

WINNEBAGO COUNTY BOARD OF ADJUSTMENT

Wednesday, October 17, 2012 – 5:30 p.m.

Lounge Room, Courthouse, Oshkosh, Wisconsin

PUBLIC HEARING

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

Absent: James Forbes

Also present: Candace Zeinert, Zoning Department; Karen Fredrick, court reporter; and guests.

Meeting was called to order at 5:30 p.m. Board members and staff introduced themselves. C. Zeinert read the appeal process.

Michael Voss – Town of Wolf River

D. Mingus read the legal description and requested variance for the agenda item.

Michael Voss, property owner and applicant was sworn in. He described his request in that instead of having the full 15ft of fill around the house, he was requesting to have the home at the normal setbacks of 7ft and 10ft while using retaining walls.

David Voss Jr, the property owner and applicant's father was sworn in. He further described the setbacks of the home and retaining walls to the side property lines, and the retaining wall's setback to the water; was confirmed by C. Zeinert. David Voss Jr. submitted the plans of the home to the Board.

A. Schroeder inquired if the side yard setbacks could be switched sides because the neighbor to the south is just about on the property line. David Voss Jr said that shouldn't be a problem.

T. Verstegen inquired how drainage would be dealt with. David Voss Jr. said the property would slope to the lake, that it will not slope on the sides (according to the site plan), and will not put water on the neighboring properties.

D. Mingus asked if the home will have a basement; David Voss Jr. answered that the home will have a crawlspace only.

Gordon Dunham, property owner at 7341 Richter Lane to the south, was sworn in. David Voss Jr. explained the plans to Mr. Dunham (Mr. Dunham is hard of hearing and could not hear earlier discussions). Mr. Dunham explained that the reason his home is so close to the property line was because he was required to build his home in the same place as the previous home. A. Schroeder asked what his concerns were regarding the request. Mr. Dunham inquired about the height of the retaining wall and David Voss Jr. answered that it will be used to keep the fill on the property, at the elevation indicated on the site plan.

Mr. Dunham said he was concerned about drainage because he has been flooded a couple of times. He mentioned that he already has drains on his property and that he doesn't want the retaining walls to compromise the drains.

David Voss Jr. said they would make sure that the drain tile is not wrecked and that drain tile is installed on the subject property. David Voss Jr. mentioned that on his property (north on Richter Lane) he only has a couple feet of fill around the house, then inquired why this can't be done from this property. The Board answered him that the fill is needed all around because of the floodplain.

G. Kargus asked how maintenance would be done on the neighbor's home with the retaining wall being so close? T. Versteegen asked if the house could be angled. Mr. Dunham mentioned that he has windows going into the crawlspace and that he is concerned about the ground being higher around them.

A. Schroeder asked if the Board could give relief to the neighbor by allowing the retaining wall to be more to the north (into the subject property, away from the property line). C. Zeinert answered that yes, but it would require more of a variance on the fill to be granted. The Board discussed and thought that allowing 7ft of fill on each side would be allowable.

David Voss Jr. restated the request stating that the house would be 10ft from the south property line and that the retaining wall would be 7ft from the house (3ft from south property line). David Voss Jr. asked if they could hold 3ft off on the north side too. A. Schroeder answered that there was no reason to grant a larger request on the north side.

The Board asked if the property owner planned on building a boathouse. David Voss Jr. answered that there aren't plans for one right now but that it may be in the future.

There being no other business, Arden Schroeder adjourned the meeting at 6:00 p.m.

Respectfully submitted,

Candace M. Zeinert

Recording Secretary