



Mineral Point, Wisconsin

CITY OF MINERAL POINT

137 HIGH STREET, SUITE 1
MINERAL POINT, WI 53565
608-987-2361

AGENDA

CITY OF MINERAL POINT BOARD OF APPEALS MEETING

Monday, May 19, 2025, 4:30 PM

City Hall Community Room

1. Call to Order, Roll Call, and Confirmation of Compliance with the Open Meetings Law.
2. Approval of December 12, 2024 Minutes.
3. Public Hearing regarding the request of Randy and Cynthia Fleming, owners of a property located at 141 Merry Christmas Lane (Tax Parcels 251-0342.E and 251-0342.08), for a variance from Section 154.02(D)(6)(d) of the Municipal Code pertaining to lot frontage requirements. **Action:** Open Public Hearing, Hear testimony, and close public hearing.
4. Variance No. 2025-BOA01 – Request of Randy and Cynthia Fleming, owners of a property located at 141 Merry Christmas Lane (Tax Parcels 251-0342.E and 251-0342.08), for a variance from Section 154.02(D)(6)(d) of the Municipal Code pertaining to lot frontage requirements. **Action:** Approve or deny Variance.
5. Adjourn.

Agenda Posted and Distributed: Monday, April 28, 2025

Reasonable accommodations for participation in this meeting by persons with disabilities, as defined by the Americans with Disabilities Act, will be made upon request and if feasible. Please contact the City Clerk's office (608-987-2361) at least 24 hours prior to the scheduled meeting so that necessary accommodations can be provided.

OFFICE OF THE CITY CLERK-TREASURER

Mayor – Danny Clark

City Administrator | Matthew Honer | administrator@cityofmineralpointwi.gov

City Clerk-Treasurer | Christy Skelding | cityclerk@cityofmineralpointwi.gov



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MINUTES

CITY OF MINERAL POINT BOARD OF APPEALS MEETING

Thursday, December 12, 2024, 6:00 PM

City Hall Community Room

CALL TO ORDER/ROLL CALL

Administrator Honer called the meeting to order at 6:00 pm.

David Engels	Present	Jeff Meyer	Present
Bill Grover	Present		
Steve Leger	Present		
Justin Potterton	Present		
Others Present: Administrator Honer, Clerk-Treasurer Skelding, Adam Crist, Tony Hook, Tammy Black, Tricia Sporle, Deane Judd, John Sharp			

APPROVAL OF MINUTES –SEPTEMBER 18, 2023 MEETING

Motion (Grover/Meyer) to approve September 18, 2023 minutes. Motion carried, all voting aye (5-0).

PUBLIC HEARING –

2024-BOA001: REQUEST OF DEANE JUDD, OWNER OF A PROPERTY LOCATED AT 30 JACKSON STREET (PARCEL NO. 251-0362.A), FOR A VARIANCE FROM SECTION 154.02(D)(6)(h) OF THE MUNICIPAL CODE PROHIBITING THE USE OF METAL MATERIALS ON THE EXTERIOR OF BUILDINGS IN RESIDENTIAL DISTRICTS.

2024-BOA002: REQUEST OF ANTHONY AND JULIE HOOK, OWNERS OF A PROPERTY LOCATED AT 320 COMMERCE STREET (PARCEL NO. 251-0119), FOR A VARIANCE FROM SECTION 154.04(I)(3)(b) OF THE MUNICIPAL CODE PERTAINING TO THE STREET SETBACK IN THE M-1 LIGHT INDUSTRIAL DISTRICT.

2024-BOA003: REQUEST OF AEY HOLDINGS, LLC AND TNT REAL ESTATE, LLC AND ADAM CRIST (OWNER AND AGENT) FOR A PROPERTY LOCATED BETWEEN EAST LAKE ROAD AND US HWY 151 (PARCELS 251-1044.02 AND 251-1045.12), FOR A VARIANCE FROM SECTION 154.02 (D)(6)(d) OF THE MUNICIPAL CODE PERTAINING TO LOT FRONTAGE REQUIREMENTS.

Motion (Engels/Leger) to open concurrent Public Hearing at 6:03pm. Motion carried by roll call, all voting aye (5-0).

