



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 **Friday, September 18, 2025**. The meeting begins at 9:00 a.m. The Public Hearing is not to begin before 9:30 a.m.

Packet Pages:

- 2 Agenda
- 3-4 Draft Meeting Minutes from December 19, 2025
- 5 Public Hearing Notice
- 6-24 Variance Application Materials
- 25-28 LUP&Z Committee Staff Report

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: September 18, 2026, Time: 9:00 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 Vacant-TBD, Second alternate Pam Dykstra, 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. This agenda gives notice of a meeting of the Board of Adjustment. It is possible that individual members of other governing bodies of Green Lake County government may attend this meeting for informative purposes. Members of the Green Lake County Board of Supervisors or its committees may be present for informative purposes but will not take any formal action. A majority or a negative quorum of the members of the Green Lake County Board of Supervisors and/or any of its committees may be present at this meeting. See State ex rel. Badke v. Vill. Bd. of Vill. of Greendale, 173 Wis.2d 553, 578, 494 N.W. 2d 408 (1993).	1. Call to order 2. Roll call 3. Pledge of Allegiance 4. Certification of open meeting law 5. Approval of Minutes: 12/19/2025 6. Recess for field inspection 7. Public Hearing (not to begin before 9:30am) Item #1: Owner/Applicant: Steven Draeger & Robin Hein, Agent: WE Energies – Madelyn Koerner, Location: County Highway H, Parcel: 006-00980-0000, General Legal Description: Located in the SE ¼ of NE ¼ of Section 34, T15N, R12E, Town of Green Lake, ±.008 acres, Request: Variance from Section 350-43.1 of the County Zoning Ordinance to build a security fence that is 7 feet in height within the street right-of-way line. a. Public Hearing b. Board Discussion & Deliberation c. Board Decision 8. 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: September 18, 2026, 09:00 AM Central Time (US and Canada) Microsoft Teams meeting Join: https://teams.microsoft.com/meet/28643043426673?p=68XS5byECpTLMH1MVU Meeting ID: 286 430 434 266 73 Passcode: QT2aR3bL Need help? System reference Dial in by phone +1 920-515-0745, 679226260# United States, Appleton Find a local number Phone conference ID: 679 226 260# For organizers: Meeting options Reset dial-in PIN Please accept at your earliest convenience. Thank you! Org help Privacy and security

Green Lake County
BOARD OF ADJUSTMENT
December 19, 2025

The meeting of the Green Lake County Board of Adjustment was called to order by Chair Ron Triemstra on Friday, December 19, 2025 at 9:01am in the Green Lake County Board Room, Green Lake County Government Center, 571 County Road A, Green Lake, WI. The meeting was held both in person and via remote access. The requirements of the open meeting law were certified as being met. The Pledge of Allegiance was recited.

ROLL CALL

Present: Ron Triemstra, Chair
Rick Dornfeld

Absent: Peter Wallace

Other County employees present:

Karissa Rohde, Deputy County Clerk, Matt Kirkman, P&Z Director; Noah Brown, Land Use and Shoreland Specialist; Ryan Schinke, Land Use Coordinator/Technician; Michelle Davis, Land Use and POWTS Specialist

MINUTES

Motion/second (Triemstra/Dornfeld) to approve the minutes of the 4/25/2025 meeting. Motion carried with no negative vote.

2026 BOA CALENDAR

2026 Calendar found in packet. No discussion.

CURRENT BOA MEMBER TERMS AND DISCUSSION

Ron Triemstra-chair, term ends June 30, 2027

Peter Wallace, term ends June 30, 2028

Rick Dornfeld, term ends June 30, 2026

Brian Zimmerman-1st alternate, term ends June 30, 2027

Vacant-2nd alternate TBD June 30, 2028. There is a person of interest for this vacant spot. They will be appointed at the February County Board meeting.

RECESS FOR FIELD INSPECTION

Recessed 9:05am for field inspection.

PUBLIC HEARING (NOT TO BEGIN BEFORE 9:30AM)

Reconvened for Public Hearing at 9:47am. Chair Triemstra read the rules for the Public Hearing. Scott Shepard and Madelyn Koerner from We Energies introduced themselves.

Item #1: Owner/Applicant: Brooks Farm Properties LLC, **Agent:** WE Energies – Madelyn Koerner, **Location:** N2705 County Road A, **Parcel:** 006- 00672-0000, **General Legal Description:** Located in the SE ¼ of NW ¼ of Section 34, T15N, R13E, Town of Green Lake, **Request:** Variance from Section 350-43.1 of the County Zoning Ordinance to build a security fence that is 7 feet in height within the street right-of-way line

Public Hearing closed at 9:52am. Kirkman read the staff report. Discussion held.

Motion/second (Triemstra/Dornfeld) to grant the variance based upon the information they received with the conditions. Motion carried with no negative vote.

COMMITTEE DISCUSSION

- a. Next meeting date – NA
- b. Future agenda items for action & discussion

ADJOURN

Chair Triemstra adjourned the meeting at 10:15am.

Respectfully Submitted,

Karissa Rohde
Deputy County Clerk

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, September 18, 2026, at 9:00 a.m.** The meeting will recess for site inspection of the following item:

Item #1: Owner/Applicant: Steven Draeger & Robin Hein, **Agent:** WE Energies – Madelyn Koerner, **Location:** County Highway H, **Parcel:** 006-00980-0000, **General Legal Description:** Located in the SE ¼ of NE ¼ of Section 34, T15N, R12E, Town of Green Lake, ±.008 acres, **Request:** Variance from Section 350-43.1 of the County Zoning Ordinance to build a security fence that is 7 feet in height within the street right-of-way line.

The Board of Adjustment will reconvene at approximately **9:30 a.m.** to consider the item above.

All interested persons wishing to be heard at the public hearing are invited to attend. Please note that *it is not uncommon for an owner/applicant to withdraw a request at the last minute*. For further detailed information concerning this notice contact **Land Use Planning and Zoning** at (920) 294-4156.

Publish: September 3, 2026



Land Use Planning & Zoning Department

County Government Center
571 County Road A
Green Lake, WI 54941

Phone 920-294-4156 Website: <http://www.co.green-lake.wi.us/>

Land Development Code Enforcement County Surveyor GIS Land Information

APPLICATION FOR VARIANCE

A request for variance to the Board of Adjustment (BOA) shall be filed in the Land Use Planning and Zoning Department, Code Enforcement Office, on forms provided by the County, after consultation with a Code Enforcement Officer.

Prior to submitting a variance application for BOA consideration the applicant must have first applied for a land use permit for the project that is the subject of the variance.

Before the BOA may grant a variance, the owner/applicant must show that the following criteria have been met (also, see handout):

- 1) The owner/applicant must present evidence of “unnecessary hardship,”
- 2) The hardship must be the result of a unique condition on the owner/applicant property,
- 3) The variance may not be granted if it will be contrary to the public interest or undermine the purpose and intent of the ordinance.

