

## **WINNEBAGO COUNTY BOARD OF ADJUSTMENT**

Tuesday, February 28, 2017 – 5:30 p.m.

County Administrative Building Room 408, Oshkosh, Wisconsin

### **PUBLIC HEARING**

**Present:** Board Members: Greg Kargus, Tom Verstegen, Susan Drexler, Thomas Tuschl, and David Weiss

**Excused:** Arden Schroeder

**Also present:** Candace Bauer, Zoning Department; Karen Fredrick, court reporter; and guests.

Meeting was called to order at 5:30 p.m. Board members and staff introduced themselves and C. Bauer read the appeals process.

#### **Gregory Otto – Town of Neenah – Variance**

Applicant is requesting a variance for a reduced street yard setback in order to build a home.

Gregory Otto, property owner, approached the Board and was sworn in. Mr. Otto explained that he had McMahon and Associates go out to the property to do a formal floodplain survey so that his proposed home would be out of the floodplain and therefore he would not have to pay flood insurance. The design of the home requires it to be 15ft from the road right-of-way.

G. Kargus inquired about the size of the garage. Mr. Otto explained that it was a 2 car garage ranging in depth from 26ft to 30ft. Mr. Otto produced a large set of building floor plans for the Board to view.

G. Kargus noted that for street yard setback variances, turnarounds, backing onto a roadway, and parking vehicles in driveways are the primary concern. It was noted that the lot is the last on a dead end road and that these items should not be of much concern.

Setback averaging was discussed. Instead of the normal 30ft street yard, a 24.85ft street yard setback is allowed with setback averaging because the neighbor to the east is closer to the road.

Board members inquired about the layout of the home and why the 3 season's room and deck were positioned as such. Mr. Otto explained that the 3 season's room comes off the dining room and the deck comes off the great room. A deck was needed because the home's basement will be half out of the ground to avoid water issues.

C. Bauer explained that the deck would not have to meet floodplain requirements. Board members and Mr. Otto discussed the possible options to switch the design of the building around in order to meet more of a setback. C. Bauer explained that the Board was searching for alternatives because the minimum in relief should be granted for a variance.

It was determined that an alternative option could save 7ft of a street yard setback. Mr. Otto noted that he was open to options.

T. Tuschl asked Mr. Otto to restate something he said before the public hearing – that the home was going to be part time. Mr. Otto confirmed.

T. Tuschl inquired about the flood zones. C. Bauer explained that zone AE was the 100 year floodplain area and that zone X was the 500 year floodplain our outside of the floodplain. C. Bauer further noted that there is a difference between the County's floodplain maps and the one drawn by the surveyor. This is due to discrepancies in accuracy. The County's floodplain maps were drawn using 2ft contours whereas the surveyor was actually onsite and has obtained the most accurate information.

Mr. Otto added that there was a drainage easement on the west side of the lot that is a storm sewer pipe from the subdivision to the north.

C. Bauer read the Town's resolution and recommendation for approval.

There being no other business, G. Kargus adjourned the meeting at 5:48 p.m.

Respectfully submitted,

***Candace M. Bauer***

Recording Secretary