

**TOWN OF TAYCHEEDAH
BOARD OF APPEALS
PANKRATZ VARIANCE
MAY 24, 2023
6:00 P.M.
TAYCHEEDAH TOWN HALL**

The Town of Taycheedah Zoning Board of Appeals conducted a public hearing on Wednesday, May 24, 2023, at 6:00 p.m., at the Taycheedah Town Hall, for the purpose of considering a variance request submitted by Haley Pankratz. Member's present were Chairman Jerome Bord, John Buechel, Tim Marcoe, Jason Meyer, and Joe Sabel. Also present were Town Clerk Kris Marcoe and Building Inspector Doug Hoerth. The Chairman called the meeting to order. The Town Clerk confirmed the open meeting notice and Class 2 publications.

Haley Pankratz requested a variance to Section 13-1-141 (c) & (d) Residential Fences Height and Setback. The fence installed is not in compliance with the town ordinances. Ms. Pankratz was sworn in and presented the following information:

- Haley asked the board to not use her child's name for privacy and being a minor.
- Childs medical conditions requires the safety of a fenced yard.
- Application was completed and the State of WI sets all the parameters for the fence.
- The state of Wisconsin contractor is hired to install the fence. A permit was not obtained for the fence.
- Fence was installed in November 2022.
- Setback from Silica Road the fence sits at 30' from road. Ordinance for Class 1 Hwy (Silica Road) requires a setback of 63' from centerline.
- Ms. Pankratz indicated the required yard space is needed for her child but could not provide proof from the state the required square foot space.
- No neighbor complaints.

Joe Thome of N7283 County Rd UU was sworn in and made the following statements:
The issue is no permit was pulled. If a permit was pulled the contractor and homeowner would have been able to work with Doug Hoerth. Working with the neighbors would have also been an option with their approval the fence could go up to the property line. Up to 15' on the backlot is available for the fence to be moved. Joe also talked to Blake who installed the fence. Blake indicated he would move the fence if needed.

Ms. Pankratz indicated there is a utility easement on the side yard and no fence can be placed. Doug Hoerth informed everyone fences can be put on utility easements. If work by the utility company is required the fence, at the time, will need to be removed.

Appeals Board Members made the following statements:

- The hardship is the child's medical needs.
- Permits were not pulled.
- Can the fence be moved? Ms. Pankratz informed the space is needed for her child.
- No neighbor complaints
- Evergreen trees by the fence are trimmed and Ms. Pankratz informed them they will keep them maintained.

Testimony in support of the variance:

None was present.

Testimony in opposition of the variance:

None was present.

Chairman Jerome Bord declared the public hearing closed.

Board of Appeals deliberations and action were as follows:

- The current 6’ fence and 25’ lenience from Silica Road variance is approved and will remain with Haley Pankratz and Duy Nguyen as long as they own the home.
- When the home is sold, the fence will be moved in compliance with the Town of Taycheedah’s ordinance or removed by Pankratz and Nguyen.
- This variance is in contingency of settling the permit fees not obtained.

Motioned by Jason Meyer to approve the steps listed above, second by Tim Marcoe

Roll call vote:

Jason Meyer	aye
Tim Marcoe	aye
John Buechel	aye
Jerome Bord	aye
Joe Sabel	aye

Motion Carried (5-0)

Motion to adjourn by John Buechel, second by Joe Sable. Hearing adjourned at 6:53 p.m. (5-0)

Dated: May 24, 2023

Attest:

Kristin A. Marcoe
Board of Appeals Secretary

**TOWN of TAYCHEEDAH
BOARD of APPEALS
FOND DU LAC COUNTY, WISCONSIN**

DECISION

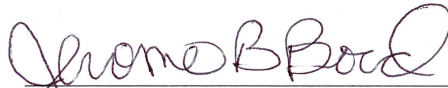
WHEREAS, the Zoning Board of Appeals of the Town of Taycheedah, Fond du Lac County, Wisconsin, conducted a public hearing on May 24, 2023, to consider the variance petition of Haley Pankratz for property located at N8530 Sunset Drive. Ms. Pankratz requested a variance to Section 13-1-141 (c) & (d), Residential Fences Height and Setback. The fence installed is not in compliance with the town ordinances.

WHEREAS the Zoning Board of Appeals cited the ordinances and discussed in detail the fence height and setback.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals voted (5-0) to approve Ms. Pankratz variance request. The current 6' fence and 25' lenience from Silica Road variance is approved and will remain with Haley Pankratz and Duy Nguyen as long as they own the home. When the home is sold, the fence will be moved in compliance with the Town of Taycheedah's ordinance or removed by Pankratz and Nguyen. This variance is in contingency of settling the permit fees not obtained.

The Board of Appeals decision may be appealed by an action in certiorari in circuit court within 30 days.

Dated this 24th day of May 2023.



Jerome Bord
Board of Appeals Chairman



Kristin A. Marcoe
Board of Appeals Secretary