



DOUGLAS COUNTY

Planning, Zoning & Land Information Offices

1313 Belknap Street, Room 206
Superior, WI 54880

Stephen Rannenberg
Administrator

Keith Wiley
Assistant Administrator

Zach DeVoe
Land Information Officer

June 6, 2016

DOUGLAS COUNTY BOARD OF ADJUSTMENT

Wednesday, June 22, 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. #16-05: Brad & Charlene (Kastern) Turnboom – from the May 25, 2016 hearing - area variance;
 - b. #16-07: Scott & Kristie Essen – from the May 25, 2016 hearing - after-the-fact area variance;
 - c. #16-08: Trent Sprague – area variance; and
 - d. #16-09: James Lagae, et al – area variance.
- 4) Approval of minutes from the May 25, 2016 meeting (attached).
- 5) Future Agenda Items.
- 6) Adjourn.

cc: Towns with applications
 ecopy: County Board Supervisors Andy Lisak, County Administrator
 Carolyn Pierce, Corp Counsel Sue Sandvick, County Clerk
 snelson@superiortelegram.com 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** 06-06-16

(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, June 22, 2016** in the Government Center, Second Floor, Room 201, 1316 North 14th Street, Superior, Wisconsin, to hear the following application:

#16-05 Brad & Charlene (Kastern) Turnboom, Superior, WI – held from the May 25, 2016 hearing - 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 (63 feet from the centerline of the town road or 30 feet from the right-of-way line, whichever is greater) 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.

#16-07 Scott & Kristie Essen, Maple, WI – held from the May 25, 2016 hearing - after-the-fact area variance to allow an accessory building to remain within the town road setback (63 feet from the centerline of the town road or 30 feet from the right-of-way line, whichever is greater), located in Pt. NW1/4-SW1/4, Section 11, T48N-R11W; (MA-020-00390-00; 3074 S Landela Road), Town of Maple.

#16-08 Trent Sprague, Danbury, WI – area variance to 1) allow an addition (8' x 20') to a nonconforming structure that will lie within the town road setback (63 feet from the centerline of the town road or 30 feet from the right-of-way line, whichever is greater) and 2) allow an addition (14' x 16') to a nonconforming structure that will lie within the visual clearance triangle of the intersection of Moose Road and State Highway 35, located in the SE1/4-SE1/4-SE1/4, Section 18, T44N-R14W; (DA-010-00970-01; 13195 S State Hwy 35), Town of Dairyland.

#16-09 James Lagae, et al, Solon Springs, WI – area variance to allow the construction of a garage that will lie within the town road setback (63 feet from the centerline of the town road or 30 feet from the right-of-way line, whichever is greater), located in Pt Gov't. Lot 4, Section 24, T45N-R12W; (SO-026-01045-00; 11128 S Brancel Road), Town of Solon Springs.

Doug Hanson, Chairman
Steve Rannenber, 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 June 3 & 10, 2016

TURNBOOM, BRAD & CHARLENE (KASTER)

Area Variance #16-05

PT Gov't. Lot 4
Section 19, T45N-R11W
Town of Solon Springs

Hearing Date: ~~May 25, 2016~~
June 22, 2016

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 CHARLASTER TURNBOOM / Brad Turnboom Day Phone No: (715) 395-1499

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

Property Address: <u>11091 S Engstad Rd</u>	Town of <u>Solar Springs</u>
Legal Description: _____ 1/4 _____ 1/4, Section <u>19</u> , T <u>45</u> N, R <u>11</u> W	
Lot _____ Block _____ Subdivision <u>Pt of Govt Lot 4</u>	CSM Vol. _____ Page(s) _____
Tax Parcel No. <u>SD-026-0045B-00</u>	Lake Classification _____ Zone District <u>RR-1</u>

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

Proposed Improvements: 25x15 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 \$ <u>475 pd.</u>	Receipt # <u>11281</u>	Vendor # <u>1808491</u>	Date Paid <u>04-05-2016</u>
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

NO

[Signature]

