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**BOARD OF ADJUSTMENT PUBLIC HEARING**  
**OCTOBER 1, 2009**  
**COUNTY BOARD ROOM, BAYFIELD COUNTY COURTHOUSE**  
**WASHBURN, WISCONSIN**

Notice is hereby given that a public hearing will be held on **Thursday, October 1, 2009** at 9:00 a.m. in the County Board Room of the Bayfield County Courthouse, Washburn Wisconsin relative to the following item(s):

**Vince Beacom, owner and Tim Brown, agent** are requesting a special exception from the terms of Section 13-1-22(b) of the Bayfield County Zoning Ordinance. This section requires:

(b) **Highway Setbacks.**

- (2) **Private Road Setbacks.** Structural setbacks from privately constructed streets or roads, including those located on easements providing access to other lots, shall be forty (40) feet from the centerline of the street or road.

Applicants seek to construct a new 80' x 32' residence (2,315 sq ft); with deck (630 sq ft); porch (256 sq ft); and attached garage (1,440 sq ft). The new residence would be 28' from the centerline of Ponders Point Rd (private easement) instead of the 40' requirement.

Property is a 1.68-acre parcel (ID# 04-012-2-43-07-05-1-05-001-03000), described as Lots 1 & 2 of CSM # 367, Section 5, Township 43 N, Range 7 W, Town of Cable, Bayfield County, WI.

**Pursuant to Sec 13-1-102A(h)(2) of the Bayfield County Ordinance the Bayfield County Zoning & Planning Department will request that the Board of Adjustment on its own motion reconsider its decision from the July 2009 meeting in the Nancy Walsh and Linda Mackley variance case.** The reason for the request for reconsideration is that one of the conditions of the variance in the above case required that the applicants and at least three-fourths of the condominium association do certain things. The condominium association has refused to abide by the condition.

This matter may or may not require a public hearing with additional evidence. If the board determines that additional evidence is necessary then the public hearing shall occur at some date in the future as determined by the board otherwise the only purpose of the October 1, 2009 meeting of the Board of Adjustment as related to this case is the issue of reconsideration of the prior decision. In regard to that reconsideration issue, the board may need to decide whether the prior Conditional Use Permit (CUP) allowing mobile homes has been terminated to non-use and that decision may occur at the October 1, 2009 meeting.

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

The Board of Adjustment agenda shall be as follows:

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|------------------|---|
| 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.