

**MINUTES FROM THE 01/15/2020 BOARD OF ZONING APPEALS MEETING**

The Board of Zoning Appeals met on Wednesday, January 15, 2020 at the Pulaski Village Hall.

Chairperson James Van Lannen called the meeting to order at 4:00 PM.

The following members were present: James Van Lannen, Tom Holewinski, Jason McKeefry, David Olson, and Robert Tetzlaff.

Also present: See attached attendance sheet.

**MOTION BY ROBERT TETZLAFF AND SECONDED BY TOM HOLEWINSKI** to approve the 01/15/2020 agenda as presented. **MOTION CARRIED.**

**MOTION BY JASON MCKEEFRY AND SECONDED BY DAVID OLSON** to approve the 11/06/2019 meeting minutes as presented. **MOTION CARRIED.**

William VandeCastle, Village Attorney, held a discussion on the Board of Zoning Appeals Powers and Authorities for either approving or opposing a variance request. He also stated that the new protocol is to hold a second meeting after the Public Hearing to approve the meeting minutes and the Findings, Conclusions, and Decision that would be drafted by our Village Attorney.

**MOTION BY ROBERT TETZLAFF AND SECONDED BY TOM HOLEWINSKI** to approve the FINDINGS, CONCLUSIONS AND DECISION per Attorney VandeCastle on variance request for VP-71, 251 N. Wisconsin St., Pulaski, WI 54162.

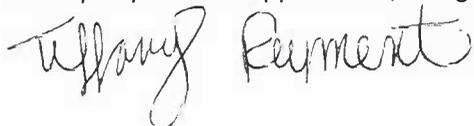
APPLICANT: Gary Naarup / Premier One / Aqua Cir-Clean, Inc.

**MOTION CARRIED. (As per attached)**

**SUCH OTHER MATTERS AS ARE AUTHORIZED BY LAW – none**

**MOTION BY TOM HOLEWINSKI AND SECONDED BY DAVID OLSON** to adjourn the meeting at 4:33 PM. **MOTION CARRIED.**

Minutes by: Tiffany Reyment – Support Staff, Village of Pulaski



ATTENDANCE SHEET

BOARD OF ZONING APPEALS

WEDNESDAY JANUARY 15<sup>TH</sup>, 2020

4:00 PM

PULASKI VILLAGE HALL - 585 E. GLENBROOK DR., PULASKI, WI

PLEASE PRINT

	<u>NAME</u>	<u>ADDRESS</u>	<u>E-MAIL</u>
1.	Joa Van Lanen	232 E. GLENBROOK DR.	
2.	Tom Holewinski	503 JOHNSON ST	
3.	Bob Tetzlaff	851 SHARON WAY	
4.	Jason McKeefry	556 Blue Heron Dr.	
5.	Pam Vanck Castle		
6.	Reed Woodward	240 4 <sup>th</sup> Ave	
7.	Bryan Lauritzen	N3587 Cty Rd C	
8.			
9.			
10.			

**VILLAGE OF PULASKI, WISCONSIN  
BOARD OF ZONING APPEALS**

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**IN THE MATTER OF THE APPLICATION OF THE  
AQUA CIR-CLEAN, INC. FOR A ZONING VARIANCE  
TO REDUCE THE SIDE YARD SET BACK FOR PARCEL VP-71  
AT 251 N. WISCONSIN STREET TO ZERO**

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**FINDINGS OF FACT, CONCLUSIONS, DECISION AND  
ORDER**

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The above-matter came on to be heard by the Village of Pulaski Board of Zoning Appeals on November 6, 2019 on application of the AQUA CIR-CLEAN, INC., a Wisconsin Corporation at the Village of Pulaski Municipal Building at 585 E. Glenbrook Drive. The matter being duly called and noticed as made and provided by law, the Board of Zoning Appeals makes the following Findings of Fact, Conclusions of Law, Decision and Order:

**PRELIMINARY RECITALS**

JURISDICTION

This matter has come before the Board of Appeals on due notice by publication and posting as made and provided by law.

