

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: 05-24-2016 Hearing Date: 06-22-2016

Property Owner JAMES LAGAE Day Phone No: (218) 393-1060

Mailing Address 11128 S BRANCEL ROAD City SOLOW SPRINGS State WI Zip 54873

Property Address: SAME Town of SOLOW SPRINGS
Legal Description: GL 4 1/4 1/4, Section 24, T 45 N, R 12 W
Lot Block Subdivision N-100' of S-1/3 GL4 CSM Vol. Page(s)
Tax Parcel No. 50-026-01045-00 Zone District R-2

Present improvements on property (include all existing structures): YEAR-ROUND DWELLING
DETACHED GARAGE

Proposed Improvements: DETACHED GARAGE 24' x 32

Lakeshore setback requested feet from the OHWM of (waterbody)

Lot line setback requested feet from

Road setback requested 31.44' feet from the centerline of BRANCEL ROAD (road/highway)

Other request:

Fee \$ 475 Receipt # 11447 Vendor # 1810312 Date Paid 05-24-2016
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?

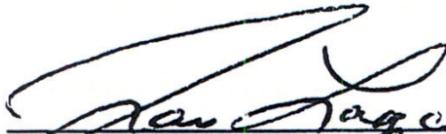
unable to store personal belongings on property.

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

large wetland complex prohibits meeting 63' road setback

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

adjacent neighbors have similar garages within road setback


Owner or Representative Signature

5-24-16
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.



DOUGLAS COUNTY PLANNING, ZONING & LAND INFORMATION OFFICE
 1313 BELKNAP STREET, ROOM 206
 SUPERIOR, WI 54880
 715 - 395-1380 / FAX 715 - 395-7643

APPLICATION FOR LAND-USE & CONDITIONAL-USE PERMITS

APPLICATION WILL NOT BE PROCESSED WITHOUT SIGNATURE & DATE ON FRONT AND BACK OF THIS PAGE.

TO WHOM IT MAY CONCERN: The undersigned hereby applies for a permit to do work herein described in this application. The undersigned agrees that all work will be done in accordance with the Douglas County Zoning, Shoreland Zoning, Subdivision Control, Floodplain Ordinances and with all laws of the State of Wisconsin applicable to said premises. Do not start any construction until this office has issued a permit. Failure to obtain the necessary permits will result in a double permit fee and/or citation.

CONDITIONAL-USE PERMIT APPLICATIONS: PLEASE CONTACT TOWN CLERK - APPLICATIONS REQUIRE REVIEW BY YOUR TOWN BOARD PRIOR TO SCHEDULED ZONING COMMITTEE PUBLIC HEARING

Property Owner's Name: Jim LAGAE
 Mailing Address: 11128 S. BRANCEL Rd City, State & Zip: Solon Springs WI 54873
 Telephone: 218-393-1060 E-mail Address: _____

PROPERTY DESCRIPTION: Information must be complete and accurate. If applicable state lot number, block number, subdivision name, government lot number, quarter sections, etc. (Note: This may be copied from your tax notice or deed.)

Tax Parcel #: 50-026-01045-00 Section 24 Town 45 N Range 12 W

Town of: Solon Springs Parcel Acreage or Size: _____

Property Address: 11128 S. BRANCEL Rd

Legal Description: N-100' of S-1/2 of Govt Lot 4 24-45-12

Name of Adjacent Lake or Stream: UPPER ST. CROIX Lake Class _____ Zone District R-2

Type of construction: NEW BUILDING Mobile Home Manufacture Date: _____
(new building, manufactured home, mobile home, addition to seasonal dwelling, alteration to accessory building, relocate structure)

Proposed Use: _____
(year-round or seasonal dwelling, accessory building, commercial building, change use of structure)

	Length	Width	Area (sq ft)	Height	Stories	# Bedrooms	# Occupants	Est Cost - \$
Dwelling								
Accessory Bldg	32'	24'	768	13'8"	1			16,000. ⁰⁰
Accessory Bldg								

Please stake building site prior to submitting this application.

