

GREEN LAKE COUNTY 571 County Road A, Green Lake, WI 54941

August 18, 2017

The following documents are included in the packet for the *Green Lake County Board of Adjustment* business meeting and public hearing that is scheduled for <u>Friday, August 18, 2017</u>. The business meeting begins at 9:00 a.m. The public hearing will begin at 9:30 a.m.

Packet Pages:

- 1. Agenda
- 2-4. Minutes of 12/16/16
- 5. Public Hearing Notice
- 6-20. <u>Meeting materials for Public Hearing Item I</u>: Matt Wagner & Letty Kinas



GREEN LAKE COUNTY BOARD OF ADJUSTMENT

Carole DeCramer Board Secretary Number: 920-294-4156 Email: <u>cdecramer@co.green-lake.wi.us</u>

Board of Adjustment Meeting Notice			
	Date: August 18, 2017 Time: 9:00 AM		
Green Lake Count	ty Government Center, 571 County Road A, Green Lake, WI		
West Wing, Lower Level, County Board Room #0902			
	AGENDA		
All line it	ems are subject to any and all action by this Board, unless noted.		
Board of Adjustment Members:	 Call to order Roll call Pledge of Allegiance Certification of open meeting law Agenda 		
Janice Hardesty Board Chair	 Minutes: 12/16/16 Election of Chair and Vice Chair Adjourn for field inspection 		
Kathleen Moore Board Vice Chair	Public hearing matters will not begin before 9:30 a.m.9. Public hearing matters		
Ron Triemstra John Gende Alternate 1 Vacant Alternate 2 NOTE: Meeting area is accessible to the physically disabled. Anyone planning to attend who needs visual or audio assistance should contact Carole DeCramer at 920-294-4156 the day before the meeting no later than noon.	 Item I: Owners/Applicants: Matt Wagner & Letty Kinas Site Description: N6188 N. Lawson Dr., Parcels #004-00386-0000, #004-00386-0100, #004-00386-0200 & #004-01025-0000, Lots 9-13 of the Plat of Riverside Park, and part of the SE¼ of Section 16, T16N, R13E, ±3.31 acres Request: Variance request from Section 350-20.C of the County zoning Ordinance to construct a detached garage within the 67ft State Highway setback, as well as a variance to Section 350-38.B of the County Zoning Ordinance to construct a detached garage in excess of 1500sqft. a. Public Hearing b. Board Discussion & Deliberation c. Board Decision 10. Correspondence 11. Next meeting date 12. Adjournment 		
	Green Lake County is an Equal Employment Opportunity Employer 571 County Road A, PO Box 3188, Green Lake, WI 54941-3188 <u>www.co.green-lake.wi.us</u>		

GREEN LAKE COUNTY BOARD OF ADJUSTMENT Meeting Minutes – Friday, December 16, 2016

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: Janice Hardesty, Ron Triemstra Absent: John Gende, Kathleen Moore, Nancy Hill 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 Triemstra/Hardesty, unanimously carried, to approve the agenda.

APPROVAL OF 11/18/16 MINUTES

Motion by Triemstra/Hardesty, unanimously carried, to approve the 11/18/16 minutes.

APPROVE 2017 BOARD OF ADJUSTMENT MEETING CALENDAR

Motion by Triemstra/Hardesty, unanimously carried, to approve the 2017 Board of Adjustment meeting calendar.

RECESS FOR FIELD INSPECTION

Time: 9:02 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 9:30 a.m.

Chair Hardesty read the Rules of Order.

Item I: Owner: Five Friends, LLC Agent: Attorney Steven R. Sorenson Site Description: N5687, N5695, N5697, N5699 Klaver Street, Parcel #004-00974-0000, Part of the SW¹/₄ of Section 22 and part of Government Lot 4 of Section 27, T16N, R13E, Town of Brooklyn Request: The owners are requesting a variance from Sections 350-13.B and 350-40.C(3) of the County Zoning Ordinance to remove two, two-family dwellings from their property and construct a single (two-family) dwelling.

a. Public hearing

Attorney Steven R. Sorenson, 479 Golf Hill Court, Green Lake, representing the petitioners – Explained the request and spoke in favor of it.

