

MINUTES
THURSDAY, JULY 2, 2015 – 9:00 P.M.
BOARD OF ADJUSTMENT COMMITTEE
ROOM #1004 - 1ST FLR COURTHOUSE BUILDING "A"
301 WASHINGTON STREET, OCONTO, WI 54153-1699
www.co.oconto.wi.us

COMMITTEE PRESENT: Gryboski, Ragen, Sleeter, Stranz, and Wellens

OTHERS PRESENT: Gabe Moody

1. Moved by Ragen, seconded by Sleeter to amend the agenda. Motion voted on and carried.
2. Approval of Minutes
 - a. Business Meeting
Moved by Sleeter, seconded by Stranz, to approve the meeting minutes of June 1, 2015. Motion voted on and carried.
 - b. Public Hearings
Moved by Wellens, seconded by Ragen to approve the minutes from the following hearings. Motion voted on and carried.
 - i. June 24, 2015
 1. VanHefty Acres LLC
 2. Jim Bogenschutz
 3. Jason Sinclair
 4. Mark Balestreri
 - ii. June 30, 2015
 1. David Wickman
 2. Roger Strebel
 3. Keith Papham
 4. William Hoberg
 5. Glen Christel
 6. Northwood Storage
 7. Mark Lesczykowski
 8. WICO, Inc.
3. Public Comments/Miscellaneous
None
4. Hearing Dates
 - a. The Board selected July 30, 2015 and July 31, 2015 as public hearing dates.
 - b. The Board selected August 4, 2015 as the business meeting date.
5. Adjournment

Melissa Wellens – Secretary

Alan Sleeter – Vice-Chair

MW/mls Date posted: 7/7/15

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
June 24, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY WES

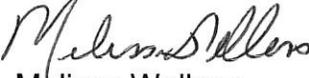
1. Hearing called to order at 8:45 AM
2. Roll Call: Present: Mr. Thomas Gryboski, Chairman
 Mr. Alan Sleeter, Vice-Chairman
 Mrs. Melissa Wellens, Secretary
 Mr. Elmer Ragen
 Mr. Allan Stranz

Others Present: Mr. Gabe Moody, Assistant Zoning Administrator
 Ms. Jeanne Wroblewski
 Ms. Tammy Willems
 Ms. Linda Bondar
 Ms. Brian Bondar
 Ms. Chris VanHefty
3. Mr. Moody read the Notice of Public Hearing pertaining to VanHefty Acres LLC's application for a conditional use permit for a dwelling over 15 years old. Location of the property is in Section 33, T26N, R19E, Town of Chase.
4. Mr. Moody stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. Mr. Moody stated that the petition was filed on May 15, 2015. He provided the required notices, application, plot plan and maps.
6. Appearances:
 - A. Ms. Linda Bondar appeared and was sworn in. She stated that she is requesting a conditional use permit for dwelling over 15 years old. Will be moving a 1985 mobile home to the lot #1 of VanHefty Acres Mobile Home Court. The mobile home is a 3-bedroom and 1-bathroom home with vinyl siding, a pitched roof and 100 amp electrical service. The home doesn't need to be inspected.
 - B. Ms. Chris VanHefty appeared and was sworn in. She stated that she is the owner of the mobile home court. The older mobile home has been removed. The mobile home will be connected to the holding tank for the court, which is pumped every other day.
 - C. Mr. Brian Bondar appeared and was sworn in. He stated that the mobile home was moved from Lakewood. Will be helping with the lawn care of the mobile home court. Improvements will be made to the home.
 - D. Mr. Gabe Moody appeared and was sworn in. He read the staff report.
7. Correspondence
 - A. Town Recommendation Form from the Town of Chase – Recommends approval;

VanHefty Acres LLC
June 24, 2015
Pg. #2

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY MS

8. Testimony closed at 8:57 AM
9. Deliberation/Discussion: The mobile home is in good condition. No conditions needed.
10. Decision: Moved by Ragen, seconded by Stranz to grant a conditional use permit for a 1985 mobile home. No conditions necessary. Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motioned carried.
11. Hearing adjourned at 8:59 AM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

Gabe Moody
Assistant Zoning Administrator

**NOTICE OF DECISION AND ORDER
OCONTO COUNTY ZONING BOARD OF ADJUSTMENT**

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY MJ

CASE NO:

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Board finds the following facts:

1. The applicant is VanHefty Acres LLC, 1324 N. Summer Range Rd, De Pere, WI, 54115.
2. The applicant is the owner of record of parcel number 012-333301924A1 located in the SE¼, NW¼, Section 33, T26N, R19E, Town of Chase.
3. The conditional use permit application was filed with the Board Secretary on May 15, 2015, noticed, as provided for by law, on June 10, 2015 and June 17, 2015, and a public hearing was held by the Oconto County Board of Adjustment on June 24, 2015.
4. The property is zoned Mobile Home Park District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The applicant is requesting a conditional use permit for a dwelling over 15 years old.
6. The applicant is requesting a conditional use permit under the provisions of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will not exist as a result of this action.

DETERMINATION AND ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Board determines and orders as follows:

GRANT OF CONDITIONAL USE PERMIT

The requested a conditional use permit for a 1985 mobile home hereby granted no conditions needed.

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Board, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of the conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits.



