

MINUTES
TUESDAY APRIL 22ND 2025 AT 3:00 PM
BOARD OF ADJUSTMENTS
Draft minutes until Committee approved

Meeting called to order at 3:45 PM by Al Sleeter, Chair.

BOARD MEMBERS PRESENT: Al Sleeter, Carol Heise, Dave Behrend, Elmer Ragen and Dave Christianson

1. Approval of Agenda
 - a. Change of Sequence
 - b. Removal of Items
Moved by Ragen, seconded by Christianson, to approve the agenda of the business meeting.
Motion voted on and carried.
2. Approval of Minutes
 - a. Business Meeting of March 25, 2025
Moved by Christianson, seconded by Behrend to approve the minutes of the business meeting of March 25, 2025. Motion voted and carried.
 - b. Public Hearings of April 22, 2025
 - 1) Brian Loberger
 - 2) EML Properties
 - 3) EML Properties
 - 4) Bailey & Emily Marquardt
 - 5) Keith & Brian Pecho
 - 6) Townsend South Shore Hideaway LLC
 - c. Moved by Heise, seconded by Ragen to approve the minutes of the public hearing of April 22, 2025. Motion voted on and carried.
3. Discuss state approved plans as apart of the cup applications- Consult with LWR Committee to change ordinance in May
4. Public Comments- none
- 5.. Hearing Dates
 - a. Public Hearings- May 27, 2025
 - b. Business Meeting Date- May 27, 2025
6. Adjournment

Chair Sleeter adjourned meeting at 4:20 PM

Secretary

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
April 22, 2025

1. Hearing called to order at 9:00 AM
2. Roll Call: Present: Alan Sleeter, Chair
 Carol Heise, Vice Chair & Secretary
 Elmer Ragen
 Dave Christianson
 Dave Behrend

Others Present: Gabe Moody, Assistant Zoning Administrator
 Todd Gerbers
 William Zasada
 Robert Gerbers
 Melonie Leonhardt
 Caden Leonhardt
 Erik Leonhardt
3. Gabe Moody read the Notice of Public Hearing pertaining to Brian Loberger's application for Conditional use permit for automotive and equipment sales and service. Location of the property is in Section 26, T27N, R20E, Town of Abrams.
4. Gabe Moody stated that the notice was mailed to the petitioner, DZA for posting, 10 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. Gabe Moody stated that the petition was filed on March 7, 2025. He provided the required notices, application, plot plan and maps.
6. Appearances:
 - A. Robert Gerbers appeared and was sworn in. He stated he was the agent for Brian Loberger. He is requesting a conditional use permit to add auto repair to an existing conditional use permit. He will sell lifts and other vehicles along with vehicle repair. Hazardous waste will be properly disposed of, and old tires will be hauled away.
 - B. William Zasada appeared and was sworn in. He stated they have a contract with Halron Oil for waste oil and antifreeze. Used tires will go to Liberty Tire in Milwaukee. Freon is certified through the DNR for freon handling, stored in a 20 pound container, with only a small quantity of freon onsite. There can never be more than 30 pounds of freon onsite for any amount of time. Hours of operation will be 6 days a week, 6 AM - 10 PM. He may have 5-10 vehicles for sale onsite with a maximum of 20 vehicles.
 - C. Gabe Moody appeared and was sworn in. He read the staff report.
7. Correspondence
 - A. Staff Report
 - B. Town Recommendation- Approved

DATE 4-24-25 BY KR


Brian Loberger Public Hearing
April 22, 2025
Page Two

8. Testimony closed at 9:16 AM
9. Deliberation/Discussion: Reviewed the current conditional use on file. Discussed conditions.
10. Decision: Moved by Christianson, seconded by Ragen, to grant a conditional use permit for automotive and equipment sales and service with the following conditions:
 1. Hours of operation- Monday- Saturday, 6 AM- 10 PM
 2. Must have proper disposal of solid waste & fluids (currently using Halron Oil)
 3. Must recycle used tires
 4. Must have adequate lighting
 5. Must have adequate parking
 6. All State & Federal permits must be obtained
 7. Existing signs must meet county sign ordinance
 8. No more than 20 vehicles are to be displayed outside

Roll Call Vote: Behrend, Christianson, Heise, Ragen, and Sleeter all voting aye, no nays, motion carried.