Any applicant for a variance shall pay the variance application fee of \$375 and shall provide the following:

- Completed Land Use Permit Application to include parcel number(s) of affected property as assigned by Real Property Lister as well as an exact legal description,
- Detailed Site Plan drawn to scale including, but not be limited to, the location of lot lines (with dimensions), all buildings and structures, lakes, ponds, streams, flowage, etc., septic system components (tank, drain field, etc.), private or public roads, and any access easements. All building setbacks shall also be shown on the site plan.
- If the detailed site plan is in color or larger than 11”x17” the applicant shall submit 15 copies.
- Completed Application for Variance including proposed use, attaching additional sheets if necessary.

If any of the above items are incomplete, the application and fee will be returned to the owner/applicant requesting the missing information, which may delay scheduling for public hearing.

Variances Require Public Hearing by Green Lake County Board of Adjustment

The owner and/or a representative of the owner **are encouraged to** attend the public hearing to answer questions of the Board and present their request. The Board may choose to approve, deny, or lay-over a request based on the information the board has received.

AREA VARIANCE HANDOUT

An area variance is a relaxation of a **dimensional standard** in the land use regulations. The Green Lake County Board of Adjustment is the body that decides area variance requests. They act on behalf of the local government and not the property owner. It is their duty to uphold the intent of the land use regulations and decisions must comply with specific criteria as provided in state law. Area variances are meant to be an infrequent relief remedy when an ordinance imposes a unique or unreasonable burden.

Per § 59.694(7)(c)2 the Board of Adjustment may authorize upon appeal in specific cases, variances from the terms of the ordinance that will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so the spirit of the ordinance shall be observed and substantial justice done.

THREE STEP TEST

1. Unnecessary Hardship

A property owner bears the burden of proving “unnecessary hardship” by demonstrating that strict compliance with the ordinance would unreasonably prevent use of the property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome. The property owner must prove that the unnecessary hardship is based on conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the current or previous property owners. Furthermore:

- The circumstances of an applicant (growing family, need a larger garage, etc.) are not a factor in deciding variances.
- Courts have determined that economic or financial hardships do not justify a variance.
- The property as a whole must be considered, not just a portion.

2. Unique Property Limitations

Unique conditions of a lot (or parcel) would, generally, not be shared by other adjacent properties and could include..., steep slope, wetlands, shape or size, depth to groundwater or bedrock, floodplain, etc. In all circumstances, a property owner bears the burden of proving that the unnecessary hardship is based on conditions unique to the property.

3. No Harm to Public Interest

In applying this test, the Board must consider the public interest factors listed in the purpose and intent statement of the ordinance. A variance may not be granted that results in harm to the public interests.

The Board of Adjustment must consider the:

- purpose of the ordinance restriction
- ordinance restriction’s effect on the property
- short-term, long-term and cumulative effects of a variance on the neighborhood, the community, and on the public interests.

A lack of public comment or opposition does not mean that a variance will not harm the public interest.

A variance should only include the minimum relief necessary to allow reasonable use of the property that may include conditions.

PROCESS

At the time of application for an area variance the applicant will be asked to:

- 1) Complete an application form and submit the appropriate fee; and
- 2) Provide detailed plans (may require a professional) showing the subject property and the proposed project; and
- 3) Provide a written statement of facts detailing that your project meets the legal criteria for a variance to be granted as outlined in the Three Step Test; and
- 4) Allow the Board of Adjustment to accurately view the site by field staking all relevant lot boundary lines, the proposed building, building addition or structure footprint, and other features on the subject property related to the variance request.

Following these steps, the Land Use Planning and Zoning Department will publish a notice of the request for a variance in the County's official newspaper noting the time and location of the required public hearing. The burden will be on the property owner to provide verifiable facts upon which the Board of Adjustment may base its decision. At the hearing, the property owner and/or a representative of the property owner shall present their case to the Board of Adjustment. If any of these requirements are not met or if there is no one at the public hearing to present a case for variance the Board of Adjustment shall deny the variance request.

IF YOU QUALIFY FOR A VARIANCE

The Board of Adjustment may:

- only grant the minimum variance that preserves a reasonable use of a parcel for the owner.
- impose conditions on project design, construction activities, or operation of a facility to assure that public interest is protected.

A variance decision may be appealed to the circuit court by an aggrieved party within 30 days of filing of the Board of Adjustment decision. For this reason, the owner should delay construction until after the appeal period has expired to avoid financial investments in a project that a court could overturn and thus void the variance.

Because a property, rather than the owner, is granted the variance, a variance transfers to subsequent property owners.

JUDICIAL REVIEW

Courts have used the following criteria to decide appeals of the Board of Adjustment decisions. These points must be considered when making variance decisions.

- The Board of Adjustment must rule on matters they are empowered by statute and ordinance to act on.
- The proper procedure must be followed.
- The Three Step Test must be applied in deciding the variance.
- The decision reached must be reasonable.
- Evidence related to the decision is on the record.

VARIANCE APPLICATION – GREEN LAKE COUNTY

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

Date Received: 6/23/26

Fee Received: \$375

Robin Hein and Steven Draeger

Wisconsin Gas LLC, doing business as We Energies

Owner Name

Applicant Name

Steven J. Draeger 5/15/26
[Signature]

[Signature] 6/23/2026

Owner Signature Date

Applicant Signature Date

N1810 County Road U

231 W Michigan St

Mailing Address

Mailing Address

Markesan WI 53946

Milwaukee WI 53203

City State Zip

City State Zip

Home Phone Work/Cell Phone

414-221-2197
Home Phone Work/Cell Phone

Email address

Madelyn.Koerner@wecenergygroup.com
Email address

Site Address Vacant land off of County Road H

Tax Parcel ID # 006 - 00980 - 0000

Lot SE 1/4, Block NE 1/4, Section 24, T 15 N, R 12 E
Subdivision/Plat

Lot CSM # Town of Green Lake

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

Attach additional sheets, if necessary, to provide the information requested.

1. Explain your proposed plans and how they vary from the required dimensional standards:

Wisconsin Gas LLC, a Wisconsin Limited Liability Company, doing business as We Energies, will be constructing a gas regulator station on the parcel detailed above. For safety concerns to prevent tampering or damage of the above-ground gas facilities, We Energies wants to place a 7-foot tall barbed, chain link fence and gate around the 10 foot by 35 foot easement area. The easement area abuts the road right of way to minimize the impact on the arable land on this parcel. Local zoning codes restrict the height of fencing to a certain height within 40 feet from the edge of the road right of way. We Energies' standard security fence and gate would breach this restriction.

2. Explain the hardship imposed by the Ordinance:

A shorter fence and gate that would follow the current zoning codes could jeopardize the gas facilities within the easement area. The barbed, chain link fence and gate is to deter unauthorized access into the easement area to prevent tampering and damage to the gas facilities. With a shorter fence, unauthorized access is more likely to occur and could put the gas facilities and surrounding area and environment at risk.

3. Describe unique property feature(s) that create the hardship:

We Energies worked to minimize impact on use-able land for farming or homestead. If the gas facilities were moved further on to the property or other properties, the arable land would be reduced. We Energies also looked into other locations, but landowners were against an open-style security fence and gate as well as the anti-climb measure of barbed wire. In addition, it is We Energies' standard protocol to have a 7-foot high, barbed, chain link fence and gate for visibility of facilities and safety.