Melissa Wellens, Secretary
Oconto County Board of Adjustment

7-2-15

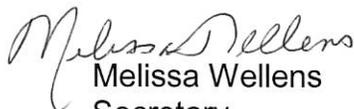
Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
June 24, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY WJ

1. Hearing called to order at 10:15 AM
2. Roll Call: Present: Mr. Thomas Gryboski, Chairman
Mr. Alan Sleeter, Vice-Chairman
Mrs. Melissa Wellens, Secretary
Mr. Elmer Ragen
Mr. Allan Stranz

Others Present: Mr. Gabe Moody, Assistant Zoning Administrator
Mr. Jim Bogenschutz
3. Mr. Moody read the Notice of Public Hearing pertaining to Jim Bogenschutz's application for a conditional use permit to exceed the 18' height limitation for an accessory structure. Location of the property is in Section 15, T27N, R20E, Town of Abrams.
4. Mr. Moody stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. Mr. Moody stated that the petition was filed on May 21, 2015. He provided the required notices, application, plot plan and maps.
6. Appearances:
 - A. Mr. Jim Bogenschutz appeared and was sworn in. He stated that he is requesting a conditional use permit to exceed the 18' height limitation for an accessory structure. Would like to construct a 21' 6" tall pole building for storage. Will store the camper and will have one stall for car restoration and a car lift. Will restore his personal cars. The building will have steel siding with 2 overhead doors. Has met with the Town Planning Commission and the Town Board. Both approved.
 - B. Mr. Gabe Moody appeared and was sworn in. He read the staff report.
7. Correspondence
8. Testimony closed at 10:21 AM
9. Deliberation/Discussion
10. Decision: Moved by Sleeter, seconded by Stranz to grant a conditional use permit to exceed the 18' height limitation for an accessory structure with the condition that it's not used as living quarters. Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motioned carried.
11. Hearing adjourned at 10:23 AM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

Gabe Moody
Assistant Zoning Administrator

**NOTICE OF DECISION AND ORDER
OCONTO COUNTY ZONING BOARD OF ADJUSTMENT**

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY ms

CASE NO: CU-20150029

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Board finds the following facts:

1. The applicant is Jim Bogenschutz, 5962 Forest Lake Ln, Abrams, WI, 54101.
2. The applicant is the owner of record of parcel number 002-211501131D located in the NE¼, SW¼, Section 15, T27N, R20E, Town of Abrams.
3. The conditional use permit application was filed with the Board Secretary on May 21, 2015, noticed, as provided for by law, on June 10, 2015 and June 17, 2015, and a public hearing was held by the Oconto County Board of Adjustment on 6/24/2015.
4. The property is zoned Rural Residential District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The applicant is requesting a conditional use permit to exceed the 18' height limitation for an accessory structure.
6. The applicant is requesting a conditional use permit under the provisions of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will not exist as a result of this action.

DETERMINATION AND ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Board determines and orders as follows:

GRANT OF CONDITIONAL USE PERMIT

The requested a conditional use permit to exceed the 18' height limitation for an accessory structure is hereby granted with the condition that it's not used as living quarters.

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Board, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes' no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of the conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits.



Melissa Wellens, Secretary
Oconto County Board of Adjustment

Date 7-2-15

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
June 24, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY WS

1. Hearing called to order at 11:15 AM

Roll Call: Present: Mr. Thomas Gryboski, Chairman
Mr. Alan Sleeter, Vice-Chairman
Mrs. Melissa Wellens, Secretary
Mr. Elmer Ragen
Mr. Allan Stranz

Others Present: Mr. Gabe Moody, Assistant Zoning Administrator
Mr. Jason Sinclair

3. Mr. Moody read the Notice of Public Hearing pertaining to Jason Sinclair's application for a conditional use permit to exceed the 18' height limitation for an accessory structure. Location of the property is in Section 33, T28N, R20E, Town of Stiles.

4. Mr. Moody stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.

5. Mr. Moody stated that the petition was filed on May 27, 2015. He provided the required notices, application, plot plan and maps.

6. Appearances:

A. Mr. Jason Sinclair appeared and was sworn in. He stated that he is requesting a conditional use permit to exceed the 18' height limitation for an accessory structure. Would like to build a 30' x 64' x 19' pole building for storage. Will replace the existing shed.

B. Mr. Gabe Moody appeared and was sworn in. He read the staff report.

7. Correspondence

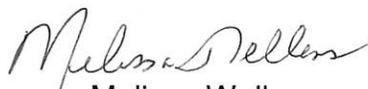
A. Town Recommendation Form from the Town of Stiles – Recommends Approval;

8. Testimony closed at 11:20 AM

9. Deliberation/Discussion: Replacing old garage. Will be used for storage.

10. Decision: Moved by Stranz, seconded by Sleeter to grant a conditional use permit to exceed the 18' height limitation for an accessory structure with the condition that the structure is not used as living quarters. Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motioned carried.

11. Hearing adjourned at 11:22 AM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

Gabe Moody
Assistant Zoning Administrator

**NOTICE OF DECISION AND ORDER
OCONTO COUNTY ZONING BOARD OF ADJUSTMENT**

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY MS

CASE NO: CU-20150032

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Board finds the following facts:

1. The applicant is Jason Sinclair, 6417 County Road I, Lena, WI, 54139.
2. The applicant is the owner of record of parcel number 040-3333019 located in Section 33, T28N, R20E, Town of Stiles.
3. The conditional use permit application was filed with the Board Secretary on May 27, 2015, noticed, as provided for by law, on June 10, 2015 and June 17, 2015, and a public hearing was held by the Oconto County Board of Adjustment on June 24, 2015.
4. The property is zoned Residential Single Family District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The applicant is requesting a conditional use permit to exceed the 18' height limitation for an accessory structure.
6. The applicant is requesting a conditional use permit under the provisions of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will not exist as a result of this action.

DETERMINATION AND ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Board determines and orders as follows:

GRANT OF CONDITIONAL USE PERMIT

The requested a conditional use permit to exceed the 18' height limitation for an accessory structure is hereby granted with the condition that the structure is not used as living quarters.

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Board, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of the conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits.