11. Hearing adjourned at 9:20 AM


Carol Heise
Secretary


Alan Sleeter
Chair

Gabe Moody
Assistant Zoning Administrator

NOTICE OF DECISION AND ORDER
OCONTO COUNTY BOARD OF ADJUSTMENT (Chapter 14)

CASE NO: CU-20250004

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

1. The petitioner is Brian Loberger, 438 County Rd. J, Little Suamico, WI 54141
2. The petitioner is the owner of record of parcel number 002-32260532K located in Section 26, T27N, R20E, Town of Abrams.
3. The petition for conditional use permit was filed with the Board Secretary on March 7, 2025, noticed, as provided for by law, on April 2, 2025 and April 9, 2025, and a public hearing was held by the Oconto County Board of Adjustment on April 22, 2025.
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 under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance
6. The features of the proposed construction and property that relate to the grant or denial of the application are applicant is requesting a conditional use permit for equipment sales and service.

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

The Board has jurisdiction on this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance

Conditional Use-The application for a conditional use permit does qualify under the criteria of Section 14.1803 (e) of the ordinance.

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

The requested conditional use consisting of automotive and equipment sales and service is hereby granted subject to the following conditions/mitigation:

1. Hours of operation- Monday- Saturday, 6 AM- 10 PM
2. Must have proper disposal of solid waste & fluids (currently using Halron Oil)
3. Must recycle used tires
4. Must have adequate lighting
5. Must have adequate parking
6. All State & Federal permits must be obtained
7. Existing signs must meet county sign ordinance
8. No more than 20 vehicles are to be displayed outside

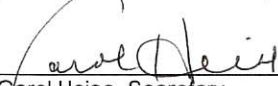
GENERAL CONDITIONS

The granting of this conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts the 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.

Revocation. 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.

Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action of certiorari with the Circuit Court for Oconto County within 30 days after the filing of this decision. 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. When a floodplain variance is granted the applicant is made aware that the variance may increase risks to life, property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage.



Carol Heise, Secretary
Oconto County Board of Adjustment

4/22/25

Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
April 22, 2025

1. Hearing called to order at 9:22 AM
2. Roll Call: Present: Alan Sleeter, Chair
 Carol Heise, Vice Chair & Secretary
 Elmer Ragen
 Dave Christianson
 Dave Behrend

Others Present: Gabe Moody, Assistant Zoning Administrator
 Erik Leonhardt
 Melanie Leonhardt
 Caden Leonhardt
 Darrell Winans
 Debbie Winans
3. Gabe Moody read the Notice of Public Hearing pertaining to EML Properties LLC's application for Variance from the centerline of the road and the rear yard lot line for a duplex. Location of the property is in Section 27, T27N, R20E, Town of Abrams.
4. Gabe Moody stated that the notice was mailed to the petitioner, DZA for posting, 19 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. Gabe Moody stated that the petition was filed on March 6, 2025. He provided the required notices, application, plot plan and maps.
6. Appearances:
 - A. Eric Leonhardt appeared and was sworn in. He stated he is requesting a variance to build 48 feet from the centerline of Pine Road, and 10 feet from the rear lot line. The lot is in the sanitary district and has a well. The duplex would be a ranch style home with a full basement. The original house was torn down and was closer than the setbacks proposed.
 - B. Gabe Moody appeared and was sworn in. He read the staff report.
7. Correspondence
 - A. Staff Report
 - B. Town Planning-opposed
8. Testimony closed at 9:36 AM
9. Deliberation/Discussion: Board discussed Findings of Fact -centerline
 - A. Unique physical limitation- existing lot size
 - B. Harm to public interest- none. Room for snow removal & setback further back than existing

DATE 4-24-25 BY KJ

EML Properties LLC Public Hearing
April 22, 2025
Page Two

C. Unnecessary hardship- lot is unbuildable without a variance

10. Decision: Move by Behrend, seconded by Heise, to grant a 15 foot variance from the required 63 foot setback to build a duplex 48 feet from the centerline of the road.

Roll Call Vote: Behrend, Christianson, Heise, Ragen, and Sleeter all voting aye, no nays, motion carried.

11. Board discussed Findings of Fact -rear yard

A. Unique physical limitation- lot size

B. Harm to public interest- none. Room for snow removal

C. Unnecessary hardship- lot is unbuildable without a variance

12. Decision: Move by Heise, seconded by Christianson, to grant a 10 foot variance from the required 20 foot setback to build a duplex 10 feet from the rear yard.

Roll Call Vote: Behrend, Christianson, Heise, Ragen, and Sleeter all voting aye, no nays, motion carried.

