

## Variance Request Staff Report

D Bar Properties

November 14, 2023

A variance request before the Zoning Committee to the subdivision code Sec. 42-61 Design standards (b) streets. Approve a parcel that will not have frontage on a public road or access from a 66' wide easement:

Part of Lot 4 CSM 1220 in Gov't lot 2, Section 35, T33N, R7W.  
Parcel ID # 042-00780-0001

### **Department Findings**

1. The subject property is a legal lot. 23.26 acres in size.
2. Lot 4 of CSM 1220 is currently used as a campground.
3. The proposed one acre lot is to be utilized for storage of a snowmobile trail groomer.
4. No dwelling, well, or septic is being proposed.
5. The lot would be accessed by the existing campground driveway.

**Findings of Fact** – Summary of the facts regarding the application or matter being decided

1. The subdivision ordinance applies to application.
2. The Zoning Committee held a public hearing on November 14, 2023.
3. The Zoning Committee can grant a variance from the dimensional standards of the subdivision ordinance under Sec.42-7.

### **Zoning Department Recommendation:**

Based on considering the three criteria required for a variance -unnecessary hardship, unique property limitations and protection of public interest - the Zoning Department recommends that the Committee grant the requested variance.

Charles & Lorraine Toman – November 14, 2023  
Conditional Use Permit for a home based business  
NE ¼ - SE ¼ Section 18, T35N, R8W, Town of Atlanta  
N6259 Norwegian Road

**Staff Recommendations**

1. Permit is based on application submitted at time of approval.
2. Obtain all required township, state, and federal licenses and permits.
3. A satellite toilet unit will be onsite for customer use.
4. Provide onsite parking for customers.
5. This permit shall be null and void if substantial progress has not been made on the project within 1 year of the date of approval.

**Findings of fact** – summary of the facts regarding the application or matter being decided

1. Property is zoned Ag.
2. A home based business is allowed under 50-141 (2) (j).
3. Town Board signed the conditional use permit application.
4. The Zoning Committee held a public hearing on November 14, 2023.
5. Surrounding land use is agriculture and forestry.

**Conclusions of Law** – statements explaining how the facts relate to the legal standards for the decision (legal standards are included in 59.69(1), as well as applicable ordinances)

---

---

---

---

**Order and Determination** – establishes whether the application is approved or denied and lists the conditions or contingencies

---

---

---

---

---

Any aggrieved party may appeal the decision of the Rusk County Zoning Committee within 30 days to the Rusk County Board of Adjustment as outlined in Chapter 2, Article VI, Division 2 of the Rusk County Code of Ordinances.

*Standards applicable to all conditional uses.* The county zoning committee shall consider the effect of such grant on the health, general welfare, safety and economic prosperity of the county and of the immediate area in which such use would be located, including such considerations as:

1. The effect on the established character and quality of the area,
2. Its physical attractiveness
3. Existing topography
4. Drainage features, erosion potential, vegetation cover and the prevention and control of water pollution
5. The location with respect to floodplains and floodways
6. The movement of traffic and the relationship to existing or proposed roads
7. The demand for related services
8. The possible hazardous, harmful, noxious, offensive or nuisance effects resulting from noise, dust, smoke or odor and other factors.

## Variance Request Staff Report

Linde Vacho Trust                      November 14, 2023  
Anthony J Vacho Jr Trust

A variance request before the Zoning Committee to the subdivision code Sec. 42-61 Design standards (c) Block and lot design and improvements. (7). Approve a parcel where the length will exceed six times the width.

Part of the NE ¼ - SW ¼ and the SE ¼ - SW ¼ , Section 26, T36N, R6W.  
Parcel ID # 020-00457-0000 and 020-00460-0000

### **Department Findings**

1. The subject property consists of two parcels.
2. The property has an existing driveway which serves a home.
3. The current owner wishes to divide the property.
4. Due to the proposed lot crossing over two parcels, the distance from river to road ranges between 1,600' and 1,800'.
5. The proposed lot width is 250'.

### **Findings of Fact** – Summary of the facts regarding the application or matter being decided

1. The subdivision ordinance applies to application.
2. The Zoning Committee held a public hearing on November 14, 2023.
3. The Zoning Committee can grant a variance from the dimensional standards of the subdivision ordinance under Sec.42-7.

### **Zoning Department Recommendation:**

Based on considering the three criteria required for a variance -unnecessary hardship, unique property limitations and protection of public interest - the Zoning Department recommends that the Committee grant the requested variance.