

MINUTES
TUESDAY MAY 27, 2025 AT 2:00 PM
BOARD OF ADJUSTMENTS
Draft minutes until Committee approved

Meeting called to order at 2:00 PM by Al Sleeter, Chair.

BOARD MEMBERS PRESENT: Al Sleeter, Carol Heise, Dave Behrend, Char Meier and Dave Christianson

1. Approval of Agenda
 - a. Change of Sequence
 - b. Removal of Items

Moved by Meier, seconded by Christianson, to approve the agenda of the business meeting. Motion voted on and carried.
2. Approval of Minutes
 - a. Business Meeting of April 22, 2025

Moved by Heise, seconded by Behrend to approve the minutes of the business meeting of April 22, 2025. Motion voted and carried.

 - b. Public Hearings of May 27, 2025
 - 1) Paul Terry
 - 2) LCN Investments LLC
 - 3) Daniel Maurer
 - 4) Terry Meulemans
 - c. Moved by Behrend, seconded by Christianson to approve the minutes of the public hearing of May 27, 2025. Motion voted on and carried.
3. Public Comments- none
4. Hearing Dates
 - a. Public Hearings- June 24, 2025
 - b. Business Meeting Date- June 24, 2025
5. Adjournment

Chair Sleeter adjourned meeting at 2:25 PM

Secretary

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
May 27, 2025

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 5/28/25 BY KL

1. Hearing called to order at 8:40 AM

2. Roll Call: Present: Alan Sleeter, Chair
Carol Heise, Vice Chair & Secretary
Dave Christianson
Dave Behrend
Char Meier, Alternate

Absent Elmer Ragen

Others Present: William Lester, Assistant Zoning Administrator
Luke Elbe

3. William Lester read the Notice of Public Hearing pertaining to Paul Terry's application for Conditional use permit for equipment sales and service. Location of the property is in Section 33, T27N, R20E, Town of Abrams.
4. William Lester stated that the notice was mailed to the petitioner, DZA for posting, 9 adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. William Lester stated that the petition was filed on April 15, 2025. He provided the required notices, application, plot plan and maps.
6. Appearances:

A. Luke Elbe appeared and was sworn in. He stated he is the agent for the applicant. The applicant currently works out of a hobby shop just for friends and is not open to the public. There is no water or bathroom. Oil is transported to a friend who has an oil burner. There is no outside storage of scrap or scrap vehicles. Property was rezoned to Restricted Commercial.

B. William Lester appeared and was sworn in. He read the staff report.

7. Correspondence

A. Staff Report
B. Town Recommendation- Approved

8. Testimony closed at 8:47 AM

9. Deliberation/Discussion: Outside storage, hazardous waste, hours, etc.

10. Decision: Moved by Christianson, seconded by Behrend, to grant a conditional use permit for equipment sales and service with the following conditions:

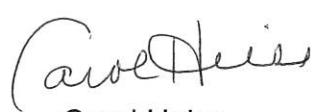
1. Hours- By appointment only

Paul Terry Public Hearing
May 27, 2025
Page Two

2. Dusk to dawn lighting
3. Proper disposal of waste
4. No outdoor storage of junk, parts, scrap, etc.
5. Obtain any Federal, State, & Local permits needed

Roll Call Vote: Behrend, Christianson, Heise, Meier, and Sleeter all voting aye, no nays, motion carried.

11. Hearing adjourned at 8:51 AM



Carol Heise
Secretary



Alan Sleeter
Chair

William Lester
Assistant Zoning Administrator

OCONTO COUNTY, WISCONSIN**FILING DATE FOR SECTION****59.694(10) STATUTORY PURPOSES****NOTICE OF DECISION AND ORDER**
OCONTO COUNTY BOARD OF ADJUSTMENT (Chapter 14)**DATE 5-28-25 BY KJ****CASE NO: CU-20250006****FINDINGS OF FACT:** Having heard all the testimony and considered the entire record herein, the Committee finds the following facts:

1. The petitioner is Paul Terry, 6240 Main St., Abrams, WI 54101
2. The petitioner is the owner of record of parcel number 002-393300913a located in the SW 1/4, NE 1/4, Section 33, T27N, R20E, Town of Abrams.
3. The petition for conditional use permit was filed with the Board Secretary on April 15, 2025, noticed, as provided for by law, on May 7, 2025 and May 14, 2025, and a public hearing was held by the Oconto County Board of Adjustment on May 27, 2025.
4. The property is zoned Rural Residential District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The applicant is requesting a conditional use under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance
6. The features of the proposed construction and property that relate to the grant or denial of the application are applicant is requesting a conditional use permit for equipment sales and service.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

The Board has jurisdiction on this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance

