

**MINUTES**  
**WEDNESDAY OCTOBER 29TH, 2025 AT 11:00 AM**  
**BOARD OF ADJUSTMENTS**  
**Draft minutes until Committee approved**

Meeting called to order at 11:29 AM by Al Sleeter, Chair.

BOARD MEMBERS PRESENT: Al Sleeter, Carol Heise, Elmer Ragen, and Dave Christianson

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

Moved by Christianson, seconded by Behrend, to approve the agenda of the business meeting. Motion voted on and carried.
2. Approval of Minutes
  - a. Business Meeting of September 24, 2025  
Moved by Behrend, seconded by Christianson to approve the minutes of the business meeting of September 24, 2025. Motion voted and carried.
  - b. Public Hearings of October 29, 2025
    - 1) John & Diane Knecht- Postponed
    - 2) Tamra Kratz & Thomas Sieracki
    - 3) James & Michelle Cropsey-Postponed
    - 4) Bryan/Megan Neubauer
    - 5) Corwyn Hodge
  - c. Public Hearings of October 29, 2025
    - 1) Cory Borchardt
    - 2) Nathan & Ruth Yoder
  - d. Moved by Behrend, seconded by Christianson to approve the minutes of the public hearing of October 29, 2025. Motion voted on and carried.
3. Public Comments
4. Hearing Dates
  - a. Public Hearings- December 8<sup>th</sup> and 9<sup>th</sup>
  - b. Business Meeting Date- December 8<sup>th</sup> or 9<sup>th</sup>
5. Adjournment

Chair Sleeter adjourned meeting at 12:44 PM

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Secretary

MINUTES OF HEARING  
OCONTO COUNTY BOARD OF ADJUSTMENT  
October 28, 2025

OCONTO COUNTY, WISCONSIN  
FILING DATE FOR SECTION  
59.694(10) STATUTORY PURPOSES  
DATE 10-30-25 BY KL

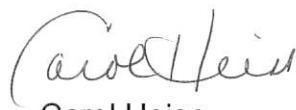
1. Hearing called to order at 11:30 AM
2. Roll Call: Present:
  - Alan Sleeter, Chair
  - Carol Heise, Vice-Chair & Secretary
  - Elmer Ragen
  - Dave Christianson
  - Dave Behrend
- Others Present:
  - William Lester, Assistant Zoning Administrator
  - Eric Hull
  - Floyd Schmidt
  - Brenda Carey-Mielke, Town Chair
3. William Lester read the Notice of Public Hearing pertaining to John & Diane Knecht's application for Variance from the ordinary high water mark for a garage addition. Location of the property is in Section 31, T31N, R17E, Town of Mountain.
4. William Lester stated that the notice was mailed to the petitioner, DZA for posting, 7 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 September 26, 2025. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
  - A. Eric Hull appeared and was sworn in. He stated they are requesting a variance to the ordinary highwater mark for a garage addition. Additional storage is needed. They currently have a 24 x 26 detached garage onsite and are proposing an additional 24 x 26 garage attached to the current garage. Eric explained option #1 as an alternative location was where the well is located, and option #2 appears to be in or near the shared driveway. Moving it to the north would place is closer to the proposed mound system. Eric and the BOA reviewed alternative site possibilities to increase water setback. Eric clarified that garage is for storage only.
  - B. Brenda Carey-Mielke appeared and was sworn in. She voiced concerned over impact of variance granted closer to the ordinary highwater mark.
  - C. William Lester appeared and was sworn in. He read the Staff Report.
7. Correspondence
  - A. Staff Report
  - B. DNR letter
8. Testimony closed at 11:45 AM

John & Diane Knecht Public Hearing  
October 28, 2025  
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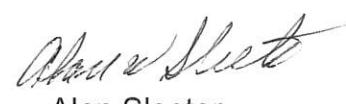
9. Deliberation/Discussion: BOA would prefer greater setback to the lake.
10. Decision: Moved by Christianson, seconded by Behrend to postpone a variance from the ordinary high water mark to build a garage addition, pending a revised site plan.

