

WINNEBAGO COUNTY BOARD OF ADJUSTMENT
PUBLIC HEARING

September 26th, 2023

5:30 P.M.

First Floor Conference Room (120) – County Administration Building

PUBLIC HEARING HELD VIA ZOOM

PRESENT

Greg Kargus, Tom Tuschl, Tom Verstegen

Daniel Lefebvre -Assistant Zoning Administrator, Brian O'Rourke -Land Use Planner,
Caleb Edwards -Code Enforcement Officer & Karen Fredrick -Court Reporter

The meeting was called to order by Greg Kargus, Chairman at 5:30 P.M. Board members introduced themselves and Daniel Lefebvre, Assistant 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.

LIEBHAUSER, DEREK – 2689 COUNTY RD II, TOWN OF CLAYTON – VARIANCE

Applicant is requesting a variance for a substandard shore-yard setback requirement. Applicant's Agent, Doug Woelz, explained the variance request.

The Board discussed the variance request with the applicant's agent including information about the size and dimensions of the proposed culverts, roads, and trails. The Board also discussed runoff, drainage, utilities, and phases of the proposed development.

Daniel Lefebvre stated Winnebago County has received a letter from the Town of Clayton and the WDNR and summarized the correspondence.

ADJOURNMENT

MOTION made by T. Tuschl to adjourn the meeting. Seconded by T. Verstegen. Motion carried 3-0. Meeting adjourned at 5:42 P.M.

Respectfully submitted,

Daniel R. Lefebvre
Assistant Zoning Administrator

WINNEBAGO COUNTY BOARD OF ADJUSTMENT
DELIBERATIVE MEETING

October 12th, 2023

7:30 A.M.

Third Floor Conference Room – County Administration Building

DELIBERATIVE MEETING HELD VIA ZOOM

PRESENT

Greg Kargus, Tom Tuschl, Tom Verstegen

Daniel Lefebvre -Assistant Zoning Administrator, Brian O'Rourke -Land Use Planner,
Caleb Edwards -Code Enforcement Officer

The meeting was called to order by Greg Kargus at 7:30 A.M.

GENERAL

MOTION made by T. Tuschl to approve the April 25th (Public Hearing), May 4th (Deliberative), and August 24th (Viewing) meeting minutes. Seconded by T. Verstegen. MOTION carried 3-0.

The Board reviewed findings and criteria in order to act on the variance.

**LIEBHAUSER, DEREK – 2689 COUNTY RD II, TOWN OF CLAYTON –
VARIANCE**

The Board discussed the variance request. Discussion included the navigable stream, drainage areas, culvert size, and location of roads/trails.

MOTION by T. Tuschl to approve the variance as requested with conditions. Seconded by T. Verstegen. T. Tuschl read the findings for approval. The Board determined the variance has met the variance criteria with conditions based on the findings. MOTION carried 3-0.

ADJOURNMENT

MOTION made by T. Verstegen to adjourn the meeting. Seconded by T. Tuschl.
MOTION carried 3-0. Meeting adjourned at 7:37 A.M.

Respectfully submitted,

Daniel R. Lefebvre
Assistant Zoning Administrator

Winnebago County
Board of Adjustment

VIEWING

October 26th, 2023

8:00 A.M.

Winnebago County Administrative Building
Oshkosh, WI

PRESENT: Tom Verstegen, Tom Tuschl, Susan Drexler, Greg Kargus, Brian
O'Rourke – Land Use Planner

The following properties were viewed for variances:

1. **Richard and Pamila Ames** – 3270 Shorewood Dr, Town of Oshkosh -
Variance
2. **JeI LLC** – 4532 Bellhaven Ln, Town of Algoma – Appeal

Meeting adjourned at 9:00 a.m.

Respectfully submitted,

Brian P. O'Rourke, AICP
Recording Secretary

WINNEBAGO COUNTY BOARD OF ADJUSTMENT
DELIBERATIVE SESSION
POST STAFF REPORT

Town and/or agency's comments:
None

CRITERIA AND ADVISORY FINDINGS

23.7-234 "Basis of decision" (required for all Ch. 23 Town/County Zoning Code, Ch. 26 Floodplain Zoning Code, and Ch. 27 Shoreland Zoning Code variances)

- 1. Criteria: 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.**

Findings for approval: None that staff is aware of.

