

WINNEBAGO COUNTY BOARD OF ADJUSTMENT

Tuesday, November 19, 2013 - 5:30 p.m.

Lounge Room, Courthouse, Oshkosh, Wisconsin

PUBLIC HEARING

Present: Board Members: Arden Schroeder, Chairman; Greg Kargus, Dan Mingus, and Tom Verstegen. Also present: Eric Rasmussen, zoning department; and Karen Frederick, court reporter.

Absent: James Forbes.

Meeting was called to order at 5:30 p.m. Committee members and staff introduced themselves. A. Schroeder explained the hearing process and E. Rasmussen read the appeal process. It was announced that the Deliberative Session would be on Thursday, December 5, 2013 at 7:30 a.m.

D. Mingus read the legal description and the requested variance:

1. Brett Gelbach, Town of Oshkosh – Parcel No. 018-0675-04

Brett Gelbach, property owner, appeared and is requesting the following variances:

- Shore yard setback for a residential addition
- Floodplain fill for a residential addition
- Shore yard setback for a detached garage
- Street yard setback for a detached garage

Mr. Gelbach explained that the residential addition was to replace an exterior stairway with an enclosed stairway. The exterior stairway is the only access to the living space on the second story of the property.

Mr. Gelbach explained that he needed the detached garage for storage, mostly for his boat. He explained that his boat and trailer were 40' long, so he was requesting a 42' x 28.5' garage to be able to keep his boat inside.

Jim Erdman, Town of Oshkosh Chairman, was sworn in. He explained that the Town Plan Commission and the Town Board had reviewed the variance and had approved all variances as requested.

Zoning Staff introduced to the record minutes from the Town of Oshkosh's board meeting on November 14, 2013.

2. Kim & Thomas Lehouillier, Town of Oshkosh – Parcel No. 018-2290

John Davel, the agent on the request, was sworn in. He explained that the property owners wish to tear down the existing home on the property and rebuild due to a failing foundation in the home. In order to construct a home variances are being requested for reduced floodplain fill, shore yard and street yard setbacks, and to construct a residence and retaining wall within a mapped surface water drainage district.

Mr. Davel also explained that the project is being centered on the property so drainage is not affected on either side of the property. The access has been switched from Fox St to Nickels Dr and there will be an engineered retaining wall along the stream.

Jim Erdman, Town of Oshkosh Chairman, was sworn in. He explained the historic flow in the SWDD as well as the retaining walls and the Town's opinion on the variances. The Board and Mr. Erdman discussed narrowing or abandoning the Fox St. ROW. Mr. Erdman also explained that the variance recommendations for the SWDD were measured to the OHWM and not the center of the SWDD.

Tom Lehouillier, property owner, was sworn in. They purchased the property in 2012 and discovered the foundation was in disrepair. They hope to rebuild instead of trying to repair all of the problems with the existing residence.

Zoning Staff introduced to the record minutes from the Town of Oshkosh's board meeting on November 14, 2013.

John Davel explained the project could be moved towards Fox St. But moving the project that way would lessen flood protection on that side.

MOTION by G. Kargus to hold the public hearing open until 4:00 pm on December 5, 2013 and to reschedule the deliberative to immediately following. Seconded by T. Verstegen. Motion carried 5-0-1 (absent Forbes).

There being no other business, this meeting was adjourned at 6:27 p.m.

Respectfully submitted,

Eric Rasmussen

Recording Secretary for the Board of Adjustment