

WINNEBAGO COUNTY BOARD OF ADJUSTMENT

Tuesday, October 25, 2011 – 5:30 p.m.

Lounge Room, Courthouse, Oshkosh, Wisconsin

PUBLIC HEARING

Present: Board Members: Greg Kargus, Dan Mingus, Carla Koller, and Tom Verstegen

Absent: Mary Mathwig

Excused: Arden Schroeder

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

Meeting was called to order at 5:31 p.m. Committee members and staff introduced themselves and Greg Kargus explained the hearing process & announced that the Deliberative Session would be held Friday, 11/4/11, at 7:30 a.m. C. Zeinert read the appeal process.

Joseph and Barbara Peeters – Town of Wolf River

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

Joseph and Barbara Peeters were sworn in and described their variance request for a 22' x 28' detached garage in order to make their residence on Bluebill Lane a permanent residence. Board members asked several questions regarding proposed setbacks and the holding and propane tanks. The Peeters replied that the garage would have a 19' setback to the road edge, a 43' setback to the channel, and the holding and propane tanks would be staying in the same location. They also stated that with the new garage, they would be able to remove 1 of the 2 sheds that are right next to the channel. D. Mingus asked if a 22' x 28' garage is what they need. The Peeters replied that the 28' depth is for the ability to store their boat. They believe they would have enough room (19') to store a car between the garage and the road and that it would not be in the way of traffic. The Board asked if there is a reason that the garage cannot be attached to the home and the Peeters said they thought it was not possible. C. Zeinert informed the Board that the house is likely nonconforming and is severely limited by the amount of improvements/additions that can be made to it.

C. Zeinert read the resolution submitted by the Town of Wolf River recommending approval.

C. Zeinert then read a letter from Tom Blake, Shoreland Zoning Specialist from the Wisconsin Department of Natural Resources commenting on the variance request.

Eric Swanlund – Town of Winneconne

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

Eric Swanlund was sworn in and described that his home was suffering from 1970's construction of small rooms and a small living area. He would like to bring the building footprint out to the existing deck/patio area with the same bi-level design and it would not add any impervious surface. He would also like to enlarge his attached garage. Mr. Swanlund explained that he is "penned in" with 2 street yard setbacks and a shore yard setback for further development and that the additions would not impede on any of his neighbors' views.

T. Versteegen asked the applicant how long he's lived at the property and if he would be back next year applying for a variance for a deck since everyone seems to like having a deck. Mr. Swanlund replied that he has lived at the home for 11 years and that he would not be back applying for another variance because the living space is more important than having a deck. D. Mingus asked if there was a boathouse on the property and Mr. Swanlund replied no. G. Kargus inquired if there were any sanitary limitations for adding the living space. C. Zeinert replied no because the property is hooked up to public sewer.

C. Zeinert read a letter from Tom Blake, Shoreland Zoning Specialist from the Wisconsin Department of Natural Resources commenting on the variance request.

Mr. Swanlund gave a rebuttal to Mr. Blake's comments stating that he could not have a residential addition towards the street because well and utilities would be in the way. Mr. Swanlund asked how the DNR's letter is taken into consideration and G. Kargus replied that the comments/suggestions are taken in to advisement and that every case is different and reviewed separately.

There being no other business, G. Kargus adjourned the meeting at 5:52 p.m.

Respectfully submitted,

Candace M. Zeinert

Recording Secretary