

WINNEBAGO COUNTY
BOARD OF ADJUSTMENT
PUBLIC HEARING
February 25, 2014
5:30 P.M.
Lounge Room - Courthouse

PRESENT: Arden Schroeder, Dan Mingus, Tom Verstegen, Greg Kargus and David Weiss. Cary Rowe, Zoning Administrator, Karen Fredrick, court reporter. Guests present.

ABSENT: James Forbes

The meeting was called to order by Arden Schroeder, Chairman at 5:30 P.M. Committee members introduced themselves and Zoning Administrator explained review by court of record procedure. He stated that petitions shall be presented to the court within 30 days after the filing of the decision in the County Planning and Zoning Office.

1. Michael Voss, 7345 Richter Ln, Town of Wolf River – Variance.

Applicant is requesting a variance to Section 27.5-2(a) of the Winnebago County Shoreland Zoning Code, to be allowed to construct a retaining wall with a substandard 32-ft shore yard setback.

Dave and Michael Voss were sworn in. Dave Voss explained the variance request and stated that he had received a variance for the retaining walls October 25th, 2012. Dave Voss stated that Schmalz landscaping had done the work connecting the side retaining walls across the lakeside of the home further into the shore yard setback area to eliminate a sloping grade and prevent drainage problems to neighbors. The new patio extending into the setback area was going to be relocated within the shore yard setback allowed by setback averaging. Mitchel Beatty – 9495 Pioneer Rd, Neenah was sworn in. Mr. Beatty stated that he represented the adjoining property owners Schaumann and Dunham who had no objections to the proposed variance.

Zoning Administrator stated that the DNR recommended denial of the variance because the applicants did not convincingly demonstrate meeting the three required variance criteria. The Zoning Office also received a resolution from the Wolf River Town Board recommending denial of the variance for the following reasons: 1) Work was completed without obtaining correct variance. 2) Retaining wall does not conform to what is allowable. Earlier variance calls for retaining walls to be tapered and yet these are full walls with landscaping and terracing. 3) Applicants have reasonable use of their property with original variance granted. No hardship exists. Zoning Administrator stated that the zoning office received

an e-mail from Gordon Dunham supporting the variance but objecting to any wood burning pit.

There was no further testimony.

ADJOURNMENT

Meeting adjourned at 5:54 P.M.

Respectfully submitted

Cary A. Rowe
Recording Secretary

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