

**MINUTES OF
GREEN COUNTY BOARD OF ADJUSTMENT
Wednesday, September 26, 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, September 26, 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, Joni Waelchi-Buehl (observation as new alternate) and Ted Fahey. Also present was Adam Wiegel, Zoning Administrator.

2. CONDUCT HEARING(S)

A. At 7:00 p.m., Fahey called the LARRAMENDI public hearing to order, stating that the purpose was to consider application #2018-001 for the issuance of a conditional use permit for the operation of a counseling and education center. The land is zoned agricultural and is located at N8809 Badger Road, section 15, Town of York. Roll call of the parties of interest was taken and present was Ana Larramendi, landowner. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared/Public Hearings 2018/APP2018-001 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. No overnight guest;
2. No parking on the road;
3. Have well marked boundaries; and
4. No loud noise after 10 p.m.

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

B. At 7:20 p.m., Fahey called the DESMET public hearing to order, stating that the purpose was to consider application #2018-375 for the issuance of a conditional use permit for the rental storage units. The land is zoned agricultural and is located at N8529 County X, section 13, Town of Exeter. Roll call of the parties of interest was taken and present were Travis and Andrea DeSmet, landowners and Ted Fahey, Town of Exeter. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared/Public Hearings 2018/APP2018-375 after hearing all testimony and evidence presented at the public hearing, Wasserstrass made a motion that was seconded by Dieckhoff to approve the conditional use permit request with the following conditions:

1. Same as 2016 permit (with clarification of conditions number 2).
 - a. One hundred units total;
 - b. Two entrances of Pernot Lane and County X (one entrance each Road);
 - c. Minimal security lighting;
 - d. Eight foot tall fence on west more may be required (Town to make decision);
 - e. Hours of operation 6 a.m. to 8 p.m. seven days a week
 - f. Outside storage for boats, trailers and campers only; and
 - g. No vehicles over 26,000 lbs. on Pernot Lane.

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

C. At 7:40 p.m., Fahey called the PHILLIPS public hearing to order (Clark abstain from the hearing), stating that the purpose was to consider applications #2018-371 to consider a variance to construct a four season room in the setback area of County B, 33' from the right of way –vs- county code minimum of 42'. The land is zoned agricultural and is located at W7340 County B, section 13, Town of Cadiz. Roll call of the parties of interest was taken and present were Merlyn and Pauline Phillips, landowners. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared/Public Hearings 2018/APP2018-371 after hearing all testimony and evidence presented at the public hearing, Dieckhoff made a motion that was seconded by Wasserstrass to approve the variance as requested. Roll call on the motion was as follows: Dieckhoff, aye, Wasserstrass, aye and Eakins. The motion carried. Motion by Wasserstrass seconded by Dieckhoff to recess the public hearing. The motion carried by unanimous voice vote.

D. At 8:00 p.m., Fahey called the WILBERT public hearing to order, stating that the purpose was to consider application #2018-368 for the issuance of a conditional use permit for the operation of a private campsite. The land zoned is agricultural and is located on the West side of Gutzmer Road, section 36, Town of Washington. Roll call of the parties of interest was taken and present were Wilbert Henry, landowner; Jeff Ingebritsen, Attorney for the landowner; Richard Rufer, Town of Washington and Craig Barclay, adjoining landowner. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared/Public Hearings 2018/APP2018-368 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. Lot limited to single RV at any time;
2. Sunset in 5 years and/or change of ownership;
3. Will not be onsite from December 1 to April 1; and
4. RV cannot be rented out while on lot.

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 Wasserstrass to recess the public hearing. The motion carried by unanimous voice vote

E. At 8:20 p.m., Fahey called the KIPP, LLC public hearing to order, stating that the purpose was to consider application #2018-367 for the issuance of a conditional use permit for the operation of a temporary concrete plant. The land zoned is agricultural and is located at W6512 County Y, section 20, Town of Monroe. Roll call of the parties of interest was taken and present were Ryne Spies, agent for the landowner; Arman and Kathryn Rufener (represented by their daughter), David and Denise Dye (represented by their son Josh) and Diane Kreft, adjoining landowner. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared/Public Hearings 2018/APP2018-367 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. Concrete plant not to operate after December 15, 2019;
2. Silence beepers before 6 a.m. and after 8 p.m. if possible;
3. Maximum night operation 5 nights; and

4. Hours of operation determined by DOT.

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

3. ADJOURNMENT

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

Larry Eakins
Secretary

Adam M. Wiegel
Acting Secretary