



GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

The following documents are included in the packet for the *Green Lake County Board of Adjustment* business meeting that is scheduled for Thursday, November 17, 2023. The meeting begins at 8:30 a.m.

Packet Pages:

- 2 Agenda
- 3 Draft Meeting Minutes from January 20, 2023
- 4-12 BOA Presentation

If you have questions or need additional information, please
contact the Land Use Planning & Zoning Department at
(920) 294-4156.



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

Office: (920) 294-4156 FAX: (920) 294-4198

Email: zoning@greenlakecountywi.gov

Board of Adjustment Meeting Notice

Date: November 17th, 2023 Time: 8:30 AM
Green Lake County Government Center, Room #0902
571 County Road A, Green Lake, WI 54941

AGENDA

***Board of
Adjustment
Members:***

*Ron Triemstra,
Chair*

*Rick Dornfeld,
Vice-Chair*

*Peter Wallace,
Member*

*Brian
Zimmerman,
First Alternate*

*BJ Zirger,
Second alternate*

*Karissa Block,
BOA Secretary*

Virtual attendance at meetings is optional. If technical difficulties arise, there may be instances when remote access may be compromised. If there is a quorum attending in person, the meeting will proceed as scheduled.

1. Call to order
2. Roll call
3. Pledge of Allegiance
4. Certification of open meeting law
5. Approval of Minutes: 1/20/2023
6. Corporation Counsel Administrative Appeal Training: Procedural
7. Adjourn

This meeting will be conducted through in person attendance or audio/visual communication. Remote access can be obtained through the following link:

Topic: Board of Adjustment Meeting
Time: November 17, 2023 08:30 AM Central Time (US and Canada)

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 248 322 816 461

Passcode: eJx7Fy

[Download Teams](#) | [Join on the web](#)

Or call in (audio only)

[+1 920-515-0745,,338164567#](#) United States, Green Bay

Phone Conference ID: 338 164 567#

[Find a local number](#) | [Reset PIN](#)

Please accept at your earliest convenience. Thank you!

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**Green Lake County
BOARD OF ADJUSTMENT**

Meeting Minutes - Friday, January 20, 2023

The meeting of the Green Lake County Board of Adjustment was called to order by Chair Ron Triemstra on Thursday, January 20, 2023 at 8:39AM in the Green Lake County Board Room, Green Lake County Government Center, 571 County Road A, Green Lake, WI.

ROLL CALL

Present:	Ron Triemstra	Also Present:
	Brian Zimmermann, virtual (Alternate)	BJ Zirger, virtual (Alternate)
	Rick Dornfeld	
	Andy Phillips, BOA counsel	

Other County employees present:	
Karen Werlein, BOA Secretary	Matt Kirkman, P&Z Director

PLEDGE OF ALLEGIANCE

Recited

CERTIFICATION OF OPEN MEETING LAW

The requirements of the open meeting law were met. Posted on the County's bulletin board, county website, and posted in the Berlin Journal Newspaper.

APPROVAL OF 2023 BOA Calendar

Motion/second (Dornfeld/Triemstra) to approve the 2023 BOA Meeting Calendar.
Motion carried with no negative vote.

APPROVAL OF MINUTES

Motion/second (Dornfeld/Zimmerman) to approve the minutes of the 12/20/22 meeting.
Triemstra abstains.
Motion carried with no negative vote.

Motion/second (Zimmerman/Dornfeld) to approve the minutes of the 12/22/22 meeting.
Triemstra abstains.
Motion carried with no negative vote.

ADJOURNMENT

Chair Triemstra adjourned the Board of Adjustment meeting at 8:53AM.

Submitted by, [Karen Werlein, BOA Secretary](#)

BOARD OF ADJUSTMENT

Powers & Duties

AUTHORITY

- WI Stat. § 59.694
- Green Lake County Code – Chapter 350, Article VIII

GLC CODE §350-63. POWERS

- Except as specifically provided, no action of the Board of Adjustment shall have the effect of permitting in any district uses prohibited in such district.
- The Board of Adjustment shall have the following powers:
 - i) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the administrative officer;

GLC CODE §350-63. POWERS

ii) The Board of Adjustment may reverse or affirm, wholly or in part, or may modify any order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made and to that end shall have all the powers of the administrative officer. The concurring vote of two members of the Board shall be necessary to reverse any order, requirement, decision or determination appealed from, or to decide in favor of the applicant on any matter on which it is required to pass, or to effect any variation in the requirements of this chapter.

GLC CODE §350-63. DUTIES

- The Board of Adjustment shall have the power to call on any other County department for assistance in the performance of its duties, and it shall be the duty of such other departments to render such assistance as may be reasonably required.
- In exercising the foregoing powers, the Board of Adjustment may in appropriate cases establish suitable conditions and safeguards in harmony with the general purpose and intent of this chapter.

GLC CODE §350-56. STANDARDS

(1) Conditional uses may be located in certain districts under certain conditions. When reviewing a conditional use permit, the Land Use Planning and Zoning Committee shall take into consideration, among other things, **the recommendation of the affected town and the particular facts and circumstances of each proposed use in terms of the following standards and shall find substantial evidence that such standards are being satisfied.**

(a) If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in this chapter or those imposed by the Land Use Planning and Zoning Committee, the Land Use Planning and Zoning Committee **shall grant** the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.

(b) The requirements and conditions described under § **350-56B(1)(a)** above must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal.

(c) The applicant must demonstrate that the application and all requirements and conditions established by the Land Use Planning and Zoning Committee, relating to the conditional use, are or shall be satisfied, both of which must be supported by substantial evidence. **The Land Use Planning and Zoning Committee's decision to approve or deny the conditional use permit must be supported by substantial evidence.**

GLC CODE §350-56. STANDARDS

(2) No conditional use shall be approved or approved with conditions by the Land Use Planning and Zoning Committee unless it shall find the conditional use:

(a) Will not have a negative effect upon the health, safety, and general welfare of occupants of surrounding lands;

(b) Will be designed, constructed, operated, and maintained so as to be harmonious and be appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area;

(c) Will not be hazardous or disturbing to existing or future neighboring uses;

(d) Will not be detrimental to property in the immediate vicinity or to the community as a whole;

(e) Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, and schools, and that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service; and

(f) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public or private streets or roads.

GLC CODE §350-56. MISCELLANEOUS

- The Land Use Planning and Zoning Committee may require *additional* standards and conditions that may be deemed necessary for the conditional use requested to meet the standards of this article. Such additional standards and conditions may include, but not be limited to, requirements pertaining to lot coverage, lot area, setbacks, building height, off-street parking and loading, pedestrian and vehicular accessways, storage, fencing, screening, landscaping, open space, height limitations, lighting, and hours of operation.
- Enumerated throughout this chapter are the uses allowed in each district by conditional use permit.
 - The property in question is zoned C-1 General Commercial District pursuant to Green Lake County Code §350-32.