Deane Judd – 30 Jackson Street: He’s done a lot of work at the property. He would like to build a shouse, but the issue is steel siding. He would like to have steel siding. He stated the property is very hidden and very secluded. He wants it to look nice. There are 8 acres on the property.

Tricia Sporle – 910 High Street: Steel siding has come a long way. They are looking for a black color and would use the limestone rock that was saved from the burned house.

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Tammy Black – Stickley Morton Architects: Working with Tony Hook on the additions to Hooks Cheese. The canopy going over the top of the stair and ramp is too close to the sidewalk and road, which is the reason for the variance request.

Adam Crist – 4100 Weidenfeller Rd: Looking to subdivide the acreage he owns on East Lake Road and also re-zone from A-1 to R-2.

Administrator Honer read a letter from David Thomas, owner of 40 Jackson Street, to the Board of Appeals into the record, regarding the property located at 30 Jackson Street.

Motion (Leger/Meyer) to close concurrent Public Hearing at 6:13pm. Motion carried, all voting aye (5-0).

VARIANCE NO. 2024 - BOA001 - REQUEST OF DEANE JUDD, OWNER OF A PROPERTY LOCATED AT 30 JACKSON STREET (PARCEL NO. 251-0362.A), FOR A VARIANCE FROM SECTION 154.02(D)(6)(h) OF THE MUNICIPAL CODE PROHIBITING THE USE OF METAL MATERIALS ON THE EXTERIOR OF BUILDINGS IN RESIDENTIAL DISTRICTS.

Steve Leger finds the ordinance to be problematic as it is vague and general at the same time, which makes it difficult to sort out. The request is that the ordinance is unnecessarily burdensome. Leger has noticed that the ordinance addresses the neighborhood character and aesthetic. The argument that the property is remote, 8 acres, surrounded by woods, diminished views, and lack of neighbors, shows that a variance may be warranted.

David Engels stated this variance request caught him by surprise. The intent of the ordinance was to prevent people from putting pole barns in residential neighborhoods between houses. The intent of the ordinance was not to prevent people from using the products that the applicant is talking about using. He believes the ordinance needs to be reviewed and modified. In terms of the burden, the ordinance is burdensome. Engels has no issue with this request.

Bill Grover has concerns. He has been to the property when the former house was there. As long as the barrier of trees above the cliff is there, you don't see it. Otherwise, it's a long view across a good portion of the city up on that bluff. This issue came up at a former meeting with the assurance that no one would see the structure. Grover is not certain on wanting to change the ordinance.

Jeff Meyer doesn't believe you would know this was a sheet of steel. It looks like painted wood. As far as they've come with rolled steel is night and day.

John Sharp, neighbor of the property, has no objections to this request. The house is not visible from Jackson Street or Old Darlington Road.

Motion (Potterton/Engels) to approve the request of Deane Judd, owner of a property located at 30 Jackson Street (Parcel No. 251-0362.A), for a variance from section 154.02 (D)(6)(h) of the Municipal Code prohibiting the use of metal materials on the exterior of buildings in residential districts. Motion carried by roll call, all voting aye (5-0).

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VARIANCE NO. 2024 – BOA002 - REQUEST OF ANTHONY AND JULIE HOOK, OWNERS OF A PROPERTY LOCATED AT 320 COMMERCE STREET (PARCEL NO. 251-0119), FOR A VARIANCE FROM SECTION 154.04(I)(3)(b) OF THE MUNICIPAL CODE PERTAINING TO THE STREET SETBACK IN THE M-1 LIGHT INDUSTRIAL DISTRICT.

The canopy will extend 11 feet from the north wall of the retail side.

There is currently a low slope roof that will be extended and supported with posts located just beyond the ramp. This will keep the ramp and porch dry and neither of those aspects will change.

Other businesses in the business district are allowed to have canopies on their properties.

Motion (Grover/Potterton) to approve the request of Anthony and Julie Hook, owners of a property located at 320 Commerce Street (Parcel No. 251-0119), for a variance from section 154.04 (I)(3)(b) of the Municipal Code pertaining to the street setback in the M-1 Light Industrial District. Motion carried by roll call, all voting aye (5-0).

