DOUGLAS COUNTY

Planning, Zoning & Land Information Offices

1313 Belknap Street, Room 206
Superior, WI 54880

Stephen Rannenberg
Administrator

Keith Wiley
Assistant Administrator

Ben Klitzke
County Surveyor

May 6, 2016

DOUGLAS COUNTY BOARD OF ADJUSTMENT
Wednesday, May 25, 2016 @ 9:00 a.m.
Government Center, 1316 North 14th Street, Rm 201, Superior, Wisconsin 54880

Please call the Chair or the Planning & Zoning Office (715-395-1380) if you cannot attend.

MEMBERS:	Douglas Hanson, Chair	Larry Luostari	James Heim, Alt.
	Roger Wilson, Vice Chair	Gary Saari	Lawrence Kappes, Alt.
	Dale Johnson		

Agenda
(Board to maintain a two-hour meeting limit or take action to continue meeting beyond that time.)

1) Roll Call.

2) Announcement.

3) Public Hearing (hearing notice and applications attached):

a. #16-03: Russell & Andrea Nicolet – area variance held from the April 27, 2016 hearing;
b. #16-04: Scott Ervin, et al – after-the- fact area variance held from the April 27, 2016 hearing;
c. #16-05: Brad & Charlene (Kastern) Turnboom – area variance;
d. #16-06: Adam & Martha Bennis – use variance; and
e. #16-07: Scott & Kristie Essen – after-the-fact area variance.

4) Approval of minutes from the April 27, 2016 meeting (attached).

5) Future Agenda Items.

6) Adjourn.

cc: Towns with applications
ecopy: County Board Supervisors
Carolyn Pierce, Corp Counsel
snelson@superiortelegram.com
Andy Lisak, County Administrator
Sue Sandvick, County Clerk
thecommunitychannel@yahoo.com
Other interested parties

Attachments to agenda are available in the Planning & Zoning Office and on the Douglas County website (www.douglascountywi.org) for review or copying. A map of the subject property is available in accordance with WI Statutes 59.69 (5) (a). Action may be taken on any item listed on the agenda. The County of Douglas complies with the Americans with Disabilities Act of 1990. If you are in need of an accommodation to participate in the public meeting process, please contact the Douglas County Clerk's Office at (715) 395-1341 by 4:00 p.m. on the day prior to the scheduled meeting. Douglas County will attempt to accommodate any request depending on the amount of notice we receive. TDD (715) 395-7521.
Posted – Courthouse, Government Center, Superior Telegram (e-mailed), DC Website

Name *Susan E. Radzak* Susan E Radzak **Date** 05-06-16

(715) 395-1380 Planning / Zoning – Permits
(715) 395-7643 FAX
(715) 395-1340 Surveyor
(715) 395-1570 Land Information / GIS
Web Page: www.DouglasCountyWI.org

DOUGLAS COUNTY
BOARD OF ADJUSTMENT

Notice is hereby given that a Public Hearing will be held by the Douglas County Board of Adjustment at **9:00 a.m., Wednesday, May 25, 2016** in the Government Center, Second Floor, Room 201, 1316 North 14th Street, Superior, Wisconsin, to hear the following application:

#16-03 Russell & Andrea Nicolet, Hudson, WI – held from the April 27, 2016 hearing - area variance to construct a deck within the minimum setback requirement of Bond Leader Lake Road and within the ordinary highwater mark of Bond Lake, located Gov't Lot 1, Lot 3 of CSM #222, Vol 1, Pg 247, Section 21, T43N-R12W; (WA-032-01208-00; 15823 S Bond Leader Lake Rd), Town of Wascott.

#16-04 Scott Ervin et al, Minneapolis, MN – held from the April 27, 2016 hearing - after-the-fact area variance to allow three accessory structures to remain within the minimum setback requirement of the Lake Superior bluff, located Lot 26, Blk 4, Amnicon Properties Plat One, Section 28, T49N-R11W; (LA-018-00879-00; 10497 E DeVries Road), Town of Lakeside.

#16-05 Brad & Charlene (Kastern) Turnboom, Superior, WI – area variance to allow the construction of an addition to a legal non-conforming dwelling 1) exceeding the allowed 50% expansion of the existing enclosed building area, 2) within the minimum setback requirement of the town road and 3) within the minimum setback requirement of the side lot line, located in Pt. Gov't Lot 4, Section 19, T45N-R11W; (SO-026-00458-00; 11091 S Engstad Road), Town of Solon Springs.

#16-06 Adam & Martha Bennis, Superior, WI – use variance to allow two dwellings on one parcel, located N1/2-SW1/4-NE1/4, Section 26, T48N-R12W; (AM-002-00588-00; 4148 S Wentworth Road), Town of Amnicon.

#16-07 Scott & Kristie Essen, Maple, WI – after-the-fact area variance to allow an accessory building to remain within the town road right-of-way, located in Pt. NW1/4-SW1/4, Section 11, T48N-R11W; (MA-020-00390-00; 3074 S Landela Road), Town of Maple.

Doug Hanson, Chairman
Steve Rannenberg, Planning & Zoning Administrator

If you have any comments on these items, let the Planning & Zoning Office know in writing prior to the meeting, or appear at the Public Hearing. Planning & Zoning Office, 1313 Belknap St., Rm. 206, Superior, WI 54880 (715-395-1380). Action may be taken on any item listed on the public hearing.

In accordance with WI Statutes 59.69 (5)(a), attachments to public hearing notice and maps of subject properties are available for review in the Planning & Zoning Office, or at www.douglascountywi.org.

The County of Douglas complies with the Americans with Disabilities Act of 1990. If you are in need of accommodation to participate in the public meeting process, please contact the Douglas County Clerk's Office at (715) 395-1341 by 4:00 p.m. on the day prior to the scheduled meeting. Douglas County will attempt to accommodate any request depending on the amount of notice we receive. TDD (715) 395-7521.

ST May 6 & 13, 2016

DOUGLAS COUNTY BOARD OF ADJUSTMENT
April 27, 2016, 9:00 a.m., Government Center Board Room
1316 North 14th Street, Superior, Wisconsin

Meeting called to order by Chair Douglas Hanson.

ROLL CALL: Present – Dale Johnson, Douglas Hanson, Roger Wilson, Larry Luostari, James Heim, (Alt.). Others present – Lawrence Kappes, (Alt.), Steve Rannenberg, Sue Radzak, Terry Carlsgaard, Gary Saari, Susan Abrahamzon, Robert Fritzke, Kaci Lundgren (Committee Clerk).

ANNOUNCEMENT: Role and conduct of the Board read.

PUBLIC HEARING:
16-02) Terry & Corinna Carlsgaard, Denver, CO – area variance to construct an accessory structure (sauna) within the minimum setback requirement of the ordinary high water mark of Lake Minnesuing, located Pt Gov't Lot 2, Section 15, T46N-R11W; (BE-004-00124-00; 8381 S County Road P), Town of Bennett.

ACTION: Motion by Heim, second Luostari, to hear application. Motion carried.

Applicant present; application reviewed.

ACTION: Motion by Johnson, second Heim, to deny application, based on the fact that unnecessary hardship is not present, and the hardship is not due to the physical limitation of the property rather than the circumstances of the appellant because alternate building sites are available beyond the 75' ordinary high water mark setback. The variance will be contrary to the public interest as expressed by the objectives of the ordinance because building in proposed site would increase runoff to lake; moving building to 75' would increase area's natural buffer size. Roll call vote taken, with all present voting yes to deny, for reasons stated in the motion.

16-03) Russell & Andrea Nicolet, Hudson, WI – area variance to construct a deck within the minimum setback requirement of Bond Leader Lake Road and within the ordinary highwater mark of Bond Lake, located Gov't Lot 1, Lot 3 of CSM #222, Vol 1, Pg 247, Section 21, T43N-R12W; (WA-032-01208-00; 15823 S Bond Leader Lake Rd), Town of Wascott.

Applicants not available to attend meeting and requested application be referred to next month.

ACTION: Motion by Hanson, second Johnson, to refer application to next month's meeting. Motion carried.

16-04) Scott Ervin et al, Minneapolis, MN – 1) after-the-fact area variance to allow an accessory structure to remain within the minimum setback requirement of the

Lake Superior bluff and the side lot line; 2) after-the-fact use variance to allow two dwellings on one parcel; 3) after-the-fact area variance to allow the minimum dimensional requirement of each dwelling to remain less than the required 800 sq. ft and 4) after-the fact area variance to allow the two dwellings to remain within the minimum setback requirement of the Lake Superior bluff, side lot line and town road, located Lot 26, Blk 4, Amnicon Properties Plat One, Section 28, T49N-R11W; (LA-018-00879-00; 10497 E DeVries Road), Town of Lakeside.

Applicant submitted significantly revised application, which requires more time to review.

ACTION: Motion by Hanson, second Johnson, to refer application to next month's meeting. Motion carried.

Public hearing adjourned at 9:35 a.m.

APPROVAL OF MINUTES: Motion by Heim, second Luostari, to approve February 24, 2016, minutes. Motion carried.

ADJOURNMENT: Motion by Hanson, second Wilson, to adjourn. Motion carried. Meeting adjourned at 9:42 a.m.

Submitted by,

Kaci Lundgren, Committee Clerk

NICOLET, RUSSELL & ANDREA **Area Variance #16-03**

PT Gov't. Lot 1, Lot 3, CSM #222, Vol 1, Pg 247 **Hearing Date:** ~~**April 27, 2016**~~ *
Section 21, T43N-R12W (*held per applicants request)
Town of Wascott **May 25, 2016**

The applicant or appellant proposes: area variance to construct a deck within the minimum setback requirement of Bond Leader Lake Road and within the ordinary highwater mark of Bond Lake

The applicant or appellant requests: an area variance from:

8.0 Zoning Ordinance, Section IV, 4.2, 1 (c) – *the setback requirement from a town road shall be 63 feet from the centerline or 30 feet from the right-of-way line, whichever is greater*
8.4 Shoreland Zoning Ordinance - *the setback requirement shall be 75 feet from the ordinary highwater mark of a lake*

Permit History:

September 14, 1971	Land-Use Permit #159	Addition to seasonal dwelling
September 14, 1971	Sanitary Permit #27006	
October 18, 1983	Variance #102	Approved to construct an addition within the lake, road and side lotline setbacks.
February 10, 1984	Conditional-Use Permit #5159	Addition/Change use to year-round dwelling
June 24, 2014	Sanitary Permit #547858	Replacement Septic System

A. Unnecessary hardship ☐is ☐is not present and the hardship ☐is ☐is not due to physical limitation of the property rather than the circumstances of the appellant because:

_____

_____

_____

B. The variance ☐will ☐will not be contrary to the public interest as expressed by the objectives of the ordinance because: _____

_____

_____

C. The variance requested is ☐ denied ☐ granted ☐ granted-in-part subject to the following conditions: _____ _____

_____

_____

Voting Member: _____

NO. 2016-03

DOUGLAS COUNTY BOARD OF ADJUSTMENT
1313 BELKNAP STREET, ROOM 206, SUPERIOR, WI 54880
PHONE 715-395-1380 / FAX 715-395-7643

APPLICATION FOR VARIANCE

PLEASE NOTE: You should contact your Town Board chairman and attend your local Town Meeting to present your proposed plans to the Planning Commission and/or Town Board prior to the County Board of Adjustment's public hearing. Failure to do so could result in delay or denial of your request. The Board will request input from the Town.

