

JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

Dale Weis, Chair; Joann Larson; Steven Masche

THE BOARD OF ADJUSTMENT WILL MEET ON WEDNESDAY, JUNE 10, 2026, AT 10:30 A.M. Members of the public may attend at the Jefferson County Courthouse, 311 S Center Ave, Jefferson, WI, Room C1021.

THE BOARD OF ADJUSTMENT WILL LEAVE FOR SITE INSPECTIONS AT APPROXIMATELY 10:30 A.M.

PETITIONERS OR THEIR REPRESENTATIVES MUST BE IN ATTENDANCE FOR THE PUBLIC HEARING AT 1:00 P.M. Petitioners and other members of the public may attend the meeting virtually by following these instructions if they choose not to attend in person:

[Join the meeting now](#)

Meeting ID: 252 959 753 563 267

Passcode: FR2so7mu

1. **Call to Order – 10:30 a.m. Room C1021 of the Jefferson County Courthouse**
Meeting called to order at 10:30 a.m. by Chairman Weis.
2. **Roll Call (Establish a Quorum)**
Members present: Dale Weis, Joann Larson, Janet Sayre Hoeft (alternate) & Dan Jaeckel. Steve Masche is an excused absence.
Staff: Matt Zangl, Haley Nielsen, Thijs Roeven, Shari Fischback, and Corporate Counsel Danielle Thompson. Other County staff in attendance was County Administrator Michael Luckey via Teams.
3. **Certification of Compliance with Open Meetings Law**
Nielsen confirmed compliance with the Opening Meeting Law.
4. **Approval of the Agenda**
Sayre Hoeft made a motion to approve the agenda, seconded by Weis, 3-0 voice vote.
5. **Approval of May 12, 2026 Meeting Minutes**
Weis made a motion to approve the meeting minutes, seconded by Larson, 2-0 voice vote. Sayre Hoeft abstained.
6. **Communications** – Zangl provided update on Steve Masche.
7. **Public Comments** – None.
8. **Site Inspection:** Beginning at 10:35 a.m. leaving Room C1049 of the Jefferson County Courthouse, 311 S Center Ave, Jefferson, WI

V1780-26 – Larry M Holzhuetter Trust N9165 Riverview Drive, Town of Waterloo – PIN 030-0813-1213-000

AP1781-26 – Village of Johnson Creek W4884 River Drive, Town of Farmington - PIN 008-0715-0633-001

Weis made the motion to adjourn the site inspection meeting, seconded by Sayre Hoeft. Motion carried by voice vote 3-0 to adjourn the meeting at 11:37 p.m.

9. **Public Hearing Beginning at 1:00 p.m., Jefferson County Courthouse Room C1021**
Meeting called to order at 1:00 p.m. by Chairman Weis.

10. **Explanation of Process by Committee Chair**

Chairman Weis provided an overview of the meeting process and read the public hearing notice into the record.

NOTICE OF PUBLIC HEARING
JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

NOTICE IS HEREBY GIVEN that the Jefferson County Zoning Board of Adjustment will conduct a public hearing at 1:00 p.m. on Wednesday, June 10, 2026, at the Jefferson County Courthouse Room C1021, Jefferson, Wisconsin. Matters to be heard are applications for variance from the terms of the Jefferson County Zoning Ordinance and an appeal of a sanitary permit issued by the Director of Planning and Development. An AREA VARIANCE is a modification to a dimensional, physical, locational requirement such as the setback, frontage, height, bulk, or density restriction for a structure that is granted by the board of adjustment. A USE VARIANCE is an authorization by the board of adjustment to allow the use of land for a purpose that is otherwise not allowed or is prohibited by the applicable zoning ordinance. No variance may be granted which would have the effect of allowing the use of land or property which would violate state laws or administrative rules. Subject to the above limitations, a petitioner for an AREA VARIANCE bears the burden of proving “unnecessary hardship,” by demonstrating that 1) strict compliance with the zoning ordinance would unreasonably prevent the petitioner from using the property for a permitted purpose, or 2) would render conformity with the zoning ordinance unnecessarily burdensome. A petitioner for a USE VARIANCE bears the burden of proving that 3) strict compliance with the zoning ordinance would leave the property owner with no reasonable use of the property in the absence of a variance. Variances may be granted to allow the spirit of the ordinance to be observed, substantial justice to be accomplished and the public interest not violated. **PETITIONERS, OR THEIR REPRESENTATIVES, SHALL BE PRESENT.** There may be site inspections prior to public hearing which any interested parties may attend; discussion and possible action may occur after public hearing on the following:

V1780-26 – Larry M Holzhueter Trust: Variance from Sec. 22-740 of the Jefferson County Zoning Ordinance to allow for an existing non-conforming structure to be enlarged in excess of 50% of existing foundation square footage and 50% of the existing structural members at **N9165 Riverview Drive** on parcel 030-0813-1213-000, Town of Waterloo.

PETITIONER: Larry Holzhueter (N9165 Riverview Drive, Town of Waterloo) presented himself for the variance request. He is requesting to add additional living space and an attached garage onto his existing house. His house is 130+ years old and on a dead-end road. He currently does not have a garage. He explained he cannot go closer to the road so he is restricted to where he can add on to the house. He is looking to make the house more handicap accessible for the future. The additional living space will make this a four-bedroom house. The attached garage retaining wall will help to divert hill water away from the house and will give them another handicap accessible entrance into the house.

IN FAVOR: None.

OPPOSED: None.

REBUTTAL: None.

STAFF: Nielsen read the staff report.

Town: Approved 3-0.