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

11. Hearing adjourned at 11:50 AM



Carol Heise  
Secretary



Alan Sleeter  
Chair

William Lester  
Assistant Zoning Administrator

MINUTES OF HEARING  
OCONTO COUNTY BOARD OF ADJUSTMENT  
October 28, 2025

OCONTO COUNTY, WISCONSIN  
FILING DATE FOR SECTION  
59.694(10) STATUTORY PURPOSES  
DATE 10/31/25 BY KJ

1. Hearing called to order at 11:54 AM

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

Others Present: William Lester, Assistant Zoning Administrator  
Tamra Kratz  
Tom Sieracki

3. William Lester read the Notice of Public Hearing pertaining to Tamra Kratz & Thomas Sieracki's application for Variance from east side lot line/private road for a detached garage. Location of the property is in Section 28, T31N, R15E, Town of Doty.
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 September 22, 2025. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:

- A. Tamra appeared and was sworn in. She stated she is requesting an after-the-fact variance from the side lot line for a garage that was built in 2022. A land use permit was issued, and it was built too close to the lot line.
- B. Tamra was called back up and stated the septic is located behind the garage, so it limited the buildable space. However, there is nothing on file to support this.
- C. Tom Sieracki appeared and was sworn in. He stated he is co-owner and is opposed to the variance. The permit that was issued for the garage showed it would be built 25 feet from the edge of the road. When the structure was built, the footprint was moved to reduce the amount of fill and therefore was placed closer to the lot line.
- D. Tom was called back up. He claims the septic tank and drain field are located near the lake and parallel to the driveway.
- E. William Lester appeared and was sworn in. He read the Staff Report.

7. Correspondence

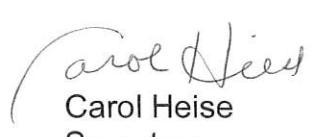
- A. Staff Report
- B. Letter from adjacent neighbor
- C. Letter for Town Board

Tamra Kratz & Thomas Sieracki Public Hearing  
October 28, 2025  
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8. Testimony closed at 12:11 PM
9. Deliberation/Discussion: Board discussed Findings of Fact -side lot line/private road
  - A. Unique physical limitation- mapping issues which caused inaccuracy when building
  - B. Harm to public interest- located on a private road
  - C. Unnecessary hardship- self created
10. Decision: Moved by Heise, seconded by no one to deny a 5.5 variance from the required 7.5 foot setback to build a detached garage 2 feet from the east side lot/private road.
11. AI asked if there was a motion to approve.
12. Decision: Moved by Behrend, seconded by Christianson, to grant a 5.5 foot variance from the required 7.5 foot setback to build a detached garage 2 feet from the east side lot/private road.

Roll Call Vote: Behrend, Christianson, and, Ragen, all voting aye, Heise and Sleeter voting nay, motion carried.

13. Hearing adjourned at 12:21 PM



Carol Heise  
Secretary



Alan Sleeter  
Chair

William Lester  
Assistant Zoning Administrator

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

1. The petitioner is Tamra Kratz & Thomas Sieracki, 2003 Knuell St., Manitowoc, WI 54220
2. The petitioner is the owner of record of parcel number 014-20280031c located in Section 28, T31N, R15E, Town of Doty.
3. The petition for variance was filed with the Board Secretary on September 22, 2025, noticed, as provided for by law, on October 8, 2025 and October 15, 2025, and a public hearing was held by the Oconto County Board of Adjustment on October 28, 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 east side lot line/private 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 not 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 mapping issues which caused inaccuracy when built.
2. The variance will not harm the public interest because there on a private road.
3. Unnecessary Hardship is not present because it was self created.

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 5.5 foot variance from the required 7.5 foot setback to build a detached garage 2 feet from the east side lot line/private road is hereby granted.**

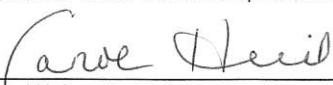
**GENERAL CONDITIONS**

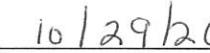
The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts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

  
Date

MINUTES OF HEARING  
OCONTO COUNTY BOARD OF ADJUSTMENT  
October 28, 2025

OCONTO COUNTY, WISCONSIN  
FILING DATE FOR SECTION  
59.694(10) STATUTORY PURPOSES  
DATE 10/31/25 BY KL

1. Hearing called to order at 12:24 PM
2. Roll Call: Present:  
Alan Sleeter, Chair  
Carol Heise, Vice-Chair & Secretary  
Elmer Ragen  
Dave Christianson  
Dave Behrend
- Others Present:  
William Lester, Assistant Zoning Administrator  
James Cropsey
3. William Lester read the Notice of Public Hearing pertaining to James & Michelle Cropsey's application for Variance from both side lot lines, centerline of the road and the ordinary high water mark for a new home with an attached garage. Location of the property is in Section 15, T33N, R15E, Town of Townsend.
4. William Lester stated that the notice was mailed to the petitioner, DZA for posting, 8 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 September 26, 2025. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
  - A. James Cropsey appeared and was sworn in. He is requesting a variances from both side lot lines, ordinary highwater mark and road centerline. Proposal #1 is largest footprint that would be built if approved. Staff clarified side yard setback is 10 feet to foundation/wall. Existing cabin that was removed in 2023 or early 2024 was approximately 30 x 40. Request is for 32 feet from the centerline to garage which is about 2 feet from the right of way. Impact on snow removal is likely. Applicants proposal is keeping it near the road as much as possible, to create more green space between the lake. Proposed square footage of the home is approximately 1500 square feet with attached garage. Staff clarified if existing cabin was removed over a year ago, and that rebuilding in same footprint is no longer an option. Applicant stated actual road edge is 22 feet to proposed garage. BOA reviewed alternative site layout options to increase road set. BOA is requesting proposal to be redesigned to increase setbacks all around and to include the exact distances and new retaining walls, to be done by the surveyor.
  - B. William Lester appeared and was sworn in. He read the Staff Report.
7. Correspondence
  - A. Staff Report
8. Testimony closed at 12:40 PM