Date of application: 3-7-16 Hearing Date: 04-27-2016

Property Owner Russell and Andrea Nicolet Day Phone No: (651) 343-9283 (9283)

Mailing Address 14 Friendship Green City Hudson State WI Zip 54016

Property Address: 15823 S Bond Loader Lake Rd Town of Wescott

Legal Description: ____ 1/4 ____ 1/4, Section 21, T 43 N, R 12 W See Attach 7

Lot 3 Block ____ Subdivision CSM # 222 CSM Vol. 1 Page(s) 247

Tax Parcel No. WA-032-01208-00 Lake Classification NA Zone District Residential RR-1

Present improvements on property (include all existing structures): Cabin with front porch.

Proposed Improvements: Deck to wrap from back sliding glass door to front porch.

Lakeshore setback requested 52 feet from the OHWM of Bond Lake (waterbody)
→ closest and 68 feet furthest

Lot line setback requested 74 feet from West lot line.

Road setback requested 32 feet from the centerline of S Bond Loader Lake (road/highway)

Other request: ____

Fee $ 475.- pd Receipt # 11245 Vendor # 1807025 Date Paid 03-15-2016

Outcome: Approved ____ **Approved w/Conditions** ____ **Denied** ____ **Date:** ____

To qualify for a variance, you must meet all three requirements of a three-step test:

Explain in detail how the proposal meets all three approval criteria. (See attached instructions for definition and explanation of what this should describe.)

STEP 1. What unnecessary hardship will result from the strict application of the Counties ordinance requirement?

It would be impossible to build a deck and/or use our sliding glass door.

STEP 2. The hardship described in step 1 above is due to what unique physical limitations of the property?

The cabin and entire property is located between two lakes with a road running down the property. The road itself is only about 80 feet from the OHWM and the cabin is nestled between the OHWM and the road. The cabin sliding door is about 74 feet from the OHWM and the eastern most corner is only about 68 feet from the OHWM

STEP 3. If a variance were granted would it cause harm to the public's interest? YES / NO

Owner or Representative Signature

3-6-2016
Date Signed

By signing this application, I give my/our permission to allow a site inspection to be made of the site by the Zoning Office, and/or Board of Adjustment members and allow photographs to be taken if necessary. To the best of my knowledge the information provided is true and accurate.

PLEASE NOTE:

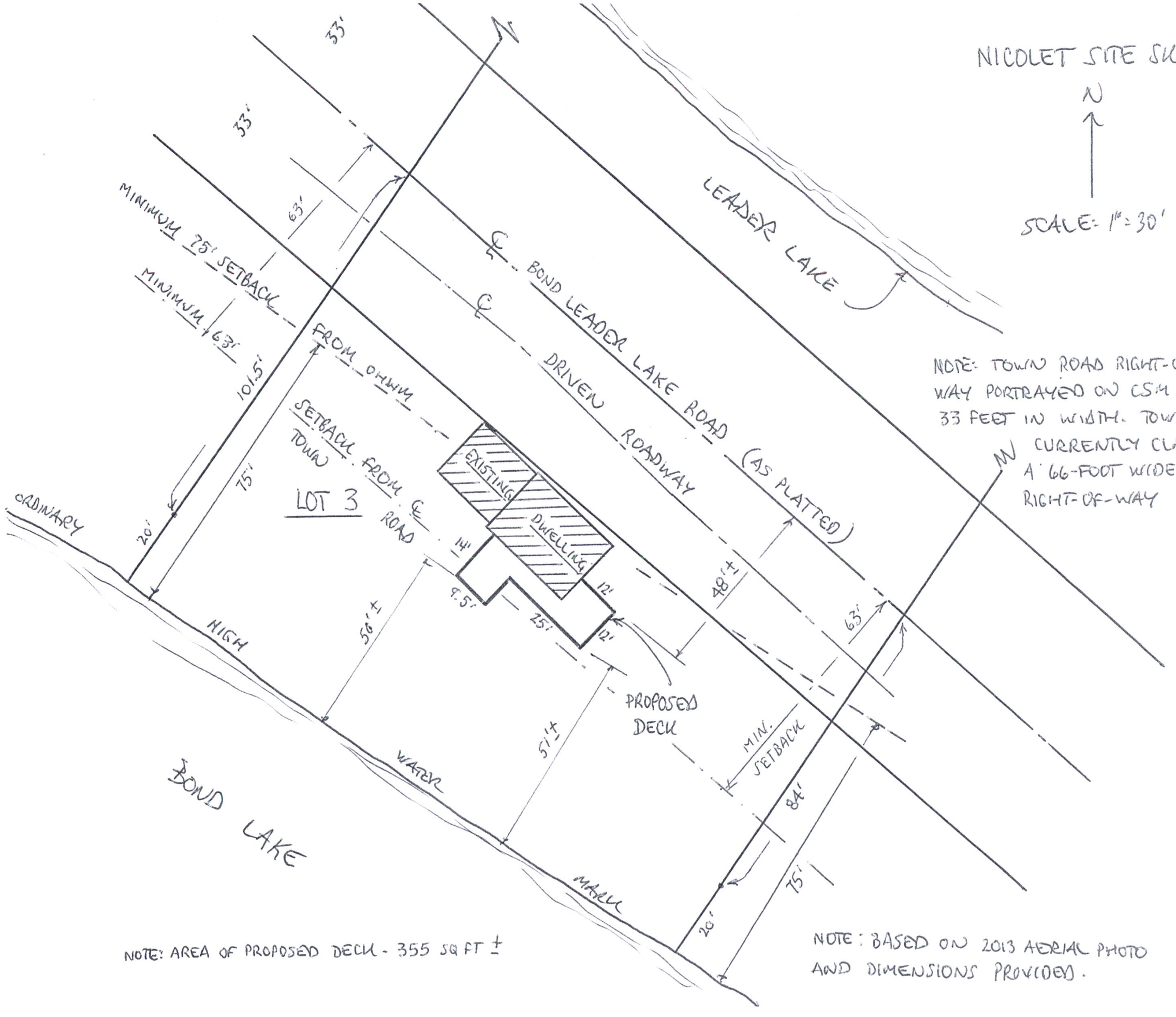
- **Approval of this variance does not grant permission to commence development until all permits are issued and conditions or requirements are satisfied.**

NICOLET SITE SKETCH

N

SCALE: 1" = 30'

NOTE: TOWN ROAD RIGHT-OF-WAY PORTRAYED ON CSM IS 33 FEET IN WIDTH. TOWN CURRENTLY CLAIMS A 66-FOOT WIDE RIGHT-OF-WAY



NOTE: AREA OF PROPOSED DECK - 355 SQ FT ±

NOTE: BASED ON 2013 AERIAL PHOTO AND DIMENSIONS PROVIDED.

Map Printed: 3/15/2016

MAP PRODUCED BY SHELLY WISNIEWSKI
DOUGLAS COUNTY ZONING

LINES AND DIMENSIONS ARE APPROXIMATE

VAR 2016-03 - Nicolet, Russ & Andrea
Deck add., RR-1 ZD, 04-27-2016 Hrg

1 inch = 25 feet

25 12.5 0 25 Feet

N
W E
S

Map Printed: 3/15/2016

MAP PRODUCED BY SHELLY WISNIEWSKI
DOUGLAS COUNTY ZONING

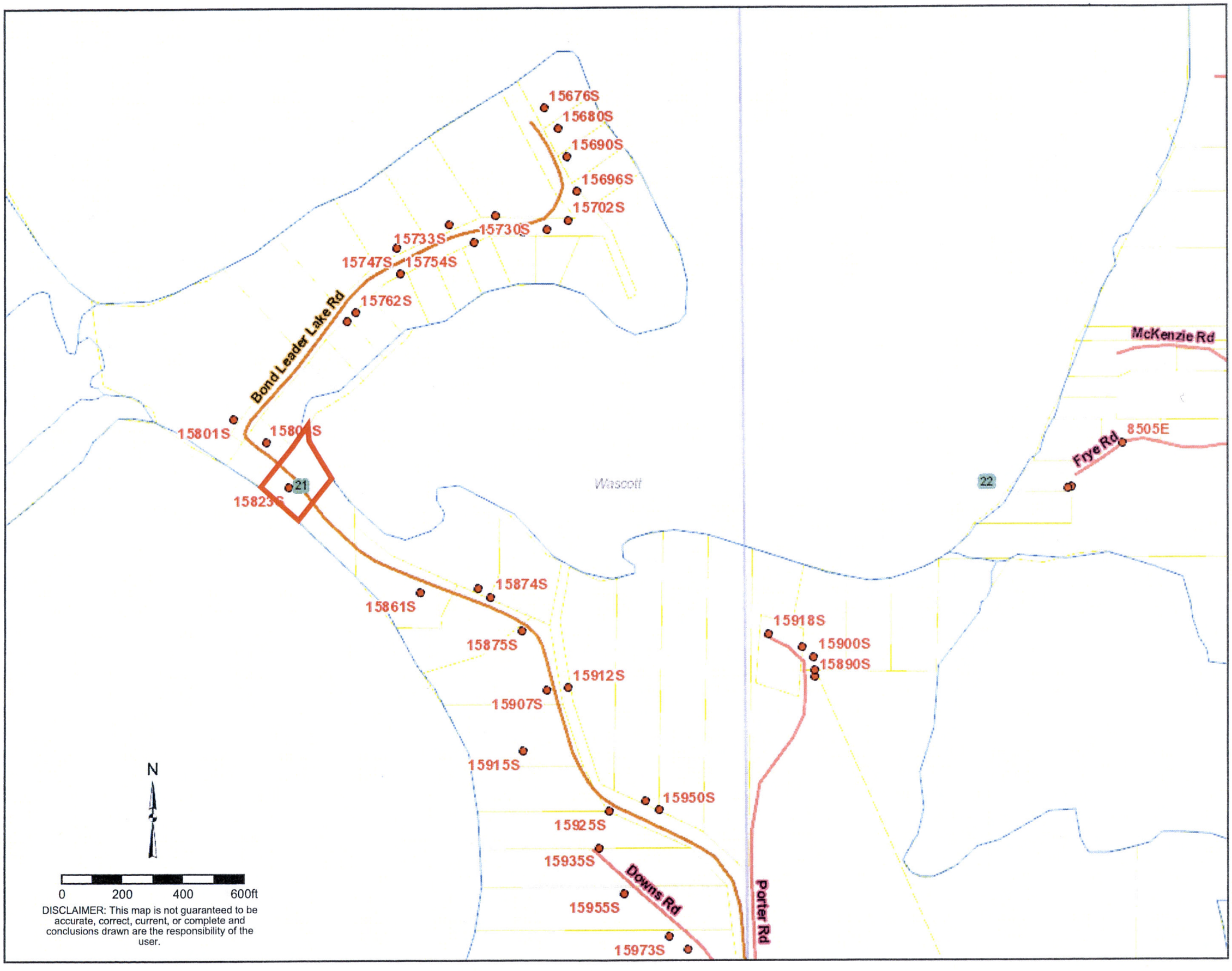
LINES AND DIMENSIONS ARE APPROXIMATE

VAR 2016-03 - Nicolet, Russ & Andrea
Deck add., RR-1 ZD, 04-27-2016 Hrg

1 inch = 200 feet

200 100 0 200 Feet

N W E S


15676S
15680S
15690S
15696S
15702S
15730S
15733S
15747S
15754S
15762S
Bond Leader Lake Rd
15801S
15809S
21
15823S
15861S
15874S
15875S
15907S
15912S
15915S
15925S
15935S
15950S
15955S
15973S
Downs Rd
Porter Rd
Wascott
22
McKenzie Rd
Frye Rd
8505E
15890S
15900S
15918S
N
0
200
400
600ft
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

