Meeting Minutes

Forest County Board of Adjustment

Tuesday, August 25th, 2015

1. The roll was called and the following members were present: Ron Tschohl, chairman, Jim Drefahl and John Aschenbrenner. Also present were Mike conley, Lynn conley, Terry Lukas, Roger Wilson, Andy Schlingman, james Aschenbrenner and ZA Pam LaBine.
2. Motion by Jim Drefahl to approve the agenda, second by John Aschenbrenner, all in favor, motion approved.
3. Motion by Jim Drefahl to table the minutes of the last meeting, second by John Aschenbrenner, all in favor, motion approved.
4. ZA confirmed compliance with the open meeting rule and those documents are included in these minutes.
5. Chairman Tschohl informed the group that he would limit the statements, questions and rebuttals to five minutes each.
6. Motion by Jim Drefahl to open the public hearing, second by John Aschenbrenner.
7. ZA read the application.
8. A statement was read by the applicant and the written work is attached.
9. ZA gave the staff report. She discussed the erosion coming from drain discharging out on the yard that needs to be infiltrated. There is also water running from the neighbors (Conleys) and draining down the hill. There is not too much we can do about more vegetation as the soils are very acidic. All the water needs to be infiltrated from both homes. This house (Schillingman) was constructed before zoning. It is on town sewer and water.
10. There was no related correspondence.
11. There was no ex-parte communications reported by the board.
12. Chairman Tschohl asked if there were any statements from witnesses. Mike Conley read his statement and it is attached. After 15 minutes the Chairman tried to get Mr. Conley to stop so Mr. Schllingman could rebut. Mr. Tschohl asked Mr. Conley for a copy of his written work for the record and he refused. ZA told him it was impossible for her to get the record accurate from just taking minutes and it would be helpful if he gave a copy of his written statement. As rebuttal ZA read the Ziervogel decision from the state statutes stating the standard for area variances was “unnecessarily burdensome” not “no reasonable use”. She went on to say the definition of structure had changed and many specifics of our ordinance are no longer legal since the governor’s budget was passed. Mr. Conley told the board that the ZA sent him a letter and he was upset with the tone. ZA rebutted that she stands by her letter and will include it in these minutes.