James Cropsey Public Hearing  
October 28, 2025  
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9. Decision: Moved by Behrend, seconded by Ragen to postpone a variance to build a new home, pending a revised site plan that increases all proposed setbacks, with the following conditions:

1. To be done by a surveyor
2. To include proposed retaining wall distance

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

10. Hearing adjourned at 12:41 PM



Carol Heise  
Secretary



Alan Sleeter  
Chair

William Lester  
Assistant Zoning Administrator

MINUTES OF HEARING  
OCONTO COUNTY BOARD OF ADJUSTMENT  
October 28, 2025

OCONTO COUNTY, WISCONSIN  
FILING DATE FOR SECTION  
59.694(10) STATUTORY PURPOSES  
DATE 10/31/25 BY KJ

1. Hearing called to order at 12:42 PM

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

Others Present: William Lester, Assistant Zoning Administrator  
Megan Neubauer  
David Szepanski  
Sean Moore  
Amy Neubauer  
Bryan Neubauer  
Tonya Moore

3. William Lester read the Notice of Public Hearing pertaining to Bryan/Megan Neubauer's application for Conditional use permit for a duplex. Location of the property is in Section 23, T32N, R17E, Town of Riverview.
4. William Lester stated that the notice was mailed to the petitioner, DZA for posting, 19 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 September 26, 2025. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:

- A. Bryan Neubauer appeared and was sworn in. He stated he is the owner of 15669 and 15667 E. Crooked Lake Ln. The primary dwelling standards do not allow two primary dwellings to be connected, therefore I am requesting a conditional use permit for a duplex. Septic will be addressed during permitting process as one house has 5 bedrooms, and the other has 3 bedrooms.
- B. Megan Neubauer appeared and was sworn in. She stated she is the attorney representing the next generation of family members and will be putting this property in a family trust. She believes if the property is sold to new owners the conditional use permit should be voided.
- C. William Lester appeared and was sworn in. He read the Staff Report.

7. Correspondence

- A. Staff Report
- B. Letter in support

Bryan Neubauer/Tonya Moore Public Hearing

October 28, 2025

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8. Testimony closed at 12:55 PM

9. Deliberation/Discussion: Septic size will need to be addressed. Duplex cannot be used for rental or bed and breakfast.

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

1. Retracement survey required
2. CUP expires when lot is sold

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

11. Hearing adjourned at 12:56 PM



Carol Heise  
Secretary



Alan Sleeter  
Chair

William Lester  
Assistant Zoning Administrator

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

1. The petitioner is Bryan/Megan Neubauer, 7575 Cherry Ln., Sturgeon Bay, WI 54235
2. The petitioner is the owner of record of parcel number 036-59233141340 & 036-59233151350 located in Section 23, T32N, R17E, Town of Riverview.
3. The petition for conditional use permit was filed with the Board Secretary on September 26, 2025, noticed, as provided for by law, on October 8, 2025 and October 15, 2025, and a public hearing was held by the Oconto County Board of Adjustment on October 28, 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 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 a duplex.

**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 14.703 (b) 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 a duplex is hereby granted subject to the following conditions:

1. Retracement survey required
2. CUP expires when lot is sold

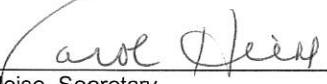
#### GENERAL CONDITIONS

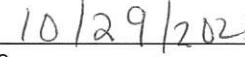
The granting of this conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands 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  
October 28, 2025

OCONTO COUNTY, WISCONSIN  
FILING DATE FOR SECTION  
59.694(10) STATUTORY PURPOSES  
DATE 10/31/25 BY KL

1. Hearing called to order at 3:00 PM

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

Others Present: William Lester, Assistant Zoning Administrator  
Carol Foster  
Tia Menore  
Michael Leidig  
Corwyn Hodge  
Dan Kanack  
David Fengler  
Jeff Beyer