4. Explain why the proposed variance will not harm the public interest:

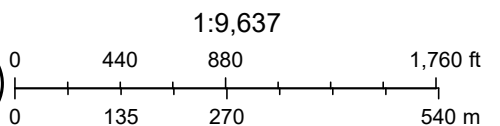
The variance to allow the fence to be at the proposed height will protect the public interest by deterring unauthorized access and the tampering of utility facilities. If unauthorized access occurs and the gas facilities are damaged or tampered with, the public would be at risk that may impact utility usage and environmental impact. Therefore, taking this additional precaution to prevent any damage or tampering would be in the public interest.

WE Energies Variance Aerial Map



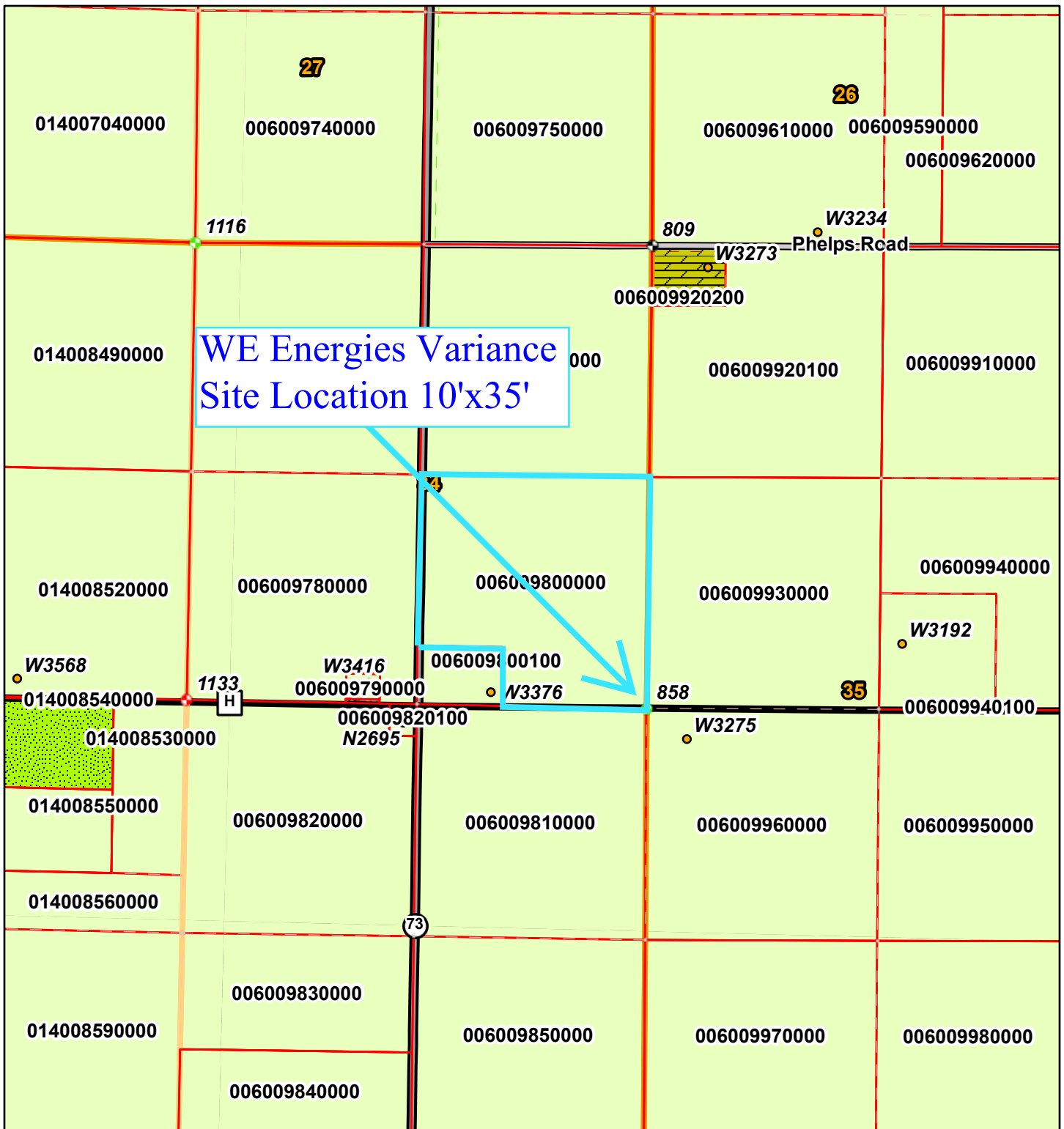
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- Address
- + QUARTER
- + CENTER
- + SECTION
- TaxParcel
- Section
- + SUB



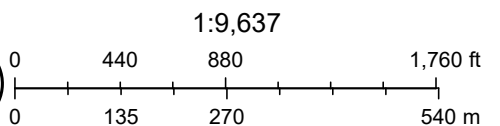
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