13. Hearing adjourned at 9:44 AM


Carol Heise
Secretary


Alan Sleeter
Chair

Gabe Moody
Assistant Zoning Administrator

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

1. The petitioner is EML Properties LLC, 6265 Main St., Abrams, WI 54101
2. The petitioner is the owner of record of parcel number 002-432708679 located in Section 27, T27N, R20E, Town of Abrams.
3. The petition for variance was filed with the Board Secretary on March 6, 2025, noticed, as provided for by law, on April 2, 2025 and April 9, 2025, and a public hearing was held by the Oconto County Board of Adjustment on April 22, 2025.
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 variance under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance
6. The features of the proposed construction and property that relate to the grant or denial of the application are applicant is requesting a variance from the centerline of the road.

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

The Board has jurisdiction on this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance

Variance- The variance does meet all three of the following tests:

1. The variance is required due to physical limitations of the property rather than the circumstances of the appellant because of the lot size.
2. The variance will not harm the public interest because there is an area for snow removal and the setback from the previous structure is improved.
3. Unnecessary Hardship is present because of the depth of the lot and lot is unbuildable without a variance.

For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The board of adjustment must consider the purpose of the zoning restriction, the zoning restriction's effect on the property, and the short-term, long-term and cumulative effects of a variance on the neighborhood, the community and on the public interests. This standard reflects the new Ziervogel and Waushara County decisions.

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

The requested variance consisting of a 15 foot variance from the required 63 foot setback to build a duplex 48 feet from the centerline of the road is hereby granted.

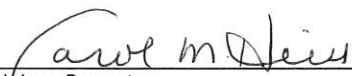
GENERAL CONDITIONS

The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts the 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.

Revocation. 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.

Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action of certiorari with the Circuit Court for Oconto County within 30 days after the filing of this decision. 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. When a floodplain variance is granted the applicant is made aware that the variance may increase risks to life, property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage.



Carol Heise, Secretary
Oconto County Board of Adjustment

4-22-25

Date

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

1. The petitioner is EML Properties LLC, 6265 Main St., Abrams, WI 54101
2. The petitioner is the owner of record of parcel number 002-432708679 located in Section 27, T27N, R20E, Town of Abrams.
3. The petition for variance was filed with the Board Secretary on March 6, 2025, noticed, as provided for by law, on April 2, 2025 and April 9, 2025, and a public hearing was held by the Oconto County Board of Adjustment on April 22, 2025.
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 variance under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance
6. The features of the proposed construction and property that relate to the grant or denial of the application are applicant is requesting a variance from the rear yard.

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

The Board has jurisdiction on this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance

Variance- The variance does meet all three of the following tests:

1. The variance is required due to physical limitations of the property rather than the circumstances of the appellant because of the lot size.
2. The variance will not harm the public interest because they are retaining space for outdoor activities.
3. Unnecessary Hardship is present because of the lot depth.

For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The board of adjustment must consider the purpose of the zoning restriction, the zoning restriction's effect on the property, and the short-term, long-term and cumulative effects of a variance on the neighborhood, the community and on the public interests. This standard reflects the new Ziervogel and Waushara County decisions.

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

The requested variance consisting of a 10 foot variance from the required 20 foot setback to build a duplex 10 feet from the rear yard is hereby granted.

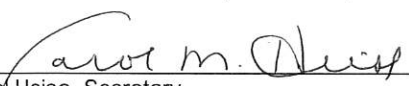
GENERAL CONDITIONS

The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts the 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.

Revocation. 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.

Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action of certiorari with the Circuit Court for Oconto County within 30 days after the filing of this decision. 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. When a floodplain variance is granted the applicant is made aware that the variance may increase risks to life, property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage.


Carol Heise, Secretary
Oconto County Board of Adjustment

4-22-25
Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
April 22, 2025

1. Hearing called to order at 9:45 AM
2. Roll Call: Present: Alan Sleeter, Chair
 Carol Heise, Vice Chair & Secretary
 Elmer Ragen
 Dave Christianson
 Dave Behrend

Others Present: Gabe Moody, Assistant Zoning Administrator
 Eric Leonhardt
 Caden Leonhardt
 Melanie Leonhardt
 Debbie Winans
 Darrell Winans
3. Gabe Moody read the Notice of Public Hearing pertaining to EML Properties LLC's application for Conditional use permit for a duplex. Location of the property is in Section 27, T27N, R20E, Town of Abrams.
4. Gabe Moody stated that the notice was mailed to the petitioner, DZA for posting, 19 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. Gabe Moody stated that the petition was filed on March 6, 2025. He provided the required notices, application, plot plan and maps.
6. Appearances:
 - A. Eric Leonhardt appeared and was sworn in. He wants a conditional use permit for a duplex. The existing house was an eye sore.
 - B. Gabe Moody appeared and was sworn in. He read the staff report.
7. Correspondence
 - A. Staff Report – approve
 - B. Town recommendation - approve
8. Testimony closed at 9:50 AM
9. Deliberation/Discussion: No discussion.
10. Decision: Moved by Heise, seconded by Behrend to grant a conditional use permit for a duplex.

