

**MINUTES OF
GREEN COUNTY BOARD OF ADJUSTMENT
Wednesday, February 28, 2018**

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, February 28, 2018. At 7:00 p.m., the meeting was called to order by Chairman Fahey. Roll call was taken and present were Cal Wasserstrass, Larry Eakins, Ken Clark, Wayne Dieckhoff and Ted Fahey. Also present was Adam Wiegel, Zoning Administrator.

2. CONDUCT HEARING(S)

A. At 7:00 p.m., Fahey called the FREITAG public hearing to order, stating that the purpose was to consider application #2018-049 for the issuance of a conditional use permit for the operation of an auto repair business. The land is zoned agricultural and is located at N225 Martintown Road, section 32, Town of Cadiz. Roll call of the parties of interest was taken and present were Chad and Traci Freitag, landowners. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared/Public Hearings 2018/APP2018-049 after hearing all testimony and evidence presented at the public hearing, Clark made a motion that was seconded by Dieckhoff to approve the conditional use permit request with the following conditions:

1. Lighting downward facing;
2. Disposal-burn oil-proper of all Fluids;
3. Notify fire department and send copy of letter to Adam (Zoning Office);
4. Comply with commercial code (State Building Code);
5. Hours (of operation) 8 a.m.-5 p.m. Monday-Friday, 8 a.m.-12 p.m Saturday;
6. Number of vehicles at once outside 30 including personal;
7. No body work or painting; and
8. Building size 50' x 90'.

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

B. At 7:30 p.m., Fahey called the SCHMUCKER public hearing to order, stating that the purpose was to consider application #2018-023 for the issuance of a conditional use permit for the operation of a bulk food general store. The land is zoned agricultural and is located at N4210 County E, section 12, Town of Decatur. Roll call of the parties of interest was taken and present were Lester and Katie Schmucker, landowners and Allen Schneider, Town of Decatur. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared/Public Hearings 2018/APP2018-023 after hearing all testimony and evidence presented at the public hearing, Dieckhoff made a motion that was seconded by Wasserstrass to approve the conditional use permit request with the following conditions:

1. Hours of operation Monday-Saturday 8 a.m.-5 p.m.;
2. Size of business 36 feet x 46 feet all inclusive (all product inside building);
3. Rest room on site;
4. No parking on road; and
5. No manufacturing on site.

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

- C. At 8:00 p.m., Fahey called the WILLIE LIVING TRUST public hearing to order, stating at the purpose was to consider application #2018-022 for the issuance of a conditional use permit for the operation of an auto repair business. The land is zoned agricultural and is located at W814 Amidon Road, section 11, Town of Brooklyn. Roll call of the parties of interest was taken and present were Willie Living Trust (Brad Willie), landowner; Patrick Wall and Peter Hardin, adjoining landowners. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared/Public Hearings 2018/APP2018-022 after hearing all testimony and evidence presented at the public hearing, Clark made a motion that was seconded by Wasserstrass to approve the conditional use permit request with the following conditions:

- 1 Hours of operation 7 am-6 pm Monday-Friday Saturday 8 am -3 pm;
- 2 Lighting downward facing motion sensor;
- 3 Letter to fire department with copy to Zoning;
- 4 Proper disposal (of waste oil/fluids) as per code;
- 5 Number of vehicles outside 20 (including personal vehicles);
- 6 Size of building 40' x 54'; and
- 7 Septic as per County Code.

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

- D. At 8:30 p.m., Fahey called the PULVERMACHER public hearing to order, stating that the purpose was to consider application #2018-024 for the issuance of a variance for the construction of a barn in the setback area of a residential lot line, 18' from the lot line vs county code minimum of 100'. The land is zoned agricultural and is located at W5460 Sandrock Road, section 2, Town of New Glarus. Roll call of the parties of interest was taken and present were Eric and Kristi Pulvermacher, landowners. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared/Public Hearings 2018/APP2018-024 after hearing all testimony and evidence presented at the public hearing, Eakins made a motion that was seconded by Dieckhoff to deny the variance as requested. Roll call on the motion was as follows: Clark, aye, Dieckhoff, aye, Eakins, aye and Wasserstrass, aye. The motion carried. Motion by Clark seconded by Dieckhoff to recess the public hearing. The motion carried by unanimous voice vote.

3. ADJOURNMENT

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

Larry Eakins
Secretary

Adam M. Wiegel
Acting Secretary