Has any portion of the project been started? Yes No Sanitary Permit #: _____

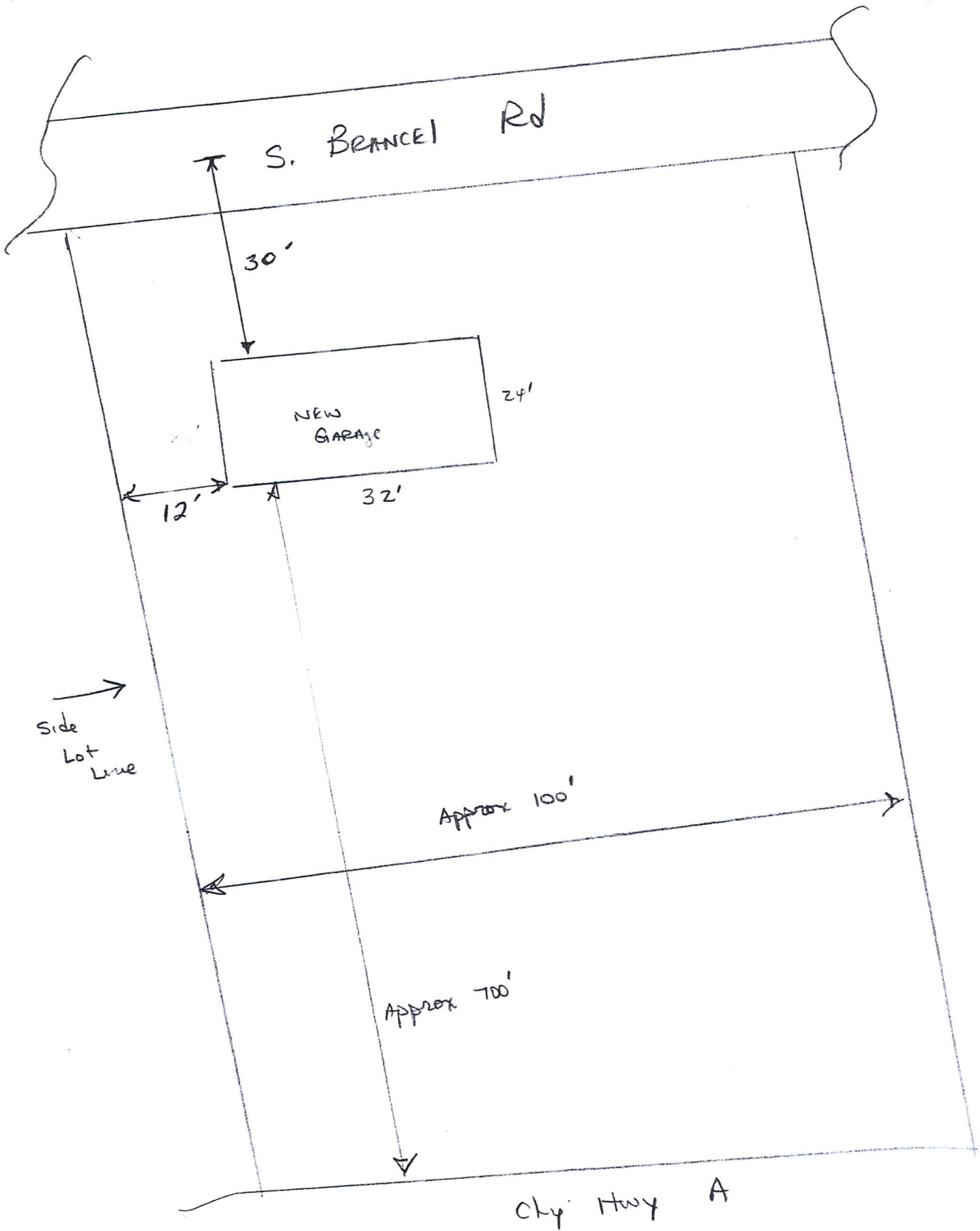
Signature of owner or agent: [Signature] Date: 5-23-16

Agent address & phone number: _____

By signing this application, I give my/our permission to allow a site inspection to be made of the site by Zoning staff and allow photographs to be taken if necessary.

