

Date Mailed _____

Office of
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Winnebago County
Oshkosh, Wisconsin

NOTICE OF COMMISSION, BOARD OR COMMITTEE MEETING

**NAME OF COMMISSION,
BOARD OR COMMITTEE:**

BOARD OF ADJUSTMENT

TIME OF MEETING:

7:30 A.M.

DATE OF MEETING:

THURSDAY, DECEMBER 4, 2014

PLACE OF MEETING:

**3rd FLOOR CONFERENCE ROOM
COUNTY ADMINISTRATION BLDG
112 OTTER AVE OSHKOSH, WI**

SUBJECT MATTER OF MEETING

D E L I B E R A T I V E

1. Approval of minutes
2. **BRUCE COLEMAN**, 5425 Nickels Dr, Town of Oshkosh - Variance

Committee reserves the right to take up any item on the agenda at any time after the meeting commences.

Upon request, provisions will be made for people with disabilities upon 24 hours prior notice to the Office of the County Clerk. Phone Number: 236-4888

Application Number: 2014-VA-2910
Owner: Bruce Coleman
Parcel: 018-2285
Address: 5425 Nickels Dr.

WINNEBAGO COUNTY BOARD OF ADJUSTMENT
DELIBERATIVE SESSION
DATE: December 4, 2014

Town and/or agency's comments:

The Town of Oshkosh recommends approval of the variance as requested.

CRITERIA AND ADVISORY FINDINGS

23.7-234 "Basis of decision" (required for all Ch. 23 Town/County Zoning Code, Ch. 26 Floodplain Zoning Code, and Ch. 27 Shoreland Zoning Code variances)

1. **Criteria: The requirement in question would unreasonably prevent the property owner from using the property for a permitted purpose or would render conformity with such requirement unnecessarily burdensome and such circumstances were not self-created.**
 - a. Finding(s):
Approval: The location of the existing sewer lateral restricts the size of garage that could be built without the garage being built over the lateral.
Denial: There is sufficient lot width for the construction of the proposed garage in compliance with all required setbacks.
2. **Criteria: The subject property has unique physical characteristics or limitations that prevent the property from being developed in compliance with the requirement in questions.**
 - a. Finding(s):
Approval: The location of the existing sewer lateral limits the buildable area for an attached garage without the garage being built over the lateral.
Denial: None.
3. **Criteria: The granting of the variance will not be contrary to or harm the public interest given the general purposes of the zoning regulations and the specific purposes of the requirement in question.**
 - a. Finding(s):
The proposed addition will not extend closer to the side lot line than the current residence. All other setback requirements will be met.

Based upon the above findings, it is the opinion of the Board that all criteria of Article 7, Division 12, Section 23.7-234, Town/County Zoning Code have (have not) been met.

STAFF RECOMMENDATION
Denial

ADVISORY CONDITIONS:

1. None.