

ONEIDA COUNTY BOARD OF ADJUSTMENT
PUBLIC HEARING SUMMARY
MAY 22, 2023 1:00 PM

Chair Lee called the meeting to order at 1:00 PM in accordance with the Wisconsin Open Meeting Law.

Roll call of Board members present: Mr. Albert, “here”; Mr. Ross, “here”; Mr. Pazdernik, “here”; Mr. Viegut, “here”; and Mr. Lee, “here”.

Members absent: Mr. Hansen

County staff members present: Todd Troskey, Assistant Director and Julie Petraitis, Program Assistant.

Other individuals present: See Sign in Sheet.

Chair Lee stated that the meeting will be held in accordance with Wisconsin open meeting law and will be tape-recorded and sworn testimony will be transcribed. The Board of Adjustment asks that only one person speak at a time because of the difficulty in transcribing when several people are talking at once. The Board of Adjustment consists of five regular members and two alternates. Anyone wishing to testify must identify themselves by name, address, and interest in the appeal and shall be placed under oath.

Chair Lee swore in Todd Troskey, Chad Suski and Jamie Harkner.

Mr. Lee stated the procedure for the hearing would be testimony from the Appellant(s), then the County, any public comment; back to the Appellant (s), County and then close the meeting from any further testimony. The Board will then deliberate. If they have any questions they will ask them and ask that only address that question. The Appellant(s) may stay for the deliberation.

The Board of Adjustment will conduct an onsite inspection of the property involved in this appeal beginning at approximately 10:00 to 10:45 am prior to the hearing. Pertinent property boundaries and locations of existing and proposed structures shall be clearly identified. A representative or the appellant must be present. The inspection shall be open to the public. Following the adjournment of the public hearing, the Board will vote in open session for a decision on this appeal. Information on the decision can be had by calling or visiting the Planning and Zoning Office during normal business hours on or after the next or a later day set by the Board at the hearing. The appellant will be notified of the decision via certified mail.

Copies of appeals and related documents are available for public inspection during normal business hours at the Planning and Zoning Office, Oneida County Courthouse, Rhinelander, WI 54501. The Oneida County Zoning & Shoreland Protection Ordinance is available on the internet at www.co.oneida.wi.us. All appropriate media outlets were

notified and the inspection was conducted between 10:00 a.m. and 10:45 am. this morning, May 22, 2023 at property located at 2142 Sunset Dr., further described as Lot 44 Cozy Point Plat, Section 35, T36N, R6E, PIN NO 1179, Town of Nokomis, Oneida County, Wisconsin. Board members were present at the onsite along with Todd Troskey, Assistant Zoning Director of the Planning and Zoning Department, Chad Suski and Jamie Harkner, owners. Observations by the Board: The property lines were adequately marked. The road right-of-way was not marked, but they measured from the centerline; the well and sanitary facilities were located; they are beyond where the garage was proposed. The outline of the proposed construction was adequately marked. The side boundary is greater than ten feet. The right-of-way is about 60 feet. It is about 48 feet to centerline of road. The topography and condition of land, the ditch and construction area have erosion. Significant fill is needed for the garage and cement work. What the Board saw from the staff report is the property is within 1000 feet of Lake Nokomis.

Chair Lee informed the Appellant (s) how the hearing will be handled. He stated that the Board has to consider the three criteria, in which all three need to be met in order to grant a variance and the Appellant should be sure to address those in their testimony.

Mr. Suski began his testimony by stating that he wanted a bigger garage, but that will not fit in his area. He wants to get all their things inside the garage so nobody has to see their “junk”. It is that simple. In the future, with their contours, they will never be able to store trailers or anything on their property.

Mr. Lee stated that Mr. Suski went to the Town of Nokomis and got a letter from them stating they had no problem with where he wanted to put the garage.

Mr. Suski said that is correct.

Mr. Troskey began his testimony by stating that on his staff report he stated that more fill may need to be added in a different area where the setback could be met. He had not been out to the property, the slope continues to go down past the septic system. Getting a different driveway in around the back side of the septic system and then placing the garage there is possible. It may be a little bit more difficult than the currently proposed location. The only other comment is the proposal is for a 32 x40 garage. From the County’s perspective, the garage could be smaller and potentially fit in a different area.

Ms. Harkner testified that it is a nice neighborhood and they want to have room. There may be some other spots for the garage but they do not want to have to put a driveway going in and out of the road. There are a lot of little kids and a lot of people walking. They want it to look nice.

Chair Lee asked if there was anything else.

Mr. Troskey mentioned again that they could build a smaller garage.

Mr. Lee asked why Mr. Suski changed the entrance so that it comes off parallel to the road.

Mr. Suski said there was no need for a wider driveway and it is safer.

Mr. Ross asked how much the variance is for.

Mr. Troskey stated that as it is staked out, with the overhang of two (2) feet, the building is seven (7) feet from the property line (right-of-way).

Mr. Pazdernik asked if they really need a garage that large.

Mr. Suski said they do not have an attached garage. They are going to move to this location someday. They fill up quick.

Mr. Ross asked if there were any consequences with a steep slope of the septic being down below and will the structure do anything for the septic drainage.

Mr. Troskey stated that the County would request that and water being shed off the roof be diverted away from the septic area so it would not settle on the dispersal area.

Mr. Suski stated that they have gutters on the cabin and they would definitely put them on the garage.

Chair Lee closed the public portion of the public hearing.

Motion by Norris Ross, second by Phil Albert to grant the variance as they have been very conscience with thinking this through and the Town of Nokomis has no issues with the location of the proposed building. With all members present voting “aye”, the motion carried.

1:20 p.m. Chair Lee adjourned the meeting.

Harland Lee, Chairperson

Phil Albert, Secretary