Findings for denial: The applicants have reasonable use of the property without the proposed greenhouse/foyer (house additions) which encroaches within the street-yard setback.

- 2. Criteria: The subject property has unique physical characteristics or limitations that prevent the property from being developed in compliance with the requirement in questions.**

Findings for approval: None that staff is aware of.

Findings for denial: The applicant's property has other areas where the proposed greenhouse/foyer (house additions) can be placed to meet the street-yard setback.

- 3. Criteria: 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.**

Findings for approval: None that staff is aware of.

Findings for denial: Approval of this variance will establish a precedent to allow variances that do not meet the required variance criteria.

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 have not been met.

Staff Recommendation: Denial

Advisory Conditions:

Town Conditions:
None

County Conditions:
None

VOTE: _____ to _____



REAR ELEVATION

SCALE: 1/4" = 1'-0"



LEFT ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

PRELIMINARY PLAN ONLY
(NOT TO BE USED FOR CONSTRUCTION)
(MAY NOT BE SUFFICIENT FOR ESTIMATES)

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FIELD VERIFY ALL GIVEN DATA BEFORE PREPARATION OF SHOP DRAWINGS, CONSTRUCTION AND INSTALLATION.

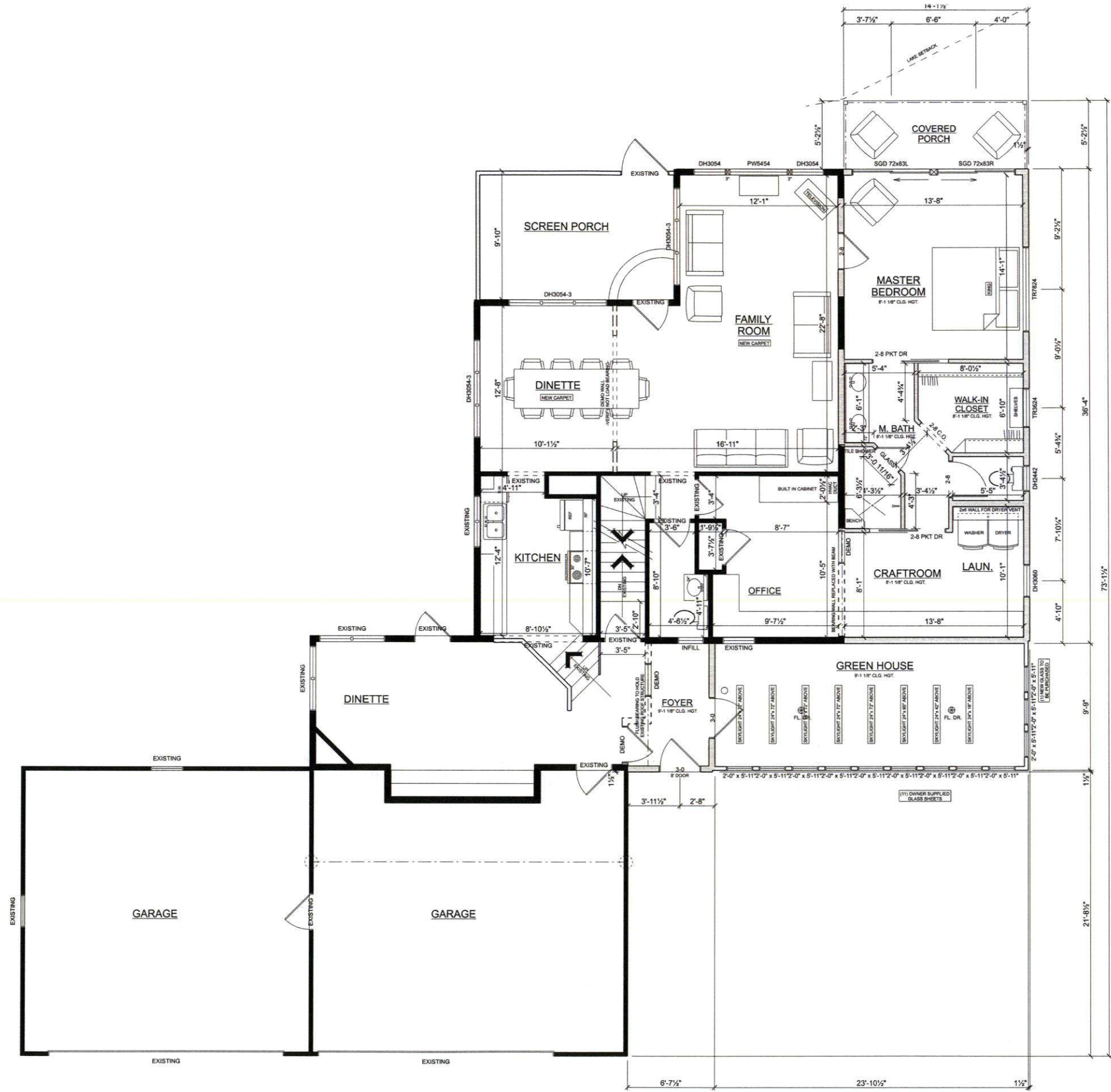
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AMES REMODEL/ADDITION
3270 SHOREWOOD DR
OSHKOSH, WI.

