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BOARD OF ADJUSTMENT PUBLIC HEARING
DECEMBER 1, 2005
COUNTY BOARD ROOM, BAYFIELD COUNTY COURTHOUSE
WASHBURN, WISCONSIN

Notice is hereby given that a public hearing will be held on **Thursday, December 1, 2005** at 9:00 a.m. in the County Board Room of the Bayfield County Courthouse, Washburn Wisconsin relative to the following item(s):

Bradley Buscher is requesting an Interpretation of Section 13-1-21(b)(5): ***Concurrent Jurisdiction Exemption*** which states: A permit under this Chapter shall not be required where another regulatory agency has concurrent jurisdiction and the substantive concerns of this Chapter are addressed and resolved by issuance of a permit under the authority of that regulatory agency.

In addition, the applicant is appealing a decision rendered by the Bayfield County Planning & Zoning Department to prohibit the placement of flagstone in the shoreland vegetative protection area to control erosion and pending the outcome of the Board's decision may also seeks a Variance from the terms of Section 13-1-23(a)(1)(b) of the Bayfield County Zoning Ordinance which states: Plant removal and land disturbance are permitted to the extent, and only to the extent, that they are necessary in connection with the erection or placement of structures in the shoreland vegetation protection area which are authorized under Sec. 13-1-22(a)(5) or (6), or they have been authorized by a government agency having jurisdiction to do so for such purposes as mitigation, erosion control or shoreland restoration; or they are necessary for the removal of dying, or diseased vegetation, or vegetation creating a safety hazard.

The applicant is requesting to place flagstone within the shoreland vegetative protection area for the purpose of stabilizing an old quarry shelf. The proposed placement of flagstone will cover an area of approximately 3,200 square feet.

The applicants property is described as a 1.9-acre parcel (ID# 008-1077-03), located in the NW ¼, Section 34, Township 50 North, Range 4 West, Town of Bayview, Bayfield County, WI.

Save Our Lakes, Appellants: Thomas Johnson, President, James and Mary Krook, Jack and Judith Scholz, Gary and Barbara Romstad, Carol LeBreck and Thomas and Barbara Johnson have filed a notice to Appeal pursuant to Wisconsin Statute 59.694 (4) and (7) (a) and Sec. 13-1-102 (c) of the Bayfield County Zoning Ordinance appearance following the Bayfield County Zoning Committee August 18, 2005 decision to issue a conditional use permit to Howard Ecton (Owner) and David Swan (Agent) for a 10-unit Planned Unit Development on Boney Lake parcel (ID# 044-1070-09) located in Section 5 Township 44 North, Range 9 West, Town of Barnes, Bayfield County, WI.

Status Report: Discussion of any court decisions for cases under review since the last meeting of the Board. (i.e. November 16, 2005)

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.

k/debsdata/zc/phnotice/December2005
Prepared by: Karl Kastrosky
Typed as prepared: kjc

(Board of Adjustment)

Proofed By: _____