

TOWN OF TAYCHEEDAH
FOND DU LAC COUNTY

**Minutes of Board of Appeals Public Hearing
December 21, 2022**

The hearing was called to order at 6:00 p.m. at the Town Hall. Present were Board of Appeals members Jerome Bord, Jason Meyer, John Buechel, Tim Marcoe and Joe Sabel. Also present were Town Clerk Kris Marcoe, Matt Schmitz, as well as various members of the public. The Town Clerk confirmed open meeting notice and Class 1 publication of legal notice.

Matt Schmitz, representing this project and CUP request was sworn in. His testimony was as follows:

Matt Schmitz spoke on behalf of his project and explained that he is seeking to obtain a conditional use permit for his auto repair shop.

- Currently his business is at his residence (W3954 County Rd WH).
- He anticipates the building to be completed late spring/early summer 2023 and will move his business once granted occupancy.
- He will be working with his employees full-time from 8:00 a.m. – 5:00 p.m. Monday through Friday with Saturdays by appointment only. If work is done after hours, it will be done inside with the overhead doors closed.
- Entrance lights will be on the building and in the parking lot.
- The new building will have a total of seven (7) bay doors, with one (1) being a drive-through door. Some vehicles may be parked outside depending on the amount of work needed to complete.
- Most of his work is diesel repairs and he disposes the waste using totes.
- No storage area will be needed for tires as he does not do this type of work, rebuilding is the main business.

Board of Appeals discussion:

- Beverly Pkwy is a town road
- Majority of the work will be done inside the new building. Current locations the doors are open due to heat and noise in the small area.
- The Board discussed the elevation drop from WH to proposed building and if a berm is needed.

Joe Thome, Town Chairman and homeowner at N7283 Cty. Road UU was sworn in to support the CUP. Testimony as follows:

- Discussions with Doug Hoerth regarding the expiration date of CUP's. Feels the CUP should go with the business. If the business should have new ownership, the CUP is only voided if the type of business changes
- Regarding lighting and noise, the Town has ordinances that must be followed.
- Regarding hours of operation, he suggested 6:00 a.m. – 6:00 p.m. Anything later work can continue as long as the doors are closed.
- Reiterated the CUP goes with the address.

Ken Rickert, homeowner at N7731 Cty. Road WH was sworn in to oppose the CUP. His testimony as follows:

- Concerned with the noise from the trucks as he lives across the street.
- Will the trucks be brought in or towed in late at night or on the weekends.

Angela Gile, homeowner at 205 Taft Street, Representing Jerry & Betty Hansmann at N7697 Cty. Road WH who were unable to attend, was sworn in to oppose the CUP. Her testimony as follows:

- Tim's Alignment is quiet, and they have no problem with his business
- Facebook page of Matt Schmitz business shows video of engines revving.
- If hours of operation are not put in place, they fear the noise level will be disruptive to homeowners
- Suggesting the overhead doors are not placed on the East side of the business towards their homes
- Suggesting the outside lighting be pointed down. Tim's Alignment had an issue with their lighting and was corrected.
- Question regarding who owns the property and confirmation was made that Matt Schmitz is the owner.

Board of Appeals discussion:

- The Board discussed hours of operation from 7:00 a.m. – 7:00 p.m. Monday through Friday
- The Board discussed hours on Saturday from 7:00 a.m. – noon.
- The Board discussed the CUP going with the property only if the nature of the business does not change.

Additional Board questions and discussion:

- Will any vehicles be sold at this location? Matt confirmed he will not be selling vehicles, only rebuilding/repairing.
- What will the working hours on Saturdays be? Matt does not anticipate working on Saturday but may need to for appointments only. He asked if needed that they would be 8:00 a.m. – noon.
- If a CUP is tied to the address, has there been any business in the town that has moved to another location? Confirmation from the Town Chairman that no business has changed addresses.

Board Discussion/Action:

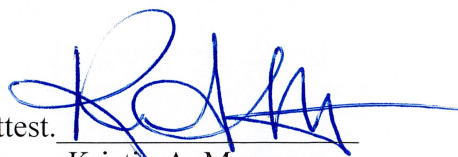
Deliberation of hours, outside lighting and term of CUP. A motion was made, seconded, and passed to approve the permit on the following terms:

- A. CUP use of this parcel is that of a Truck Repair Shop.
- B. CUP will be tied to the property of W7681 Beverly Pkwy and remain with the property as long as the nature of the business remains the same.
- C. Business hours are Monday – Friday 7:00 a.m. – 6:30 p.m., Saturday's 8:00 a.m. – 2:00 p.m. If work continues after these hours, all overhead doors must be closed.
- D. CUP will not have an expiration date as long as the business remains the same.

Motion carried unanimously by voice vote

No other business coming before the Board, a motion was made and seconded with unanimous approval to adjourn at 6:44 p.m.

Attest.



Kristin A. Marcoe
Board of Appeals Secretary