

**WINNEBAGO COUNTY
BOARD OF ADJUSTMENT**

Thursday, October 9, 2014 – 7:30 a.m.

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

DELIBERATIVE SESSION

Members Present: Arden Schroeder, Tom Verstegen, Dave Weiss, and Sue Drexler.

Absent: James Forbes

Excused: Greg Kargus

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

Meeting was called to order at 7:35 a.m. T. Verstegen made a motion to approve the minutes of August 22, 2014, August 26, 2014, September 4, 2014, and September 26, 2014. Motion seconded by D. Weiss and carried by unanimous voice vote.

The following variance was acted on:

I. Gerald Berwald – Town of Black Wolf

A variance was requested to construct a detached garage with a substandard street yard setback.

The committee discussed the necessity of the garage as well as the fact that the garage will meet the separation requirement from the home, an improvement from the current garage.

A motion was made by T. Verstegen to approve the variance as requested.

Motion seconded by D. Weiss.

The findings used to approve the variance have been made in accordance with section 23.7-234,

CRITERIA AND 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.** The required street yard setback does not allow for a detached garage of usable depth on the street side of the existing residence.
- 2) **The subject property has unique physical characteristics or limitations that prevent the property from being developed in compliance with the requirement in question.** This is a small, lakefront property. The placement of the current home does not allow a detached garage of usable depth on the property while meeting required 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.** This request is to replace an existing non-conforming garage. The replacement garage will meet all other required setbacks. The variance being requested will still provide ample space to park a car on the property without impeding traffic or vision within the road right-of-way.

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, have been met.

Vote on the Motion: T. Verstegen, aye; A. Schroeder, aye; S. Drexler, aye. D. Weiss, aye

Motion carried by a 4-0-1-1 (absent Forbes, excused Kargus) vote. **Variance granted as requested.**

II. Committee review and approval of 2015 meeting dates

The committee discussed the 2015 proposed meeting dates. The committee approved the dates with a change of meeting times for October 21, 2015, November 18, 2015, and December 16, 2015 to 5:00 pm.

There being no other business, the meeting was adjourned at 7:45 a.m.

Respectfully submitted,

Eric Rasmussen

Eric Rasmussen, Recording Secretary