

14-VA-2760

008-5862

1133 awact



October 8, 2015

Winnebago County Zoning Office  
P.O. Box 2808  
Oshkosh, WI 54903

RE: Lot 31 in Jacobsen Meadows, Town of Menasha

To: Board of Adjustments:

I am requesting an extension on "Lot 31 in Jacobsen Meadows, Town of Menasha" so Chet Wesenburg can build a ranch home on this lot.

I am asking the Board of Adjustments for a one time extension, so we can pull a building permit and get started.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Gordon Decker".

Gordon Decker  
Owner of Lot 32

**CARY A ROWE**  
Zoning Administrator



112 OTTER AVE, PO BOX 2808  
OSHKOSH, WI 54903-2808

OSHKOSH (920) 232-3344  
FOX CITIES (920) 727-2880  
FAX (920) 232-3347

**Winnebago County**  
**Zoning Department**

Zoningdepartment@co.winnebago.wi.us

The Wave of the Future

**VARIANCE # 2014-VA-2760**

Owner: DECKER RUSCH DEV INC,  
5020 LANSING HIGH PT  
OSHKOSH, WI 54904

Agent: KENT, PAUL – STAFFORD  
ROSENBAUM LLP  
222 W WASHINGTON AVE SUITE 900  
PO BOX 1784  
MADISON, WI 53701

Location: 1133 & 1134 AVA CT NEENAH, WI 54956      Tax Parcel No: 008-5862, 008-5863

Legal: Being a part of the Jacobsen Meadows subdivision, Lots 31 & 32, located in the NE 1/4 of the NW 1/4, Section 18, Township 20 North, Range 17 East, Town of Menasha, Winnebago County, Wisconsin.

On 9/4/2014, the Board of Adjustment voted to APPROVE NOT AS REQUESTED the variance request to allow future development on existing lots in a subdivision with a substandard 50ft shore yard setback and instead granted a 60ft setback from the ordinary high water mark.

The following findings have been made in accordance with Section 23.7-234 and are as follows:

- 1) The subject property was developed based on a 2005 non-navigable determination. The 2007 determination of navigable presents an undue hardship that was not self-created.
- 2) A single family dwelling, which meets all setback requirements, could still be built on the property without the granting of a variance; however, the pie-shaped lots of lots 31 and 32 create an undue hardship for future design and construction of a single family dwelling.
- 3) The granting of the variance would not be contrary to or harm the public interest in consideration of zoning regulations.

The following finding has been made in accordance with Section 27.6-8(a) "Generally":

- 4) The granting of the variance would allow development that would help to preserve and restore shoreland vegetation as it would not encourage shoreline encroachment by structures.

**APPLICANTS RIGHTS:**

23.7-239(a)

- (7) The applicant may appeal the decision to a court of competent jurisdiction.
- (8) An aggrieved person, other than the applicant, may appeal the decision to a court of competent jurisdiction and that any work done by the applicant as authorized by the approval is done at the applicant's risk.

9/4/2014  
Date

\_\_\_\_\_  
Zoning Officer

**NOTES:**

- 1. Variance granted by the Board of Adjustment **shall expire within twelve (12) months** unless substantial work has commenced pursuant to such grant. Board of Adjustment may with cause grant a one-time extension not to exceed 6 months.
- 2. Approval of your variance application does not exclude the need to obtain the required building or zoning permits. **Please make application for these permits through your town building inspector and zoning department.**