

TOWN OF TAYCHEEDAH
FOND DU LAC COUNTY, WISCONSIN

**Minutes of Board of Appeals Public Hearing
April 25, 2018**

CALL TO ORDER

The meeting was called to order at 6:00 p.m. at the Town Hall. Present were Board of Appeals members Jerome Board, John Buechel, Tim Marcoe, Mark Gulig and Jason Meyer. Also present were Town Clerk Kris Marcoe, representatives of Mild 2 Wild Paint and Graphics, Mike Korb representing R.A.M. Investments, as well as various members of the public. The Town Clerk confirmed open meeting notice and Class 2 publications.

MILD 2 WILD
PAINT & GRAPHICS
PRESENTATION

Tim Engel spoke on behalf of Mild 2 Wild Paint & Graphics and explained that he is seeking to obtain a conditional use permit. Mr. Engel explained how his business is a high-end restoration shop and most of his clients are from out of state. The vehicles he will be working on will be kept inside his shop, no auto parts will be kept outside his building. The building will be divided into two sections; one side a metal shop and painting booth, the other side will store the finished vehicles until picked up. Ventilation for the painting booth will be OSHA approved. Activity will be limited to delivery of parts and customers with set appointments. Mr. Engel is waiting for the state approved plan. Once received construction may begin as early as June 2018 with a completion in Fall of 2018. Paint and chemical storage will be in approved containers through a PPS Paint Liner System. No fences will be placed as all vehicles and parts will be kept inside the building. One (1) enclosed trailer and one (1) open trailer will be kept alongside of the building. Lighting will be LED lights on the eaves shining down. Landscaping will be minimal with grass to keep the water moving due to the existing swale.

PUBLIC COMMENTS
AND TESTIMONY

Members of the public raised questions about hours of operation. Mike Korb of R.A.M. Investments went into details and explained the covenants regarding items contained within fences, parking on the road and hours of operation is the Town of Taycheedah's responsibility.

BOARD DISCUSSION/
ACTION

A letter received by a property owner within 300' was read aloud. A motion was made, seconded, and passed to approve the permit on the following terms:

- A. Overhead doors will be closed at 6:00 p.m.
- B. Overnight parking – no more than 5 vehicles allowed. This does not include the two car trailers.
- C. The permit term will be 10 years beginning April 25, 2018.

ROLL CALL VOTE:

Tim Marcoe aye
Mark Gulig aye
John Buechel aye
Jason Meyer aye
Jerome Bord aye

Motion carried unanimously


ADJOURNMENT

No other business coming before the Board, a motion was made and seconded with unanimous approval to adjourn.

Dated this 25th day of April 2018.

TOWN OF TAYCHEEDAH

By:



Kris Marcoe, Clerk

**TOWN OF TAYCHEEDAH
BOARD OF APPEALS
MICHAEL & KARLA DISHAW VARIANCE
MAY 30, 2018
6:00 P.M.
TAYCHEEDAH TOWN HALL**

Members present: Chairman Jerome Bord, Tim Marcoe, Mark Gulig, John Buechel, Joe Sabel and Secretary Kristin Marcoe

The purpose of the public hearing was to consider a variance requested by Michael & Karla Dishaw for an exception to Section 13-1-24(f)(3)(a), Highway Setback Lines; Section 13-1-48(d)(6)(a), Side yard Setback; and Section 13-1-48(d)(7), Rear Yard Setback, of the Town of Taycheedah Code of Ordinances, to allow for the construction of a home with a reduced front setback, a reduced side yard setback and a reduced rear setback.

Secretary Kristin Marcoe recorded the hearing and took notes.

The Chairman called the hearing to order at 6:00 p.m. The Secretary read the notice.

Alec Dishaw and Michael Dishaw were sworn in. Alec represented both Michael & Karla Dishaw and discussed in detail regarding the variance. His testimony and responses to questions are as follows:

- In October 2016 the variance was granted and has since expired with no construction work done.
- Minawa Beach Road is a unique beach regarding the lot sizes. The North branch consists of 100' lots and the South branch consists of 50' lots divided by a private beach road. The Dishaw residence is on the South branch. The road is maintained by the owners, not the Town
- The Dishaws have secured a building permit from Fond du Lac County Shoreland Zoning to allow for a 200sf lateral expansion of the footprint which is now brought forward for the Town of Taycheedah's approval.
- The current cottage sits on the West side of the road. A well is located just south of the existing cottage. An existing garage is located on the East side of the road. WI DNR identified an area of wetland east of the existing garage making this area not suitable for building a home due to its unique limitations of overhead electric crosses property at an angle, the property east of the road backs up to a navigable waterway, currently has an existing garage, currently in the flood plain and has many mature trees.
- The property on the West side of the road also has unique limitations. The property where the current homestead exists is non-buildable without the variances requested due to the property being restricted by its western most border; Lake Winnebago and its minimal setback. Also, this plot is restricted by private roads proximity to the water and the sewer easement in the buildable space.
- No harm to the public interest: This residence will be in congruence with existing structures on Minawa Beach Road and will be zoned appropriately. The residence will not be unfit for the beach, in the last 15 years two (2) homes were rebuilt on the southern branch of Minawa Beach Road with similar square footage and aesthetic appeal. The residence will not alter the use of neighboring properties and will not limit or alter accessibility of properties south of the new residence. The prevention of water pollution will be a vast improvement with the new structure. The implementation of two rain gardens on the property in addition to redirecting runoff as to not compromise the waterway.
- In applying for the variances, they are requesting it must be foremost acknowledged that the intent is to protect the waterway and neighboring properties and that we do not seek a variance as a free pass from regulation, but to seek a variance as a necessity to build a structure due to the unique lot.
- The unnecessary burdensome, to be mentioned, is concerned with the portion west of the private road, the only portion of land that is a buildable home site on this lot as well as the limitation to expand in any other direction other than toward the north as well as east due to the floodplain, well, required rain garden and neighboring home to the south.
- Conformity with the current setback restrictions (OHM) measured from the neighbor's lot and the unnecessary physical constraint produced, not by the owner's lot, but by the neighbor's lot, is unnecessarily burdensome and deprives the owners the right of reasonable use of their property which are substantially the same as the possessed by owners of other properties in the same zoning district.

TOWN OF TAYCHEEDAH
FOND DU LAC COUNTY, WISCONSIN

Minutes of Board of Appeals Public Hearing
July 16, 2018

CALL TO ORDER

The meeting was called to order at 6:00 p.m. at the Town Hall. Present were Board of Appeals members Jerome Bord, John Buechel, Tim Marcoe, Jason Meyer and Joe Sabel. Also present were Town Clerk Kris Marcoe, Town Attorney Matt Parmentier, representative of SAC Wireless on behalf of AT&T Tony Phillips and various members of the public. The Town Clerk confirmed open meeting notice and Class 2 publications.

PROCEDURAL
BACKGROUND
(SAC Wireless/AT&T)

Attorney Matt Parmentier gave the board members a brief history of the conditional use permit and emphasized key points. The last permit was issued in November 2005 with an expiration date of November 2015, a term of 10 years. The permit has lapsed. Historically the board has approved these types of renewals with forfeitures.

SAC WIRELESS
PRESENTATION

Tony Phillips represents SAC Wireless and spoke on behalf of AT&T and explained that he is seeking to renew the conditional use permit to continue operations of the 140-foot monopole tower and base station located at N8295 Abler Road. Tony informed the board he is aware the conditional use permit has expired. SAC Wireless is an authorized agent for AT&T. AT&T is the owner. The upgrades to the tower includes the FirstNet Program. This upgrade is a federal and national program associated with 1st responder's communication. Tony met with the Town's Building Inspector Paul Birschbach to review the permits needed. Permits will be issued by Paul contingent on the Board of Appeals approval.

PUBLIC COMMENTS
AND TESTIMONY

No public comments or testimony

BOARD DISCUSSION/
ACTION

Discussions and clarification on procedures if the tower would change ownership, forfeiture and the Town penalty ordinance. A motion was made, seconded, and passed to approve the permit on the following terms:

- A. AT&T is listed on the permit as the owner
- B. That AT&T provide the Town with a current certificate of insurance identifying the Town as an additional insured.

- C. That AT&T provide the Town with a current tower removal bond in the amount of \$25,000.00
- D. That AT&T pay the Town a forfeiture in the amount of \$3,100.00
- E. The permit term will be 10 years beginning July 16, 2018.

When items A through D are received and acceptable the conditional use permit will be signed and distributed.

ROLL CALL VOTE

Joe Sabel aye
Tim Marcoe aye
John Buechel aye
Jason Meyer aye
Jerome Bord aye

Motion carried unanimously

PROCEDURAL
BACKGROUND

(Subcarrier Communications)

Attorney Matt Parmentier gave the board members a brief history of the conditional use permit and emphasized key points. The last permit was issued in June 2000 with an expiration date of June 2004, a term of 4 years. The permit was renewed in 2004. Between 2004 and 2007 the tower owner changed without notifying the Town. Subcarrier's transfer was approved by the Board in 2007 and was informed the permit was expiring in 2008. The permit was not renewed and has lapsed in 2008. Application and fees were received.

SUBCARRIER
COMMUNICATIONS
PRESENTATION

No representation

PUBLIC COMMENTS

Town Chairman Joe Thome read a letter he received from Subcarrier Communications. The letter gave a brief history of the company. They asked for the renewal of the conditional use permit and understand forfeitures will be due.

Concern about haybales stored around the base of the tower within the leased parcel of land.