Roll Call Vote: Behrend, Christianson, Heise, Ragen, and Sleeter all voting aye, no nays, motion carried.

DATE 4-24-25 BY KR

EML Properties LLC Public Hearing
April 22, 2025
Page Two

11. Hearing adjourned at 9:51 AM


Carol Heise
Secretary


Alan Sleeter
Chair

Gabe Moody
Assistant Zoning Administrator

NOTICE OF DECISION AND ORDER
OCONTO COUNTY BOARD OF ADJUSTMENT (Chapter 14)

CASE NO: CU-20250003

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

1. The petitioner is EML Properties LLC, 6265 Main St., Abrams, WI 54101
2. The petitioner is the owner of record of parcel number 002-432708679 located in Section 27, T27N, R20E, Town of Abrams.
3. The petition for conditional use permit was filed with the Board Secretary on March 6, 2025, noticed, as provided for by law, on April 2, 2025 and April 9, 2025, and a public hearing was held by the Oconto County Board of Adjustment on April 22, 2025.
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 under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance
6. The features of the proposed construction and property that relate to the grant or denial of the application are applicant is requesting a conditional use permit for a duplex.

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

The Board has jurisdiction on this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance

Conditional Use-The application for a conditional use permit does qualify under the criteria of Section 14.703 (b) of the ordinance.

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

The requested conditional use consisting of a duplex is hereby granted.

GENERAL CONDITIONS

The granting of this conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts the 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.

Revocation. 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.

Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action of certiorari with the Circuit Court for Oconto County within 30 days after the filing of this decision. 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. When a floodplain variance is granted the applicant is made aware that the variance may increase risks to life, property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage.



Carol Heise, Secretary
Oconto County Board of Adjustment

4-22-2025

Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
April 22, 2025

1. Hearing called to order at 10:35 AM
2. Roll Call: Present: Alan Sleeter, Chair
 Carol Heise, Vice Chair & Secretary
 Elmer Ragen
 Dave Christianson
 Dave Behrend

Others Present: Gabe Moody, Assistant Zoning Administrator
 Bailey Marquardt
3. Gabe Moody read the Notice of Public Hearing pertaining to Bailey & Emily Marquardt's application for Conditional use permit for a home based business from an accessory structure for small engine repair. Location of the property is in Section 18, T29N, R21E, Town of Little River.
4. Gabe Moody stated that the notice was mailed to the petitioner, DZA for posting, 4 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. Gabe Moody stated that the petition was filed on March 20, 2025. He provided the required notices, application, plot plan and maps.
6. Appearances:
 - A. Bailey Marquardt appeared and was sworn in. He stated he wants a conditional use permit for small engine repair. It will be a home-based business from an attached garage. Hours will be 4:30 PM – 8 PM. He will repair lawnmowers, chainsaws and rotary tillers. Oil and fluids will be properly disposed of. Will have a dumpster and adequate parking/lighting. No customers will be in the garage. Will need a business license. He may have a sign that will be within ordinance dimensions of 4x4.
 - B. Gabe Moody appeared and was sworn in. He read the staff report.
7. Correspondence
 - A. Staff Report – approve
 - B. Town recommendation - approve
8. Testimony closed at 9:43 AM
9. Deliberation/Discussion: Discussed conditions
10. Decision: Moved by Ragen, seconded by Behrend, to grant a conditional use permit for a home-based business from an accessory structure for a small engine repair business with the following conditions:

DATE 4-24-25 BY KR

Bailey & Emily Marquardt Public Hearing
April 22, 2025
Page Two

1. Hours 24/7 – 365 days a year
2. Proper disposal of fluids and waste
3. Adequate parking
4. Adequate lighting
5. Obtain all State/Federal/local approvals.
6. No employees
7. Signage to conform to Oconto County zoning ordinance
8. No public access to building

Roll Call Vote: Behrend, Christianson, Heise, Ragen, and Sleeter all voting aye, no nays, motion carried.

11. Hearing adjourned at 10:46 AM


Carol Heise
Secretary


Alan Sleeter
Chair

Gabe Moody
Assistant Zoning Administrator

DATE 4-24-25 BY KH

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

1. The petitioner is Bailey & Emily Marquardt, 4808 Burg Rd., Lena, WI 54139
2. The petitioner is the owner of record of parcel number 022-121801433A located in Section 18, T29N, R21E, Town of Little River.
3. The petition for conditional use permit was filed with the Board Secretary on March 20, 2025, noticed, as provided for by law, on April 2, 2025 and April 9, 2025, and a public hearing was held by the Oconto County Board of Adjustment on April 22, 2025.
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 under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance
6. The features of the proposed construction and property that relate to the grant or denial of the application are applicant is requesting a conditional use permit for a home-based business from an accessory structure for small engine repair.