Melissa Wellens, Secretary
Oconto County Board of Adjustment

7-2-15

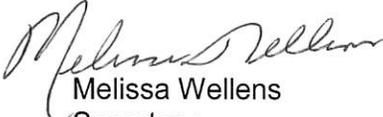
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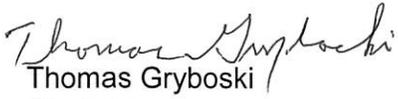
MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
June 24, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY MS

1. Hearing called to order at 1:15 PM
 2. Roll Call: Present: Mr. Thomas Gryboski, Chairman
Mr. Alan Sleeter, Vice-Chairman
Mrs. Melissa Wellens, Secretary
Mr. Elmer Ragen
Mr. Allan Stranz

Others Present: Mr. Gabe Moody, Assistant Zoning Administrator
Mr. Mark Balestreri
 3. Mr. Moody read the Notice of Public Hearing pertaining to Mark Balestreri's application for a conditional use permit to exceed the 18' height limitation for an accessory structure. Location of the property is in Section 36, T30N, R18E, Town of Bagley.
 4. Mr. Moody stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
 5. Mr. Moody stated that the petition was filed on May 28, 2015. He provided the required notices, application, plot plan and maps.
 6. Appearances:
 - A. Mr. Mark Balestreri appeared and was sworn in. He stated that he wants to exceed the 18' height limitation for an accessory structure. Would like to build a 40' x 63' building 19.6' high. Planned on building in 2014 when the height limits were 35'. Already had the plans and supplies but his wife passed and didn't get around to building. Owns both side of the road. Parcel is one lot.
 - B. Mr. Gabe Moody appeared and was sworn in. He read the staff report.
 7. Correspondence
 8. Testimony closed at 1:22 PM
 9. Deliberation/Discussion: Reasonable request for use of the property.
 10. Decision: Moved by Stranz, seconded by Ragen to grant a conditional use permit to exceed the 18' height limitation for an accessory structure with the following conditions:
 1. Structures not to be used as living quarters;
 2. Must obtain Town Approval before a Land Use Permit is issued;
 3. Cannot divide the property until a principle structure (home) is established on the portion of the parcel West of Pecor Lake Lane.
- Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motioned carried.
11. Hearing adjourned at 1:26 PM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

Gabe Moody
Assistant Zoning Administrator

**NOTICE OF DECISION AND ORDER
OCONTO COUNTY ZONING BOARD OF ADJUSTMENT**

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY MS

CASE NO: CU-20150030

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Board finds the following facts:

1. The applicant is Mark Balestreri, 3900 W 6 1/2 Mile Rd, Caledonia, WI, 53108.
2. The applicant is the owner of record of parcel number 006-343600914C located in Section 36, T30N, R18E, Town of Bagley.
3. The conditional use permit application was filed with the Board Secretary on May 28, 2015, noticed, as provided for by law, on June 10, 2015 and June 17, 2015, and a public hearing was held by the Oconto County Board of Adjustment on June 24, 2015.
4. The property is zoned Residential Single Family District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The applicant is requesting a conditional use permit to exceed the 18' height limitation for an accessory structure.
6. The applicant is requesting a conditional use permit under the provisions of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will not exist as a result of this action.

DETERMINATION AND ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Board determines and orders as follows:

GRANT OF CONDITIONAL USE PERMIT

The requested a conditional use permit to exceed the 18' height limitation for an accessory structure is hereby granted subject to the following conditions:

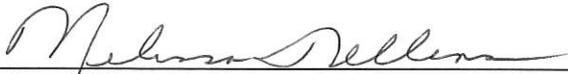
1. Structures not to be used as living quarters;
2. Must obtain Town Approval before a Land Use Permit is issued;
3. Cannot divide the property until a principle structure (home) is established on the portion of the parcel west of Pecor Lake Lane.

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Board, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of the conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits.



Melissa Wellens, Secretary
Oconto County Board of Adjustment

7-2-15

Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
June 30, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10), STATUTORY PURPOSES
DATE 7/6/15 BY MS

1. Hearing called to order at 10:07 AM
2. Roll Call: Present: Mr. Thomas Gryboski, Chairman
 Mr. Alan Sleeter, Vice-Chairman
 Mrs. Melissa Wellens, Secretary
 Mr. Elmer Ragen
 Mr. Allan Stranz

Others Present: Mr. William Bartz Jr, Assistant Zoning Administrator
 Mr. Pete Renteria – Deputy Zoning Administrator
 Mr. David Wickman
 Ms. Cynthia Wickman
 Mr. Karen Angelbeck
 Mr. Ed Angelbeck
3. Mr. Bartz, Jr. read the Notice of Public Hearing pertaining to David Wickman's application for a variance to build closer to the water. Location of the property is in Section 04, T32N, R15E, Town of Townsend.
4. Mr. Bartz, Jr. stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. Mr. Bartz, Jr. stated that the petition was filed on May 26, 2015. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
 - A. Mr. David Wickman appeared and was sworn in. He stated that he is requesting a variance to build closer to the water. Will removed the existing home and replace the septic. The new home w/attached garage will be 4' farther from the ordinary high water mark. There is back water on one side of the lot and Bass Lake on the other side. He will meet the 75' ordinary high water mark setback on Bass Lake but will be 63' from the ordinary high water mark on the back waters. Would like to put cement in front of the garage which will be 38.5' from the back waters. Without the cement there will be erosion due to the steep slope. The slab will be 25' x 38' and will prevent dirt going into the house and to park cars. The northeast side of the house will be 60' from the back waters and the southeast side of the house will be 64' from the back waters.
 - B. Mr. Ed Angelbeck appeared and was sworn in. He stated that he is a neighbor and stated his concerns have been answered. Believes 35' from the ordinary high water mark is adequate. Received notice from the Zoning Office and did not understand what was being planned.
 - C. Ms. Karen Angelbeck appeared and was sworn in. She questioned the cement slab location and setbacks.

D. Mr. Bill Bartz, Jr. appeared and was sworn in.

7. Correspondence

- A. Letter from Edward Angelbeck – Vehemently object
- B. Letter from Dale Rezabek, DNR

8. Testimony closed at 10:36 AM

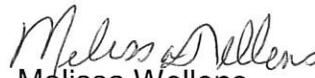
9. Deliberation/Discussion: BOA discussed the findings of fact and agrees the slab is not necessary. The application meets the 3 steps to granting a variance as follows:

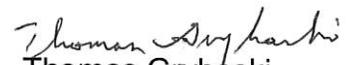
- 1. Unique Physical Limitation is water on both sides of the lot;
- 2. No Harm to Public Interest – Will meet the 75' setback on Bass Lake and mitigation plan will be in place.
- 3. Unnecessary Hardship – the water on both sides of the lot. Cannot build without a variance.