BOARD DISCUSSION/
ACTION

Discussions and clarification on forfeiture and the Town penalty ordinance, bond amount and certificate of insurance. A motion was made, seconded, and passed to approve the permit on the following terms:

- A. Subcarrier Communications is listed on the permit as the owner

- B. That Subcarrier Communications provide the Town with a current certificate of insurance identifying the Town as an additional insured.
- C. That Subcarrier Communications provide the Town with a current tower removal bond in the amount of \$50,000.00
- D. That Subcarrier Communications pay the Town a forfeiture in the amount of \$12,000.00
- E. Items not identified on the site plan page C-2 of the 100'x100' footprint of the leased area will be removed.
- F. The permit term will be 10 years beginning July 16, 2018.

When items A through E are received and acceptable the conditional use permit will be signed and distributed.

ROLL CALL VOTE

Joe Sabel aye
Tim Marcoe aye
John Buechel aye
Jason Meyer aye
Jerome Bord aye

Motion carried unanimously

ADJOURNMENT

No other business coming before the Board, a motion was made and seconded with unanimous approval to adjourn.

Dated this 16th day of July 2018

TOWN OF TAYCHEEDAH

By:



Kris Marcoe, Clerk



Fond du Lac County

CODE ENFORCEMENT OFFICE

160 S. Macy Street
Fond du Lac WI 54935

Phone: 920-929-3139
Fax 920-929-7655

NOTICE OF ACTION/FILING OF DECISION

September 4, 2019

Michelle Ziegler
N7466 Winnebago Dr
Fond du Lac, WI 54937

Appeal #2019-007
N7466 Winnebago Dr
Section 31, Town of Taycheedah

Dear Michelle:

At the August 19, 2019, meeting of the Sanitation, Shoreland and Floodplain Zoning Board of Adjustment, your request for an after-the-fact variance was considered. On the basis of the evidence presented at the hearing on this case, the Board of Adjustment voted to modify your request for a variance as follows:

Patio construction with a reduced shoreland setback adding a vegetative buffer 10' wide along Lake Winnebago with a 35' wide viewing area.

Minutes of the hearing and the decision of the Board of Adjustment are available for your inspection at the Fond du Lac County Code Enforcement/Sanitarian Office. If copies of the minutes are desired, they may be secured upon request and payment of duplication costs.

Sincerely,

David Sehloff
Chairman Board of Adjustment

DS:kk
CC: DNR
Township

FOND DU LAC COUNTY BOARD OF ADJUSTMENT
DECISION

Appeal # 2019-007

Address: N7466 Winnebago Drive

Section:31, Town of Taycheedah

Tax Parcel No. T20-16-18-99-WI-031-00

PETITION: Michelle Ziegler petition for a variance from Section 44-203 (a) of the Fond du Lac County Shoreland Zoning Chapter which states: Boat houses and other structures within shoreland setback. (a) (NR115.05(1)(b)1.) Unless exempt under subsection (b), or reduced under section 44-204, a setback of 75 feet from the ordinary high-water mark of any navigable waters to the nearest part of a building or structure shall be required for all buildings and structures.

Variance requested: After-the-Fact patio construction with a reduced shoreland setback

Located in Lots 2 & 3 Willow Beach, Fond du Lac County.

HEARING: After due notice a public hearing was held by the Fond du Lac County Sanitation, Shoreland and Floodplain Board of Adjustment on Monday, August 19, 2019 at 6:00 p.m. in the City/County Government Center in Rooms G & H, Fond du Lac, Wisconsin to consider this Petition for Grant of After-the Fact Variance. At said hearing all those who desired to be heard were heard and their testimony was recorded. All testimony has been carefully considered.

THREE STEP TEST: To qualify for a variance, the applicant must demonstrate that their **property** meets **all three** of the following requirements.

1. **Unique property limitations**

Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with ordinance requirements. The circumstances of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances or lack of objections from neighbors do not provide a basis for granting a variance.

Do unique physical characteristics of the property prevent compliance with the ordinance? If yes, please explain. If no, a variance **cannot** be granted.

To offset current distance of other structure. Create a riparian buffer of 10 feet.

2. **No harm to public interests**

A variance may not be granted which results in harm to public interests. In applying this test, the zoning board must consider the impacts of the proposal and the cumulative impacts of similar projects on the interests of the neighbors, the entire community and the general public. These interests are listed as objectives in the purpose statement of the Fond du Lac County Shoreland Zoning Ordinance and include:

- Further the maintenance of safe and healthful conditions and prevent and control water pollution
- Protect spawning grounds, fish and aquatic life
- Control building sites, placement of structures and land uses
- Preserve shore cover and natural beauty

Explain any impacts that would result if the variance was granted. For each impact, describe potential mitigation measures and the extent to which they reduce the project impact. If there is a potential harm to public interest, a variance **cannot** be granted.

A riparian buffer is in shoreline

3. **Unnecessary hardship**

An applicant may not claim unnecessary hardship because of conditions which are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home). Courts have also determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel. The property owner bears the burden of proving unnecessary hardship.

For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The board of adjustment must consider the purpose of the zoning restriction, the zoning restriction's effect on the property, and the effects of a variance on the neighborhood, the community and the public interests. This standard reflects the *Ziervogel* and *Waushara County* decisions.

Explain unnecessary hardship. If the owner cannot demonstrate an unnecessary hardship, a variance **cannot** be granted.

New deck did not encroach any further from lake.

DECISION: The Fond du Lac County Sanitation, Shoreland and Floodplain Board of Adjustment votes to modify the Petition for Grant of Variance submitted by Michelle Ziegler as follows:

REASONS : Create a vegetative buffer 10' wide along Lake Winnebago with a 35' viewing area.

By the following vote: Modify

MOTION MADE BY: William Averbeck

SECONDED BY: Donald Patchett

By the following vote:

David Sehloff	abstain
Frank Bartzon	modify
Joseph Minz	modify
Donald Patchett	modify
William Averbeck	modify
Tom Sugars	abstain

The privileges granted by this decision shall become void after one (1) year unless an extension has been granted by the Fond du Lac County Sanitation, Shoreland, Floodplain Board of Adjustment.

FOND DU LAC COUNTY BOARD OF ADJUSTMENT

SIGNED: DAVE SEHLOFF DATED: 7/5/19
Board Chairperson/Vice Chairperson FILED: _____

A party aggrieved by the decision of the Board of Adjustment may appeal to the Circuit Court under Wisconsin Statutes 801.02(5) and 59.694(10) within thirty (30) days after filing of the decision.

Copies to: Applicant
Township
DNR

**TOWN OF TAYCHEEDAH
BOARD OF APPEALS
SUMMIT QUARRY, LLC and EVENSON CONSTRUCTION COMPANY, INC.
CONDITIONAL USE PERMIT AMENDMENT
JUNE 3, 2020
TAYCHEEDAH TOWN HALL**

Present: Jerome Bord, John Buechel, Joe Sabel, Jason Meyer and Secretary Kris Marcoe. Absent: Tim Marcoe. Also present were few interested persons.

The purpose of the public hearing was to consider an amendment to the Conditional Use Permit issued to Summit Quarry, LLC and Evenson Construction Company, Inc., for the purpose of changing maximum holes permitted per blast.

The Secretary, Kris Marcoe tape recorded the hearing and took notes.

Jerome Bord called the public hearing to order at 5:30 p.m. The Secretary read the notice.

Pat Strachan, representing Evenson Construction Company, Inc., was sworn in. His testimony was as follows:

- Pat requested the maximum number of holes permitted per authorized blast be consistent with NEA's quarry operations. Currently Evenson is allowed a maximum of 35 blasts.
- Jay from Orica USA explained in detail the blasting is more precise and decreases vibration.
- The number of holes drilled and size will not change.
- There is no state ordinance regarding the number of holes allowed. The state allows .75 seismograph which the new caps all these frequencies to be better.

There was a question amongst the Board of Appeals as to the expiration of the current Permit. Pat Strachan informed the board he will keep the current expiration date May 10, 2026.

Jerome Bord declared the public hearing closed at 5:51 p.m.

Board of Appeals member's deliberation was as follows:

- Nothing else will change but the number of blasts.
- Understand the ability of being more precise & less shots needed

Motion by John Buechel, second by Joe Sabel, to approve an amendment to the Conditional Use Permit as follows:

- **The maximum of 140 holes is permitted per authorized blast**

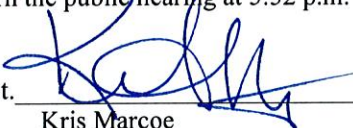
Roll call vote:

Joe Sabel	aye	Jason Meyer	aye
Jerome Bord	aye	John Buechel	aye

Motion carried unanimously.

Motion by John Buechel, second by Jason Meyer, to adjourn the public hearing at 5:52 p.m. Motion carried (4-0).

Attest.


Kris Marcoe
Secretary

TOWN OF TAYCHEEDAH
FOND DU LAC COUNTY

**Minutes of Board of Appeals Public Hearing
September 8, 2020**

The meeting was called to order at 6:32 p.m. at the Town Hall. Present were Board of Appeals members Jason Meyer, John Buechel, John Rickert, Tim Marcoe and Joe Sabel. Also present were Town Clerk Kris Marcoe, Ron Spies, David O'Brien representing Bayland Builders, Doug Hoerth representing Town of Taycheedah Building Permit Inspector/Issuer, as well as various members of the public. The Town Clerk confirmed open meeting notice and Class 2 publications.

Ron Spies spoke on behalf of his project and explained that he is seeking to obtain a conditional use permit. Mr. Spies explained how his building would store tractors and equipment along with 2 bays for storing RV's for immediate family. The entire storage facility would have 3 bays. Dough Hoerth explained to the Board the property is zoned A-2 General Agriculture and a conditional use permit is required due to private bathrooms in each bay. David O'Brien from Bayland Builders explained to the board that it is not uncommon to incorporate bathrooms in each bay.

Members of the public expressed appreciation to expand while others questioned the process and were concerned about outside storage.

