

**WAUPACA COUNTY BOARD OF ADJUSTMENT MEETING
MINUTES –SEPTEMBER 14, 2017**

ON-SITE INSPECTIONS: The Board made on-site inspections starting at 8:15 a.m. on the William B. & Jeanine Kes Bode property, Town of Farmington.

Chair Craig called the meeting to order at 9:00 a.m. Roll call was taken with the following members present: P. Craig, A. Richardson, J. Fulcher, P. Leder and D. Johnson, all present.

D. Johnson moved and A. Richardson seconded the motion to approve the agenda as presented. The motion was carried.

P. Leder moved and A. Richardson seconded the motion to approve the minutes from the June 15, 2017 meeting. The motion was carried.

PUBLIC HEARINGS:

The first public hearing was called to order at 9:07 a.m. by Chair Craig to hear the Appeal of the interpretation of the Waupaca County Zoning Ordinance in regards to the setback restrictions on a private road for **William B. & Jeanine Kes Bode**: Located on Lot 123 of Mound Grove Plat in Sec. 35, Town of Farmington, lying along County Highway QQ, Fire Number N2797, Waupaca County, Wisconsin; for an Appeal to the Board of Adjustment of the interpretation of the Waupaca County Zoning Ordinance in regards to the setback restrictions on a private road in an SR (Sewered Residential Single-Family) District. Roll call was taken with the following members present: P. Craig, A. Richardson, J. Fulcher, P. Leder and D. Johnson, all present. The Board, Ryan Brown, Planning & Zoning Director, and Jean Gliniecki, Zoning Administrator, made an on-site inspection of the property. Deb Giuffre read the names of persons notified of the hearing. Chair Craig declared the hearing legal and gave the general procedure.

William Bode was sworn in to testify. Mr. Bode is contesting the access road to four (4) parcels being a private road, which makes the lot unbuildable with the setback restrictions of a private road.

Chair Craig called three times for any testimony in favor of the application.

Gary Graham was sworn in to testify. Mr. Graham has the same situation with a private road and supports the interpretation of a private road being changed.

Richard Siegler was sworn in to testify. Mr. Siegler would like to expand his garage but cannot meet the setback to the road because it is also considered a private road.

Chair Craig called three times for any testimony in opposition to the application. There was none.

Ryan Brown, Planning & Zoning Director, explained Chapter 34 of the ordinance regulations regarding level III highway setbacks and the 911 code.

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William Bode came back for rebuttal. Mr. Bode is asking to build within the setback of the County Road instead of the 8 foot gravel driveway and to change the interpretation of a private road for a solution.

P. Leder moved and A. Richardson seconded the motion to **DENY** the Appeal due to the following: The private road in question is defined by Chapter 34 to be a level III highway to which setbacks apply. Roll call vote was taken: P. Craig—yes; J. Fulcher —yes; A. Richardson—yes; P. Leder —yes and D. Johnson —yes, unanimous vote to DENY the appeal request. D. Johnson moved and A. Richardson seconded the motion to close the hearing at 9:44 a.m. The motion was carried.

DISCUSSION/POSSIBLE ACTION:

- Potential Policy Changes in reference to legal representation for Board of Adjustment proceedings was discussed and would be handled on a case by case basis.
- Potential Policy Changes in regards to the Findings of Fact procedure was discussed and will be done on a trial basis and then make a decision.

D. Johnson moved and J. Fulcher seconded the motion to adjourn the meeting at 10:16 a.m. The motion was carried. The Board adjourned.

Debra Giuffre
Recording Secretary

cc: County Clerk