Office Use		
Mailed _____	**Committee** _____	
Faxed _____	**Papers** _____	
Corp Counsel ____	LCD _____	**DNR** _____
Email _____	Cty Adm_____	Cty Clerk ____
Infor. Serv _____	Kris _____	Bulletin Brds _____

BOARD OF ADJUSTMENT PUBLIC HEARING
JANUARY 26, 2006
COUNTY BOARD ROOM, BAYFIELD COUNTY COURTHOUSE
WASHBURN, WISCONSIN

Notice is hereby given that a public hearing will be held on Thursday, January 26, 2006 at 9:00 a.m. in the County Board Room of the Bayfield County Courthouse, Washburn Wisconsin relative to the following item(s):

J.R. Mc Connell, owner and Neil Schultz, agent have filed a notice to appeal pursuant to Wis. Statute 59.694(4) and (7)(a) and Section 13-1-102(c) of the Bayfield County Zoning Ordinance. This appeal is in regard to a decision rendered by the Bayfield County Planning and Zoning Committee at the October 20, 2005 meeting that the Greater Bayfield Regional Wastewater Treatment Facility District, is not in violation of their Conditional Use Permit.

Mr. Schultz's property is located in the NE ¼ of the SE ¼ of Section 22, Township 50 North, Range 4 West, of the Township of Bayfield, Bayfield County, Wisconsin.

Danny Lee Bourassa, has requested a hearing before the board as allowed in Sec. 13-1- 102(c)(1) of the Bayfield County Zoning Ordinance. This request is to appeal a navigable determination from the Bayfield County Planning and Zoning Department as well as John Spangberg, Water Management Specialist, Wisconsin Department of National Resources and pending outcome of the Board's decision also seeks a variance from terms of Section 13-1-40(c)(6) a-e and Section 13-1-32(b).

13-1-40(c)(6)(a-e) states;

(6) Damaged or Destroyed Nonconforming Structures. Buildings and structures nonconforming as to Shoreland zoning provisions and which are damaged or destroyed by a natural event, including, but not limited to, violent wind, vandalism, fire, or flood may be reconstructed provided that:

a. Damage which is due to an intentional act of the owner may only be repaired in conformity with this Chapter 13 of the Zoning Ordinance.

b. The owner must establish the specific extent of the damage to a structure and it's improvements;

c. Repair and reconstruction shall be limited to that part of a structure and it's specific improvements which are actually damaged and similar building materials shall be utilized;

d. Repair and reconstruction shall be in compliance with all other provisions of applicable ordinances; and

e. The mitigation requirements of section 13-1-40(b) paragraph (5) above shall apply.

Applicant wishes to reconstruct a 24'x 32' structure at the original location which is 51' from a stream and interconnected ponds. Section 13-1-32(b) (c) states the building setback from Class III waters, rivers and streams is 100'. Applicant seeks a variance to replace a structure which was destroyed by fire 51' from the stream in question. Property is a 34.49 acre parcel (I.D.# 048-1044-02) described as a parcel in the S ½ of the NE ¼, Section 31, Township 48 North, Range 8 West, in the Town of Tripp, Bayfield County, Wisconsin.

Status Report: Discussion of any court decisions for cases under review since the last meeting of the Board. (**December 1, 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/January 2006
Prepared by: Karl Kastrosky
Typed as prepared: kjc 12/22/05 (1:45pm)

(Board of Adjustment)

Proofed By: _____