3. William Lester read the Notice of Public Hearing pertaining to Corwyn Hodge's application for Conditional use permit for expanding an existing quarry. Location of the property is in Section 8, T29N, R20E, Town of Lena.
4. William Lester stated that the notice was mailed to the petitioner, DZA for posting, 8 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 September 18, 2025. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
  - A. Corwyn Hodge appeared and was sworn in. He stated he is the property owner and is appointing Michael Leidig to speak on his behalf.
  - B. Michael Leidig appeared and was sworn in. He stated he is the engineer that the property owner hired. They are requesting a conditional use permit to expand the current quarry. The rezone has been completed and approved along with the reclamation plan. There would be no new changes from what's already existing on the other 40 parcel, just looking to expand onto 80 more acres. There is a storm water plan in place. The reclamation plan is for approximately 50 acres.
  - C. David Fengler appeared and was sworn in. He stated he is an adjacent property owner to the west and questioned which direction the expansion is taking place. He also inquired if any fencing or berms would be required.
  - D. Jeff Beyer appeared and was sworn in. He stated he is the agent and clarified the 30 foot setback with a 3 to 1 slope for berms. There is no water being pumped off site.

Corwyn Hodge Public Hearing  
October 28, 2025  
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E. Micheal Leidig was called back to clarify the active pit location and proposed expansion site.

F. 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 3:15 PM

9. Deliberation/Discussion: Discussed current conditions on existing parcel

10. Decision: Moved by Ragen, seconded by Behrend, to grant a conditional use permit to expand an existing quarry with the following conditions:

1. Crushing and hauling times will be permitted Monday through Friday from 6:00 AM to 8:00 PM unless longer times are needed for trucking, if working on a special project. Saturday hours will be limited to 6:00 AM to 2:00 PM. No crushing will take place on Sundays or the following holidays: Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas or New Year's Day. Hauling of materials out of the quarry and equipment maintenance is allowed 24/7, except on the holidays mentioned above. Blasting hours will be the same as operational hours.
2. No jake brakes to be used at night
3. Dust control in accordance with EPA regulations
4. Notification of blasting to all residences within ½ mile radius, subject to change if complaints are received.
5. Set locations of seismographs upon request of neighbors.
6. Mine reclamation plans and a financial guarantee shall conform to the requirements as set forth in the Oconto County Non-Metallic Reclamation Ordinance or the WDNR Chapter 30 permit requirements, whichever is greater.
7. The minimum setback for non-metallic mining operation from a lot line is 30 feet, unless all affected property owners jointly concur in writing to a reduced setback.
8. A pipe gate will be installed
9. Must work with Town on road maintenance issues.
10. No water discharge.

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

OCONTO COUNTY, WISCONSIN  
FILING DATE FOR SECTION  
59.694(10) STATUTORY PURPOSES  
DATE 10/31/25 BY KH

Corwyn Hodge Public Hearing  
October 28, 2025  
Page Two  
11. Hearing adjourned at 3:18 PM



Carol Heise  
Secretary



Alan Sleeter  
Chair

William Lester  
Assistant Zoning Administrator

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

1. The petitioner is Corwyn Hodge, 8998 Dillon Ln., Lena, WI 54139
2. The petitioner is the owner of record of parcel number 020-080801843, 020-080801944 & 020-090901233 located in Section 8, T29N, R20E, Town of Lena.
3. The petition for conditional use permit was filed with the Board Secretary on September 18, 2025, noticed, as provided for by law, on October 8, 2025 and October 15, 2025, and a public hearing was held by the Oconto County Board of Adjustment on October 28, 2025.
4. The property is zoned Agricultural with quarry overlay 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 to expand an existing quarry.

**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 14.2503 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 expanding an existing quarry is hereby granted subject to the following conditions/mitigation:**

1. Crushing and hauling times will be permitted Monday through Friday from 6:00 AM to 8:00 PM unless longer times are needed for trucking, if working on a special project. Saturday hours will be limited to 6:00 AM to 2:00 PM. No crushing will take place on Sundays or the following holidays: Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas or New Year's Day. Hauling of materials out of the quarry and equipment maintenance is allowed 24/7, except on the holidays mentioned above. Blasting hours will be the same as operational hours.
2. No Jake brakes to be used at night
3. Dust control in accordance with EPA regulations
4. Notification of blasting to all residences within ½ mile radius, subject to change if complaints are received.
5. Set locations of seismographs upon request of neighbors.
6. Mine reclamation plans and a financial guarantee shall conform to the requirements as set forth in the Oconto County Non-Metallic Reclamation Ordinance or the WDNR Chapter 30 permit requirements, whichever is greater.
7. The minimum setback for non-metallic mining operation from a lot line is 30 feet, unless all affected property owners jointly concur in writing to a reduced setback.
8. A pipe gate will be installed
9. Must work with Town on road maintenance issues.
10. No water discharge.