Board Discussion/Action:

Hwy 151 is a Class 2 highway and the setback must be at least 100' from centerline which was confirmed. The storage facility would not block any residents view of the lake and is located far enough away from current residents. A motion was made, seconded, and passed to approve the permit on the following terms:

- A. The permit term will be 20 years beginning September 8, 2020
- B. Overnight parking – no more that 5 RV's allowed.
- C. Permit becomes null and void if ownership changes way from Spies Family Trust
- D. Permit becomes null and void if usage changes

Motion carried unanimously

No other business coming before the Board, a motion was made and seconded with unanimous approval to adjourn.

Attest.


Kristin A. Marcoe

Board of Appeals Secretary

TOWN OF TAYCHEEDAH
FOND DU LAC COUNTY

**Minutes of Board of Appeals Public Hearing
September 27th, 2021**

The meeting was called to order at 6:30 p.m. at the Town Hall. Present were Board of Appeals members Jerome Bord, Jason Meyer, John Buechel, Tim Marcoe and Mark Gulig. Also present were Town Clerk Kris Marcoe, Tim & Laurie Krawczyk, as well as various members of the public. The Town Clerk confirmed open meeting notice and Class 2 publications.

Tim Krawczyk was sworn in and spoke on behalf of his property and explained that he is seeking to renew the existing conditional use permit. Mr. Krawczyk inquired if the term of the permit could be 15 or 20 years. By doing this it may coincide when he retires.

No changes with the operating hours, no building changes and will not exceed 26 Saturdays per year.

No members of the public were present to object or speak on behalf of the renewal.

The board members and town clerk confirmed no complaints or violations were received. Tim Krawczyk informed the board he corrected the angle of a light the next day of receiving a complaint. Laurie Krawczyk inquired if a light is needed on their existing flagpole. Lights are only required on government associated buildings.

Board Discussion/Action:

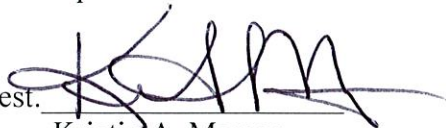
A motion was made, seconded, and passed to approve the permit on the following terms:

- A. The permit term will be 15 years beginning September 27, 2021
- B. Remove condition #2 from original CUP; "Clearing of trees on the adjacent properties" as this is no longer needed.
- C. Remove condition #5 from original CUP: "Construction commencement and completion dates" as this is no longer needed.
- D. Permit becomes null and void if ownership changes away from Tim and Laurie.
New owners must go through the process of obtaining a CUP.

Motion carried unanimously

No other business regarding this CUP coming before the Board, a motion was made and seconded with unanimous approval to adjourn at 6:40 p.m.

Attest.



Kristin A. Marcoe
Board of Appeals Secretary

**TOWN OF TAYCHEEDAH
BOARD OF APPEALS
FRANCIS AND DEANNE VILLAIRE VARIANCE
SEPTEMBER 27, 2021
6:41 P.M.
TAYCHEEDAH TOWN HALL**

The Town of Taycheedah Zoning Board of Appeals conducted a public hearing on Monday, September 27, 2021, at 6:41 p.m., at the Taycheedah Town Hall, for the purpose of considering a variance request submitted by Francis and Deanne Villaire. Member's present were Chairman Jerome Bord, Jason Meyer, John Buechel, Tim Marcoe and Mark Gulig. Also present were Town Clerk Kris Marcoe. The Chairman called the meeting to order. The Town Clerk confirmed open meeting notice and Class 2 publications.

Francis Villaire requested a variance to Section 13-1-140 Accessory Uses or Structures. Their structure has a roof pitch exceeding the steepest roof pitch of their house and has pole barn steel siding that is not allowed in an R-1 zoned district. Mr. Villaire was sworn in and presented the following information:

- They have lived there since 2008
- The structure is 16'x42' and is used to store lawn tractors and used as a hobby shed
- The structure was built and delivery by a third-party contractor
- Misunderstood the contractor when told no permits were needed. A permit was needed from the Town of Taycheedah and not obtained.
- Has had numerous discussions with Taycheedah's Building Inspector Doug Hoerth regarding ordinances.
- Doug informed him the roof pitch, roofing materials, and siding are not allowed.
- Proper distance from the property line is achieved
- The structure is not on a concrete slab and Gulig Excavation prepared the site.
- Tim Marcoe, Mark Gulig and Jerome Bord inquired about the siding and roofing materials. Mr. Villaire is willing to change the siding and roofing materials to accommodate the Town's ordinances.
- Asking for a variance for the roof pitch as the third-party contractor stated it cannot be changed due to how it was built.
- John Buechel inquired about selling back to contractor. Mr. Villaire asked, and the contractor declined. If the variance is not granted, they will either tear the building down or try and sell.
- Tim Marcoe inquired about the hardship as State code requires. No hardship was presented.
- Mark Gulig briefly discussed property sales and new neighbors. Existing neighbors may approve but new neighbors may not, and the Town's ordinances need to be followed.

Mike Emerich of W3969 Silica Road was sworn in and lives across the street spoke to support the variance request. He indicated the color was acceptable and has no problem with the roofline and is a beautiful building.

Shelly Schneider of N8571 Lakeview Drive was sworn in and spoke in opposition of the variance request. She indicated it is a nice shed. The roofing materials, pitch and siding should coincide with the Town's ordinances. Existing neighbors who built garages and/or structures needed to

comply and feels Villaire's must do the same.

Chairman Bord asked Mr. Villaire if he wanted to rebut any statements made by the public and informed the board there is no rebuttal.

Board of Appeals deliberations and action were as follows:

- Discussions regarding the difference between standing seam steel siding and pole barn siding
- Jerome, Tim, John and Mark stated the roof pitch should be compliant with ordinance. Jason disagreed.
- No hardship was presented

Motioned by John Buechel to deny the roof pitch variance, second by Tim Marcoe


Roll call vote:

Mark Gulig	voted to deny
John Buechel	voted to deny
Tim Marcoe	voted to deny
Jerome Bord	voted to deny
Jason Meyer	voted to accept

Vote to deny Mr. Villaire's variance request passed (4-1).

Motion to adjourn by John Buechel, second by Jason Meyer. Hearing adjourned at 7:17 p.m. (5-0)

Dated: September 27, 2021

Attest: 
Kristin A. Marcoe
Board of Appeals Secretary

**TOWN OF TAYCHEEDAH
BOARD OF APPEALS
SUMMIT QUARRY, LLC and EVENSON CONSTRUCTION COMPANY, INC.
CONDITIONAL USE PERMIT AMENDMENT
FEBRUARY 9, 2022, at 6:30 p.m.
TAYCHEEDAH TOWN HALL**

Present: Jerome Bord, John Buechel, Jason Meyer, Mark Gulig and John Rickert. Absent: Tim Marcoe and Joe Sabel. Also present were a few interested persons.

The purpose of the public hearing was to consider an amendment to the Conditional Use Permit issued to Summit Quarry, LLC and Evenson Construction Company, Inc. for the purpose of changing the hours of operations.

The secretary, Kris Marcoe took notes throughout the hearing.

Pat Strachan, representing Evenson Construction Company, Inc. was sworn in. His testimony was as follows:

- Pat requested the hours of operation increase by 1-1/2 hours per day. Current hours are 7:00-6:00 with trucking permitted after 5:00 p.m. He would like it amended to 6:00-5:30 with trucking permitted after 5:30 p.m.
- Benefits of starting earlier they can get the equipment started, short staffed can run operations longer and increases the opportunities of not working Saturdays
- Trucking hours will not change. No changes to blasting
- To Pat's knowledge there have been no complaints received.
- Dan Bertram informed the board the berm and bank blocks the majority of the noise and has no opposition to increasing the hours of operation.

There was a question amongst the Board of Appeals as to the hours the gates. Pat Strachan informed the board the hours will remain the same.

Jerome Bord received a complaint from a party whose mother lives in the area. The complaint was for the noise, but no details were given.

Jerome Bord declared the public hearing closed.

Board of Appeals members deliberation was as follows:

- Clarification of the Monday-Friday hours and Saturday hours would not change

Motioned by Mark Gulig, second by Jason Meyer to approve an amendment to the Conditional Use Permit as follows:

Hours of Operations for Crushing:	Monday through Friday 6:00 am – 5:30 pm Saturdays 7:00 am – noon
Hours of Operations for Load Out:	Monday through Friday 7:00 am – 6:00 pm Saturdays 7:00 am – 2:00 pm

Roll call vote:

Mark Gulig	aye	Jason Meyer	aye	Jerome Bord	nay
John Buechel	aye	John Rickert	aye		

Motion carried (4-1)

Motioned by John Buechel, second by Mark Gulig to adjourn the public hearing at 6:54 pm.

Attest: 

Kris Marcoe
Secretary

TOWN OF TAYCHEEDA
FOND DU LAC COUNTY

**Minutes of Board of Appeals Public Hearing
August 10, 2022**

The hearing was called to order at 6:00 p.m. at the Town Hall. Present were Board of Appeals members Jerome Bord, Jason Meyer, John Buechel, Tim Marcoe and Joe Sabel. Also present were Town Clerk Kris Marcoe, Alex Bartelt, as well as various members of the public. The Town Clerk confirmed open meeting notice and Class 2 publications.

Alex Bartelt, representing this project and CUP request was sworn in. His testimony was as follows:

Alex spoke on behalf of his project and explained that he is seeking to obtain a conditional use permit. Mr. Bartelt explained how this new building would store equipment for his concrete business. He currently has 10 vehicles for his business. He would continue to extend the berm on the North side of the property and plant additional trees. 20' side set-back and 120' front set-back is met, currently 1 acre lot, storage building would be insulated and heated, possible restroom in storage building but not yet determined. The cleaning up of existing lot is taking time as he is working full-time. Alex was not opposed to stipulations or outside work restrictions.