Conditional Use-The application for a conditional use permit does qualify under the criteria of Section 14.1703 of the ordinance.**DETERMINATION & ORDER:** On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Board determines & orders as follows:**The requested conditional use consisting of equipment sales and service is hereby granted subject to the following conditions:**

1. Hours- By appointment only
2. Dusk to dawn lighting
3. Proper disposal of waste
4. No outdoor storage of junk, parts, scrap, etc.
5. Obtain any Federal, State, & Local permits needed

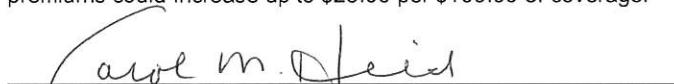
GENERAL CONDITIONS

The granting of this conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts the conditions.

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

Revocation. This order may be revoked by the Committee, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action of certiorari with the Circuit Court for Oconto County within 30 days after the filing of this decision. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. When a floodplain variance is granted the applicant is made aware that the variance may increase risks to life, property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage.



Carol M. Heise, Secretary
Oconto County Board of Adjustment5-27-2025

Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
May 27, 2025

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 5/28/25 BY KL

1. Hearing called to order at 9:29 AM

2. Roll Call: Present: Alan Sleeter, Chair
Carol Heise, Vice Chair & Secretary
Dave Christianson
Dave Behrend
Char Meier, Alternate

Absent: Elmer Ragen

Others Present: William Lester, Assistant Zoning Administrator
Ashley Cochenet

3. William Lester read the Notice of Public Hearing pertaining to LCN Investments LLC's application for Conditional use permit for retail or wholesale business involving sales of goods and or services. Location of the property is in Section 34, T28N, R20E, Town of Stiles.
4. William Lester stated that the notice was mailed to the petitioner, DZA for posting, 5 adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. William Lester stated that the petition was filed on April 25, 2025. He provided the required notices, application, plot plan and maps.
6. Appearances:

A. Ashley Cochenet appeared and was sworn in. She stated she is the agent for the applicant. They are requesting a conditional use permit for retail/sales of products including meats, cheeses, and more. There will be no meat processing. Hours of operation will be 6 AM- 10 PM, 7 days per week.

B. William Lester appeared and was sworn in. He read the staff report.

7. Correspondence

A. Staff Report
B. Town Recommendation-Approved

8. Testimony closed at 9:44 AM

9. Deliberation/Discussion: Reviewed conditions, no concerns.

10. Decision: Moved by Behrend, seconded by Meier, to grant a conditional use permit for retail or wholesale business involving sales of goods or services with the following condition:

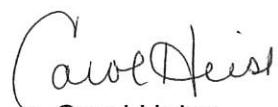
1. Hours of operation, 6 AM- 10 PM, 7 days a week

LCN Investments LLC Public Hearing
May 27, 2025
Page Two

2. Adequate parking
3. Adequate lighting
4. Obtain all Local, Federal and State permits required
5. Follow Oconto County ordinance on signage
6. Retail sales only, no processing

Roll Call Vote: Behrend, Christianson, Heise, Meier, and Sleeter all voting aye, no nays, motion carried.

11. Hearing adjourned at 9:46 AM



Carol Heise
Secretary



Alan Sleeter
Chair

William Lester
Assistant Zoning Administrator

DATE 5-28-25 BY KL

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Committee finds the following facts:

1. The petitioner is LCN Investments LLC, 6245 Kriescher Rd., Lena, WI 54139
2. The petitioner is the owner of record of parcel number 040-34341228051b located in Section 34, T28N, R20E, Town of Stiles.
3. The petition for conditional use permit was filed with the Board Secretary on April 25, 2025, noticed, as provided for by law, on May 7, 2025 and May 14, 2025, and a public hearing was held by the Oconto County Board of Adjustment on May 27, 2025.
4. The property is zoned General Commerical District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The applicant is requesting a conditional use under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance
6. The features of the proposed construction and property that relate to the grant or denial of the application are applicant is requesting a conditional use permit for retail or wholesale business involving sales of goods and or services.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

The Board has jurisdiction on this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.

Conditional Use-The application for a conditional use permit does qualify under the criteria of Section 14.1803 (d) of the ordinance.

DETERMINATION & ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Board determines & orders as follows:

The requested conditional use consisting of retail or wholesale business involving sales of goods and or services is hereby granted subject to the following conditions/mitigation:

1. Hours of operation, 6 AM- 10 PM, 7 days a week
2. Adequate parking
3. Adequate lighting
4. Obtain all Local, Federal and State permits required
5. Follow Oconto County ordinance on signage
6. Retail sales only, no processing

GENERAL CONDITIONS

The granting of this conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts the conditions.

