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BOARD OF ADJUSTMENT PUBLIC HEARING
JANUARY 31, 2008
COUNTY BOARD ROOM, BAYFIELD COUNTY COURTHOUSE
WASHBURN, WISCONSIN

Notice is hereby given that a public hearing will be held on **Thursday, January 31, 2008** at 9:00 a.m. in the County Board Room of the Bayfield County Courthouse, Washburn Wisconsin relative to the following item(s):

Mary L. Lamoit Family Trust has requested **after-the-fact variances** from the terms of Section 13-1-40(c)(3)d. and 13-1-40(c)(4)a.2. of the Bayfield County Planning and Zoning Ordinance.

Section 13-1-40(c)(3)d. requires: The structure may not be substantially reconstructed by replacement of exterior walls constituting more than twenty-five percent (25%) of the perimeter of the initial structure over the life of the structure. The owner shall provide documentation of the perimeter of the structure at the time this provision took effect and any reconstruction shall be documented by recorded affidavit, and

Section 13-1-40(c)(4)a.2. requires: a. With respect to such structures located less than forty (40) feet from the ordinary high water mark: 2. Except as provided in subparagraph b., no new foundations of any kind, additional stories, other expansion, or accessory construction shall be permitted. For the purpose of this section of the Ordinance, repair of 25% or more of the lineal perimeter of the foundation shall be considered a replacement or new foundation and not a repair.

The applicant is seeking relief through a variance because he replaced 33% of the perimeter of the structure, and 33% of the linear perimeter of the foundation without obtaining permits.

Property is a 37.2-acre parcel (ID# 04-034-2-43-06-17-10 03-000-10000 (034-1078-03), located in part of SW ¼ of the NE ¼ less V.364 P. 358, Section 17, Township 43 N, Range 6 W, Town of Namakagon, Bayfield County, WI.

TRG Up North LLC, Todd Harbort, agent is requesting variances from the terms of Section 13-1-40(c)(3)d. and Section 13-1-32(e)(1) of the Bayfield County Planning and Zoning Ordinance.

Section 13-1-40(c)(3)d. requires: The structure may not be substantially reconstructed by replacement of exterior walls constituting more than twenty-five percent (25%) of the perimeter of the initial structure over the life of the structure. The owner shall provide documentation of the perimeter of the structure at the time this provision took effect and any reconstruction shall be documented by recorded affidavit.

Applicant seeks to exceed this 25% threshold by completely rebuilding existing Units 1, 2, & 3, as well as the existing garage with 3 new units in approximately the same location and a new 5 bay garage.

(e) **Multiple Unit Developments.** Multiple Unit Developments providing shoreline access to navigable waters shall be subject to the following minimum requirements:

(1) Table of requirements:

	Class 1 Lakes, Lake Superior	Class 2 Lakes	Class 3 Lakes, Rivers, Streams
Shoreline Frontage	50 feet per unit; 600 feet minimum	100 feet per unit; 800 feet minimum	150 feet per unit; 1,200 feet minimum
Open Space (except as provided below)	30,000 square feet per unit	60,000 square feet per unit	120,000 square feet per unit
Open Space in UVOD	7,500 square feet per unit	15,000 square feet per unit	30,000 square feet per unit
Open Space in non-UVOD Public Sewer System (except Town of Bayfield)	10,000 square feet per unit	20,000 square feet per unit	40,000 square feet per unit
Open Space in non-UVOD Public Sewer System (Town of Bayfield)	30,000 square feet per unit	60,000 square feet per unit	120,000 square feet per unit
Open Space in R-3	2 acres per unit	2 acres per unit	3 acres per unit
Open Space in F-1, A-1, and R-2	4.5 acres per unit	4.5 acres per unit	4.5 acres per unit
Shoreline Setback	200 feet	200 feet	225 feet
Lot Line Setback	10 ft.	20 ft.	30 ft.
Viewing Corridors	20% of frontage	15% of frontage	10% of frontage
Viewing Corridors Width	Up to 20% of total with no individual greater than 30 feet	Up to 15% of total with no individual greater than 30 feet	Up to 10% of total with no individual greater than 30 feet

Section 13-1-32 (e)(1) states; Row B, Column 1 requires 30,000 sq. ft per dwelling unit, Row E, Column 1 requires a 200' setback.

Applicant seeks a variance to replace Unit 1 at 173', Unit 2 at 107', Unit 3 at 78' and Garage at 214'. This will produce the same amount of dwelling units that exist today,

but will decrease the open space by approximately 700 sq. ft for the expanded footprint of the new structures over the existing.

Property is described as a legally pre-existing resort with 200.15' of shoreline frontage. Parcel (ID # 034-1132-01, 02, & 03) consisting of 1.02-acres (44,480) sq. ft. further described as Lot 11 of Namakagon Lake Shore Subdivision, located in Section 12, Township 43 N, Range 6 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

RANDY MATIS, CHAIRMAN, BAYFIELD COUNTY BOARD OF ADJUSTMENT

Upon exhaustion of public input, notice is served that the Board of Adjustment pursuant to Section 19.85(1)(a) & (g) 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.

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.