SET TYPE:
ISSUED DATE:
JULY 11, 2023
REVISION DATES:
7/12/2023
7/27/2023
8/1/2023

PROJECT NUMBER
2239

SHEET NUMBER
A.0



FLOOR PLAN OPTION 1

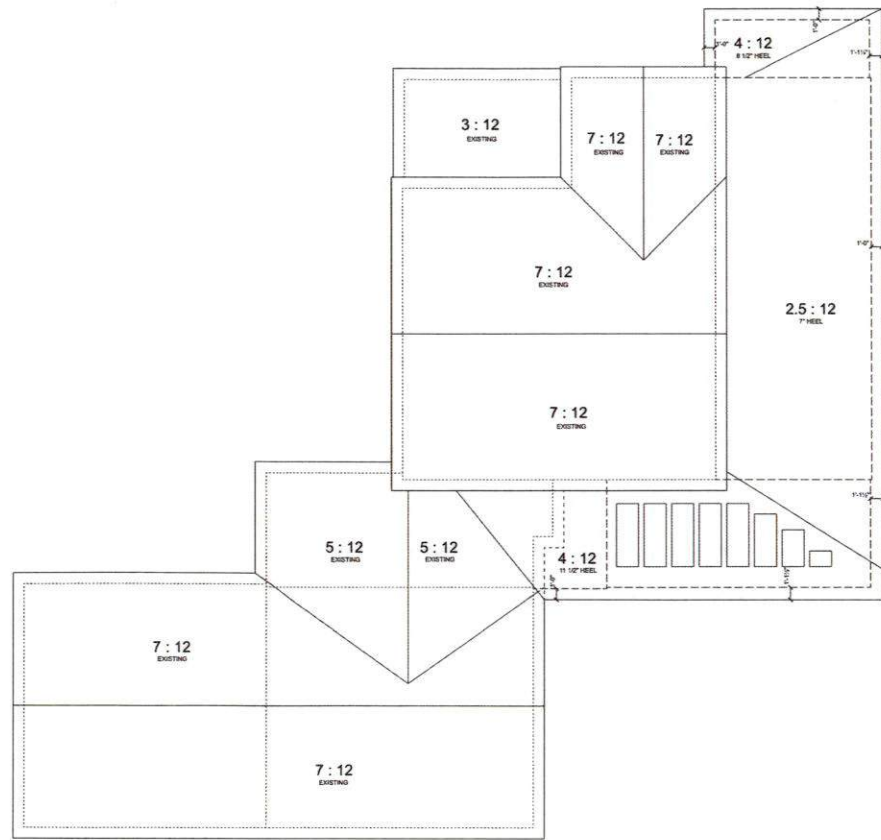
SCALE: 1/4" = 1'-0"
 8'-1 1/8" CLG. HGT.
 568 SQ. FT. (ADDITION)
 233 SQ. FT. (GREEN HOUSE)
 73 SQ. FT. (COVERED PORCH)

FIELD VERIFY ALL GIVEN DATA BEFORE PREPARATION OF SHOP DRAWINGS. CONSTRUCTION AND INSTALLATION.
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AMES REMODEL/ADDITION
 3270 SHOREWOOD DR
 OSHKOSH, WI.

