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BOARD OF ADJUSTMENT PUBLIC HEARING
AUGUST 27, 2009
COUNTY BOARD ROOM, BAYFIELD COUNTY COURTHOUSE
WASHBURN, WISCONSIN

Notice is hereby given that a public hearing will be held on **Thursday, August 27, 2009** at 9:00 a.m. in the County Board Room of the Bayfield County Courthouse, Washburn Wisconsin relative to the following item(s):

Ronald Tanko has requested a **variance** from the terms of Section 13-1-40(c)(4) a & b of the Bayfield County Zoning Ordinance. This section requires:

- a. With respect to such structures located less than forty (40) feet from the ordinary high water mark:
 - 1. Internal improvements shall be confined to the building envelope and may be constructed without a land use permit.
 - 2. Except as provided in subparagraph b., no new foundations of any kind, additional stories, other expansion, or accessory construction shall be permitted. For the purpose of this section of the Ordinance, repair of 25% or more of the lineal perimeter of the foundation shall be considered a replacement or new foundation and not a repair.
 - 3. Exterior improvements shall be limited to those which do not change the size or shape of the structure, except that a flat roof may be replaced by a pitched roof, provided that the additional space under the pitched roof may not be used for living area, storage, or other purpose.
 - 4. The mitigation requirements of paragraph (5) below are complied with.
- b. With respect to structures located twenty (20) or more feet but less than forty (40) feet from the ordinary high water mark, a life time maximum of one hundred seventy-five (175) square feet of enclosed dwelling space and located on the landward side of the structure, shall be permitted if the resulting structure's resulting height does not exceed twenty-six (26) feet, its footprint does not exceed one thousand five hundred (1,500) square feet, its roof overhang does not exceed one thousand nine hundred (1,900) square feet, its enclosed dwelling space does not exceed two thousand five hundred (2,500) square feet, and a plan meeting all of the following requirements is submitted to and approved by the Bayfield County Zoning Department and is fully implemented and complied with:
 - 1. The septic system shall be upgraded in accordance with COM 83, Wis. Adm. Code, and the Bayfield County Sanitary Private Sewage Ordinance.
 - 2. Water runoff from the structure shall be handled in accordance with best management practices.
 - 3. A shoreline vegetation protection area shall be established and maintained for at least one-half of the distance from the ordinary high water mark to the structure. Any natural vegetation located closer to the structure than one-half the distance from the ordinary high water mark shall also be maintained.

4. The mitigation requirements of paragraph (5) below are complied with.

Applicant wishes to demolish the existing 12' x 20' (240 sq. ft.) garage addition and seek a variance to repair 16' of adjoining foundation wall; construct a 30' x 30' (900 sq ft) two (2) car garage addition on the North side of existing structure; and add a 8.5' x 20.5' (174.25 sq. ft.) deck to the East side of proposed garage. The existing structure is 34.5' from an unnamed navigable stream.

Property is a 0.62-acre parcel (ID# 04-002-2-48-04-07-2 05-002-01000), described as N 150' of parcel in Gov't Lot 2 in V. 1017 P. 119, Section 7, Township 48 N, Range 4 W, Town of Barksdale, Bayfield County, WI.

Status Report: Discussion of any court decisions for cases under review since the last meeting of the Board. (i.e. Pollock Lake)

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

Any person wishing to attend who, because of a disability, requires special accommodations, should contact the Planning and Zoning office at 373-6138, at least 24 hours before the scheduled meeting time, so appropriate arrangements can be made.

RANDY MATIS, CHAIRMAN, BAYFIELD COUNTY BOARD OF ADJUSTMENT

Upon the completion of the public hearings, notice is served that the Board of Adjustment pursuant to Sec.19.85 (1) (g) may go into closed session to confer with legal counsel for the Board who is rendering oral or written advice concerning strategy to be adopted by the Board with respect to litigation in which it is or is likely to become involved.

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.