

ONEIDA COUNTY BOARD OF ADJUSTMENT
PUBLIC HEARING SUMMARY
AUGUST 10, 2023
COMMITTEE ROOM #2, 2ND FLOOR
ONEIDA COUNTY COURTHOUSE

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. Hansen, Mr. Ross, Mr. Pazdernik, Mr. Viegut, Mr. Chronister and Mr. Lee

Members absent: None

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, Bradley Hjorth and Sandy Hjorth.

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 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,

Rhineland, 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 this morning, August 10, 2023, at property located at 6542 Hideaway Lane, further described as Neuville's Joy Camp Lot 1, part Government Lot 1, Section 18, T38N, R6E, PIN HA 842, Town of Hazelhurst, Oneida County, Wisconsin. Board members were present at the onsite along with Todd Troskey of the Planning and Zoning Department, Bradley and Sandy Hjorth, owners, and a neighbor. Observations by the Board: The property boundaries were not adequately marked but it was not relative; the road and right-of-way were marked; sanitary facilities were marked; outline of proposed construction site was adequately marked. The distance from the proposed structure to the ordinary high water mark was 75'; the distance to the right-of-way was 8' at the closest point and 16' at the furthest point; the distance to the centerline of road was 45'. The topography and condition of the land surface. There was no evidence of significant erosion on site. The existing structure is a home and walkway and stairs to the lakeshore.

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.

Ms. Hjorth began her testimony by addressing the "hardship". Without the requested variance there is no reasonable ability to have a free standing garage on the property to protect their assets; vehicles, boats from harm, weather, or theft.

Mr. Hjorth continued by stating it is a unique property, with the peninsula, it really leaves them with no options of doing anything else and being able to put something there to protect their stuff and also, they get a lot of traffic there. People think the private access is a public landing. People try to unload their boats on their property. They want to be able to have a garage to lock their things in. They did try to measure other locations for a garage, but that did not work. They were led to believe that putting a garage up would not be a problem.

The physical property limitations: the property is a pie shaped peninsula restricted by a 75' setback to the ordinary high water mark in all areas, except the identified area. This is the only area where they could make the 75' setback to the water.

No harm to public interest: The property is at the end of the road. As far as turn-around he does not see it as being a problem.

Mr. Troskey began his testimony by stating that this is not different from other garage proposals in the past. Basically, from the County's standpoint the property already has a house on it and therefore reasonable use of the property already exists. As far as public interest, it is the same argument as previously where NR 115 is concerned about runoff into bodies of water and the potential impacts that more structure footprint has for each individual lot from a sedimentation and runoff standpoint in filtering of nutrients. The property, again, has been used for many years and reasonable use has been established.

Discussion was held on alternative locations for the garage.

1:20 pm. Chair Lee closed the public portion of the public hearing.

Motion by Norris Ross, second by Mike Pazdernik to grant the variance as requested. With all members voting “aye” on a roll call vote, the motion carried.

1:25 p.m. Chair Lee adjourned the meeting.

Harland Lee, Chairperson

Phil Albert, Secretary

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