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

Revocation. This order may be revoked by the Committee, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action of certiorari with the Circuit Court for Oconto County within 30 days after the filing of this decision. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. When a floodplain variance is granted the applicant is made aware that the variance may increase risks to life, property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage.


Carol Heise, Secretary
Oconto County Board of Adjustment


Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
May 27, 2025

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 5-28-25 BY JK

1. Hearing called to order at 11:47 AM

2. Roll Call: Present: Alan Sleeter, Chair
Carol Heise, Vice-Chair & Secretary
Dave Christianson
Dave Behrend
Char Meier

Absent: Elmer Ragen

Others Present: William Lester, Assistant Zoning Administrator
Dan Maurer

3. William Lester read the Notice of Public Hearing pertaining to Daniel Maurer's application for Variance from the ordinary high water mark for a detached garage. Location of the property is in Section 13, T33N, R16E, Town of Lakewood.
4. William Lester stated that the notice was mailed to the petitioner, DZA for posting, 6 adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. William Lester stated that the petition was filed on April 23, 2025. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:

A. Dan Maurer appeared and was sworn in. He stated he is requesting a 41' foot variance from the ordinary high water mark for a 24'X26' carport, which would be placed on the existing concrete driveway. If a carport is built it does not need to meet DSPS septic setbacks. If a garage is built it will need a DSPS variance to meet septic setbacks. The carport is proposed to be open sided. The applicant can adjust the layout so the structure will be 35' feet from the ordinary high water mark.

B. William Lester appeared and was sworn in. He read the Staff Report.

7. Correspondence

A. Staff Report
B. DNR Letter

8. Testimony closed at 11:53 AM

9. Deliberation/Discussion: Board discussed Findings of Fact – ordinary high water mark

- A. Unique physical limitation- slopes & lot shape
- B. Harm to public interest- no increase in impervious surface
- C. Unnecessary hardship- no outside storage

Daniel Maurer Public Hearing
May 27, 2025
Page Two

Decision: Moved by Meier, seconded by Christianson to grant a 4 foot variance from the required 75 foot setback to build 3 feet from the ordinary high water mark for a carport with the following condition:

1. A garage can be built only with a DSPS variance granted

Roll Call Vote: Behrend, Christianson, Heise, Meier, and Sleeter all voting aye, no nays, motion carried.

10. Hearing adjourned at 11:56 AM



Carol Heise
Secretary



Alan Sleeter
Chair

William Lester
Assistant Zoning Administrator

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 5-28-25 BY Kd

NOTICE OF DECISION AND ORDER
OCONTO COUNTY BOARD OF ADJUSTMENT (Chapter 26)

CASE NO: VA-20250009

FINDINGS OF FACT: Having heard the testimony and considered the evidence presented, the Board determines the facts of this case to be:

1. The petitioner is Daniel Maurer, Po Box 157, Lakewood, WI 54138
2. The petitioner is the owner of record of parcel number 019-8613091 located in, Section 13, T33N, R16E, Town of Lakewood.
3. The petition for variance was filed with the Board Secretary on April 23, 2025, noticed, as provided for by law, on May 7, 2025 and May 14, 2025, and a public hearing was held by the Oconto County Board of Adjustment on May 27, 2025.
4. The property is zoned Residential Single Family District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The applicant is requesting a **variance** under the provisions of Section 26.601 of the Oconto County Shoreland Protection Ordinance.
6. The features of the proposed construction and property that relate to the grant or denial of the application are applicant is requesting a variance from the ordinary high water mark.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

The Board has jurisdiction on this matter under the provisions of Section 26.1405 of the Oconto County Shoreland Protection Ordinance.

Variance- The variance does meet all three of the following tests:

1. The variance is required due to physical limitations of the property rather than the circumstances of the appellant because of slopes and the shape of the lot.
2. The variance will not harm the public interest because there is no increase in the impervious surface.
3. Unnecessary Hardship is present because there is no outside storage.

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 short-term, long-term and cumulative effects of a variance on the neighborhood, the community and on the public interests. This standard reflects the new Zier vogel and Waushara County decisions.

DETERMINATION & ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Board determines & orders as follows:

The requested variance consisting of a 40 foot variance from the required 75 foot setback to build 35 feet from the ordinary high water mark for a carport is hereby granted subject to the following conditions/mitigation:

1. A garage can be built only with a DSPS variance granted.

GENERAL CONDITIONS

The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts the conditions.

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

Revocation. This order may be revoked by the Committee, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action of certiorari with the Circuit Court for Oconto County within 30 days after the filing of this decision. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. When a floodplain variance is granted the applicant is made aware that the variance may increase risks to life, property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage.