The committee discussed the following with Kirkman and Attorney Sorenson:

- The DNR's stance on boathouses.
 <u>Kirkman</u> The DNR has opened up to embracing the boathouse concept. They now approve of the construction of boathouses, but not the occupation of them.
- *Stormwater runoff.* <u>Attorney Sorenson</u> – There will not be an increase in stormwater runoff.
- Impervious surfaces.
 <u>Attorney Sorenson</u> The impervious surface increases slightly; however, there is no existing drainage system and there would be with the proposed project.
- Septic setbacks.
 <u>Kirkman</u> In order for the land use permit to be approved, all setbacks would have to be met.

Chair Hardesty read two letters of support into the record. The first letter was submitted by Jack Lennox (N5696 Klaver Street), and the second letter by Tim and Mary McKenzie (W1169 Illinois Avenue).

Public hearing closed at 9:52 a.m.

b. Board discussion and deliberation to include relevant correspondence.

Motion by Triemstra/Hardesty to grant a variance from Sections 350-13.B and 350-40.C(3) of the County Zoning Ordinance to remove two, two-family dwellings from their property and construct a single (two-family) dwelling.

Further discussion:

<u>Triemstra</u> – Regarding the hardship, the size of the property puts them in non-conformance with the amount of square footage required per building. Tearing the boathouse down would reduce the number of buildings and put them in compliance, but then they would be around 17,000 square feet. They could not replicate the living space of that boathouse once it is torn down. The hardship is that they would have to sacrifice an entire building unit in order to make the improvement they want to make. This seems senseless. There is some uniqueness and hardship created with the situation. Right now, we have five building units on this parcel and they are proposing to reduce that number to three. They would be increasing the square footage per building unit from 7,000 square feet to 12,000 square feet with what they are doing. This is a positive proposition. In my personal opinion, it is an improvement in neighborhood to have the shed removed. There are a number of positives with what they want to do. Their request is justified and they meet the criteria. There are mitigating circumstances here that end up being a positive for the neighborhood and the county. The other concern I have is by removing the shed; they expose more of their lot to view from the public eye, since the public landing is right next to them. They are sacrificing privacy by doing that. Nothing says you cannot launch a boat at 3 a.m., making noise. This is a sacrifice they are willing to make in order to comply. The variance should be granted.

<u>Hardesty</u> – The shed is not going to last much longer. You can accomplish a great deal of privacy by plantings. My concern is about the stormwater runoff management practices. I would like an amendment to the motion to include stormwater management practices. The beauty of the lake is definitely maintained by keeping the property intact and recreating the residential areas. Taking down a perfectly good building makes

absolutely no sense just to be in conformity. I have looked at the drawing and property. My only concern is the septic and well, which will be remediated with changes that are in the works for the house.

Amendments/conditions,

c. Board decision.

Hardesty proposed an amendment to the original motion to include the following conditions as listed on the staff report:

 Create and install storm water management practices that will infiltrate all of the storm water runoff from the proposed two-family dwelling, for a 2-year rainfall event into appropriately sized rain gardens (in accordance with WDNR PUB-WT-776 (2003)) or any other infiltration method may be used as approved by the Land Use Planning & Zoning (LUP&Z) Department.
 As shown on the site plan included in the applicant's variance application, the detached shed shall be removed from the property along with the two existing, two-family dwellings.

Roll call: Triemstra – aye, Hardesty – aye. Motion unanimously carried.

<u>CORRESPONDENCE</u> - None

ADJOURN 10:02 a.m. Meeting adjourned.

RECORDED BY:

Carole DeCramer Board of Adjustment Secretary

APPROVED ON:

NOTICE OF PUBLIC HEARING

The Green Lake County Board of Adjustment will hold a Public Hearing in County Board Room #0902 of the Green Lake County Government Center, 571 County Road A, Green Lake, Wisconsin, on *Friday, August 18, 2017, at 9:00 a.m.* The meeting will adjourn for site inspection of the following item:

Item I: Owners/Applicants: Matt Wagner & Letty Kinas Site Description: N6188 N. Lawson Dr., Parcels #004-00386-0000, #004- 00386-0100, #004-00386-0200 & #004-01025-0000, Lots 9-13 of the Plat of Riverside Park, and part of the SE¼ of Section 16, T16N, R13E, ±3.31 acres Request: Variance request from Section 350-20.C of the County zoning Ordinance to construct a detached garage within the 67ft State Highway setback, as well as a variance to Section 350-38.B of the County Zoning Ordinance to construct a detached garage in excess of 1500sqft.

