

**GREEN LAKE COUNTY
BOARD OF ADJUSTMENT
Meeting Minutes – Friday, November 17, 2017**

CALL TO ORDER

The meeting of the Board of Adjustment was called to order by Chair Hardesty at 9:00 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, Ron Triemstra
Absent: Kathleen Moore
Also present: Matt Kirkman, Land Use Planning and Zoning Director
Missy Sorenson, Code Enforcement Officer
Carole DeCramer, Board Secretary
Kate Worth, Worth Court Reporting

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Motion by Triemstra/Gende, unanimously carried, to approve the agenda.

APPROVAL OF MINUTES

Motion by Gende/Triemstra, unanimously carried, to approve the 10/20/17 minutes.

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 10:01 a.m.

Chair Hardesty read the Rules of Order.

Item I: Owner: Del Monte Foods, Inc., Jay Ruenger, Plant Manager **Applicant:** Linda Kurtz, Agent for WE Energies, Mi-Tech Services, Inc. **Site Description:** W1866 County Road S, Parcel #010-00108-0000, Part of the NE¼ of Section 8, T14N, R13E; ±29.46 acres; Town of Mackford **Request:** Variance from Section 350-20 B. Front, side and rear-yard regulations of the Zoning Ordinance, to construct a building over the existing heater unit of a natural gas regulator station 7' from the side yard setback; whereas, a 20' setback is required.

- a. Public hearing

Dan Boettcher, Mi-Tech Services (Linda Kurtz replacement) – Spoke in favor of the request.

Ken Brakke, WE Energies – Spoke in favor of the request.

10:08 a.m. Public hearing closed.

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

Motion by Triemstra/Gende, for the purpose of discussion, to grant the variance request from Section 350-20 B. Front, side and rear-yard regulations of the Zoning Ordinance, to construct a building over the existing heater unit of a natural gas regulator station 7' from the side yard setback; whereas, a 20' setback is required.

The Board discussed the three criteria for deciding a variance request: 1) unnecessary hardship, 2) unique property limitations, and 3) harm to the public.

Hardesty – There are no real concerns on site. It's a minimum building size and it doesn't impede on the neighbors' properties other than the setback that's adjacent to a vacant lot. There is no unnecessary hardship. There is no hardship to anyone else. It's a matter of securing the pipeline. The property has unique conditions. The adjacent property is unique in that they haven't done anything to maintain it. The only harm would be if something went awry.

Triemstra – There would be greater harm if this isn't done. This building will maintain a constant flow of gas no matter what the temperature is. It's important that this be done.

Kirkman – If I may, the unnecessary hardship would be, if you denied the variance, they would have to relocate the equipment 10' to the north to meet setbacks. This would be costly and the downtime that would be involved is not in the public interest. It would be a hardship for residents and the company.

- c. Board decision.

Roll call: Gende-aye, Hardesty-aye, Triemstra-aye. Motion carried. The request is approved.

CORRESPONDENCE

Kirkman – There is a board of adjustment training that will be held in Waupaca. The information will be emailed to the board. If anyone is interested, let staff know. A second alternate will have to be appointed and, once that happens, there may be a chance to have a training session here.

NEXT MEETING DATE

The board discussed the fact that, because of absenteeism over the next few months, it may be best not to schedule meetings January through March.

Motion by Triemstra/Gende, unanimously carried to not schedule board of adjustment meetings for the months of January through March unless it is determined by the Land Use Planning and Zoning Director that the request constitutes a special meeting.

ADJOURN

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

Time: 10:20 a.m.

RECORDED BY:

Carole DeCramer, Board of Adjustment Secretary

APPROVED ON:

April 20, 2018