Members of the public expressed appreciation of cleaning up the property while others questioned the addition of trees and extending the berm, additional items brought and stored on the property and noise levels. The Board read a letter submitted by the Town's Building Inspector informing his recommendation based on the property and information provided.

Board Discussion/Action:

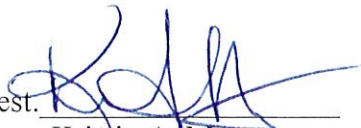
The side and front setbacks are met, the property is being cleaned up and he has a growing business. Deliberation of how many semi-trailers allowed and the number of vehicles allowed for overnight parking. A motion was made, seconded, and passed to approve the permit on the following terms:

- A. CUP use of this parcel is that of a Trade and Contractor operations along with personal storage.
- B. One main building with one existing additional building that is only accessory to the principal use.
- C. Any other uses or any additional buildings beyond this approval will require an additional CUP approval.
- D. Overnight parking – no more than 15 vehicles allowed.
- E. The Permit term will be 20 years beginning August 10, 2022.

Motion carried unanimously

No other business coming before the Board, a motion was made and seconded with unanimous approval to adjourn at 6:39 p.m.

Attest.



Kristin A. Marcoe
Board of Appeals Secretary

TOWN OF TAYCHEEDAH
FOND DU LAC COUNTY

**Minutes of Board of Appeals Public Hearing
August 10, 2022**

The meeting was called to order at 6:40 p.m. at the Town Hall. Present were Board of Appeals members Jerome Bord, Jason Meyer, John Buechel, Tim Marcoe and Joe Sabel. Also present were Town Clerk Kris Marcoe, Jordan Weed and Tim Freund, as well as various members of the public. The Town Clerk confirmed open meeting notice and Class 2 publications.

Jordan Weed and Tim Freund, representing this project and CUP request were sworn in. Their testimony was as follows:

Both Jordan and Tim spoke on behalf of this project and explained that they are seeking to obtain a conditional use permit. The purchase of 5.29 acres of the total 29.51 is contingent on the CUP approval. The 5.29 acres would consist of a new shop/office. Approval from the DOT was received for the clearance of a driveway and 35' culvert. Soil testing has been completed and cleared. The buildings offices will be located on the southwest side and garage doors will face the east. Parking will be on the south side with trucks and trailers in the back. The building would be rotated so the front would face the southwest. Future buildings to be determined. Current highway set back is 100' in which they meet the setback.

Members of the public expressed appreciation while others were concerned about site and visibility for traffic and suggested a farther setback, the legal notice of 29.51 acres, noise levels, landscaping, additional buildings, erosion, and signage.

Board Discussion/Action:

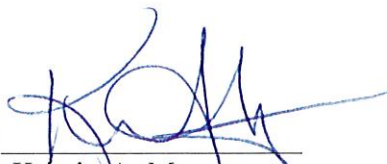
Deliberation on how many overnight vehicles will be allowed, the length of the permit and setback of future buildings. A motion was made, seconded, and passed to approve the permit on the following terms:

- A. CUP use of this parcel is that of a Contractors Facility
- B. One main building with two additional buildings that are only accessory to the principal use
- C. Any other uses listed in the zoning ordinance or any additional buildings beyond this approval will require an additional CUP approval.
- D. The setback of future buildings will not be less than the present building.
- E. Overnight parking – no more than 30 vehicles allowed.
- F. The permit term will be 20 years beginning August 10, 2022.

Motion carried unanimously

No other business coming before the Board, a motion was made and seconded with unanimous approval to adjourn at 7:07 p.m.

Attest.



Kristin A. Marcoe
Board of Appeals Secretary

**TOWN OF TAYCHEEDAH
BOARD OF APPEALS
NORTHEAST ASPHALT, INC.
CONDITIONAL USE PERMIT
SEPTEMBER 21, 2022
TAYCHEEDAH TOWN HALL**

Present: Chairman Jerome Bord, John Buechel, Tim Marcoe, Joe Sabel, and John Rickert and Secretary Kris Marcoe. Also present were few interested persons.

The purpose of the public hearing was to consider an amendment to the Conditional Use Permit issued to Northeast Asphalt., for the purpose of upgrading blasting procedures.

The Secretary, Kris Marcoe, taped recorded the hearing and took notes.

Chairman Bord called the public hearing to order at 8:04 p.m. The Secretary read the notice.

Matt Matuzak, representing Northeast Asphalt, Inc., was sworn in. His testimony was as follows:

- Blasting procedures have improved since 1994.
- Would like to be consistent across the board with these procedures.

Quentin Maxwell, also representing Northeast Asphalt, Inc. was sworn in. His testimony was as follows:

- Reiterate the blasting procedures have improved
- Must adhere to all MSHA, ATF, WI Dept. of Public Safety & Professional Services and Town Blasting Ordinance
- Seismograph must be set at the closest building
- The depth will not change

No one spoke in support of the amendment.

The following spoke in opposition of the amendment and were sworn in:

Kristen Bertram N8605 Lakeview Drive

- Asked for clarification with Northeast Asphalts Quarry & Simon's Quarry
- Questioned if depth will change.

Jay Fink W4073 County Road Q

- Questioned the maps
- Requested changing the speed limit
- If signs can be placed regarding jake brakes being used

Jeff Jewett N8652 Lakeview Road

- Questioned the licensing
- Who receives the blasting reports

Board of Appeals questions:

- How many seismographs are done when blasting

Matt Matuzak's rebuttal was as follows:

- No depth changes.
- Last blasting procedures from 1994 and 1999. Want both Simon and Northeast updated and consistent.
- Town of Taycheedah's Clerk receives the blasting notifications and reports.
- Clerk Kris Marcoe informed everyone that through open records they can look at the reports.
- Seismograph reports are submitted and must follow state set guidelines.
- The seismograph is placed at the closest structure. In special circumstances they may place more. If a homeowner request is made, they will address the request within reason.

Chairman Bord declared the public hearing closed at 8:41 p.m.

Motion by John Buechel, second by Joe Sable, to approve the blasting amendment to the Conditional Use Permit under the following stipulations:

- The Conditional Use Permit will expire in 5 years.

Roll call vote:

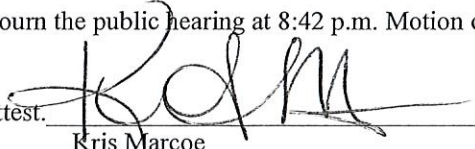
John Rickert aye Joe Sable aye John Buechel aye

Tim Marcoe aye Jerome Bord aye

Motion carried unanimously.

Motion by John Buechel, second by Tim Marcoe, to adjourn the public hearing at 8:42 p.m. Motion carried (5-0).

Attest.



Kris Marcoe
Secretary

**TOWN OF TAYCHEEDAH
BOARD OF APPEALS
NORTHEAST ASPHALT, INC.
CONDITIONAL USE PERMIT
SEPTEMBER 21, 2022
TAYCHEEDAH TOWN HALL**

Present: Chairman Jerome Bord, John Buechel, Tim Marcoe, Joe Sabel, and John Rickert and Secretary Kris Marcoe. Also present were few interested persons.

The purpose of the public hearing was to consider an amendment to the Conditional Use Permit issued to Northeast Asphalt., for the purpose of upgrading blasting procedures.

The Secretary, Kris Marcoe, taped recorded the hearing and took notes.

Chairman Bord called the public hearing to order at 7:27 p.m. The Secretary read the notice.

Matt Matuzak, representing Northeast Asphalt, Inc., was sworn in. His testimony was as follows:

- Blasting procedures have improved since 1994.
- Would like to be consistent across the board with these procedures.

Quentin Maxwell, also representing Northeast Asphalt, Inc. was sworn in. His testimony was as follows:

- Reiterate the blasting procedures have improved
- Must adhere to all MSHA, ATF, WI Dept. of Public Safety & Professional Services and Town Blasting Ordinance
- Seismograph must be set at the closest building
- The depth will not change

No one spoke in support of the amendment.

The following spoke in opposition of the amendment and were sworn in:

Jeff Bertram N8605 Lakeview Drive

- His mother's house is the closest residence
- His concern was damage to the house with the new procedures
- Vibratex did a study on the house in 1995
- Reached out to Northeast Asphalt and has not heard back regarding the damage to the house

Matt Matuzak's rebuttal was as follows:

- He is aware of the contact and Northeast is looking into and possibly bringing in a 3rd party to examine the damage.
- WI State Statutes sets the vibration allowed.
- Seismograph reports are submitted and must follow state set guidelines.
- Matt also explained how the readings are taken.
- Quentin Maxwell also added in his opinion the state limits are followed. If they stay under the limits there will be no damage.
- Several homes on ledge rock or nearby to his knowledge had no complaints or damage.

Chairman Bord declared the public hearing closed at 7:55 p.m.

Motion by Tim Marcoe, second by John Buechel, to approve the blasting amendment to the Conditional Use Permit under the following stipulations:

- The Conditional Use Permit will expire in 5 years.

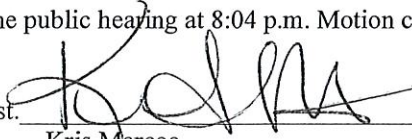
Roll call vote:

John Rickert	aye	Joe Sabel	aye	John Buechel	aye
Tim Marcoe	aye	Jerome Bord	aye		

Motion carried unanimously.

Motion by Tim Marcoe, second by Joe Sabel, to adjourn the public hearing at 8:04 p.m. Motion carried (5-0).

Attest.



Kris Marcoe
Secretary

**TOWN OF TAYCHEEDAH
BOARD OF APPEALS
PUBLIC HEARING
JNJT, LLC/PEEBLES PLAY & STAY KENNEL, LLC
SEPTEMBER 21, 2022
6:30 P.M.
TAYCHEEDAH TOWN HALL**

Present: Chairman Jerome Bord, John Buechel, Tim Marcoe, Joe Sabel, and John Rickert and Secretary Kris Marcoe. Also present were few interested persons.