WE Energies Variance Zoning Map



6/25/2026, 11:08:53 AM

- Address
- QUARTER
- TaxParcel
- Corner
- CENTER
- Section
- SECTION
- SUB



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

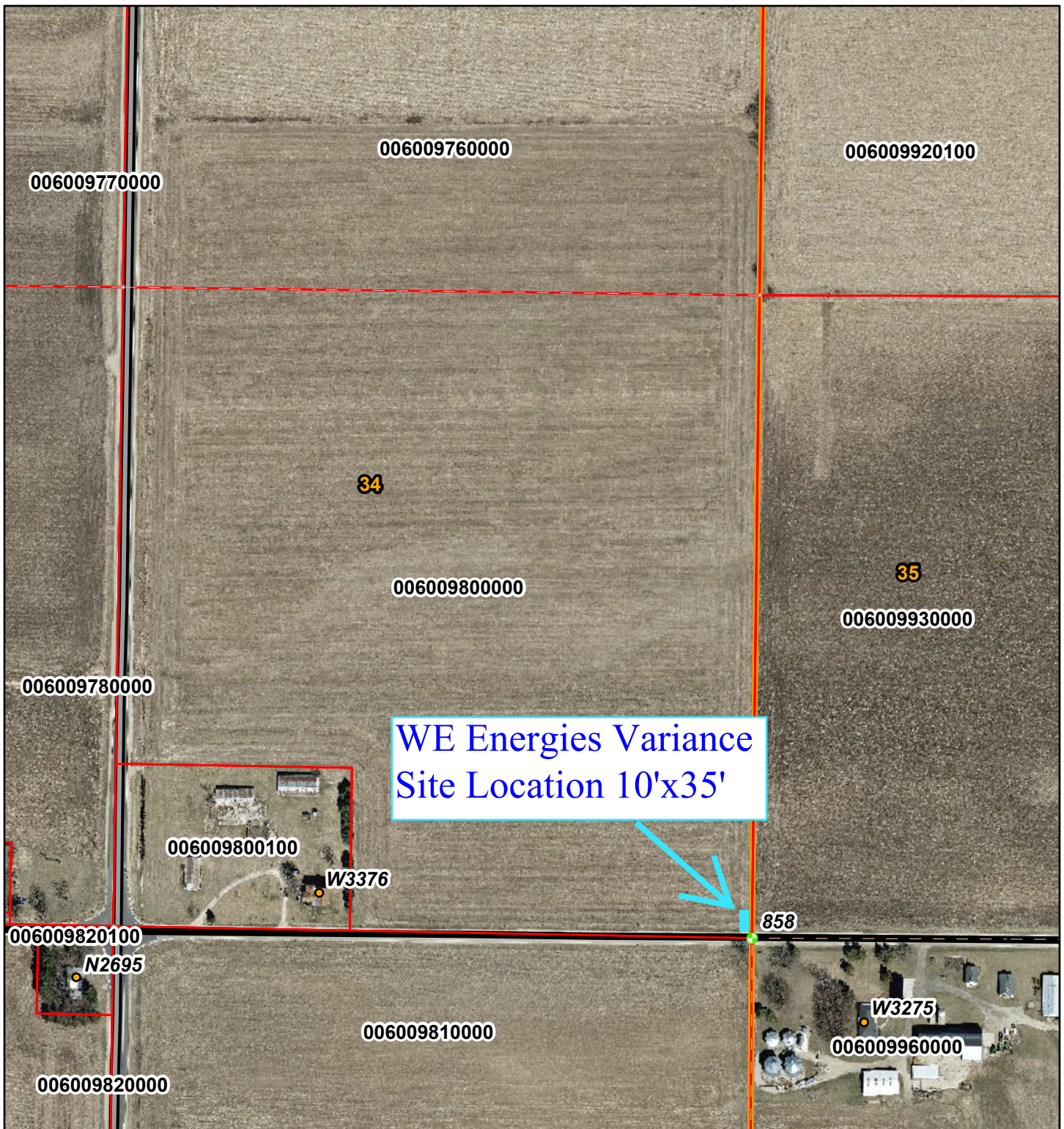


Green Lake County, WI Land Use Planning & Zoning

Zoning Ordinance Map Districts

	A1 Farmland Preservation
	A2 General Agriculture
	C1 General Commercial
	C2 Extensive Commercial
	I Industrial
	M1 Mineral Extraction
	M2 Sanitary Landfill
	NRC Natural Resource Conservancy
	R1 Single Family Residence
	R2 Single Family Mobile Home Residence
	R3 Multiple Family Residence
	R4 Rural Residential
	RC Recreation
	AO Adult Orientated Establishment
	UNZ Unzoned
	MUN Municipality
	SPLIT Split Zoning
	PEND Map Update Pending

WE Energies Variance Aerial Map2



6/25/2026, 11:13:17 AM

- Address
- SUB
- Corner
- TaxParcel
- QUARTER
- Section

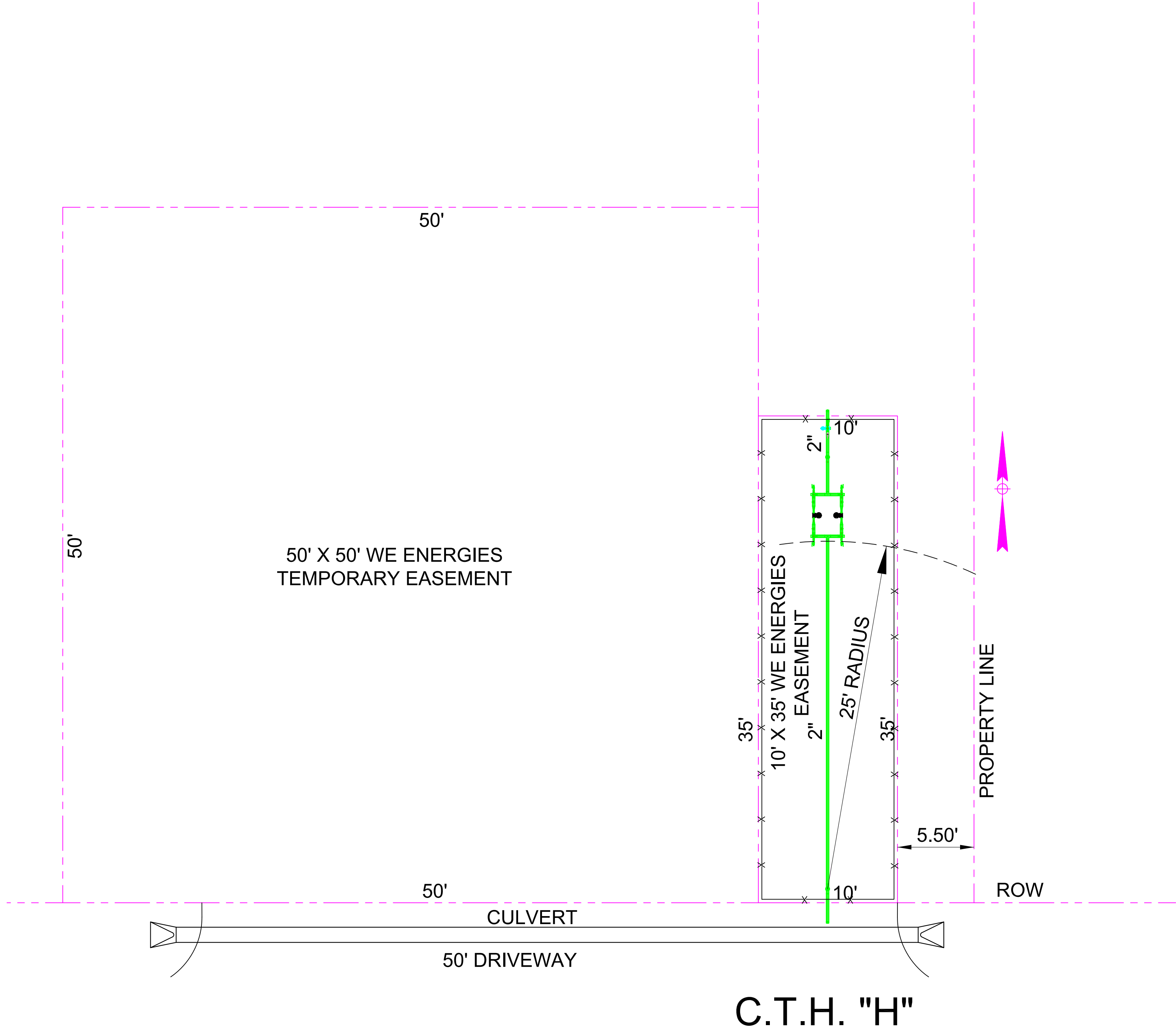


1:3,469

0 162.5 325 650 ft

0 45 90 180 m

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



GENERAL NOTES:

- STATION PIPELINE COATING:
- PIPING, ABOVE GROUND INSTALLATION: ALL EXPOSED PIPE AND FITTINGS TO BE BLAST-CLEANED TO WHITE METAL, AND PAINTED WITH SHERWIN WILLIAMS DURA-PLATE 235 PRIMER AND HIGH SOLIDS POLYURETHANE TOPCOAT.
 - PIPING, VAULTS/PITS: ALL EXPOSED PIPE AND FITTINGS TO BE BLAST-CLEANED TO WHITE METAL, AND PAINTED WITH 2 COATS OF SHERWIN WILLIAMS DURA-PLATE 235.
 - RISERS: BLAST-CLEAN PIPE TO WHITE METAL 18" BELOW GRADE AND 18" ABOVE GRADE. COAT WITH PROTAL 7200 EPOXY (WARM TEMP. APPLIED) OR PROTAL 7125 EPOXY (COLD TEMP. APPLIED).
 - JOINT COATING: JOINTS TO BE COATED WITH DENSOTHERM HOT WRAP OR PROTAL 7200 EPOXY (WARM TEMP. APPLIED) OR PROTAL 7125 EPOXY (COLD TEMP. APPLIED).

