

Marquette County Board of Adjustment
June 30, 2022
3pm
Services Center

Members present: Mary Walters-Chair, Lance Achterberg, Mike Johnson

Others present: Tom Onofrey, Todd Tollefson, Attorney James Miller, Ellen Kirschbaum, Dave Mueller, Ryan Spies, Gerald and Denise Wallace, Paul Walker.

The Chair called the meeting to order. Member introductions made by Chair. The Chair asked for a motion to approve the minutes. Motion by Achterberg, seconded by Johnson. Motion carried. Chair explained meeting procedure. Onofrey explained appealing a Board of Adjustment decision.

Chair opened the public hearing on an application by:

David & Jodi Mueller, 710 Lucas Ct., Evansville, WI 53536, are applying for a Variance under Section 70.52(B)(3) of the Marquette County Code of Ordinances Chapter 70-Zoning for the construction of a garage at a reduced setback to the centerline of a town road on Lot 16 of Comstock Lake Plat, Section 11 T16N R10E, Town of Shields. Property Address: N6741 17th Lane. Chair reviewed application materials. Board viewed video of property. Chair opened the meeting to the public. No one spoke in favor or against. Chair closed the public hearing. Johnson stated he was in favor of the request because the property has limits that prevent the construction of a garage, a garage is a reasonable expectation for a residential property and there are no safety issues. Achterberg stated he is in favor because the lot has limits due to size, grade and location of the septic and a garage is a reasonable request. Walters stated she is in favor because the lot size and septic location limit options for a garage and it is reasonable to want a garage and there are no safety issues. Application approved:3-0.

James & Ellen Kirschbaum, N4355 Town Hall Rd., Montello, WI 53949, are applying for a Special Exception under Section 70.18(F) of the Marquette County Code of Ordinances Chapter 70-Zoning for the operation of a Stihl products repair business on the N1/2 of the SE1/4-NE1/4, Section 7 T15N R11E, Town of Mecan. Property Address: N4355 Town Hall Rd. Chair reviewed application materials. Board viewed video of the property. Chair opened the public hearing to those in attendance. Tom Breiling spoke in favor. No one spoke against. Chair closed the public hearing. Motion by Achterberg to attach two conditions; 1) Permit expires if the property is sold. 2) No employees other than residents of the property, second by Johnson. Motion carried: 3-0. Achterberg stated he is in favor of the application because with conditions there is no impact on neighbors and small businesses are needed in the community. Walters stated she is in favor because there is good access, it is compatible with the area and there are no environmental issues. Johnson stated he is in favor because there are no negative impacts on the neighbors and no safety issues. Application approved: 3-0.

Gohl Post Station Inc. Liberty Station, 1354 N Bird St., Sun Prairie, WI 53590-Owner/Rock Road Companies, Inc, Ryan Spies, PO Box 1818, Janesville, WI 53547-Agent, are applying for a Special Exception under Section 70.18(F) of the Marquette County Code of Ordinances Chapter 70-Zoning for the operation of a temporary portable asphalt plant on part of the SW1/4-SE1/4 and SE1/4-SE1/4 including part of CSM 895 less Lot 1 CSM 2950 & less CSM 3071, Section 7 T14N R09E, Town of Moundville. Property Address: N1777 Co Rd CX. Chair reviewed materials. Board viewed a video of the property. Ryan Spies discussed the project in more detail for the Board. Chair opened the public hearing to those in attendance. No comments either for or against. Chair closed the public hearing. Motion by Walters to add conditions; 1) Permit duration is July 1, 2022 to July

1, 2023. 2) Project shall comply with all State and Federal regulations. 3) All facilities must be removed at the end of the project period, second by Achterberg. Motion carried: 3-0. Walters stated she is in favor because the protocols in place protect the health and welfare of the public, the project is needed to maintain infrastructure, no safety issues and the use is temporary. Achterberg stated he is in favor because it is a good location for the use and there will be a limited impact. Johnson stated he is in favor because the location is good, it a temporary use and the use will not be detrimental to neighboring properties. Application approved: 3-0.

Gerald & Denise Wallace, PO Box 606, Packwaukee, WI 53953, are applying for an after the fact Variance under Section 70.17(B)(3) of the Marquette County Code of Ordinances Chapter 70-Zoning for the construction of a deck at a reduced setback to the centerline of a town road on Lot 1 of CSM 2881 part of Lot 1 CSM 374 & part of Gov't Lot 2 in Block 19 Unrecorded Plat part of Lots 1-4 & 14-16, Section 20 T15N R09E, Town of Packwaukee. Property Address: N3384 Wisconsin St. Chair reviewed application materials. Board viewed video of the property. Chair opened the public hearing to those in attendance. No comments in favor or against. Chair closed the public hearing. Walters stated she is in favor because the old porch was too small to be useable, lot size limits ability to comply, other properties are at similar setbacks and there are no safety issues. Johnson stated he is in favor because the property does not have a compliant location, lightly travelled road and other properties are at a similar setback. Achterberg stated he is in favor because other properties are at a similar setback and it is a low traffic road. Application approved: 3-0.

Todd Tollefson, 520 W Oneida St, Portage, WI 53901-Owner/Jerry Tollefson, PO Box 164, Montello, WI 53949-Agent, are applying for a Special Exception under Section 70.22(G)(3) of the Marquette County Code of Ordinances Chapter 70-Zoning for the construction of warehouses to expand an existing storage business on part of the NE1/4-SW1/4 less part of CSM 2597, Section 27 T15N R10E, Town of Montello. Property Address: N3081 S.T.H. 22. Chair reviewed application materials. Board viewed video of the property. Applicant asked if his request is approved would there be a limit on the number of buildings. Onofrey stated no there would not be unless the Board placed a condition on the approval. Chair opened the public hearing to those in attendance. Paul Walker spoke in favor. No one spoke against. Chair closed the public hearing. Achterberg stated he is in favor because it is an established business, the property is properly zoned, it is on a State highway and the use is compatible with the area. Johnson stated he is in favor, the area is planned and zoned for commercial development, the use is compatible with the area and an expanding business benefits the area. Walters stated she is in favor as it is an established business, no safety concerns and the use is supported by the Town Board. Application approved: 3-0.

Chair asked for other business. No July meeting.

Chair adjourned the meeting at 4:25 pm.