

**GREEN LAKE COUNTY
BOARD OF ADJUSTMENT
Meeting Minutes – Friday, April 20, 2018**

CALL TO ORDER

The meeting of the Board of Adjustment was called to order by Chair Hardesty at 9:01 a.m. in County Board Room 0902 of the Government Center, Green Lake, WI. The requirements of the open meeting law were certified as being met.

Present: John Gende (alternate), Janice Hardesty, Kathleen Moore, Ron Triemstra

Absent:

Also present: Matt Kirkman, Land Use Planning and Zoning Director

Krista Kamke, Code Enforcement Officer

Carole DeCramer, Board Secretary

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Motion by Moore/Hardesty, unanimously carried, to approve the agenda.

APPROVAL OF MINUTES

Motion by Triemstra/Hardesty, unanimously carried, to approve the 11/17/17 minutes.

ELECTION OF BOARD OF ADJUSTMENT CHAIR AND VICE CHAIR

Hardesty explained that the terms are up July 1st and elections should take place at that time.

2018 BOARD OF ADJUSTMENT CALENDAR

The Board accepted the proposed calendar as presented.

RECESS FOR FIELD INSPECTION

Time: 9:04 a.m.

Audio of Board discussion is available upon request from the Green Lake County Land Use Planning and Zoning Department.

PUBLIC HEARING MATTERS

Board reconvened at 10:05 a.m.

Chair Hardesty read the Rules of Order.

Item I: Owner/Applicant: Steven & Terrie Sterett **Site Description:** W2848 Oak Terrace Ln, Parcel #006-00810-0000, ±.335 acres, Part of Government Lot 4 of Section 12, T15N, R12E **Request:** Variance from Section 350-38.E.(1) of the Zoning Ordinance to construct a detached accessory structure that would be set back five feet from the side lot line; whereas, a 10-foot setback is required.

a. Public hearing

Steven Sterett, W2848 Oak Terrace Lane – Explained the request.

Chair Hardesty read into the record a letter that the Board of Adjustment received (Exhibit A) from one of Mr. Sterett's neighbor, Jody Factor, W2844 Oak Terrace Lane, who is in favor of the request.

10:51 a.m. Public hearing closed.

- b. Board discussion and deliberation to include relevant correspondence.

The Board discussed with Mr. Sterett and staff further details of the request and the criteria which must be used when considering variance requests. Mr. Sterett shared with the Board a copy of Certificate of Survey 1731 (Exhibit B) and explained, using the survey, where the general proximity of the utility easements are located.

- c. Board decision.

Motion by Moore/Triemstra to grant the variance request from 350-38.E.(1) of the Zoning Ordinance to construct a detached accessory structure that would be set back 5 feet from the side lot line; whereas, a 10-foot setback is required. The variance is approved with the following conditions:

- 1. Certified Survey Map to be recorded and provided to the Department prior to issuance of a Land Use Permit to construct the garage.**
- 2. The property owners must mitigate any increase in impervious surfaces according to the Shoreland Zoning Ordinance.**
- 3. A Certificate of Survey (COS) to be completed and submitted to the Land Use Planning & Zoning Department once the detached garage has been constructed. The COS must include exact location and size of the detached garage, and the placement of utilities authorized by this variance as well as any infiltration practices/structures.**

Motion by Moore/Hardesty, unanimously carried, to approve a friendly amendment to expand condition #1 to read as follows:

- 1. Certified Survey Map to be recorded and provided to the Department prior to issuance of a Land Use Permit to construct the garage. The survey must include the incorporation of the road into the lot area, all utility easements, and all physical improvements.**

Chair Hardesty called for a vote to approve the three conditions as amended:

- 1. Certified Survey Map to be recorded and provided to the Department prior to issuance of a Land Use Permit to construct the garage. The survey must include the incorporation of the road into the lot area, all utility easements, and all physical improvements.**
- 2. The property owners must mitigate any increase in impervious surfaces according to the Shoreland Zoning Ordinance.**
- 3. A Certificate of Survey (COS) to be completed and submitted to the Land Use Planning & Zoning Department once the detached garage has been constructed. The COS must include exact location and size of the detached garage, and the placement of utilities authorized by this variance as well as any infiltration practices/structures.**

Motion carried on a 2:1 voice vote: Hardesty – aye, Moore – nay, Triemstra – aye.