ERVIN, SCOTT ET AL
Lot 26, Blk 4, Amnicon Properties Plat One
Section 28, T49N-R11W

After-the-Fact Area Variance #16-04
Hearing Date: ~~**April 27, 2016**~~*
(*held to re-advertise per applicants variance request changes)
May 25, 2016

Town of Lakeside

The applicant or appellant proposes:

after-the-fact area variance to allow three accessory structures to remain within the minimum setback requirement of the Lake Superior bluff

The applicant or appellant requests: variances from:

8.0 Zoning Ordinance:
Section IV, 4.4, 7 – Lake Superior Coastal Waters (See Attached)

Permit History:

March 7, 2013 - Land-Use Permit #23257 - Boathouse (this is one of the accessory structures)

A. Unnecessary hardship ☐is ☐is not present and the hardship ☐is ☐is not due to physical limitation of the property rather than the circumstances of the appellant because:

_____

_____

_____

_____

B. The variance ☐will ☐will not be contrary to the public interest as expressed by the objectives of the ordinance because: _____

_____

_____

C. The variance requested is ☐ denied ☐ granted ☐ granted-in-part subject to the following conditions: _____ _____

_____

_____

Voting Member: _____

Class 1	Class 2	Class 3				
		Black Fox	18-(8)	34-(15)	23-(15)	28-(7)
		Blue Spring	19-(2)	34-(2)	23-(2)	30-(10)
		Boot	19-(8c)	34-(2)	24-(10)	
		Buckley Spring	2-(12)	34-(3)	24-(12)	

Boathouse or similar structures which require waterfront location shall not be used for habitation nor extend toward the water beyond the ordinary high waterline.

4. Removal of Shoreline Cover

The cutting of trees and shrubbery shall be regulated to protect scenic beauty, control erosion and reduce the flow of effluents and nutrients from the shoreland. In the strip 35 feet inland from the normal high waterline, no more than 30 feet in any 100 feet shall be clear cut. In other areas, trees and shrub cutting shall be governed by consideration of the effect on water quality and should be in accord with accepted management practices. Natural shrubbery shall be preserved as far as practicable.

5. Commercial Forestry

The commercial harvesting of trees is allowed. The maintenance and improvement of water quality shall be emphasized in all timber harvesting operations.

6. Filling, grading, lagooning and dredging of any watercourse may be permitted only in accord with state law and where protection against erosion, sedimentation, and impairment of fish and aquatic life has been assured.

7. Lake Superior Coastal Waters

1. Setback
For lots that abut on navigable waters the following setback regulation shall apply:

(a) All permanent installations including soil absorption system, seepage pits and holding tanks; but not including piers and boathouses, shall be setback from all points along the bluff edge by the distance shown on the Lake Superior Shoreland Setback Table. Boathouses or similar structures which require waterfront location shall not be used for habitation nor extend toward the water beyond the ordinary high water elevation. The Zoning Administrator or his representative shall determine the setback for those cases not shown on the Setback Table, but in no case shall the setback be less than 75 feet from all points along the bluff edge.
(b) A setback equal to the average setback of existing principal buildings within 500 feet of a proposed building site shall be permitted where such existing buildings do not conform with the appropriate setback line. A minimum setback of 75 feet from all points along the bluff edge shall be

LAKE SUPERIOR SETBACKS, Douglas County Ordinance Chapter 8.0 pg 26

Setback Table: 3.0 Feet / Year Erosion Rate

Slope Angle (Degrees)	Slope Height (feet)													
	5	10	15	20	25	30	35	40	45	50	55	60	65	70
16	170	183	184	186	187	189	191	192	193	194	195	196	197	199
18	172	187	190	195	198	201	205	209	212	215	218	221	224	227
20	174	191	195	201	206	212	217	223	227	232	236	241	245	252
22	175	193	198	206	212	219	226	232	238	244	250	255	260	270
24	175	195	201	211	218	226	234	242	248	256	263	270	275	285
26	175	197	205	215	223	232	241	250	258	266	274	282	290	300
28	175	199	207	218	227	237	246	256	265	274	283	291	300	311
30	175	200	209	221	231	241	251	262	271	281	290	300	309	321
32	175	202	211	224	234	245	256	267	277	288	298	308	318	331
34	176	203	212	226	237	249	260	272	282	294	304	315	325	339
36	176	203	213	228	240	252	264	276	287	299	310	321	332	346
38	176	204	214	230	242	255	268	280	291	304	316	327	339	353
40	176	204	214	232	244	257	271	284	295	308	320	332	344	359
42	176	205	215	232	246	259	274	287	299	312	325	338	349	364
44	176	205	216	234	250	261	277	290	302	316	329	342	354	369
46	176	206	217	236	252	263	279	293	305	320	333	347	359	374
48	177	206	218	238	253	265	281	295	308	323	336	351	363	379
50	177	207	219	240	254	267	283	297	311	326	339	355	367	383
52	177	208	220	240	255	269	285	299	314	329	342	359	371	387
54	177	209	221	241	256	271	287	301	316	332	345	363	375	391
56	177	210	222	242	257	272	289	303	318	335	348	366	379	394
58	177	211	223	243	258	274	291	305	320	337	351	368	381	397
60	177	212	224	244	259	275	292	308	323	339	354	369	384	399

RECEIVED
APR 22 2016
BY:

NO. 2016-04

DOUGLAS COUNTY BOARD OF ADJUSTMENT
1313 BELKNAP STREET, ROOM 206, SUPERIOR, WI 54880
PHONE 715-395-1380 / FAX 715-395-7643

APPLICATION FOR VARIANCE

PLEASE NOTE: You should contact your Town Board chairman and attend your local Town Meeting to present your proposed plans to the Planning Commission and/or Town Board prior to the County Board of Adjustment's public hearing. Failure to do so could result in delay or denial of your request. The Board will request input from the Town.

Date of application: 4-13-2016 Hearing Date: 4-27-2016 or 5/25/2016

Property Owner Scott Ervin Day Phone No: (612) 508-5176

Mailing Address 4915 Dupont Ave S City Minneapolis State MN Zip 55419

Property Address: 10497 E. Devries Rd Town of Lakeside

Legal Description: ____ 1/4 ____ 1/4, Section 28, T 49 N, R 11 W

Lot 26 Block 4 Subdivision Amnicon Properties CSM Vol. ____ Page(s) ____

Tax Parcel No. LA-018-00879-0 Lake Classification ____ Zone District R-2

Present improvements on property (include all existing structures): 3 Articles of non-permenant personal property; one 8'x8' storage shed & two 14'x16' accessory structures. All buildings are not secured by means of a permenant foundation & are currently located greater*

Proposed Improvements: We're requesting a variance in a good faith effort to resolve a dispute with Douglas Co. Planning & Zoning office regarding the continued use of existing structures on the property within the lakeshore setbacks.

Lakeshore setback requested 250+ feet from the OHWM of Lake Superior (waterbody)

Lot line setback requested 30+ feet from Property line.

Road setback requested 250+ feet from the centerline of Devries Road (road/highway)

Other request: ____

* than 75 ft from the bluff edge. These structures are not dwellings & will not be used for habitation.

Fee $ See App # (1) Receipt # ____ Vendor # ____ Date Paid ____

Outcome: Approved ____ Approved w/Conditions ____ Denied ____ Date: ____

To qualify for a variance, you must meet all three requirements of a three-step test:

Explain in detail how the proposal meets all three approval criteria. (See attached instructions for definition and explanation of what this should describe.)

STEP 1. What unnecessary hardship will result from the strict application of the Counties ordinance requirement?

We're looking for both an area (setbacks) and a Use (continued as current) Variance. The lakeshore setbacks on this property cover the entire property & the county insists that continued storage of the structures on the property requires a variance. Due to the specific nature of how these structures rest on the property (ie. non-permenantly affixed to the earth) on concrete blocks without foundations, we feel these structures are personal property given their temporary nature & that they share the same attributes as a ice shanty or tent and as such, are not specifically in conflict with any of the county's zoning ordinances.

STEP 2. The hardship described in step 1 above is due to what unique physical limitations of the property?

The property is located along the southern shore of Lake Superior with a long slope down to the water & a flat portion of the property at the same elevation as the road. These conditions are similar across the Southern Shore of Lake Superior. The current slope to the water's edge is 21 degrees, just 5 degrees steeper than the 16 degree slope that would require the normal 75' setback. Eventually the bluff will deteriorate to the point where the slope is less than the 16 degree slope & normal 75' standard bluff setbacks will apply. The structures can be repositioned when the bluff edge encroaches & eventually they will be fully compliant with the normal 75' setback.

STEP 3. If a variance were granted would it cause harm to the public's interest? YES / (NO)

No, the structures in question are already existing & nothing but good things have happened as a result of their existance. We believe that Not issuing a variance would most certainly have negative impacts on the public's interest. We're conscientious **

Owner or Representative Signature

4.13.16
Date Signed

By signing this application, I give my/our permission to allow a site inspection to be made of the site by the Zoning Office, and/or Board of Adjustment members and allow photographs to be taken if necessary. To the best of my knowledge the information provided is true and accurate.

PLEASE NOTE:

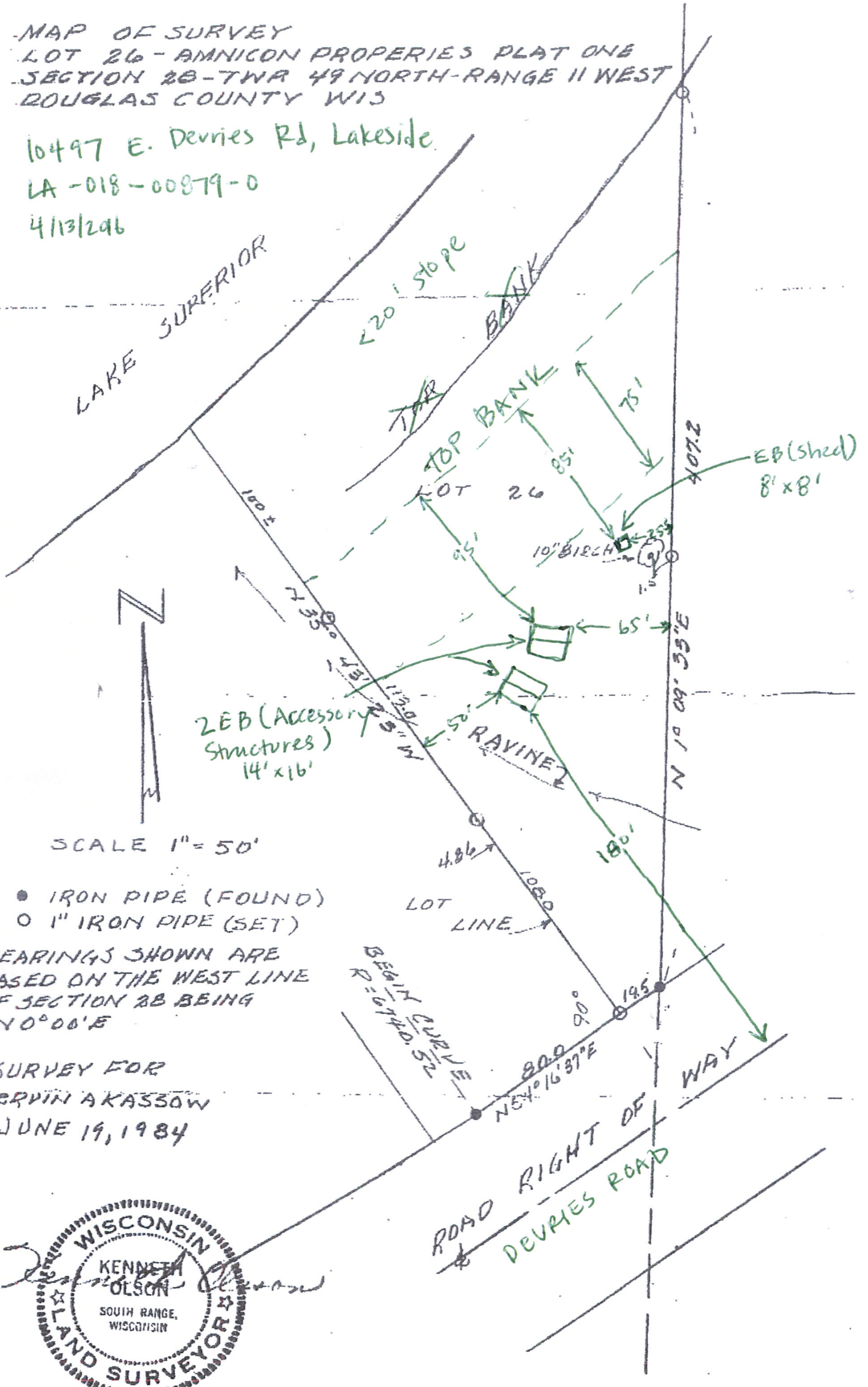
- **Approval of this variance does not grant permission to commence development until all permits are issued and conditions or requirements are satisfied.**

