

Oneida County Board of Adjustment
Thursday, November 15, 2012
8:30 am – 1st Floor Conference Room, 1st Floor
Oneida County Courthouse, Rhinelander WI 54501

Chairman Harland Lee called the meeting to order at 8:30 a.m. in accordance with the Wisconsin Open Meeting Law.

Roll call of Members

Harland Lee “here”, Guy Hansen “here”, Phil Albert “here”, Jack Young “here”, Robert Rossi, “here”, Norris Ross, “here.” John Bloom is excused from today’s meeting.

County Staff members present: Peter S Wegner, Assistant Zoning Director; Brian Desmond, Corporation Counsel; Lila Dumar, Secretary III.

Approve the agenda

Motion by Guy Hansen, second by Phil Albert, to approve the agenda. With all members voting “aye”, the motion carried.

Review/discuss Appeal 08-011 of Curtis Jelinek

Curtis Jelinek is present. Mr. Albert read into the record, the motion that was made at the previous Board of Adjustment meeting on October 4, 2012.

“To require Mr. Jelinek to obtain permits and excavate for the foundation & septic system prior to the Board of Adjustment meeting on November 15, 2012. If he is successful, he can come back to the Board of Adjustment with permit and the Board of Adjustment will consider an extension to the spring of 2013.”

Mr. Jelinek provided photos to the Committee. Mr. Jelinek stated he has obtained four permits—zoning permit, shoreland alteration permit, UDC permit, and a sanitary permit. The septic system has been installed and excavation has begun for the foundation. Mr. Jelinek feels that he has complied with the Board’s motion.

Peter S. Wegner, Assistant Zoning director, agreed with Mr. Jelinek. Mr. Wegner stated that the Department is satisfied with Mr. Jelinek’s progress.

Motion by Jack Young, second by Robert Rossi, to grant an extension for Mr. Jelinek to commence his project to June 1, 2013. With all members voting “aye” the motion carried. To clarify, Mr. Jelinek will recommence construction in the May, 2013; and the permit will run for 2 years.

Approve minutes of previous meetings and hearings as available.

Motion by Guy Hansen, second by Norris Ross, to approve the meeting minutes of the June 12, 2012 business meeting; and the June 12, 2012 public hearing. With all members voting “aye” the motion carried.

Motion by Jack Young, second by Robert Rossi, to approve the meeting minutes of the June 19, 2012 business meeting; and the June 19, 2012 public hearing. With all members voting “aye” the motion carried.

Consider status of previous cases.

Jaros There was a discussion on a recent newspaper article. Jaros has requested an update on case law that has developed for the past 18 months. Brian Desmond, Corporation Counsel, explained that this is a gentle way for Jaros to remind the Judge that it has been a long time since the Judgment Summary Briefs were submitted to the Court.

Update on zoning statutes and ordinance amendments.

Piers The County will continue to regulate piers. The Planning and Development Committee has directed staff to implement some changes that were brought out at the public hearing for their consideration. This is currently in process.

Flat-roofed boathouses. The Planning and Development Committee had considered allowing flat roofed boathouses; there was discussion for and against. The Planning and Development Committee will have this on a future agenda for further consideration.

Consider current and pending appeals to BOA.

The Board of Adjustment discussed Appeal #12-008 of Mark and Julia McDonald. Chairman Harland Lee canceled the public hearing that was scheduled for today because there is a question of jurisdiction. Time is needed for the attorneys involved to prepare briefs to be considered by the Board, which will take several months. It is anticipated that the Board will consider the briefs at a meeting on January 8, 2013. In addition, It may be necessary for the Board to hire independent counsel for this appeal.

Peter S Wegner, Assistant Zoning Director, reported that he has approximately 6 future appeals that will be coming forward in the winter months.

Review/revise meeting/hearing calendar.

Meetings were scheduled as follows: November 28, 2012; December 11, 2012; January 8, 2013; and January 22, 2013.

9:10 a.m. - On a motion by Phil Albert, second by Guy Hansen, the meeting was adjourned.