The Board of Adjustment will reconvene at approximately 9:30 a.m. to consider the item listed above. All interested persons wishing to be heard at the public hearing are invited to be present. Please note that *it is not uncommon for an owner/applicant to withdraw a request at the last minute*. Call the Green Lake County Land Use Planning and Zoning Department at (920) 294-4156 for further detailed information concerning this notice, to verify that the agenda item you may be interested in has not been withdrawn from the agenda, or for information related to the outcome of the public hearing item.

Publish August 3, 2017 and August 10, 2017

PUBLIC HEARING

ITEM I VARIANCE

OWNERS:

APPLICANTS:

Matt Wagner & Letty Kinas

same

<u>REQUEST</u>: The owners are requesting a variance from Section 350-20.C of the County Zoning Ordinance to construct a detached garage within the 67ft State Highway setback as well as a variance to Section 350-38.E of the County Zoning Ordinance to construct a detached garage in excess of 1500sqft.

PARCEL NUMBER / LOCATION: Parcel 004-01025-0000, being Lots 9, 10, 11, 12 and 13 of the Riverside Park Subdivision Plat. The parcel is located in the SE¹/₄ of Section 16, T16N, R13E, Town of Brooklyn. The site is located at N6188 North Lawson Drive.

EXISTING ZONING AND USES OF ADJACENT AREA: The subject site and adjacent properties are mostly zoned R-1, Single-Family Residence District. There are lands closer to the Puchyan River that are zoned A-1, Exclusive Agriculture District. The subject site and adjacent lots are used residentially. Abutting the subject site to the north are State Road 23 and its associated 200-foot wide right-of-way.

Due to the subject site's proximity to the Puchyan River, it is within the jurisdiction of the County's Shoreland Zoning and Floodplain Zoning Ordinances.

ADDITIONAL INFORMATION / ANALYSIS: According to the variance application, the owners are proposing to construct a detached garage in conflict with two (2) zoning ordinance standards. Staff has broken these variance requests down into separate requests to allow the Board of Adjustment (BOA) to address each request individually. This way the BOA may allow both, one (or the other), or none.

The property owners would first like to build a detached garage (accessory structure) within 33 feet of the State Highway right-of way; whereas, the zoning ordinance requires all structures to be setback 67 feet from State Highway right-of-ways.

The subject site is roughly 2.65 acres in size and, with all setbacks applied, the buildable area equates to about 1.3 acres. The property owners wish to locate the detached garage at a high point on their property just east of their existing detached garage. They cite excessive fill concerns, the existing mound system's location, and a desire to preserve mature trees as reasons to discount alternate locations. They also highlight a sound and light barrier benefit from State Road 23 at the proposed location.

It is usually difficult for a property owner to obtain a variance on such a large lot, as alternative locations exist that do not require a variance. In order to obtain a variance in these cases, the applicants need to show that any and all alternative locations present an unreasonable burden to any property owner. It is staff's concern that the area in the northwest corner of the parcel could be used as a development site without the need for variance. The public hearing should include an explanation as to the unfeasibility of this and any other perceived building locations. Page 2 Variance – Wagner / Kinas

Secondarily, the property owners would like to construct a new 2400sqft detached garage; whereas, the zoning ordinance limits the maximum footprint area of any accessory structure to 1500sqft.

The property owners are currently allowed multiple 1500sqft detached accessory buildings by ordinance. Rather than constructing two (2) 1500sqft detached accessory buildings, the property owners would rather just build one larger building. According to their application, the construction of two buildings would "change the character of the land too much, due to the amount of fill that would be needed." The extra size of the building appears to be needed for general residential storage purposes as well as to store light agricultural equipment, hay, shavings, and feed for the applicant's "Hobby Farm." The applicants have also applied for a rezone to R-4, Rural Residential District. Their rezone request will be on the Land Use Planning and Zoning Committee's September agenda.

Staff would suggest to the BOA that a variance to exceed a building size standard is a rather difficult request. Most importantly, the BOA cannot consider the property owners' material items that need to be stored in the building. Rather, the property owner has to narrow down their property to a single location where a building can be placed (see earlier variance request) and that it would be an unreasonable burden to modify the lot to accommodate two large buildings as opposed to a single, larger building. Essentially, they must show that on this 2.65-acre parcel, 1.30 acres being code-compliant buildable area, cannot be reasonably developed with an outbuilding(s) anywhere other than the proposed site.

