BOARD OF ADJUSTMENT PUBLIC HEARING

Monday, November 18, 2013
Administrative Center – Basement – County Board Room
6:00 p.m. – 6:55 p.m.

MEMBERS PRESENT: Howard Raymer, Thomas Thompson, Dave Eilertson
MEMBERS EXCUSED: None
MEMBERS ABSENT: None
OTHERS PRESENT: Michael Harding, Chad VandenLangenberg (recorder/minutes)

CALL TO ORDER
Howard Raymer, Jr., Chair, called the meeting to order at 6:00 p.m. Let the record show that this
meeting is called in full compliance with the requirements of Wisconsin Open Meetings Law.

APPEAL NO. 2013-30 William J & Susan Jannusch, W8154 Holland Dr, Holmen, WI 54636. Appeal to
retain 7-ft x 9-ft and 7-ft x 10-ft sheds that together with two existing detached accessory buildings will
exceed the 1,008 sq. ft. area limit and number limit for such buildings on this 2.28 acre lot. Property is
described as part of the SE/NE of Section 3, T17N, R8W. Tax parcel 8-469-0. Property address W8154
Holland Dr. Town of Holland.

Appearing in favor: William Jannusch, 8154 Holland Dr, Holmen, WI 54636. We have submitted all of
the material in front of you. The maps and how the structures are laid out. There is also a statement
from my wife and myself about how the structures are used. These are not used for private storage, they
are shelters for our family pets which are goats. Our children in the family, we have a special needs
daughter and she is bound to the home. We stimulate her as best we can and animals work very well.
That is the reason for the two structures, they are 7’ x 9’ and 7’ x 10’, built on poles, no foundation and a
tin roof.

Question Eilertson: How many goats do you have?
Answer Jannusch: Five.
Question Eilertson: Do you keep them close to the house because of your daughter?
Answer Jannusch: Yes, that is also true. Also, the house provides a windbreak for the animals. Both of
the shelters are built at angles to encapsulate the courtyard of the house. There is a fence from the house
to building C, then to the corner of the detached garage. That encapsulates the courtyard area. The
barn, both structures were pre-existing, is where we keep the chickens. I would also like to mention that
because of the situation of our property, those two structures are very un-noticable. They are sheltered
by our own garage and I don’t think that anyone can even see them.

Appearing in opposition: None.

Correspondence: From Marilyn Pedretti, Clerk for the Town of Holland We received correspondence
indicating that the Town Board made a motion to recommend approval of this variance appeal.

Discussion: Discussion regarding the additional buildings. Thompson points out that the buildings are
not permanent.

Motion Eilertson/Thompson to approve. 3 Aye, 0 No, and 0 excused. Motion carried
unanimously.

APPEAL NO. 2013-31 Rinold P & Mary C Zielke, N5734 Abnet Rd, Onalaska, WI 54650. Permit denied to
construct a 26-ft x 30-ft detached accessory building that together with existing detached accessory
buildings will exceed the area and number limits for such buildings on this 9.76 acre lot. Property is
described as part of the SE/SE of Section 21, T17N, R7W. Tax parcel 10-660-1. Property address N5734
Abnet Rd. Town of Onalaska.

Appearing in favor: Rinold Zielke, N5734 Abnet Rd, Onalaska, WI 54650.

Question Raymer: So, you would like another building?
**Answer Zielke:** Well, I did take a number of other buildings down, four in total. I took two corn cribs down, they were in a bad location. I took a chicken house down and a two story granary. I thought it would be a fair deal to replace these with one building. This is a 100 year old farm. Over the years, everything is low. I have raised it up.

**Question Eilertson:** What do you intend to use the new building for?

**Answer Zielke:** My snowblower, skidster, stuff like that. It will look like a barn with a green roof and red sides and will match the existing barn.

**Question Eilertson:** I don't remember which building it was, but one of the buildings was in pretty bad shape.

**Remarks Zielke:** Was that the loafing barn?

**Remarks Thompson:** Building "A" was in pretty good shape, I was looking at "D" and "C". Are those being used for anything?

**Question Eilertson:** Do you have any plans to remove any of the other buildings?

**Answer Zielke:** No, I don't. Actually, the ones I took down were in bad shape.

**Appearing in favor:** George Kerckhove, N5854 Abnet Rd, Onalaska, WI 54650.

**Question Raymer:** You own the land next to it?

**Answer Kerckove:** Yes, I have known Rinold for 12 years. He has always maintained the property in excellent condition. We discussed earlier this spring for tearing down the old granary, chicken house and the two corn cribs. I thought that was an excellent idea. The area where the buildings were was pretty low. He has now filled that in and put in two culverts. This will be a gable roof building. He has another 20 acres across the road that I help him hay every year. He also has another five acre plot. He does do some farming, has a couple of miniature horses and sometimes sheep. This new structure will be very visually appealing. I do support this variance. The square footage of the buildings that he took down is substantially larger than the one he intends to erect.

