



PORTAGE COUNTY

MEETING MINUTES

BOARD OF ADJUSTMENT

PORTAGE COUNTY ANNEX
CONFERENCE ROOM 5
1462 STRONGS AVENUE
STEVENS POINT, WI 54481

Monday, May 20, 2024

4:00 PM

REMOTE ATTENDANCE & COMMENT

To attend this meeting by telephone : dial 1-872-242-7813, after dialing the number you will then be asked to enter in a meeting number. Use the following meeting number: 201 499 341, then press #.

To attend this meeting by video: [Click here to join the meeting](#)

The Board of Adjustment will conduct an on-site inspection on the public right-of-way to look at the alleged lighting situation on Monday, May 20, 2024 prior to the Board of Adjustment meeting.

CALL TO ORDER

ROLL CALL

The Board of Adjustment meeting was called to order at 04:00 PM

Members Present: James Hopp, Jason Pingel, Brandon Taylor, Rick Duerr, Paul Cieslewicz

Attending In-Person: James Hopp, Jason Pingel, Brandon Taylor, Rick Duerr, Paul Cieslewicz

Attending Online: None

Members Excused: James Garbe, Dennis Meis

Members Absent: None

Staff Attending: Chris Mrdutt, Emmett Simkowski, Nicole Winkelman, Gayle Stewart

Others Attending: Brianna Sweeney, Portage County Deputy Corporation Counsel

Pat Barnsdale, Diane Barnsdale, David Barnsdale, Charles Sankey, Judy Sankey

PLEDGE ALLEGIANCE TO THE FLAG

CORRESPONDENCE

No Correspondence.

PUBLIC NOTICE

Members of the public who wish to address the Committee on specific agenda items must register their request at this time, with such comments subject to the public comment ordinance and the reasonable control of the Committee Chair as set forth in Robert's Rules of Order.

APPROVAL OF MINUTES

1. Approval of Minutes from April 15, 2024 meeting

A motion was made by Brandon Taylor, seconded by Rick Duerr, to Approve. Motion to Approve carried by voice vote, with no negative votes.

DISCUSSION/POSSIBLE ACTION

2. Discussion/Possible Action Re: Special Meeting Attendance (Portage County Ordinance 3.1.47 & 3.1.48)

Request for special meeting attendance

Approval of attendance of special meetings

Special meeting attendance reports

No requests.

No approvals.

No reports.

PUBLIC HEARING

3. Petition No. PET-2024-007 Administrative Appeal request by David and Patricia Barnsdale, from the provisions of 7.1.6(5)(d) To hear and decide appeals where it is alleged that there is error in any order, requirement decision, or determination made by the Zoning Administrator. Petitioners assert Petition 21-06 Board of Adjustment condition #2 "Lighting must be downcast and shielded as not to shine onto the road or neighboring property" is not being enforced by the Portage County Zoning Department.

Petition opened by Hopp who read the request.

Pingel recused himself as he personally knows the Petitioners.

Mrdutt explained the appeal request. Condition #2 and timeline of enforcement and photos reviewed by Mrdutt.

Mrdutt explained he was on-site multiple times and has worked with the property owner to improve the lighting situation. Mrdutt's determination is that there is no violation of condition #2. Discussion amongst Committee and Mrdutt.

Members of Public sworn in and gave testimony:

David Barnsdale, Petitioner, sworn in and explained his concerns and steps he has taken to work with Planning & Zoning staff on enforcement of the lighting condition. Discussion amongst Barnsdale and Committee.

Diane Barnsdale, neighbor, explained her concerns regarding the lighting situation.

Pat Barnsdale, Petitioner, sworn in and explained her concerns regarding the lighting situation.

Charles Sankey, neighbor, sworn in and gave his opinion of the lighting situation.

Hopp closed testimony and opened deliberations. Discussion amongst Committee and Mrdutt; the following was noted:

All commercial businesses have lights and more development is coming. There is a need to make this work and maybe staff will have to go back and have another look.

P&Z Staff has done what they can at this point.

Trees along the road were removed by the Highway Department after construction of the building.

Duerr feels the lights are cast downward and not illuminating the surrounding property; he feels the condition is being met.

Pictures in the packet were discussed.

Hopp noted there are no measurements available to show how far the lighting shines.

Taylor noted the vegetation is gone and is torn about that. Discussion on direct versus ambient light.

Cieslewicz noted the trees on County Road R were cleaned up after the project was approved. He feels Planning and Zoning Staff are doing their job.

Discussion about a landscaping plan by Taylor.

Petitioner's asked why property owner needs so much light and feels the lights should be fully shielded.

Hopp closed deliberations and asked for a motion to approve, deny, or postpone the request.

A motion was made by Rick Duerr, seconded by Paul Cieslewicz, to Deny petitioner's appeal as the Planning and Zoning Department staff has witnessed the lighting to be shielded and downcast and does not illuminate the road or petitioner's prop

The motion to Deny Passed by the following vote:

4 Yes: James Hopp, Brandon Taylor, Rick Duerr, Paul Cieslewicz

0 No: None

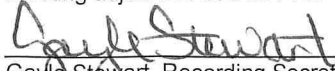
1 Abstain: Jason Pingel

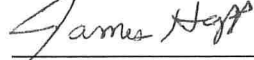
NEXT MEETING DATE

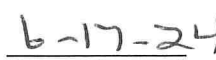
ADJOURNMENT

A motion was made by Cieslewicz, seconded by Taylor, to adjourn. Motion carried by voice vote.

Meeting adjourned at 04:51 PM


Gayle Stewart, Recording Secretary


James Hopp, BOA Secretary


Date of Approval