** stewards of the land - in the short time we've owned the property, we've planted native species to help stabalize the landscape & minimize property damage due to flooding & runaway erosion; we've cleaned up the trash on the property to increase the natural beauty; we've thinned out underbrush to help prevent forest fires; we've installed bird houses & bat houses that help to attract & sustain the wildlife habitats. According to the county assessor we've more than doubled the value of the property & we're happy to contribute extra tax dollars to the community. Our current use of the property also increases the economic vitality of the surrounding communities, every visit we make pours dollars into local businesses. If the county successfully forces us to remove the structures, all these gains to public interest will be reversed. Please help us to be a force of positive good for both the property and the surrounding area.

(2)

MAP OF SURVEY
LOT 26 - AMNICON PROPERIES PLAT ONE
SECTION 28 - TWN 49 NORTH - RANGE 11 WEST
DOUGLAS COUNTY WIS

10497 E. Devries Rd, Lakeside
LA-018-00879-0
4/13/296



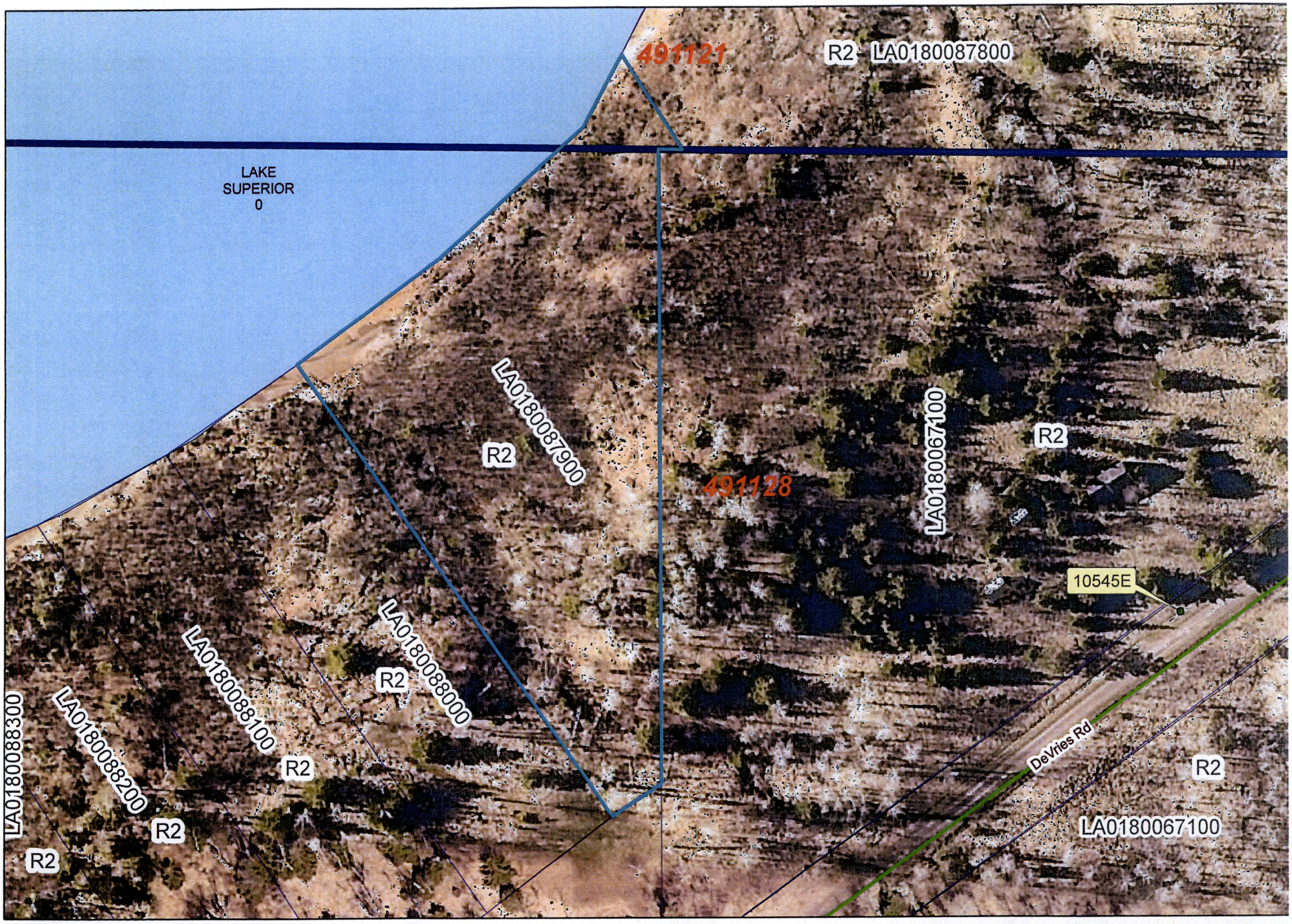
SCALE 1" = 50'

- ● IRON PIPE (FOUND)
- ○ 1" IRON PIPE (SET)

BEARINGS SHOWN ARE BASED ON THE WEST LINE OF SECTION 28 BEING N 0° 00' E

SURVEY FOR
ERVIN A KASSOW
JUNE 19, 1984

WISCONSIN
KENNETH OLSON
SOUTH RANGE, WISCONSIN
LAND SURVEYOR



Map Printed: 4/5/2016

MAP PRODUCED BY SHELLY WISNIEWSKI
DOUGLAS COUNTY ZONING

LINES AND DIMENSIONS ARE APPROXIMATE

VAR 2016-04 - Ervin, Scott
ATF Structures, R-2 ZD, 04-27-2016 Hrg

1 inch = 83 feet

80 40 0 80 Feet

N
W E
S

PARCEL MAP

LINES AND DIMENSIONS ARE APPROXIMATE

MAP PRODUCED BY RANDY JONES

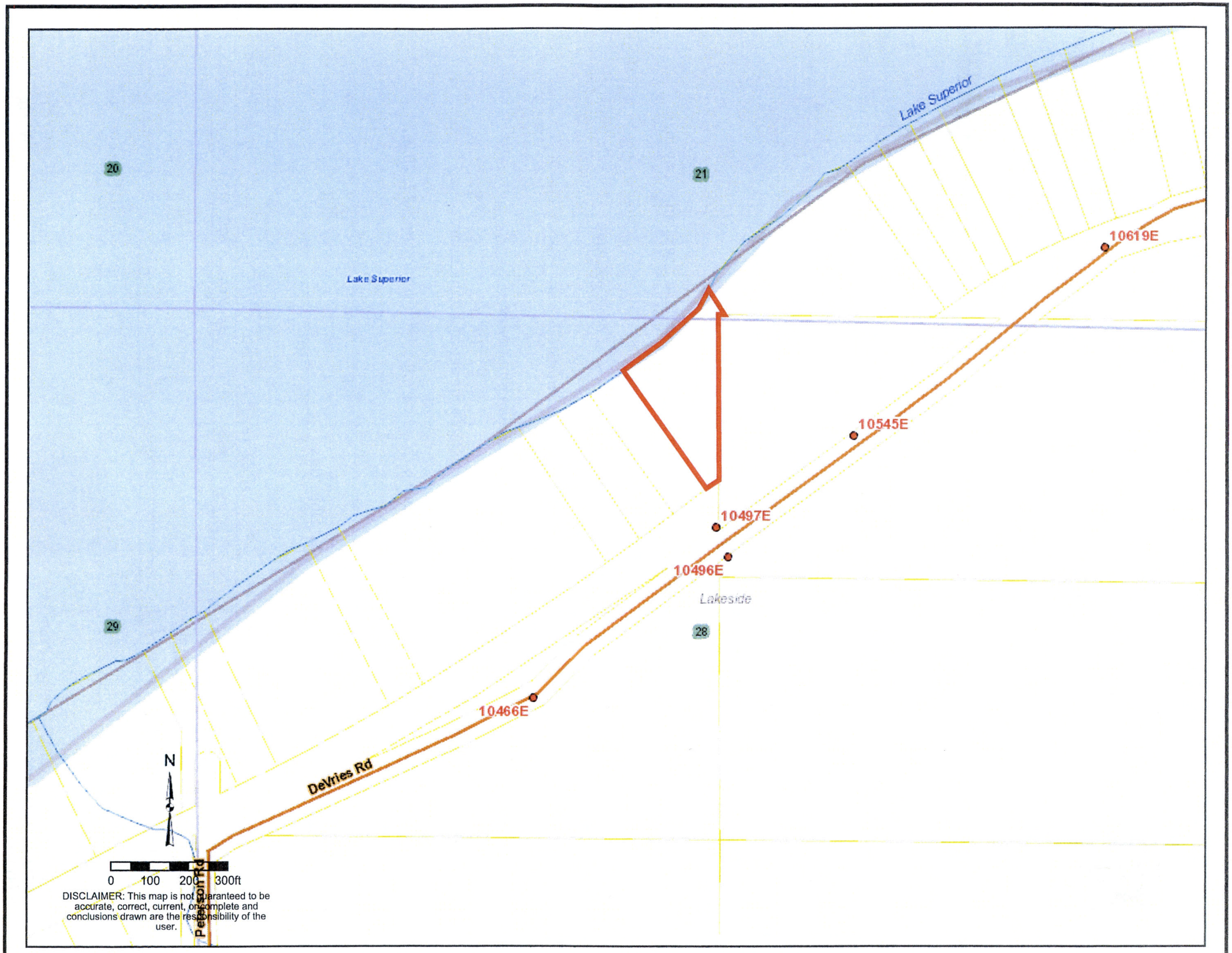
AERIAL PHOTO SPRING 2013

MAP PRINTED: 3/30/2016

1 inch = 100 feet

100 50 0 100 Feet

N


Lake Superior
20
21
Lake Superior
10619E
10545E
10497E
10496E
Lakeside
28
29
10466E
DeVries Rd
Peterson Rd
N
0 100 200 300ft
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

DOUGLAS COUNTY
Planning, Zoning & Land Information Offices
1313 Belknap Street, Room 206
Superior, WI 54880

Stephen Rannenberg
Administrator
Keith Wiley
Assistant Administrator
Ben Klitzke
County Surveyor

* Towns response to original (1st) request. (which was not acted on by the Bd of Adj)

Date: April 5, 2016

VAR 2016-04

To: Ruth Ann D. Schnepper
3196 S Poplar River Rd
Poplar, WI 54864

From: Steve Rannenberg, Planning and Zoning Administrator

Applicant: Scott Ervin

Petition: ATF Variance (see enclosed for detail)

Parcel ID / S-T-R / Zone Dist: LA-018-00879-00 / 28-49N-11W / R-2

1. We have received the attached application related to a proposed land use change in your town.

2. This proposed land use change is in the form of one or more of the following:

Petition to Rezone	___	Variance / appeal	X
Conditional Use Permit	___	Subdivision plat review	___

Please place this item on the next Town Board agenda for action by the board.

