

**WINNEBAGO COUNTY
BOARD OF ADJUSTMENT**

Thursday, July 12, 2012 - 7:30 a.m.

Planning & Zoning Conference Room, County Administration Building,
Oshkosh, Wisconsin

DELIBERATIVE SESSION

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

Excused: James Forbes

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

Meeting was called to order at 7:30 a.m. G. Kargus made a motion to approve the minutes of June 7, June 22, and June 26, 2012. Motion seconded by D. Mingus and carried by unanimous voice vote.

The following variance was acted on:

I. Nancy Wihelmi – Town of Wolf River

A variance was requested to construct a home with a substandard street and shore yard setbacks.

A motion was made by G. Kargus to approve the variance with an 18.5' street yard setback as the applicant amended their request to at the public hearing as well as a 70' shore yard setback. Motion seconded by D. Mingus.

Findings:

23.7-234

- 1. The requirement in question would unreasonably prevent the property owner from using the property for a permitted purpose or would render conformity with such requirement unnecessarily burdensome and such circumstances were not self-created.** Conforming to the required street and shore yard setbacks would not allow a reasonable buildable depth for a home on this property.
- 2. The subject property has unique physical characteristics or limitations that prevent the property from being developed in compliance with the requirement in question.** The lot has a very narrow buildable area due to the small lot size and the required street and shore yard setbacks.
- 3. The granting of the variance will not be contrary to or harm the public interest given the general purposes of the zoning regulations and the specific purposes of the requirement in question.** The requested shore yard setback is greater than what currently exists on the property. The street yard setback is to a private drive that is only used seasonally by customers of the neighboring business, the proposal allows for appropriate off-street parking to accommodate the property owner.

Based upon the above findings, it is the opinion of the Board that all criteria of Article 7, Division 12, Section 23.7-234, Town/County Zoning Code and Section 27.6-8 of the Shoreland Zoning Code have been met.

Vote on the Motion: G. Kargus, aye; T. Verstegen, aye; A. Schroeder, aye; D. Mingus, aye;

Motion carried by a 4-0-1 (excused Frobos) vote. **Variance granted.**

II. Temporary Use Permit

a. Waupaca Boatribe Volleyball Tournament – Town of Nekimi

T. Verstegen made a motion to approve the Temporary Use with a condition that the event shall obtain all required permits. Motion seconded by D. Mingus.

Motion carried by unanimous vote. **Temporary Use granted with conditions.**

There being no other business, the meeting was adjourned at 7:50 a.m.

Respectfully submitted,

Eric Rasmussen

Eric Rasmussen, Recording Secretary