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

The Board has jurisdiction on this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance

Conditional Use-The application for a conditional use permit does qualify under the criteria of Section 14.1303 of the ordinance.

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

The requested conditional use consisting of a home-based business from an accessory structure for small engine repair is granted subject to the following conditions/mitigation:

1. Hours 24/7 – 365 days a year
2. Proper disposal of fluids and waste
3. Adequate parking
4. Adequate lighting
5. Obtain all State/Federal/local approvals.
6. No employees
7. Signage to conform to Oconto County zoning ordinance
8. No public access to building

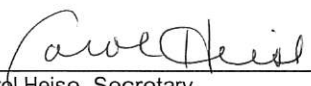
GENERAL CONDITIONS

The granting of this conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts the 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.

Revocation. 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.

Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action of certiorari with the Circuit Court for Oconto County within 30 days after the filing of this decision. 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. When a floodplain variance is granted the applicant is made aware that the variance may increase risks to life, property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage.



Carol Heise, Secretary
Oconto County Board of Adjustment

4-22-25

Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
April 22, 2025

1. Hearing called to order at 12:30 PM
2. Roll Call: Present: Alan Sleeter, Chair
 Carol Heise, Vice-Chair & Secretary
 Elmer Ragen
 Dave Christianson
 Dave Behrend

Others Present: William Lester, Assistant Zoning Administrator
 Victoria Kauth
 Keith Pecho
 Dan Coopman
 Jeff VanDynHoven
 Kristin Kauth
3. William Lester read the Notice of Public Hearing pertaining to Keith & Brian Pecho's application for Variance from the side lot line, ordinary high water mark and road right of way for a new dwelling and attached garage. Location of the property is in Section 27, T33N, R15E, Town of Townsend.
4. William Lester stated that the notice was mailed to the petitioner, DZA for posting, 8 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. William Lester stated that the petition was filed on March 19, 2025. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
 - A. Keith Pecho appeared and was sworn in. He is requesting side lot, right of way and ordinary high water mark variances to build a new dwelling on his property. Requests are 6 feet from the right of way, 8 feet to the east lot line and 35 feet from the ordinary high water mark. Applicant withdrew ordinary high water mark variance request after he was informed that the setback average can be utilized to get 35 feet from the ordinary high water mark. The home will be approximately 2000 sq ft. with an attached 20 x 30 garage. They are planning to remove the existing septic and install a holding tank. Will remove all other structures. The driveway grade would be lowered.
 - B. Kristin Kauth appeared and was sworn in. She wanted to see the map and plot plan layout. The BOA clarified her questions and concerns.
 - C. Dan Coopman appeared and was sworn in. He is the landowner to the west and has the garage that encroaches into Pecho's property. Dan wanted this to be put on hold while the civil suit is being investigated. BOA informed Dan of variance proceedings.
 - D. William Lester appeared and was sworn in. He read the Staff Report.

DATE 4-24-25 BY KR

Keith Pecho Public Hearing
April 22, 2025
Page Two

7. Correspondence

- A. Staff Report
- B. DNR Letter

8. Testimony closed at 1:00 PM

9. Deliberation/Discussion: Board discussed Findings of Fact -side.

- A. Unique physical limitation- lot size and layout.
- B. Harm to public interest- no harm, ample room for EMS and runoff.
- C. Unnecessary hardship- lot size/layout and reared setbacks

Decision: Moved by Ragen, seconded by Christianson, to grant a 4 foot variance from the required 10 foot setback to build 6 feet from the side lot line.

Roll Call Vote: Behrend, Christianson, Heise, Ragen, and Sleeter all voting aye, no nays, motion carried.

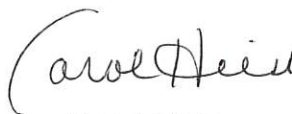
10. Deliberation/Discussion: Board discussed Findings of Fact -row

- A. Unique physical limitation- Applicant's desire for a larger lot
- B. Harm to public interest- none
- C. Unnecessary hardship- self created

Decision: Moved by Behrend, seconded by Heise to deny a 24 foot variance from the required 30 foot setback to build 6 feet from the road right of way.

Roll Call Vote: Behrend, Christianson, Heise, Ragen, and Sleeter all voting aye, no nays, motion carried.