VARIANCE CRITERIA: To qualify for a variance, it must be demonstrated that the property meets the following 3 requirements: (Case Law applied to variance criteria)

- 1) Unnecessary Hardship
 - compliance with standards would be unreasonably burdensome (Snyder)
 - □ hardship may not be self-created (State ex rel. Markdale Corp. v. Board of Appeals)
 - circumstances of the applicant, such as a growing family or the need for a larger garage, are not a factor in considering variances (Snyder)
 - property, as a whole, must be considered, not just a portion (State v. Winnebago County)
 - economic or financial hardship is not a justification (State v. Winnebago County)
- 2) Unique Property Limitations
 - limitations such as steep slope, wetland, shape or size that are not shared by other properties and prevent compliance with ordinance (State v. Kenosha BOA)
 - limitations common to a number of properties are not a justification (Arndorfer v. Sauk County BOA)
 - alternative designs and locations on the property have been investigated (State v. Winnebago County)
- 3) No Harm to Public Interest
 - ordinance purpose and intent, variance may not harm public interest (State v. Winnebago County)
 - short-term, long-term, and cumulative effects on public interest in neighborhood, community, and even the state (Ziervogel)
 - only allow minimal relief for use of property, may include conditions (Robert M. Anderson, <u>American Law of Zonina</u>)

Page 3 Variance – Wagner / Kinas

<u>STAFF COMMENTS:</u> Staff has the following comments related to the primary request relative to the building setback to a State Highway:

1) Unnecessary Hardship

- It's not abundantly clear that the proposed location is the only reasonable building location on this property. If the BOA can be convinced that this is the case, then this criterion is met. Staff has identified an alternative location near the northwest corner of the parcel that does not need a variance.
- If there are "reasonable" alternative locations, then the hardship is selfcreated. However, if there are no other reasonable locations, then the hardship is derived from the uniqueness of the parcel and, therefore, not self-created.
- The owners' wish to locate their building as proposed as they feel the existing locations of their house, garage and driveway, as well as the natural elevations of the parcel, are such that any alternative location would be unreasonably burdensome from a development perspective. Again, if the BOA agrees, then this criterion is met; however, if not, the points made above are simply circumstances of the applicant and are not to be used as factors in deciding variances.
- Best building practices usually dictate that a building should be constructed with proper drainage. This usually amounts to a building being placed on the highest ground available. Topographic review of the site indicated the proposed building location to be at 809 to 810 feet in elevation. The same elevation conditions exist on the northwest corner of the lot, albeit some filling and grading may be required to make this alternative location workable.
- □ The owners are not claiming an economic / financial hardship.

2) Unique Property Limitations

- The applicants have identified limiting conditions like slope (and associated filling), the existing buildings and driveway, the POWTS location, certain trees, the "fit and character of the land," storm water runoff, proximity to water resources, and the State Highway setback of 67 feet. It is staff's opinion, due to the parcel size and existence of at least one alternative upslope location, that the State Highway setback is the most notable limiting condition on this parcel. It is difficult to believe this setback limits the property owner from building a detached garage. However, it is clear that this setback limits the property owner from building a garage in their desired location. Variances are not to be granted due to an applicant's desires.
- The neighboring properties all present similar characteristics except the State Highway setback. This setback may be considered unique, but again, it only applies if the limitation <u>wholly</u> prevents a property owner from building a garage on their property.
- The variance application indicates that the property owners have looked at their entire property in their effort to identify other limitations to building their garage; however, it is unclear that the alternative, northwesterly location was fully investigated.

3) Harm to Public Interest

- The purpose and intent of highway setbacks is to keep motorists clear of obstructions / distractions and keep pedestrians and property improvements out of the reach of traffic. Based on the right-of-way width, there are 94 feet between the north lot line of the subject site and the eastbound lane of State Road 23. The proposal indicates an additional 33 feet of proposed setback. That is 125 feet of distance and 10 feet of elevation change. It is staff's opinion that the request would not harm the public interest as the proposed structure is substantially setback from the highway.
- The cumulative effect, if this variance is granted, is that in areas of increased highway right-of-way width, variance requests may increase. However, the BOA is not held to any previous decision or precedent.
- The real question in this case is whether there is a qualifying hardship. If there is no alternative location on the site, then the BOA may grant the variance but limit setback relief to its comfort level. If there is an alternative location that does not require a variance, then minimal relief would not apply as there is no qualifying hardship to consider or limit relief therefrom.

