

WINNEBAGO COUNTY BOARD OF ADJUSTMENT

Tuesday, May 31, 2016 – 5:30 p.m.

County Administrative Building Room 408, Oshkosh, Wisconsin

PUBLIC HEARING

Present: Board Members: Arden Schroeder, Greg Kargus, Tom Verstegen, Susan Drexler, and Thomas Tuschl

Excused: None

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.

Shawn Zagrodnik – Town of Winneconne

Applicant is requesting a variance for reduced street yard setbacks for a detached garage.

Shawn Zagrodnik approached the Board and was sworn in. He stated that he would like to put a garage on the lot. There is an attached garage present but he would like to move the current detached garage at 5011 Rivermoor Dr. to 5003 Rivermoor Dr. The property abuts a fire lane that has a 30ft setback and the road has another 30ft setback. Mr. Zagrodnik stated that this leaves about a 15ft wide garage and that the home already encroaches into the fire lane setback.

Mr. Schroeder inquired if the fire lane is being used. Mr. Zagrodnik stated that it is not but that he maintains it. The fire lane is used to access the garage now and that the lot is only 50ft wide.

Mr. Verstegen asked if he would be looking to maintain both garages. Mr. Zagrodnik said that he would as both together would be less than the allowed 1,200 sq. ft. Mr. Verstegen asked if the existing garage was functional, then why is an additional one being requested? Mr. Zagrodnik pointed out that the existing garage is only 400 sq. ft. in size – only enough for one car.

Mr. Schroeder inquired if 5011 Rivermoor Dr. was his permanent address. Mr. Zagrodnik answered that it was and noted that 5003 Rivermoor Dr. was a rental.

Board members inquired if there was anything from the Town of Winneconne. Mrs. Bauer answered that the Town of Winneconne recommended approval stating that the variance does not adversely affect neighbors. Mr. Schroeder inquired if the recommendation mentioned the fire lane. Mrs. Bauer answered that it did not.

Board members asked if the fire lane had ever been used. Mr. Zagrodnik noted that it was used once, that he knew of, for training purposes. He added that it would just get overgrown if he did not maintain it. Board members inquired about the width of the fire lane, to which Mrs.

Bauer stated that based upon the GIS, the fire lane is 40ft wide. It was discussed that the fire lane could not become its own lot because it was not wide enough. Mr. Verstegen noted that fire lanes, if dissolved, usually are divided and given to the properties on either side.

Mr. Schroeder inquired if there were plans to convert the existing attached garage to living space or what his thoughts would be if the Board conditioned the variance to do this. Mr. Zagrodnik answered that he was not planning on converting it because he felt it was better used as a garage.

Mr. Tuschl inquired if the variance was denied if the garage at 5011 Rivermoor Dr. would still be removed. Mr. Zagrodnik stated that he did not know what would happen but that his main goal is to add on an attached garage at 5011 Rivermoor Drive. He noted that he would be willing to make alterations to the proposed (existing) garage to get it to work.

Phillip Laska approached the Board and was sworn in. He is the neighbor to the south of the subject property. He stated that he did not have any qualms with the request and inquired about the setback requirements. The Board and staff answered that it is 30ft from the road right-of-way and the fire lane and 3ft from the side lot line. Mr. Laska added that the lots are 50ft wide so they are very limiting.

Mr. Tuschl inquired if setback averaging was applicable. Mrs. Bauer explained that it was not applicable based upon how staff conducts setback averaging to "like" or "similar" structures. The lots on either side of Mr. Zagrodnik's property do not have detached garages to utilize for setback averaging.

There being no other business, Chairman Schroeder adjourned the meeting at 5:46 p.m.

Respectfully submitted,

Candace M. Bauer

Recording Secretary