

**CITY OF GREEN LAKE BOARD OF
ZONING APPEALS – APRIL 28, 2025**

Meeting was called to order at 4:30 pm by Chairman Ross Bilodeau. Pledge of Allegiance was recited followed by a moment of silent meditation.

Certification of Open Meeting Law: Agenda was posted on April 16, 2025. Public Hearing was published in the Green Lake Reporter on April 10 and 17, 2025.

Roll Call: Ross Bilodeau, Cole Markee, Kay Schoep, Charles Wallschlaeger, LuAnn Mirr-Frank. (Alternate Charles Hurley was also present in the audience.) Also Present: Attorney Daniel Vande Zande, Zoning Administrator Susan Leahy.

Minutes: Motion made by Schoep, second by Wallschlaeger to approve the Minutes of November 4, 2025. Motion carried.

Public Hearing: Public Hearing was opened at 4:32 pm regarding application for variance from Loni Meiborg, 493, Bayview Court, for a variance to allow construction of a deck within the 10-foot set-back area on the west side of 493 Bayview Court.

Applicant Loni Meiborg had submitted a written statement for the reason why variance is being requested. Written statement was attached to the application. Zoning Administrator Susan Leahy presented her written Staff Review Report. No one spoke in favor of the variance. Those speaking in opposition: Jean Inda and Thomas Halverson, 489 Bayview Court, Green Lake, WI. Standards for use variance was cited as the objection and is not being met. Attorney Vande Zande clarified that this is an area variance request not a use variance. Area variance has a lesser standard than a use variance. Concern was expressed that it should not impede the city storm sewer. No written statements were received in favor or in opposition. General Comments: Deck will be up to the property line with Deacon Mills Park. There is no liability to the City with it being that close to the park. Height of the deck is unknown at this time. Per Zoning Administrator, a concrete patio would not need a variance, but a wooden deck is part of the structure and therefor would need a variance. Appellant's rebuttal: Loni Meiborg stated that they would be putting in a buffer with the neighbor in the form of a five-foot fence. Concrete would have been less expensive and larger than the proposed wooden deck. Zoning Administrator recommends that as part of the variance to include a condition that a roof will never be constructed over the deck.

Public Hearing was adjourned at 4:51 pm. Meeting of the Board was called to order immediately.

Board members were given a copy of the findings to answer. Attorney Vande Zande explained the process to the Board members. At the conclusion of answering the questions four members answered yes to all the findings with one member answering no to three of the eleven findings.

1. Denial of the variance would result in a hardship to the property owner due to physiographical consideration because there are exceptional, extraordinary or unusual circumstances or conditions applying to the property that don't apply generally to other properties in the district.
2. The variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and the same vicinity.
3. The purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the property.
4. The variance is not detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.
5. The variance will not undermine the spirit and the general and specific purposes of the zoning code.
6. The variance is not detrimental to or endanger the public health, safety, morals, comfort or general welfare.
7. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted are in no foreseeable manner substantially impaired or diminished by the variance and the variance is compatible with the use of adjacent land.
8. The variance will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
9. Adequate measures will be taken to provide ingress and egress to minimize traffic congestion in the public streets.
10. The variance does not violate flood plan regulations.
11. The variance does not defeat the purposes and objective of the zoning district.

Motion made by Markee, second by Wallschlaeger to grant the variance as requested from Loni Meiborg for a variance to allow construction of a deck within the 10-foot set-back area on the west side of 493 Bayview Court, with the condition that no roof structure will be placed over the deck. Ayes: 5 Nays: 0 Motion carried. It was noted that variances run with the property (stays in place until Zoning Appeals Board amends it), and that an appeal may be made within 30 days of the granting of the variance with the Green Lake County Circuit Court.

Motion made by Mirr-Frank, second by Markee to adjourn. Motion carried. (5:06 pm)

Barbara L. Dugenske, Clerk