**Appearing in favor:** Marty Bavrosky, 482 Spruce St, Shockopee MN. I am the builder and have known Rinold's son for a number of years. He is the one that got me involved in this. I have done a fair amount of work already. We have cleaned up the site and had the barn roof done. We took down some old buildings and plan to replace it with a newer, more functional building. Down the road we plan to replace the barn windows and cleanup some of the parts that you see from the road. There is another building behind the new structure that will get new tin. The whole process is to make this property look nicer and safer.

**Appearing in opposition:** None.

**Correspondence:** From Melissa Erdman, Clerk for the Town of Onalaska in an email to Nathan Sampson. The Plan Commission and the Town Board both made motions to recommend this variance appeal. Also received was a letter from one of the adjoining landowners that was in favor of this appeal.

**Discussion:** Discussions regarding older farms with many buildings.

**Motion Thompson/Eilertson to approve. 3 Aye, 0 No, and 0 excused. Motion carried unanimously.**

**APPEAL NO. 2013-32** Andrew Schlifer, Project Manager for Wieser Brothers General Contractor, 200 Twilite Ln, La Crescent, MN 55947, acting o/b/o Wichelt Imports, Inc., N162 State Rd. 35, Stoddard, WI 54658. Permit denied to construct an approximately 12-ft x 6-ft vestibule with an approximately 33-ft x 10-ft covered entry that will lie within the required 50-ft setback from the State Rd 35 right of way. Property described as part of the SW/SE of Section 34, T15N, R7W. Tax parcel 11-2255-10. Property address N162 State Rd 35. Town of Shelby.

**Appearing in favor:** Andrew Schlifer, Project Manager for Wieser Brothers General Contractor, 200 Twilite Ln, La Crescent, MN 55947. We are the builder for Wichelt Imports. The original building was constructed in 1977 and Amy has contracted with us to put on a new vestibule and planting bed addition on the west side of the building, facing Highway 35. A facelift of the existing front of the building is also
proposed. There is a small wood framed canopy there currently that comes out 9 feet. We are going to replace that with new construction. The 33’ x 10’ area is basically an overhang with landscaping below it.

**Question Eilertson:** Are there two vestibules there? I think there was one on the north end as well. What do you plan to do with that one?

**Answer Schlifer:** That one will come down.

**Appearing in opposition:** None.

**Correspondence:** No correspondence.

**Question Eilertson:** Anything from the DOT?

**Answer Harding:** Nothing from the DOT.

**Question Raymer:** Would the County Highway Department weigh in on this on behalf of the state?

**Answer Harding:** No, any objections would come from the state.

**Discussion:** Discussions regarding Highway 35 being a scenic byway and the effects of the proposed construction. Discussions regarding the area being in a floodplain. Discussion on recommendations from the town.

**Remarks Schlifer:** We did meet with the Town of Shelby the first Monday in November and they said that they would send in their recommendation for approval.

**Question Raymer:** Is this in a wetland where the DNR should have sent us something?

**Answer Eilertson:** I don’t think that this is wetland, but I think that it is flood fringe.

**Motion Eilertson/Thompson to approve subject to the provision that the construction be completed within 12 months.** 3 Aye, 0 No and 0 excused. Motion carried unanimously.

**APPEAL NO. 2013-33** Robert M & Susan E Christopherson, W1297 State Rd 33, Bangor, WI 54614. Permit denied to construct a 15,519 sq. ft. detached accessory building that will exceed the area and height limits for such buildings on this 5.6 acre lot. Property is described as part of the NW/NW of Section 15, T15N, R5W. Tax parcel 12-323-0. Property address W1297 State Rd 33. Town of Washington.

**Appearing in favor:** Robert Christopherson, W1297 State Rd 33, Bangor WI 54614. We are basically here to request an indoor riding arena. We will take two existing buildings down. The reason we need a riding ring is that we have grandkids and a daughter with cerebral palsy. We do have additional acreage across the road, but it is not adjacent.

**Question Raymer:** How far away is your additional land?

**Answer Christopherson:** It is across the road, towards the Mikshowsky’s, about three football fields away. We used to rent land from the Servais’s for a riding arena, but we now have lost that lease. 110’ or 120 feet of the building will be riding arena.

**Question Eilertson:** This is 5.6 acres and you also own some land?

**Answer Christopherson:** I noticed that as well and questioned it. The total piece is 17.1 acres. Currently the area is used for pasture. It is all agricultural land and the house sits on about 1.5 acres.

**Remarks Raymer:** You could combine the two parcels because they are contiguous, otherwise they are considered two parcels.

**Remarks Christopherson:** Yes, the total there is 17.1 acres and that is what we pay taxes on. You can see the old riding arena on the aerial photograph.