11. Hearing adjourned at 1:05 PM



Carol Heise
Secretary



Alan Sleeter
Chair

William Lester
Assistant Zoning Administrator

DATE 4-24-25 BY KH

NOTICE OF DECISION AND ORDER
OCONTO COUNTY BOARD OF ADJUSTMENT (Chapter 14)

ROW
CASE NO: VA-20250007

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 & Brian Pecho, 2522 Stepien Ln., Sobieski, WI 54171
2. The petitioner is the owner of record of parcel number 042-2727099 located in Section 27, T33N, R15E, Town of Townsend.
3. The petition for variance was filed with the Board Secretary on March 19, 2025, noticed, as provided for by law, on April 2, 2025 and April 9, 2025, and a public hearing was held by the Oconto County Board of Adjustment on April 22, 2025.
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 **variance** under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance
6. The features of the proposed construction and property that relate to the grant or denial of the application are applicant is requesting a variance from the road right of way.

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

The Board has jurisdiction on this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance

Variance- The variance **does not** meet all three of the following tests:

1. The variance is not required due to physical limitations of the property rather than the circumstances of the appellant because the desire for a larger lot.
2. The variance will not harm the public interest.
3. Unnecessary Hardship is not present because it is self created.

For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The board of adjustment must consider the purpose of the zoning restriction, the zoning restriction's effect on the property, and the short-term, long-term and cumulative effects of a variance on the neighborhood, the community and on the public interests. This standard reflects the new Ziervogel and Waushara County decisions.

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

The requested **variance** consisting of a 24 foot variance from the required 30 foot setback to build 6 feet from the road right of way is hereby **denied**.

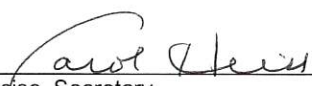
GENERAL CONDITIONS

The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts the 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.

Revocation. 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.

Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action of certiorari with the Circuit Court for Oconto County within 30 days after the filing of this decision. 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. When a floodplain variance is granted the applicant is made aware that the variance may increase risks to life, property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage.



Carol Heise, Secretary
Oconto County Board of Adjustment

4-22-25

Date

NOTICE OF DECISION AND ORDER
OCONTO COUNTY BOARD OF ADJUSTMENT (Chapter 14)

SIDE
CASE NO: VA-20250007

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 & Brian Pecho, 2522 Stepien Ln., Sobieski, WI 54171
2. The petitioner is the owner of record of parcel number 042-2727099 located in Section 27, T33N, R15E, Town of Townsend.
3. The petition for variance was filed with the Board Secretary on March 19, 2025, noticed, as provided for by law, on April 2, 2025 and April 9, 2025, and a public hearing was held by the Oconto County Board of Adjustment on April 22, 2025.
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 variance under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance
6. The features of the proposed construction and property that relate to the grant or denial of the application are applicant is requesting a variance from the side lot line.

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

The Board has jurisdiction on this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance

Variance- The variance does meet all three of the following tests:

1. The variance is required due to physical limitations of the property rather than the circumstances of the appellant because of lot size and layout.
2. The variance will not harm the public interest because there is no harm. There is ample room for EMS and runoff.
3. Unnecessary Hardship is present because lot layout/size and reared setbacks.

For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The board of adjustment must consider the purpose of the zoning restriction, the zoning restriction's effect on the property, and the short-term, long-term and cumulative effects of a variance on the neighborhood, the community and on the public interests. This standard reflects the new Ziervogel and Waushara County decisions.

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

The requested variance consisting of a 4 foot variance from the required 10 foot setback to build 6 feet from the side lot line is hereby granted.

GENERAL CONDITIONS

The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts the 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.

Revocation. 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.

Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action of certiorari with the Circuit Court for Oconto County within 30 days after the filing of this decision. 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. When a floodplain variance is granted the applicant is made aware that the variance may increase risks to life, property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage.



Carol Heise, Secretary
Oconto County Board of Adjustment

4-22-25

Date

DATE 4-24-25 BY KR

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
April 22, 2025

1. Hearing called to order at 1:08 PM
2. Roll Call: Present: Alan Sleeter, Chair
 Carol Heise, Vice-Chair & Secretary
 Elmer Ragen
 Dave Christianson
 Dave Behrend