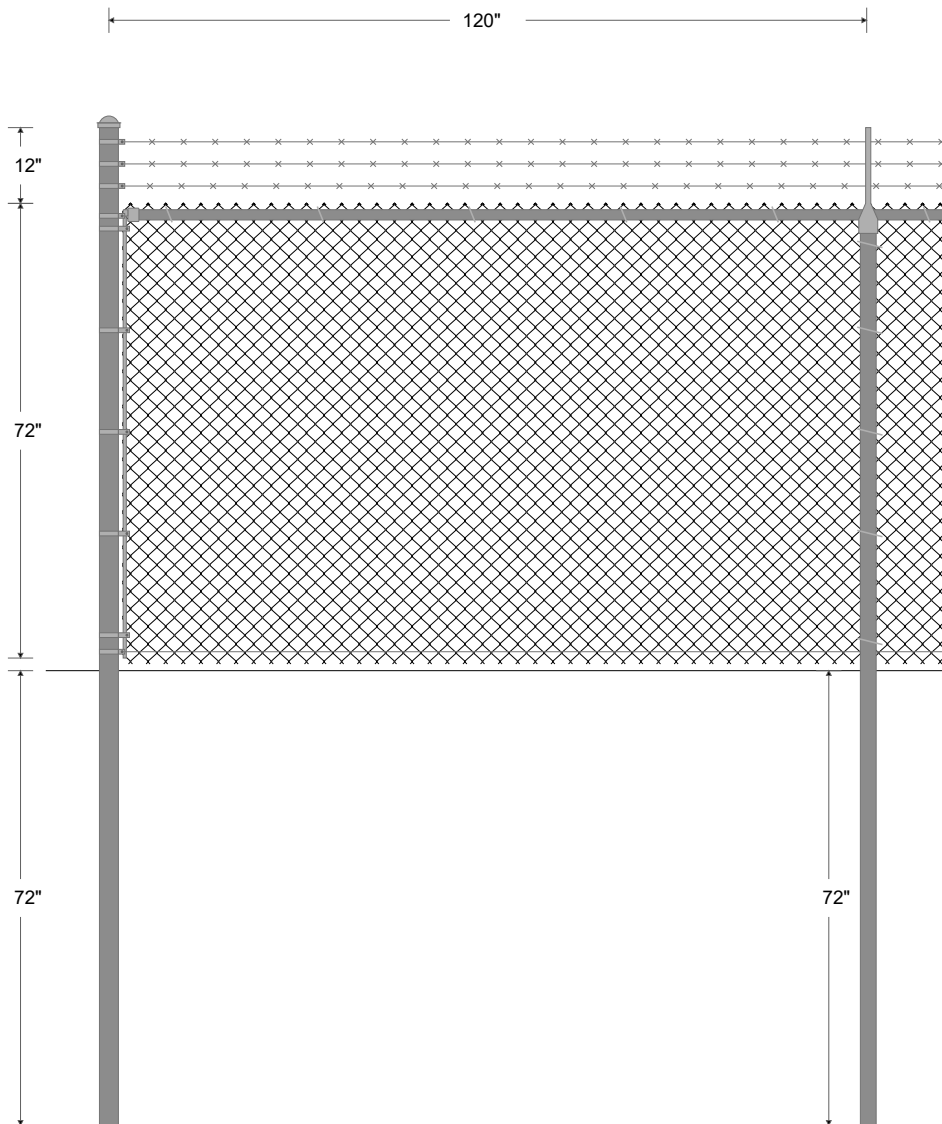
- PRESSURE TEST:
- PRESSURE TEST RANGE:
 - PRESSURE TEST MEDIUM:
 - PRESSURE TEST DURATION:
 - IS AN INTERMEDIATE PRESSURE TEST REQUIRED? (Y/N)
 - PRESSURE TEST SPECIFICATIONS FOR ACCESSORY FITTINGS (I.E. SAVE-A-VALVE, LINE STOPPER, ETC.):
 - LEAK TEST TO BE COMPLETED AT OPERATING PRESSURE

- WELD INSPECTION:
- 100% OF ALL BUTT-WELDS 2" AND LARGER SHALL BE NON-DESTRUCTIVE TESTED.
 - ALL WELDS TO BE VISUALLY INSPECTED.

- DOCUMENTATION:
- PROVIDE AS-BUILT DRAWING OF COMPLETE INSTALLATION TO GAS SYSTEM OPERATIONS DEPARTMENT, PEDC. WAUKESHA.

WE ENERGIES

REVISIONS			LOCATION AND ADDRESS	
DATE	DESCRIPTION	EDITED BY		
3/18/2026	#####	ANDREW LEE		
			2" PEANUT SET	
			AT	
			C.T.H. "H" TOWN OF GREEN LAKE	
I/O	Q-2115-105681	WR	DRAWN BY	DATE
		##	ANDREW LEE	3/18/2026
DO NOT SCALE THIS DRAWING. USE DIMENSIONS ONLY.			PROJECT NUMBER	
			SCALE	####
			1" = 5'-0"	####



72" tall Chainlink Fabric with Knuckle / Barb Selvage and 2" Mesh Size.

156" tall, 3" diameter Terminal Post Driven 6' Deep

144" tall, 2 1/2" diameter Line Post Driven 6' Deep

Top of Fence has 1 5/8" diameter Top Rail.

Bottom of Fence has Smooth Tension Wire.

3 Strands of Barb Wire with Extended Terminal Posts.

Line Post Spacing: Max of 120"

Tie Wire Spacing is every 24" on Rails.



Century Fence
14839 Lake Drive
Forest Lake, MN 55025
(651) 464-7373





GAS REGULATOR EASEMENT

This **GAS REGULATOR EASEMENT** (this "Easement") is made by **Robin Hein and Steven Draeger** ("Grantor") to **Wisconsin Gas LLC**, a **Wisconsin limited liability company, doing business as We Energies** ("Grantee"). Grantor and Grantee may be referred to individually as a "Party" or collectively as the "Parties."

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby conveys and grants to Grantee, its successors, and assigns, a permanent non-exclusive easement on, over, under, across, through, and upon a part of Grantor's property hereinafter referred to as the "Easement Area."

