



# Dane County

## Minutes - Final Unless Amended by Committee

### Board of Adjustment

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Thursday, June 22, 2017

6:30 PM

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#### A. Call To Order

*Chair Schulz called the meeting to order at 6:30 PM and made a statement about the rules and procedures of the Board of Adjustment.*

*Also Present: Staff: Roger Lane, Zoning Administrator; Hans Hilbert, Assistant Zoning Administrator.*

**Present** 5 - Chair STEVEN SCHULZ, SUE STUDZ, Secretary ROBERT PULVERMACHER, Vice Chair AL LONG, and EDMOND MINIHAN

#### B. Public Comment for any Item not listed on the Agenda

*No public comments were made.*

#### C. Consideration of Minutes

1. [2017 MIN-127](#) Minutes of the May 25, 2017 Public Hearing

**Sponsors:** Board of Adjustment

**Attachments:** [05-25-2017 P.H. Minutes](#)

**LONG/ MINIHAN to approve the minutes. Motion Carried.**

**Ayes:** 5 - SCHULZ, STUDZ, PULVERMACHER, LONG and MINIHAN

2. [2017 MIN-128](#) Minutes of the June 8, 2017 Site Inspection

**Sponsors:** Board of Adjustment

**Attachments:** [06-08-2017 S.I. Minutes](#)

**LONG/ MINIHAN to approve the minutes. Motion Carried.**

**Ayes:** 4 - SCHULZ, PULVERMACHER, LONG and MINIHAN

**Abstain:** 1 - STUDZ

#### D. Public Hearing for Appeals

1. [2017 BOA-003](#) Appeal 3684. Administrative appeal by Paul Morrison appealing the decision of the Zoning Administrator related to the legal status of a property and land uses at 7741 and 7743 State Highway 69 being a parcel of land located in the SW ¼ of the SE ¼, Section 31, Town of Montrose.

**Sponsors:** Board of Adjustment

**Attachments:** [Appeal 3684 Application](#)  
[Appeal 3684 Morrison Appallent Brief](#)  
[Appeal 3684 Morrison Zoning Administrator Brief](#)

*Prior to the opening of the public hearing Long requested that the Board discuss how the board should proceed, specifically requesting separating the issues of timeliness and standing from the issues of non-conforming status. After discussion Chair Schulz stated the consensus of the Board was to hear an appeal on the timeliness and standing and take action on such prior to hearing an appeal on the non-conforming status of the property if needed.*

*Chair Schulz opened the public hearing. Morrison was sworn in and presented an opening statement as the appellant.*

*The Zoning Administrator was sworn in and provided an opening statement.*

*The appellant presented a case to the Board as to why his appeal was timely and with standing. Members of the Board asked questions of Mr. Morrison.*

*The Zoning Administrator presented a case to the Board stating that the appellant was appealing a decision made on February 10, 2017 and that the appellant did not have standing to make such an appeal. The Board asked questions of Mr. Lane.*

*The appellant was provided an opportunity to rebuttal the testimony of the Zoning Administrator and provide a closing statement.*

*The Zoning Administrator made a closing statement requesting that if the Board decided to hear an appeal related to the status of the property that they make a motion to suspend their rules since the appeal was untimely.*

*The Chair closed the public hearing and the Board deliberated the timeliness and standing of the appellant for the appeal.*

*The official written decision of the Board of Adjustment in regards to administrative appeal 3684 will be prepared and confirmed at a future meeting of the BOA.*

**Schulz/Minihan to deny the appeal based on the untimeliness of the application made beyond 30 days of the February 10, 2017 decision of the Zoning Administrator.**

**Ayes:** 5 - SCHULZ, STUDZ, PULVERMACHER, LONG and MINIHAN

## **F. Reports to Committee**

*Hilbert informed the Board that no meetings for July would be required.*

## **G. Other Business Authorized by Law**

## **H. Adjournment**

**STUDZ/MINIHAN to adjourn. The Board adjourned at 7:45 pm.**

**Ayes:** 5 - SCHULZ, STUDZ, PULVERMACHER, LONG and MINIHAN