

Winnebago County Planning and Zoning Department

NOTICE OF PUBLIC HEARING BOARD OF ADJUSTMENT 9/27/2016

TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a variance which is regulated by one or more of the following ordinances: Chapter 23, the Town/County Zoning Code, Chapter 26, the Floodplain Zoning Code, and Chapter 27, the Shoreland Zoning Code. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Board of Adjustment will be holding a public hearing on 9/27/2016 at 5:30 p.m. in Conference Room 408 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

INFORMATION ON VARIANCE REQUEST

Applicant:

DOMRZALSKI, DANIEL J
DOMRZALSKI, DONNI F

File Number:

2016-VA-3770

Location of Premises:

7884 CUT-OFF LN
LARSEN, WI 54947

Tax Parcel No.:

032-0544

Legal Description:

Being a part of Government Lot 1, Section 25, Township 20 North, Range 14 East, Town of Wolf River, Winnebago County, Wisconsin.

Description of Proposed Project:

Applicant is requesting a variance for a reduced shore yard setback for a bar/restaurant addition.

DESCRIPTION:	CODE REFERENCE:	REQUIRED:	PROPOSED:
A variance is required for a reduced shore yard setback for a bar/restaurant addition that will be 27' 7" from the ordinary high water mark.	Section 27.5-2(a) of Chapter 27, the Shoreland Zoning Code.	75	27' 7"

INITIAL STAFF REPORT

Sanitation:

Existing System
Private System

Overlays:

Floodplain
Shoreland

Current or Proposed Zoning:

B-2 Community Business

Code Reference:

Section 27.5-2(a) of Chapter 27, the Shoreland Zoning Code.

Description of Proposed Use:

Applicant is requesting a variance for a reduced shore yard setback for a bar/restaurant addition.

Surrounding Zoning:

North: B-2
South: Lake
East: B-2
West: B-2

THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

Describe your project, include the proposed dimensions and setbacks:

To enclose the current 20' x 30' cement slab located and attached to the south end of the bar. The slab is 27' 7" from the water at its closest point.

Describe how compliance with the requirement in question unreasonably prevents or restricts development of a permitted use on the property:

Using the existing footprint would eliminate the need to break ground on a previously granted variance. No ground would need to be broke for the foundation.

Describe the unique physical characteristics or limitations that prevent the property from being developed in compliance with the requirement in question:

This addition would require a variance for the water setback.

Describe how the granting of the requested variance will not harm the public interest or have adverse affects on surrounding properties:

This addition will not change the footprint of the property. All surrounding trailers are not on slabs or basements. This area was covered with attached corner posts until a tornado damaged it.

SECTION REFERENCE AND BASIS OF DECISION

Town/County Zoning Code

23.7-234 Basis of decision

When making its decision, the Board of Adjustment shall consider each of the following standards:

- (1) 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.
- (2) The subject property has unique physical characteristics or limitations that prevent the property from being developed in compliance with the requirement in question.
- (3) 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.

The board shall grant a variance only if the board can make an affirmative finding for all of the criteria listed in this section.

Shoreland Zoning Code

27.6 -8 Variances

- (a) **Generally.** The Board of Adjustment may, upon appeal, grant a variance from the standards of this chapter if an applicant convincingly demonstrates that (1) literal enforcement of this chapter will cause unnecessary hardship; (2) the hardship is due to unique property conditions, not common to adjacent lots or premises; (3) the variance is not contrary to the public interest; and (4) the variance is consistent with the purpose of this chapter.