10. Decision: Moved by Stranz, seconded by Ragen to reduce the ordinary high water mark setback on the northeast corner of the house to the back water to 60' and to reduce the ordinary high water mark setback on the southeast corner of the house to the back waters to 65' with the condition that a restoration plan to restore the Shoreland buffer to standards noted in NRCS Code 643A Shoreland Habitat Bulletin and Wisconsin Biology Technical Note 1: Shoreland Habitat must be submitted and approved by the Zoning Department prior to issuance of a land use permit for the structure approved from this variance. The obligations of the property owner under the restoration plan shall be evidenced by an instrument recorded in the office of the County Register of Deeds. The Board has authority to require the restoration be in place prior to issuance of the land use permit for the structure approved by the variance. These variances are strictly for the house and no other structure.

Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motion carried.

11. Hearing adjourned at 10:46 AM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

William Bartz Jr.
Assistant Zoning Administrator

NOTICE OF DECISION AND ORDER
OCONTO COUNTY BOARD OF ADJUSTMENT

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY ms
CASE NO: VA-20150010

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Committee finds the following facts:

1. The petitioner is David Wickman, 2150 Rose Francis Ct, Green Bay, WI 54311
2. The petitioner is the owner of record of parcel number 042-40040983B located in the Section 04, T32N, R15E, Town of Townsend.
3. The petition for variance was filed with the Board Secretary on May 26, 2015, noticed, as provided for by law, on June 10, 2015 and June 17, 2015, and a public hearing was held by the Oconto County Board of Adjustment on June 30, 2015.
4. The property is zoned Residential Single Family District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The proposed relief sought by the petitioner is a variance from the requirement that a structure be setback 75' from the ordinary high water mark. Specifically, the petitioner is requesting to build a home 38.5' from the ordinary high water mark of Bass Lake.
6. The hardship claimed in this matter is there is water on both sides of the lot.
7. The applicant is requesting a variance under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will not exist as a result of this action.
3. A literal enforcement of the terms of the Oconto County Zoning Ordinance will result in practical difficulty or unnecessary hardship to the applicant because they cannot build without a variance.
4. The unique physical limitation of the property is water on both sides of the lot.
5. The variance will not be contrary to the public interest and spirit of the Oconto County Zoning Ordinance.

DETERMINATION & ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Committee determines & orders as follows:

GRANT OF VARIANCE

The requested variance to reduce the ordinary high water mark setback on the northeast corner of the house to the back water to 60' and to reduce the ordinary high water mark setback on the southeast corner of the house to the back waters to 65' with the condition that a restoration plan to restore the Shoreland buffer to standards noted in NRCS Code 643A Shoreland Habitat Bulletin and Wisconsin Biology Technical Note 1: Shoreland Habitat must be submitted and approved by the Zoning Department prior to issuance of a land use permit for the structure approved from this variance. The obligations of the property owner under the restoration plan shall be evidenced by an instrument recorded in the office of the County Register of Deeds. The Board has authority to require the restoration be in place prior to issuance of the land use permit for the structure approved by the variance is hereby granted. These variances are strictly for the house and no other structure.

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Committee, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits.


Melissa Wellens, Secretary
Oconto County Board of Adjustment

7-2-15
Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
June 30, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY MD

1. Hearing called to order at 10:51 AM
2. Roll Call: Present: Mr. Thomas Gryboski, Chairman
 Mr. Alan Sleeter, Vice-Chairman
 Mrs. Melissa Wellens, Secretary
 Mr. Elmer Ragen
 Mr. Allan Stranz

Others Present: Mr. William Bartz Jr, Assistant Zoning Administrator
 Mr. Pete Renteria – Deputy Zoning Administrator
 Mr. Gary Valentyne
 Mr. Roger Strebel
3. Mr. Bartz, Jr. read the Notice of Public Hearing pertaining to Roger Strebel's application for a variance to create a certified survey map with lots less than 100' of water frontage, less than 100' of road frontage and less than 100' of lot width. Location of the property is in Section 33, T33N, R15E, Town of Townsend.
4. Mr. Bartz, Jr. stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. Mr. Bartz, Jr. stated that the petition was filed on June 2, 2015. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
 - A. Mr. Gary Valentyne appeared and was sworn in. He stated that he is requesting a variance to create a certified survey map with lots less than 100' of water frontage, less than 100' of road frontage and less than 100' of lot width. The survey map is incorrect. Mr. Strebel is noted as being the owner of part of his peninsula and will agree to correct the error. No change will be made on the lot.
 - B. Mr. Roger Strebel appeared and was sworn in. He stated that he is noted as being part owner of the peninsula and did not realize the error.
 - C. Mr. Bill Bartz, Jr. appeared and was sworn in.
7. Correspondence
 - A. Letter from Dale Rezabek, DNR
8. Testimony closed at 11:00 AM
9. Deliberation/Discussion: The BOA discussed the Findings of Fact. The BOA agrees the application meets the 3-steps to granting a variance.

Gary Valentyne & Roger Strebel Public Hearing

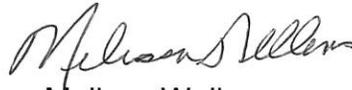
June 30, 2015

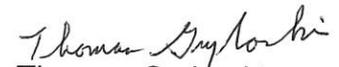
Pg. #2

1. Unique property limitation – the lot shape and existing conditions;
2. No Harm to public interest – the lots are existing;
3. Unnecessary hardship – is due to previous survey being incorrect.

10. Decision: Moved by Ragen, seconded by Stranz to reduce the required 100' of road frontage, water frontage and lot width to 60'. Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motion carried.