Others Present: William Lester, Assistant Zoning Administrator
 Paul Seifert
 Scott Hampton
 Robert Habeck
3. William Lester read the Notice of Public Hearing pertaining to Townsend South Shore Hideaway LLC's application for Variance from the side lot line, the centerline of the road and the ordinary high water mark to rebuild the dwelling. Location of the property is in Section 23, T33N, R15E, Town of Townsend.
4. William Lester stated that the notice was mailed to the petitioner, DZA for posting, 8 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. William Lester stated that the petition was filed on March 10, 2025. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
 - A. Paul Seifert appeared and was sworn in. He stated he is requesting a variance from the side lot line, centerline of the road and ordinary highwater mark. The existing structure is 18 feet from the ordinary highwater mark, and they are proposing the new structure to be 30 feet from the ordinary high watermark. The current cabin is located 1.5 feet over the east side lot line, and they are proposing the new structure 8 feet from the side lot line. They are also requesting a 23 foot variance from the centerline of the road. Staff informed the board members of setback averaging from the ordinary high watermark. Bill also explained there is a 30 foot wide buildable window to reduce the road setback to half without a variance.
 - B. William Lester appeared and was sworn in. He read the Staff Report.
7. Correspondence
 - A. Staff Report
 - B. DNR Letter
8. Testimony closed at 1:22 PM
9. Deliberation/Discussion: Discussed there is no impact for snow removal and vision.

Townsend South Shore Hideaway LLC Public Hearing
April 22, 2025
Page Two

10. Decision: Deliberation/Discussion: Board discussed Findings of Fact -side
- A. Unique physical limitation- lot size & lot shape
 - B. Harm to public interest- increasing setback
 - C. Unnecessary hardship- lot size, lot shape & required setbacks

Decision: Moved by Christianson, seconded by Sleeter, to grant a 2 foot variance from the required 10 foot setback to build 8 feet from the side lot line.

Roll Call Vote: Behrend, Christianson, Heise, Ragen, and Sleeter all voting aye, no nays, motion carried.

11. Deliberation/Discussion: Board discussed Findings of Fact -centerline
- A. Unique physical limitation- lot size & shape
 - B. Harm to public interest- no impact to parking, snow removal, or vision
 - C. Unnecessary hardship- lot size & required setbacks

Decision: Moved by Sleeter, seconded by Christianson, to grant a 23 foot variance from the required 63 foot setback to build 40 feet from the centerline of the road.

Roll Call Vote: Behrend, Christianson, Heise, Ragen, and Sleeter all voting aye, no nays, motion carried.


12. Deliberation/Discussion: Board discussed Findings of Fact -ohwm
- A. Unique physical limitation- lot size & shape
 - B. Harm to public interest- increasing water setback
 - C. Unnecessary hardship- lot size and required setback

Decision: Moved by Heise, seconded by Christianson, to grant a 40 foot variance from the required 75 foot setback to build 35 feet from the ordinary high watermark.

Roll Call Vote: Behrend, Christianson, Heise, Ragen, and Sleeter all voting aye, no nays, motion carried.

13. Hearing adjourned at 1:32 PM


Carol Heise
Secretary


Alan Sleeter
Chair

William Lester
Assistant Zoning Administrator

DATE 4-24-25 BY VR

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

1. The petitioner is Townsend South Shore Hideaway LLC, 660A S Stonehedge Dr., Brookfield, WI 53045
2. The petitioner is the owner of record of parcel number 042-232315633F located in the SW ¼, SW ¼, Section 23, T33N, R15E, Town of Townsend.
3. The petition for variance was filed with the Board Secretary on March 10, 2025, noticed, as provided for by law, on April 2, 2025 and April 9, 2025, and a public hearing was held by the Oconto County Board of Adjustment on April 22, 2025.
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 variance under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance
6. The features of the proposed construction and property that relate to the grant or denial of the application are applicant is requesting a variance from the centerline of the road.

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

The Board has jurisdiction on this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance

Variance- The variance does meet all three of the following tests:

1. The variance is required due to physical limitations of the property rather than the circumstances of the appellant because of the lot size and unique shape.
2. The variance will not harm the public interest because there is no impact to parking, snow removal or vision.
3. Unnecessary Hardship is present because of the lot size and required setbacks.

For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The board of adjustment must consider the purpose of the zoning restriction, the zoning restriction's effect on the property, and the short-term, long-term and cumulative effects of a variance on the neighborhood, the community and on the public interests. This standard reflects the new Ziervogel and Waushara County decisions.

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

The requested variance consisting of a 23 foot variance from the required 63 foot setback to build 40 feet from the centerline of the road is hereby granted.

GENERAL CONDITIONS

The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts the 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.

Revocation. 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.

Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action of certiorari with the Circuit Court for Oconto County within 30 days after the filing of this decision. 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. When a floodplain variance is granted the applicant is made aware that the variance may increase risks to life, property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage.



