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BOARD OF ADJUSTMENT PUBLIC HEARING
NOVEMBER 16, 2005
COUNTY BOARD ROOM, BAYFIELD COUNTY COURTHOUSE
WASHBURN, WISCONSIN

Notice is hereby given that a public hearing will be held on **Wednesday, November 16, 2005** at 9:00 a.m. in the County Board Room of the Bayfield County Courthouse, Washburn Wisconsin relative to the following item(s):

Henry and Naomi Vanwaeyenberghe and Gail Tearman, Owners with Harry Lange, Agent are requesting a variance from the terms of Section 13-1-22 b and 13-1-40c(2) of the Bayfield County Zoning Ordinance. Section 13-1-22b requires buildings and structures be set back 63' from the centerline of a town road or 30' from the right of way, whichever is greater, applicant seeks to decrease the existing setback of 45' to 30' from the centerline of Peninsula Road to allow for a building addition 20'x18'.

Section 13-1-40c(2) states Nonconforming Accessory Buildings and Structures and Nonconforming Principal Buildings and Structures of Less than 600 Square Feet. Except as provided in paragraph (6) below regarding reconstruction of damaged or destroyed structures on the shoreland, nonconforming accessory buildings and structures and conforming principle buildings and structures of less than six hundred (600) square feet of enclosed dwelling space are limited to ordinary maintenance and repair and shall not be improved or expanded. However, such accessory building and structures may be externally improved by a land use permit.

Application wishes to expand existing structure of 480 sq. ft. to allow for a 20'x18' /360 sq. ft., and a 14'x20' at grade deck at approximately 97' form the high water make of Upper Eau Claire Lake.

Parcel is a 1.5 area Condominium Plat parcel I.D. 004-1342-05-003 described as Unit 3, Hank's Resort Condominium Lots 1 and 2 of Block 3 Eau Claire Lake Park located in Govt. Lot 5, Section 9, Township 44 North, Range 9 West, Town of Barnes, Bayfield County, WI.

James and Dawn Morrow, owner and Joseph Plummel, Agent are seeking a variance from the terms of Section 13-1-26 (a) and (c) of the Bayfield County Zoning Ordinance. This Section states: (a) Substandard Lots of Record Prior to April 20, 1971. A substandard lot of record in the Bayfield County Register of Deeds Office prior to April 20, 1971, which is not served by a public sanitary sewer and which is at least 10,000 sq. ft. in area, 65 ft. in width at the building line, and 65 ft. in width at the water line, or which is served by a public sanitary sewer and is at least 7500 sq. ft. in area, 50 ft. in width at the building line, and 50 ft. in width at the water line, may be used as a building site if it meets the following requirements:

- (1) The proposed use of the site is permitted in the zoning district in which it is located.

- (2) All applicable setback requirements of this ordinance and all provisions of the Bayfield County Sanitary and Private Sewage Ordinance are complied with.
- (c) Other Substandard Lots. A building permit for the improvement of a lot having lesser dimensions than those described in subsections (a) and (b) above shall be issued only after the granting of a variance by the Board of Adjustment.

Applicant wishes to replace existing cabin with a new 2 bedroom structure of 1092 sq. ft. with an attached garage of 624 sq. ft.

Property is described as a 50' wide and 1.5 acre parcel I.D. 022-1041-080-00 located in Govt. Lot 5 Section 14, Township 47 North, Range 9 West, Town of Hughes, Bayfield County, WI.

Katherine Jenkins is requesting a special exception as authorized under the terms of Section 13-1-22 (j) of the Bayfield County Ordinance for a reduced side yard setback of 40 feet to the south property line that runs east/west instead of the required 75 feet in an Agriculture -1 zoning district as required in Section 13-1-60(a). Her property is described as a 5-acre parcel (id# 008-1052-01-990), located in the SW1/4, of the SE ¼, Section 13, Township 49 North, Range 5 West, Town of Bayview, Bayfield County, WI.

Status Report: Discussion of any court decisions for cases under review since the last meeting of the Board. (i.e. October 27, 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/November 2005
 Prepared by: Karl Kastrosky
 Typed as prepared: kjc (10/.24/05-12:38pm)

(Board of Adjustment)

Proofed By: _____