11. Hearing adjourned at 11:03 AM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

William Bartz Jr.
Assistant Zoning Administrator

NOTICE OF DECISION AND ORDER
OCONTO COUNTY BOARD OF ADJUSTMENT

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY MS

CASE NO: VA-20150012

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Committee finds the following facts:

1. The petitioner is Roger Strebel, 17444 Rigger, Townsend, WI 54175 & Gary Valentyne, 527 Lamers Rd., Kimberly, WI 54136
2. The petitioner is the owner of record of parcel number 042-3333131 & 042-3333132 located in the NW ¼, NW ¼, Section 33, T33N, R15E, Town of Townsend.
3. The petition for variance was filed with the Board Secretary on June 2, 2015, noticed, as provided for by law, on June 10, 2015 and June 17, 2015, and a public hearing was held by the Oconto County Board of Adjustment on June 30, 2015.
4. The property is zoned Residential Single Family District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The proposed relief sought by the petitioner is a variance from the requirement that a certified survey lot must have must have 100' of road frontage, 100' of water frontage and have 100' of lot width. Specifically, the petitioner is requesting to create two lots by certified survey with less than 100' of road frontage, water frontage and lot width.
6. The hardship claimed in this matter is the existing survey map is incorrect.
7. The applicant is requesting a variance under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will not exist as a result of this action.
3. A literal enforcement of the terms of the Oconto County Zoning Ordinance will result in practical difficulty or unnecessary hardship to the applicant because they cannot fix the incorrect survey without a variance for the new certified survey map.
4. The unique physical limitation of the property is the size and shape of the lots.
5. The variance will not be contrary to the public interest and spirit of the Oconto County Zoning Ordinance.

DETERMINATION & ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Committee determines & orders as follows:

GRANT OF VARIANCE

The requested variance to reduce the required 100' of road frontage, water frontage and lot width to 60' is hereby granted.

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Committee, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits.


Melissa Wellens, Secretary
Oconto County Board of Adjustment

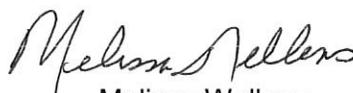
Date 7-2-15

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
June 30, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY MS

1. Hearing called to order at 11:06 AM
2. Roll Call: Present: Mr. Thomas Gryboski, Chairman
Mr. Alan Sleeter, Vice-Chairman
Mrs. Melissa Wellens, Secretary
Mr. Elmer Ragen
Mr. Allan Stranz

Others Present: Mr. William Bartz Jr, Assistant Zoning Administrator
Mr. Pete Renteria – Deputy Zoning Administrator
Mr. Keith Paplham
Ms. Jennifer Bruns
Mr. Brian Bruns
Mr. Ken Paplham
3. Mr. Bartz, Jr. read the Notice of Public Hearing pertaining to Keith Paplham's application for a variance to exceed the 1,000 sq. ft of an accessory structure. Location of the property is in Section 28, T33N, R15E, Town of TOWNSEND.
4. Mr. Bartz, Jr. stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. Mr. Bartz, Jr. stated that the petition was filed on May 9, 2015. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
 - A. Mr. Keith Paplham appeared and was sworn in. He stated that he is requesting a variance to exceed the 1000 sq. ft. of an accessory structure. Would like to build a 30' x 60' x 12' storage structure. Has a pontoon boat and other things to store. The corner lot is .8 acres. With the visual clearance triangle there will still be room for a house and septic system.
 - B. Mr. Bill Bartz, Jr. appeared and was sworn in.
7. Correspondence
8. Testimony closed at 11:14 AM
9. Deliberation/Discussion: BOA discussed the Findings of Fact. There is room for this shed, but according to the ordinance there is no hardship.
10. Decision: Moved by Stranz, seconded by Sleeter to deny the requested variance to exceed the 1,000 sq. ft of an accessory structure. Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motion carried.
11. Hearing adjourned at 11:25 AM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

William Bartz Jr.
Assistant Zoning Administrator

NOTICE OF DECISION AND ORDER
OCONTO COUNTY BOARD OF ADJUSTMENT

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY ms

CASE NO: VA-20150009

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Committee finds the following facts:

1. The petitioner is Keith Paplham, N2302 County Road B, Kewaunee, WI 54216
2. The petitioner is the owner of record of parcel number 042-282806723Q located in the SW ¼, NW ¼, Section 28, T33N, R15E, Town of TOWNSEND.
3. The petition for variance was filed with the Board Secretary on May 9, 2015, noticed, as provided for by law, on June 10, 2015 and June 17, 2015, and a public hearing was held by the Oconto County Board of Adjustment on June 30, 2015.
4. The property is zoned Residential Single Family District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The proposed relief sought by the petitioner is a variance to exceed the 1,000 sq. footage of an accessory structure. Specifically, the petitioner is requesting to build a 1,800 sq. ft. accessory structure.
6. The hardship claimed in this matter is they need a larger shed for storage.
7. The applicant is requesting a variance under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will not exist as a result of this action.
3. A literal enforcement of the terms of the Oconto County Zoning Ordinance will not result in practical difficulty or unnecessary hardship to the applicant because they can build a shed on the property without a variance.
4. There is no unique physical limitation of the property.
5. The variance will be contrary to the public interest and spirit of the Oconto County Zoning Ordinance.

DETERMINATION & ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Committee determines & orders as follows:

GRANT OF VARIANCE

The requested variance to exceed the 1,000 sq. ft of an accessory structure is hereby denied

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Committee, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits.