Chair Hardesty called for a vote to grant the variance request from 350-38.E.(1) of the Zoning Ordinance to construct a detached accessory structure that would be set back 5 feet from the side lot line; whereas, a 10-foot setback is required. The variance is approved with the following conditions:

1. Certified Survey Map to be recorded and provided to the Department prior to issuance of a Land Use Permit to construct the garage. The survey must include the incorporation of the road into the lot area, all utility easements, and all physical improvements.
2. The property owners must mitigate any increase in impervious surfaces according to the Shoreland Zoning Ordinance.
3. A Certificate of Survey (COS) to be completed and submitted to the Land Use Planning & Zoning Department once the detached garage has been constructed. The COS must include exact location and size of the detached garage, and the placement of utilities authorized by this variance as well as any infiltration practices/structures.

Roll call: Hardesty – nay, Triemstra – aye, Moore – nay.

Motion denied.

On a motion by Moore/Triemstra to reconsider the previous vote to approve the request subject to adding a fourth condition limiting the size of the garage to 24' wide with a code-compliant overhang. The conditions would read as follows:

1. Certified Survey Map to be recorded and provided to the Department prior to issuance of a Land Use Permit to construct the garage. The survey must include the incorporation of the road into the lot area, all utility easements, and all physical improvements.
2. The property owners must mitigate any increase in impervious surfaces according to the Shoreland Zoning Ordinance.
3. A Certificate of Survey (COS) to be completed and submitted to the Land Use Planning & Zoning Department once the detached garage has been constructed. The COS must include exact location and size of the detached garage, and the placement of utilities authorized by this variance as well as any infiltration practices/structures.
4. The code-compliant accessory structure must not exceed 24' in width, excluding one-foot overhangs.

Roll call: Triemstra – aye, Moore – aye, Hardesty – nay.

Motion carried.

CORRESPONDENCE - None

NEXT MEETING DATE

To be determined.

ADJOURN

Motion by Triemstra/Moore, unanimously carried, to adjourn.

Time: 11:15 a.m.

RECORDED BY:

Carole DeCramer
Board of Adjustment Secretary

APPROVED ON:

JULY 20, 2018

1427117

To: Green Lake County Planning & Zoning Department

I Jody Factor, as owner of the property located at W2844 Oak Terrace Ln, Mukwonago, WI 53946, and wherein my property is located adjacent the property located at W2845 Oak Terrace Ln, Mukwonago, WI 53946 (Hereinafter "the Sterrett Property") understand that the current Green Lake Zoning Ordinance requires a 10 foot set off from the Sterrett Rear Yard for the construction of a new garage. This letter is to confirm that I have no objection to a garage being constructed on the Sterrett Rear Yard with a three foot set off from my property line.

Should you have any questions, please do not hesitate to contact me at 630-430-3300.

Jody Factor
Jody Factor 10/29/17

Exhibit A
04/20/18
Sterett Variance Request
CD

CERTIFICATE OF SURVEY

CERTIFICATE OF SURVEY FOR STEVEN AND TERRIE STERETT,
 LOCATED IN GOVERNMENT LOT 4 OF SECTION 12, T15N, R12E,
 TOWN OF GREEN LAKE, GREEN LAKE COUNTY, WISCONSIN

