



Dane County

Minutes - Final Unless Amended by Committee

Board of Adjustment

Thursday, August 24, 2017

6:30 PM

Room 357 City-County Building Madison WI

Room 357 City-County Building Madison WI

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.

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

Present 4 - Chair STEVEN SCHULZ, SUE STUDZ, Secretary ROBERT PULVERMACHER, and Vice Chair AL LONG

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

No public comments were made.

C. Consideration of Minutes

1. [2017 MIN-223](#) Minutes of the June 22, 2017 Public Hearing

Sponsors: Board of Adjustment

Attachments: [06-22-2017 P.H. Minutes](#)

STUDZ/PULVERMACHER to approve the minutes. Motion carried.

Ayes: 4 - SCHULZ, STUDZ, PULVERMACHER and LONG

E. Appeals from Previous Meetings

1. [2017 ACT-279](#) Request for reconsideration of appeal 3684

Sponsors: Board of Adjustment

Attachments: [Appeal 3684 Request for reconsideration](#)
[Appeal 3684 HJH Response](#)

LONG/PULVERMACHER to reconsider appeal 3684. Motion carried.

Ayes: 4 - SCHULZ, STUDZ, PULVERMACHER and LONG

2. [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](#)

After a discussion of the order of business, Chair Schulz opened the public hearing. Both the appellant and the Zoning Administrator were sworn in and were given opportunity to present to the Board specific to timeliness and standing of the appeal. The Zoning Administrator stated that he had no objection to the Board suspending their rules to allow the Board to hear the merits of the appeal.

Schulz moved, seconded by Long, to suspend rule 4a, regarding timeliness, to allow this appeal to be heard. The appellant stated he had no objection to the suspension. The motion passed 3-1. Studz opposed.

The Chair stated that the Board would now follow the procedures for a contested case from the beginning and invited the appellant to make an opening statement.

Morrison made an opening statement regarding his appeal.

The Zoning Administrator made an opening statement.

Morrison presented his case to the Board, providing various exhibits related to the property.

The Zoning Administrator presented his case to the Board.

The Board granted 10 minutes to the appellant to make a rebuttal.

The Chair closed the public hearing and announced that the Board would recess for 10 minutes.

The Board reconvened and proceeded to discuss the appeal.

STUDZ/SCHULZ to uphold the decision of the Zoning Administrator and direct staff to prepare a written decision of the appeal containing the facts of the case and conclusions of law. Motion Carried.

Ayes: 4 - SCHULZ, STUDZ, PULVERMACHER and LONG

3. [2017
ACT-280](#) Written decision of appeal 3684

Sponsors: Board of Adjustment

Attachments: [Decision of appeal 3684 draft](#)

The Board deferred action on this item until the following meeting.

H. Adjournment

The Board adjourned at 10:01 PM.

STUDZ/PULVERMACHER to adjourn. Motion carried.

Ayes: 4 - SCHULZ, STUDZ, PULVERMACHER and LONG