

REVISED
BOARD OF ADJUSTMENT MINUTES
March 9, 2017
Law Enforcement Center
Rusk County Courthouse

Staff Present: CeCe Tesky (Zoning Administrator)
Danielle Zimmer (Chief Deputy County Clerk)

Roll Call Board Present: [X] Dennis Lelm [X] Robert Lorkowski (Alternate)
[X] Robert Nelson [X] Stanley Kromrey [2:53 p.m.] (Alternate)

Public Present: None.

Election of BOA Chairman:

- Nomination: Lelm motion to nominate Nelson, second by Lorkowski.
- Call 3 times for any additional nominations: [X] [X] [X]
- Lelm called for the nominations to close and cast a unanimous ballot for Nelson for Chairman. Motion carried by aye vote. Robert Nelson elected BOA Chairman

Election of BOA Vice-Chairman:

- Nomination: Nelson motion to nominate Lelm, second by Lorkowski.
- Call 3 times for any additional nominations: [X] [X] [X]
- Nelson called for the nominations to close and cast unanimous ballot for Lelm. Motion carried by aye vote. Dennis Lelm elected BOA Vice-Chairman

Training: CeCe Tesky, Zoning Administrator, presented information on Shoreland Zoning history and the state level changes that in-turn changed county level zoning ordinances.

Approval of Minutes: Motion by Lelm, second by Lorkowski to approve minutes from September 20, 2013, October 23, 2013 & June 4, 2014 Board of Adjustment meetings. Motion carried by aye vote.

Compliance of Open Meeting Laws - Notice: Zimmer stated the notice of public hearing and agenda were posted per the requirements of a Class (2) notice.

- Three locations in the Township of *Willard*.
- Three locations in the Rusk County Courthouse.
- The landowner / applicant, DNR and town clerk were notified by certified mail.
- Neighboring property owners within 500' were notified by first class mail.
- Notice was published in the Ladysmith Newspaper on February 23rd and March 2nd

Adjourn: Meeting adjourned until public hearing. 2:07 p.m.

Stanley Kromrey arrived 2:53 p.m.

PUBLIC HEARING

Call to order: Public Hearing called to order at 3:00 p.m. by Chair Robert Nelson.

Roll Call: Members Present: Denis Lelm, Robert Nelson
Alternates Present: Bob Lorkowski (voting member), Stanley Kromrey

Applicants: Jason Wild

Purpose of Public Hearing: Board of Adjustment does meet jurisdictional requirements.

Testimony:

- Jason Wild, Applicant, testified to variance application and hardship faced in the attempt to make improvements on the property. Explained proposed structure and placement. The applicants plan to leave current boat house intact and remove the screen porch, outhouse and cabin.
- CeCe Tesky, Zoning Administrator, gave testimony including staff report and her recommendation that the Board of Adjustment approve the request with conditions.
- Discussion on proposed structure and measurements in regards to shoreland and roadway.

Site Visit: None.

Board Vote: Unnecessary Hardship:

Yes: 3 No: 0

Unique Property Limitations:

Yes: 3 No: 0

Harm to Public Interest:

Yes: 0 No: 3

Board discussed reasons for votes. In regards to unnecessary hardship: property owners are looking to improve the property and the zoning ordinance poses hardship for that to be done. In regards to unique property limitations: the shape and size of the property does not allow a reasonable structure within the limitations set forth. In regards to harm to public interest: the proposed structure will be moved back and the existing structures closer to the shore line will be removed making the property more appealing to the public interest.

Applicant met their obligation. Motion by Lelm, second by Lorkowski to approve the variance with the following conditions:

1. Move proposed dwelling 5 feet closer to the roadway
2. Remove current dwelling
3. Remove screen porch
4. Remove outhouse
5. Have holding tank put in at property
6. Install roof gutters and eave troughs on new dwelling and direct runoff away from neighboring properties and the lake
7. Restore 70% of the buffer area with a tree canopy, shrub layer and ground cover

Public Hearing: Closed at 3:30 p.m.

Adjourned: Motion by Lelm, second by Lorkowski to adjourn. Meeting adjourned at 3:41 p.m.

Respectfully submitted by:

Danielle Zimmer, Chief Deputy County Clerk

Minutes completed: 03/13/17

Minutes revised: 07/14/17