

**WINNEBAGO COUNTY
BOARD OF ADJUSTMENT**

Thursday, July 9, 2009 - 7:30 a.m.

Planning & Zoning Conference Room, Orrin King Administration Building,
Oshkosh, Wisconsin

DELIBERATIVE SESSION

Members Present: Arden Schroeder, Greg Kargus, Dan Mingus, Tom Verstegen, and Mary Mathwig.

Also Present: Tracy Johnston, zoning department; and Karen Frederick, court reporter.

Meeting was called to order at 7:34 a.m. G. Kargus made a motion to approve the minutes of June 4, 26, and 30, 2009. Motion seconded by T. Verstegen and carried by unanimous voice vote.

The following variance was acted on:

I. Riders of WI LLC – Town of Oshkosh

The variance requested was for erecting a business sign 70' in height and 230 sq. ft. in size.

Discussion included the height of the Hwy 41 overpass, the variances granted for other business signs in the area, and how the current sign is not visible from Hwy 41.

A motion was made by G. Kargus to approve the variance for a business sign 70' in height and 200 sq. ft. in size. Motion seconded by D. Mingus.

Findings:

- 1. Exceptional Circumstances:** Because the lot is approximately 18' lower than the Hwy 41 overpass, the existing 35' high sign cannot be seen from Hwy 41.
- 2. Preservation of Property Rights:** Without a variance the property owners will be restricted to erecting a sign that cannot exceed 35' in height and 100 sq. ft. in size.
- 3. Absence of Detriment:** There are two signs in the area that exceed 35' in height and 100 sq. ft. in size.

Based upon the above findings, it is the opinion of the Board that all criteria of Section 17.32(7)(a), (b), and (c) have been met.

Advisory Conditions:

1. If this variance is granted no other signs may be erected on the property.

G. Kargus amended the Advisory Conditions to read "When this variance is granted no other signs may be erected on the property."

Vote on the Motion: A. Schroeder, aye; G. Kargus, aye; T. Verstegen, aye; M. Mathwig, aye; D. Mingus, aye. Motion approved by a 5-0 vote. **Variance granted for a 70' high and 200 sq. ft. business sign.**

The following temporary use permit was acted on:

I. Path Finders – Town of Nekimi

A motion was made by D. Mingus to approve the temporary use permit. Motion seconded by G. Kargus.

Vote on the Motion: A. Schroeder, aye; G. Kargus, aye; T. Versteegen, aye; M. Mathwig, aye; D. Mingus, aye.

Motion approved by a 5-0 vote.

There being no other business, the meeting was adjourned at 7:51 a.m.

Respectfully submitted,

Tracy Johnston

Tracy Johnston, Recording Secretary