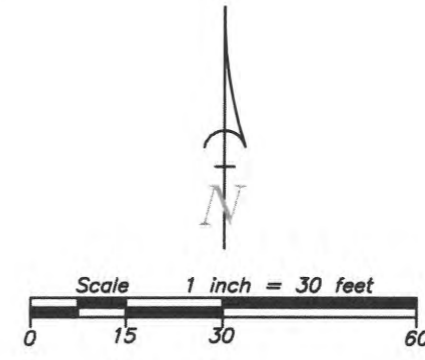
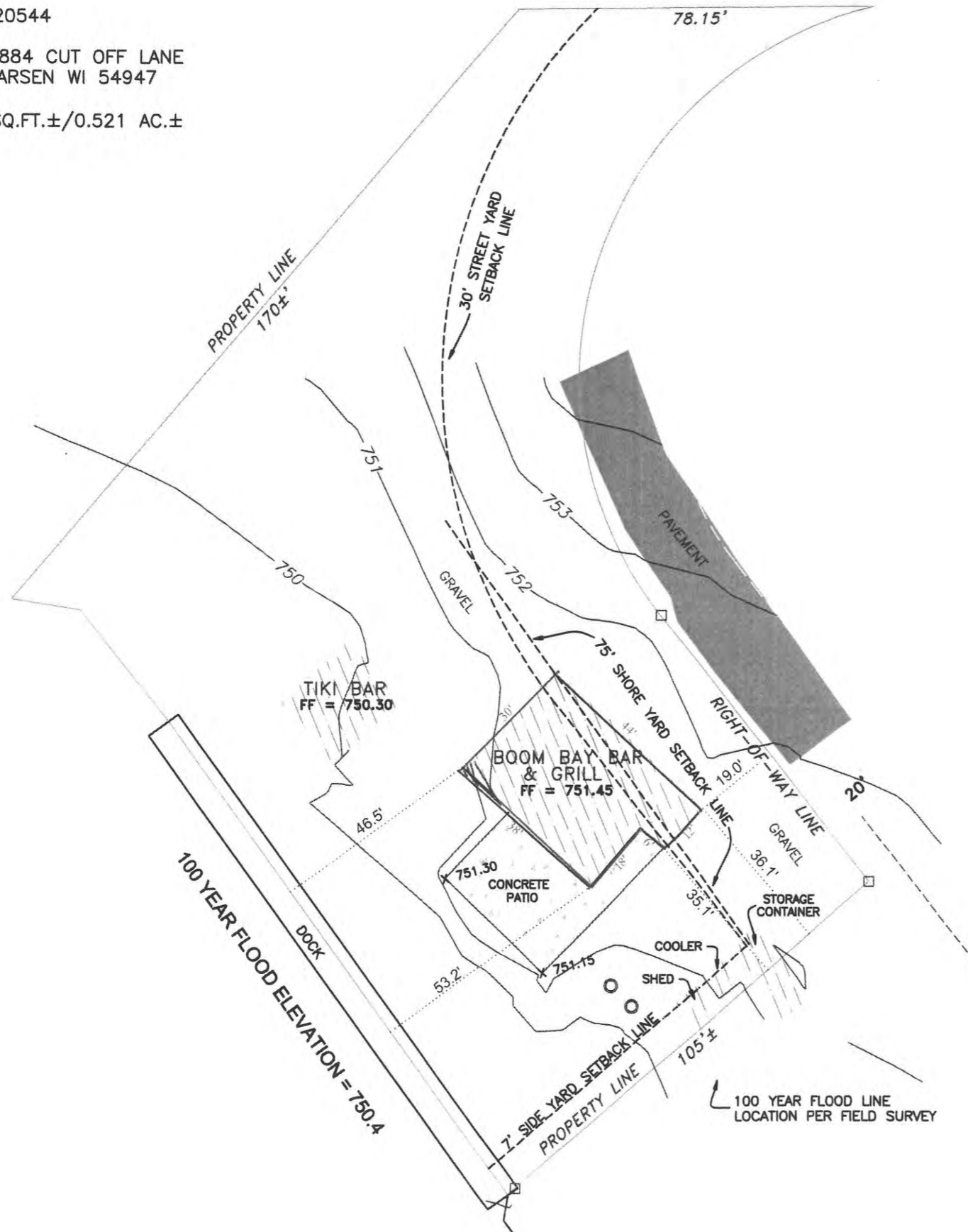
PARCEL INFORMATION