1. **Easement Area:** The Easement Area is described as an area ten (10) feet by thirty-five (35) feet for a gas regulator, being located in a part of the Northeast 1/4 of Section 24, Township 15 N, Range 12 E, in the Town of Green Lake, Green Lake County, Wisconsin (the "Easement Area").

The legal descriptions of Grantor's property (the "Grantor Property") and the Easement Area are set forth on the attached Exhibit "A." The location of the Easement Area is depicted on the attached Easement Description Map, marked Exhibit "B," both made a part hereof by this reference.

2. **Purpose:** This Easement gives, grants, and conveys unto Grantee, its successors, and assigns, subject to the limitations and reservations herein stated, the permanent and exclusive right, permission, and authority to lay, install, construct, maintain, operate, inspect, alter, replace, protect, test, extend, repair, reconstruct, relocate, enlarge, and remove or abandon a gas regulator or regulators together with and including, but not limited to, the necessary foundations, buildings, and structures, fencing, protective barriers, access driveway, piping, valves and associated appurtenances, regulators, filters, gas process heating equipment, remote power actuator facilities together with a power pole, antenna and associated communication equipment, and electric transformer, wires, cable, anchors and guy wires, riser equipment and power pedestals for electric service and metering, solar power panel facilities, and other related appurtenances under and above-ground of such design and material as Grantee may deem necessary in the construction and operation of a gas regulator and gas facilities by Grantee for the transmission and distribution of natural gas and all by-products thereof, or any liquids, gases, or substances which can or may be transported or distributed through a pipeline or pipelines, including customary growth and replacement thereof. With respect to the exclusive easement rights described in this Easement, Grantor agrees that neither Grantor nor any third party may install or construct any buildings, structures, improvements, or facilities (including, without limitation, any gas, electrical, telecommunication, fiber optic, or other utility facilities, except that utilities may be installed with Grantee's approval that provide service to the regulator) within the Easement Area.

Grantee may designate or otherwise appoint, assign, contract, and duly authorize other persons, firms, or corporations to perform, carry out and complete, in whole or in part, the activities and operations herein enumerated, as it deems necessary and convenient for the full enjoyment and use of the rights herein granted.

3. **Use and Access:** Grantee shall have all other rights and benefits necessary or convenient for the full enjoyment and use of the rights herein granted, including, but not limited to the right to remove and to clear all structures and obstructions such as, but not limited to, rocks, trees, brush, limbs, and fences which might interfere with the rights herein contained.

Grantor agrees that Grantee and its agents, contractors and employees shall have the free and full right to enter upon the Easement Area and adjacent portions of the Grantor Property, as necessary or convenient for the full enjoyment and use of the rights herein granted, for the purposes of ingress and

430311
RECORDED ON:
05/18/2026 01:52:16 PM

REC FEE: 30.00

RENEE A. THIEM-KORTH
REGISTER OF DEEDS
GREEN LAKE, WI
TRANSFER FEE:
EXEMPT #:
PAGES: 5

RETURN TO:

WE ENERGIES
Attn: Madelyn Koerner
231 W. Michigan Street, P277
Milwaukee, WI 53203

006-00980-0000
Parcel Identification Number

egress, performing survey work for civil, environmental, archaeological, cultural, and geotechnical reviews, including soil borings, wetland studies, and to perform other engineering studies and for other purposes consistent with this Easement.

4. **Structures and improvements:** Grantor covenants and agrees that no structures or above ground improvements, obstructions, or impediments, of whatever kind or nature will be constructed, placed, granted, or allowed within the Easement Area.
5. **Elevation:** Grantor covenants and agrees that the elevation of the existing ground surface of land within the Easement Area will not be altered by more than four (4) inches without the prior written consent of Grantee.
6. **Temporary Easement:** Grantee and its agents shall have the further right to use, for initial construction purposes only, a strip(s) of land as set forth on the attached Exhibit "A" and as shown on the attached Exhibit "B," as a temporary construction easement area. For non-wooded parcels, Grantor and Grantee agree that Grantee may at the time of construction extend the temporary easement area up to an additional twenty-five (25) feet on either side of the temporary construction easement area depicted on Exhibit "B." The temporary easement is for construction purposes only and shall terminate when the need therefor passes.
7. **Restoration:** Grantee agrees to restore or cause to have restored the Grantor Property, including damage to fencing, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, shrubs, branches, roots, or other landscaping, which may interfere with Grantee's use of the Easement Area.
8. **Ownership:** Grantor, its successors, assigns, heir, executors and administrators covenant and agree to and with Grantee, its successors and assigns, that at the time of the ensembling and delivery of this Easement, they are well seized of good and marketable title to the Grantor Property, and that the same are free and clear from all encumbrances that might materially adversely affect the rights of Grantee hereunder, except the mortgages of Badgerland Financial, FLCA and Compeer Financial, FCLA filed of record prior to the date of the recording of this instrument.
9. **Exercise of Rights:** The Parties agree that the complete exercise of the rights herein conveyed may be gradual and not fully exercised for some time in the future, and that none of the rights herein granted shall be lost by non-use for any length of time.
10. **Binding Effect:** The Easement shall be a covenant running with the land and shall be binding upon, and inure to the benefit of the Parties and their heirs, legal representatives, executors, administrators, devisees, legatees, successors or assigns. The rights herein granted to Grantee may be assigned in whole or in part by Grantee at any time.
11. **Non-Titled Spouse:** Any non-titled spouse signs below as Grantor for the purpose of releasing and waiving all rights he or she may hold under all applicable homestead exemption laws and all applicable marital property laws.

This ☐ is / ☒ is not] homestead property.

12. **Easement Review:** Grantor acknowledges receipt of materials, which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least five (5) days to review this easement document or voluntarily waives the five (5) day review period.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Grantor has executed this instrument this 18 day of May, 2026

GRANTOR: Robin Hein and Steven Draeger

By:

(Signature)

(Print Name)

By:

(Signature)

(Print Name)

STATE OF WISCONSIN)

GreenLake COUNTY)

SS

Personally came before me this 18 day of May, 2026, the above-named

Robin R. Hein & Steven J. Draeger, known to me to be the person(s) who executed the foregoing instrument and acknowledged the same.

Notary Signature

Print Name:

Notary Public, State of

My commission expires

[Notary Seal]

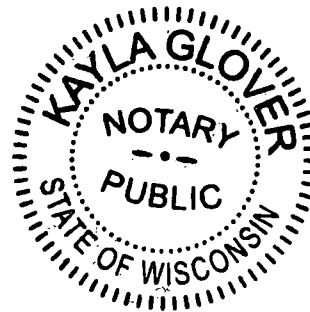


EXHIBIT A

LEGAL DESCRIPTION OF GRANTOR PROPERTY AND EASEMENT AREA

GRANTOR:
Steven Draeger
Robin Hein
N1810 County Road U
Markeson, WI. 53946

GRANTEE:
WISCONSIN GAS, LLC
D/B/A WE ENERGIES
231 W. MICHIGAN ST.
MILWAUKEE, WI. 53203

TAX PARCEL NO.
006009800000

PROPERTY DESCRIPTION

PARCEL NO. 006009800000

The Southeast 1/4 of the NE 1/4 of Section 34, T15N, R12E excepting therefrom Lot 1 of Certified Survey Map No. 2338.