3. We would appreciate a response prior to our public hearing scheduled for **Apr. 27, 2016.**

4. Objection: X No Objection: _____

5. Comments DWELLING IS SPECIFIED IN THE COUNTY ORDINANCE. SETBACK IS ADDRESSED IN THE COUNTY ORDINANCE AS WELL.

6. Signature: _____ Date: 4-12-16

(715) 395-1380 Planning / Zoning – Permits
(715) 395-7643 FAX
(715) 395-1340 Surveyor

(715) 395-1570 Land Information / GIS
Web Page: www.DouglasCountyWI.org

DNR response (rec'd for original request) (which was not acted on) By the Bd of Adj

Nicolet Property Request

The department understands this request is being postponed until a further date. Thus the department does not have a comment regarding this request at this time.

Ervin et al After-the-Fact Property Requests

The department understands:

- The applicants have built two 16-foot x 14-foot principal structures ("dwellings") and a 8-foot x 8-foot accessory structure (shed) within the Lake Superior bluffline setback required under s. 8.0, Section IV 4.4 7 of the Douglas County Zoning Ordinance. The required Lake Superior bluffline setback is approximately 240 feet. The accessory structure lies 85 feet from this setback, and the nearest of the two principal structures is 95 feet from this setback.
- All the structures were built without proper permitting, and are thus after-the-fact requests.
- The applicants believe the principal structures are considered "personal property" because they are built on blocks instead of a full foundation, and thus believe they should not be considered structures under zoning.

While the applicants believe the principal structures are considered "personal property" because they are built on blocks instead of a full foundation, and thus believe they should not be considered structures under zoning, there are principal structures in Douglas County that are built on block without full foundations. Additionally, the applicants application states, "These structures are not dwellings and will not be used for habitation. However, pictures from the site provided by the Douglas County Planning, Zoning, and Land Information Department show plenty of windows, on the structures, a sofa, and a wood stove – all indicative of a habitable space, or a principal structure. And, in the end, the actual specific designation of these structures is not important in regard to meeting the Lake Superior bluffline setback as the setback is in regard to any structure.

The applicant must demonstrate meeting all three required variance criteria, and the requests are to be for the minimum relief necessary to relieve unnecessary burdens (Anderson, Robert M. *American Law of Zoning* 3d, (1986) Vol. 3, s. 20.86, pp. 624-5), to be granted a variance. The department does not believe these can be demonstrated based on the narrative in the application packet the department received, highlighted by the following:

1. The department is not sure a limitation unique to the physical property has been demonstrated. While there are setback limitations on the property, the narrative in the application does not demonstrate how the property is unique from the neighboring properties in regard to this request. However, it is also unclear if there is a compliant building location on the property.
2. The department does not believe an unnecessary hardship for this request has been demonstrated. The Snyder vs Waukesha County Zoning Board of Adjustment decision (74 Wis. 2d 468, 478-79, 247 N.W.2d 98) made it clear circumstances of the applicant are not factors to be considered when deciding variances. No reasons are explained in the application packet to support why the location of the structures so far within the required Lake Superior bluffline setback is necessary, nor why two principal structures are necessary. Further, the narrative does not demonstrate why denying the requests would be unnecessarily burdensome. Thus it appears the request is a circumstance or desire of the applicant, and not an unnecessary hardship.
3. It must be considered whether or not allowing three structures so far within the required Lake Superior bluffline setback represents the minimum relief necessary to relieve unnecessary burdens.
4. Given all of the above, that the expansion would increase the amount of impervious surface, and that the request is not in concert with some of the Douglas County Shoreland Zoning Ordinance purposes identified in s. 8.4, Section I 1.3, it is expected granting the request would cause harm to the public interest.
5. Given 1-4, it is not unnecessarily burdensome to deny the variance request.

For these reasons, the department recommends the request as proposed be denied.

Please note that these comments are in regard to shoreland zoning only, and do not reflect applicable erosion control, waterway permitting, floodplain zoning, or other department regulations.

Thank you again for the opportunity to provide comments.

Please contact me if you have any questions regarding this email.

Mike

We are committed to service excellence.
Visit our survey at http://dnr.wi.gov/customersurvey to evaluate how I did.

Michael Wenholz
Regional Shoreland Specialist – Bureau of Watershed Management
Wisconsin Department of Natural Resources
1701 N 4th St. ; Superior, WI 54880
Phone: 715-492-0200
michael.wenholz@wisconsin.gov

dnr.wi.gov

Rec'd 4-25-16

April 20 - 2016

Planning + Zoning
Superior, Wisconsin

To whom concerned:

As adjoining lot owners we were heartened to hear that the development on this site was under Review. We have watched in wonder as Scott and Adam and crew installed structures in areas in which we were instructed were unbuildable.
Is it possible that these structures are permenant?
If an "after-the-fact" variance is accepted does this set a new precident and what effect does this have on ordinances going forward?
Are there fines involved with this action?

a concerned citizen / neighbor

Nathan Shaw
Afton, Minn.
651-998-0696

TURNBOOM, BRAD & CHARLENE (KASTERN) **Area Variance #16-05**

PT Gov't. Lot 4 **Hearing Date: May 25, 2016**
Section 19, T45N-R11W
Town of Solon Springs

The applicant or appellant proposes: area variance to allow the construction of an addition to a legal non-conforming dwelling 1) exceeding the allowed 50% expansion of the existing enclosed building area, 2) within the minimum setback requirement of the town road and 3) within the minimum setback requirement of the side lot line

The applicant or appellant requests: an area variance from:

8.0 Zoning Ordinance

Section IX – Nonconforming Structures (*see attached*)
Section IV, 4.2, 1 (c) – *the setback requirement from a town road shall be 63 feet from the centerline or 30 feet from the right-of-way line, whichever is greater*
Dimensional Requirement – *10 feet from the side lot line*

Permit History:

July 2, 1987 Land-Use Permit #6395 Drainage Ditch & Retaining Wall (Rip Rap)
July 21, 1992 Land-Use Permit #8881 Addition & Deck
Oct 18, 1994 Variance #286 Approved garage addition 22 ft from town road centerline.
Oct 28, 1994 Land-Use Permit #10307 Garage (approved by variance #286)
May 1, 2009 Land-Use Permit #21500 Alteration to a seasonal dwelling
Apr 28, 2010 Land-Use Permit #22012 Stairs & Landing / Retaining Wall

A. Unnecessary hardship ☐is ☐is not present and the hardship ☐is ☐is not due to physical limitation of the property rather than the circumstances of the appellant because:

_____

_____

_____

B. The variance ☐will ☐will not be contrary to the public interest as expressed by the objectives of the ordinance because: _____

_____

_____

C. The variance requested is ☐ denied ☐ granted ☐ granted-in-part subject to the following conditions: _____ _____

_____

_____

Voting Member: _____

3. Expiration

Land use permits for construction, alteration, or removal of structures shall expire 12 months from their date of issuance if no building activity has begun within such time. Land use permits for land use changes shall expire 18 months from their date of issuance where no action has been taken to accomplish such changes.

8.3 Violations

Any person who violates this ordinance shall forfeit a sum up to $200, plus costs of prosecution, for each day of violation. Default of payment shall result in imprisonment in the Douglas County Jail for a period of not to exceed six months.

SECTION IX. NONCONFORMING STRUCTURES AND USES

Present uses of principal or accessory buildings, signs and premises may be continued even though they do not conform to the development regulations of this ordinance. The ordinary maintenance, repair, renovation or remodeling of a nonconforming structure is allowed without the issuance of a land use permit. However, structural repairs or alterations of such buildings, signs or premises, requiring the issuance of a land use permit, shall not exceed 33% of the structural members of existing roof, walls and foundation. Expansion of a nonconforming structure may not exceed 50% of the enclosed building area and may not increase the nonconformity without the approval of a variance by the Board of Adjustment unless a building, sign or premises conforming to the development regulations of this ordinance results. Nonconforming minor accessory structures (such as decks and porches) may not be expanded or replaced without a variance. Any nonconforming use that is abandoned for one year shall be discontinued permanently unless this restriction is waived by the Douglas County Board. Any expansion of an existing nonconforming use must not change the use. Any change of an existing nonconforming use to another use requires compliance with the development regulations within that zoning district.

SECTION X. BOARD OF ADJUSTMENT

10.1 Composition

A Board of Adjustment is hereby created in accordance with the provisions of Section 59.694, Wis. Stats., and will be appointed by the County Administrator.

10.2 Rules

1. Chair and Vice Chair

The Board of Adjustment will elect a Chair and Vice Chair to preside over meetings. Elections will be held at the end of every three-year term of the

NO. 2016-05

DOUGLAS COUNTY BOARD OF ADJUSTMENT
1313 BELKNAP STREET, ROOM 206, SUPERIOR, WI 54880
PHONE 715-395-1380 / FAX 715-395-7643

APPLICATION FOR VARIANCE

PLEASE NOTE: You should contact your Town Board chairman and attend your local Town Meeting to present your proposed plans to the Planning Commission and/or Town Board prior to the County Board of Adjustment's public hearing. Failure to do so could result in delay or denial of your request. The Board will request input from the Town.

Date of application: 04-05-2016 Hearing Date: 05-25-2016

Property Owner CHARLESTERN TURNBOOM / Brad TURNBOOM Day Phone No: (715) 395-1499

Mailing Address 2023 E 6th St City Superior State WI Zip 54880

Property Address: 11091 S Engstad Rd Town of Solon Springs

Legal Description: _____ 1/4 _____ 1/4, Section 19, T 45 N, R 11 W

Lot _____ Block ____ Subdivision Pt of Govt Lot 4 (AKA PCI 12) CSM Vol. _____ Page(s) _____

Tax Parcel No. SO-026-00458-00 Lake Classification _____ Zone District RR-1

Present improvements on property (include all existing structures): 1 House 1 Garage

Proposed Improvements: 25 x 15 Addition to Dwelling

Lakeshore setback requested _____ feet from the OHWM of _____ (waterbody)

Lot line setback requested _____ feet from _____.

Road setback requested _____ feet from the centerline of _____ (road/highway)

Other request: _____

Fee $ 475 pd. **Receipt #** 11281 **Vendor #** 1808491 **Date Paid** 04-05-2016

Outcome: Approved _____ **Approved w/Conditions** _____ **Denied** _____ **Date:** _____

To qualify for a variance, you must meet all three requirements of a three-step test:

Explain in detail how the proposal meets all three approval criteria. (See attached instructions for definition and explanation of what this should describe.)

