Common Council Meeting - Administrative Appeal Agenda

Wednesday, December 02, 2026 at 6:30 PM

Columbus City Hall – 105 N. Dickason Boulevard

Roll Call

Pledge of Allegiance

Notice of Open Meeting

Approval of Agenda

New Business

1. Consider and take possible action regarding second driveway waiver for 353 W. School Street

Convene to Closed Session

Convene to closed session per § 19.85(1)(a) deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body, specifically to consider the Plan Commission's decision to grant a waiver allowing a second driveway at 353 W. School Street, Columbus, WI.

Reconvene to Open Session

2. Consider and take possible action on the Administrative Appeal of the Plan Commission decision to grant a waiver allowing a second driveway at 353 W. School Street, Columbus, WI.

Adjourn

*A quorum of city committees and/or commissions may be present at this meeting. No action will be taken or considered by those committees and/or commissions.

Agenda Item Report

Meeting Type: Plan Commission

Meeting Date: November 12, 2026

Item Title:	Consider and take possible action regarding second driveway waiver for 353 W. School Street
Submitted By:	Mike Kornmann, Director of Community and Economic Development

Detailed Description of Subject Matter:

Mr. Tucker has re-applied for a second driveway at 353 W. School Street. Chapter 86-191 allows for a second driveway provided a waiver from the Plan Commission is obtained. The Plan Commission may issue a waiver provided that the "*driveway will not have a detrimental effect on the safety of the general public*". *The Plan Commission may require the applicant for a waiver to submit an engineered plan that will effectively permit ingress and egress with a minimum of hazard or congestion to pedestrian and vehicle traffic both on and off the street.* Mr. Tucker will present his supporting material at the meeting in person.

Staff has reviewed the permit application and the proposed driveway accessing South Main Street and it meets all requirements of Chapter 86-191. Staff reviews the application by reviewing the site plan, locations, lot dimensions, and setback requirements. Staff confirms dimensions by utilizing data from geographic information systems/city mapping and on-site visits. Chapter 86-191 requires that driveways meet the following requirements:

- Three (3) foot setback from property line (measured at the right of way line)
- Setback from right of way corner (20 feet)
- Apron must be within property lines
- Functional Class. No driveway to collector or arterial unless only option.
- Construction:
  - Sidewalk thickness
  - Surface material
  - Apron- flared to code
  - Cement thickness
  - Inspection – prior to pour

Staff review of the application follows:

- Three (3) foot setback from property line: Exceeds standard
- Setback from right of way corner (20 feet). Exceeds standard
- Apron must be within property lines: Exceeds Standard
- Functional Class/local road: Meets standard (per Wisconsin Dept. of Transportation functional class map approved by City Council)
- Construction:
  - Sidewalk – Meets standard
  - Surface material – Meets standard (cement)

- Apron- flared to code- Meets standard
- Cement thickness- Meets standard
- Inspection (prior to pour) - completed Meets standard

The proposed second driveway previously was the primary and only driveway for this parcel for decades. The application has the driveway in the same location as the original driveway. The primary driveway was moved to W. School Street in 2017/18. When asked about his recollection about any safety issues or concerns about the original driveway located on S. Main Street, Chief of Police Dennis Weiner stated that he could not recall any safety issues or concerns related to the original driveway prior to 2018. Chief Weiner provided research of accident from the area:

"I have manually located and reviewed our traffic accident records from January 1, 2015 to December 1, 2018 for the W. School Street and S Main Street area. I have identified the following motor vehicle accidents:

01/13/15: W School/S Lewis St

10/18/15: W School St/S Main St

10/25/15: W School St/S Birdsey St

06/24/17: W School St/S Birdsey

05/01/18: W School/S Lewis St

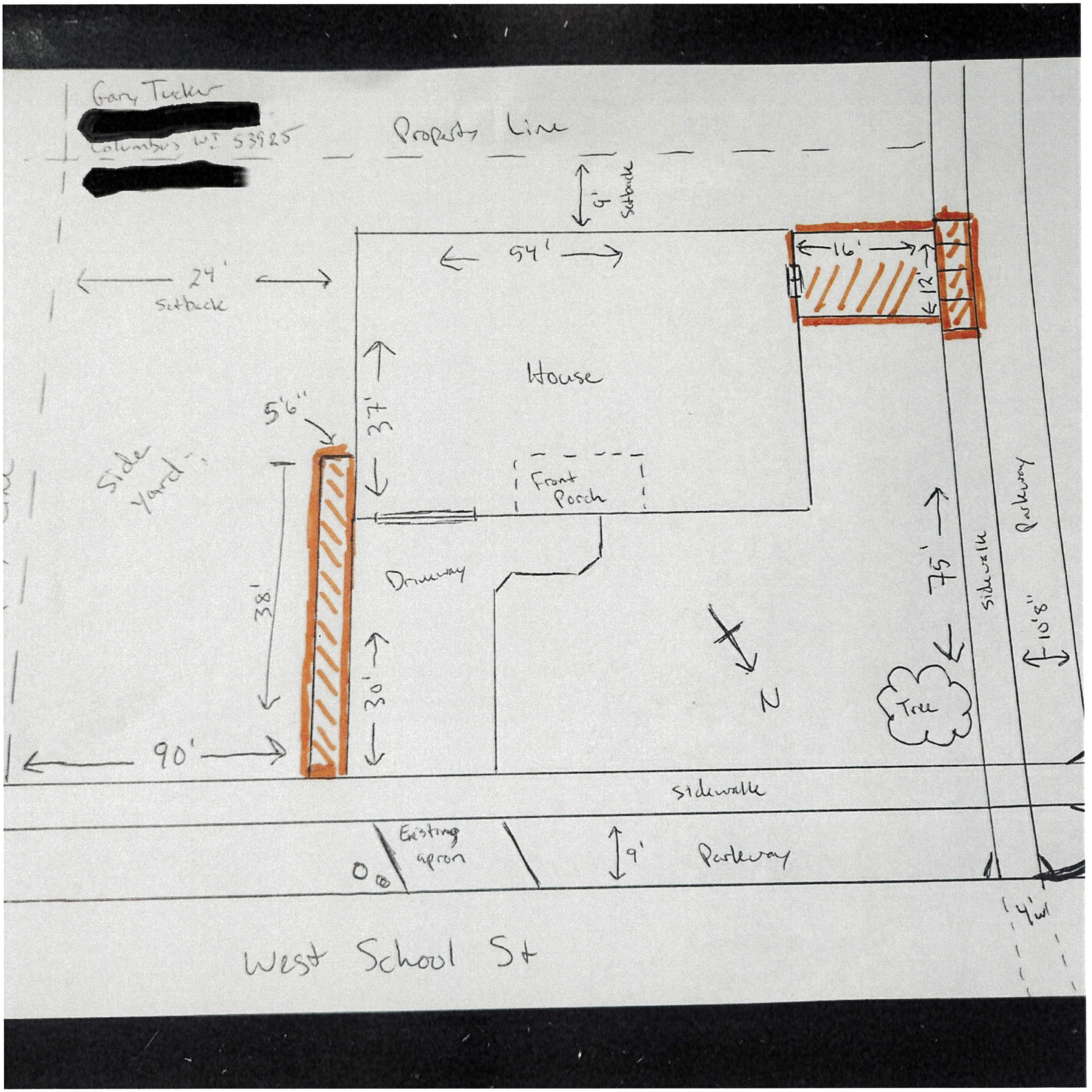
I have further reviewed the crash report for the one that occurred at W. School St and S Main St. That one was attributed to someone failing to yield the right of way to a vehicle crossing in front of it who had the right of way. "