<u>STAFF COMMENTS:</u> Staff has the following comments related to the secondary request relative to constructing a 2400sqft detached garage / accessory structure:

1) Unnecessary Hardship

- To most people, the limitation of a 1500sqft maximum area for a detached garage would not be burdensome, not to mention unreasonably burdensome.
- It is difficult to envision how the request is not self-created. The applicants' burden to show that the lot's uniqueness is creating the hardship. The hardship cannot be created by their own desires.
- Again, it is hard to imagine this request not being driven by a circumstance of the applicant. It must be shown that the need for the requested amount of storage space is not owner specific, but that any owner of this property would need an extra 900sqft of garage space.
- The whole property shall be considered. If there are additional building sites that are not unreasonably burdensome to develop, then there is no unnecessary hardship.
- Economics has not been called into question here, but it would seem a single building may be more economical than two separate buildings.

2) Unique Property Limitations

- The applicant must prove that all other building sites on their property would be unreasonably burdensome to develop. They must list what property limitations are driving that assessment. Staff does not believe the characteristics of the subject present this sort of limitation.
- Apart from the highway setback, staff is unaware of any limitations that are unshared by neighboring properties. The State Highway setback does not preclude a garage from being built without a variance.
- Code-compliant designs have been examined, but did not meet the needs of the owners.

3) Harm to Public Interest

- The purpose and intent of the size limitation for residentially zoned lots is mainly to prevent uses not normally associated with the residential use of a property. By granting this variance, there is a concern that the larger building could be used for more than simply residential uses.
- The granting of this variance, absent a valid uniqueness that is creating an unnecessary hardship, would open the BOA up to more requests to exceed this detached accessory structure standard. In the long term, there may be a push to relax this standard.
- The application did not address a minimum garage area that the applicant would accept. Should the BOA determine the site conditions warrant a variance, the BOA shall limit the request to an applicable comfort level.

Variance Conditions:

- Create and install storm water management practices, designed in accordance with Administrative Policy "Treated Impervious Surfaces" approved 7-7-2017, that will infiltrate and treat the storm water runoff from the subject detached garage. Storm water management practices shall be reviewed and approved by the Land Use Planning & Zoning Department prior to land use permit issuance.
- 2. The variance is conditioned upon the owners' successfully rezoning their property to R-4, Rural Residential District and recording a Certified Survey Map in the Green Lake County Register of Deeds Office.

GREEN LAKE COUNTY

VARIANCE APPLICATION

Provide the following information and any other detailed information related to the variance.

Date Received: 7-3-17

Owner Name

Owner Signature

Date

awsim

Mailing Address

City

Same

State

Zip

970-91

Home Phone

Work/Cell Phone

Same

Home Phone

City

970-960-9534

State

Work/Cell Phone

	Site Address	else Nalawsion Dr
	Tax Parcel ID # _	$\frac{004}{004} - \frac{00386}{000} - \frac{0000}{000}, 0200$
		1/4, Section 16, T 16 N, R 13 E
Lot	9-13 Block 623	Subdivision/Plat Riverside park addihm
Lot	CSM #	Town of Brooklyn

For the Board of Adjustment to grant a variance, the owner/applicant must clearly demonstrate that there is an unnecessary hardship present when strictly applying an ordinance standard; that the hardship is due to unique site limitations; and in granting a variance the public interest is being protected.

The burden of proof rest upon the property owner to show all 3 criteria are being met. A variance is not a convenience to the property owner and should not be granted routinely.

11 03-2006

Fee Received: \$375

Applicant Name

Applicant Signature

Date

Zip

11,188 NLawson 1

Mailing Address

Green Lake WI

Estate of Mary Ann B. Kinas, Grantor Letty J. Kinas & Matthew W. Wagner, Grantees

Legal Descriptions and PINs:

A part of the S¹/₄ of the SE¹/₄ of Section 16, Township 16 North, Range 13 East, Town of Brooklyn, Green Lake County, Wisconsin, described as follows: A parcel of land which is located in Section 16, Township 16 North, Range 13 East, and more particularly described as follows: Beginning at the Southeast corner of Lot 9 of Riverside Park; thence S47°10'E to the low water mark of the Puchyan River; thence Southwesterly at the low water mark along the Northwest bank of the Puchyan River to a point S47°10'E of the Southwest corner of Lot 9; thence N47°10'W to the Southwest corner of Lot 9; thence N42°50'E one-hundred feet to the place of beginning; Green Lake County, Wisconsin.