VARIANCE NO. 2024 – BOA003 - REQUEST OF AEY HOLDINGS, LLC AND TNT REAL ESTATE, LLC AND ADAM CRIST (OWNER AND AGENT) FOR A PROPERTY LOCATED BETWEEN EAST LAKE ROAD AND US HWY 151 (PARCELS 251-1044.02 AND 251-1045.12), FOR A VARIANCE FROM SECTION 154.02 (D)(6)(d) OF THE MUNICIPAL CODE PERTAINING TO LOT FRONTAGE REQUIREMENTS.

Motion (Engels/Potterton) to approve the request of AEY Holdings, LLC and TNT Real Estate, LLC and Adam Crist (owner and agent) for a property located between East Lake Road and US Hwy 151 (Parcels 251-1044.02 and 251-1045.12), for a variance from section 154.02 (D)(6)(d) of the Municipal Code pertaining to lot frontage requirements. Motion carried by roll call, all voting aye (5-0).

ADJOURN

Motion (Potterton/Grover) to adjourn at 6:33 pm. Motion carried, all voting aye (5-0).

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NOTICE OF PUBLIC HEARING
CITY OF MINERAL POINT BOARD OF APPEALS
Monday, May 19, 2025, 4:30 p.m.
City Hall Community Room

NOTICE IS HEREBY GIVEN that the City of Mineral Point Board of Appeals will meet at the place, date, and time indicated above to consider the request of Randy and Cynthia Fleming, owners of a property located at 141 Merry Christmas Lane (Tax Parcels 251-0342.E and 251-0342.08), for a variance from Section 154.02(D)(6)(d) of the Municipal Code pertaining to lot frontage requirements. The applicant proposes the creation of lots served by a driveway easement rather than public street frontage.

All interested persons, their agents, or representatives may appear at said hearing and address the Board of Appeals regarding this variance request.

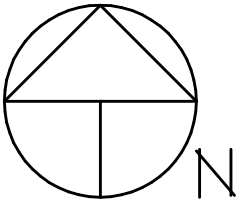
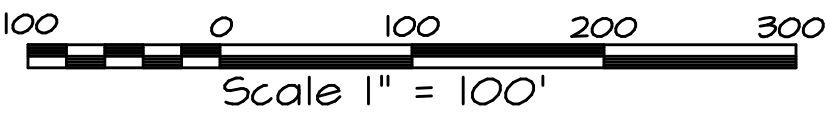
Published: May 1, 2025 and May 8, 2025

Christy Skelding
City Clerk/Treasurer

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IOWA CO. C.S.M. NO. _____

Being Lot 2 of CSM 1596 as recorded in document 350925, part of Lot 209 of Harrison's Survey as located in Plat Cabinet A on page 47, all as located in part of the SW 1/4 of the SW 1/4 of Section 32, T5N, R3E, City of Mineral Point, Iowa County, Wisconsin



PLAT BEARINGS ARE ORIENTED TOWARD THE IOWA COUNTY COORDINATE SYSTEM AS DEFINED BY THE WISCONSIN DEPARTMENT OF TRANSPORTATION, THE SOUTH LINE OF THE SW 1/4 OF SECTION 32, T5N, R3E OF WHICH WAS PREVIOUSLY RECORDED TO BEAR N 89°43'31" W