NOTE

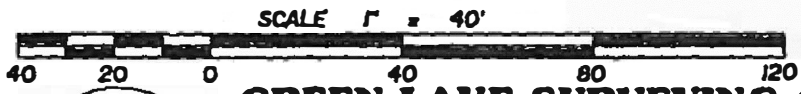
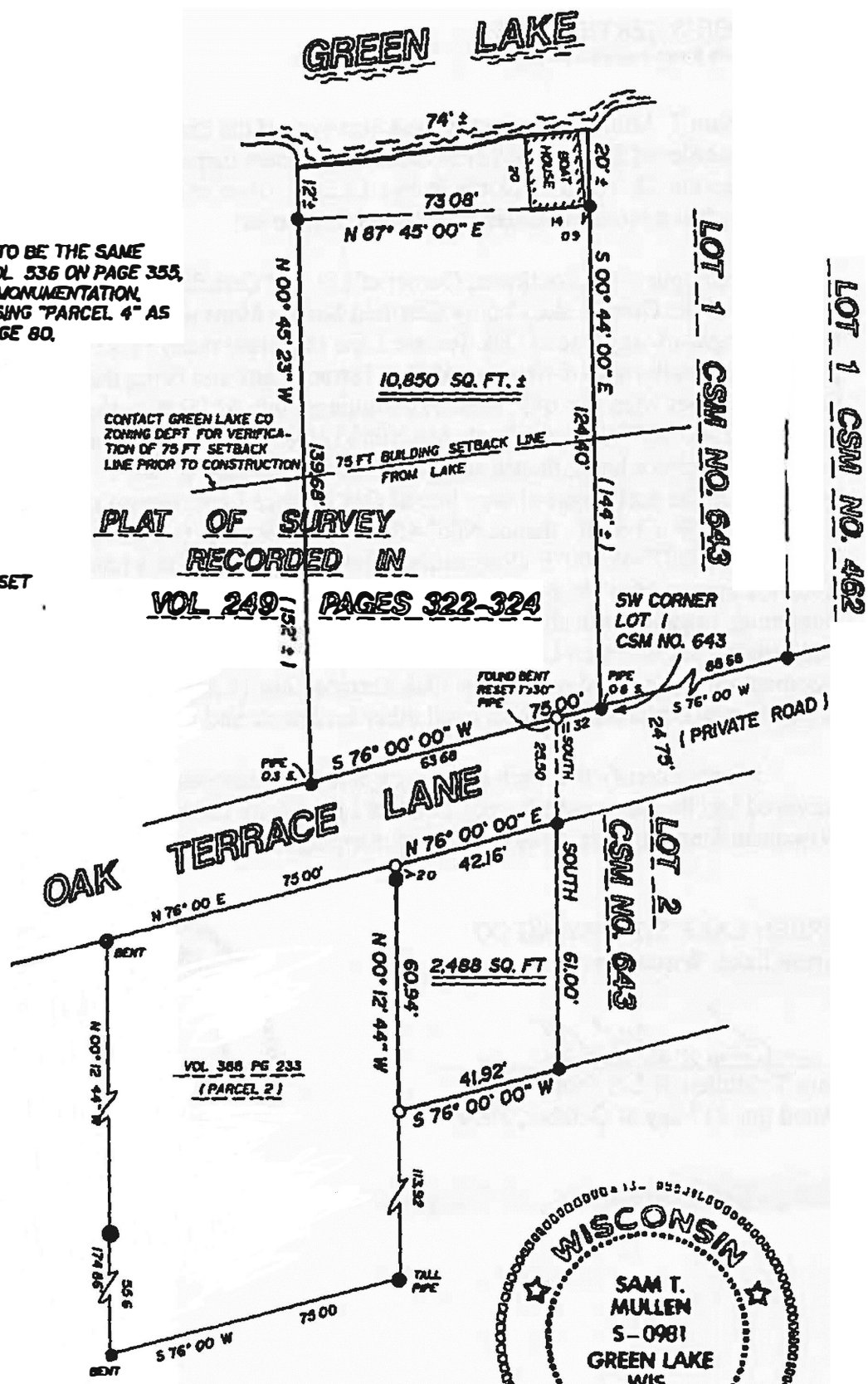
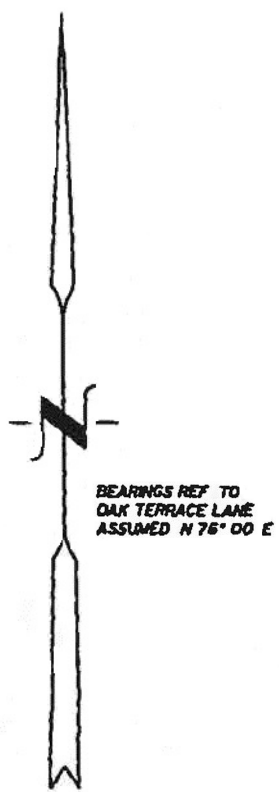
THIS SURVEY IS INTENDED TO BE THE SAME LANDS AS DESCRIBED IN VOL. 536 ON PAGE 355, BASED ON EXISTING FIELD MONUMENTATION, VOL. 536, PAGE 355 IS MISSING "PARCEL 4" AS DESCRIBED IN VOL. 398, PAGE 80.