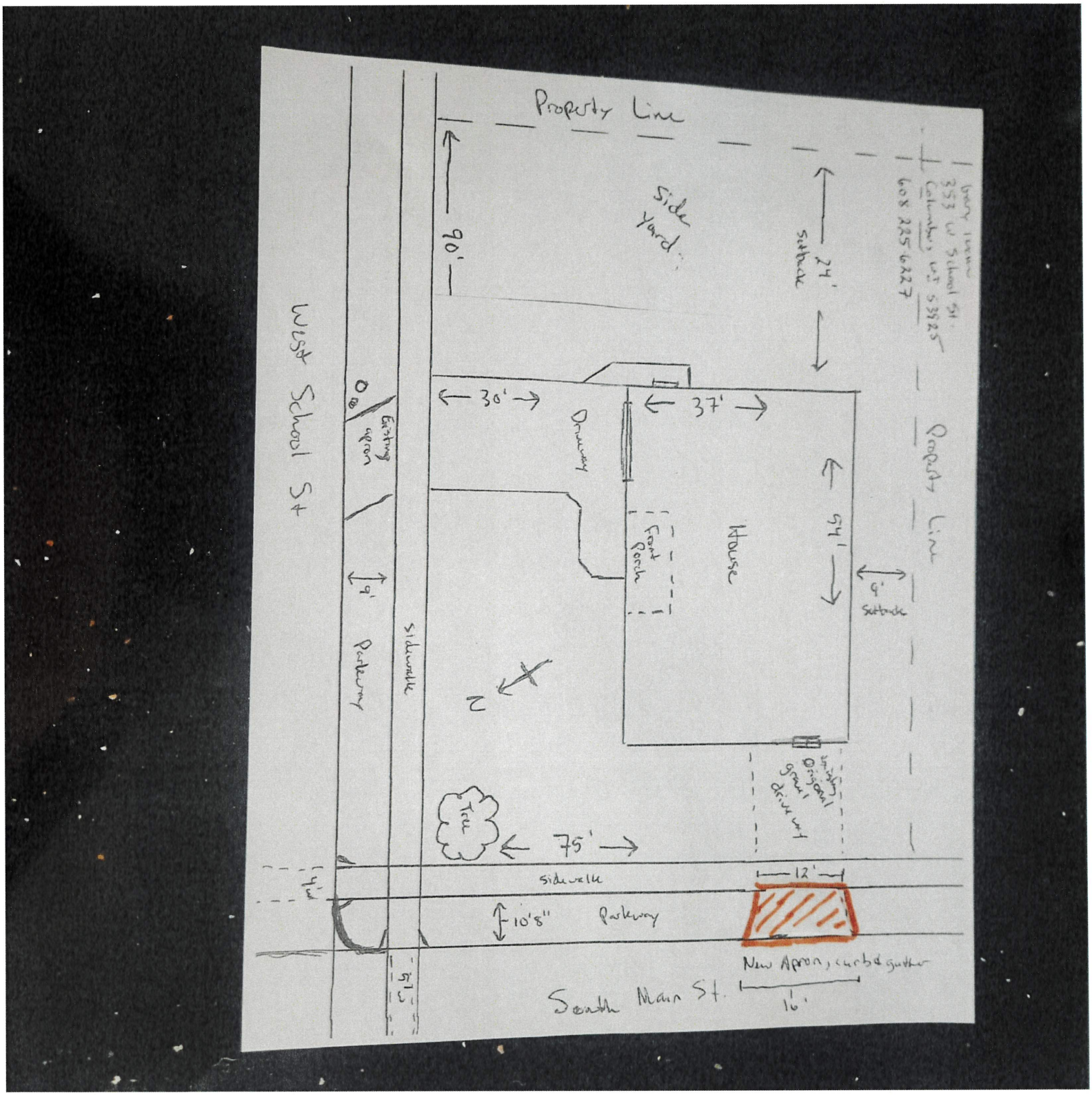
If this was the only driveway serving the parcel, under current code, the permit would be approved at the staff level and no Plan Commission approval would be necessary. The proposed second driveway meets all requirements of Chapter 18-191 and has been reviewed and confirmed by city staff. Any appeal to this decision will go to the City Council.