Melissa Wellens, Secretary
Oconto County Board of Adjustment

7-2-15

Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
June 30, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY MS

1. Hearing called to order at 12:00 PM
2. Roll Call: Present: Mr. Thomas Gryboski, Chairman
 Mr. Alan Sleeter, Vice-Chairman
 Mrs. Melissa Wellens, Secretary
 Mr. Elmer Ragen
 Mr. Allan Stranz

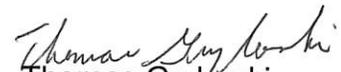
Others Present: Mr. William Bartz Jr, Assistant Zoning Administrator
 Mr. Pete Renteria – Deputy Zoning Administrator
 Mr. Glenn Christel
3. Mr. Bartz, Jr. read the Notice of Public Hearing pertaining to Glen Christel's application for for a variance to exceed the 1,000 sq. ft. and 18' height limitation for an accessory structure. Location of the property is in Section 32, T33N, R16E, Town of Lakewood.
4. Mr. Bartz, Jr. stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. Mr. Bartz, Jr. stated that the petition was filed on May 25, 2015. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
 - A. Mr. Glen Christel appeared and was sworn in. He stated that he is requesting a variance to to exceed the 1,000 sq. ft. and 18' height limitation for an accessory structure. Would like to build a 44' x 84' x 25' storage building to accommodate a large door and hoist. Owns the property next door to this property. At the time he inquired about building the shed there was no size requirement. Would like to move here and put his car collection in it and use it to restore them. Does not want to combine the lots because he would like to keep the lot when he sells the other lot. The building would look good and no one would be living there. There is sewer available.
 - B. Mr. Bill Bartz, Jr. appeared and was sworn in.
7. Correspondence
 - A. Letter from Dale Rezabek, DNR
8. Testimony closed at 12:10 PM
9. Deliberation/Discussion: The BOA discussed the findings of fact and agrees the request does not meet the 3 steps to grant a variance.
 1. Unique Physical Limitation of the property – none

3. Unnecessary Hardship – None because he can combine the lots. It is a self-created hardship. The circumstances of the applicant are not a factor.

10. Decision: Moved by Wellens, seconded by Gryboski to deny the requested variance to exceed the 1,000 sq. ft. and 18' height limitation for an accessory structure. Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motion carried.

11. Hearing adjourned at 12:16 PM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

William Bartz Jr.
Assistant Zoning Administrator

NOTICE OF DECISION AND ORDER
OCONTO COUNTY BOARD OF ADJUSTMENT

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY MS

CASE NO: VA-20150013

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Committee finds the following facts:

1. The petitioner is Glen Christel, 20401 Drews Rd, Kiel, WI 53042
2. The petitioner is the owner of record of parcel number 019-423201511O located in the NE ¼, NE ¼, Section 32, T33N, R16E, Town of Lakewood.
3. The petition for variance was filed with the Board Secretary on May 25, 2015, noticed, as provided for by law, on June 10, 2015 and June 17, 2015, and a public hearing was held by the Oconto County Board of Adjustment on June 30 2015.
4. The property is zoned Residential Single Family District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The proposed relief sought by the petitioner is a variance to exceed the 18' height restriction of an accessory structure. Specifically, the petitioner is requesting to build a 25' high accessory structure.
6. The hardship claimed in this matter is he needs a larger structure to store his car collection and work on restoration of cars.
7. The applicant is requesting a variance under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will exist as a result of this action.
3. A literal enforcement of the terms of the Oconto County Zoning Ordinance will not result in practical difficulty or unnecessary hardship to the applicant because they can build a storage building without a variance.
4. There is no unique physical limitation of the property.
5. The variance will be contrary to the public interest and spirit of the Oconto County Zoning Ordinance.

DETERMINATION & ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Committee determines & orders as follows:

GRANT OF VARIANCE

The requested variance to exceed the 1,000 sq. ft. and 18' height limitation for an accessory structure is hereby denied.

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Committee, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits.


Melissa Wellens, Secretary
Oconto County Board of Adjustment

7-2-15
Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
June 30, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY MS

1. Hearing called to order at 2:00 PM
2. Roll Call: Present: Mr. Thomas Gryboski, Chairman
 Mr. Alan Sleeter, Vice-Chairman
 Mrs. Melissa Wellens, Secretary
 Mr. Elmer Ragen
 Mr. Allan Stranz

Others Present: Mr. William Bartz Jr, Assistant Zoning Administrator
 Mr. Pete Renteria – Deputy Zoning Administrator
 Mr. Jeremy DeBoth
 Mr. Don Demmith
3. Mr. Bartz, Jr. read the Notice of Public Hearing pertaining to Northwood Storage LLC's application for a conditional use permit for a mini storage unit. Location of the property is in Section 04, T32N, R16E, Town of Riverview.
4. Mr. Bartz, Jr. stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. Mr. Bartz, Jr. stated that the petition was filed on May 15, 2015. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
 - A. Mr. Jeremy DeBoth appeared and was sworn in. He stated that he is requesting a conditional use permit for a mini storage unit. Wants to add another storage unit. This building will be 48' x 176' with 32 units. Approximately one acre was added to the current parcel. No other storage building will be added. There is no access from Maiden Lake Rd.
 - B. Mr. Bill Bartz, Jr. appeared and was sworn in.
7. Correspondence
 - A. Town Recommendation Form from the Town of Riverview – Recommends Approval;
8. Testimony closed at 2:12 PM
9. Deliberation/Discussion: Discussed conditions. Should be the same as the other 2 buildings.
10. Decision: Moved by Stranz, seconded by Gryboski to grant a conditional use permit for a mini storage unit with the following conditions:

1. Dusk to dawn lighting to shine downward;
2. A surveyor is hired to stake out the new building site to ensure compliance with all setbacks and the existing setback violation is resolved through the variance process;

Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motion carried.

11. Hearing adjourned at 2:20 PM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

William Bartz Jr.
Assistant Zoning Administrator

**NOTICE OF DECISION AND ORDER
OCONTO COUNTY ZONING BOARD OF ADJUSTMENT**

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES

DATE 7/6/15 BY WJS

CASE NO: CU-20150032

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Board finds the following facts:

1. The applicant is Northwood Storage LLC, 3289 Northwood Rd, Green Bay, WI, 54313.
2. The applicant is the owner of record of parcel number 036-0404010323F1 located in the SW¼, NW¼, Section 04, T32N, R16E, Town of Riverview.
3. The conditional use permit application was filed with the Board Secretary on May 15, 2015, noticed, as provided for by law, on June 10, 2015 and June 17, 2015, and a public hearing was held by the Oconto County Board of Adjustment on June 30, 2015.
4. The property is zoned General Commercial District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The applicant is requesting a conditional use permit for a mini storage unit.
6. The applicant is requesting a conditional use permit under the provisions of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will not exist as a result of this action.