STEP 1. What unnecessary hardship will result from the strict application of the Counties ordinance requirement?

The property cannot be reasonably used in strict conformance w/ the Ordinance. and a Variance is necessary to enable a reasonable use.

We need more room, we have adopted (2) children from Douglas County + would like to allow them to have their own rooms

STEP 2. The hardship described in step 1 above is due to what unique physical limitations of the property?

50' Ft from Road way However there is a hill to get to the existing House we want to add a Room onto. to make Room for our (2) children.

STEP 3. If a variance were granted would it cause harm to the public's interest? YES / (NO)

Owner or Representative Signature

4/5/2016
Date Signed

By signing this application, I give my/our permission to allow a site inspection to be made of the site by the Zoning Office, and/or Board of Adjustment members and allow photographs to be taken if necessary. To the best of my knowledge the information provided is true and accurate.

PLEASE NOTE:

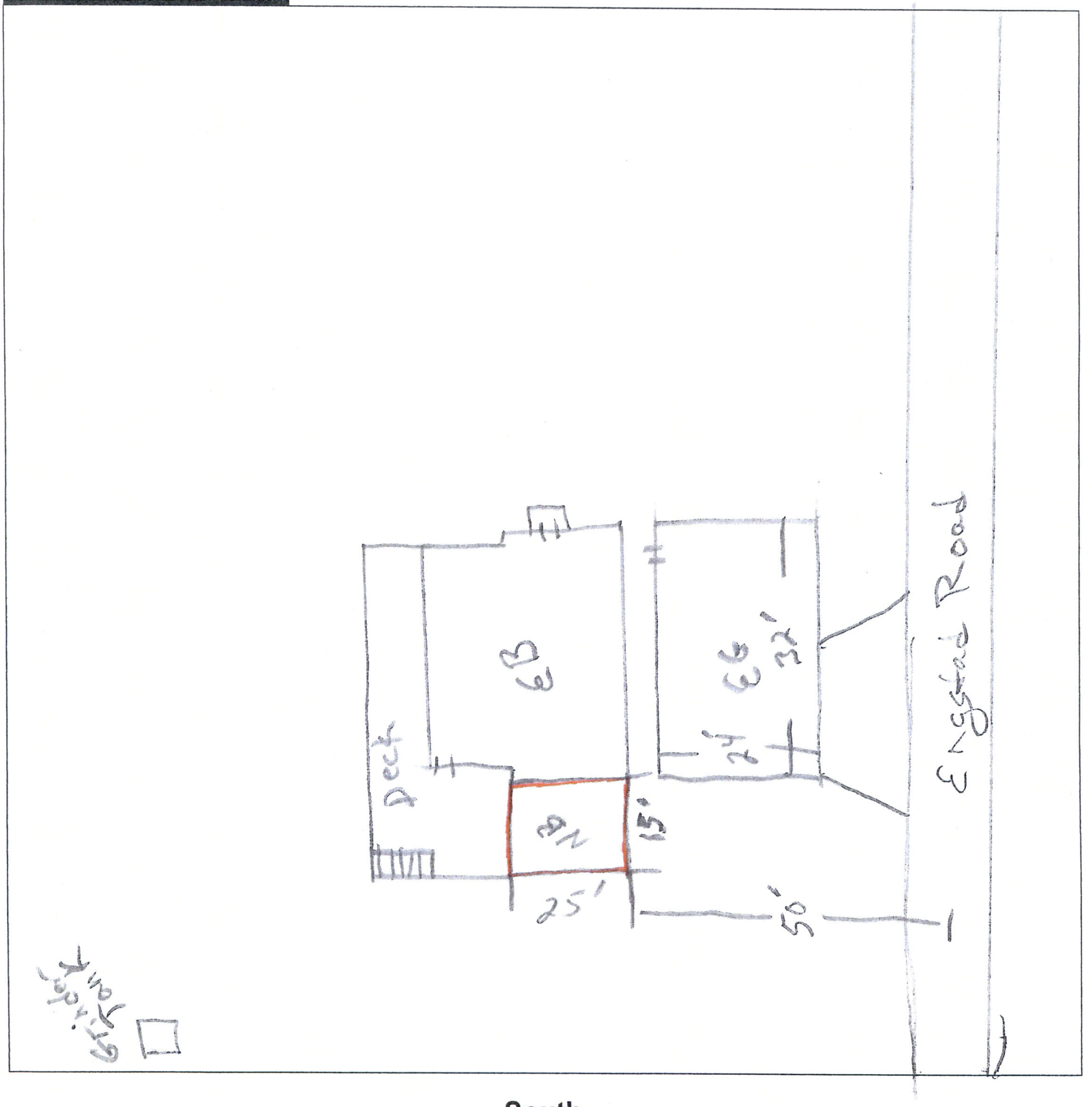
- **Approval of this variance does not grant permission to commence development until all permits are issued and conditions or requirements are satisfied.**

Property Address: 11091 S Engstad Rd Town of Solar Springs

Tax Parcel I.D.: 50-026-00458-00 Date 4/5/2016

North

Variance Application Sketch



South

TURNBOOM SITE SKETCH

(A) PROPOSED ADDITION
(B) SEE # 8881
(C) SEE # 10307
(D) SEE # 21500
(E) SEE # 22012

Upper St. Croix Lake

N

ORDINARY HIGH WATER MARK

75'

MINIMUM SETBACK FROM R/W & RIGHT-OF-WAY

63'

25'

25'

PARCEL 12

ORIGINAL CABIN

DECK

STAIRS

DWELLING

GARAGE

80'

65'

17'

15'

25'

25'

15'

17'

70'

RETAINING WALLS

MIN. SETBACK FROM OHWM

ENGSTAD ROAD

TRAVELLED ROAD

85.72' ±

SE CORNER PCL 12

392' ±

SCALE: 1" = 30'

NOTE: SKETCH NOT BASED ON SURVEY DATA.

NOTE: THE PROPOSED EXPANSION CONSTITUTES 111% EXPANSION OVER THE LIFE OF THE STRUCTURE.

Turnboom

Original cabin: 24’ x 32’ = 768 square feet

1992 addition: 16’ x 30’ = 480 square feet

Proposed addition: 15’ x 25’ = 375 square feet

Total additions = 855 square feet or 111% of the original structure

Turnboom Strip Map

Legend

- Superior Zoning
- US and State Highways
  - US Highways
  - State Highways
- County/Town/Forest Roads
  - County Roads
  - Town Roads
  - Forest Roads
- City/Village/Private Roads
  - City and Village Roads
  - Private Drives
- Railroads
- Pipelines
- Rivers and Streams
- Sections
- Parcels (Approximate)
- Cities (Scale below 25K)
- Villages (Scale below 25K)
- Towns
- Lake Superior
- Counties
  - MN
  - WI
- Aerial (Douglas Co) 2013 Color

N

0 200 400 600ft

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Author:	DOUGLAS COUNTY WISCONSIN
Date Printed: 05/5/16 4:6 PM	
Sources:	

Map Printed: 4/6/2016

MAP PRODUCED BY SHELLY WISNIEWSKI
DOUGLAS COUNTY ZONING

VAR - Charlene Kastern/ Brad Turnboom
Add to LNC Dwelling, RR-1 ZD, 05-25-2016 Hrg

1 inch = 55 feet

50 25 0 50 Feet

N
W E
S

LINES AND DIMENSIONS ARE APPROXIMATE

DOUGLAS COUNTY

Planning, Zoning & Land Information Offices

1313 Belknap Street, Room 206
Superior, WI 54880

Stephen Rannenberg
Administrator

Keith Wiley
Assistant Administrator

Ben Klitzke
County Surveyor

Date: April 6, 2016

VAR 2016-05

To: Karri Long
P.O. Box 275
Solon Springs, WI 54873

From: Steve Rannenberg, Planning and Zoning Administrator

Applicant: Charlene Kastern & Brad Turnboom

Petition: Addition to legal nonconforming year-round dwelling

Parcel ID / S-T-R / Zone Dist: SO-026-00458-00 / 19-45N-11W / RR-1

1. We have received the attached application related to a proposed land use change in your town.

2. This proposed land use change is in the form of one or more of the following:

Petition to Rezone	___ ___	Variance / appeal	X ___
Conditional Use Permit	_____	Subdivision plat review	___ ___

Please place this item on the next Town Board agenda for action by the board.

3. We would appreciate a response prior to our public hearing scheduled for **May 25, 2016.**

4. Objection:_____ No Objection: X _____

5. Comments_____
_____

6. Signature: Karri Long Date: 4/11/16

(715) 395-1380 Planning / Zoning – Permits
(715) 395-7643 FAX
(715) 395-1340 Surveyor

(715) 395-1570 Land Information / GIS
Web Page: www.DouglasCountyWI.org

BENNIS, ADAM & MARTHA
N1/2-SW1/4-NE1/4
Section 26, T48N-R12W
Town of Amnicon

Area Variance #16-06
Hearing Date: May 25, 2016

The applicant or appellant proposes: – use variance to allow two dwellings on one parcel.

The applicant or appellant requests: an area variance from:

8.0 Zoning Ordinance
Section II, 2.1 (7) & (14) – Definitions

(7) Dwelling: A building designed or used exclusively as the living quarters for one or more families. To include site built homes, manufactured homes and modular homes…….

(14) Lot: A parcel of land occupied or capable of being occupied by **one** building and the accessory buildings or uses customarily incident to it; ……

Permit History:

None

A. Unnecessary hardship ☐is ☐is not present and the hardship ☐is ☐is not due to physical limitation of the property rather than the circumstances of the appellant because:

_____

_____

_____

B. The variance ☐will ☐will not be contrary to the public interest as expressed by the objectives of the ordinance because: _____

_____

_____

C. The variance requested is ☐ denied ☐ granted ☐ granted-in-part subject to the following conditions: _____ _____

_____

_____

Voting Member: _____

NO. 2016-6

DOUGLAS COUNTY BOARD OF ADJUSTMENT
1313 BELKNAP STREET, ROOM 206, SUPERIOR, WI 54880
PHONE 715-395-1380 / FAX 715-395-7643

APPLICATION FOR VARIANCE

PLEASE NOTE: You should contact your Town Board chairman and attend your local Town Meeting to present your proposed plans to the Planning Commission and/or Town Board prior to the County Board of Adjustment's public hearing. Failure to do so could result in delay or denial of your request. The Board will request input from the Town.

Date of application: 4/22/16 Hearing Date: 05-25-2016

Property Owner Adam & Martha Bennis Day Phone No: (218) 591-6385

Mailing Address 4148 S. Wentworth Rd City South Range State WI Zip 54874

Property Address: 4148 S. Wentworth Rd Town of Amnicon

Legal Description: N½ SW 1/4 NE 1/4, Section 26, T 48 N, R 12 W

Lot _____ Block _____ Subdivision _____ CSM Vol. _____ Page(s) _____

Tax Parcel No. AM-002-00588-00 Zone District A1

Present improvements on property (include all existing structures): Drive way & Pole Building (36' x 36')

Proposed Improvements: Year round Home For Family of 4 and Year round ~~mobile~~ home (manufactured) For mother.

Lakeshore setback requested _____ feet from the OHWM of _____ (waterbody)

Lot line setback requested _____ feet from _____.

Road setback requested _____ feet from the centerline of _____ (road/highway)

Other request: * Two residence on one 20 acre parcel.