List all Supporting Documentation Attached:

- Tucker site plans (2) for 2nd driveway at 353 W. School Street
- DOT Functional Class Map – Adopted by City Council

Action Requested: Consider approving waiver for second driveway per application

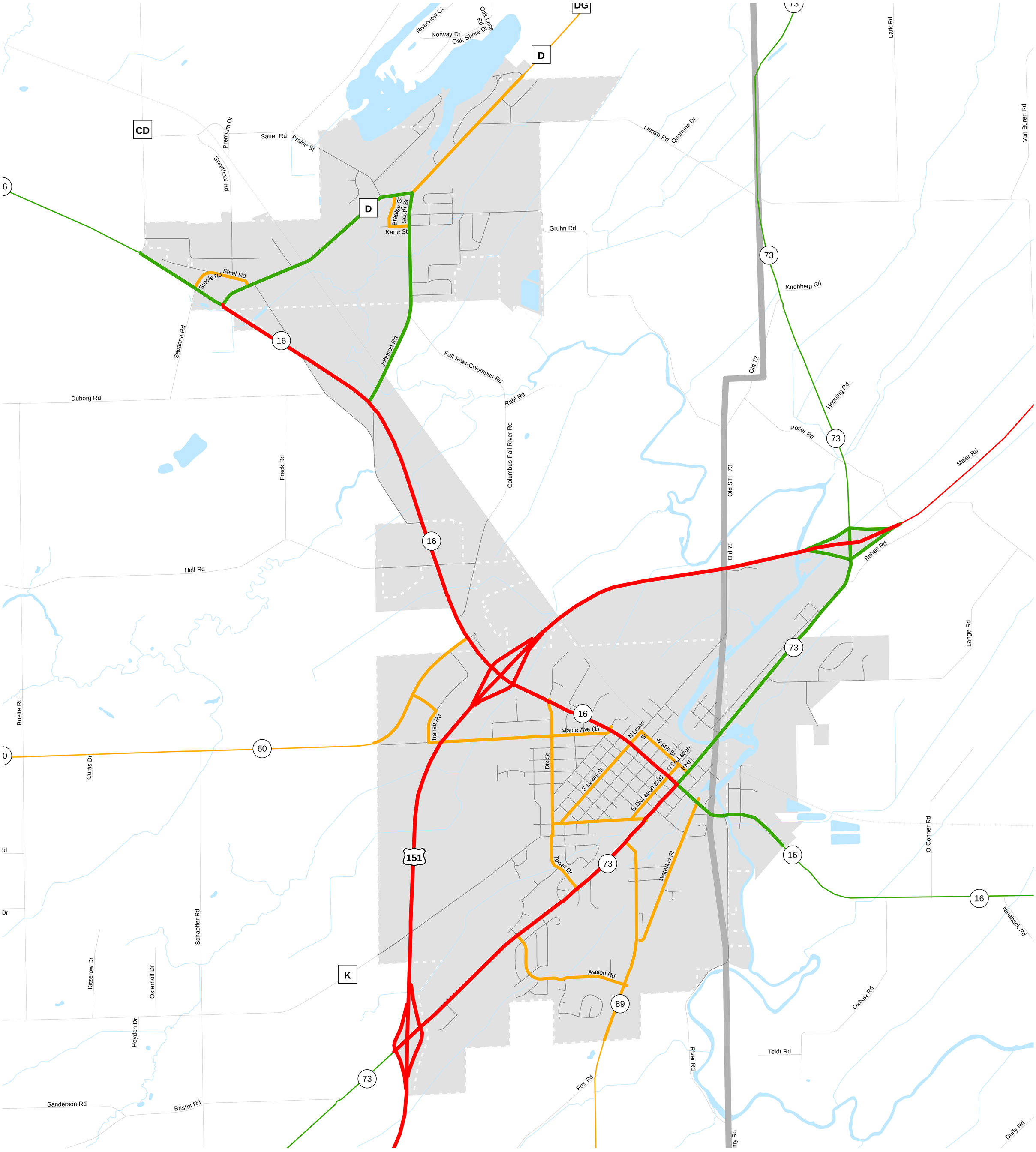

Gary Tucker
[redacted]
Columbus WI 53925
[redacted]
Property Line
6' Setback
54'
24' Setback
16'
12'
House
5'6"
37'
Side Yard
Front Porch
Driveway
38'
30'
90'
75'
Sidewalk
Parkway
10'8"
Tree
N
Sidewalk
Existing apron
9'
Parkway
4'
West School St


Property Line
Side Yard
90'
24' Setback
West School St
Existing apron
30'
Driveway
37'
Front Porch
House
54'
9' Setback
Property Line
9'
Parkway
Sidewalk
N
Tree
75'
Sidewalk
12'
10'8"
Parkway
New Apron, curb & gutter
South Main St.
16'

COLUMBUS - FALL RIVER

Functional Classification - March 12, 2020

COLUMBUS - FALL RIVER



N
W E
S

0 0.4 0.8 1.6 Miles

Legend

Existing	Planned*	Other
	Principal Arterial	Railroads
	Minor Arterial	Lakes, Rivers, Streams
	Collector	City/Village Boundary
	Local	Urban(ized) Area
		Other surrounding urban(ized) area
		Rural Area
		County Boundary

* NOTE:
All planned route locations are approximations only.

The information on these maps and produced from these maps was created for the official use of the Wisconsin Department of Transportation (WisDOT). Any other use, while not prohibited, is the sole responsibility of the user. WisDOT expressly disclaims all liability regarding fitness of use of the information for other than official WisDOT business.

WisDOT Bureau of Planning and Economic Development
FHWA Approval Date: March 12, 2020
PDF Created: 03/12/2020
Columbus - Fall River

Plan Commission Meeting Minutes

Thursday, November 12, 2026 at 6:30 PM

Columbus City Hall – 105 N. Dickason Boulevard

Call Meeting to Order

Monday called the meeting to order at 6:30pm.

Roll Call

A quorum in attendance included Anfinson, Hajewski, Stapelmann, Monday, Albright, Meyers, and Finkler.

Staff liaisons Kornman and Bennett were present.

Notice of Open Meeting

It was noted the meeting was posted according to law.

Approval of Agenda

Meyers motioned to approve the agenda; Finkler seconds. There was no discussion and the motion was carried by unanimous voice vote.

Approval of Minutes

1. Approval of October Plan Commission minutes

   Anfinson motioned to approve the meeting minutes from October 8, 2026; seconded by Finkler. There was no discussion and the motion was carried by unanimous voice vote.

Public Comments (3 minutes per person)

Brian Nagle and Ruth Hermanson commented on behalf of the City's Historic Landmarks and Preservation Commission regarding the historic preservation section of the zoning code rewrite. They highlighted benefits of the Certified Local Government status for aiding in creating historic districts.

