

**MINUTES OF
GREEN COUNTY BOARD OF ADJUSTMENT
Wednesday, June 21, 2023**

1. CALL TO ORDER AND ROLL CALL

The Board of Adjustment met in the County Board Room of the Green County Courthouse in Monroe on Wednesday, June 21, 2023. At 7:00 p.m., the meeting was called to order by Chairman Fahey. Roll call was taken and present were Ted Fahey, Cal Wasserstrass, Wayne Dieckhoff, Larry Eakins and Joni Waelchli-Buehl. Also present were Adam Wiegel, Zoning Administrator and Sara Larsen, Zoning Technician

2. CONSIDER THE MINUTES

Motion by Wasserstrass, second by Dieckhoff to approve the minutes from the May 17, 2023 meeting. Motion carried.

3. VIRTUAL SITE VISIT(S)

A. Mauro and Tracy Magellan, landowners: located at N3116 County M, section 28, Town of Jordan.

Application for a variance to allow more than one residence per lot.

B. Frank Kapel, landowner: located at W1529 Ware Road, section 21, Town of Albany.

Applications for variances for the construction of two decks on a lot under minimum lot size, 17,424 square feet vs county code minimum of 20,000 square feet.

C. Molina Living Trust, landowner: located at W886 Highway 92, section 2, Town of Brooklyn.

Application for a conditional use permit for the operation of a seasonal event center.

4. SCHEDULE NEXT MONTH'S MEETING DATES:

Site visits/Public hearings(s)-Wednesday July 19, 2023 at 7:00 p.m. in the County Board Room. Motion by Dieckhoff, second by Eakins to recess the meeting until 7:30. Motion carried.

5. CONDUCT HEARING(S)

A. At 7:30 p.m., Fahey called the MAGELLAN public hearing to order, stating that the purpose was to consider application 2023-249 for the issuance of a variance to Mauro and Tracy Magellan, to allow more than one residence per lot. The land is zoned agricultural and is located at N3116 County M, section 28, Town of Jordan. Roll call of the parties of interest was taken and present were Mauro and Tracy Magellan, landowners and Merlyn L. and Margaret J. Revocable Living Marital Trust, adjoining landowners. All other parties of interest were absent. For testimony and evidence presented at the public hearing refer to shared Public Hearings APP 2023-249. After hearing all testimony and evidence presented at the public hearing, Dieckhoff made a motion that was seconded by Waelchli-Buehl to deny the variance as requested. Roll call on the motion was as follows: Wasserstrass, aye, Waelchli-Buehl, aye, Eakins, aye and Dieckhoff, aye. The motion carried. Motion by Eakins, second by Wasserstrass to recess the public hearing. The motion carried.

B. At 8:00 p.m., Fahey called the KAPEL public hearing to order, stating that the purpose was to consider applications 2023-250 and 2023-251 to consider variance for the construction of two decks on a lot under minimum lot size 17,424 square feet vs county code minimum of 20,000 square feet. The land is zoned agricultural and is located at W1529 Ware Road, section 21, Town of Albany. Roll call of the parties of interest was taken and present were Frank Kapel, landowner; Joan and Keith Baumeister and Alan and Mary Lancaster, adjoining landowners. All other parties of interest were absent. For testimony and evidence presented at the public hearing,

refer to shared/Public Hearings APP 2023-250 and 2023-251. After hearing all testimony and evidence presented at the public hearing, Wasserstrass made a motion that was seconded by Waelchi-Buehl to approve the variances as requested. Roll call on the motion was as follows: Wasserstrass, aye, Waelchli-Buehl, aye, Eakins, aye and Dieckhoff, aye. The motion carried. Motion by Waelchi-Buehl, second by Wasserstrass to recess the public hearing. The motion carried.

C. At 8:30 p.m. Fahey called the MOLINA LIVING TRUST public hearing to order, stating that the purpose was to consider application 2023-292 for a conditional use permit from Molina Living Trust, landowner for the operation of a seasonal event center. The land is zoned agricultural and is located at W886 Highway 92, section 2, Town of Brooklyn. Roll call of the parties of interest was taken and present were Molina Living Trust; landowner; John Stolle and Melissa Williams-Stolle and Russell and Mary Cichy, adjoining landowners. For testimony and evidence presented at the public hearing refer to shared Public Hearings APP 2023-292. After hearing all testimony presented at the public hearing Eakins made a motion that was seconded by Wasserstrass approve the conditional use permit request with the following conditions:

1. Event center, operated seasonally between May 1 and October 31;
2. Public gatherings, included but not limited to: weddings, educational, community and family events;
3. Lighting downward facing;
4. 8 am to 10 pm- n activity after 10 pm or before 8 am, no amplified sound after 10 pm;
5. Catered food and beverage. No food prepared onsite. No plate or glass washing onsite;
6. Parking available 385' x 80' and 170' x 165'. No parking on state highway;
7. Portable toilets, rented removed after each event;
8. Up to 40' x 60' tent;
9. 1,467 square feet barn called the Harvest House with a 27' x 27' main room 9' x 11' office/changing room, can accommodate small groups and gatherings. No fixtures in the structure;
10. No structures or tents south of the greenhouse, parking is allowed; and
11. Up to but not more than 200 guests.

Roll call on the motion was as follows: Waelchi-Buehl, aye, Dieckhoff, aye, Eakins, aye, Wasserstrass, aye and Fahey, aye. The motion carried. Motion by Eakins, second by Waelchi-Buehl to recess the public hearing. The motion carried by unanimous voice vote.

6. ADJOURNMENT

Motion by Eakins, second by Waelchi-Buehl to adjourn. The motion carried by unanimous voice vote.

Larry Eakins
Secretary

Adam M. Wiegel
Acting Secretary