

**MINUTES OF
GREEN COUNTY BOARD OF ADJUSTMENT
Wednesday, October 18, 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, October 18, 2023. At 7:00 p.m., the meeting was called to order by Chair Fahey. Roll call was taken and present were Ted Fahey, Cal Wasserstrass, Larry Eakins and Joni Waelchli-Buehl. Also present were Adam Wiegel, Zoning Administrator.

2. CONSIDER THE MINUTES

Motion by Wasserstrass, second by Waelchli-Buehl to approve the minutes from the September 20, 2023 meeting. Motion carried.

3. VIRTUAL SITE VISIT(S)

A. Jennifer and Kristen Reif, landowners: located at N3932 Park Road, section 15, Town of Decatur.

Application for a conditional use permit for a lodging house.

B. Jeffery Minder, landowners: located at N902 Haddinger Road, section 23, Town of Clarno. Applications for a variance for the construction of an addition to a residence in the setback area of Advance Road, 48 feet to the center line vs county code minimum of 63.

C. Chad Green and Clayton Johnson, landowners, located at N1637 Highway 69, section 16, Town of Clarno.

Application for a conditional use permit for the operation of an automobile wrecking yard.

4. SCHEDULE NEXT MONTH'S MEETING DATES:

Site visits/Public hearings(s)-Wednesday November 15, 2023 at 7:00 p.m. in the County Board Room. Motion by Wasserstrass, second by Waelchli-Buehl to recess the meeting until 7:30. Motion carried.

5. CONDUCT HEARING(S)

A. At 7:30 p.m., Fahey called the REIF public hearing to order, stating that the purpose was to consider application 2023-490 for the issuance of a conditional use permit from Jennifer and Kristen Reif, landowners for the operation of a lodging house. The land is zoned agricultural and is located at N3932 Park Road, section 15, Town of Decatur. Roll call of the parties of interest was taken and present were Jennifer and Kristen Reif, landowners; Allen Schneider, Town of Decatur; Jennifer and Michael Krause and Marshall and Kathleen Markham, adjoining landowners. All other parties of interest were absent. For testimony and evidence presented at the public hearing refer to shared Pubic Hearings APP 2023-490. After hearing all testimony and evidence presented at the public hearing, Waelchli-Buehl made a motion that was seconded by Wasserstrass to approve the conditional use permit with the following conditions:

1. Lodging House, Boarding House or Bed and Breakfast establishment exceeding 3 Boarders or lodgers;
2. House and shed;
3. Maximum number of guests per septic system (currently 3 bedroom or 6 people);
4. No fireworks, guns are ATV'S;
5. No parties;
6. No parking on Park Road or neighbor's property;
7. No pets are allowed except service animals;
8. Contact of a local property manager on file with the Zoning Office;
9. Property boundaries clearly marked;
10. Quite hours: 10 p.m. to 9 a.m.;
11. Property inspected by township building inspector (if they choose to inspect);
12. System installed to notify property managers/property owner of load noise (party squasher); and
13. Cameras to monitor outside activity

Roll call on the motion was as follows: Waelchli-Buehl, aye, Eakins, aye and Wasserstrass, aye. The motion carried. Motion by Eakins, second by Waelchli-Buehl to recess the public hearing. The motion carried.

B. At 8:20 p.m., Fahey called the MINDER public hearing to order, stating that the purpose was to consider applications 2023-507 for the issuance of a variance for the construction of an addition to a residence in the setback area of Advance Road 48 feet to the centerline vs county code minimum of 63 feet. The land is zoned agricultural and is located at N902 Haddinger Road, section 23, Town of Clarno. Roll call of the parties of interest was taken and present was Jeffery Minder, landowner. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared/Public Hearings APP 2023-507. After hearing all testimony and evidence presented at the public hearing, Wasserstrass made a motion that was seconded by Waelchli-Buehl to approve the variance as requested. Roll call on the motion was as follows: Waelchli-Buehl, aye, Eakins, aye and Wasserstrass, aye. The motion carried. Motion by Wasserstrass, second by Eakins to recess the public hearing. The motion carried.

C. At 8:45 p.m., Fahey called the GREEN/JOHNSON public hearing to order, stating that the purpose was to consider application 2023-447 for the issuance of a conditional use permit from Chad Green and Clayton Johnson, landowners for the operation of an automobile wrecking yard. The land is zoned agricultural and is located at N1637 Highway 69, section 16, Town of Clarno. Roll call of the parties of interest was taken and present were Chad Green and Clayton Johnson, landowners and John and Susan Maveus, adjoining landowners. All other parties of interest were absent. For testimony and evidence presented at the public hearing refer to shared/Public Hearing APP 2023-447. After hearing all testimony and evidence presented at the public hearing, Wasserstrass made a motion that was seconded by Eakins to approve the conditional use permit request with the following conditions:

1. Automobile wrecking, junk yard;
2. Parting out automobiles;
3. Scraping automobiles;
4. No employees;
5. Hours of operation 6 a.m. to 7 p.m. Monday thru Saturday, No vehicle maintenance on Sunday;
6. Selling parts-later
7. Holding tank
8. Screening per county code section 4-3-1-2:A.12.I, solid wall, fence, evergreen planting or equivalent six feet high
9. All tires must be stored under cover;
10. Notify local fire department of the business with a copy of the notification sent to the Zoning Department;
11. All fluids removed from vehicles must be properly disposed of;
12. No stacking of vehicles; and
13. Annual water testing required starting on January 1, 2024.

Roll call on the motion was as follows: Wasserstrass, aye, Waelchli-Buehl, no and Eakins, no. The motion failed. Motion by Eakins, second by Waelchli-Buehl to deny the conditional use permit request. Roll call on the motion was as follows: Eakins, aye, Waelchli-Buehl, aye and Wasserstrass, aye. The motion carried. Motion by Eakins, Second by Waelchli-Buehl to recess the public hearing. The motion carried.

6. ADJOURNMENT

Motion by Eakins, second by Wasserstras to adjourn. The motion carried by unanimous voice vote.

Larry Eakins
Secretary

Adam M. Wiegel
Acting Secretary