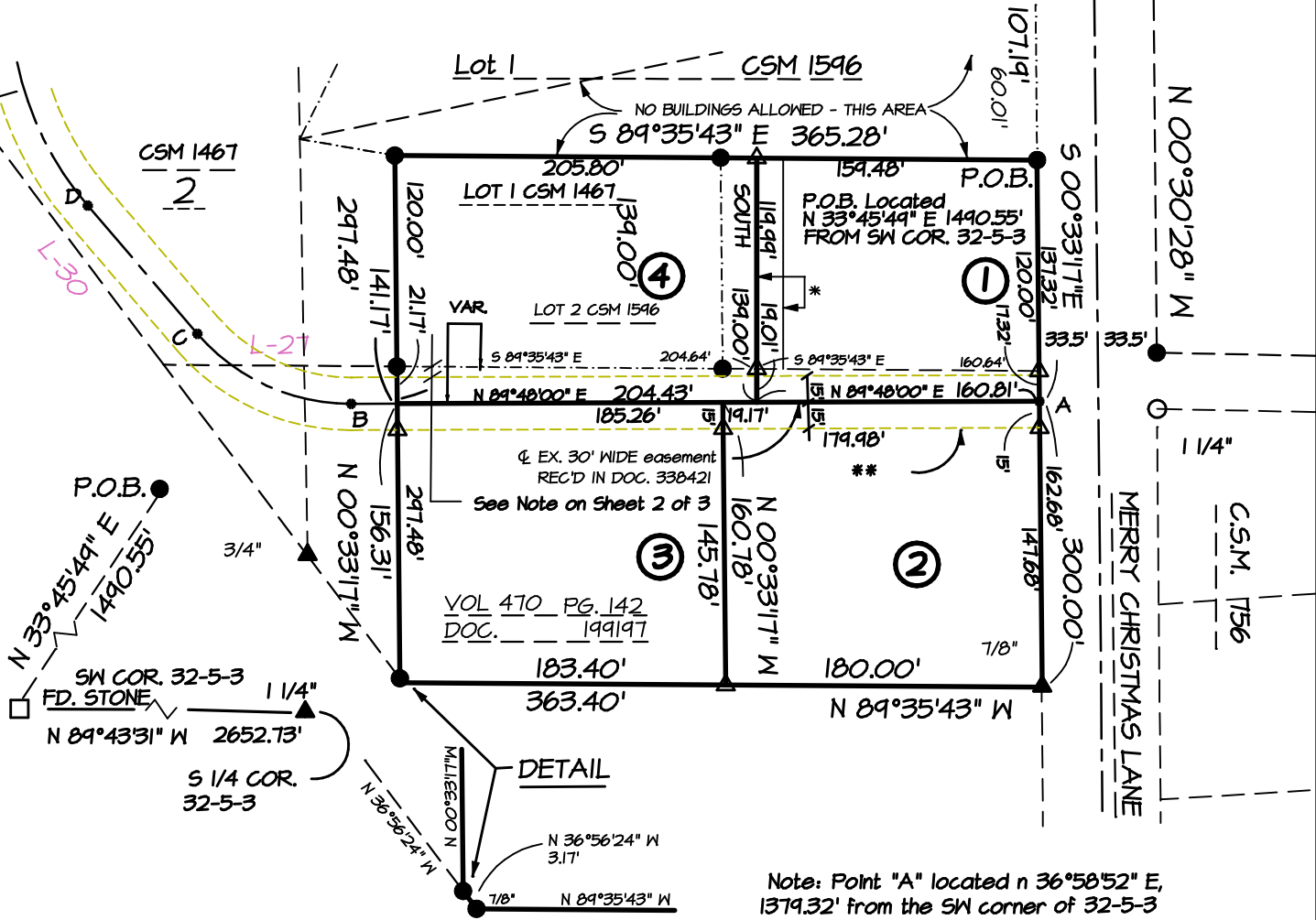
SHEET 1 OF 3

LOT#	SQ. FT	ACRES ±
1	22,124	0.508
2	29,108	0.668
3	29,602	0.680
4	28,733	0.66
TOTAL	109,567	2.515

- LEGEND:
- △ SET 1"Φ X18" X 1.68 #/LF IRON PIPE
 - FOUND IRON PIPE - DIAM. SHOWN
 - ▲● FOUND 3/4" REBAR - U.O.N.
 - () RECORDED AS

** All 4 lots are subject to and benefit from a non-exclusive easement being variable in width across the south side of lots 1 and 4, and being 15' in width across the north frontage of lots 2 & 3

* lot 1 subject to a 15' wide access easement that benefits lot 4



IOWA CO. C.S.M. NO. _____

Being Lot 2 of CSM 1596 as recorded in document 350925, part of Lot 209 of Harrison's Survey as located in Plat Cabinet A on page 47, all as located in part of the SW 1/4 of the SW 1/4 of Section 32, T5N, R3E, City of Mineral Point, Iowa County, Wisconsin

