

**WINNEBAGO COUNTY
BOARD OF ADJUSTMENT**

Thursday, December 4, 2014 – 7:30 a.m.

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

DELIBERATIVE SESSION

Members Present: Arden Schroeder, Tom Verstegen, Greg Kargus, and Sue Drexler.

Absent: James Forbes

Excused: Dave Weiss

Also Present: Eric Rasmussen and Lynn Egan, court reporter.

Meeting was called to order at 7:35 a.m. G. Kargus made a motion to approve the minutes of August 7, 2014, September 30, 2014, October 9, 2014, November 14, 2014, and November 18, 2014. Motion seconded by T. Verstegen and carried by unanimous voice vote.

The following variance was acted on:

I. Bruce Coleman – Town of Oshkosh

A variance was requested to construct an attached garage with a substandard side yard setback.

The committee discussed the sewer lateral as a physical property limitation as well as the required setbacks and the aesthetics of keeping the addition in-line with the existing structure.

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

Motion seconded by G. Kargus.

The findings used to deny 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.** There is sufficient lot width for the construction of the proposed garage in compliance with all required setbacks.
- 2) **The subject property has unique physical characteristics or limitations that prevent the property from being developed in compliance with the requirement in question.** There are no physical characteristics or limitations on this property that prevent it from being developed in compliance with the requirement in question.
- 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.** The proposed addition will not extend closer to the side lot line than the current residence. All other setback requirements will be met.

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 not been met.

Vote on the Motion: A. Schroeder, aye; S. Drexler, aye; G. Kargus, aye; T. Verstegen, aye.

Motion carried by a 4-0-1-1 (absent Forbes, excused Weiss) vote. **Variance denied.**

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

Respectfully submitted,

Eric Rasmussen

Eric Rasmussen, Recording Secretary