Heather Mosher commented against her neighbor's re-application of a second driveway and highlighted concerns about potential safety as vehicles using the proposed driveway could extend out into the sidewalk.

No other members of the public in attendance commented and there were no additional correspondence.

Regular Business

2. Consider and take possible action regarding the zoning rewrite

   Sonja Kruesel, the Associate Planner from Vandewalle & Associates presented a checklist to identify policy questions to address prior to the public hearing.

   Kornmann presented information regarding impact to the City's Certified Local Government (CLG) status. The City had successfully applied and received grants three times per the State Historical Preservation Office (SHPO). Hermanson noted additional surveys and believed the State contributed to those. Nagle noted CLG grants help to allow historic districts to move forward and are not necessarily needed for the actual designations. The Plan Commission discussed concerns

about who is the approver of local historic designations between the Council or the Historic Landmarks and Preservation Commission (HLPC). Enforcement of the designations was discussed along with how often grants were applied for and if HLPC commissioners or City staff would be the applicants. Staff will provide additional information and will reach out to SHPO to provide a presentation.

Kruesel presented draft code and alternative options regarding data centers highlighting options the community could adopt. General performance standards for various data center sizes were highlighted. The Plan Commission discussed how utilities would be handled and other utility concerns. The commission provided feedback to Kruesel.

Kruesel recapped previous discussion regarding parking of RVs and other recreational vehicles in Residential Zoning Districts. The commission discussed various parking surface options and how many recreational vehicles can be parked. There was discussion towards clarifying driveway extensions. Kruesel will clarify the definitions for parking on gravel versus grass.

Kruesel presented anti-monotony standards regarding new construction. These would help to facility a variety of designs and builds and variations so that neighborhoods are not too "cookie-cutter". These would not apply for owners modifying the buildings due to existing permitting for building alterations.

Kruesel addressed the 40-inch durable base that would be needed for larger buildings.

Kruesel recapped previous discussion regarding downtown mixed-use standards and highlighted ornamental facades that extend above the actual roof height of buildings.

Kruesel pointed out proposed landscaping standards as the current code does not feature much regarding landscaping. Kruesel proposed a point system and a distribution requirement for the points. It was noted that many developers work with similar standards, but smaller developers may need assistance.

Yard signs were brought up and although the content of the signs cannot be regulated, but a specific number of yard signs on a property can be. It was recommended that there could be 2 or 3 signs excluding temporary signage. Kruesel noted that law states campaign signs are classified as temporary signs due to an imposed time limit. The commission would prefer to allow 2 signs.

Kruesel highlighted the admin approval process and presented a draft that addressed large projects. Developments over the proposed thresholds would be reviewed by the Plan Commission with smaller projects continuing to be staff reviewed. There was discussion whether or not to go with the proposed hybrid approach.

Kruesel will address the presented topics and include Plan Commission input. Kornmann will coordinate to have a representative from SHPO to present on CLG status.

3. Consider and take possible action regarding second driveway waiver for 353 W. School Street

Monday recapped the previous actions regarding the waiver request for the second driveway at 353 W. School St. The waiver was initially approved but ultimately denied after Council appeal. The applicant was allowed to reapply to directly address the issues Council had during the appeal.

Kornmann presented the staff review of the new application using specific criteria from chapter 86 along with citing mapping usage, and site visits during the process. Accident data at the location was provided to staff and showed a single incident that it only involved two vehicles. Kornmann noted the proposed driveway meets code requirements. The current code does not address driveway length.

To defend the application for the second driveway waiver, the property owner's legal counsel, Mr. Madden presented a memo and exhibits and noted that the ordinance does not require the Plan Commission to make any specific findings and was confused as to what evidence would be needed to determine safety impact. Mr. Madden cited the staff report indicating that the application

meets code requirements. Highlighted were photos of the intersection, the original driveway location that the proposed driveway will be, comparisons with other driveways in the community, and the Mosher's work truck being a visual impediment. Mr. Madden noted he had appealed the Council's decision to the circuit court.

The Plan Commission expressed frustration and confusion of the Council's decision and asked about the process going forward. The City Attorney noted that the commission will need to consider and base its decision on the new evidence and base its decision. The commissioners noted that the application meets the code. The City Administrator reiterated to consider the evidence related to safety for the record.

Hajewski motioned to find the proposed driveway meets the driveway code regulations, is consistent with other driveways in the community, and find no outstanding history of significant safety concerns and to approve the second driveway. Finkler seconds the motion.

The commissioners noted their reasoning for granting the waiver.

The motion was approved by unanimous roll call vote: Finkler - aye, Meyers - aye, Albright - aye, Monday - aye, Stapelmann - aye, Hajewski - aye, and Anfinson - aye.

4. Consider and take possible action regarding resolution adopting the Park Avenue Corridor Plan

   Kornmann presented the resolution adopting the Park Avenue corridor plan and noted that it is a part of the future vision for Columbus and was the result of City staff, Mayor, City Engineer and the landowners working together and planning for nearly two years. It would include the new public safety building, future water treatment plant, residential and industrial and mixed-use, along with a park space. The resolution declares that the City is adopting the plan and that this plan will be adopted within the City's comprehensive plan. Kornmann noted the corridor plan will be useful in marketing to developers.

   The Plan Commission showed appreciation for the plan and the work that went into it.

   Anfinson motioned to approve forwarding the resolution for adoption of the Park Avenue corridor plan as presented; Finkler seconded the motion. There was clarification regarding platting and the senior housing located near the hospital. There was no additional discussion, and the motion was carried by unanimous voice vote.

5. Consider and take possible action regarding resolution adopting comprehensive outdoor recreation plan (CORP)

   Kornmann introduced the comprehensive outdoor recreation plan (CORP) which upgrades the previous plan and allows the City to apply for various grants. The plan was reviewed by the Public Spaces Committee. City Administrator Anfinson noted the plan needs to be updated every five years to stay competitive for grants.

   Finkler motioned to approve moving forward to Council the resolution adopting the Comprehensive Outdoor Recreation Plan; seconded by Albright. There was no discussion and the motion was carried by unanimous voice vote.