DETERMINATION AND ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Board determines and orders as follows:

GRANT OF CONDITIONAL USE PERMIT

The requested conditional use permit for a mini storage unit is hereby granted subject to the following conditions:

1. Dusk to dawn lighting to shine downward;
2. A surveyor is hired to stake out the new building site to ensure compliance with all setbacks and the existing setback violation is resolved through the variance process;

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Board, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of the conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits.



Melissa Wellens, Secretary
Oconto County Board of Adjustment

7-2-15

Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
June 30, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY ms

1. Hearing called to order at 3:04 PM
2. Roll Call: Present: Mr. Thomas Gryboski, Chairman
 Mr. Alan Sleeter, Vice-Chairman
 Mrs. Melissa Wellens, Secretary
 Mr. Elmer Ragen
 Mr. Allan Stranz

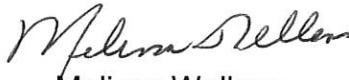
Others Present: Mr. William Bartz Jr, Assistant Zoning Administrator
 Mr. Pete Renteria – Deputy Zoning Administrator
 Mr. Mark Lesczykowski
 Ms. Andrea Lesczykowski
3. Mr. Bartz, Jr. read the Notice of Public Hearing pertaining to Mark Lesczykowski's application for a conditional use permit for a dog training and boarding facility. Location of the property is in Section 11, T31N, R16E, Town of Mountain.
4. Mr. Bartz, Jr. stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. Mr. Bartz, Jr. stated that the petition was filed on May 14, 2015. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
 - A. Mr. Mark Lesczykowski appeared and was sworn in. He stated that he is requesting a conditional use permit for a dog training and boarding facility. Will lease the property to his daughter, Andrea, to operate a dog training center.
 - B. Ms. Andrea Lesczykowski appeared and was sworn in. She stated that she will be operating a dog training center. Hours of operation will be Tuesday – Saturday from 9:00 AM to 5:00 PM. Will schedule 6-8 dogs every 2 weeks. Will be accepting any dog breed. It takes a minimum of 2-3 weeks to train a dog. Will offer one day training option along with a boarding while training option. May board up to 20 dogs in the future but right now will only board dogs that are being trained. Will also offer private lessons. Waste will be disposed of through garbage firm or may use a bio degradable process. May need additional employees in the future.
 - C. Mr. Bill Bartz, Jr. appeared and was sworn in.
7. Correspondence
 - A. Town Recommendation Form from the Town of Mountain – Recommends Approval;
8. Testimony closed at 3:23 PM

Mark Lesczykowski Public Hearing
June 30, 2015
Pg. #2

9. Deliberation/Discussion: Discussed conditions of the permit.
10. Decision: Moved by Ragen, seconded by Stranz to grant a conditional use permit for a dog training/boarding facility with the following conditions:
1. Hours of Operation – 9:00 AM to 5:00 PM from Tuesday to Saturday;
 2. No outside Boarding of dogs;
 3. Waste shall be disposed of properly;
 4. Twenty (20) dogs maximum;
 5. Barking shall be controlled by kennel operator;

Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motion carried.

11. Hearing adjourned at 3:28 PM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

William Bartz Jr.
Assistant Zoning Administrator

NOTICE OF DECISION AND ORDER
OCONTO COUNTY ZONING BOARD OF ADJUSTMENT

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY ms

CASE NO: CU-20150031

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Board finds the following facts:

1. The applicant is Mark Lesczykowski, 4451 Hwy 55, Crandon, WI, 54520.
2. The applicant is the owner of record of parcel number 029-111103531D1 located in the NE¼, SW¼, Section 11, T31N, R16E, Town of Mountain.
3. The conditional use permit application was filed with the Board Secretary on May 14, 2015, noticed, as provided for by law, on June 10, 2015 and June 17, 2015, and a public hearing was held by the Oconto County Board of Adjustment on June 30, 2015.
4. The property is zoned General Commercial District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The applicant is requesting a conditional use permit for a dog training and boarding facility.
6. The applicant is requesting a conditional use permit under the provisions of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will not exist as a result of this action.

DETERMINATION AND ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Board determines and orders as follows:

GRANT OF CONDITIONAL USE PERMIT

The requested a conditional use permit for a dog training and boarding facility is hereby granted subject to the following conditions:

1. Hours of Operation – 9:00 AM to 5:00 PM from Tuesday to Saturday;
2. No outside Boarding of dogs;
3. Waste shall be disposed of properly;
4. Twenty (20) dogs maximum;
5. Barking shall be controlled by kennel operator;

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Board, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of the conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits.



Melissa Wellens, Secretary
Oconto County Board of Adjustment

7-2-15

Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
June 30, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY ms

1. Hearing called to order at 3:30 PM
2. Roll Call: Present: Mr. Thomas Gryboski, Chairman
Mr. Alan Sleeter, Vice-Chairman
Mrs. Melissa Wellens, Secretary
Mr. Elmer Ragen
Mr. Allan Stranz

