

WINNEBAGO COUNTY BOARD OF ADJUSTMENT

Tuesday, May 26, 2009 - 5:30 p.m.

Lounge Room, Courthouse, Oshkosh, Wisconsin

PUBLIC HEARING

Present: Board Members: Arden Schroeder, Chairman, Greg Kargus, Mary Mathwig, Tom Verstegen, and Dan Mingus. Also present: Eric Rasmussen, zoning department; and Karen Frederick, court reporter.

Meeting was called to order at 5:32 p.m. Committee members and staff introduced them-selves. Chairman Schroeder explained the hearing process and E. Rasmussen read the appeal process. It was announced that the Deliberative Session would be on Thursday, June 4, 2009, at 7:30 a.m.

Dan Mingus read the legal description and the requested variances:

1. Gerald Gonzalez & Linda Neill, Town of Winneconne – Parcel No. 030-234-02

Applicant appeared and is requesting a variance to Section 17.08(3)(a)(4) “Basic District Standards,” zoning ordinance, to be allowed to build a new home and garage having a substandard setback from the exterior boundary of the R-5 (Planned Residential) development.

The owner stated he is requesting a variance to build a new home and garage on the center of his lots. He is proposing a 2,500 sq. ft. home. The home will be twice the distance from the lake access easement of Krohn acres than the home to the west in Krohn acres, but will be 15' from the exterior boundary of Grignon Shores.

At this time there is a property line dispute between the original plat of Grignon Shores and the survey recently conducted by Martenson and Eisele. Construction is planned to start in early July.

There was no further testimony and this portion of the hearing was closed.

2. Thomas Rusch & Richard Gabert, Town of Oshkosh – Parcel No. 018-0450 & 018-0462-01

Paul Hoffman appeared as the applicant for the project and is requesting a variance to Section 17.19(3)(b)(1) “Setback Requirements,” Zoning Ordinance, to be allowed to excavate and create ponds on two sites adjacent to Highway 41, with both having substandard setbacks from the road right-of-way. Excavating is to provide fill for the Highway 41 expansion project.

The applicant explained that the extraction sites would be used for fill during the Snell Rd. overpass construction.

For parcel 018-0462-01 Mr. Hoffman explained that the property is access restricted along Hwy 41 and the West part of Snell Rd, the variance will allow more usable area on the property for future development while utilizing the access restricted area. The

pond will be approx. 20' deep and 3:1 side slopes. All excavation will be done during the 2009 construction season.

Mr. Hoffman explained that on parcel 018-0450 they are requesting a variance from Green Valley Rd. to allow for the extraction to meet the required setbacks from the mapped wetlands. The pond will be approx. 20' deep and 3:1 side slopes. All excavation will be done during the 2009 construction season.

Jim Erdman appeared representing the Town of Oshkosh. He explained the Town had approved the variance. There were no objections to the variance. The right-of-ways were large and the extraction will not be close to the pavement, and the property is close to where the DOT needs fill.

E. Rasmussen read an email from the Zoning Administrator that the Town Board had approved the variance and a memo from the DOT with no objections to the variances.

There being no other business, this meeting was adjourned at 6:03 p.m.

Respectfully submitted,

Eric Rasmussen

Recording Secretary for the Board of Adjustment - ERR