

Office Use		
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DNR _____	Cty Adm _____	Cty Clerk _____
Infor. Serv _____	Corp Counsel _____	LCD _____
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BOARD OF ADJUSTMENT PUBLIC HEARING
DECEMBER 7, 2006
COUNTY BOARD ROOM, BAYFIELD COUNTY COURTHOUSE
WASHBURN, WISCONSIN

Notice is hereby given that a public hearing will be held on **Thursday, December 7, 2006** at 9:00 a.m. in the County Board Room of the Bayfield County Courthouse, Washburn Wisconsin relative to the following item(s):

Brickyard Creek III LLC (tabled 8/31/06 for 90 days) is requesting a **variance** from the terms of Section 13-1-32(b)(1) of the Bayfield County Zoning Ordinance. This section requires Class 1 lake lots to have 30,000 sq. ft lot size, 150 ft. lot width, 200 ft. lot depth, 75' shoreline setback, 50 ft shoreline vegetation protection area, and 10' min / 40' side yard setbacks.

Applicant wishes to create a county plat consisting of 5 lots, one lot to have only 131.62 ft. of frontage. The property is a 8.77-acre parcel (ID# 046-1086-03 thru 046-1086-05) located in Gov't Lot 4, Section 31, Township 51 N, Range 3 W, Town of Russell, Bayfield County, WI.

Armando Mora, Jr. is requesting a special exception as authorized under the terms of Section 13-1-22(j) of the Bayfield County Zoning Ordinance. This section states: Special Exceptions. Minimum side and rear yard setbacks (other than shoreline and public road setbacks) and minimum private road setbacks may be reduced, and side and rear yard setbacks (other than shoreline and public road setbacks) in commercial districts may be eliminated, by special exception granted by the Board of Adjustment pursuant to Section 13-1-102-(e)(4). The special exception as authorized under this section is to relocate an existing 16' x 76' mobile home 20' from the South property line instead of the required 75' as required in Section 13-1-60(a).

This property is described as a 24.01-acre parcel (ID# 022-1026-01), located in the NE ¼ of the NW ¼, Section 10, Township 47N, Range 9 West, Town of Hughes, Bayfield County, WI.

Lulich Implement, Inc.,(Robert Lulich) is requesting a variance from the terms of Section 13-1-82 & 13-1-87(d) of the Bayfield County Zoning Ordinance. Section 13-1-82 allows (2) on-premise signs of 50 sq. ft each. Section 13-1-87(d) states signs "shall not extend more than 10' in height above the ground level. Applicant requests to place a (3rd) 4' x 6' on-premise sign at 14' in height.

The property is described as a 7-acre parcel (ID# 020-1065-10), located in the NW ¼ of the NW ¼, Section 31, Township 47 N, Range 5 West, Town of Eileen, Bayfield County, WI.

James & Gail Reha are requesting a special exception as authorized under the terms of Section 13-1-22(j) of the Bayfield County Zoning Ordinance. This section states: Special Exceptions. Minimum side and rear yard setbacks (other than shoreline and public road setbacks) and minimum private road setbacks may be reduced, and side and rear yard setbacks (other than shoreline and public road setbacks) in commercial districts may be eliminated, by special exception granted by the Board of Adjustment pursuant to Section 13-1-102-(e)(4). The special exception as authorized under this section is to place a 1,350 sq. ft. residence with a 437 sq. ft attached garage 1.5' from the South property line instead of the required 10' as required in Section 13-1-60(a).

The property is described as a 4.0-acre parcel (ID# 014-1032-08), located in the N ½ of the S ½ of the SE ¼ of the NE ¼, Section 8, Township 50 N, Range 7 West, Town of Clover, Bayfield County, WI.

Andrew and Susan Knudsen request an appeal to the Board of Adjustment from a conditional use permit issued to Mathy Construction and its agents, Northwoods Paving. The issue for the public hearing is whether the appeal notice is timely within the requirements of Sec. 13-1-102(c)(2). That provision states as follows:

“The appeal notice shall be filed with the Planning and Zoning Director within thirty (30) days after written notice of the order or decision appealed from was sent by first class mail to the aggrieved party, or, if such notice was not sent to the aggrieved party, within thirty (30) days after the party first knew of, had reason to know of, or should have known of, the order of decision.”

The issue for the public hearing shall be the timeliness of the appeal only. The hearing shall not deal with the merits of the request.

Andrew and Susan Knudsen request a reconsideration and other relief related to a variance issued by the Bayfield County Board of Adjustment on June 15, 2006 to Mathy Construction and its agent, Northwoods, Paving. Sec. 59.694(10) provides, in pertinent part, as follows:

“(10) Certiorari. A 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 certiorari.”

The sole issue for purposes of the public hearing is whether or not the request of the Knudsens to reconsider, reverse, and otherwise void the variance, is timely and should be heard. The appeal and motion for reconsideration was received by the Bayfield County Zoning Department on October 3, 2006.

Status Report: Discussion of any court decisions for cases under review since the last meeting of the Board. (i.e. **Save Our Lakes, Schultz**)

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.