Others Present: Mr. William Bartz Jr, Assistant Zoning Administrator
Mr. Pete Renteria – Deputy Zoning Administrator
Mr. Anthony Widowski
3. Mr. Bartz, Jr. read the Notice of Public Hearing pertaining to WICO, Inc's application for a conditional use permit for a dwelling over 15 years old. Location of the property is in Section 30, T31N, R17E, Town of Mountain.
4. Mr. Bartz, Jr. stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. Mr. Bartz, Jr. stated that the petition was filed on April 24, 2015. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
 - A. Mr. Anthony Widowski appeared and was sworn in. He stated that he is requesting a conditional use permit for a dwelling over 15 years old. Would like to place a 1993 16' x 80' mobile on Site #44. The mobile home has 2-bedrooms, 2-bathrooms, a pitched shingled roof and a 100 amp electrical service. There was some water damage to the home so some structural repairs will be made.
 - B. Mr. Bill Bartz, Jr. appeared and was sworn in.
7. Correspondence
 - A. Town Recommendation Form from the town of Mountain – Recommends Approval;
8. Testimony closed at 3:35 PM
9. Deliberation/Discussion: Mobile Home is in good condition
10. Decision: Moved by Gryboski, seconded by Sleeter to grant a conditional use permit for a 1993-16' x 80' mobile home. No conditions necessary. Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motion carried.
11. Hearing adjourned at 3:38 PM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

William Bartz Jr.
Assistant Zoning Administrator

**NOTICE OF DECISION AND ORDER
OCONTO COUNTY ZONING BOARD OF ADJUSTMENT**

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY MW

CASE NO: CU-20150027

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Board finds the following facts:

1. The applicant is WICO, Inc, 12525 Knollwood Ln #28, Suring, WI, 54174.
2. The applicant is the owner of record of parcel number 029-673002033S located in Section 30, T31N, R17E, Town of Mountain.
3. The conditional use permit application was filed with the Board Secretary on April 24, 2015, noticed, as provided for by law, on June 10, 2015 and June 17, 2015, and a public hearing was held by the Oconto County Board of Adjustment on June 30, 2015.
4. The property is zoned Mobile Home Park District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The applicant is requesting a conditional use permit for a dwelling over 15 years old.
6. The applicant is requesting a conditional use permit under the provisions of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will not exist as a result of this action.

DETERMINATION AND ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Board determines and orders as follows:

GRANT OF CONDITIONAL USE PERMIT

The requested conditional use permit for a 1993 – 16' x 80' mobile home hereby granted. No conditions necessary.

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Board, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of the conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits.



Melissa Wellens, Secretary
Oconto County Board of Adjustment

7-2-15

Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
June 30, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY MS

1. Hearing called to order at 11:31 AM
2. Roll Call: Present: Mr. Thomas Gryboski, Chairman
 Mr. Alan Sleeter, Vice-Chairman
 Mrs. Melissa Wellens, Secretary
 Mr. Elmer Ragen
 Mr. Allan Stranz

Others Present: Mr. William Bartz Jr, Assistant Zoning Administrator
 Mr. Pete Renteria – Deputy Zoning Administrator
 Mr. William Hoberg
3. Mr. Bartz, Jr. read the Notice of Public Hearing pertaining to William Hoberg's application for a variance to exceed the 1,000 sq. ft of an accessory structure. Location of the property is in Section 21, T33N, R16E, Town of Lakewood.
4. Mr. Bartz, Jr. stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. Mr. Bartz, Jr. stated that the petition was filed on May 26, 2015. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
 - A. Mr. William Hoberg appeared and was sworn in. He stated that he is requesting a variance to exceed the 1,000 sq. ft. of an accessory structure. Would like to build a 39' x 20' sq. ft. shed. Mr. Hoberg explained the history of the property. Stated that in 2014 he contacted Bill Bartz about building on the lot. Signed contracts to start building. By the time everything was ready the ordinance was changed. Claimed the ordinance change caused a hardship to the building contractor who turned down two jobs to take this one.
 - B. Mr. Bill Bartz, Jr. appeared and was sworn in.
7. Correspondence
8. Testimony closed at 11:46 AM
9. Deliberation/Discussion: BOA discussed the Findings of Fact and agrees the application does not meet the 3 steps to grant a variance even though there is ample room to build.
 1. Physical Limitation on Property – None;
 2. There would be no harm to public interest;
 3. Unnecessary Hardship is not present due to it being self-created and circumstances of the applicant cannot be a factor.

10. Decision: Moved by Stranz, seconded by Gryboski to deny the requested variance to exceed the 1,000 sq. ft of an accessory structure. Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motion carried.

11. Hearing adjourned at 11:53 AM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

William Bartz Jr.
Assistant Zoning Administrator

NOTICE OF DECISION AND ORDER
OCONTO COUNTY BOARD OF ADJUSTMENT

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 7/6/15 BY ms
CASE NO: VA-20150012

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Committee finds the following facts:

1. The petitioner is William Hoberg, 4577 Choctaw Trail, Green Bay, WI 54313
2. The petitioner is the owner of record of parcel number 019-21210092B located in the Section 21, T33N, R16E, Town of Lakewood.
3. The petition for variance was filed with the Board Secretary on May 26, 2015, noticed, as provided for by law, on June 10, 2015 and June 17, 2015, and a public hearing was held by the Oconto County Board of Adjustment on June 30, 2015.
4. The property is zoned Residential Single Family District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The proposed relief sought by the petitioner is a variance to exceed the 1,000 sq. footage of an accessory structure. Specifically, the petitioner is requesting to build a 1,200 sq. ft. accessory structure.
6. The hardship claimed in this matter is he needs a larger storage building and the process was started before the ordinance was changed.
7. The applicant is requesting a variance under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will exist as a result of this action.
3. A literal enforcement of the terms of the Oconto County Zoning Ordinance will not result in practical difficulty or unnecessary hardship to the applicant because they can build without a variance.
4. There is no unique physical limitation of the property.
5. The variance will be contrary to the public interest and spirit of the Oconto County Zoning Ordinance.

DETERMINATION & ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Committee determines & orders as follows:

GRANT OF VARIANCE

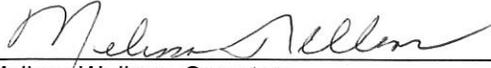
The requested variance to exceed the 1,000 sq. ft of an accessory structure is hereby denied.

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Committee, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits.



Melissa Wellens, Secretary
Oconto County Board of Adjustment

7-2-15

Date