I, Laurence E. Schmit, Registered Land Surveyor hereby certify that under the direction of Randolph Fleming, I have made a survey, division, and map. Subject map is a correct representation of all the exterior boundaries of the land surveyed and the division thereof, and that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes in the dividing, mapping of the land which is described as being

Lot 2 of CSM 1596 as recorded in document 350925, part of Lot 209 of Harrison's Survey as located in Plat Cabinet A on page 47, all as located in part of the SW 1/4 of the SW 1/4 of Section 32, T5N, R3E, City of Mineral Point, Iowa County, Wisconsin, to wit:

Commencing at the SW corner of said Section 32; thence N 33°45'49" E, 1490.55' to the SE corner of lot 1 of CSM 1596, said point being the Point of Beginning; thence S 00°33'17" E, 300.00' along the westerly right of way line of Merry Christmas Lane; thence N 89°35'43" W, 363.40'; thence N 36°56'24" W, 3.17'; thence N 00°33'17" W, 297.48' to the NW corner of lot 2 of CSM 1596; thence S 89°35'43" E, 365.28' to the POINT OF BEGINNING. Containing 109,566 square feet, or 2.515 acres, more or less

SHEET 2 OF 2

Laurence E. Schmit

date:

APPROVED FOR RECORDING BY: _____
City of Mineral Point

Danny Clark - Mayor

date:

Christy Skelding - Clerk Treasurer

date:

OFFICE DATA:

JOB I.D.	2025s-018
SURVEY CREW:	jd
FIELD BOOK NO.:	
DWG. STORED:	vers 13
DRAWN BY:	les
DRAWING NO.:	25s-18.dwg
DATA FILE NO.:	<25s-018.txt>

SCHMIT ENGINEERING & SURVEYING
215 E. GRACE STREET
DODGEVILLE, WI. 53533
608-935-2721



Mineral Point, Wisconsin

5/19/2025

TOPIC: Variance No. 2025-BOA01 – Request of Randy and Cynthia Fleming, owners of a property located at 141 Merry Christmas Lane (Tax Parcels 251-0342.E and 251-0342.08), for a variance from Section 154.02(D)(6)(d) of the Municipal Code pertaining to lot frontage requirements

☒ New Business ☐ Unfinished Business ☐ Reports ☐ Closed Session ☐ Ordinance/Resolution	Meeting: Zoning Board of Appeals
Department Reporting: Administration	Submitted by: Matthew Honer
Request: The applicant seeks to create lots without public street frontage.	
BACKGROUND: The applicant is requesting an Area Variance to provide relief from the restriction on required street frontage.	
ANALYSIS: The variance is not contrary to the public interest and such variance will be in general harmony with the purposes and intent of the Zoning Code. <u>Found.</u> <i>There appears to be nothing in this request that is contrary to the public interest.</i> The variance will not permit the establishment of use that is not permitted or permissible in the district. <u>Found.</u> <i>The variance does not create intentionally, or otherwise, an unpermitted use.</i> Special conditions and circumstances exist that are peculiar to the land, structures, or buildings involved and which do not apply to other lands, structures, or buildings in the same district. <u>Not Found.</u> <i>There is nothing peculiar or unique about the land that requires the creation of parcels without public street frontage.</i> The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district. <u>Found.</u> <i>This variance is not uncommon within the City and the ETZ district. Additionally, other communities have moved past the required frontage. While the intention of the code is clearly concerning the need for emergency vehicle access and land access, the use of easements has been found to accomplish this.</i> The hardship is not shared generally by other land or buildings in the area. <u>Not Found.</u> <i>The subdivision of land creates the issue and not the conditions of the land. The structures were built in manner that does not conform to the zoning code.</i> The hardship results from the strict interpretation of this ordinance and is not the result of self-created or self-imposed circumstances. <u>Not Found.</u> <i>The subdivision of land creates the issue and not the conditions of the land.</i>	
RECOMMENDATION: Staff recommends approval. Ultimately, there could arise a situation where the intent and literal interpretation of the zoning code would create a situation where a residential parcel should be required to have public road frontage, but in previous variance requests, this has not occurred. This is an aspect of the zoning code that should likely be changed. This is a clear situation where the intent of the zoning code can be met with an easement and the literal interpretation is unnecessarily burdensome.	