



MINUTES
CITY OF WAUPUN ZONING BOARD OF APPEALS
Waupun City Hall – 201 E. Main Street, Waupun WI
Wednesday, June 19, 2019 at 4:00 PM

CALL TO ORDER

Chairman Mesa called The Zoning Board of Appeals meeting at 4:00 p.m.

RECOGNITION OF MAYORAL APPOINTMENTS OF COUNCIL MEMBERS AND CITIZENS TO THE ZONING BOARD OF APPEALS

Mesa read the Recognition of Mayoral Appointments of Council Members and Citizens to the Zoning Board of Appeals.

Citizen	4-30-22	Mark Nickel
Citizen	4-30-20	Dick Walters
Citizen	4-30-21	Frank Mesa, Chairman (<i>Mayor appoints Chairman</i>)
Citizen Alternate	4-30-21	Dylan Weber
Citizen	4-30-20	Jon Dobbratz
Council Member		Pete Kaczmariski
Public Works Dir., Ex Officio		
Utility Manager, Ex Officio		

SELECTION OF THE DAY AND MONTH AND TIME OF ZONING BOARD MEETINGS

No discussion

ROLL CALL

Members present: Nickel, Walters, Chairman Mesa, Dobbratz, Kaczmariski, Weber

Also in attendance were Mayor Julie Nickel, Jeff Daane, DPW, Susan Leahy, Zoning Administrator, Property Owners Scott Roffers, Jodi Mallas, and Todd Tesdal

PERSONS WISHING TO ADDRESS THE ZONING BOARD OF APPEAL--State name, address, and subject of comments. (2 Minutes)

No persons appeared.

CONSIDERATION - ACTION

1. Approve minutes of the April 3, 2019 meeting. Motion by Dobbratz, second by Walters to approve the April 3, 2019 meeting minutes of the Zoning Board of Appeals. Motion carried, unanimously.
2. Public Hearing –Mesa read request to Discuss/Approve Variance request of Brian Schouten at 728 West Main Street, to construct a detached garage with a side yard setback of 20-inches. Section 16.03(4)(c)(iv) requires a side yard setback of 3 feet from the overhang to the property line.

Mesa asked if any one hear to talk about request. Mesa recommended to table to next meeting.

Motion by Kaczmariski to table until the next meeting. Nickel 2nd. Motion carried, unanimously.

3. Public Hearing – Mesa read request to Discuss/Approve Variance request of Scott Roffers and Jodi Mallas at 910 Taft Lane to install an auto safety cover in lieu of a fence around a pool. Section 16.01(11)(g) requires that all swimming pools with more than 12-inches of water or water and sides more than 18-inches must have a barrier side or fence surrounding the pool.

Scott Roffers spoke in lieu of the fence would like to install the safety cover which is keyed to open/close. Certain townships are allowing the use of the covers.

Mesa asked if they were above ground. Roffers stated no, below ground. Mesa asked what the hardship would be to allow the cover. Roffers stated a fence is unsightly, unsocial, and we are located in a new subdivision. Mesa addressed the safety due to height.

Nickel stated that is the purpose of the cover. He read the article out loud from the Town of Howard regarding safety issues. Cover must be closed when not in use. Dobbratz stated that this is a life safety issue. The ordinance should be changed to reflect using the covers.

Mesa recommends that this should go to plan commission as an ordinance change. The Zoning Board of Appeals does not have the power to approve a variance because of safety issue. Mayor Nickel stated to have the discussion and provide info to the plan commission. Mesa recommends using the guidelines in material to address an ordinance change to plan commission.

Weber stated he thought this was a slam dunk. Nickel stated that they have no authority to approve something not in the ordinance. If an accident should occur, the City would be liable. Weber, so we cannot override what is not there. Nickel stated to use Baraboo's verbage.

Dobbratz made a motion to provide a proposed ordinance change to include the pool covers, Kaczmarski 2nd.

Vote: Dobbratz, Walters, Mesa, Nickel, Kaczmarski – "AYE"

Weber - Nay

Motion carried

4. Public Hearing – Mesa read request to Discuss/Approve Variance of Insight FS, 1208 West Brown Street to request the following structures over 65 feet tall. Municipal Code Section 16.05(2)(c)(iii) states "Not exceed a maximum building height of 65 feet".
Bucket elevator #1 – 163 feet high above grade
Bucket elevator #2 – 161 feet high above grade
Grain dryer – 88 feet high above grade
36 foot diameter storage tank – 68 feet high above grade
Leg support tower – 151 high above grade.

Todd Tesdal of Insight is requesting the height variance to upgrade their facility for fall harvest. The new dump pit will elevate corn to wet bin to new dryer. This will increase their daily processing.

Kaczmarski asked if the Fire Department has signed off. Dobbratz & Leahy both stated that it is normally done at the Plan Commission Meeting.

Weber asked is same height as Farmers Elevator that was constructed last year. Tesdal stated it is smaller scale than Farmers.

Walters asked if there was anything below ground. Tesdal stated the receiving leg about 4 feet below grade in pit. Relatively small. Not large enough to fit a whole semi load of product. Pit maybe 6 to 7 feet deep.

Leahy asked if this was going to be similar to what they did in Brandon. Tesdal stated that Brandon was more a feed mill. The bins will be sitting on stabs and no tunnels.

Mesa asked if there were any concerns. Nickel stated again that Fire Department would look at it at Plan Commission. Mayor Nickel stated that all departments review.

Walters asked if there were any problems with the height. Tesdal stated that the legs are actually enclosed in a tower and due to the height lights are installed for aircraft.

Mesa asked for any further discussion.

Dobbratz made a motion to approve the heights for the Bucket elevator #1 at 163 feet high above grade, Bucket elevator #2 at 161 feet high above grade, Grain dryer at 88 feet high above grade, 36 foot diameter storage tank at 68 feet high above grade and the Leg support tower at 151 high above grade. Walters 2nd. Motion carried, unanimously.

ADJOURNMENT

Motion by Nickel, seconded by Dobbratz to adjourn the meeting. Motion carried, meeting adjourned at 4:36 pm.

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