The purpose of the public hearing was to consider an amendment to the Conditional Use Permit issued to JNJT, LLC, for the construction and operation of an indoor dog daycare building. The Board of Appeals granted a CUP to JNJT, LLC, on February 19,

The Secretary, Kris Marcoe, taped recorded the hearing and took notes.

Chairman Bord called the public hearing to order at 8:43 p.m. The Secretary read the notice.

Jennifer Cowling and Joel Gudex were sworn in. Their testimony and responses to questions were as follows:

- They propose building an addition to their existing boarding building
- They currently have a wait list as their business continues to grow.
- The addition would mirror the existing building.
- No driveways or parking will be affected.
- In the beginning they had very few complaints regarding barking. Being new to this type of business they learned how to control barking and worked closely with the neighbors. They have great communication with neighboring properties.

Board of Appeals asked the following:

- Regarding sanitary: will it overtax your system
- What type of floors will be in the new addition

Cowlings and Gudex's rebuttal was as follows:

- Currently have a mound system. No drains, washtubs or sinks will be in the new addition.
- Epoxied cement floors without head will be in the new addition.

No one spoke in support of the amendment.

No one spoke in opposition of the amendment.

Chairman Bord declared the public hearing closed at 8:53 p.m.

Board deliberations:

Seeing no further questions or concerns, motion by John Rickert, second by John Buechel, to approve the amendment to the Conditional Use Permit for Peebles Play & Stay Kennel, per the plan as presented with no expiration date.

Roll call vote:

John Rickert aye

Joe Sabel aye

John Buechel aye

Tim Marcoe aye

Jerome Bord aye

Motion carried unanimously.

Motion by John Rickert, second by Joe Sabel, to adjourn the public hearing at 8:54 p.m. Motion carried (5-0).

Attest



Kris Marcoe

Town Clerk

**TOWN OF TAYCHEEDAH
BOARD OF APPEALS
SCOTT RAUCH VARIANCE
SEPTEMBER 21, 2022
6:30 P.M.
TAYCHEEDAH TOWN HALL**

The Town of Taycheedah Zoning Board of Appeals conducted a public hearing on Monday, September 27, 2021, at 6:45 p.m., at the Taycheedah Town Hall, for the purpose of considering a variance request submitted by Scott Rauch. Member's present were Chairman Jerome Bord, John Buechel, Tim Marcoe, Joe Sabel and John Rickert. Also present were Town Clerk Kris Marcoe. The Chairman called the meeting to order. The Town Clerk confirmed open meeting notice and Class 2 publications.

Scott Rauch requested a variance to Section 13-1-25 Roof Slopes & Eaves Dimensions for Dwellings, Accessory Bldgs. & Garages. The steel roofing system on his detached garage and home are not allowed in an R-1 zoned district. Mr. Rauch was sworn in and presented the following information:

- Scott met with Paul Birschbach 5 years ago regarding the plans to build a detached garage
- Paul's instructions were to not buy cheap steel for the roof. No discussion regarding the allowed types of steel roof per the ordinance.
- Scott informed Paul he would eventually replace the roof on his home to match the new garage.
- Scott was issued the building permit and was instructed to contact Paul when his garage was almost complete.
- Not familiar with steel roofs, Scott relied on Drexel Building Supply. He was supplied with all the information, and they taught him the different roofing systems. Since he was installing the roof system himself the Panel Lock was the best fit.
- Scott contacted Paul he was close to completing and kept the garage unlocked in case Paul stopped down when he was not home. Not hearing from Paul Scott was under the influence that there were no issues with the inspection or out of compliance.
- Late June 2022 Scott received a letter from Doug Hoerth that no permits were pulled for his re-roofing or re-siding. Scott thought permits were only needed when changing or adding new structures and apologized. Scott met with Doug and filled out the paperwork to obtain the needed permits. During his meeting with Doug he was informed the steel roofing system was not in compliance with the Towns ordinance. The permits would not be released until the steel roofing system is in compliance.
- The detached garage has been completed almost 5 years ago and Paul never informed him the roof was not in compliance.
- The same roof system was purchased and installed on his home this year.

Board Members made the following statements:

- The hardship is funds to replace the roof. If Paul made him aware of the allowed roofing systems, he would have been in compliance.
- Permits were not pulled as he didn't know a permit was needed.
- Paul Birschbach swayed him in the wrong direction regarding the roofing
- If Paul inspected the garage, it would have been known the roof was not in compliance

Testimony in support of the variance:

Chairman Jerome Bord read letters/emails in support of the variance from the following individuals:

- Bill & Carol Brochert
- Mike & Christine Schmitz
- Nick Biffer
- William & Carol Schneider
- R.A. Hartley Jr.

Testimony in opposition of the variance:

None was presented.

Chairman Jerome Bord declared the public hearing closed at 7:08 pm.

Board of Appeals deliberations and action were as follows:

- Provide proof to request the Plan Commission review/revise the ordinance within 6 months.
- Plan Commission will have a 2-year deadline to make the revisions.
- If Plan Commission denies the revisions and Scott Rauch is not in compliance the roofs must be replaced within 1 year of the denial date.
- If Plan Commission does not meet the 2-year deadline, Scott Rauch must replace the roofs within 1 year of the deadline date.
- Jerome, Tim, John and Mark stated the roof pitch should be compliable with ordinance. Jason disagreed.
- No hardship was presented

Motioned by John Buechel to approve the steps listed above, second by Tim Marcoe

Roll call vote:

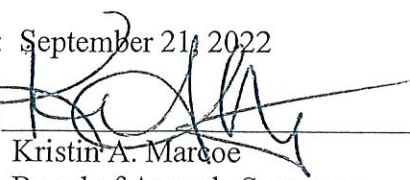
John Rickert	aye
Joe Sabel	aye
John Buechel	aye
Jerome Bord	aye
Tim Marcoe	aye

Motion Carried (5-0)

Motion to adjourn by John Buechel, second by Tim Marcoe. Hearing adjourned at 7:27 p.m. (5-0)

Dated: September 21, 2022

Attest:



Kristin A. Marcoe
Board of Appeals Secretary

TOWN OF TAYCHEEDAH
FOND DU LAC COUNTY

**Minutes of Board of Appeals Public Hearing
December 21, 2022**

The hearing was called to order at 6:00 p.m. at the Town Hall. Present were Board of Appeals members Jerome Bord, Jason Meyer, John Buechel, Tim Marcoe and Joe Sabel. Also present were Town Clerk Kris Marcoe, Matt Schmitz, as well as various members of the public. The Town Clerk confirmed open meeting notice and Class 1 publication of legal notice.

Matt Schmitz, representing this project and CUP request was sworn in. His testimony was as follows:

Matt Schmitz spoke on behalf of his project and explained that he is seeking to obtain a conditional use permit for his auto repair shop.

- Currently his business is at his residence (W3954 County Rd WH).
- He anticipates the building to be completed late spring/early summer 2023 and will move his business once granted occupancy.
- He will be working with his employees full-time from 8:00 a.m. – 5:00 p.m. Monday through Friday with Saturdays by appointment only. If work is done after hours, it will be done inside with the overhead doors closed.
- Entrance lights will be on the building and in the parking lot.
- The new building will have a total of seven (7) bay doors, with one (1) being a drive-through door. Some vehicles may be parked outside depending on the amount of work needed to complete.
- Most of his work is diesel repairs and he disposes the waste using totes.
- No storage area will be needed for tires as he does not do this type of work, rebuilding is the main business.

Board of Appeals discussion:

- Beverly Pkwy is a town road
- Majority of the work will be done inside the new building. Current locations the doors are open due to heat and noise in the small area.
- The Board discussed the elevation drop from WH to proposed building and if a berm is needed.

Joe Thome, Town Chairman and homeowner at N7283 Cty. Road UU was sworn in to support the CUP. Testimony as follows:

- Discussions with Doug Hoerth regarding the expiration date of CUP's. Feels the CUP should go with the business. If the business should have new ownership, the CUP is only voided if the type of business changes
- Regarding lighting and noise, the Town has ordinances that must be followed.
- Regarding hours of operation, he suggested 6:00 a.m. – 6:00 p.m. Anything later work can continue as long as the doors are closed.
- Reiterated the CUP goes with the address.

Ken Rickert, homeowner at N7731 Cty. Road WH was sworn in to oppose the CUP. His testimony as follows:

- Concerned with the noise from the trucks as he lives across the street.
- Will the trucks be brought in or towed in late at night or on the weekends.

Angela Gile, homeowner at 205 Taft Street, Representing Jerry & Betty Hansmann at N7697 Cty. Road WH who were unable to attend, was sworn in to oppose the CUP. Her testimony as follows:

- Tim's Alignment is quiet, and they have no problem with his business
- Facebook page of Matt Schmitz business shows video of engines revving.
- If hours of operation are not put in place, they fear the noise level will be disruptive to homeowners
- Suggesting the overhead doors are not placed on the East side of the business towards their homes
- Suggesting the outside lighting be pointed down. Tim's Alignment had an issue with their lighting and was corrected.
- Question regarding who owns the property and confirmation was made that Matt Schmitz is the owner.

Board of Appeals discussion:

- The Board discussed hours of operation from 7:00 a.m. – 7:00 p.m. Monday through Friday
- The Board discussed hours on Saturday from 7:00 a.m. – noon.
- The Board discussed the CUP going with the property only if the nature of the business does not change.

Additional Board questions and discussion:

- Will any vehicles be sold at this location? Matt confirmed he will not be selling vehicles, only rebuilding/repairing.
- What will the working hours on Saturdays be? Matt does not anticipate working on Saturday but may need to for appointments only. He asked if needed that they would be 8:00 a.m. – noon.
- If a CUP is tied to the address, has there been any business in the town that has moved to another location? Confirmation from the Town Chairman that no business has changed addresses.