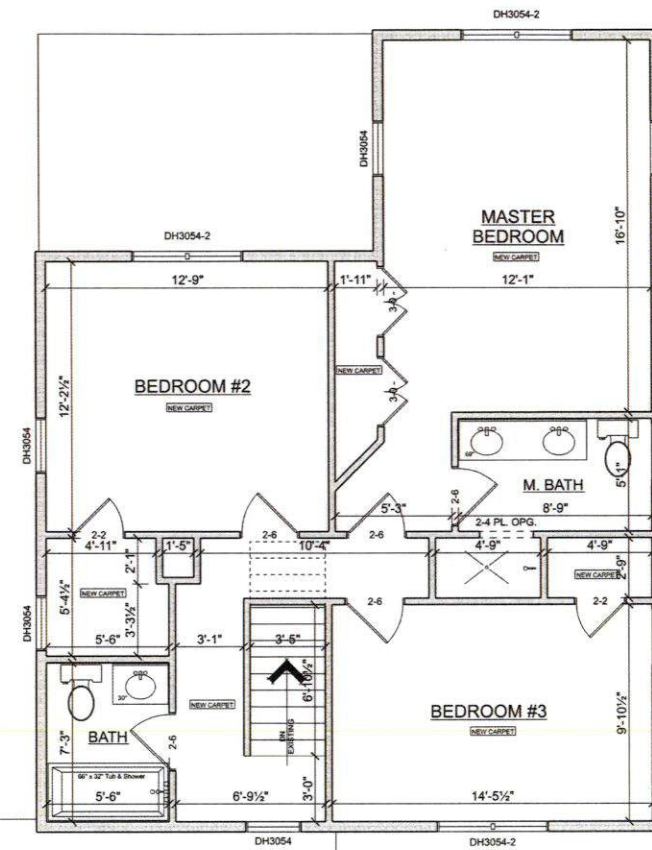
SET TYPE:
 ISSUED DATE
 JULY 11, 2023
 REVISION DATES:
 7/12/2023
 7/27/2023
 8/1/2023

PROJECT NUMBER
 2239
 SHEET NUMBER
A.1



EXISTING ROOF PLAN

SCALE: 1/8" = 1'-0"
VERIFY ALL CONDITIONS



SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"
8'-3" CLG. HGT.
874 SQ. FT. (EXISTING)
VERIFY ALL CONDITONS



FIELD VERIFY ALL GIVEN DATA BEFORE PREPARATION OF SHOP DRAWINGS, CONSTRUCTION AND INSTALLATION

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AMES REMODEL/ADDITION
3270 SHOREWOOD DR
OSHKOSH, WI.

SET TYPE:

ISSUED DATE

JULY 11, 2023

REVISION DATES:

