

Marquette County Board of Adjustment  
September 26, 2023  
3:00pm  
County Board Room-Services Center

Members present: Mary Walters-Chair, Mike Johnson, Fred Wollenburg

Others present: Tom Onofrey, Timothy and Lori Haack, Gerald Mews, Lira Wenk, Richard and Barbara Esser, Fiorella Neira.

The Chair called the meeting to order. Chair noted previous minutes were incorrect and vote on Manlick should be 2-1 with Wollenburg voting nay. Motion by Johnson to approve amended minutes, second by Wollenburg. Amended minutes approved 3-0. Member introductions made by Chair. Chair explained meeting procedure. Onofrey explained appealing a Board of Adjustment decision.

**Timothy & Lori Haack, Owners, 754 Crawford Dr., Cottage Grove, WI 53527**, are applying for a Variance under Sections 70.17(B)(3), 70.52(B)(3), 70.15(M) and 70.53(A) of the Marquette County Code of Ordinances Chapter 70-Zoning for the construction of an addition at a reduced setback to a Town road and the ordinary highwater mark of Buffalo Lake. Legal description is a parcel between HWY and Lake in Gov't Lot 3, SW1/4-NW1/4, Section 29, T15N R09E, Town of Packwaukee. Property Address: N3099 Lakeview Dr. Chair reviewed materials. Board viewed video. Chair asked the applicant for any additional information. None given. Chair asked for comments in favor from those in attendance. Lira Wenk works for Haack's builder and spoke in favor. Gerald Mews-builder spoke in favor. Chair asked for those opposed. None. Chair closed the public hearing and the Board deliberated. Motion by Johnson to attach 2 conditions: 1) That a survey be done verifying all construction will be on applicant's property and meet lot line setback. 2) A stormwater infiltration plan be approved through the Land and Water Conservation Department., second by Wollenburg. Motion carried. Johnson stated that with the conditions he is in favor of the application because it is reasonable to want more living area since the existing house is very small, lot size limits area to expand, no closer to the lake than existing home and safety will be improved with new parking area. Wollenburg stated he is in favor because it is no closer to the lake and parking will be safer. Chair stated that she is in favor because the request is reasonable, it is further from the lake and safety will be improved. Application with conditions approved: 3-0.

**Luanne Pupeter, Owner, 920 Bismarck Ave., Oshkosh, WI 54902**, is applying for a Variance under Section 70.15(M) of the Marquette County Code of Ordinances Chapter 70-Zoning for the construction of a building around 2 shipping containers at a reduced setback to a wetland boundary. Legal description is SE1/4 of the NW1/4, Section 19, T17N R11E, Town of Neshkoro. Property Address: N8009 Co Rd N. Chair reviewed materials and read correspondence from neighbor and Town Board. Applicant asked to respond to concerns from the correspondence and to potentially have application tabled for one month. Applicant gave testimony on environmental concerns and property condition. Discussion followed. Board viewed video of property. Board discussed tabling request. Wollenburg stated he was ok with tabling the application. Chair and Johnson both stated they did not see a reason to table because the issues raised in correspondence and addressed by applicant were not ones they would use when considering the application. Chair opened the hearing to those in attendance. No comments in favor or against the request were provided. Chair closed the public hearing and the Board deliberated. Chair stated that she is opposed to the application because no hardship has been presented, other options are available for temporary storage and the shipping containers are not needed for the property to be used for its intended purpose of residential. Wollenburg stated that he is not in favor of the request because there are other options available for temporary storage. Johnson stated that he is not in favor of the request because the need for temporary storage is not a hardship. Application denied: 3-0.

**Richard & Barbara Esser, Owners, 4530 S Sovereign Dr., New Berlin, WI 53151**, are applying for a Variance under Sections 70.15(M) and 70.53(A) of the Marquette County Code of Ordinances Chapter 70-Zoning for the construction of an addition at a reduced setback to Tuttle Lake. Legal description is Unrecorded Plat Tuttle Lake NE Lot 6 being part of Gov't Lot 1, SE1/4-NE1/4, Section 22, T17N R10E, Town of Crystal Lake. Property Address: N8063 Tuttle Lake Rd. Chair reviewed application materials. Board viewed video of property. Discussion followed. Chair noted no one was in attendance to comment on the application and closed the public hearing. Motion by Wollenburg to add a condition that a stormwater infiltration plan be approved by the Land and Water Conservation Department, second by Johnson. Motion carried: 3-0. Wollenburg stated he was in favor of the request because the lot limited areas to expand. Johnson stated he is in favor because the applicant could tear down the existing house and rebuild a new larger house at the requested setback using setback averaging. Chair stated she is in favor because it is a small lot and the ordinance is unnecessarily burdensome in this case because it prevents the applicant from doing a reasonable size addition. Application approved with conditions: 3-0.

**Richard & Kim Goldsworthy, Owners, 2639 Vale Ct., Downers Grove, IL 60516**, are applying for a Variance under Sections 70.17(B)(2) and 70.52(B)(2) of the Marquette County Code of Ordinances Chapter 70-Zoning for the construction of a new single-family dwelling at a reduced setback to the centerline of a county road. Section 7 T15N R10E, Town of Montello. Property Address: None. Chair reviewed materials and viewed video. Discussion followed. Chair noted no one in attendance for comments and closed the public hearing. Motion by Chair to require a stormwater infiltration plan be approved through the Land and Water Conservation Department, second by Wollenburg. Motion carried: 3-0. Chair stated that she is in favor of the application because the lot size limits building area, there is a pattern of development that the request follows, no safety issues and the water setback is being maintained. Wollenburg stated he is in favor of the application because the lot size limits area for building and the lake setback will be maintained. Johnson stated he is in favor of the application because it is consistent with development in the area and the lake setback is being maintained. Application with conditions approved: 3-0.

Chair asked for other business. Onofrey noted there will be a meeting on October 26, 2023 at 3pm.

Chair adjourned the meeting at 4:50pm.