

ROCK COUNTY BOARD OF ADJUSTMENT
August 31, 2016
COURTHOUSE CONFERENCE CENTER
SECOND FLOOR, ROCK COUNTY COURTHOUSE
JANESVILLE, WISCONSIN

MINUTES

Chair Jones called the June 29th, 2016 meeting of the Rock County Board of Adjustment to order at 6:00 p.m. at Courthouse Conference Center.

Board of Adjustment members in attendance at roll call: Mike Saunders, Richard Plywacz, Jo Miller, Harry O'Leary, and Chairman Don Jones.

Development staff in attendance: Andrew Baker (Senior Planner/Zoning Administrator), and Kurt Wheeler (Planner III /Acting Secretary).

Others in attendance: Sam Bilhorn, JP Lengjak (BOA Alternate/Vice Chair), Jim Lucke, Don Lucke, Phillip Smith, Sherry Liu.

Adoption of Agenda: Motion by Jo Miller, **Seconded** by Mike Saunders to adopt the agenda. Adopted (5-0)

Reading and Approval of the Minutes – June 29, 2016: At this point, a point of clarification was requested by Sam Bilhorn regarding condition #9 on the Fulton Church Approval from last meeting. Discussion followed. After discussion and clarification by the three board members present at last meeting, a **Motion** was made by Jo Miller to adopt minutes as presented, **Seconded** by Chair Jones. Minutes approved with no changes. (5-0).

Reading and Findings of Fact from previous meeting:

- a. Katherine Wintlend
- b. Robert and Joan McClure
- c. Rosati's Pizza Pub – John Sheck, General Manager
- d. Fulton Congregational Church

Chair Jones read the Findings of Fact for the above cases from last meeting to all in attendance. **Motion** to approve by Chair Jones, **Seconded** by Jo Miller. Approved (5-0).

Announcement of Decision from Last Meeting

- a. Katherine Wintlend – Approved with conditions
- b. Robert and Joan McClure – Approved with conditions
- c. Rosati's Pizza Pub – John Sheck, General Manager - Denied
- d. Fulton Congregational Church – Approved with conditions

Chair Jones read final decisions for the above cases at the last meeting to all in attendance.

Communications:

Mr. Wheeler advise the committee that he and Andrew Baker were attending FEMA Floodplain seminars this week, and would share with the committee any pertinent information at a future meeting.

Reports of Committees: There were no reports of committees at this time.

Deliberation of Cases:

A. Donald Lucke, et.al.

Chair Jones read the Legal Notice and project scope from the application to all in attendance.

Donald and Jim Lucke were sworn in and presented the project to the committee. Discussion followed. Exhibits A, B, C, D, E, and F were referenced and discussed by the applicants and Committee. After lengthy discussion regarding the project and the determination of the Ordinary High Water Mark as it relates to the Shoreland Setback, a **Motion** was made by Harry O'Leary to move this case to a Continuance until the rip rap project is completed. Seconded by Richard Plywacz. Staff made it clear to the Board members that they were not acted on the rip rap project itself, though the final project may result in a change to the Shoreland Setback variance as requested if the Ordinary High Water Mark changes. The applicant supports the Continuance. Passed (5-0).

Unfinished Business: None

New Business:

Election of Board of Adjustment Officers. Mr. Baker informed the Board that the BOA Rules and Procedures require that elections be held annually in April, though that did not occur this year due to fact that two member's terms were set to expire. Mr. Baker also informed the Board that Corporation Counsel advised that the Alternate should not be elected as Vice Chairman or Chairman, though there is state law does not prohibit it.

Kurt Wheeler was nominated as Acting Secretary. The nomination was accepted and passed unanimously by the Committee.

J.P. Lengjak was nominated as Vice Chair by Jo Miller. No other nominations were made. The nomination was accepted and passed unanimously by the Committee.

Don Jones was nominated as Chairman by Harry O'Leary. Seconded by Jo Miller. The nomination was accepted unanimously and passed by the Committee.

Motion to Adjourn made by Harry O’Leary, **Seconded** by Don Jones.
All in Favor. **Time: 7:07 pm.**

Respectfully Submitted, by Kurt Wheeler, Acting Secretary

These Minutes are not official until approved by The Rock County Board of Adjustment