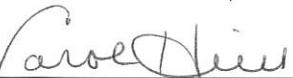
#### GENERAL CONDITIONS

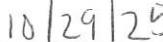
The granting of this conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands 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  
October 29, 2025

OCONTO COUNTY, WISCONSIN  
FILING DATE FOR SECTION  
59.694(10) STATUTORY PURPOSES  
DATE 10-31-25 BY KH

1. Hearing called to order at 9:00 AM

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

Others Present: Patrick Virtues, Zoning Administrator  
Kevin Brehmer, Assistant Zoning Administrator  
Jim Wolfe  
Dan Rehbein

3. Patrick Virtues read the Notice of Public Hearing pertaining to Cory Borchardt's application for Variance from the 15 foot floodplain fill requirementsto construct a dwelling. Location of the property is in Section 26, T27N, R21E, Town of Pensaukee.

4. Patrick Virtues stated that the notice was mailed to the petitioner, DZA for posting, 12 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. Patrick Virtues stated that the petition was filed on September 12, 2025. He provided the required notices, application, plot plan and maps.
6. Appearances:

- A. Jim Wolfe appeared and was sworn in. He is proposing a retaining wall within 1 foot of the north lot line. There will be a 10 foot fill reduction to lot line and will blend fill on the south side. Drain water may be an issue. They plan to place a north/south culvert and the existing slab will be removed.
  - B. Patrick Virtues appeared and was sworn in. He read the staff report.

7. Correspondence

- A. Staff Report

8. Testimony closed at

9. Deliberation/Discussion: Board discussed Findings of Fact -floodplain fill requirement

- A. Unique physical limitation- narrow width and low elevation
- B. Harm to public interest- no harm, better drainage
- C. Unnecessary hardship- unique conditions, allow for reasonable use of property

10. Decision: Moved by Behrend, seconded by Ragen, to grant a 6 foot variance to reduce the floodplain fill requirement from 15 feet to 9 feet to construct a dwelling.

Cory Borchardt Public Hearing  
October 29, 2025  
Page Two

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

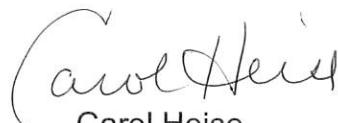
11. Board discussed Findings of Fact -side lot line

- A. Unique physical limitation- narrow width and low elevation
- B. Harm to public interest- no harm
- C. Unnecessary hardship- reasonable use of property

12. Decision: Moved by Behrend, seconded by Christianson to grant a 4 foot variance from the required 5 foot setback to build a retaining wall 1 foot from the side lot line.

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

13. Hearing adjourned at 9:25



Carol Heise  
Secretary



Alan Sleeter  
Chair

Patrick Virtues  
Zoning Administrator

OCONTO COUNTY, WISCONSIN  
FILING DATE FOR SECTION  
59.694(10) STATUTORY PURPOSES

DATE 10-31-25 BY KH

NOTICE OF DECISION AND ORDER  
OCONTO COUNTY BOARD OF ADJUSTMENT (Chapter 21)

CASE NO: VA-20250021

**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 Cory Borchardt, 121 Lakehouse Landing, Katy, TX 77493
2. The petitioner is the owner of record of parcel number 034-5026029 located in Section 26, T27N, R21E, Town of Pensaukee.
3. The petition for variance was filed with the Board Secretary on September 12, 2025, noticed, as provided for by law, on October 8, 2025 and October 15, 2025, and a public hearing was held by the Oconto County Board of Adjustment on October 29, 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 variance under the provisions of Section 21.703 of the Oconto County Floodplain 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 15 foot floodplain fill requirement.

**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 21.703 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 The hardship is due to unique conditions of the property because the lot has two distinct, pre-existing limitations: a narrow width and an extremely low elevation (4.5 feet below the Base Flood Elevation) adjacent to the floodway. The combination of these two factors, in conjunction with the required setbacks, makes it practically impossible to build a permitted full-time residence without the variance. Furthermore, no code-compliant location exists on the entire property that would allow for a buildable area greater than 13 feet wide while meeting all required flood elevation standards. The nearby property to the south, which was previously low-lying, has been filled and removed from the floodplain, demonstrating that this unique, pre-existing low elevation is not a common condition among the currently buildable neighboring lots.
2. The variance will not harm the public interest because Protect life, health and property: The mandatory fill (6.5 feet above the current grade) will elevate the structure, greatly increasing the protection of life and property against flood damage compared to the lot's current state. Prevent increases in flood heights: Technical evidence in Standard D shows the minimal area being filled will not cause an increase in the Regional Flood Elevation. Minimize damage to public facilities: The proposed culvert and drainage way will direct water to the existing storm sewer, resulting in better drainage than the current conditions and minimizing the risk of damage or disruption to public facilities from poor drainage
3. Unnecessary Hardship is present. The variance is contrary to the purpose of the ordinance listed at the top of this decision form because The variance is necessary to allow for the reasonable use of the property due to unique conditions (Standard A), and the elevated structure protects life, health, and property and minimizes the occurrence of future flood blight areas. The project has demonstrated it will not increase flood height (Standard D) or increase rescue costs (Standard I), which aligns with the core purposes of the ordinance.

