



Dane County

Minutes

Board of Adjustment

Consider:

Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?

Wednesday, April 17, 2019

6:30 PM Room 357, City-County Building, 210 Martin Luther King
Jr. Blvd, Madison, WI.

Room 357, City-County Building, 210 Martin Luther King Jr.

A. Call To Order

Chair Schulz called the meeting to order at 6:30 PM and made a statement regarding the rules and procedures of the board.

Also present: 1st Alternate Board member, Arlan Kay; Staff: Zoning Administrator, Roger Lane; Assistant Zoning Administrator, Hans Hilbert

Present 4 - Chair STEVEN SCHULZ, SUE STUDZ, 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. Minutes of the February 28, 2019 Public Hearing

STUDZ/LONG to approve the minutes. Motion carried. (Kay Abstained)

Ayes: 4 - SCHULZ, STUDZ, LONG and MINIHAN

D. Public Hearing for Appeals

1. Appeal 3697-A . A request by the Zoning Administrator to determine if a ministerial error exists related to conditional use permit 1632 and to take such action as necessary to correct any such error related to the boundary description for the conditional use permit issued for the Tyrol Basin Ski area at 3478 Bohn Rd, a property located in Section 28, Town of Vermont. This hearing is being held as a precursor to Appeal 3697, an appeal of conditional use permit 2441 which will be heard at a future BOA meeting.

Chair Schulz opened the public hearing for Appeal 3697-A.

Attorney Matthew Fleming made an opening statement representing Andrew Grimmer, Marc Brody, Ross Reinhold, and Josh Kramer, the appellants.

Zoning Administrator, Roger Lane, made an opening statement.

Attorney Nicole Schram, representing Tyrol Properties, LLC and Tyrol Holdings, LLC made an opening statement as an interested party to the appeal.

The Board heard the case and asked questions of the appellant as presented by Fleming. Fleming was sworn in as a witness.

The Board heard the case and asked questions of the Zoning Administrator. Lane was sworn in as a witness.

The Board heard the case and asked questions of Tyrol, as presented by Schram, who was sworn in as a witness. During the presentation, Chair Schulz determined that additional written evidence would not be accepted from the interested party in accordance with rule 4e of the Rules and Procedures of the Dane County Board of Adjustment.

Attorney Fleming made a rebuttal on behalf of the appellants.

No other statements were made by any other parties.

Closing statements were made by the appellant, Zoning Administrator, and Tyrol, in that order.

The chair closed the public hearing and the Board deliberated the appeal.

Motion by Minihan, seconded by Schulz to accept the finding of fact and conclusions as submitted in the brief of the Zoning Administrator with a change of the word “was” to “might have been” in the 1st paragraph of the listed conclusions. This action of the board will be further described in a written decision and approved at a subsequent meeting of the Board. Motion carried by unanimous vote.

E. Appeals from Previous Meetings

F. Reports to Committee

G. Other Business Authorized by Law

H. Adjournment

STUDZ/LONG to adjourn at 9:26 PM. The Board adjourned by consensus.