**Question Thompson:** Do you have building plans?

**Answer Christopherson:** Yes, I brought them with me. We have some equipment that we need to get inside as well, a tractor and a horse trailer. The building is moved back far enough to meet the required setback with the new state road right-of-way. The road is scheduled for improvements in 2015.
Discussions regarding the building plans and design.

**Question Eilertson:** What is the time frame for construction?

**Answer Christopherson:** We would have this done in the spring. Our neighbor expressed an interest in the old pole building. That will need to be removed first. I did go to the Town of Washington last week and they were going to write a letter in support. My neighbors are in favor of this as well.

**Appearing in opposition:** None.

**Correspondence:** An email to Nate Sampson from Barb Muenzenberger indicating that the Town motioned to recommend approval of this variance at a meeting on Wednesday, November 13, 2013.

**Discussion:** Discussion regarding the the 65 foot setback from the road and the proposed new highway.

**Remarks Harding:** The new right-of-way map for Highway 33 is preliminary and the state has not purchased any additional right-of-way yet.

**Motion Eilertson/Thompson to approve subject to the provision that the construction be completed within 12 months. 3 Aye, 0 No, and 0 excused. Motion carried unanimously.**

**APPEAL NO. 2013-34** Darlene Dovenberg, o/b/o Dovenberg Investments, LLC., W4771 Dovenberg Rd, West Salem, WI 54669. Permit denied to construct a 24-ft x 24-ft detached accessory building that will lie within the required 50-ft setback from the Count Rd OA right of way. Property described as part of the E 1/2 of the NE 1/4 of Section 29, T16N, R6W. Tax parcel 2-351-1. Property address N3249 County Rd OA. Town of Barre.

**Appearing in favor:** Scott Rowe, N4634 Spring Coulee Rd, West Salem, WI 54669. I am Darlene’s son-in-law. The existing detached garage...access to that by a vehicle cannot be done. There is a well between that building and the house. The reason to place the new garage here is to keep away from the well and to keep the existing building accessible.

**Question Eilertson:** Where is the well?

**Answer Rowe:** It is about 20 feet north of the house. By pushing the building towards the road and turning it, they can come in the existing driveway and not compromise the well and still use the existing building.

**Question Thompson:** Why can’t the new building run parallel to the existing garage.

**Answer Rowe:** That will put the garage too far away from the house and it will take up some of the cornfield.

**Remarks Eilertson:** One of our jobs is to look at alternatives.

**Remarks Thompson:** It won’t be much further from house, but it will meet the 50 foot setback.

**Remarks Rowe:** But, to have access to the other garage, you would have to be 20’ or 30 feet away from it.

**Question Thompson:** Does the existing garage open to the north?

**Answer Rowe:** Yes. We tried as best we can to get it to meet the setback, but then you end up quite a ways from the house.

**Question Thompson:** Can you change the access to the existing garage?

**Answer Rowe:** I don’t know, it is an old building and I didn’t look inside.

**Appearing in opposition:** None.

**Correspondence:** An email to Nathan Sampson from Ron Chamberlain, County Highway Commissioner expressing opposition to the proposed variance appeal.
Discussion: Discussion regarding the possibility of moving the proposed building to meet the required setback.

Question VandenLangenberg: Any correspondence from the Town of Barre?
Answer Harding: No, nothing from the town.

Remarks Rowe: If the twelve feet doesn’t work, then can we take an average between the Clement’s building and the house. Can we make that work? Clement’s building is right on the edge and the house is 18 feet from the right-of-way.

Remarks Eilertson: What the commissioner is concerned about is that they don’t make someone tear down a building, they have to pay for it. That is taxpayer dollars that does it. When the commissioner usually has a problem with something, then we normally go along with it.

Remarks Raymer: If this were a town road, the Town Board would be the ones we would listen to, but this is a County Highway.

Remarks Thomson: The house is pre-existing.

Appearing in favor: Darlene Dovenberg, N4771 Dovenberg Rd, West Salem, WI 54669. When I dealt with Sherrie and the took down the existing building they gave me $8000. She told me that I could put a new garage back here. She worked with the people that bought the land to build the new road. I was unable to get hold of her.

Question Raymer: Who is Sherrie?
Answer Dovenberg: She was with Timber-Elleson, the county contracted with them to purchase the additional right-of-way for the new road. She said that I would be able to do this. The garage that we took down was much bigger than the one that I am proposing. Syl’s building is right on the right-of-way. I am just asking for a garage and, can you imagine having your garage way back behind your house.

Remarks Raymer: Another option would be to remove the other existing garage. Not much we can do here.

Remarks Thomson: Not unless you get Ron Chamberlain to go along with it.

Remarks Eilertson: There are other options here and we can’t go against the commissioner.

Motion Eilertson/Thompson to Deny. 3 Aye, 0 No, and 0 excused. Motion carried unanimously.

Motion Eilertson/Thompson to adjourn at 6:55pm. 3 Aye, 0 No, and 0 excused. Motion carried unanimously.