Fee $ 475 **Receipt #** 11337 **Vendor #** 1808917 **Date Paid** 04-22-2016

Outcome: Approved _____ **Approved w/Conditions** _____ **Denied** _____ **Date:** _____

To qualify for a variance, you must meet all three requirements of a three-step test:

Explain in detail how the proposal meets all three approval criteria. (See attached instructions for definition and explanation of what this should describe.)

STEP 1. What unnecessary hardship will result from the strict application of the Counties ordinance requirement?

Our mother (mother-in-law) will not be able to live independently while still having reasonable support from family close by to make sure she is properly taking care of herself.

STEP 2. The hardship described in step 1 above is due to what unique physical limitations of the property?

Douglas County only allows one resrdence per parcel, we would like to add a resrdence for our mother to live.

STEP 3. If a variance were granted would it cause harm to the public's interest? YES / (NO)

This has no impact on the neighboring area.

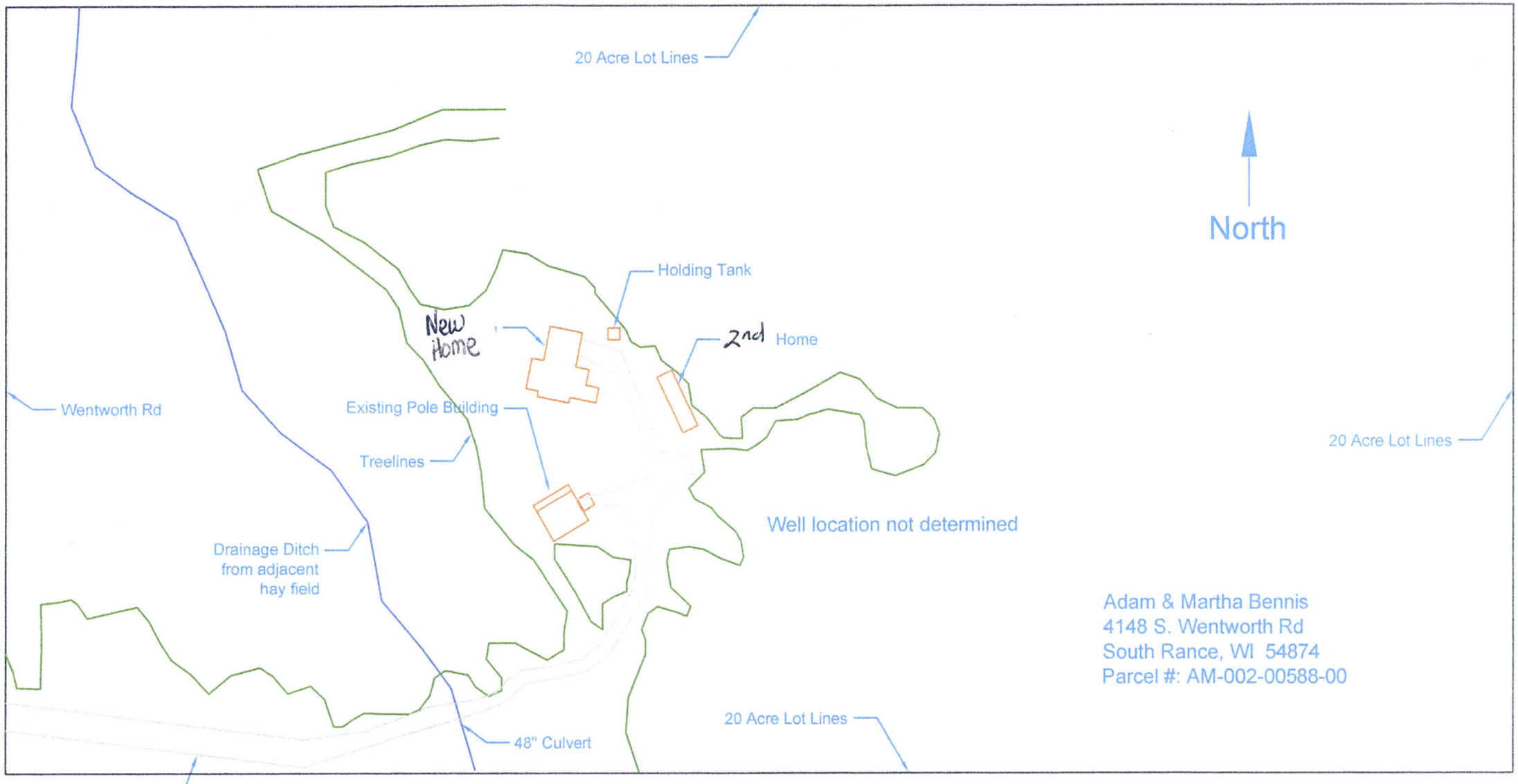
Owner or Representative Signature

4/19/16
Date Signed

By signing this application, I give my/our permission to allow a site inspection to be made of the site by the Zoning Office, and/or Board of Adjustment members and allow photographs to be taken if necessary. To the best of my knowledge the information provided is true and accurate.

PLEASE NOTE:

- **Approval of this variance does not grant permission to commence development until all permits are issued and conditions or requirements are satisfied.**



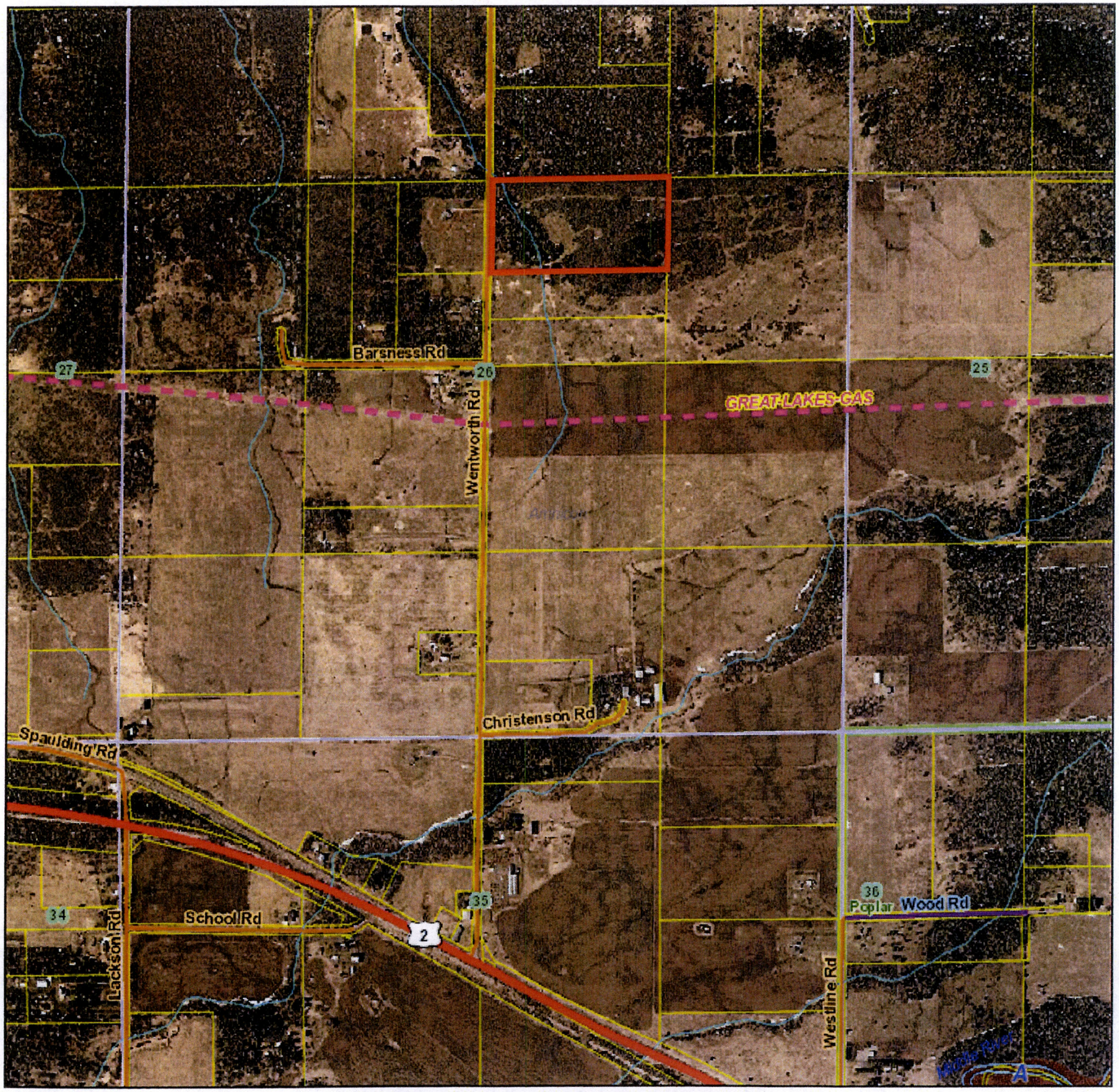
Scaling Line

100 ft

New Home

Mobile Home 14'x56'

Bennis Strip Map



Legend

- Flood Hazard Areas
- Superior Zoning
- US and State Highways
- County/Town/Forest Roads
  - County Roads
  - Town Roads
  - Forest Roads
- City/Village/Private Roads
  - City and Village Roads
  - Private Drives
- Railroads
- Pipelines
- Rivers and Streams
- Sections
- Parcels (Approximate)
- Cities (Scale below 25K)
- Villages (Scale below 25K)
- Towns
- Lake Superior
- Counties
  - MN
  - WI

Aerial (Douglas Co) 2013 Color

N

0 500 1000 1500ft

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Author:	DOUGLAS COUNTY WISCONSIN
Date Printed: 05/5/16 4:5 PM	
Sources:	

Map Printed: 4/26/2016

MAP PRODUCED BY SHELLY WISNIEWSKI
DOUGLAS COUNTY ZONING

LINES AND DIMENSIONS ARE APPROXIMATE

VAR 2016-6 - Bennis, Adam & Martha
2nd Dwelling, A-1 ZD, 05-25-2016 Hrg

1 inch = 150 feet

150 75 0 150 Feet

N W E S

SCOTT & KRISTIE ESSEN
Pt NW1/4-SW1/4
Section 11, T48N-R11W
Town of Maple

After-the-Fact Area Variance #16-07
Hearing Date: May 25, 2016

The applicant or appellant proposes: – after-the-fact area variance to allow an accessory building to remain within the town road right-of-way

The applicant or appellant requests: an area variance from:

> **8.0 Zoning Ordinance, Section IV, 4.2, 1 (c)** – *the setback requirement from a town road shall be 63 feet from the centerline or 30 feet from the right-of-way line, whichever is greater*

Permit History:

May 1, 1971	Land-Use Permit	#24	Mobile Home
June 13, 1995	Land-Use Permit	#10621	Year-Round Dwelling
March 26, 2003	Land-Use Permit	#17190	Accessory Building
June 15, 2015	Land-Use Permit	#24184	Accessory Building

A. Unnecessary hardship ☐is ☐is not present and the hardship ☐is ☐is not due to physical limitation of the property rather than the circumstances of the appellant because:

_____

_____

_____

B. The variance ☐will ☐will not be contrary to the public interest as expressed by the objectives of the ordinance because: _____

_____

_____

C. The variance requested is ☐ denied ☐ granted ☐ granted-in-part subject to the following conditions: _____ _____

_____

_____

Voting Member: _____

NO. 2016-07

DOUGLAS COUNTY BOARD OF ADJUSTMENT
1313 BELKNAP STREET, ROOM 206, SUPERIOR, WI 54880
PHONE 715-395-1380 / FAX 715-395-7643

APPLICATION FOR VARIANCE

PLEASE NOTE: You should contact your Town Board chairman and attend your local Town Meeting to present your proposed plans to the Planning Commission and/or Town Board prior to the County Board of Adjustment's public hearing. Failure to do so could result in delay or denial of your request. The Board will request input from the Town.