The meeting was called to order and, upon roll call, the following members were present constituting a quorum:

James Van Lannen, Chair  
Tom Holewinski  
David Olson  
Jason McKeefry  
Robert Tetzlaff

PARTIES AND WITNESSES

The following witnesses were sworn and provided testimony before the Board:

Bryan Lauritzen, Village of Pulaski Zoning Administrator

Gary Naarup, Applicant Representative

The property that is the subject of these proceedings is identified as 251 N. Wisconsin St., Pulaski, Wisconsin (Tax Parcel No.: VP-71 (the "Property")), as more specifically identified and described on ATTACHMENT "A" hereto.

Mr. Naarup testified that the Applicant is in need of space to expand its operations and is desirous of constructing an addition to its current structure on the property to extend that structure to the current lot line. Further testimony was presented that the Property is uniquely situated being a long narrow lot located between an institutional parcel owned by the Franciscans and the Mountain Bay Trail. Mr. Naarup provided information that other expansion options, because of the unique character of the Property, were cost prohibited and not functionally practical.

Mr. Lauritzen provided information regarding the location, zoning and layout of the Property.

Various documents related to the Properties were submitted to the Board by the Applicant, and the Village of Pulaski Zoning Administrator. All documents that were presented to the Board were received and reviewed by the Board and then accepted into the record of these proceedings and made a part of record of these proceedings.

### **FINDINGS OF FACT**

Having heard all such evidence as was presented, the Board of Zoning Appeals makes the following Findings of Fact:

1. That due notice of these proceedings was properly given, posted, published and made as made and provided by law including all notice required to adjoining property owners.
2. That the Applicant is the owner the Property.
3. That the Property is zoned I-2 "Heavy Industry" and is subject to the provisions of Sec. 51.17 of the Village of Pulaski Zoning Code.
4. That the Property has a unique shape and location.
5. That the Applicant is proposing the construction of a new 40 foot by 70 foot building on the east side of the Property to accommodate its on-site operations.
6. That the Applicant is requesting a variance under the provisions of the Municipal Code to reduce the setback on the east line of the Property at the location of the

proposed new construction to Zero (0) to allow location of the proposed new building to abut the easterly lot line of the Property; and, has submitted an Variance Application form and has paid the Application Fee.

### **CONCLUSIONS OF LAW**

Upon hearing, reviewing and considering all of the evidence and arguments presented, the Board of Zoning Appeals makes the following Conclusions of Law:

1. That the Board has proper jurisdiction to hear, consider and rule on the application by the Applicant to reduce setback on the Property as requested.
2. That the unique shape, location and character of the Property presents an unnecessary hardship for expansion on the Property which hardship was not self-induced.
3. That because of the location of the Property and the nature of the adjoining properties, it does not appear that the grant of a variance creating a Zero (0) set back allowing for construction of the proposed building to abut the easterly lot line of the Property would not adversely affect or impact the adjoining property.

### **DECISION AND ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law, it is the determination, Decision and Order of the Board of Zoning Appeals, upon a motion duly made, seconded and carried by majority vote of its members, in the following:

1. That a Variance is hereby granted to of the Property identified herein to reduce the building setback line along the east line of the Property to zero at the location on the Property of the proposed new building.
2. That the grant of the Variance hereunder is conditioned upon the Applicant providing the Village with a Certified Survey Map of the Property along with its submission of its Building Permit Application.
3. That the grant of the Variance hereunder be recorded and placed of record as to the Property.

### **APPEALS**

This Decision of the Board of Zoning Appeals may be appealed by any person in disagreement by the Decision or by any officer, department or bureau of the Village by

filing an action in *certiorari* in the Brown County Circuit Court within thirty (30) days after the date of filing this Decision.

Approved 01-15-2020

VILLAGE OF PULASKI BOARD OF  
ZONING APPEALS



James Van Lannen, Chair

**ATTACHMENT "A"**

**PROPERTY LEGAL DESCRIPTION**

251 N. Wisconsin Street

Lot 1, Volume 61, Certified Survey Maps, Page 312, Map No. 8686, Document No. 2749397, Brown County Records, being located in part of the Northwest 1/4 of the Southeast 1/4, Northeast 1/4 of the Southeast 1/4, and Southeast 1/4 of the Southeast 1/4, all in Section 31, T26N-R19E, Village of Pulaski, Brown County, Wisconsin.

Tax Parcel No.: (VP-71)