Future Agenda Items

Zoning code rewrite and public hearing along with the historic preservation presentation were noted as future items.

The Comprehensive Plan update was noted to begin after the holidays.

Adjourn

Finkler motioned to adjourn the meeting; seconded by Albright. There was no discussion and the motion was carried by unanimous voice vote.

The meeting was adjourned at 9:28pm.

** These minutes will be approved at a future meeting and may be amended. These minutes are respectfully submitted by David Bennett, Communications and Economic Development Coordinator **

MADDEN
LAW GROUP

From the desk of * 116 S. Main Street
Patrick H. Madden * Mayville, W
pmadden@getmadden.com * Tel 920.387.2300
* Fax 920.387.4428

November 12, 2026

Planning Commission
City of Columbus
105 N. Dickason Boulevard
Columbus, WI 53925

Attn: Uriah Monday, Michael Meyers, Molly Finkler, Nathan Anfinson, Steve Jajewski, Shelly Albright, Jason Stapelmann, and Mike Kornmann

Re: Item 2 on tonight's agenda, "second driveway waiver for 353 W. School Street"

Good afternoon/evening distinguished Planning Commission Members,

Our office is working with Gary & Rebecca Tucker to hopefully get final resolution to this second driveway waiver, originally granted by this Commission on July 9, 2026. The posture here is a bit confusing for several reasons:

1. Prior to the adoption of the new Sec. 86-191(d)(1) on September 16, 2025, the decision whether to grant a waiver to the driveway ordinance rested with the Council. However, by adopting new Sec. 86-191(d)(1) on September 16, 2025, that specific authority was intentionally delegated to the Planning Commission.

> Sec. 86-191(d)(1) and (2) are repealed and recreated to now read as follows:
>
> (1) The City Planning Commission may waive the requirements for residential, commercial or industrial driveways when, in its opinion, the waiving of the requirements will not have a detrimental effect on the safety of the general public. The Plan Commission may require the applicant for a waiver to submit an engineered plan that will effectively permit ingress and egress with a minimum of hazard or congestion to pedestrian and vehicle traffic both on and off the street.

2. Gary & Rebecca Tucker applied for and were granted a waiver to the City's 1-driveway limitation by this Commission on July 9, 2026, and were granted a Driveway Permit on July 15, 2026. (See City of Columbus Driveway Permit with additional Conditions from Zach Schinke of Ruekert Mielke attached as Exhibit 1.)

3. The Tuckers and their contractors began work to install their new driveway in full accord with all specifications and restrictions contained in their Driveway Permit.

4. On August 24, 2026, Mike Kornman, City's Zoning Administrator and Randy Myrum, the City's Director of Utilities, sent the Tuckers a letters informing them the City had received a request for this Commission to reconsider its precious approval of the waiver, and ordering them to stop work on their driveway pending a reconsideration hearing scheduled for September 10, 2026. (See Kornmann & Myrum Letters attached as Exhibits 2 & 3.)

5. We do not know the date the Moshers filed their Request for Reconsideration of this waiver issued on July 9, 2026, but according to Section 2-442 of the City's Code of Ordinances, it would have been due on August 8, 2026 (30 days after the determination) but based on the date of Stop Work letters (August 24, 2026), we assume Moshers' original Request for Reconsideration of the Commission's issuance of the waiver was not timely filed.

6. Notwithstanding the untimeliness of their request, this Commission gave the Moshers an audience on September 10, 2026, and decided to take no action.

7. On September 14, 2026, Randy Myrum sent an email to Gary Tucker telling him the "stop work order" had been lifted at the September 10th meeting, and he was free to resume work on his driveway within the permitted specifications. (See September 14, 2026 email from Randy Myrum attached as Exhibit 4.)

8. The Tuckers resumed work on their driveway which is now fully completed.



9. The Moshers then apparently appealed this Commission's September 10, 2026 decision to take no action with respect to the waiver that was issued on July 9, 2026.

10. The Common Council heard the Mosher's appeal on October 6, 2026, and overturned this Commission's July 9, 2026 issuance of the waiver finding and concluding as follows:

> In considering all the evidence, the Council finds that there was insufficient evidence presented to the Plan Commission and to the Council at the appeal hearing to determine that the waiver will not have a detrimental effect on the safety of the general public.
>
> Based on these findings, the Common Council REVERSES the granting of the waiver for a second driveway at the Property.

(See Findings of Fact and Decision Concerning the Waiver for a Second Driveway at 353 West School Street attached as Exhibit 5.)

11. On October 8, 2026, City Administrator, Matt Amundson sent Gary Tucker a letter enclosing the Findings and Decision of the Council and telling him he needed to either reapply for the waiver of the City's one driveway per single family lot restriction by October 29th or tear up his new driveway. (See October 8 Amundson Letter attached as Exhibit 7.)

POINTS TO CONSIDER

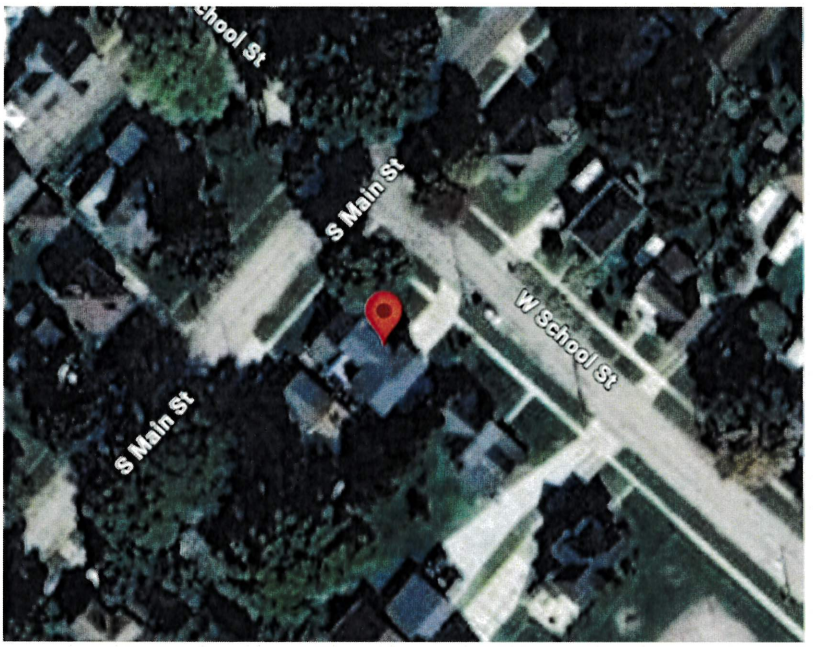
A. The wording of Common Council's Decision suggests the Council either misread the language of the ordinance at issue or read additional language into the ordinance requiring the Planning Commission to make specific findings of fact based on specific items of evidence identified in making its decision.

