously carried.

**Findings**

**Parker – The hardship is the ditch is located where it is. It's unique to the property and there are some limitations, but they can be resolved. There is no harm to public use.**

**PUBLIC COMMENT – None**

**PUBLIC APPEARANCES** – None

**CORRESPONDENCE - CALENDAR**

Shute – I have given each of you a copy of the 2007 calendar. It reflects the third Friday of each month at 9:00 a.m.

**BOARD DISCUSSION**

Shute – I had an opportunity to talk to Mary Lou Newbauer, City of Berlin Zoning Administrator. They had an item that went to court. The judge sent it back to the Board of Adjustment to be re-heard because the record was not clear and the findings were not clear. There has been a suggestion that each board member express their own findings and then write the findings. I will discuss this with Attorney Sondalle and bring it back for discussion.

**NEXT MEETING DATE**

There will not be a meeting in February.

**ADJOURN**

**Motion by Ahonen/Ladwig, unanimously carried, to adjourn. Motion carried.**

Time: 11:37 a.m.

Recorded by,  
Carole DeCramer  
Board of Adjustment Secretary

**APPROVED ON:**

April 20, 2007