Board Discussion/Action:

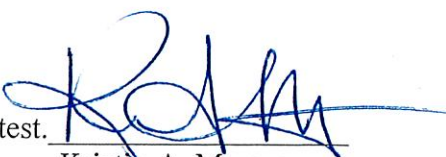
Deliberation of hours, outside lighting and term of CUP. A motion was made, seconded, and passed to approve the permit on the following terms:

- A. CUP use of this parcel is that of a Truck Repair Shop.
- B. CUP will be tied to the property of W7681 Beverly Pkwy and remain with the property as long as the nature of the business remains the same.
- C. Business hours are Monday – Friday 7:00 a.m. – 6:30 p.m., Saturday's 8:00 a.m. – 2:00 p.m. If work continues after these hours, all overhead doors must be closed.
- D. CUP will not have an expiration date as long as the business remains the same.

Motion carried unanimously by voice vote

No other business coming before the Board, a motion was made and seconded with unanimous approval to adjourn at 6:44 p.m.

Attest.


Kristin A. Marcoe
Board of Appeals Secretary

**TOWN OF TAYCHEEDAH
BOARD OF APPEALS
PANKRATZ VARIANCE
MAY 24, 2023
6:00 P.M.
TAYCHEEDAH TOWN HALL**

The Town of Taycheedah Zoning Board of Appeals conducted a public hearing on Wednesday, May 24, 2023, at 6:00 p.m., at the Taycheedah Town Hall, for the purpose of considering a variance request submitted by Haley Pankratz. Member's present were Chairman Jerome Bord, John Buechel, Tim Marcoe, Jason Meyer, and Joe Sabel. Also present were Town Clerk Kris Marcoe and Building Inspector Doug Hoerth. The Chairman called the meeting to order. The Town Clerk confirmed the open meeting notice and Class 2 publications.

Haley Pankratz requested a variance to Section 13-1-141 (c) & (d) Residential Fences Height and Setback. The fence installed is not in compliance with the town ordinances. Ms. Pankratz was sworn in and presented the following information:

- Haley asked the board to not use her child's name for privacy and being a minor.
- Childs medical conditions requires the safety of a fenced yard.
- Application was completed and the State of WI sets all the parameters for the fence.
- The state of Wisconsin contractor is hired to install the fence. A permit was not obtained for the fence.
- Fence was installed in November 2022.
- Setback from Silica Road the fence sits at 30' from road. Ordinance for Class 1 Hwy (Silica Road) requires a setback of 63' from centerline.
- Ms. Pankratz indicated the required yard space is needed for her child but could not provide proof from the state the required square foot space.
- No neighbor complaints.

Joe Thome of N7283 County Rd UU was sworn in and made the following statements:
The issue is no permit was pulled. If a permit was pulled the contractor and homeowner would have been able to work with Doug Hoerth. Working with the neighbors would have also been an option with their approval the fence could go up to the property line. Up to 15' on the backlot is available for the fence to be moved. Joe also talked to Blake who installed the fence. Blake indicated he would move the fence if needed.

Ms. Pankratz indicated there is a utility easement on the side yard and no fence can be placed. Doug Hoerth informed everyone fences can be put on utility easements. If work by the utility company is required the fence, at the time, will need to be removed.

Appeals Board Members made the following statements:

- The hardship is the child's medical needs.
- Permits were not pulled.
- Can the fence be moved? Ms. Pankratz informed the space is needed for her child.
- No neighbor complaints
- Evergreen trees by the fence are trimmed and Ms. Pankratz informed them they will keep them maintained.

Testimony in support of the variance:

None was present.

Testimony in opposition of the variance:

None was present.

Chairman Jerome Bord declared the public hearing closed.

Board of Appeals deliberations and action were as follows:

- The current 6' fence and 25' lenience from Silica Road variance is approved and will remain with Haley Pankratz and Duy Nguyen as long as they own the home.
- When the home is sold, the fence will be moved in compliance with the Town of Taycheedah's ordinance or removed by Pankratz and Nguyen.
- This variance is in contingency of settling the permit fees not obtained.

Motioned by Jason Meyer to approve the steps listed above, second by Tim Marcoe


Roll call vote:

Jason Meyer	aye
Tim Marcoe	aye
John Buechel	aye
Jerome Bord	aye
Joe Sabel	aye

Motion Carried (5-0)

Motion to adjourn by John Buechel, second by Joe Sable. Hearing adjourned at 6:53 p.m. (5-0)

Dated: May 24, 2023

Attest: 

 Kristin A. Marcoe
 Board of Appeals Secretary

**TOWN of TAYCHEEDAH
BOARD of APPEALS
FOND DU LAC COUNTY, WISCONSIN**

DECISION

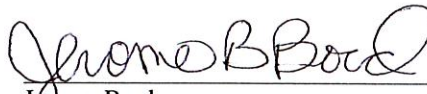
WHEREAS, the Zoning Board of Appeals of the Town of Taycheedah, Fond du Lac County, Wisconsin, conducted a public hearing on May 24, 2023, to consider the variance petition of Haley Pankratz for property located at N8530 Sunset Drive. Ms. Pankratz requested a variance to Section 13-1-141 (c) & (d), Residential Fences Height and Setback. The fence installed is not in compliance with the town ordinances.

WHEREAS the Zoning Board of Appeals cited the ordinances and discussed in detail the fence height and setback.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals voted (5-0) to approve Ms. Pankratz variance request. The current 6' fence and 25' lenience from Silica Road variance is approved and will remain with Haley Pankratz and Duy Nguyen as long as they own the home. When the home is sold, the fence will be moved in compliance with the Town of Taycheedah's ordinance or removed by Pankratz and Nguyen. This variance is in contingency of settling the permit fees not obtained.

The Board of Appeals decision may be appealed by an action in certiorari in circuit court within 30 days.

Dated this 24th day of May 2023.



Jerome Bord
Board of Appeals Chairman



Kristin A. Marcoe
Board of Appeals Secretary

**TOWN of TAYCHEEDAH
BOARD of APPEALS
FOND DU LAC COUNTY, WISCONSIN**

DECISION

WHEREAS, the Zoning Board of Appeals of the Town of Taycheedah, Fond du Lac County, Wisconsin, conducted a public hearing on May 24, 2023, to consider the variance petition of Haley Pankratz for property located at N8530 Sunset Drive. Ms. Pankratz requested a variance to Section 13-1-141 (c) & (d), Residential Fences Height and Setback. The fence installed is not in compliance with the town ordinances.

WHEREAS the Zoning Board of Appeals cited the ordinances and discussed in detail the fence height and setback.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals voted (5-0) to approve Ms. Pankratz variance request. The current 6' fence and 25' lenience from Silica Road variance is approved and will remain with Haley Pankratz and Duy Nguyen as long as they own the home. When the home is sold, the fence will be moved in compliance with the Town of Taycheedah's ordinance or removed by Pankratz and Nguyen. This variance is in contingency of settling the permit fees not obtained.

The Board of Appeals decision may be appealed by an action in certiorari in circuit court within 30 days.

Dated this 24th day of May 2023.

Kristin A. Marcoe
Board of Appeals Secretary

**TOWN OF TAYCHEEDAH
BOARD OF APPEALS
BURG HOMES VARIANCE
MAY 24, 2023
6:00 P.M.
TAYCHEEDAH TOWN HALL**

The Town of Taycheedah Zoning Board of Appeals conducted a public hearing on Wednesday, May 24, 2023, at 6:00 p.m., at the Taycheedah Town Hall, for the purpose of considering a variance request submitted by Jordan Weed of Burg Homes. Member's present were Chairman Jerome Bord, John Buechel, Tim Marcoe, Jason Meyer, and Joe Sabel. Also present were Town Clerk Kris Marcoe and Building Inspector Doug Hoerth. The Chairman called the meeting to order. The Town Clerk confirmed open meeting notice and Class 2 publications.

Jordan Weed requested a variance to Section 13-1-104 (A) (3) Permitted Commercial and Industrial Signs. The sign for the new building located at N7961 Hwy 151 exceeds the size permitted in the Towns ordinance. Jordan Weed was sworn in and presented the following information:

- Jordan informed the board the building setback is 100' and during the initial CUP hearing they moved it back an additional 100'
- The monument sign would be located 100' setback as stated in the ordinance. A 32 sq ft sign will not be legible with a highway speed of 55 mph.
- The monument sign would be 90 sq ft, 7-1/2' x 12', lit at night, located on the north side of the driveway with landscaping around the base of the sign.
- The sign would be perpendicular to the road and will not block the neighboring sign due to their building is set back further.

Board Members made the following statements:

- In agreement with the size of the sign due to 100' setback
- Will not obstruct view of neighboring business sign.
- All questions were answered.

Testimony in support of the variance:

None was present.

Testimony in opposition of the variance:

None was present.

Chairman Jerome Bord declared the public hearing closed.

Board of Appeals deliberations and action were as follows:

- New building looks nice and the addition of sign would be appealing.
- All questions were answered.

Motioned by Tim Marcoe to approve the 90 sq ft. monument sign, second by Joe Sabel

Roll call vote:

Jason Meyer	aye
Tim Marcoe	aye
John Buechel	aye
Jerome Bord	aye
Joe Sabel	aye

Motion Carried (5-0)

Motion to adjourn by Jason Meyer, second by Tim Marcoe. Hearing adjourned at 7:05 p.m. (5-0)

Dated: May 24, 2023

Attest:



Kristin A. Marcoe
Board of Appeals Secretary

**TOWN of TAYCHEEDAH
BOARD of APPEALS
FOND DU LAC COUNTY, WISCONSIN**

DECISION

WHEREAS the Zoning Board of Appeals of the Town of Taycheedah, Fond du Lac County, Wisconsin, conducted a public hearing on May 24, 2023, to consider the variance petition of Jordan Weed of Burg Homes for property located at N7961 Hwy 151. Mr. Weed requested a variance to Section 13-1-104 (A) (3), Permitted Commercial Industrial Signs. The sign for the new building located at N7961 Hwy 151 exceeds the size permitted in the Towns ordinance.

