

**WINNEBAGO COUNTY
BOARD OF ADJUSTMENT**

Thursday, June 9, 2011 - 7:30 a.m.

Planning & Zoning Conference Room, Orrin King Administration Building,
Oshkosh, Wisconsin

DELIBERATIVE SESSION

Members Present: Arden Schroeder, Dan Mingus, Tom Verstegen, and Greg Kargus.

Also Present: Eric Rasmussen, zoning department and Karen Fredrick, court reporter.

Absent: Mary Mathwig

Meeting was called to order at 7:30 a.m. G. Kargus made a motion to approve the minutes of February 23, 2011, March 3, 2011, and May 26, 2011. Motion seconded by T. Verstegen and carried by unanimous voice vote.

The following items were acted on:

I. Robert Kinderman – Town of Clayton

The variance requested was for construction of an attached garage with a 53' setback from the Ordinary High Water Mark of the navigable stream.

The committee discussed that setback proposed will increase the setback from the existing garage. The garage will be 53' from OHWM and 36' from road right-of-way.

A motion was made by G. Kargus to approve the variance with reference to the conditions from the Town. Seconded by D. Mingus.

Findings:

1. **Exceptional Circumstances:** Because of the setback requirement from the navigable stream there is not a suitable location for a garage on this property without a variance.
2. **Preservation of Property Rights:** The existing garage is in poor condition and needs to be replaced. Without a variance the property owners would not be allowed a garage of reasonable size.
3. **Absence of Detriment:** The setback to the navigable stream will increase from what currently exists. A variance was previously granted for an addition to the home with a lesser shore yard setback. All other setback requirements will be met.

Based upon the above findings, it is the opinion of the Board that all criteria of Section 17.32(7)(a), (b), and (c) have been met.

Vote on the Motion: T. Verstegen, aye; G. Kargus, aye; A. Schroeder, aye; D. Mingus, aye. Motion carried by a 4-0-1 (absent Mathwig) vote. **Variance granted.**

II. Temporary Use Permits

a. Ripple Acres / Jones – Town of Nekimi

T. Verstegen made a motion to approve the Temporary Use as proposed. A. Schroeder seconded. Motion carried by unanimous voice vote.

b. LaRue – Town of Nekimi

T. Verstegen made a motion to approve the Temporary Use as proposed. G. Kargus seconded. Motion carried by unanimous voice vote.

c. Tigert – Town of Nekimi

T. Verstegen made a motion to approve the Temporary Use as proposed. G. Kargus seconded. Motion carried by unanimous voice vote.

There being no other business, the meeting was adjourned at 7:40 a.m.

Respectfully submitted,

Eric Rasmussen

Eric Rasmussen, Recording Secretary