The ordinance at issue permits the Planning Commission to grant the waiver "when, in its opinion, the waiving of the requirements will not have a detrimental effect on the safety of the general public." The ordinance does not require the Planning Commission to identify any evidence or to make any specific factual findings.

Notwithstanding the fact that the Planning Commission is not required to consider any identified evidence or make any specific findings, the following items are submitted:

B. The driveway is fully constructed in strict compliance with all City regulations enacted to protect public safety, and in strict compliance with all the restrictions and requirements contained in the Driveway Permit issued by the City on July 15, 2026.

C. The Tuckers' new driveway is off the southeast side of S. Main Street, so the traffic on that side of the street is coming from the opposite direction from the driveway.



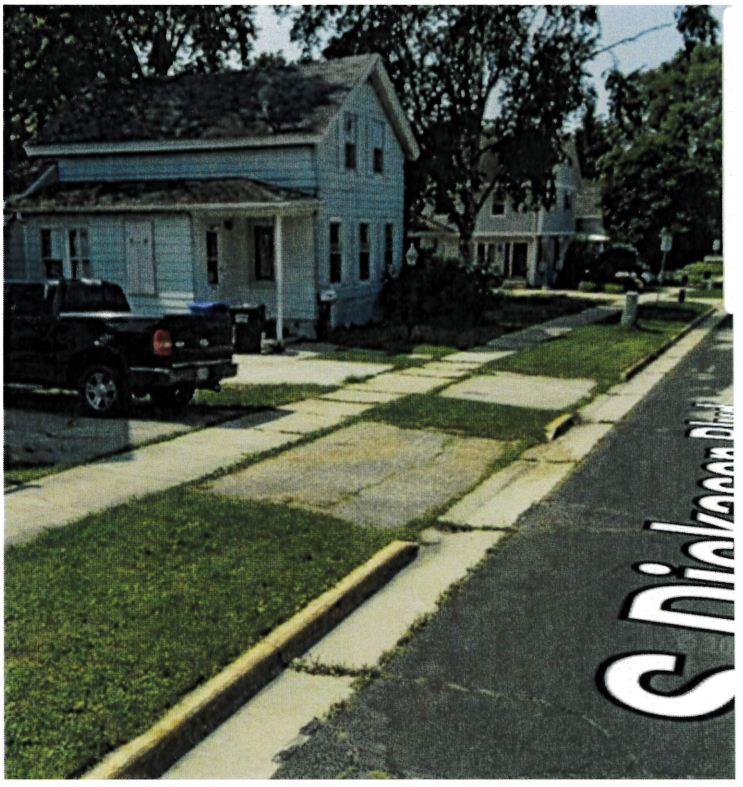
C. There is a stop sign on the corner of S. Main Street and W. School Street that requires traffic traveling northeast on Main to stop, so the traffic should already be decelerating at that point.

D. The Tuckers' second driveway is constructed in the same location as the original driveway that served that residence since it was originally constructed until 2018, when the Tuckers constructed their driveway on Main Street and it caused no public safety issues.



E. The Tuckers' new driveway is located substantially farther from the Moshers' than many other driveways around the City which apparently pose no public safety concerns.





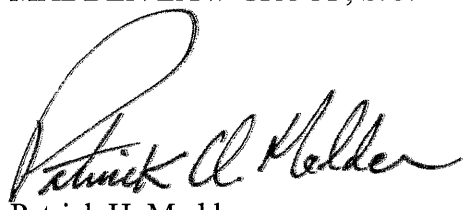


F. Mr. Mosher's work truck is regularly parked on the northeast side of his driveway which would obviously block Mrs. Mosher's vision to the northeast much more than a vehicle parked by the Tuckers' new driveway.



Very truly yours,

MADDEN LAW GROUP, S.C.



Patrick H. Madden

PHM/ark
Enclosures
Cc: client (via email)

Ruekert • Mielke
4630 S. Biltmore Lane, Madison, WI 53718 608-819-2600

July 15th, 2026

EXHIBIT
tabbies
1

On behalf of the Columbus Department of Public Works
City of Columbus
105 North Dickason Boulevard
Columbus, WI 53925-1565

Re: 353 West School Street - School Street Driveway Opening

Ruekert & Mielke, Inc. (R/M) has completed our review of the Driveway Opening Permit for the above referenced project. The permit was reviewed in accordance with Columbus Municipal Code and permit details. This review does not constitute a recommendation for future work. We offer the following comments, clarifications, or concerns:

The Driveway Opening Permit is approved with the following conditions:

1. The applicant shall work with Sam Boman (R/M) and the contractor regarding the proposed driveway apron on West School Street. The cost of the agreed-upon apron will be assessed back to the property owner as part of the West School Street Project. Aprons shall be no longer than 24-feet at property line.

Please feel free to contact me if you have any questions regarding this review.

Respectfully,

RUEKERT & MIELKE, INC.

Zach Schinke
Project Engineer
zschinke@ruekert-mielke.com

ZMS
cc: Randall Myrum, City of Columbus
Jason P. Lietha, P.E., City Engineer
Sam Boman, P.E., Ruekert & Mielke

EXHIBIT
tabbies
2

From: Mike Kornmann <MKornmann@columbuswi.gov>
Sent: Tuesday, June 30, 2026 4:19:14 PM
To: GARY TUCKER <gtcruiser@hotmail.com>
Cc: David Bennett <dbennett@columbuswi.gov>
Subject: July 9th Plan Com mtg...Driveway Waiver

Mr. Tucker,

Your second driveway waiver request will be on the July 9th Plan Commission meeting. Please be there to answer any questions the Plan Commission will have. Meeting time is 6:30 pm. If approved you will need also to meet all other requirements of the driveway ordinance.