Tax Key No. 004-00386-0000 Town/Brooklyn

A part of the S¹/₂ of the SE¹/₄ of Section 16, Township 16 North, Range 13 East, Town of Brooklyn, Green Lake County, Wisconsin, described as follows: A parcel of land which is located in Section 16, Township 16 North, Range 13 East, and more particularly described as follows: Beginning at the southeast corner of Lot 11 of Riverside Park; thence S47°10'E to the low water mark of the Puchyan River; thence southwesterly at the low water mark along the northwest bank of the Puchyan River to a point S47°10'E of the southwest corner of Lot 10; thence N47°10'W to the southwest corner of Lot 10; thence N42°50'E two hundred feet to the place of beginning.

Tax Key No. 004-00386-0100 Town/Brooklyn

A part of the S¹/₂ of the SE¹/₄ of Section 16, Township 16 North, Range 13 East, Town of Brooklyn, Green Lake County, Wisconsin, described as follows: Commencing at the Southeast corner of Lot 13, Riverside Park Addition to the Township of Brooklyn, S 47°10' E to the Puchyan River; southwesterly and along said river to a point which is S 47°10' E of the Southwest corner of Lot numbered 12 of Riverside Park Addition to the Township pf Brooklyn; thence N 47°10' W to the Southwest corner of the said Lot #12; thence N 42°50' E, 100 feet to the place of beginning.

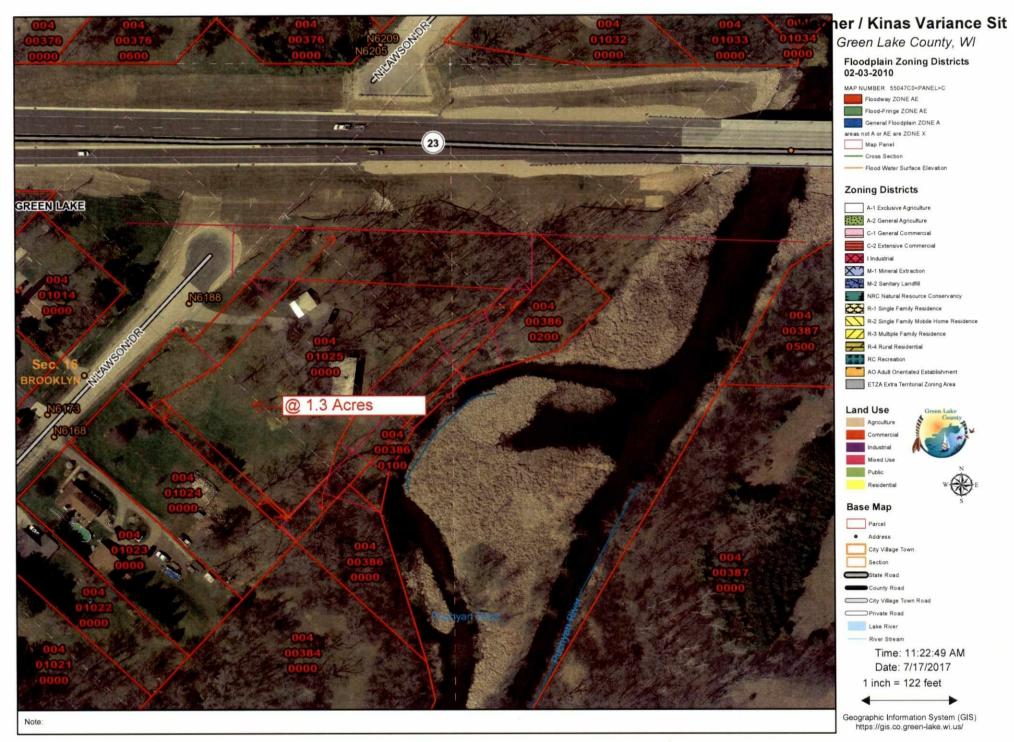
Tax Key No. 004-00386-0200 Town/Brooklyn