TAX PARCEL: 0320544

SITE ADDRESS: 7884 CUT OFF LANE
LARSEN WI 54947

AREA: 22,735 SQ.FT.±/0.521 AC.±

SURVEY FOR:
DAN DOMRZALSKI
7884 CUT OFF LANE
LARSEN, WI 54947



- 1-1/4" IRON PIPE FOUND
- 751 CONTOUR W/ ELEVATION
- DECIDUOUS TREE
- EXIST SANITARY MANHOLE
- x 751.30 EXIST. SPOT ELEVATION
- FF = 751.45 FIRST FLOOR = 800.00

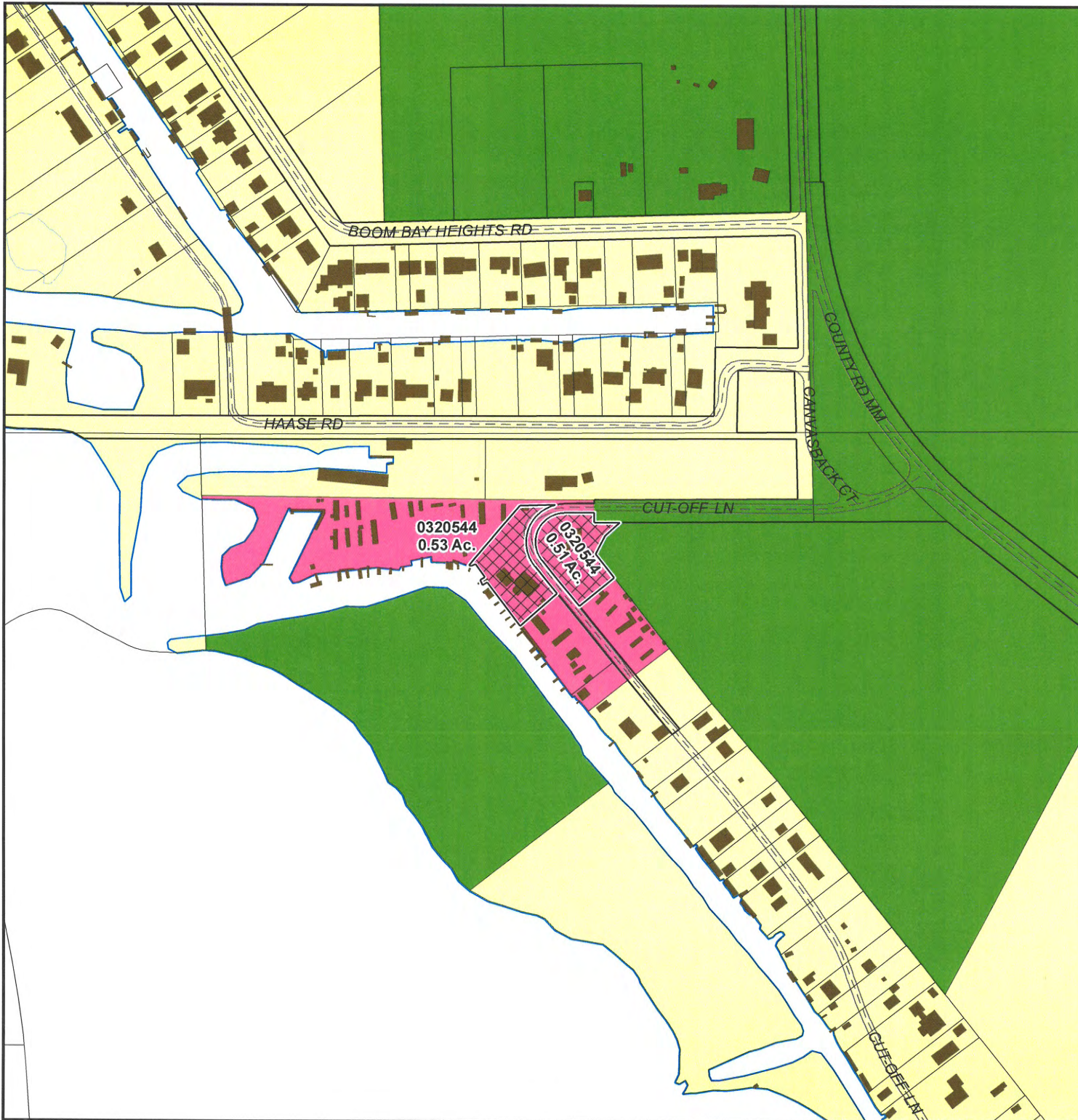
Martenson & Eisele, Inc.
Planning - Surveying - Engineering - Architecture
109 W. Main St., Omro, WI 54963
Phone (920) 685-0240 Fax (920) 685-6340
www.martenson-eisele.com
info@martenson-eisele.com