The variance will not grant, extend or increase any use prohibited in the zoning district because The variance is for the construction of a retaining wall and a single-family residential structure, both of which are permitted uses within the zoning district. It does not propose any use that is prohibited.

The variance is not for a hardship based solely on an economic gain or loss because The hardship is based on the unique physical characteristics of the lot (narrow width and extremely low elevation) that make it unreasonably difficult to build a functional permitted residence. While there is a financial component to any building decision, the primary basis for the variance is the physical inability to utilize the property as permitted, not maximizing profit or minimizing cost.

The variance **is not** for a hardship that is self-created because The hardship is a result of the lot's narrow dimensions and the existing low elevation relative to the Base Flood Elevation, which necessitates a minimum of 6.5 feet of fill and a retaining wall. These are pre-existing, unique physical conditions of the property, not conditions created by the applicant's actions.

The variance **will not** damage the rights or property values of other persons in the area because The retaining wall is contained entirely on the applicant's property (1 foot off the line), and the finished structure will meet or exceed all current flood code requirements, which protects adjacent properties. The new, code-compliant residential structure will not negatively impact the property values of other persons in the area.

The variance **will not** allow actions without the amendments to this ordinance or map(s) required in floodplain amendments because The requested action is a variance, which is a remedy provided for under the existing ordinance, and does not require an amendment to the ordinance or map.

The variance **will not** allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure because The proposed work involves a new residential structure on a vacant lot and does not involve the alteration of any historic structure.

Note: To meet the standards the applicant must provide evidence that convinces the Board of Adjustment/Appeals that the underlined option for each standard above is met. The evidence from the applicant should be recorded on the lines below each standard.

**Did the applicant provide evidence that they meet all of the standards above? Underlined answers must be circled and supported with evidence by the applicant.**

\* For an area variance, unnecessary hardship exists when compliance with ordinance standards would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity with such restrictions unnecessarily burdensome. Circumstances of an applicant, such as a growing family or desire for a larger garage are not legitimate factors in deciding variances. A personal inconvenience is not sufficient to meet the unnecessary hardship standard. (*Snyder v. Waukesha County Zoning Bd. Of Adjustment*, 1976).

\* For a use variance, unnecessary hardship exists only if there is no reasonable use of the property without the variance. Unnecessary hardship (is/is not) present because Following all setbacks would require the retaining wall to be placed at the 10-foot setback, and the necessary 6.5 feet of fill, which would result in less than 13 feet of buildable width between the opposing 10-foot setback. This severely limits the property's use, resulting in a tiny structure not suited to become a full-time residential dwelling, which is a permitted purpose.

The variance **will not** cause any increase in the regional flood elevation (RFE) because Filling the lot will not increase the risk due to the minimal area being filled. Additionally, the site will be better drained due to the proposed culvert running north to south, creating a better drainage way to convey water from the north to the storm sewer pipe located along the south property line.

If the variance is for expansion of an existing structure constructed below the RFE, the expansion **is not** contiguous to the existing structure because The variance is for the construction of a new residential dwelling, not the expansion of an existing structure.

The variance **is** for a lot that is less than one-half acre The lot is [Less] than one-half acre (0.25 Ac.), and this is a statement of fact about the property size.

The variance **is** the minimum relief necessary because The retaining wall has been placed as close to the proposed structure as possible to allow for maximum structural stability. The requested deviation is the least amount necessary to achieve a structure that can function as a full-time residential dwelling.

The variance will not cause increased risks to public safety or nuisances because The variance for a retaining wall is being requested for the purpose of creating a stable building pad for a permitted structure. The design of the retaining wall and the structure will meet all relevant building codes, which ensures public safety. Furthermore, by providing a defined drainage way (culvert), the project is improving site drainage and reducing potential flooding issues that could create a nuisance under the current conditions.