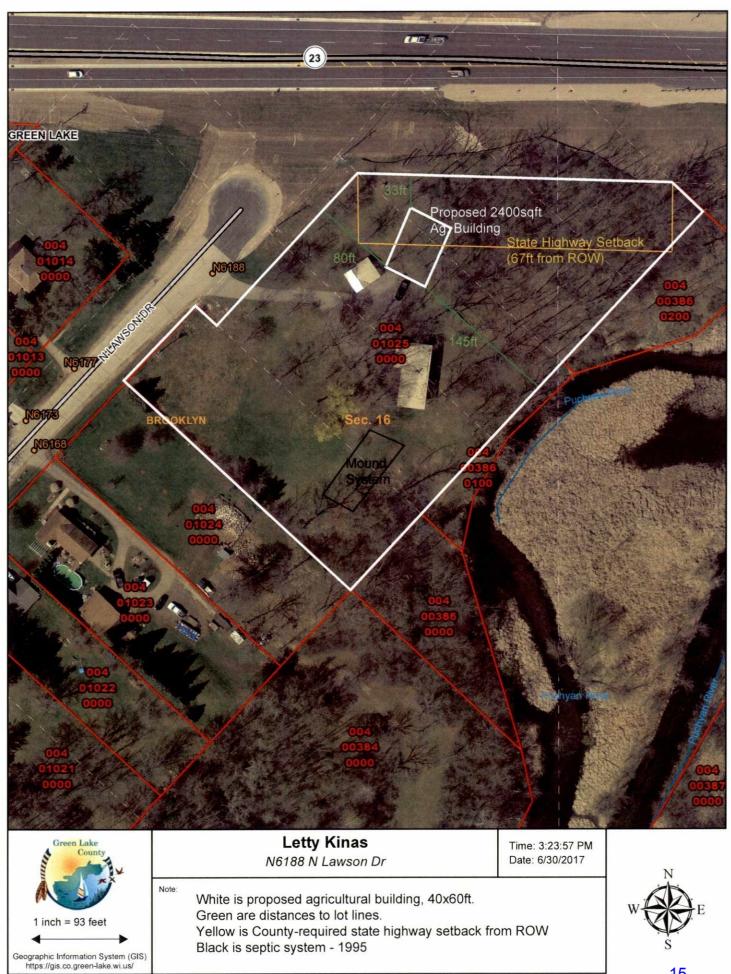
Lots Numbered Nine (9), Ten (10), Eleven (11), Twelve (12) and Thirteen (13) of the Plat of Riverside Park, Town of Brooklyn, Green Lake County, Wisconsin, except lands conveyed to the State of Wisconsin in Deed recorded in Volume 193 of Records on Page 113 and in Deed recorded in Volume 194 on Page 160 in the office of the Register of Deeds for Green Lake County, Wisconsin.

