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BOARD OF ADJUSTMENT PUBLIC HEARING
JULY 27, 2006
COUNTY BOARD ROOM, BAYFIELD COUNTY COURTHOUSE
WASHBURN, WISCONSIN

Notice is hereby given that a public hearing will be held on Thursday, July 27, 2006 at 9:00 a.m. in the County Board Room of the Bayfield County Courthouse, Washburn Wisconsin relative to the following item(s):

James W. & Christine E. Torke are seeking a **variance** from the terms of Section 13-1-40(c)(4)c 2, (4a) of the Bayfield County Zoning Ordinance. These sections state:

Sec. 13-1-40 Nonconforming Uses and Structures.

(c) Nonconforming Buildings and Structures.

(4) Additional Requirements for Nonconforming Buildings and Structures on Shoreland Lots. Except as otherwise provided in paragraphs (4a) and (4b), nonconforming buildings and structures on inland lake lots shall be subject to paragraphs (c)(2) and (3) of this Section, and in addition thereto, principal buildings and structures on such lots of six hundred (600) square feet of enclosed dwelling space or larger shall be subject to the following provisions of this paragraph:

c. With respect to such structures located forty (40) or more feet but less than seventy-five (75) feet from the ordinary high water mark.

2. The addition shall be within the existing footprint or landward thereof and shall not increase the existing footprint by more than fifty percent (50%) nor increase the resulting footprint (of the existing structure and addition combined) beyond one thousand five hundred (1,500) square feet (but this provision does not prohibit an addition to a structure whose existing footprint is more than one thousand five hundred (1,500) square feet if the addition does not increase the footprint);

(4a) Additional Requirements for Nonconforming Buildings and Structures in Planned Unit Developments and Other Multiple Unit Developments.

a. Except as otherwise provided in paragraph (4b), nonconforming buildings and structures in planned unit developments, condominium developments, or other developments including a multiple unit dwelling, hotel, motel, or resort, shall be subject to paragraphs (c) (2) and (3) of this section, and the provisions of Section 13-1-40 (c) (4) a, b, and c, (but not d) shall apply to such buildings and structures which are nonconforming with respect to shoreline setback, except that paragraph 13-1-40 (c) (4) c shall apply to such structures located 40 or more feet but less than 200 feet from the ordinary high water mark. The expansions and improvements permitted under said provisions shall be permitted even if the development is nonconforming with respect to open space requirements.

b. Mitigation measures described in 13-1-40 (c) (5) c.1, 2, and 3 shall be applied to the percentage of a development's shoreline equal to the percentage interest in the development owned by the owner of the expanded structure, either in front of the expanded structure or spread out over other portions of the shoreline.

c. New structures added to a development existing as of September 25, 2001, after such date shall meet the requirements applicable to new developments contained in 13-1-32 (e).

Mr. Torke is requesting a variance from the above referenced sections to allow an addition which would not be landward. Mr. Torke wishes to construct a 14' x 16' dining room, a 6' x 8' entry hall, a 9' x 10' screened porch, as well as a hallway from the kitchen to the dining room, and a small laundry room to the West. In addition he wishes to add an additional 2' wide bay to the South. Mr. Torke would be allowed a 400 sq. ft. addition as stated on the condo plat; however the requirement would have to be on the landward side.

His property is described as parcel (ID# 034-1133-01-010) Unit 10, Garmisch USA Condominium, located in Section 14, Township 43 N, Range 6 West, Town of Namakagon, Bayfield County, WI.

Michael G. Teff is requesting a special exception as authorized under the terms of Section 13-1-22(j) of the Bayfield County Zoning Ordinance. This section states: Special Exceptions. Minimum side and rear yard setbacks (other than shoreline and public road setbacks) and minimum private road setbacks may be reduced, and side and rear yard setbacks (other than shoreline and public road setbacks) in commercial districts may be eliminated, by special exception granted by the Board of Adjustment pursuant to Section 13-1-102-(e)(4). The special exception as authorized under this section is to construct a 24' x 30' storage building 20' from a privately constructed road instead of the required 40' as required in Section 13-1-22(b)(2).

The property is described as a 16.57-acre parcel (ID# 018-1040-04-002), described as that part of Gov't Lot 3 & 4, more particularly described as Lot 2, CSM # 001020 as recorded in Vol. 6 of CSM, Page 326-327, Section 30, Township 44 N, Range 7 West, Town of Drummond, Bayfield County, WI.

Town of Keystone, owner and George Koval, Town Chairman, agent are requesting a special exception as authorized under the terms of Section 13-1-22(j) of the Bayfield County Zoning Ordinance. This section states: Special Exceptions. Minimum side and rear yard setbacks (other than shoreline and public road setbacks) and minimum private road setbacks may be reduced, and side and rear yard setbacks (other than shoreline and public road setbacks) in commercial districts may be eliminated, by special exception granted by the Board of Adjustment pursuant to Section 13-1-102-(e)(4). The special exception as authorized under this section is to construct a 20' x 60' addition to the existing non-conforming building 7' from the West property line instead of the required 30' as required in Section 13-1-60(a).

The property is a 1-acre (substandard lot of record) parcel (ID# 028-1011-01), located in part of the SE ¼ of the SE ¼, Section 23, Township 47 N, Range 6 West, Town of Keystone, Bayfield County, WI.

Status Report: Discussion of any court decisions for cases under review since the last meeting of the Board. (i.e. Bourassa, Save Our Lake (Ecton))

The Board of Adjustment agenda shall be as follows:

9:00 a.m.	Call to Order
9:00 – 9:15 a.m.	Review of materials contained in files of the above cases
9:15 a.m.	Acceptance of oral or written testimony from interested parties

Upon exhaustion of public input, notice is served that the Board of Adjustment pursuant to Section 19.85 (1)(a) Wisconsin Statutes may convene in closed session to deliberate on one or more of the above cases. Following any such deliberation, the Board will reconvene in open session to render and announce their decisions.

STEPHEN W. COLLINS, CHAIRMAN, BAYFIELD COUNTY BOARD OF ADJUSTMENT

Note: Any person aggrieved by any decision of the Board of Adjustment, or a taxpayer, or any officer, department, board or bureau of the municipality, may within 30 days after the filing of the decision in the office of the board, commence an action seeking the remedy available by writ of certiorari.