10' x 35' REGULATOR EASEMENT

Part of the Southeast Quarter of the Northeast Quarter (SE 1/4 - NE 1/4) of Section 34, Township 15 North, Range 12 East, Town of Green Lake, Green Lake County, State of Wisconsin.

Commencing at the East Quarter corner of said Section 34, thence S 89°31'45" W, along the South line of the Northeast Quarter, 5.73 feet; thence N 0°28'15" W, 32.96 feet to the north line of CTH H and the Point of Beginning; thence S 89°07'28" W, 10.00 feet; thence N 0°51'59" W, 35.00 feet; thence N 89°07'28" E, 10.00 feet; thence S 0°51'59" E, 35.00 feet to the Point of Beginning.

Said easement contains 350 square feet/ 0.008 acres of land, more or less.

50' x 50' TEMPORARY LIMITED EASEMENT FOR CONSTRUCITON ACCESS

Part of the Southeast Quarter of the Northeast Quarter (SE 1/4 - NE 1/4) of Section 34, Township 15 North, Range 12 East, Town of Green Lake, Green Lake County, State of Wisconsin.

Commencing at the East Quarter corner of said Section 34, thence S 89°31'45" W, along the South line of the Northeast Quarter, 5.73 feet; thence N 0°28'15" W, 32.96 feet to the north line of CTH H; thence S 89°07'28" W, 10.00 feet to the Point of Beginning; thence S 89°07'28" W, 50.00 feet; thence N 0°51'59" W, 50.00 feet; thence N 89°07'28" E, 50.00 feet; thence S 0°51'59" E, 50.00 feet to the Point of Beginning.

Said easement contains 2500 square feet/ 0.057 acres of land, more or less.

(The temporary limited easement described hereon is to expire at completion of the project's construction.)

Property Address: Vacant Land off of County Road H, Markesan, WI 53946

Tax Key Number: 006-00980-0000

BEARINGS BASED ON
THE WISCONSIN COUNTY
COORDINATE SYSTEM
GREEN LAKE COUNTY

we energies



WR: 5164778

REVISIONS:

DATE: 04/15/2026

1. XXX/XXXX

SCALE: N/A

DRAWN BY: BLN

CHECKED: RJC

APPROVED: RJC

SHEET NUMBER:

1 of 2

GRANTOR:
Steven Draeger
Robin Hein
N1810 County Road U
Markeson, WI. 53946

TAX PARCEL NO.
006009800000

EXHIBIT B

REGULATOR EASEMENT

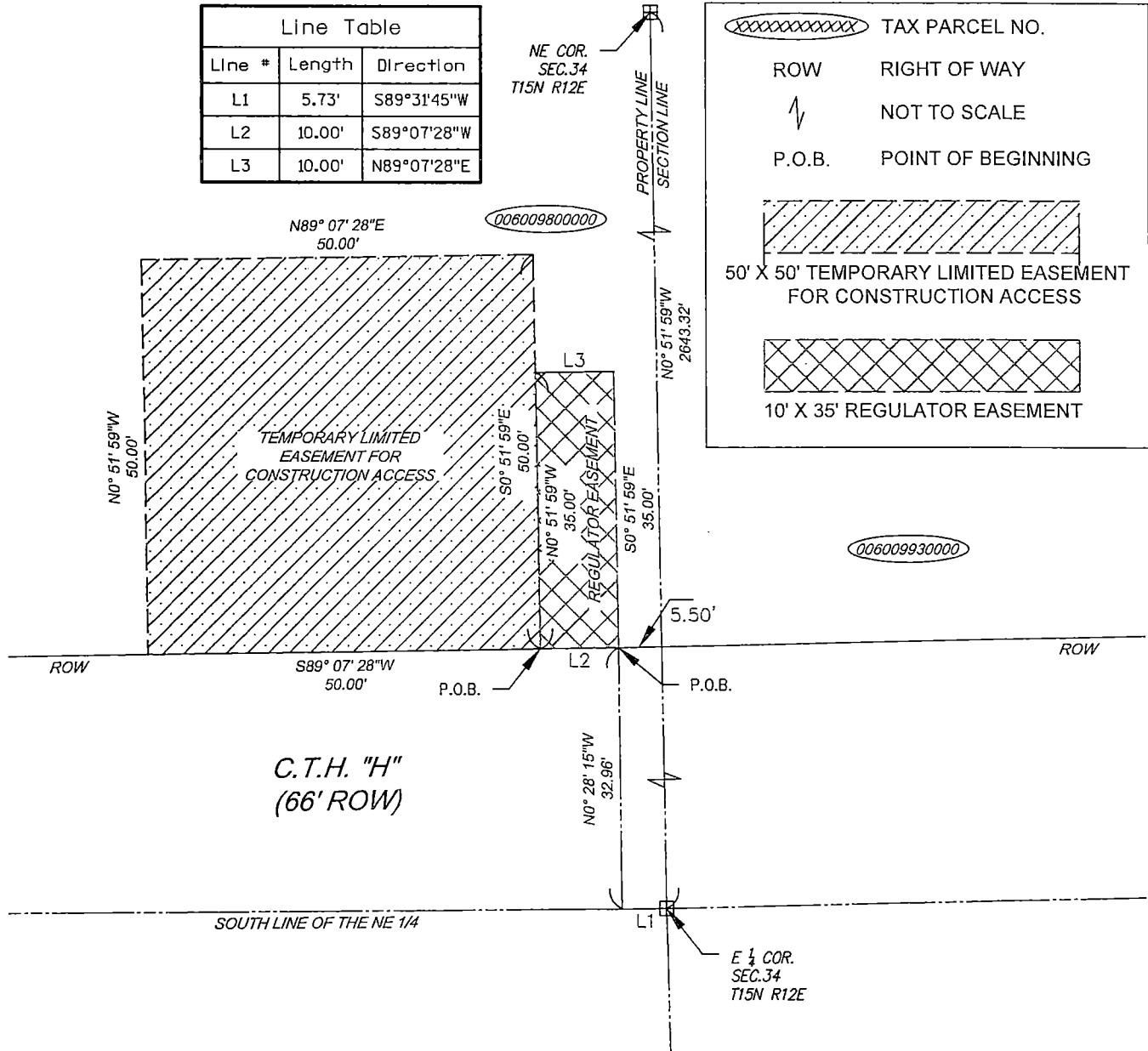
DESCRIPTION MAP

GRANTEE:
WISCONSIN GAS, LLC
D/B/A WE ENERGIES
231 W. MICHIGAN ST.
MILWAUKEE, WI. 53203

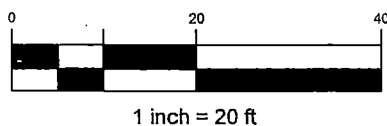
KEY

	TAX PARCEL NO.
ROW	RIGHT OF WAY
	NOT TO SCALE
P.O.B.	POINT OF BEGINNING
	50' X 50' TEMPORARY LIMITED EASEMENT FOR CONSTRUCTION ACCESS
	10' X 35' REGULATOR EASEMENT