Tax Key No. 004-01025-0000 Town/Brooklyn

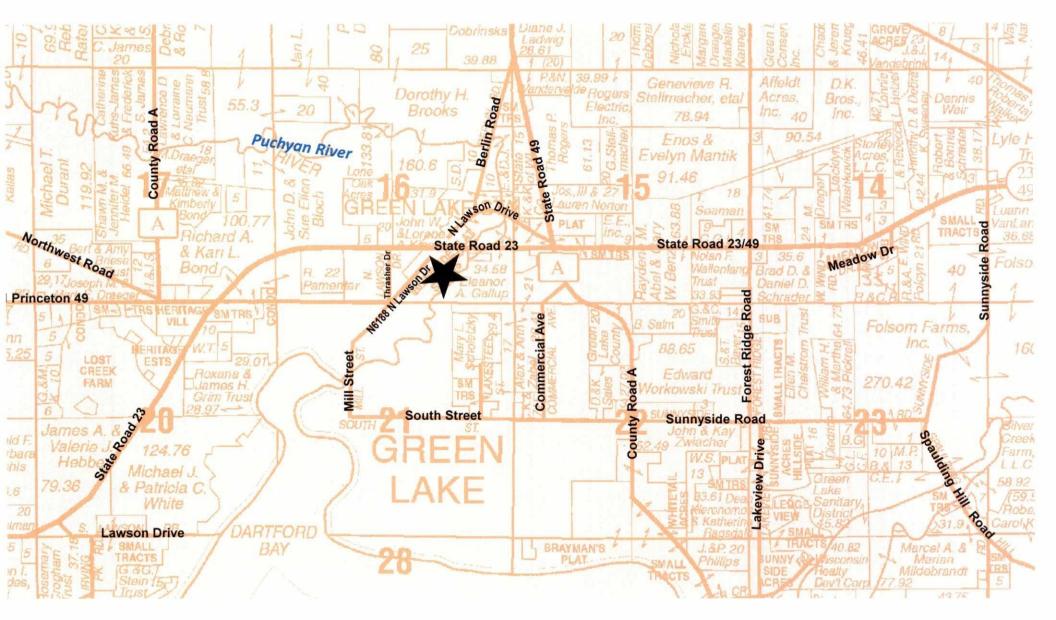
Kinas estate

- 1. We are asking to build a 40' X 60' Outbuilding which is larger than the ordinance allows. This size fits nicely where we are proposing. If we built two buildings, as the ordinance allows, this would change the character of the land too much, due to the fill that would be needed. Our intentions are to use this building for our Hobby farm, with agriculture equipment and vehicle storage also. We are also asking to build inside the 67' county setback from a state highway ROW. The problem is that our proposed outbuilding would be in that 67-foot setback by roughly 37-feet on the north side of the building and the setback encroachment tapers to approx. 17-feet on the southern side, because of the angles off the highway.
- 2. There are two ordinances that are causing issues; the first is the outbuilding we are proposing to build falls in the County's highway setback. The second issue is the County's maximum size restriction for the outbuilding.
- 3. The first issue is the location, allowing us to build the outbuilding within this setback has several advantages to the lot. Due to the placement of the existing house, garage, and the asphalt driveway, we are proposing to start at the end of the existing asphalt pavement going east towards the State ROW. The outbuilding would be close to the house for convenience. It fits nicely with the existing land, and there is little need to add substantial amounts of fill in this location. It is high enough for water to drain naturally around and away working with what the county and state have already done with the land. It flows nicely with the properties existing layout. It will disperse some of the sound, and lights from the traffic from Highway 23. This portion of the lot really is unusable for entertaining or a run due to the fact of the proximity to the State Highway. The second issue is the size of the building. The proposed outbuilding is 900 sqft larger than the ordinance allows. We feel that it would be far more practical to build one larger building instead of building two smaller buildings. Also by constructing one outbuilding it will disturb less land and less fill will need to be brought in, thus allowing the uniqueness of the lot to remain in character and will not disrupt any more land than necessary. The light agriculture equipment, hay, shavings and feed will be stored in this building along with vehicles. There are other locations on the property to place this building but the septic is in the way, along with several full-grown trees. Furthermore, to keep the look of the neighborhood, placing the building where we are proposing allows the neighbors to enjoy viewing a yard designed for entertaining, not outbuildings.
- 4. Allowing these variances will not harm the public interest because the state does not intend to use any more land because of its location and proximity to the bridge. It will not affect any water discharge from the highway or town road. It will not be a sight for sore eyes because the most of trees onsite will remain and others will be planted. It will not be disturbing any river activity or water quality. It is our intention to fence in 70% of the yard leaving just the driveway entrance and the river open, keeping all the hobby farm animals and birds contained in the yard, not to become a nuisance to the public.

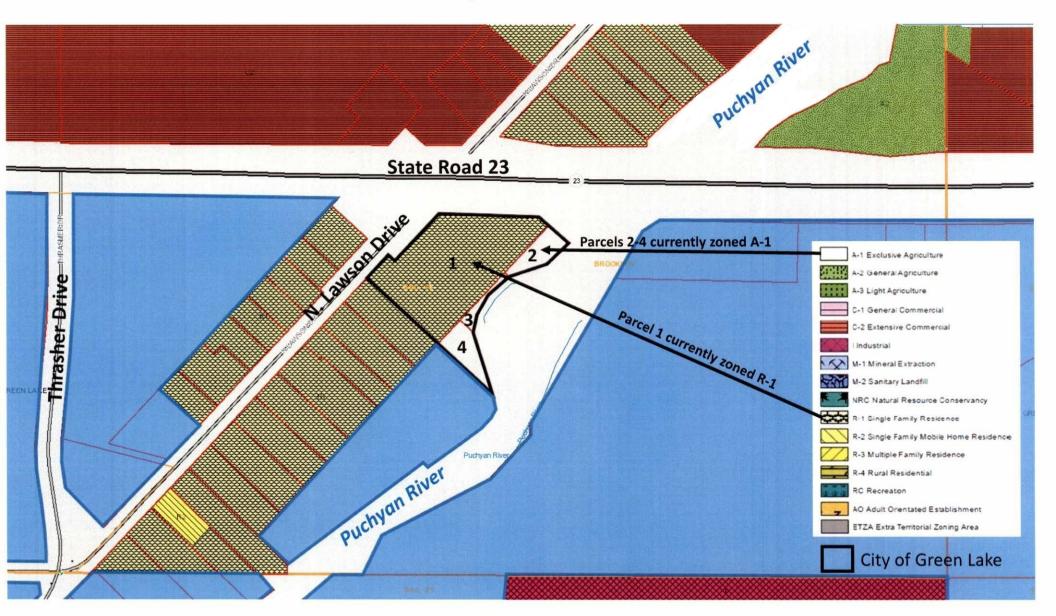








Green Lake County Board of Adjustment Public Hearing 08/18/17



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