WHEREAS the Zoning Board of Appeals cited the ordinances and discussed in detail the monumental sign.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals voted (5-0) to approve the variance for Mr. Weed to allow a 90 square foot sign at N7961 Hwy 151.

The Board of Appeals decision may be appealed by an action in certiorari in circuit court within 30 days.

Dated this 24th day of May 2023.



Jerome Bord
Board of Appeals Chairman



Kristin A. Marcoe
Board of Appeals Secretary

**TOWN OF TAYCHEEDAH
BOARD OF APPEALS
MERCURY MARINE VARIANCE
MAY 24, 2023
6:00 P.M.
TAYCHEEDAH TOWN HALL**

The Town of Taycheedah Zoning Board of Appeals conducted a public hearing on Monday, May 214, 2023, at 6:00 p.m., at the Taycheedah Town Hall, for the purpose of considering a variance request submitted by Brian Jenquine of Mercury Marine, Brunswick Corp. Member's present were Chairman Jerome Bord, John Buechel, Tim Marcoe, Joe Sabel and Jason Meyer. Also present were Town Clerk Kris Marcoe and Building Inspector Doug Hoerth. The Chairman called the meeting to order at 7:06 p.m. The Town Clerk confirmed the open meeting notice and Class 2 publications.

Brian Jenquine requested a variance to Section 13-1-24 (F) (3) (B), Highway Setback Lines, Distances Along Class 2 and Class 3 Highways. Mr. Jenquine and Christopher Haase (Excel Engineering) were sworn in and presented the following information:

- Came before the Board due to the setback ordinance on Class 2 highway
- Installing a generator and placement would be 82' from centerline. Current ordinance is 100' of centerline.
- Limited along the road due to the length of the building.
- Limited along the North side of the building due to an existing gas tank.
- They feel the ordinance doesn't state the difference between public and private utility structures.
- Building Inspector Doug Hoerth provided the definition of utility structures and structures and indicated this is a private utility structure.
- Confirmed natural gas.

Further interpretation was needed, and this hearing was paused to call to order the interpretation hearing at 7:27 p.m.

Hearing reconvened at 7:44 p.m.

Board Members made the following statements:

- New power is being run from the front
- Interpretation and clarification was made on definitions of utility structures and structures.

Testimony in support of the variance:

Testimony in opposition of the variance:

None was presented.

Board of Appeals deliberations and action were as follows:

- Approve the variance for a generator/structure to be 82' from centerline on Cty. Road UU.

Motioned by Justin Meyer to approve as listed above, second by John Buechel

Roll call vote:

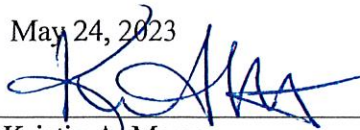
Justin Meyer	aye
Joe Sabel	aye
John Buechel	aye
Jerome Bord	aye
Tim Marcoe	aye

Motion Carried (5-0)

Motion to adjourn by John Buechel, second by Joe Sabel. Hearing adjourned at 7:51 p.m. (5-0)

Dated: May 24, 2023

Attest:



Kristin A. Marcoe
Board of Appeals Secretary

**TOWN of TAYCHEEDAH
BOARD of APPEALS
FOND DU LAC COUNTY, WISCONSIN**

DECISION

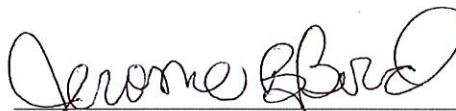
WHEREAS, the Zoning Board of Appeals of the Town of Taycheedah, Fond du Lac County, Wisconsin, conducted a public hearing on May 24, 2023, to consider the variance petition of Brian Jenquine of Mercury Marine, Brunswick Corp. for property located at N7480 County Rd UU. Mr. Jenquine's requested a variance to Section 13-1-24, (F) (3) (B) Highway Setback Lines, Distances Along Class 2 and Class 3 Highways.

WHEREAS the Zoning Board of Appeals cited the ordinances and discussed in detail the definitions and setback lines.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals voted (5-0) to approve a variance for a generator/structure to be 82' from centerline on Cty. Road UU.

The Board of Appeals decision may be appealed by an action in certiorari in circuit court within 30 days.

Dated this 24th day of May 2023.



Jerome Bord
Board of Appeals Chairman



Kristin A. Marcoe
Board of Appeals Secretary

**TOWN OF TAYCHEEDAH
BOARD OF APPEALS
MERCURY MARINE INTERPRETATION VARIANCE
MAY 24, 2023
6:00 P.M.
TAYCHEEDAH TOWN HALL**

The Town of Taycheedah Zoning Board of Appeals conducted a public hearing on Monday, May 24, 2023, at 6:00 p.m., at the Taycheedah Town Hall, for the purpose of considering a variance request submitted by Brian Jenquine of Mercury Marine, Brunswick Corp. regarding interpretation to the Town of Taycheedah's Structures permitted within setback lines. Member's present were Chairman Jerome Bord, John Buechel, Tim Marcoe, Joe Sabel and Jason Meyer. Also present were Town Clerk Kris Marcoe and Building Inspector Doug Hoerth. The Chairman called the meeting to order at 7:06 p.m. The Town Clerk confirmed the open meeting notice and Class 2 publications.

Brian Jenquine requested an interpretation to Section 13-1-24 (E), (2) Structures Permitted within Setback lines. Brian Jenquine and Christopher Haase (Excel Engineering) were sworn in and presented the following information:

- Came before the Board and indicated "utility" in the Town of Taycheedah's ordinance is not defined as public or private and is open-ended.
- Chris proposed the setback for the generator (in previous hearing: installing a generator and placement would be 82' from centerline. Current ordinance is 100' of centerline)
- Mercury Marine currently has private utilities within the setback.
- Putting in a private (generator) within the setback; a letter will be on file with the Town stating if road improvements are needed and the generator interferes with any utility, the generator will be moved at the owner's expense.
- Building Inspector Doug Hoerth provided the Sections and definitions of utility structures and structures along with setback details. He also indicated this is a private utility structure.

No one spoke in support of the interpretation.

No one spoke in opposition of the interpretation.

The Board of Appeals comments were as follows:

- The difference between private and public utilities
- Public utilities to be within setbacks

Motion by Tim Marcoe, second by Jason Meyer, to approve the interpretation as explained by Building Inspector Doug Hoerth.

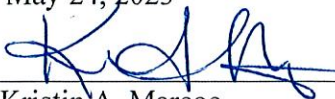
Justin Meyer	aye	Joe Sabel	aye
John Buechel	aye	Jerome Bord	aye
Tim Marcoe	aye		

Motion Carried (5-0)

Motion to adjourn by Joe Sabel second by Tim Marcoe. Hearing adjourned at 7:43 p.m. (5-0)

Dated: May 24, 2023

Attest:



Kristin A. Marcoe
Board of Appeals Secretary

TOWN OF TAYCHEEDAH
FOND DU LAC COUNTY

**Minutes of Board of Appeals Public Hearing
June 28, 2023**

The hearing was called to order at 6:00 p.m. at the Town Hall. Present were Board of Appeals members Jerome Bord, Jason Meyer, John Buechel, Tim Marcoe and Joe Sabel. Also present were Town Clerk Kris Marcoe and Building Inspector Doug Hoerth, as well as various members of the public. The Town Clerk confirmed the open meeting notice and Class 1 publication of legal notice.

William Sulicz, representing this project and CUP request was sworn in. His testimony was as follows:

William spoke on behalf of his project and explained that he is seeking to obtain a conditional use permit for outdoor platform/state for entertainment.

- Currently his business at W3675 County Rd WH
- Seeking to obtain a CUP for outdoor entertainment.
- Outdoor music/bands would be scheduled on Fridays, Saturdays, or Sundays only.
- Seeking approximately 10 outdoor events per year.
- Maximum hours per band is 2-3 hours (not including sound checks)

Board of Appeals discussion:

- Stage/Band shelter not enclosed having all four sides open.
- Permit for stage is being held by Doug Hoerth. Overlay zoning permits cannot be issued until a CUP is approved.
- July 29, 2023, will be a scheduled event per William as a band has been booked. Confirmation days of use will be Friday and Saturday evenings and Sunday afternoons to early evening.
- Friday and Saturday evenings to the end is typically 11:00 p.m.

Jay Oestreich, homeowner at W3673 Rosenthal Ct. was sworn in to support the CUP. Testimony as follows:

- Was at his residence outside working the weekend of the 1-year party.
- Music volume was in reason, and variety of music was great.
- Fireworks at 11:30 p.m. was a little late and didn't care for the late time.
- Feels the outdoor music will have a positive draw to the community.

James Rosenthal II, Town Board Supervisor, and homeowner at W3691 Rosenthal Ct. was sworn in to oppose the CUP. His testimony as follows:

- Issues regarding social media postings and then taken down. It was noted that this was not related to Whiskey Dix CUP.
- Concerned with the noise as there is an ordinance in place until 10p.m.
- Fireworks also have an ordinance, and a permit is required.
- The planning for this outdoor stage, permit and CUP was not thought through with their 1-year anniversary party.

Alex Bartelt, business owner located at W3651 County Rd WH (residence 110 Parkview Drive Eden WI) was sworn in to assist William with questions and concerns from the public.