Line Table		
Line #	Length	Direction
L1	5.73'	S89°31'45"W
L2	10.00'	S89°07'28"W
L3	10.00'	N89°07'28"E



GRAPHIC SCALE



PART OF THE SE $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF
SEC. 34, T15N, R12E,
TOWN OF GREEN LAKE, GREEN LAKE COUNTY,
WISCONSIN

BEARINGS BASED ON
THE WISCONSIN COUNTY
COORDINATE SYSTEM
GREEN LAKE COUNTY

we energies



WR: 5164778

REVISIONS:

DATE: 04/15/2026

1. X/X/XXXX

SCALE: 1" = 20'

DRAWN BY: BLN

CHECKED: RJC

APPROVED: RJC

SHEET NUMBER:

2 of 2

GREEN LAKE COUNTY
Conditional Use Permit

DETERMINATION OF THE LAND USE PLANNING AND ZONING COMMITTEE

Public Hearing Date: September 3, 2026

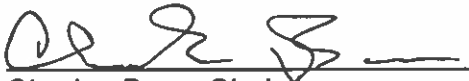
Owner: Steven Draeger & Robin Hein

Agent: Madelyn Koerner – WE Energies

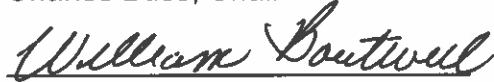
Parcel: #006-00980-0000, County Highway H, Town of Green Lake.

Request: Conditional Use Permit for a gas regulator station and the necessary access to the easement area.

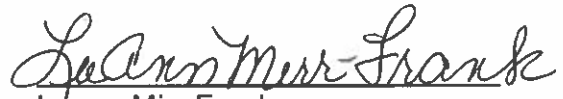
Land Use Planning and Zoning Committee:



Charles Buss, Chair



William Boutwell, Vice Chair



Luann Mirr-Frank



Gene Thom

Brian Floeter

Date signed: September 3, 2026

Committee vote: Ayes 4 Nays Abstain Absent 1

☒ **Approve**

☒ **With the conditions (listed on page 2)**

☐ **Deny.**

☐ **Modify as follows:**

BOARD OF ADJUSTMENT

Public Hearing

September 18, 2026

Item I: Variance

Owners:

Steven Draeger & Robin Hein

Applicant:

Wisconsin Gas LLC dba WE Energies
- Madelyn Koerner

Request: The owners are requesting a variance to locate an open fence and gate within the street yard setback that is 7 feet in height, whereas Section 350-43.1(B) states that open fences in the street yard setback shall not exceed 4 feet in height.

Parcel Number/ Location: The request affects parcel 006-00980-0000 (±35.9 acres) located in the SE¼ of the NE¼ of Section 34, T15N, R12E, Town of Green Lake. The site is accessed via County Road H.

Existing Zoning and Uses of Adjacent Area: The subject site is currently zoned as A-1, Farmland Preservation District. All the adjoining lands are also zoned A-1. With the exception of three parcels to the west of the subject site that are used residentially, all surrounding lands are used agriculturally.

Additional Information/ Analysis: The subject (easement) site sits on a 35.9-acre parcel owned by Steven Draeger & Robin Hein. The easement site is only 10ft (east to west) and 35ft (north to south) or 350 sqft (0.008 acres). The underlying parcel has been used agriculturally for many years.

On September 3rd, 2026 the LUP & Z Committee approved a CUP for WE Energies to construct a gas regulator station within the easement area. The purpose of which is to take high pressure natural gas and reduce the pressure down for distribution to WE Energies customers. That project has been permitted and is under construction.

In order to secure these gas regulation valves, equipment, buildings, and other infrastructure, WE Energies would like to construct a security fence (and gate) that would be 7ft in height. Their (WE Energies) concern being that a zoning ordinance-allowed open fence height of 4ft would not have the same "securing" effect as would a 7ft tall fence. WE Energies uses a 7ft standard height for gas regulator stations without issue.

VARIANCE CRITERIA: To qualify for a variance, it must be demonstrated that the property meets the following 3 requirements: (Wisconsin Act 67 (2017) codified Case Law as applied to variance criteria, §59.694(7)(c)2., with No Harm To Public Interest already codified and now renumbered to §59.694(7)(c)3.)

- 1) Unnecessary Hardship
 - ❑ 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 the sole 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 sole 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 / 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, *American Law of Zoning*)

Staff Comments:

1) Unnecessary Hardship

- The hardship in this case emanates from the location and overall area of the easement. If the easement location were outside of the street yard setback or much larger in area the 7ft security fence would be permissible. The applicant (WE Energies) has no control over the location or size of the easement area. The underlying property owner (Draeger – Hein) controls what land they can part with for this use. The hardship imposed on the applicant is not self-created.
- Any responsible utility, operating a gas regulator station, would try to secure the station as best they can. Not only for their purposes but for the safety and security of the public.
- The easement area specifies where the gas regulator station can be located and therefore where the security fence would surround. Other locations on the parcel are not relevant.
- The applicants have not attempted to justify their variance request as an economic or financial hardship.

2) Unique Property Limitations

- The location of the easement area is necessary in order for WE Energies to tap into the high pressure gas line that runs along the county road right-of-way. The size of the easement area is a reflection of the limited area available on the Draeger – Hein site.
- Once a location is selected for a gas regulator station there will be no neighboring properties that would also be selected. And there are very

few properties in the County that maintain a gas regulator station. As a result limitations common to a number of properties is not possible.

- Due to the minimal depth (east to west) of the easement area, alternative designs that can securely contain the required equipment, buildings, and underground infrastructure are not possible at this location.

3) Harm to Public Interest

- Allowing the fence height increase out of a concern for public safety and interest, is not a conflict with the purpose and intent section of the zoning ordinance. Rather, the allowance furthers the public interest elements of the ordinance.
- In the short and long term, the BOA may have to consider this variance decision when it comes to other gas regulator proposals that have a reduced easement area. Due to the infrequency of such proposal, there is no negative public interest impact if this variance were to be granted.
- The request is for an industry standard 7ft open-style security fence and gate. There is no need to allow a lesser height and risk the security of the gas regulator station.

VARIANCE CONDITIONS: In order to grant the variance, the request must meet all three criteria listed above. If even one criterion cannot be met, the BOA must deny the variance. Staff's analysis indicates that this variance request stands up well to the three-step test. If the BOA sees this request meeting all three criteria the following conditions may be appropriate:

1). We Energies shall obtain a land use permit for the security fence (and gate) prior to the construction of the fence / gate.

2). The open-style security fence (and gate) shall remain open-style for as long as the gas regulator station is in service.

3). That a fire number be obtained for the gas regulator station prior to land use permit issuance for the security fence and gate.

Conditions of Approval:

General Conditions:

1. No additional expansion or addition of structures and/or uses relating to this conditional use permit shall occur without review and approval through future conditional use permit(s).