

WINNEBAGO COUNTY BOARD OF ADJUSTMENT

Tuesday, June 28, 2016 - 5:30 p.m.

4th Floor Conference Room, County Administrative Building, Oshkosh, Wisconsin

PUBLIC HEARING

Present: Board Members: Arden Schroeder, Chairman; Susan Drexler, David Weiss, Greg Kargus, and Tom Tuschl. Also present: Eric Rasmussen, zoning department; and Lynn Egan, court reporter.

Excused: Tom Verstegen

Meeting was called to order at 5:30 p.m. Committee members and staff introduced themselves. A. Schroeder explained the hearing process and E. Rasmussen read the appeal process. It was announced that the Deliberative Session would be on Thursday, July 7, 2016 at 7:30 a.m.

G. Kargus read the legal description and the requested variance:

1. Wally Juedes, Town of Oshkosh – Parcel No. 018-2227

The committee clarified the agenda to read Island View Dr from Island View Rd as published.

Wally Juedes, the property owner, was sworn in. He is selling the properties and has an offer pending the approval of the requested variance. The variances are being requested due to the DNR's navigability determination of a ditch to the south of the lot and the floodplain fill requirements. Mr. Juedes believes that the potential buyer will combine the two lots by CSM and apply for a new variance when the home has been designed; because of this the current request is for a building footprint and not a specific home design. The navigable ditch is approximately 10' south of the property line. Mr. Juedes questioned the DNR's navigability determination.

Jim Erdman was sworn in. He is the Town Chairman but is not representing the Town. He is in favor of the request. He gave the history of the lot to the South and the ditch that the DNR determined navigable. The applicant is not requesting any variances to the street yard or to the lake.

Jerry Frey was sworn in. He is the Chairman for the Board of Appeals for the Town of Oshkosh. They approved the variance request 4-1. They did not feel the request presented any drainage concerns to the neighboring properties.

Toby Vanden Heuvel was sworn in. He is the neighbor to the north. He is in favor of the lots being made buildable but would like to see them limited to one home. He has concerns with drainage.

Charles Riese was sworn in. He lives several houses to the north. He has concerns with drainage in the area and through the navigable ditch to the south.

The committee asked Mr. Juedes to clarify the hardship. He explained that the lot is not buildable without a variance. The new owners will be back in for a more specific request once the lots have been combined and there is a home plan.

Staff read into the record an email from the Zoning Administrator stating the Town Board of Appeals had approved the variance. Staff also read into record an email that he DNR did not object to the floodplain fill request.

There being no other business, this meeting was adjourned at 6:13 p.m.

Respectfully submitted,

Eric Rasmussen

Recording Secretary for the Board of Adjustment