

WINNEBAGO COUNTY  
**BOARD OF ADJUSTMENT**

October 6, 2011

7:30 A.M.

County Administrative Building – 112 Otter St  
3<sup>rd</sup> Floor Conference Room  
Oshkosh, WI

Present: Arden Schroeder, Dan Mingus, Mary Mathwig, Tom Verstegen, Brian O'Rourke, Zoning Officer, Karen Frederick, Court Reporter.

Absent: Greg Kargus

Decisions were made on the following:

1. Ron Jankowski, 1055 Winchester Road – Variance
2. Temporary Use Permit, Jennifer Frank – Town of Omro

The meeting was called to order by Arden Schroeder, Chairman, at 7:30 A.M.

Motion by D. Mingus to approve the minutes of August 4<sup>th</sup>, September 23<sup>rd</sup>, and September 27<sup>th</sup>.  
Seconded by T. Verstegen. Motion carried 4-0-1.

FIRST to be decided was the variance of Ron Jankowski to be allowed to construct a road across a navigable stream which will be within both 75 ft setback requirements.

D. Mingus recused himself from any discussion and the vote on this item.

Motion by T. Verstegen to approve the variance as requested, with the condition that all necessary permits be obtained prior to road construction. Seconded by M. Mathwig.

Findings for approval:

- 1. Exceptional Circumstances:** The Department of transportation has restricted access from Green Bay Rd which limits access to Winchester Rd. The north end of the property is the only area available to accommodate employee parking and storm water management.
- 2. Preservation of Property Rights:** The property owner does not have an alternative area to provide for employee parking and storm water management for the existing building. The ordinance requirements are unnecessarily burdensome unless a variance is granted.
- 3. Absence of Detriment:** Approval of this variance would have no negative impact on surrounding properties. The proposed road will separate employee traffic from truck traffic which will provide safer traffic flow from Winchester Rd as well as on the property.

**Conditions:**

- 1. All necessary permits shall be obtained prior to road construction.**

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

VOTE ON THE MOTION

A. Schroeder aye; T. Versteegen aye; M. Mathwig aye. Motion carried 3-0-2 (1 abstained, 1 absent).

Second to be decided was a Temporary Use Permit for Jennifer Frank for an art show an sale.

Motion to approve the Temporary Use Permit by D. Mingus. Seconded by M. Mathwig. Motion to approve carried 4-0-1.

Deliberation adjourned at 8:00 a.m.

Respectfully Submitted,

Brian P. O'Rourke, AICP  
Recording Secretary  
BPO