The variance will not increase costs for rescue and relief efforts because The proposed residence will be built on a filled pad 6.5 feet above the current grade, meeting the Base Flood Elevation. This higher elevation makes the structure less vulnerable to flood damage and less likely to require rescue and relief efforts at the expense of the taxpayers compared to structures built at current grade.

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 6 foot variance to reduce the fill requirement from 15 feet to 9 feet to construct a dwelling is hereby granted.**

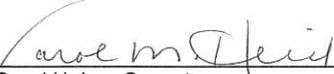
#### GENERAL CONDITIONS

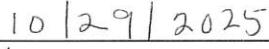
The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts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

  
\_\_\_\_\_  
Date

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

1. The petitioner is Cory Borchardt, 121 Lakehouse Landing, Katy, TX 77493
2. The petitioner is the owner of record of parcel number 034-5026029 located in Section 26, T27N, R21E, Town of Pensaukee.
3. The petition for variance was filed with the Board Secretary on September 12, 2025, noticed, as provided for by law, on October 8, 2025 and October 15, 2025, and a public hearing was held by the Oconto County Board of Adjustment on October 29, 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 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 side lot line for a retaining wall.

**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 The hardship is due to unique conditions of the property because the lot has two distinct, pre-existing limitations: a narrow width and an extremely low elevation (4.5 feet below the Base Flood Elevation) adjacent to the floodway. The combination of these two factors, in conjunction with the required setbacks, makes it practically impossible to build a permitted full-time residence without the variance. Furthermore, no code-compliant location exists on the entire property that would allow for a buildable area greater than 13 feet wide while meeting all required flood elevation standards. The nearby property to the south, which was previously low-lying, has been filled and removed from the floodplain, demonstrating that this unique, pre-existing low elevation is not a common condition among the currently buildable neighboring lots.
2. The variance will not harm the public interest because Protect life, health and property: The mandatory fill (6.5 feet above the current grade) will elevate the structure, greatly increasing the protection of life and property against flood damage compared to the lot's current state. Prevent increases in flood heights: Technical evidence in Standard D shows the minimal area being filled will not cause an increase in the Regional Flood Elevation. Minimize damage to public facilities: The proposed culvert and drainage way will direct water to the existing storm sewer, resulting in better drainage than the current conditions and minimizing the risk of damage or disruption to public facilities from poor drainage
3. Unnecessary Hardship is present. The variance is contrary to the purpose of the ordinance listed at the top of this decision form because the variance is necessary to allow for the reasonable use of the property due to unique conditions (Standard A), and the elevated structure protects life, health, and property and minimizes the occurrence of future flood blight areas. The project has demonstrated it will not increase flood height (Standard D) or increase rescue costs (Standard I), which aligns with the core purposes of the ordinance.

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 Zervogel 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 4 foot variance from the required 5 foot setback to build a retaining wall 1 foot from the side lot line is hereby granted subject to the following conditions/mitigation:**

1. Tech Bulletin 10

**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.

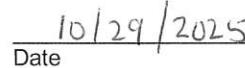
Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

**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

MINUTES OF HEARING  
OCONTO COUNTY BOARD OF ADJUSTMENT  
October 29, 2025

OCONTO COUNTY, WISCONSIN  
FILING DATE FOR SECTION  
59.694(10) STATUTORY PURPOSES  
DATE 10-31-25 BY KL

1. Hearing called to order at 9:37 AM

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

Others Present: Patrick Virtues, Zoning Administrator  
Kevin Brehmer, Assistant Zoning Administrator  
Attorney Brandon O'Bryon  
Tim Eichman  
Julie Eichman  
Julie Bredell  
Dan Bergh  
Dan Rehbein

3. Patrick Virtues read the Notice of Public Hearing pertaining to the Nathan & Ruth Yoder's conditional use permit application for review and or revoke a conditional use permit for a home based industry out of an accessory structure for sheet metal fabrication business. Location of the property is in Section 27, T27N, R21E, Town of Pensaukee.
4. Patrick Virtues stated that the notice was mailed to the petitioner, DZA for posting, 35 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. Patrick Virtues stated that the petition was filed on September 26, 2025. He provided the required notices, application, plot plan and maps.
6. Appearances:

- A. Attorney Brandon O'Bryon appeared and was sworn in. He stated the traffic problem can be fixed. They may request a rezone to make the existing building located in Industrial District. In the start of the business, there were 24 deliveries per a year, now there has been a significant increase. To resolve the issue, we are willing to put in a second driveway that will reduce the traffic load from personal use. The semi's back down Synder Lane to County Road S. The owner is in the process of having a wetland delineation complete for a new driveway, which will require Highway Department approval and possibly DOT approval. He stated there is only one non-resident employee for the sheet metal business, but there are other farm employees.
- B. Julie Eichman appeared and was sworn in. She stated there should be no work on Saturdays, but she sees work being done including one time a semi-truck came through at 3 AM. She also stated dust goes in her house, bedroom windows and garage, so she has not been able to have windows open in 3 years. Dust

Control was discussed. She also request unannounced inspections. A suggestion is for the town to install a cul-de-sac and shut down Snyder Lane.

