MEETING OF
PLANNING & ZONING COMMISSION
Town of Spring Prairie
Thursday, June 20, 2024
7:00 p.m.

The meeting was called to order at 7:00 p.m. by Chairman Mary Grossman. Commissioners present: Mike Dominas, Frank Knoll, John Lutz, Tom Bolfert, Paul Miller and Mary Grossman, as well as P&Z Secretary Donna Prochacka. Chet Lininger was absent. Town Board members Lis Friemoth and Lynn Lein were also in attendance as well as Christina Green, representing Mason Friemoth.

Minutes of the November 16, 2023 Planning Commission meeting were approved as circulated via email by Donna to Commission members on a motion by Bolfert; seconded by Dominas; motion carried unanimously with Kroll abstaining because he is a new member and did not attend that meeting..

New Business

Discussion and Possible Action: Mason T. Friemoth is seeking a Variance allowing farm separation parcel OA 359700001 to be at least 40,000 sq ft in size but not more than 6.0 acres exclusive of right of way (6.2 acres inclusive of right of way). Christina Green was in attendance representing Mason Friemoth, N6224 Hargraves Rd, Burlington, WI 53105 for Variance requested to allow farm separation parcel OA359700001 as described above. She presented maps/drawings on an easel for all to see. The parcel is 4.623 acres exclusive of ROW and 4.938 acres inclusive of ROW, zoned A-1 Prime Agricultural land and originally created from a farmland separation in 2003. It is an irregular polygon with the west boundary running adjacent and parallel to Hargraves Rd and the remaining 3 sides surrounded by a neighboring property.

The neighbor is currently working with Walworth County to separate his conservation land from his farm land and sell the conservation portion. He has a 1 acre parcel which is zoned A-1 between the conservation parcels and Friemoth property, and he would like to sell this acre to Friemoth. This 1 acre is not truly A-1 land since it contains steep slopes and woods and poor soils. The neighbor and Friemoth are working with Walworth County to do a lot line adjustment to attach it to Friemoth's land and were denied because it would make it greater than 5 acres for farmland separation so they need to request a variance since the parcel would now be 6 acres – more than the 5 acre farmland separation. Friemoth's parcel is an irregular polygon as originally created due to the location of the well and septic, and now by adding this 1 acre parcel, it will square off the parcel. The hardship to Friemoth is that, if he cannot add the one acre piece to his current farm separation parcel, the neighbor could later sell the one acre plus 34 adjacent acres, allowing a purchaser to build a house on the one acre. Friemoth is seeking to protect the wooded nature of the parcel and attach it to his current acreage which it is more compatible with. He does not intend to do anything with it.

Grossman asked why the owner just doesn't apply for a rezone and stated it is not impossible for 1 acre, given the fact that in most cases rezones are not freely granted for A-1 parcels. Green said Friemoth wants to square off his land. Discussion ensued about reasons for hardship, the easement along the parcels and possible future uses. Grossman said she still thinks it should be rezoned instead of a Variance and it requires all 3 conditions be met – discussion that applicant would have

to start the process all over again and it would be a financial hardship, and that it could potentially block access to the other two parcels, which he is possibly intending to purchase. Green said she feels that a Variance in this case is more workable and allowable and that there is a hardship to both the neighbor and Friemoth. There was discussion among other Board members on it being a win-win situation for both parties involved and there is nothing more that can be done with the 6 acre parcel than what is it currently used for.

Dominas motion to approve the recommendation for the Variance; second by Miller. Individual votes: Dominas – yes; it is miniscule thing because it is a steep hill with woods and no issues with it; Knoll – the root cause should have been zoned different, but the end result is the same that it joins Friemoth property, so he votes yes, Miller votes yes since the land isn't good for much else and good for Friemoth; Lutz is all for is since Friemoth plans to keep it as a wooded area; Grossman said she would still rather see it rezoned, but votes for it; Bolfert votes yes since it really is not a useable piece of land and solves the problem for both of them and it does preserve it as woodland; all in favor; motion carried.

Grossman - at this point it will go as a recommendation to the Board.

Miller commended the presentation which was very comprehensive.

Adjourn: Bolfert motion to adjourn at 7:30; second by Lutz; all in favor; motion passed.

Respectfully submitted,
Donna Prochacka
Recording Secretary
Approved: