

Winnebago County Planning and Zoning Department

NOTICE OF PUBLIC HEARING BOARD OF ADJUSTMENT November 16, 2022

TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a variance which is regulated by one or more of the following ordinances: Chapter 23, the Town/County Zoning Code, Chapter 26, the Floodplain Zoning Code, and Chapter 27, the Shoreland Zoning Code. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Board of Adjustment will be holding a public hearing on November 16, 2022 at 5:30 PM in Conference Room 120 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing may appear in person or via Zoom using the meeting information below. A direct link to the Zoom Meeting is available on the Winnebago County Meetings and Agenda Calendar on the above indicated date.

ZOOM MEETING INFORMATION LINK: <https://www.co.winnebago.wi.us/planning-and-zoning/boa-meeting-links>

Additional Instructions can be found at: <https://www.co.winnebago.wi.us/planning-and-zoning>.

For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning office where the application is available for viewing.

INFORMATION ON VARIANCE REQUEST

Application No.: 2022-VA-6200

Applicant: QUELLA, BRUCE

Agent: NONE

Location of Premises: 7826 HAASE RD

Tax Parcel No.: 032-0565-06-01

Legal Description: Being all of Lot 1 of CSM-7388, located in the NE 1/4 of the NE 1/4 and in Government Lots 2 and 7 of Section 26, Township 20 North, Range 14 East, Town of Wolf River, Winnebago County, Wisconsin.

Explanation: Applicant is requesting a variance for a sub standard shore yard setback separation requirement.

DESCRIPTION:	CODE REFERENCE:	REQUIRED:	PROPOSED:
The shore yard setback from the nearest point of any structure shall be at least 75 ft from the OHWM unless exempt under section 6.1(1) or reduced under section 6.2.	27-6.1	Shore Yard:75 ft	Shore Yard:45 ft

INITIAL STAFF REPORT

Sanitation: Existing; Private System

Overlays: Shoreland, floodplain, wetlands

Current Zoning: R-1 Rural Residential

Surrounding Zoning: **North:** R-1; **South:** R-1; **East:** Lake Poygan; **West:** Lake Poygan;

Code Reference: 27-6.1

Description of Proposed Use: Applicant is requesting a variance for a sub standard shore yard setback separation requirement.

THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER/APPLICANT

Describe your project, include the proposed dimensions and setbacks: 20'x28' Attached garage addition to existing house elevations, grade and setbacks to match existing house built in 1997.

Describe how compliance with the requirement in question unreasonably prevents or restricts development of a permitted use on the property: Wetlands on west side restrict setback options set backs on east complied to

Describe the unique physical characteristics or limitations that prevent the property from being developed in compliance with the requirement in question: Boom Bay heights chanel and private road on east side of property. Lake Poygan (Boom Bay) on west side of property.

Describe how the granting of the requested variance will not harm the public interest or have adverse affects on surrounding properties: Garage addition will match setbacks of existing house and setbacks of properties to north and south. Built existing house in 1997, bought lot to north in 2006, combined lots in 2018 for garage addition to north side of existing house.

SECTION REFERENCE AND BASIS OF DECISION

Basis of Decision: Town/County Zoning Code: 23.7-234

When making its decision, the Board of Adjustment shall consider each of the following standards:

- (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.
- (2) The subject property has unique physical characteristics or limitations that prevent the property 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 board shall grant a variance only if the board can make an affirmative finding for all of the criteria listed in this section.

Shoreland Zoning Code

27.14.8 Variances

(a) **Generally.** The Board of Adjustment may, upon appeal, grant a variance from the standards of this chapter if an applicant convincingly demonstrates that (1) literal enforcement of this chapter will cause unnecessary hardship; (2) the hardship is due to unique property conditions, not common to adjacent lots or premises; (3) the variance is not contrary to the public interest; and (4) the variance is consistent with the purpose of this chapter.

CERTIFIED SURVEY MAP 1388

BEING PART OF GOVERNMENT LOTS 2 AND 7 AND PART OF THE FRACTIONAL NORTHEAST 1/4, ALL IN SECTION 26, T20N, R14E, RANGE 14 EAST, TOWN OF WOLF RIVER, WINNEBAGO COUNTY, WISCONSIN.

NOTE: ENTIRE PARCEL IS IN THE 100 YEAR FLOODPLAIN PER FEMA MAP NUMBER 55139C0050E, PANEL NO. 0050E.

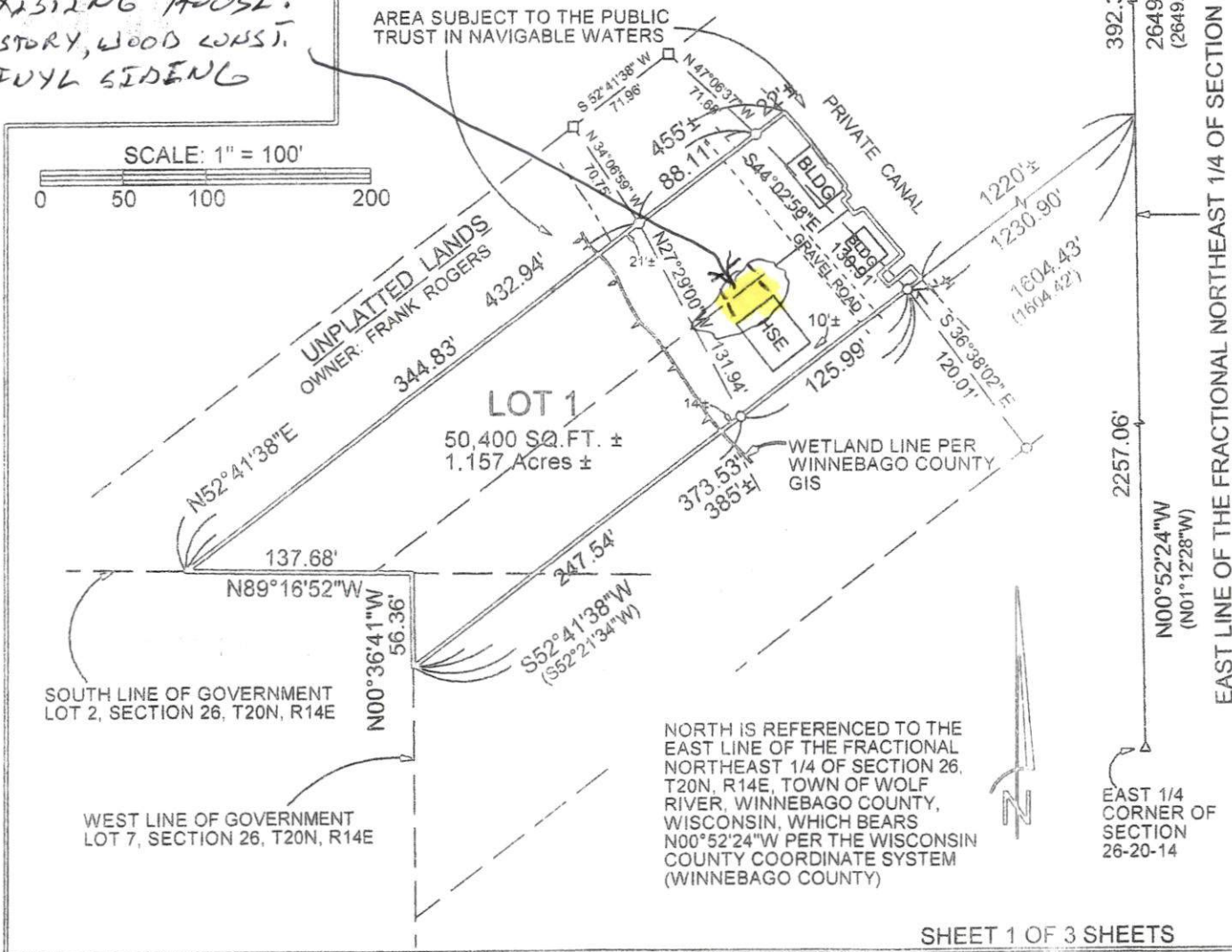
20'x28' GARAGE
ADDITION
ELEVATIONS, SETBACKS,
GRADING TO MATCH
EXISTING HOUSE.
1-STORY, WOOD CONSTR.
VINYL SIDING

AREA SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS

NORTHEAST CORNER OF SECTION 26-20-14

NOTES:
- THE ORDINARY HIGH WATER MARK IS NOT AN OFFICIAL DETERMINATION AND PRIOR TO ANY OFFICIAL DETERMINATION OF THE ORDINARY HIGH WATER MARK BY THE WINNEBAGO COUNTY ZONING OFFICE, AN AUTHORIZED PERSON, ALSO ALL BUILDING PERMITS AND LAND USE REQUIREMENTS SHOULD BE REVIEWED BY THE COUNTY ZONING OFFICE PRIOR TO ANY COMMERCIAL LAND USE ACTIVITY.
- ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED BY SECTION 1 OF THE STATE CONSTITUTION.
- THE LOCATION OF THE APPROXIMATE ORDINARY HIGH WATER MARK SHALL BE THE POINT ON THE BANK OF A NAVIGABLE STREAM THE SHORE OF A LAKE UP TO WHICH THE SURFACE WATER IS SO CONTINUOUS AS TO BE RECOGNIZED AS A MARK BY EROSION, DESTRUCTION OF TERRACE OR OTHER EASILY RECOGNIZED CHARACTERISTICS.

SCALE: 1" = 100'



LEGEND

- = 3/4" X 18" IRON REBAR SET, WEIGHING 1.502 LBS. PER LIN. FT.
- = 3/4" IRON REBAR EXISTING
- ◻ = 1" I.D. IRON PIPE EXISTING
- △ = BERNTSEN MONUMENT
- () = RECORDED AS BEARING/ DIMENSION

NORTH IS REFERENCED TO THE EAST LINE OF THE FRACTIONAL NORTHEAST 1/4 OF SECTION 26, T20N, R14E, TOWN OF WOLF RIVER, WINNEBAGO COUNTY, WISCONSIN, WHICH BEARS N00°52'24"W PER THE WISCONSIN COUNTY COORDINATE SYSTEM (WINNEBAGO COUNTY)

EAST 1/4 CORNER OF SECTION 26-20-14

EAST LINE OF THE FRACTIONAL NORTHEAST 1/4 OF SECTION 26-20-14

SHEET 1 OF 3 SHEETS

Christopher E. Perin
CHRISTOPHER E. PERIN
CAROW LAND SURVEYING
615 N LYNNDALE DR., P.O. BOX 100
APPLETON, WI 54912-1000
(920) 731 4168
A1806.16 (CEP cp jb) 7/15/18
REV. 7/20/2018

BRUCE QUILLA 7826 HAASE RD. LARSEN, WI

BRUCE QUELLA
7826 HAASE RD
LARSEN, WI 54947

← 455' →

64'

← 28' →

20'

1-STORY
GARAGE
ADDITION

ELEVATIONS
SET BACK
GRADING
TO MATCH

DRIVE
WAY

EXISTING
2-STORY
HOUSE

36'

14-0-00
TANK

← 28' →

10'

← 385' →

PRIVATE
GRAVEL
ROAD

EXISTING
BOAT HOUSE

33'

20'

BOAT
LANDING

EXISTING
SHED

14'
26'
20'

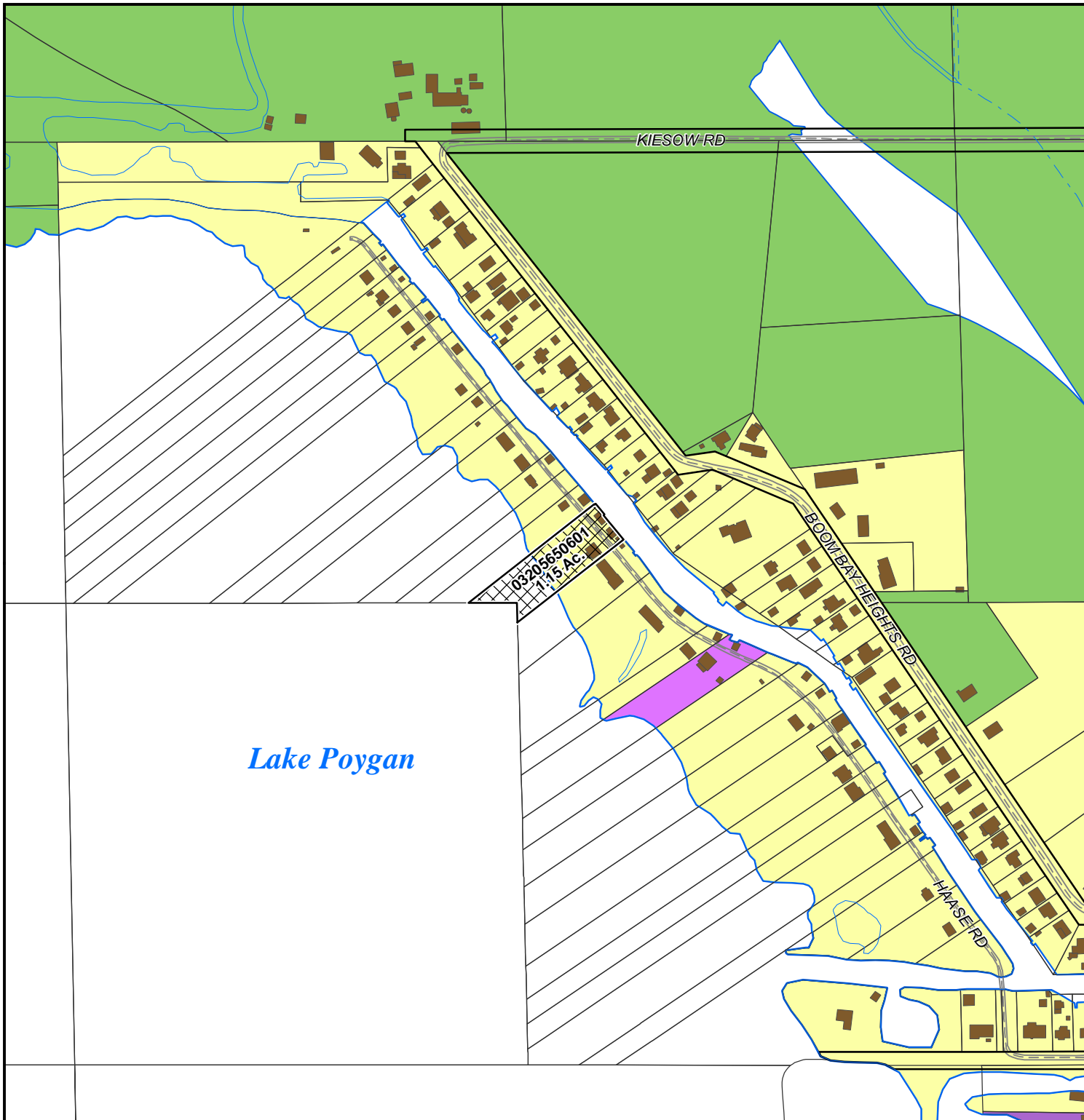
BOAT
SLIP

ROOM BAY HTS CHANNEL

130'

4/2

← 45' TO
WETLANDS LINE
PER WISCONSIN
DNR
GFS →

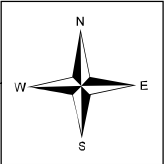


Application #22-VA-6200

Date of Hearing:
November 16, 2022

Owner(s):
QUELLA, BRUCE R

Subject Parcel(s):
03205650601



Winnebago County
 WINGS Project

Scale
 1 inch : 400 feet

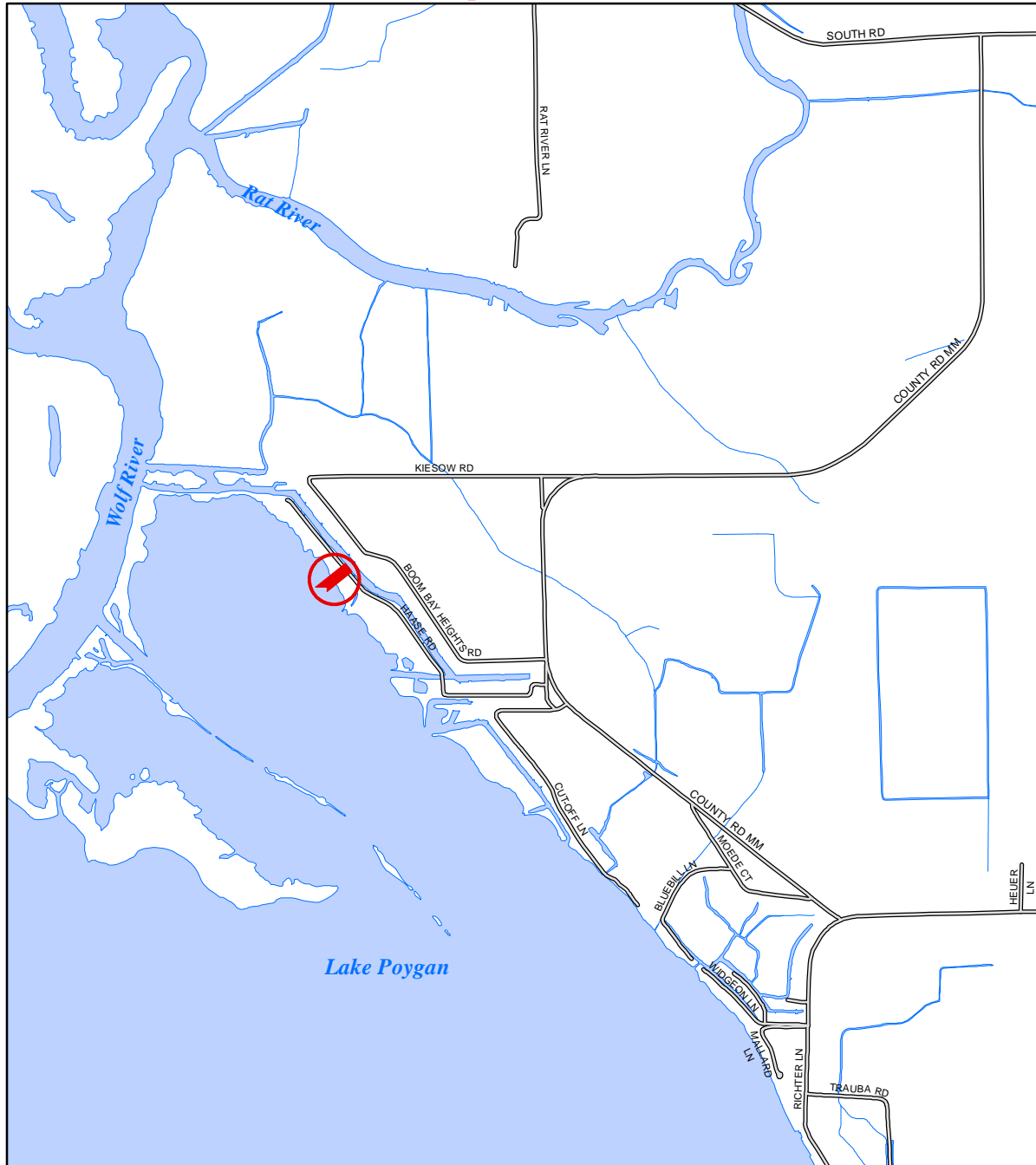
County Zoning Districts

R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

City of Oshkosh Extraterritorial Zoning Jurisdiction

Incorporated Area

○ = SITE



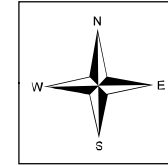
1 inch : 2,000 feet

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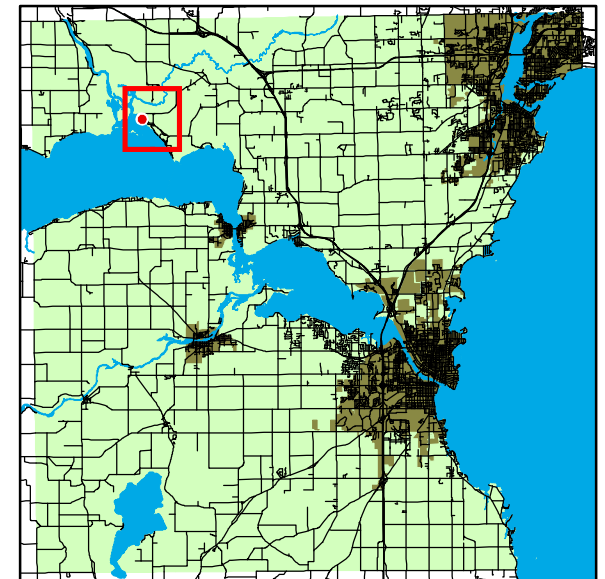
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Winnebago County
WINGS Project

● = SITE



WINNEBAGO COUNTY