

**WINNEBAGO COUNTY  
BOARD OF ADJUSTMENT  
DELIBERATIVE SESSION**

October 8, 2009 - 7:30 a.m.  
Planning & Zoning Conference Room, Orrin King Administration Building,  
Oshkosh, Wisconsin

**Members Present:** Arden Schroeder, Greg Kargus, Dan Mingus, Mary Mathwig, and Tom Verstegen  
**Also Present:** Kathryn Larson and Eric Rasmussen, zoning department; and Karen Fredrick, court reporter. Three applicants also sat in on the meeting: Dominic and Nancy Collar and Janet Abraham.

The meeting was called to order at 7:35 a.m. The first order of business was for approval of minutes. A motion was made to approve the minutes of 7/09/09. There was a second, and the motion was carried unanimously by voice vote.

Decisions were made on the following three variance requests:

**Dominic Collar – Town of Oshkosh.** Eric Rasmussen explained how shoreland setback averaging is done with regard to house vs. deck structures, and he gave the information to the Board regarding his findings when he measured for setback averaging on the Collar property. After discussion, a motion was made by G. Kargus to approve the variance request as follows: a 24 ft. setback from the right-of-way line and a 9 ft. setback for north side yard. The 7 ft. side yard setback from the south lot line will be maintained, and the shore yard setback will be as allowed through setback averaging. into one by Motion was seconded by D. Mingus.

G. Kargus read the findings and corrected some findings to fit the Board's position. A roll-call vote followed:

**Vote on the Motion: Aye 5 Nay 0 Motion carried 5 - 0. Variance granted.**

**Thomas Hoinacki – Town of Poygan**

There was much concern with the street setback and the setback between garage and house. Concern was also expressed about the height of the garage. After considerable discussion, G. Kargus made a motion to approve the following setbacks: a 3.5 ft. setback from the house, a 3' setback from the right-of-way, and a 2 ft. setback from the west lot line. The motion included the following conditions:

1. There shall be a one-hour firewall on garage wall or walls adjacent to the house.
2. The ridge height of the garage shall not exceed the ridge height of the house.
3. Overhead garage doors (vehicle entrance) shall be on the east side of the structure.

Motion was seconded by M. Mathwig.

G. Kargus read the findings and corrected one sentence to fit the Board's decision. A roll-call vote followed:

**Vote on Motion: Aye 4, Nay 1, Motion carried 4 - 1. Variance granted with conditions.**

**Janet Abraham – Town of Wolf River**

Motion by D. Mingus, 2<sup>nd</sup> by T. Verstegen, to approve this request for an attached garage having a substandard 10 ft. setback from the road right-of-way. Setback to pavement will be 21 ft., and the 12' side yard setback needs to be kept open for truck access to the shore yard for maintenance. Mr. Mingus made adjustments to the findings to fit the Board's discussion of the situation. A roll-call vote followed:

**Vote on the Motion: Aye 5 Nay 0 Motion carried 5 - 0. Variance granted.**

Upon conclusion of the agenda items, the meeting was adjourned at 8:20 a.m.

Respectfully submitted,

*Kathryn M. Larson*

Kathryn M. Larson, Recording Secretary