

WINNEBAGO COUNTY BOARD OF ADJUSTMENT

Tuesday, March 28, 2017 – 5:30 p.m.

County Administrative Building Room 408, Oshkosh, Wisconsin

PUBLIC HEARING

Present: Board Members: Greg Kargus, Tom Verstegen, and Thomas Tuschl

Excused: Arden Schroeder and Susan Drexler

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

Meeting was called to order at 5:35 p.m. Board members and staff introduced themselves and C. Bauer read the appeals process.

Craig Kuepper – Town of Wolf River – Variance

Applicant is requesting a variance for a reduced street yard setback and a reduced shore yard setback in order to build a detached garage.

Craig Kuepper and Pam Kuepper approached the Board and were sworn in. Mr. Kuepper explained that he would like to build a 30' x 30' detached garage. At the moment, the deepest he could go while meeting setbacks would be 14'7". He would like to keep his garage in line with the neighbor's garage and then be 11.5' shorter than the 75' shore yard setback.

T. Verstegen inquired if setback averaging was available. C. Bauer explained that due to the recent changes to the Shoreland Code, setback averaging was not available for shore yard setbacks for accessory structures.

There was discussion regarding locating the ordinary high water mark and the need to use elevations rather than a visual determination. C. Bauer explained the multiple site visits that were conducted in order to determine the shore yard setback.

There was discussion regarding the concrete pad that was shown on the site plan. C. Bauer explained that this should be a part of the request since it is considered a structure and would need to meet a shore yard setback. This concrete pad does not have any side yard setback requirements.

T. Tuschl inquired about the street yard setback – was it measured from the road right-of-way? Mr. Kuepper explained that it was and that there was a stake onsite that indicated that right-of-way line. Mr. Kuepper noted that the 22.5' proposed street yard setback was slightly arbitrary and that he was wanting to be in line with the neighbors. C. Bauer showed on the map the location of the right-of-way in reference to the actual pavement edge. The aerial photograph matches what the Board saw onsite as there was a considerable distance between the right-of-way marker and the pavement.

T. Tuschl inquired about the hardship present. Mr. Kuepper explained that he would like a place to store his things, such as his boat. There is no garage attached to the home and there is no basement, so the garage is necessary.

There was discussion regarding possible options to increase setbacks and rotate the garage.

It was noted that nothing had been received by the Town of Wolf River. Mr. Kuepper noted that the meeting was just last night and the Town had said that they would email their recommendation. C. Bauer noted that nothing was added to the file but one of the secretaries was out unexpectedly and so their reply may be waiting there.

Motion made by T. Tuschl, seconded by T. Verstegen to hold the public hearing open until the deliberative date so that the Town's input can be considered. Vote on motion: all ayes; motion passed.

Corey Gay – Town of Omro – Variance

Applicant is requesting a reduced shore yard setback for a tiki-bar.

No one was present to speak regarding the application. C. Bauer read an email from the Town of Omro noting that the Board had pushed the application to their April 17th meeting. C. Bauer explained that if the Board of Adjustment would like the Town's input on the item, that they should adjourn the meeting until the next public hearing.

Motion made by T. Verstegen, seconded by T. Tuschl to adjourn this item till the April public hearing. Vote on motion: all ayes; motion passed.

There being no other business, G. Kargus adjourned the meeting at 5:50 p.m.

Respectfully submitted,

Candace M. Bauer

Recording Secretary