Mike

Mike Kornmann
Director of Community and Economic Development
And Zoning Administrator
105 N. Dickason Boulevard
City of Columbus, Wisconsin 53925

Phone: (920) 623-5900 x1106
Email: mkornmann@columbuswi.gov

EXHIBIT 3

tabbies

CU COLUMBUS UTILITIES

From: Randall Myrum
Sent: Monday, August 24, 2026 9:43 AM
To: 'gtcruiser@hotmail.com' <gtcruiser@hotmail.com>
Cc: Matt Amundson - City Administrator <mamundson@columbuswi.gov>; Paul A. Johnson <pjohnson@boardmanclark.com>; Dalton Hiley <dhiley@columbusutilitieswi.com>
Subject: 2nd Driveway

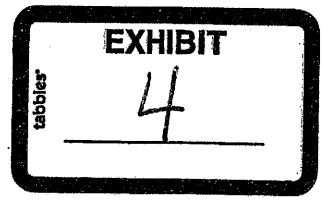
Hello Mr. Tucker,

As you know, the City of Columbus Plan Commission approved the request for a second driveway on your property at 353 W. School Street. However, the City has received a request from the Plan Commission to reconsider its previous approval. Because of this you are ordered to stop any construction on the new driveway and take no further action until the City appeal process has been completed. The request for reconsideration will be heard by the Plan Commission at its next meeting scheduled for 9/10/2026 at 6:30 p.m. You are encouraged to attend the meeting in the event the Plan Commission has any questions for you.

I spoke with your contractor, Dalton, this morning and issued the work stoppage. Again, YOU ARE ORDERED TO TAKE NO ACTION on the construction of the second driveway until this issue has been heard in full by the Plan Commission.

Thank you, and have a good day,

Randall Myrum
Utility & Public Works Director
Columbus, WI
O 920-623-5912



From: Randall Myrum <rmyrum@columbusutilitieswi.com>
Sent: Monday, 14 September 2026 09:19:35
To: gtcruiser@hotmail.com <gtcruiser@hotmail.com>; Mike Kornmann <mkornmann@columbuswi.gov>
Cc: Matt Amundson - City Administrator <mamundson@columbuswi.gov>; Paul A. Johnson <pjohnson@boardmanclark.com>; Dalton Hiley <dhiley@columbusutilitieswi.com>
Subject: RE: 2nd Driveway

Hello Mr. Tucker,

Last week Thursday, on 9/14/2026, the Planning Commission for the City of Columbus voted to "take no action" regarding review of the existing permit for a second driveway at your property on 353 W. School St. The decision by the commission means that there are no revisions or restrictions to said permit and you are now free to resume work within the permitted specifications. Again, the previously issued "stop work" order has been lifted and you are free to continue with your project as specified.

Just a reminder that the diggers hotline ticket needs to be renewed and cleared before any excavation work can begin.

Thank you, and have a good day,

Randall Myrum
Utility Director
Columbus, WI
C 608-683-9924
O 920-623-5912
rmyrum@columbusutilitieswi.com

