

ONEIDA COUNTY BOARD OF ADJUSTMENT  
PUBLIC HEARING SUMMARY  
DECEMBER 7, 2023 1:00 PM  
COMMITTEE ROOM #2, 2<sup>ND</sup> FLOOR  
ONEIDA COUNTY COURTHOUSE

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

Roll call of Board members present: Mr. Ross, “here”; Mr. Pazdernik, “here”; Mr. Viegut, “here”; Mr. Chronister, “here”; Mr. Petersen, “here”; and Mr. Hansen, “here”.

Members absent: Mr. Lee

County staff members present: Todd Troskey, Assistant Director; Julie Petraitis, Program Assistant and Monique Taylor, Administrative Support

Other individuals present: See Sign in Sheet.

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Vice-Chair Hansen 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.

Vice-Chair Hansen swore in Mark Tilque and Todd Troskey.

Mr. Hansen 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.

An onsite inspection was conducted at approximately 10:00 a.m. this morning, December 7, 2023, at 7219 Bonkowski Road, further described as Section 3, T38N, R11E, Northwoods Plat, Lot 56, PIN TL 2299, Town of Three Lakes, Oneida County, Wisconsin. All Board members, except Harland Lee were present at the onsite along with Todd Troskey of the Planning and Zoning Department, Mark Tilque, owner and Kevin Hodgson, neighbor.

Observations by the Board: The property boundaries were not marked, but the owners stated that the fence line marked the NW lot line and the stones marked the SE lot line. The sewer is on the east side of the garage. The well was not located. The owner stated that the well is located in the box by the fence. He will be drilling a new well. The outline of the proposed construction was adequately marked. There was no boundary markers. The measurements from the Ordinary High Water Mark to the house was 25’

and to the back of the house was 55'. Where the cabin is, the land is flat and drops off to the lake. The water runs off on the south side of the home. A French drain will be installed, if permissible. There is a house and garage existing on the property.

Vice-Chair Hansen 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. Tilque began his testimony by stating that there are three aspects of unnecessary hardship, in his opinion. To build in the same footprint is not really efficient, from a construction standpoint. Making it rectangular instead of going in and out makes more sense.

Mr. Hansen asked Mr. Tilque if the structure is heated. Mr. Tilque said there is no furnace in the cabin. He heats with a wood burning stove.

Mr. Hansen asked if there is running water in the structure. Mr. Tilque state there are pipes on the outside of the building running to the bathroom and kitchen for water. He is going to be drilling a new well.

Mr. Troskey began his testimony by stating that the structure could be replaced within the existing footprint, which would give him the same reasonable use of the property that has been in existence for numerous years.

Where the utilities are located is not considered a hardship.

The upper deck is considered an expansion of the footprint of the existing structure. This is similar to the Bergman appeal for a second story deck, which was denied.

Mr. Petersen added that in 2018 there was a variance granted for a garage.

Mr. Troskey stated that at that time there was no discussion about the size of the living area, which could have affected the garage variance decision.

Mr. Tilque responded that the second level is a basic second level. There is no "fluff" about it.

1:38 pm. Vice-Chair Hansen closed the public portion of the public hearing.

The Board held a discussion on the possible ways to allow Mr. Tilque a year around use of the structure without creating additional impervious surface.

Motion by Guy Hansen, second by Jeff Viegut to grant the appeal with the following conditions:

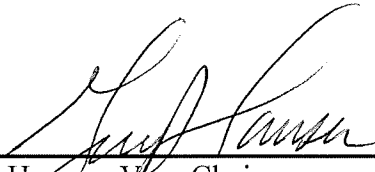
- a. Square off the building on the south east side, away from the lake, as proposed.
- b. No second (2<sup>nd</sup>) story deck to be added.
- c. Reduce the front deck to the size depicted on the 2018 survey.

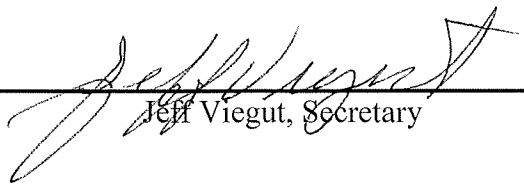
- d. Locate the chimney within the existing footprint.
- e. Install an in-ground water containment system equivalent to 420 square feet of impervious surface.

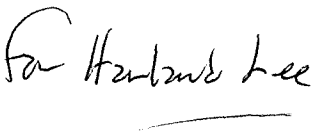
On roll call vote: Mr. Ross, “nay”; Mr. Pazdernik, “aye”; Mr. Viegut, “aye”, Mr. Chronister , “aye” and Mr. Hansen, “aye”. The motion passed.

**1:55 p.m. Vice-Chair Hansen adjourned the meeting.**

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Guy Hansen, Vice-Chair

  
Jeff Viegut, Secretary

  
for Harland Lee