AP1781-26 – Village of Johnson Creek: Appeal of Sanitary Permit #14752 issued on March 31, 2026 for Denise Schumacher at **W4884 River Drive**, parcel 008-0715-0633-001, in the Town of Farmington. The sanitary permit is being appealed by the Village of Johnson Creek. This appeal is subject to Section 16-144(f) of the Jefferson County Private On-site Wastewater Treatment Systems Ordinance.

PETITIONERS: Kyle Ellefson, Village Administrator (125 Depot Street, Village of Johnson Creek) and Adam Baraza, Village Attorney, presented themselves. They are requesting that the decision to issue the sanitary permit be reversed or modified. Grounds for the appeal include the belief that the decision was based on incorrect factual findings and that the public sewer was not available to the premise or structure which is incorrect. There was errors of law and misapplication of Jefferson County Ordinance 16-131(k) & 16-132. There is public sewer available in County Road Y and the house is in the urban service area. Village did not approve the sanitary permit application. The abandonment process was not followed.

IN FAVOR: None.

OPPOSED: Denise Schumacher (W4884 River Drive, Town of Farmington) presented herself for the appeal. She purchased home 11 years ago specifically because it was in the Town of Farmington because she cannot afford to live in Johnson Creek due to taxes and utility bills. She is currently using a failing system. When she contacted the Village, she was told the sewer system is there, but it is not applicable to her property. She proceeded has obtained a soil test, has been working with Herr Construction, followed steps to obtain the septic permit. She received a letter from the Village which stated Village has not issued an opinion on the matter and due to ordinance service could not be provided outside of the Village limits. The permit was issued by Jefferson County on 3/30/26. Septic was all set up ready for install and then she received notice of the appeal being filed. It didn't make sense to her why the Village did not let their opinion be known sooner when they had plenty of opportunity. She feels she is being bullied into having to sell her home. She is being forced into being annexed into the Village of Johnson Creek which will create a financial hardship.

Todd Stair, President of Herr Septic & Sewer, spoke. He has 37 years of experience in the septic business. He feels the two available connection options are a stretch. There is also no lateral stubbed into the lot so to say sewer is available only is she is expected to tear open the road and be responsible for the road restoration and tapping the main, none of which is not typical for someone who has sewer available to them. One is too far away, crossing a couple lots and several hundred feet is ridiculous. The closer one would not be fair to her to be responsible and bear the brunt of total restoration is above and beyond what a typical available sewer is. Typical includes a lateral to the lot line.

Matt Zangl, Director of Planning & Development for Jefferson County – Zoning Administrator, spoke. He summarized that the permit was applied for on 3/4/2026. He explained that the standard process, notifications were made and approval of jurisdiction prior to issuance of permit was sought. He received a letter dated 3/27/2026 from the Village that stated they had no opinion which was used in consideration to issue the sanitary permit. Village letter did not say yes or no. The letter didn't state that the owner can hook up or that the permit cannot be issued but that sewer was available. The Village Ordinance doesn't allow to go outside the Village limits so there is no "present and available for immediate use" as this property is not in the Village. Zangl referred to County Ordinance 16-126 reads "provisions of this article shall be held to the minimum standards and shall be liberally construed in the favor of the County".

Andrew Griggs, Atty for the Town of Farmington spoke on what the word "availability" means. The closest connection is not available. The property is in the Town of Farmington. The Village Ordinance explicitly

states that service cannot be provided outside the Village. This is not typical to connect. There is a huge financial cost, undue hardship, much higher taxes for the owner and will force the sale of her house. Sewer is therefore not available and not an option as it is a completely different community. He requests that the Board follow the County's well-reasoned determination.

Kevin Emrath, Town of Farmington Chairman, spoke. He stated the Town is against letting the house being annexed to the Village of Johnson Creek. He mentioned that the owner has followed all the correct processes to obtain the sanitary permit and he would like to see her stay in the township.

REBUTTAL: Zangl stated that he wishes that a lot of information that was mentioned today would have been shared prior to making the decision. When making the decision, it is only as good as the information we have. The Village did not provide any information despite requests prior to issuance of the permit. He requests that the Board stand by the permit that the County issued.

Andrew Griggs reiterated that position remains that the connection is not available, so the Town is in support of the County's determination.

Adam Baraza spoke that they had no direct contact with the County, no form to fill out, cc'd the County in emails between the Village and Herr Septic to keep the County in the loop. The Village ordinance referred to states the Village cannot extend service past the boundaries except by special permission of the Village Board. It was assumed that would generate more conversation. The ordinance states the Utility shall make the decision on availability, not the county. The letter stated the Utility determined it was available. They received no contact. Issuance of the permit requires an approval. It doesn't require a denial. The approval was not issued and permitting should have stopped at that point. The decision-making authority rested with the Village of Johnson Creek as it was not followed.

11. Discussion and Possible Action on Above Petition and Appeal

See individual files for detailed decisions on above listed petition and appeal.

V1780-26 – Larry M Holzhueter Trust: Motion by Sayre Hoeft/Larson to approve the variance request as presented. Motion approved on a 3-0 voice vote.

Motion by Weis, second by Larson, to direct staff to complete a written decision based on the motion and discussion of the Board. Motion passed 3-0 on a voice vote.

AP1781-26 – Village of Johnson Creek: Motion by Jaeckel/Sayre Hoeft to uphold the Zoning decision to issue the sanitary permit. Motion approved on a 3-0 voice vote.

12. Adjourn

Larson made the motion to adjourn, seconded by Sayre Hoeft. Motion carried by voice vote 3-0 to adjourn the meeting at 2:14 p.m.

JEFFERSON COUNTY ZONING BOARD OF ADJUSTMENT

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

Individuals requiring special accommodation for attendance at the meeting should contact the County Administrator at 920-674-7101 at least 24 hours prior to the meeting so appropriate arrangements can be made.

A digital recording of the meeting will be available in the Zoning Department upon request.