DRAWN BY	CHECKED	APPROVED	NO.	DATE	REVISION
DSL	JES	JES	1		
			2		
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BOOM BAY BAR AND GRILL
PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 14 EAST, TOWN OF WOLF RIVER, WINNEBAGO COUNTY, WISCONSIN.

SCALE 1"=30'
DATE 9-28-15
COMPUTER FILE 1973001BOUNDARY



Application #16-VA-3770

Date of Hearing:

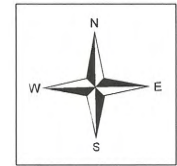
September 27, 2016

Owner(s):

Domrzalski, Daniel J. /
Domrzalski, Donni F.

Subject Parcel(s):

0320544



Winnebago County
WINGS Project

Scale

1 inch : 300 feet

County Zoning Districts

R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

City of Oshkosh Extraterritorial
Zoning Jurisdiction

Incorporated Area

○ = SITE



1 inch : 2,000 feet

Application #16-VA-3770

Date of Hearing:

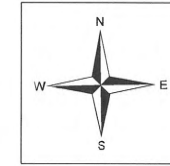
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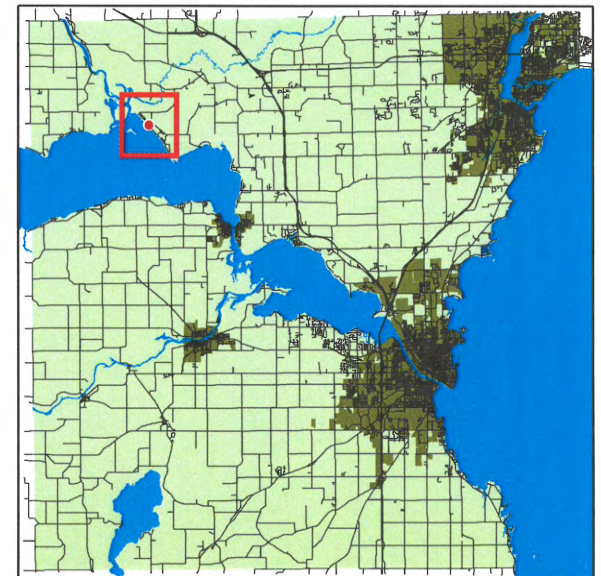
Subject Parcel(s):

0320544



Winnebago County
WINGS Project

● = SITE



WINNEBAGO COUNTY

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INFORMATION ON VARIANCE REQUEST

Applicant:
FREDRICK, JACQUELINE

WITHDRAWN 9/1/16

File Number:
2016-VA-3760

Location of Premises:
SUNSET POINT LN
OSHKOSH, WI 54904

Tax Parcel No.:
018-067509

Legal Description:
Being a part of the First Addition to Wampatuck Resort, Lot 9, Block 4, located in Government Lot 4, Section 4, Township 18 North, Range 16 East, Town of Oshkosh, Winnebago County, Wisconsin.

Description of Proposed Project:
Applicant is requesting a variance for a reduced shore yard setback for a garage addition.

<u>DESCRIPTION:</u>	<u>CODE REFERENCE:</u>	<u>REQUIRED:</u>	<u>PROPOSED:</u>
A variance is necessary for a reduced shore yard setback for a garage addition that is 47 ft from the ordinary high water mark.	Section 27.5-2(a) of Chapter 27, Shoreland Zoning Code.	75 ft	47 ft