MINUTES OF THE NEENAH BOARD OF APPEALS
Tuesday, July 20, 2026
3:00 p.m.

Members:

Denise Burkett, Chairperson	PRESENT	Gail Dolan, Vice Chairperson	PRESENT	Robert Wedge	ABSENT
Ken Bonkoski	PRESENT	Peter Allen	PRESENT	Jim Hemes	PRESENT

Also Present:

Brad Schmidt, Deputy Director of Community Development	Samantha Jefferson, Community Development Specialist of Community Development	Ald. Brian Defferding
Salvador Tapia 1202 Bismark Avenue Oshkosh, WI, 54902	Tita Tapia 1202 Bismark Avenue Oshkosh, WI, 54902	

Minutes: MSC, Hemes/Bonkoski the Board, to approve the June 16, 2026 meeting minutes. All voting aye. Motion passed.

Roll Call and Declaration of Quorum: Chairperson Burkett called the meeting to order at 3:02 p.m. and indicated a quorum of the Board was in attendance. Chairperson Burkett proceeded to read the Announcement of Proceedings for the Boards of Appeals meeting and swore in the members of the Board.

1. Variance Request – 643 Jackson Street – Section 26-152(1) – Front Yard Setback and Section 26-440(a)-minimum lot size.

   Deputy Director Schmidt went over the variance request of 643 Jackson Street from Section 26-152(1) and Section 26-440(a). The applicant is requesting a variance to construct a single-family home on the property.

   Chairperson Burkett swore in the applicant Salvador Tapia and turned the floor over to the Applicant.

   Applicant Salvador Tapia stated the request for a variance is due to the lot being small and irregularly shaped. The applicant is requesting the reduction of the minimum lot size from 5,400 feet to 3,900 feet and the reduction in the front yard setback (south property line) from 23 feet to 14 feet.

   Deputy Director Schmidt explained that the average setback for the block north of the property is 16 feet and the average setback for the properties east of the property is 23 feet. The Zoning Code requires substandard lots, based on dimensions or area, to meet 75% of the district minimum requirements to be used for single-family purposes. The minimum lot size for the R-1

District is 7,200 square feet. To rebuild the property, the minimum lot size must be at least 5.400 square feet.

Chairperson Burkett explained in the Board's deliberations and when deciding whether to grant the variance, there are three tests to look at for the request. The first is the presence of a unique physical limitation. She stated there needs to be something unique about this lot that distinguishes it from other lots. The next test is if the request would harm the public interest. The last test is whether an unnecessary hardship exists when compliance with the setback standards unreasonably prevents the owner from using the property or would render conformity with such restrictions unnecessarily burdensome. She stated these are state regulations.

Deputy Director Schmidt went over the tests and outlined what was in his memo. He stated the physical limitations would be that the property was originally platted in the 1920's. The existing home was constructed shortly after. During that time, the City did not have minimum lot size requirements. The lot is small, on a corner and is irregularly shaped. It is unlikely a modern home could be built on the property without a variance. Also, the home construction would be unlikely to harm public interest as a home has existed on the property for over 100 years and other substandard lots exists in the neighborhood where the minimum lot size is less than current standards. Only a small portion of the garage will encroach into the front yard setback. Finally, without the variance, there would be no viable use of the property.

Chairperson Burkett turned it to the board for comments. Seeing no discussion, Chairperson Burkett closed the discussion.

Motion by Member Bonkowski, to approve the variance request for the applicant at 643 Jackson Street to reduce the front yard setback and minimum lot size under the condition that the current structure on the property is removed. The motion was seconded by Member Allen. 5-0 vote with Members Burkett, Dolan, Allen, Hemes, and Bonkowski voting aye.

<u>Announcements and Future Agenda Items:</u> None

<u>Adjournment:</u> The Board adjourned its meeting at 3:14 p.m. MSC Hemes. All voting Aye. Motion passed.

Respectfully Submitted,

Samantha Jefferson
Community Development Specialist, Department of Community Development