Carol Heise
Carol Heise, Secretary
Oconto County Board of Adjustment

5-27-25
Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
May 27, 2025

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 5-28-25 BY TSF

1. Hearing called to order at 11:25 AM

2. Roll Call: Present: Alan Sleeter, Chair
Carol Heise, Vice Chair & Secretary
Elmer Ragen
Dave Christianson
Dave Behrend
Char Meier, Alternate

Elmer Ragen, Absent

Others Present: William Lester, Assistant Zoning Administrator
Terry Meulemans
Suzanne Meulemans

3. William Lester read the Notice of Public Hearing pertaining to Terry Meulemans's application for Variance from the centerline of the road and the ordinary high water mark for a new dwelling. Location of the property is in Section 14, T33N, R16E, Town of Lakewood.
4. William Lester stated that the notice was mailed to the petitioner, DZA for posting, 11 adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. William Lester stated that the petition was filed on April 21, 2025. He provided the required notices, application, plot plan and maps.
6. Appearances:

A. Terry Meulemans appeared and was sworn in. He is requesting a variance from the ordinary high-water mark and the centerline of the road. The new dwelling would be 45 feet to the ordinary high water mark, and 51 feet to the centerline of the road. Will tear down existing structures and build new with attached garage. BOA explained the setback average distance at 45 feet versus the variance request of 40 feet. Applicant is ok with utilizing the setback average and withdrew the ordinary high water mark variance request. Proposal is also located out of the mapped floodway. An approximate 1200 sq. ft home and approximate 1000 sq. ft. garage is being proposed. BOA explained no structures, patios or decking is permitted closer than the 45 feet.

B. William Lester appeared and was sworn in. He read the staff report.

7. Correspondence

A. Staff Report
B. DNR Letter

8. Testimony closed at 11:36 AM

Terry Meulemans Public Hearing
May 27, 2025
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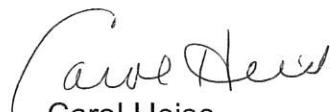
9. Deliberation/Discussion: Board discussed Findings of Fact - centerline

- A. Unique physical limitation- septic location, property layout
- B. Harm to public interest- no impact from snow removal or vision, low traffic road
- C. Unnecessary hardship- lot layout, age of home, sanitary system location

Decision: Moved by Behrend, seconded by Meier, to grant a 17 foot variance from the required 63 foot setback to build 46 feet from the centerline of the road.

Roll Call Vote: Behrend, Christianson, Heise, Meier, and Sleeter all voting aye, no nays, motion carried.

10. Hearing adjourned at 11:45 AM



Carol Heise
Secretary



Alan Sleeter
Chair

William Lester Assistant Zoning Administrator

DATE 5-28-25 BY KR

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Committee finds the following facts:

1. The petitioner is Terry Meulemans, 1359 Mallard Rd., DePere, WI 54115
2. The petitioner is the owner of record of parcel number 019-141409844e1 located in the SE 1/4, SE 1/4, Section 14, T33N, R16E, Town of Lakewood.
3. The petition for variance was filed with the Board Secretary on April 21, 2025, noticed, as provided for by law, on May 7, 2025 and May 14, 2025, and a public hearing was held by the Oconto County Board of Adjustment on May 27, 2025.
4. The property is zoned Residential Single Family District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The applicant is requesting a variance under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance
6. The features of the proposed construction and property that relate to the grant or denial of the application are applicant is requesting a variance from the centerline of the road.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

The Board has jurisdiction on this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance

Variance- The variance does meet all three of the following tests:

1. The variance is required due to physical limitations of the property rather than the circumstances of the appellant because of the septic location and property layout.
2. The variance will not harm the public interest because there is no impact to snow removal or vision, low traffic road.
3. Unnecessary Hardship is present because lot layout, age of home and sanitary system location.

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 short-term, long-term and cumulative effects of a variance on the neighborhood, the community and on the public interests. This standard reflects the new Ziervogel and Waushara County decisions.

DETERMINATION & ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Board determines & orders as follows:

The requested variance consisting of a 17 foot variance from the required 63 foot setback to build 46 feet from the centerline of the road is hereby granted subject to the following conditions/mitigation:

1. No concrete patios or decking closer than 45 feet to the ordinary high water mark.

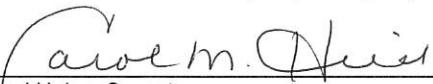
GENERAL CONDITIONS

The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts the conditions.

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

Revocation: This order may be revoked by the Committee, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

Appeals: This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action of certiorari with the Circuit Court for Oconto County within 30 days after the filing of this decision. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. When a floodplain variance is granted the applicant is made aware that the variance may increase risks to life, property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage.



Carol Heise, Secretary
Oconto County Board of Adjustment

Date

5-27-25