EXHIBIT
tabbies
5

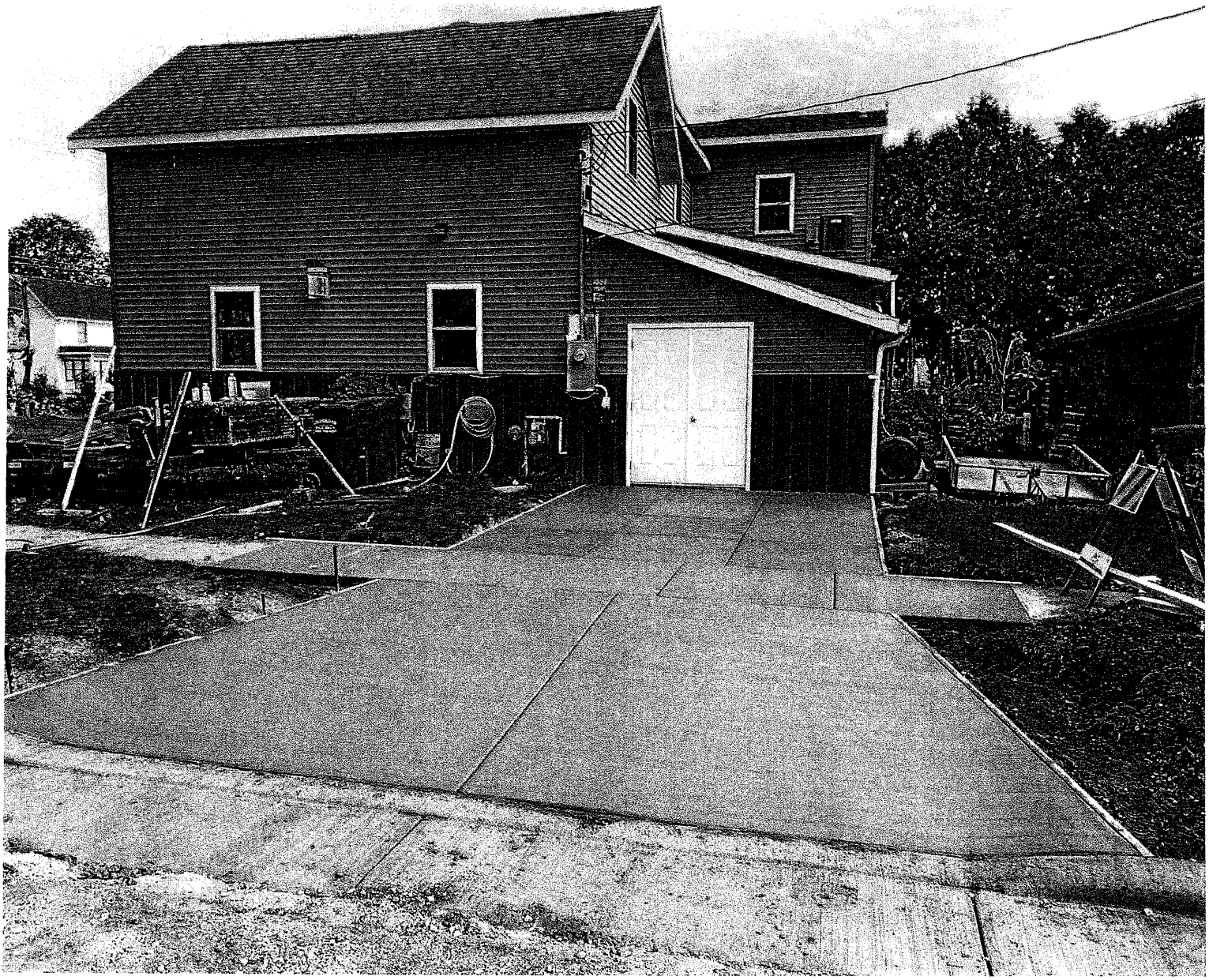


EXHIBIT 6
tabbies

FINDINGS OF FACT AND DECISION CONCERNING THE WAIVER FOR A SECOND DRIVEWAY AT 353 WEST SCHOOL STREET

An administrative appeal was held on September 29, 2026, before the City of Columbus Common Council at the Columbus City Hall, 105 N. Dickason Boulevard, Columbus, Wisconsin. Attorney Paul Johnson appeared for the City. Attorney Matthew Fleming appeared for Kyle and Heather Mosher. The alders in attendance and hearing the appeal were Ryan Rostad, Rhonda Fuller, Trina Reid, Michael Lawson and Amy Roelke.

The hearing addressed an appeal filed by Kyle and Heather Mosher concerning the Plan Commission's approval of a waiver allowing for a second driveway at the residential property located at 353 West School Street, which is owned by Gary Tucker. Mr. Tucker applied for a waiver for a second driveway and that request was approved by the Plan Commission on July 9, 2026.

The Council heard opening statements from counsel. The City submitted Exhibits 1 through 5 for the Council to consider. Exhibit 4 was the video recording of the July 9th Plan Commission meeting which addressed Mr. Tucker's application for the waiver. Exhibit 5 was the video recording of the September 10th Plan Commission meeting that addressed the Moshers' request to revoke the waiver granted on July 9th. The Council watched these videos during deliberations.

The Mosher's submitted a photograph as Exhibit 6. Ms. Heather Mosher also testified. Council then heard closing arguments from counsel. Prior to deliberations, Mr. Tucker submitted a packet of documents and photographs for the Council to consider, which was marked as Exhibit 7. Counsel for the City and the Moshers reviewed the packet and did not object to the Council accepting and considering Exhibit 7. Separately, a citizen provided the mayor with a written public comment on the matter, but this was not accepted or considered by the Council as evidence.

After deliberations and considering all the evidence submitted, including Exhibits 1 through 7, the Council makes the following findings of fact:

1. The residential property located at 353 West School Street (hereinafter referred to as the "Property") is a corner lot adjoining both West School Street and South Main Street.

2. Mr. Gary Tucker owns the Property, and he applied for a wavier for a second driveway at the Property, which was granted by the Plan Commission on July 9, 2026.
3. The Property currently has a driveway located on West School Street that was installed in approximately 2018. At that time, the Property had a driveway located on South Main Street, but that driveway was removed when the new driveway was installed on West School Street.
4. Mr. Tucker's application for the waiver requested he be allowed to install a second driveway at the same location as the previous driveway on South Main Street.
5. The Moshers are neighbors to Mr. Tucker, and own and reside at the residence located at 423 South Main Street.
6. The Moshers requested the Plan Commission revoke the waiver granted to Mr. Tucker, and that request was heard by the Plan Commission on September 10, 2026. The Plan Commission took no action on the request, and the Moshers timely filed an administrative appeal.
7. The standard for granting the waiver requested by Mr. Tucker is contained in City Code Section 86-191(d)(1), which provides in relevant part:

> The City Planning Commission may waive the requirements for residential, commercial or industrial driveways when, in its opinion, ***the waiving of the requirements will not have a detrimental effect on the safety of the general public***. The Plan Commission may require the applicant for a waiver to submit an engineered plan that will effectively permit ingress and egress with a minimum of hazard or congestion to pedestrian and vehicle traffic bon on and off the street.

(emphasis added above in bold)

8. In considering all the evidence, the Council finds that there was insufficient evidence presented to the Plan Commission and to the Council at the appeal hearing to determine that the waiver will not have a detrimental effect on the safety of the general public.

Based on these findings, the Common Council REVERSES the granting of the waiver for a second driveway at the Property.

Dated October 6, 2026

Approval by:

_____
Ryan Rostad

_____
Rhonda Fuller

_____
Trina Reid

_____
Michael Lawson

_____
Amy Roelke

COLUMBUS
WISCONSIN

EXHIBIT
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October 8, 2026

Mr. Gary Tucker
353 W. School Street
Columbus, WI 53925

Re: Notice of Findings and Decision on Second Driveway at 353 W. School Street

Dear Mr. Tucker:

The City Council completed its written findings and decision regarding your request for a second driveway at your residence at 353 W. School Street. A copy of the findings and decision is enclosed. As provided in the decision, the Council found that there was insufficient evidence presented to the Plan Commission to determine whether the waiver for the second driveway will not have a detrimental effect on the safety of the general public. Based on this decision, your second driveway recently installed on S. Main Street is not authorized.

You are requested to do one of the following:

1. By October 29th, reapply for the waiver to the Plan Commission and produce evidence addressing the impact of the driveway on public safety, either with your application or at the Plan Commission meeting addressing your application, or both. Tentatively, your application will then be considered at the November 12, 2026, Plan Commission meeting.
2. If you do not reapply for the driveway waiver by October 29th, remove the S. Main Street driveway no later than November 20, 2026. If you elect to remove the driveway, all the concrete you installed on the right-of-way, including the driveway apron, must be removed. You will also need to remove any concrete that does not meet setback requirements from the sidewalk and right-of-way. You may contact Mike Kornmann, the zoning administrator, to determine what portion of the installed concrete will need to be removed.

Please let me know if you have any questions regarding this notice.

Sincerely,

Matt Amundson

Matt Amundson
City Administrator
Enclosure

Cc: Kyle and Heather Mosher, 423 S. Main St.