

WINNEBAGO COUNTY BOARD OF ADJUSTMENT -- DELIBERATIVE SESSION

Thursday, June 7, 2012 – 7:31 a.m.

3rd Floor Conference Room, County Administration Building

112 Otter Ave, Oshkosh, Wisconsin

Members Present: Arden Schroeder, Dan Mingus, Greg Kargus, Mary Mathwig, and Tom Verstegen

Excused: None

Absent: None

Also Present: Candace Zeinert, zoning, Lynn Egan, court reporter, and guest

The meeting was called to order at approximately 7:50 a.m., immediately following adjourned public hearing.

A decision was made on the following request:

Louis Hafemeister – Town of Winneconne – Variances

G. Kargus clarified that the original request was for a reduced shore yard setback from the channel (north side) and for a reduced amount of fill on the south side.

Motion made by G. Kargus, seconded by D. Mingus, to grant a 52ft shore yard setback from the channel, but deny the 10 ft of fill request (15 ft required) with the condition that the existing structure be removed.

Findings:

- 1. Exceptional Circumstances:** The lot has a very unique shape and has shore yard setbacks from the north and west, making it difficult to construct a reasonably sized home while meeting setbacks.
- 2. Preservation of Property Rights:** The existing structure is in disrepair and is unusable. Without a variance the property owner would not be allowed a residence of reasonable size.
- 3. Absence of Detriment:** The proposed residence would have a greater shore yard setback than the existing structure and would be floodproofed properly.

Chairman Schroeder inquired what would happen in regards to the fill if that part of the variance were denied. C. Zeinert said that upon completion of the house's construction, an elevation certificate would be required which would verify that all fill requirements were met.

Vote on the motion: G. Kargus, aye; A. Schroeder, aye; Mary Mathwig, aye; T. Verstegen, aye; D. Mingus, aye. Motion passed by a 5-0 vote. **Variance granted, not as requested with a condition.**

Based upon the above findings, it is the opinion of the Board that all criteria of Section 17.32(7)(a), (b), and (c) have been met.

Upon conclusion of the agenda items, the meeting was adjourned at 8:00a.m.

Respectfully submitted,

Candace M. Zeinert

Candace M. Zeinert, Recording Secretary