7/12/2023

7/27/2023

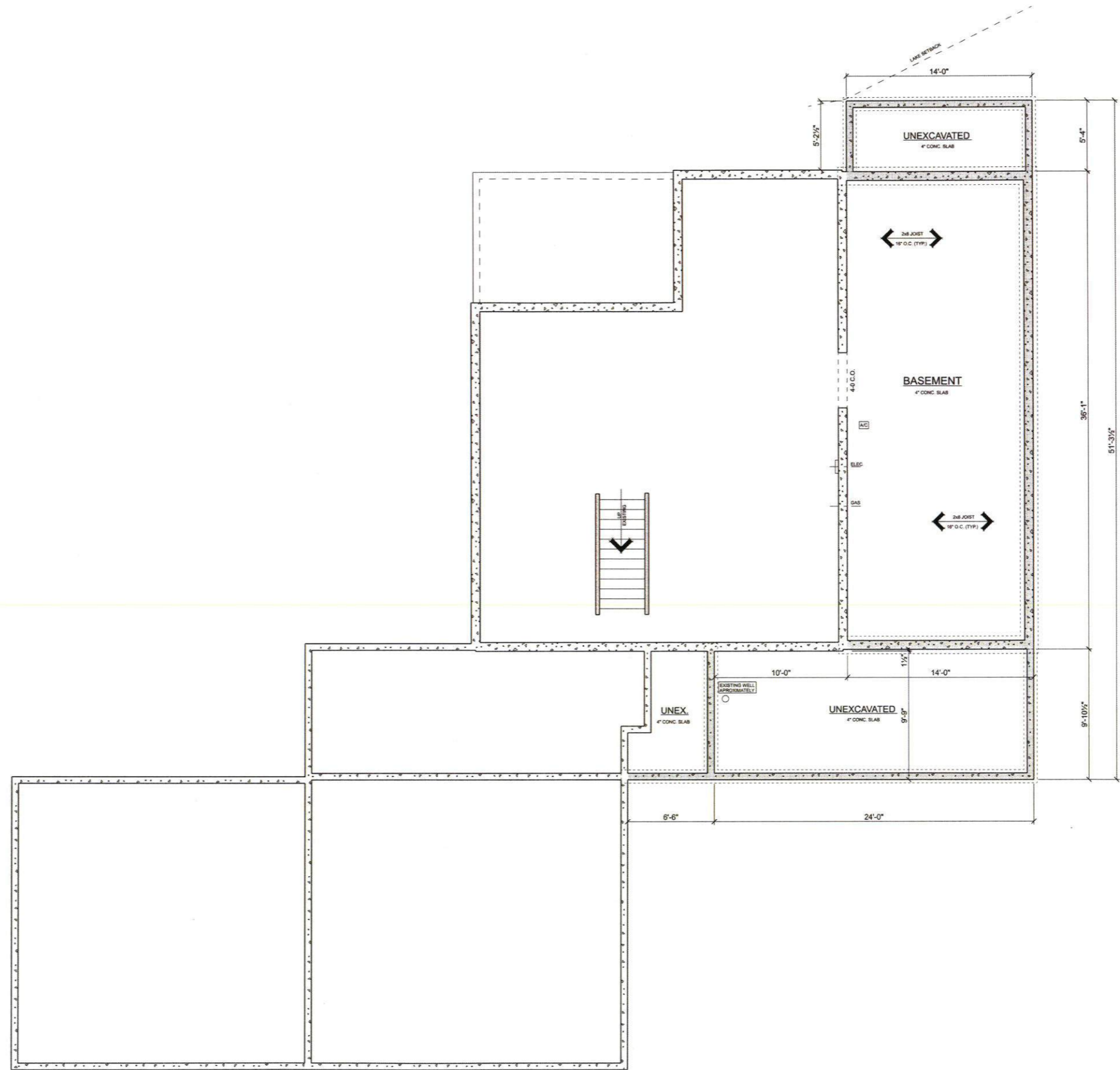
8/1/2023

PROJECT NUMBER

2239

SHEET NUMBER

A.2



FOUNDATION PLAN

SCALE: 1/4" = 1'-0"
 8'-0" FOUNDATION HGT.
 VERIFY ALL CONDITIONS



FIELD VERIFY ALL GIVEN DATA BEFORE PREPARATION OF SHOP DRAWINGS, CONSTRUCTION AND INSTALLATION

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AMES REMODEL/ADDITION

3270 SHOREWOOD DR
 OSHKOSH, WI.

SET TYPE:

ISSUED DATE

JULY 11, 2023

REVISION DATES:

7/12/2023

7/27/2023

8/1/2023

PROJECT NUMBER

2239

SHEET NUMBER

A.3

2024 Board of Adjustment Meeting Schedule

Application Deadline	Viewing	Public Hearing	Deliberative
4:00 p.m.	8:00 a.m.	5:30 p.m.	7:30 a.m.
12/1/2023	1/25/2024	1/30/2024	2/8/2024
1/2/2024	2/22/2024	2/28/2024	3/7/2024
2/1/2024	3/21/2024	3/26/2024	4/4/2024
3/1/2024	4/25/2024	4/30/2024	5/9/2024
4/1/2024	5/23/2024	5/28/2024	6/6/2024
5/1/2024	6/20/2024	6/25/2024	7/11/2024
6/3/2024	7/25/2024	7/30/2024	8/8/2024
7/1/2024	8/22/2024	8/27/2024	9/5/2024
8/1/2024	9/19/2024	9/24/2024	10/3/2024
9/3/2024	10/24/2024	10/29/2024	11/7/2024
10/1/2024	11/14/2024	11/20/2024	12/5/2024
11/1/2024	12/12/2024	12/18/2024	1/9/2025
12/2/2024	1/23/2025	1/28/2025	2/6/2025

2023 DATES

2024 DATES

2025 DATES

**NOTE: Change from standard scheduling pattern
* date changed**

1. All applications, including fees, maps, and other required information, MUST be received by 4:00 p.m. on the application deadline.
2. All times are as listed unless otherwise changed by the committee.

Adopted by Board of Adjustments on: _____