Carol Heise, Secretary
Oconto County Board of Adjustment

4-22-25

Date

DATE 4-24-25 BY KR

NOTICE OF DECISION AND ORDER
OCONTO COUNTY BOARD OF ADJUSTMENT (Chapter 26)

OHWM
CASE NO: VA-20250006

FINDINGS OF FACT: Having heard the testimony and considered the evidence presented, the Board determines the facts of this case to be:

1. The petitioner is Townsend South Shore Hideaway LLC, 660A S Stonehedge Dr., Brookfield, WI 53045
2. The petitioner is the owner of record of parcel number 042-232315633F located in the SW ¼, SW ¼, Section 23, T33N, R15E, Town of Townsend.
3. The petition for variance was filed with the Board Secretary on March 10, 2025, noticed, as provided for by law, on April 2, 2025 and April 9, 2025, and a public hearing was held by the Oconto County Board of Adjustment on April 22, 2025.
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 variance under the provisions of Section 26.601 of the Oconto County Shoreland Protection Ordinance.
6. The features of the proposed construction and property that relate to the grant or denial of the application are applicant is requesting a variance from the ordinary high water mark.

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

The Board has jurisdiction on this matter under the provisions of Section 26.1405 of the Oconto County Shoreland Protection Ordinance.

Variance- The variance does meet all three of the following tests:

1. The variance is required due to physical limitations of the property rather than the circumstances of the appellant because of the lot size and shape.
2. The variance will not harm the public interest because they are increasing the setback from the water.
3. Unnecessary Hardship is present because of the lot size and required setbacks.

For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The board of adjustment must consider the purpose of the zoning restriction, the zoning restriction's effect on the property, and the short-term, long-term and cumulative effects of a variance on the neighborhood, the community and on the public interests. This standard reflects the new Ziervogel and Waushara County decisions.

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

The requested variance consisting of a 40 foot variance from the required 75 foot setback to build 35 feet from the ordinary high water mark is hereby granted.

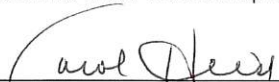
GENERAL CONDITIONS

The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts the 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.

Revocation. 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.

Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action of certiorari with the Circuit Court for Oconto County within 30 days after the filing of this decision. 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. When a floodplain variance is granted the applicant is made aware that the variance may increase risks to life, property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage.



Carol Heise, Secretary
Oconto County Board of Adjustment

Date 4/22/25

NOTICE OF DECISION AND ORDER
OCONTO COUNTY BOARD OF ADJUSTMENT (Chapter 14)

SIDE
CASE NO: VA-20250006

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

1. The petitioner is Townsend South Shore Hideaway LLC, 660A S Stonehedge Dr., Brookfield, WI 53045
2. The petitioner is the owner of record of parcel number 042-232315633F located in the SW ¼, SW ¼, Section 23, T33N, R15E, Town of Townsend.
3. The petition for variance was filed with the Board Secretary on March 10, 2025, noticed, as provided for by law, on April 2, 2025 and April 9, 2025, and a public hearing was held by the Oconto County Board of Adjustment on April 22, 2025.
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 variance under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance
6. The features of the proposed construction and property that relate to the grant or denial of the application are applicant is requesting a variance from the side lot line.

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

The Board has jurisdiction on this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance

Variance- The variance does meet all three of the following tests:

1. The variance is required due to physical limitations of the property rather than the circumstances of the appellant because of the lot size and lot shape.
2. The variance will not harm the public interest because they are increasing the side yard setback.
3. Unnecessary Hardship is present because of the lot size, shape and required setbacks.

For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restrictions unnecessarily burdensome. The board of adjustment must consider the purpose of the zoning restriction, the zoning restriction's effect on the property, and the short-term, long-term and cumulative effects of a variance on the neighborhood, the community and on the public interests. This standard reflects the new Ziervogel and Waushara County decisions.

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

The requested variance consisting of a 2 foot variance from the required 10 foot setback to build 8 feet from the side lot line is hereby granted.

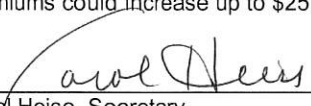
GENERAL CONDITIONS

The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits. The zoning administrator is directed to issue a zoning permit incorporating these conditions and certifying by the petitioner/applicants signature that he/she understands and accepts the 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.

Revocation. 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.

Appeals. This decision may be appealed by a person aggrieved by this decision or by any officer, department, board or bureau of the municipality by filing an action of certiorari with the Circuit Court for Oconto County within 30 days after the filing of this decision. 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. When a floodplain variance is granted the applicant is made aware that the variance may increase risks to life, property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage.


Carol Heise, Secretary
Oconto County Board of Adjustment

4-22-25
Date