Tom Groeschel, homeowner at W3643 Hillside Circle, was sworn in to oppose the CUP. His testimony as follows:

- Inquired from the building inspector Doug Hoerth what the penalty is for continuing construction without a permit. Doug informed everyone the permit fee is doubled. Doug also noted his presence was there and active on the rules and processes. Doug felt this was important so the structure was secure and would not potentially fall.
- Decibel ratings are 55 during the daytime and 50 during the evenings. William informed everyone that a professional sound operator that was with one of the bands had tested the noise from the property lines. Southwest side was 44 and Northside was 55. Readings were taken and given to the officer when approached with a complaint.
- Are the complaints from the residents included in this hearing. Clerk Marcoe indicated that all emails were distributed to the board members. Many voicemail messages received indicated they would come in to discuss, but never showed up.
- Town Board Supervisor James Rosenthal II indicated the 7 complaints he received were turned over to the Town Constable.
- Board of Appeals member, Jason Meyer inquired what this property is zoned. Doug Hoerth informed all the property is zoned Commercial Overlay, which the decibel rating is 75, not 55. Jason added that lawnmowers are rated between 80-104.

Susan Medina, homeowner at N8191 Cty Road QQ, was sworn in to oppose the CUP. Her testimony as follows:

- Having a venue at this location is not a bad thing.
- Lives ¼ of a mile down the road
- Is in favor of having a festival a couple times a year.
- Doesn't care for the evening music as once she was inside her house could still feel the beat of the music. Felt this was very disruptive. Likes to sit outside their house and doesn't like the volume.
- Past owners had indoor music and were accepting of this.
- Does not want this every weekend or every day.
- William and Alex confirmed this would be Fridays and Saturday evenings and Sunday afternoons. This also would not be every weekend.

Lynn Wehner, homeowner at W3547 Hillside Circle, was sworn in to oppose the CUP. Her testimony as follows:

- Agrees with the previous speaker as she was going to mention some of the same points.
- In general, the community is looking for a totality of circumstances.
- Not being a good planner resonated. Overall, we just want to know your plans. Once we hear and know your plan will be key.
- William and Alex confirmed this would be Fridays and Saturday evenings and Sunday afternoons. This also would not be every weekend. Maybe it would be one Friday a month, or two Saturdays. The overall plan is to run a successful business and to have not only the community to enjoy, but to bring people from area communities. This is new to them and something they are working on and learning. Was not aware of fireworks permit but will look into what is needed.

Kris Koenigs, homeowner at W8143 Cty Rd QQ, was sworn in to oppose the CUP. Her testimony as follows:

- Kris likes the business. The 1-year anniversary party having 3-days of music along with fireworks was too much.
- 8 hours per day every weekend and ending at midnight is not acceptable.
- Kris, like other residents like to be outside and enjoy their backyard, the music volume prevents this.
- Suggested Sunday afternoons for a few hours, but not every weekend.
- Please submit a plan on what weekends.
- The lights were also a concern when she was outside in the evening.
- Also suggest Friday and Saturday evenings when a band is playing to be done at 10p.m. (including the Oncor).

William and Alex addressed all the questions/comments and have no further at this time.

Additional Board questions and discussion:

- Jason Meyer inquired on the size of the stage. Confirmation 28 x 26, lien-to with roof. The back and sides are not enclosed. Open to closing the back if needed to help with the noise.
- Jason also asked about hours of operation and what they are looking for. Alex indicated Friday and Saturday evenings and Sundays. Sundays would be in the afternoon to early evening. The 1-year anniversary party was unique as the same bands played all three days. This is not what will happen on the weekends moving forward. Evenings 6:00 p.m. – 11:00 p.m. Sunday's noon until 8:00 p.m. They are looking at 10 events per year. Maximum hours per day is 2-3 hours per band playing (not including sound checks).
- If the stage is not allowed, can they still have a band play on the property. Is a permit needed on commercial property to have a band? Technically they can have a band outside their property if they stay within the decibels noted for commercial overlay (75).
- Tim Marcoe informed everyone that if volume is an issue the CUP is not part of this issue. The CUP is only for the use of the stage. Noise complaints are handled through the sheriffs dept.

John Wehner, homeowner at W3547 Hillside Circle, was sworn in to oppose the CUP. His testimony as follows:

- John stated he is not addressing the individuals but wanted to address the board.
- The Board of Appeals is our only line of defense in this community.
- The business has been there for many years, and you must consider the whole picture in your thought process. The business is an eye sore, and nobody knows what is going on. They stuck a finger in area residents' eyes and put our building inspector in a tough position. They somewhat cleaned up the area, which is good.
- These points are not good and wants a flat "no" for this CUP. Many unanswered questions and have them come back next year with a plan.
- Junked cars everywhere and social media posts picking fun of the board members.
- Appeals Chairman Jerome Bord inquired the junk cars and the location. It was confirmed the cars are not located on the property of Whiskey Dix, but on the Bartelt property next door.
- John Wehner was not getting into the details and games; he indicated to look at the overall picture.
- John stated it degrades the neighbors' properties, this cancer grows, and you cannot do that to our community.
- William responded to John's comments. As far as the mess of the property and stating he is a cancer in the community - This was an abandoned property for many years with old buildings. He has spent a lot of money in the bar and cleaned it up. The neighboring property had a home that was abandoned, in which there were many complaints prior to purchasing. Once

purchased the home and removed it along with many trailers on the property. The work continues to clean it up.

- Additional comments made and informed the residents the CUP is for the outside stage and not the neighboring property.
- John added to take a look at the overall picture and flat out deny the CUP as he can see these individuals being a problem and stated if you give them an inch they will take a mile.
- Board Chairman Jerome Bord stopped the conversation as it was getting out of hand and personal. Any additional questions by the Board?
- John Buechel inquired on the kind of music, if it would be a variety or a specific venue. John stressed about language in songs. Confirmation was it would a variety of music.
- Chairman Jerome Bord inquired about the band playing on July 29, 2023. Confirmation from Alex it is an AC/DC cover band from California, and their contract hours are from 7:00 p.m. – 11:00 p.m.
- John Buechel inquired about future fireworks. They are planning on additional fireworks and will get the permit information from Clerk Marcoe.

Public Comments Closed at 7:02 p.m. to deliberate.

7:32 p.m. in Session - Board Discussion/Action:

Appeals Member Tim Marcoe addressed the residents with some of their concerns.

Prior to our decision on the CUP, we would like to inform you if there is no CUP, we have no power to delegate hours, use of stage, or their parking lot, number of events allowed, etc. The CUP will list out what is allowed, not allowed and if not followed we have the power to deny it.

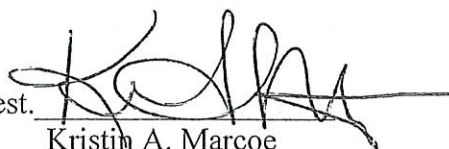
A motion was made by Tim Marcoe and second by Joe Sabel to approve the CUP with the following conditions:

- A. CUP is for the entire outdoor site W3675 County Road WH. A band cannot move from the stage to another outdoor location on the property to continue playing. Following the staged event, another band cannot play outdoors on this property.
- B. An approved plan must be provided with the towns building inspector with sound deadening material that will be placed on the backside of the outdoor stage. This will also be approved by the building inspector when completed and must be done prior to any events.
- C. Bands must play on the stage.
- D. Allowed 12 outdoor stage events per year. Each day (Friday, Saturday, or Sunday) will be considered 1 event.
- E. Hours for outdoor stage music related events: Friday evenings 6:00 p.m. – 11:00 p.m., Saturday's: 5 floating hours allowed and must end by 11:00 p.m., and Sunday's 12:00 p.m. – 8:00 p.m.
- F. CUP terms expire 12/31/2024.
- G. Events will be posted on the town website.

Motion carried unanimously by voice vote.

No other business coming before the Board, a motion was made and seconded with unanimous approval to adjourn at 7:42 p.m.

Attest.



Kristin A. Marcoe

Board of Appeals Secretary

Whiskey Dix Saloon, LLC.
W3675 County Road WH, Malone WI
CUP for outdoor stage/platform

The hearing was called to order at 6:00 p.m. on June 28, 2023 at the Town Hall. Present were Board of Appeals members Jerome Bord, Jason Meyer, John Buechel, Tim Marcoe and Joe Sabel. Also present were Town Clerk Kris Marcoe and Building Inspector Doug Hoerth, as well as various members of the public. The Town Clerk confirmed the open meeting notice and Class 1 publication of legal notice.

William Sulicz, representing this project and CUP request was sworn in.

William spoke on behalf of his project and explained that he is seeking to obtain a conditional use permit for outdoor platform/state for entertainment.

A motion was made by Tim Marcoe and second by Joe Sabel to approve the CUP with the following conditions:

- A. CUP is for the entire outdoor site W3675 County Road WH. A band cannot move from the stage to another outdoor location on the property to continue playing. Following the staged event, another band cannot play outdoors on this property.
- B. An approved plan must be provided with the towns building inspector with sound deadening material that will be placed on the backside of the outdoor stage. This will also be approved by the building inspector when completed and must be done prior to any events.
- C. Bands must play on the stage.
- D. Allowed 12 outdoor stage events per year. Each day (Friday, Saturday, or Sunday) will be considered 1 event.
- E. Hours for outdoor stage music related events: Friday evenings 6:00 p.m. – 11:00 p.m., Saturday's: 5 floating hours allowed and must end by 11:00 p.m., and Sunday's 12:00 p.m. – 8:00 p.m.
- F. CUP terms expire 12/31/2024 for review/renewal.
- G. Events will be posted on the town website.

Motion carried unanimously by voice vote.

No other business coming before the Board, a motion was made and seconded with unanimous approval to adjourn at 7:42 p.m.


Jerome Bord
Board of Appeals Chairman

Attest: 
Kris Marcoe
Board of Appeals Secretary