LEGEND

- 2" IRON PIPE FOUND
- 1 1/4" IRON PIPE FOUND
- 1" IRON PIPE FOUND
- 3/4" x 24" REBAR/CAP SET (UNLESS NOTED)

CONTACT GREEN LAKE CO ZONING DEPT FOR VERIFICATION OF 75 FT SETBACK LINE PRIOR TO CONSTRUCTION

PLAT OF SURVEY
 RECORDED IN
 VOL. 249 PAGES 322-324



GREEN LAKE SURVEYING CO.

P.O. Box 131
 Green Lake, Wisconsin 54941
 Phone: (920) 294-6666

Sam T. Mullen
 10/31/00

10-1731

CERTIFICATE OF SURVEY

CERTIFICATE OF SURVEY FOR STEVEN AND TERRIE STERETT,
LOCATED IN GOVERNMENT LOT 4 OF SECTION 12, T15N, R12E,
TOWN OF GREEN LAKE, GREEN LAKE COUNTY, WISCONSIN

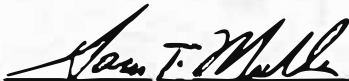
SURVEYOR'S CERTIFICATE

I, Sam T Mullen, Registered Land Surveyor of the State of Wisconsin, hereby certify that I have at the order of Steven and Terrie Sterett, as owners thereof, surveyed lands located in Government Lot 4 of Section 12, Town 15 North, Range 12 East, Town of Green Lake, Green Lake County, Wisconsin, being more particularly described as follows:

Beginning at the Southwest Corner of Lot 1 of Certified Survey Map No 643 as recorded in Volume 3 of the Green Lake County Certified Survey Maps on Page 643; thence S76°-00'-00"W along the north right-of-way line of Oak Terrace Lane (a private road) 11 32 ft, thence South 25 50 ft to a point on the south right-of-way line of Oak Terrace Lane and being the Northwest corner of Lot 2 of Certified Survey Map No 643, thence continuing South 61 00 ft. to the Southwest corner of said Lot 2, thence S76°-00'-00"W 41 92 ft, thence N00°-12'-44"W 60 94 ft to a point on the south right-of-way line of Oak Terrace Lane; thence along said south line N76°-00'-00"E 42 16 ft, thence North 25 50 ft to a point on the north right-of-way line of Oak Terrace Lane, thence along said north line S76°-00'-00"W 63 68 ft, thence N00°-45'-23"W 139 68 ft. to a point on a meander line of Green Lake, thence N87°-45'-00"E along said meander line 73 08 ft to a point on the west line of Lot 1 of Certified Survey Map No 643, thence S00°-44'-00"E along said west line 124 40 ft to the Point of Beginning, together with all lands lying between the above described meander line and the ordinary high water mark of Green Lake, containing 10,850 sq.ft., more or less, together with a right-of-way easement for ingress and egress over Oak Terrace Lane (a private road) to Oakwood Beach Road (a public road), and being subject to all other easements and restrictions of record

I further certify that such survey is a correct representation of all exterior boundaries of the land surveyed and the map made thereof, and that I have fully complied with the provisions of the Wisconsin State Statutes in surveying and mapping the same, to the best of my knowledge and belief

GREEN LAKE SURVEYING CO
Green Lake, Wisconsin



Sam T Mullen, R.L.S. 0981

Dated this 31st day of October, 2000



GREEN LAKE SURVEYING CO.

P.O. Box 131
Green Lake, Wisconsin 54941
Phone: (920) 294-6666