- C. Julie Bredell appeared and was sworn in. She read her statement that was previously sent into the Zoning office prior to the hearing.
- D. Dan Bergh appeared and was sworn in. He stated when the Fire Department did an onsite inspection there were 10 employees onsite for the sheet metal business. Suggested the town placing a sign that would not allow trucks down Snyder Lane at all.
- E. Dan Rehbein appeared and was sworn in. He read an online article dated in September of 2021 that the family makes trim 6 days per a week, and then others finish the trim at night. He quoted SPS 361.02, what makes a building a commercial building? It's when you have the public enter or when you have one or more employees. They may need sprinkler systems and other safety features.
- F. Attorney Brandon O'Bryon reappeared and stated the client is more than willing to put a second driveway in. He is working with Evergreen Consultants to get a driveway installed that best fits the situation and avoids wetlands. It was also stated that Mr. Yoder would like to keep the residential driveway on Snyder Lane for mailing address purposes, farm operations and personal use, like running to the grocery store. He is aware that he needs a driveway permit/approval from Brandon at the Highway Depart. There is a meeting on November 6<sup>th</sup>.
- G. Julie Bredell reappeared and stated she is concerned about speed, exhaust noise, dust and insists that Snyder Lane should be blocked off because of seeing customers using it on Saturday's when they shouldn't be.
- H. Julie Eichman reappeared and stated she agrees with Julie Bredell. I personally put up a 15 mph speed limit sign and no one adheres to it. I have no problem with the farm operation but if the second driveway gets approved it should be black topped.
- I. Patrick Virtues appeared and was sworn in. He read the staff report.

7. Correspondence

- A. Staff Report
- B. Letters from adjacent letters

8. Testimony closed at 11:03 AM

9. Deliberation/Discussion: Board discussed conditions.

10. Decision: Moved by Christianson, seconded by Heise, to grant not revoking the existing conditional use permit but adding the following conditions:

- 1. Must obtain a driveway permit from the Highway Department for a new driveway onto County Rd. S
- 2. Driveway must be installed by June 30, 2026 if approved by the Highway Department

3. No backing in or out on to Snyder Ln.
4. There may be weekly unannounced inspections to verify the number of employees onsite and that all conditions are in compliance
5. Post speed limit sign for 10 mph by 11-5-25
6. All previous conditions from CU-20220030 stay in place

Roll Call Vote: Christianson, Heise, and Sleeter all voting aye, Behrend voting nay, Ragen abstained motion carried.

11. Hearing adjourned at 11:04 AM



Carol Heise  
Secretary



Alan Sleeter  
Chair

Patrick Virtues  
Zoning Administrator

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

1. The petitioner is Nathan & Ruth Yoder, 3276 Synder Ln., Little Suamico, WI 54141
2. The petitioner is the owner of record of parcel number 034-3524700111 located in Section 27, T27N, R21E, Town of Pensaukee.
3. The petition for conditional use permit was filed with the Board Secretary on September 26, 2025, noticed, as provided for by law, on October 8, 2025 and October 15, 2025, and a public hearing was held by the Oconto County Board of Adjustment on October 29, 2025.
4. The property is zoned Agricultural District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The applicant is requesting a conditional use permit 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 having a conditional use permit public hearing to possibly revoke an existing conditional use permit for a home-based industry out of an accessory structure for sheet metal fabrication.

**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 14.417(e) 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 possibly revoking an existing conditional use permit for a home-based industry out of an accessory structure for sheet metal fabrication is hereby granted to not revoke but to add conditions subject to the following conditions/mitigation:

1. Must obtain a driveway permit from the Highway Department for a new driveway onto County Rd. S
2. Driveway must be installed by June 30, 2026 if approved by the Highway Department
3. No backing in or out on to Snyder Ln.
4. There may be weekly unannounced inspections to verify the number of employees onsite and that all conditions are complying
5. Post speed limit sign for 10 mph by 11-5-25
6. All previous conditions from CU-20220030 stay in place

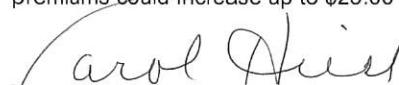
#### GENERAL CONDITIONS

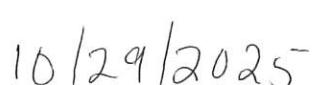
The granting of this conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands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