

BOARD OF ADJUSTMENT PUBLIC HEARING
OCTOBER 28, 2010
COUNTY BOARD ROOM, BAYFIELD COUNTY COURTHOUSE
WASHBURN, WISCONSIN

Notice is hereby given that a public hearing will be held on **Thursday, October 28, 2010** at 9:00 a.m. in the County Board Room of the Bayfield County Courthouse, Washburn Wisconsin relative to the following item(s):

Don & Debra Sesko, owners and Jim Beauto, agent are requesting an **interpretation** of Section 13-1-4(70) of the Bayfield County Zoning Ordinance. Section 13-1-4 (70) states: **Unit.** A principal building or part thereof which is intended to be used separately from other parts of the building or other buildings on the same property, such as a six unit motel containing four (4) rental units, one (1) office and a restaurant.

Based on the interpretation the owners and agent are requesting a **variance** from the terms of Section 13-1-32(e)(1), row 1, column 1 and Section 13-1-65(e), row 1, column 1 of the Bayfield County Zoning Ordinance. Section 13-1-32(e)(1), row 1, column 1 states:

	Class 1 Lakes, Lake Superior
Shoreline Frontage	50 feet per unit; 600 feet minimum

Section 13-1-65(e), row 1, column 1 states:

	Class 1 Lakes	Class 2 Lakes	Class 3 Lakes Rivers, Streams
Shoreline Frontage	150 feet per unit; 600 feet minimum	200 feet per unit; 800 feet minimum	300 feet per unit; 1,200 feet minimum

Applicant seeks a variance to redevelop the existing Boulder Lodge Complex by phasing out the campground. They wish to construct a new conforming residential structure. This development will exceed the density provisions of the above mentioned Sections. The existing property has 239.76 of shoreline frontage instead of the 600' required and the Town of Barnes Overlay only allows 1 dwelling unit per 150' with 600' minimum shoreline frontage.

Property is a 7.67-acre parcel (ID# 04-004-2-44-09-18-1-05-001-202000), located in part of Gov't Lot 1 N 300' less parcel in NE corner in V.155 P. 109, and a 2.816-acre parcel (ID# 04-004-2-44-09-18-1-05-001-03000), described as part of Gov't Lot 1, S 100' of N 400' in V. 816 P. 762, Section 18, Township 44 N, Range 9 W, Town of Barnes, Bayfield County, WI.

Robert and Jennifer St. Arnold are seeking a **variance** with three (3) proposed options from the terms of Section 13-1-22(b), row 3, columns 2 & 3; Section 13-1-22(a)(2)b.; and Section 13-1-40(c)(4)c.2. Section 13-1-22(b), row 3, columns 2 & 3 which states: setback from Town Road is 63' from centerline or 30' from right of way,

whichever is greater. Section 13-1-22(a)(2)b states: **Shoreland Adjustment.** If the road or rear yard setback reduction above does not provide a thirty-foot deep buildings site, the shoreline setback may then be reduced until a thirty-foot deep building site is established provided the resulting shoreline setback is not less than two-thirds of the distance of the required setback. Section 13-1-40(c)(4)c.2 which states: 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). The applicants seek:

(Option 1) to construct a 24' x 24' (576 sq. ft) garage 50' from the ordinary high water mark of Cranberry Lake instead of the required 100' and 21' from the centerline of the Cranberry Lake Road instead of the required 63'.

(Option 2) to construct a detached garage 24' x 24' (576 sq. ft) or 22' x 26' (572 sq. ft) 30' from the centerline of the Cranberry Lake Road.

(Option 3) to construct an attached 24' x 24' (576 sq. ft) garage onto the existing home which will exceed the 1,500 sq. ft. footprint by 1,132 sq. ft with a resulting footprint of 2,632 sq. ft.

Property is a .61-acre parcel (ID# 04-004-2-44-09-30-2-05-003-07000) described as the E 100' of W 500' of Gov't Lot 3, Section 30, Township 44 N, Range 9 W, Town of Barnes, Bayfield County, WI.

Judith Jacobs is requesting a **variance** from the terms of Section 13-1-60(a), row 1, column 5 and Section 13-1-22(b), row 3 of the Bayfield County Zoning Ordinance. Section 13-1-60(a) states:

Zoning District	Minimum Area	Minimum Average Width for	Minimum Side & Rear Yards	
		Non-Shoreland Lots Only	Principal Building	Accessory Building
R-RB, R-1	30,000 sq. ft.	150'	10'	10'

Section 13-1-22(b), row 3, columns 2 & 3 which states: setback from Town Road is 63' from centerline or 30' from right of way, whichever is greater.

Applicants seek to construct a 24' x 24' (576 sq. ft) garage 7' from South property line and 15' from centerline of Lake Avenue.

Property is a .20-acre parcel (ID# 04-034-2-43-05-07-3-00-229-13000) described as Lot 4, Namakagon Village, Section 7, Township 43 N, Range 5 W, Town of Namakagon, Bayfield County, WI.

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:

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.