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

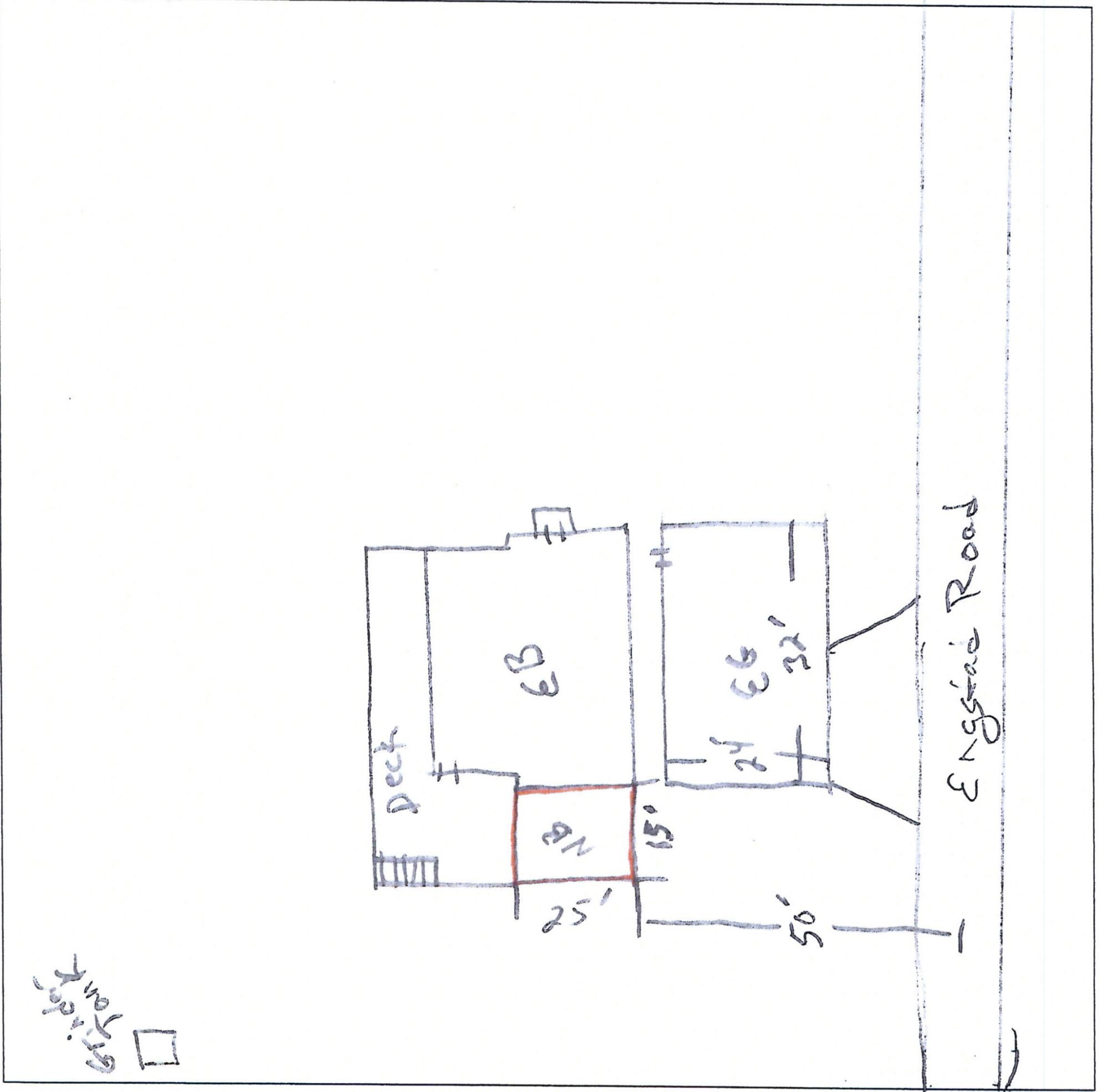
Town of SOLOM SPRINGS

Tax Parcel I.D.: SO-026-00458-00

Date 4/5/2016

North

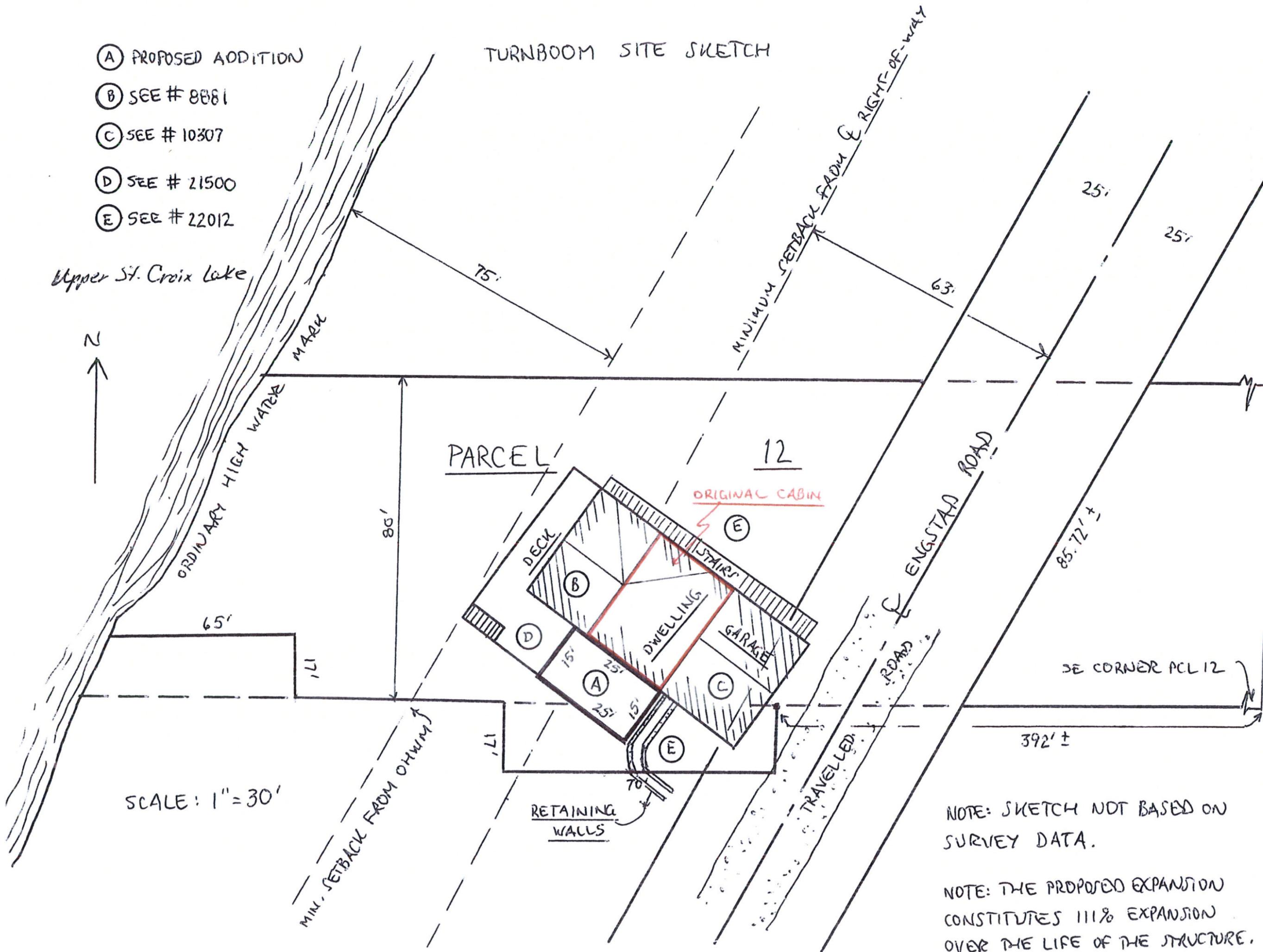
Variance Application Sketch



South

TURNBOOM SITE SKETCH

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



NOTE: SKETCH NOT BASED ON SURVEY DATA.

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

Turnboom

Original cabin: $24' \times 32' = 768$ square feet

1992 addition: $16' \times 30' = 480$ square feet

Proposed addition: $15' \times 25' = 375$ 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



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	
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



LINE 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

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

VAR 2016-05

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	<input type="checkbox"/>	Variance / appeal	<input checked="" type="checkbox"/>
Conditional Use Permit	<input type="checkbox"/>	Subdivision plat review	<input type="checkbox"/>

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:

5. Comments _____

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