Date of application: 4/24/2016 Hearing Date: 05-25-2016

Property Owner Scott & Kristie Essen Day Phone No: (218) 591-7065

Mailing Address 3074 S. Landeka Rd City Maple State WI Zip 54854

Property Address: 3074 S. Landeka Rd Town of Maple

Legal Description: NW 1/4 SW 1/4, Section 11, T 48N N, R 11 W

Lot _____ Block ____ Subdivision _____ CSM Vol. _____ Page(s) _____

Tax Parcel No. MA-020-00390-00 Zone District A-1

Comm SW COR NW SW, TH N-626', TH E-417', TH S-626', th W to POB

Present improvements on property (include all existing structures): used existing slab by pouring over top and Building Barn

Proposed Improvements: Built a Barn on slab

Lakeshore setback requested _____ feet from the OHWM of _____ (waterbody)

Lot line setback requested _____ feet from _____.

Road setback requested 31 feet from the centerline of Road (road/highway)

Other request: _____

ATF = 475 x 2

Fee $ 950 pd. **Receipt #** 11356 **Vendor #** 1427735 **Date Paid** 04-29-2016

Outcome: Approved _____ **Approved w/Conditions** _____ **Denied** _____ **Date:** _____

To qualify for a variance, you must meet all three requirements of a three-step test:

Explain in detail how the proposal meets all three approval criteria. (See attached instructions for definition and explanation of what this should describe.)

STEP 1. What unnecessary hardship will result from the strict application of the Counties ordinance requirement?

STEP 2. The hardship described in step 1 above is due to what unique physical limitations of the property?

STEP 3. If a variance were granted would it cause harm to the public's interest? YES / (NO)

Scott Essen

Owner or Representative Signature

4-25-16

Date Signed

By signing this application, I give my/our permission to allow a site inspection to be made of the site by the Zoning Office, and/or Board of Adjustment members and allow photographs to be taken if necessary. To the best of my knowledge the information provided is true and accurate.

PLEASE NOTE:

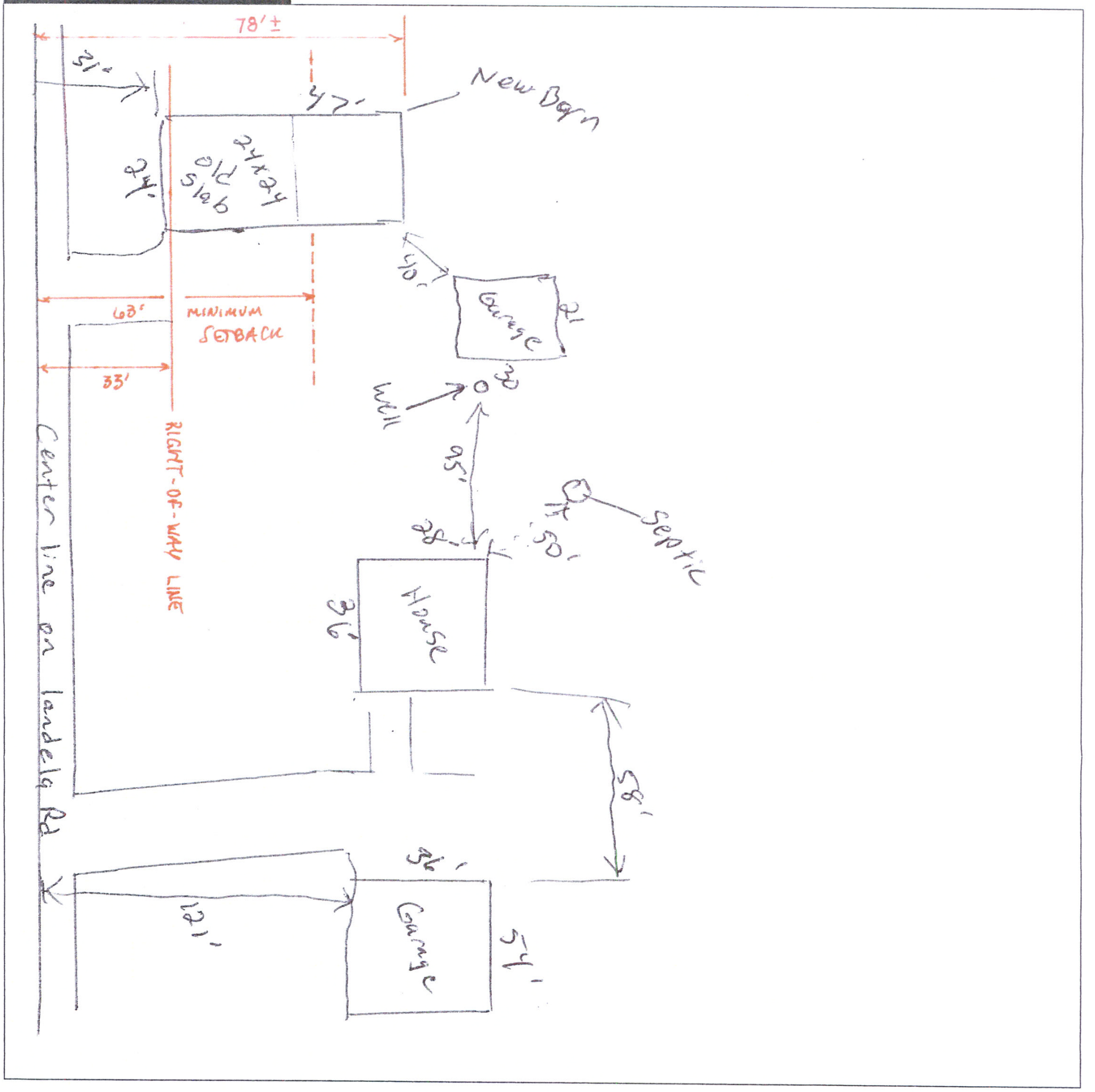
- **Approval of this variance does not grant permission to commence development until all permits are issued and conditions or requirements are satisfied.**

Property Address: 3074 S. landelg Rd Town of maple

Tax Parcel I.D.: MA-020-00390-00 Date 4-25-2016

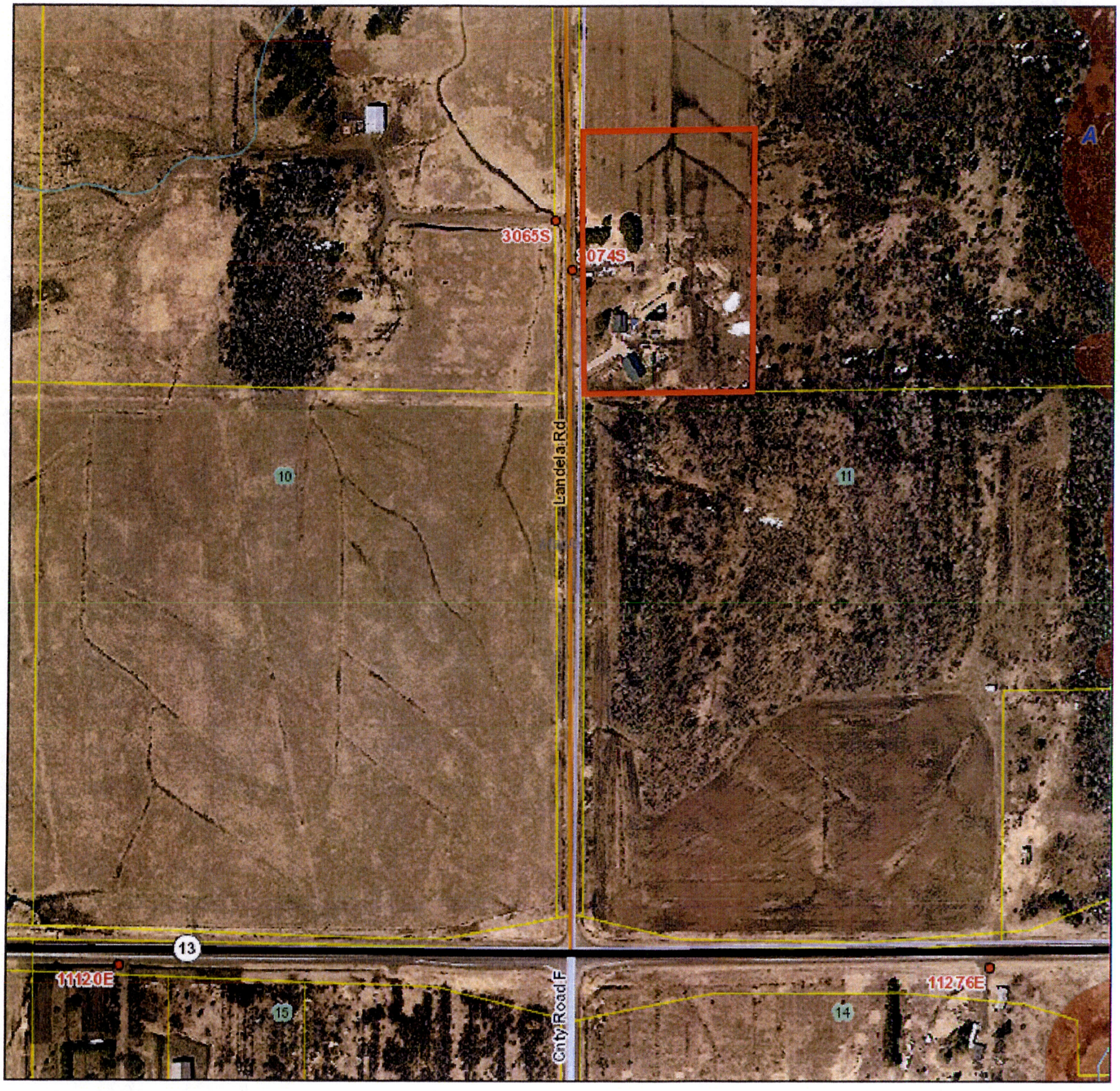
North

Variance Application Sketch



South

BARN
04/19/2016 08:44



Essen Strip Map

Legend

- Flood Hazard Areas
- Superior Zoning
- Addresses
- US and State Highways
- County/Town/Forest Roads
  - County Roads
  - Town Roads
  - Forest Roads
- City/Village/Private Roads
  - City and Village Roads
  - Private Drives
- Railroads
- Pipelines
- Rivers and Streams
- Sections
- Parcels (Approximate)
- Cities (Scale below 25K)
- Villages (Scale below 25K)
- Towns
- Lake Superior
- Counties
  - MN
  - WI
- Aerial (Douglas Co) 2013 Color

N

0 200 400 600ft

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Author:	
Date Printed: 05/5/16 4:3 PM	
Sources:	

Map Printed: 4/29/2016

MAP PRODUCED BY SHELLY WISNIEWSKI
DOUGLAS COUNTY ZONING

LINES AND DIMENSIONS ARE APPROXIMATE

VAR 2016-07 - Essen, Scott
Acc Bldg Rd S/B, A-1 ZD, 05-25-2016 Hrg

1 inch = 100 feet

100 50 0 100 Feet

N
W E
S