LAND-USE PERMIT \$ 105 LAND-USE PERMIT \$ _____
 CONDITIONAL-USE PERMIT \$ _____
 DOUBLE PERMIT FEE \$ _____ DATE PAID 05-24-2016
 RECEIPT NUMBER 11447 VENDOR NUMBER 1810312

VARIANCE NO: _____
 ZONE CHANGE NO: _____
 DATE ISSUED: _____
 PERMIT NO: _____



Property Address: 1128 S BRANCEL ROAD

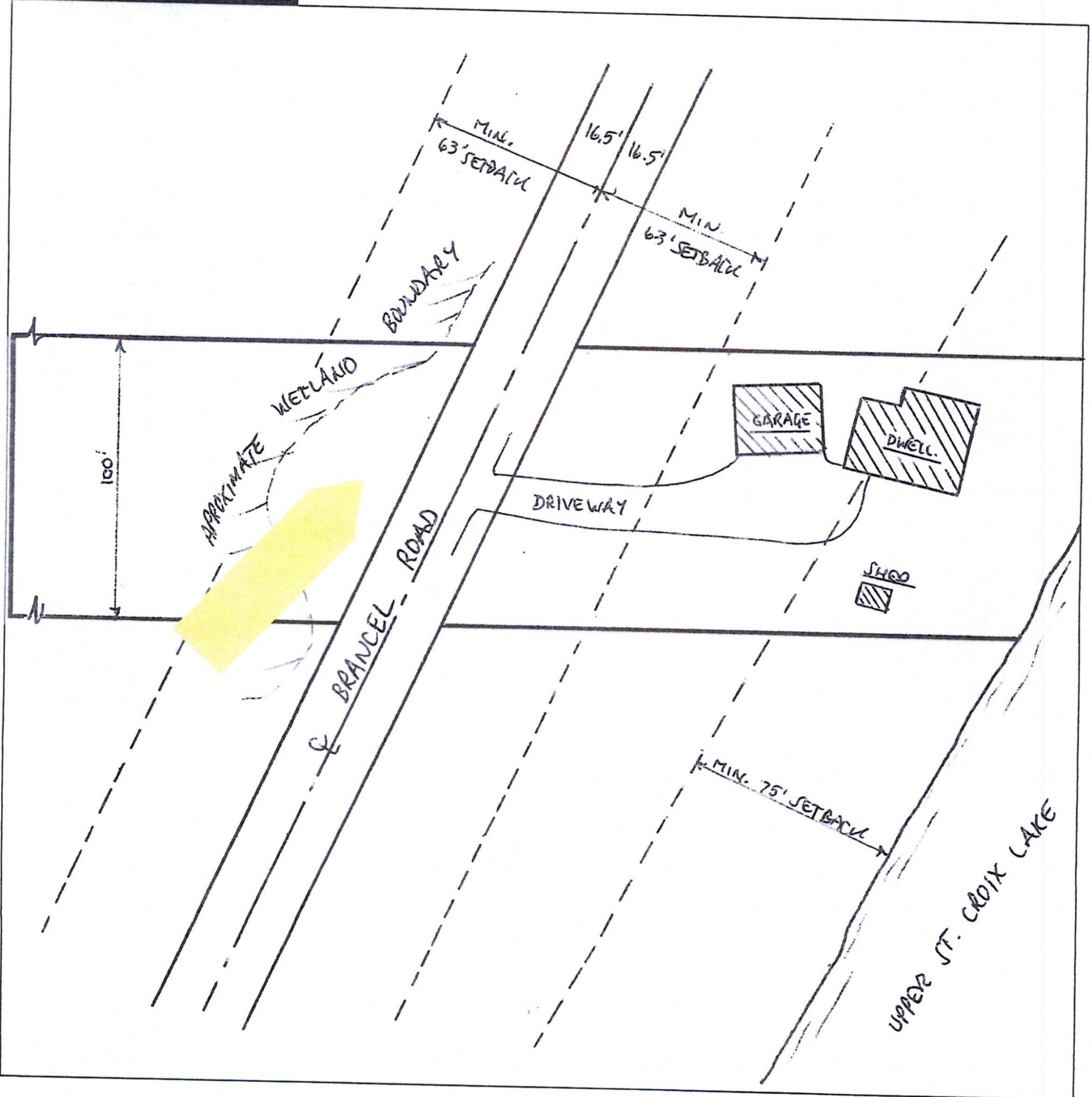
Town of JOLON SPRINGS

Tax Parcel I.D.: 50-026-01045-00

Date 05-24-2016

North

Variance Application Sketch



South



31.34'

24.00'

24.00'

31.34'

31.44'

7.85'

27.79'

101
1017.7

102
1017.7

103
1017.4

104
1017.29



Map Printed: 5/24/2016

MAP PRODUCED BY SHELLY WISNIEWSKI
DOUGLAS COUNTY ZONING

VAR - Lagae, James A.
Acc Bldg w/i road S/B, R-2 ZD, 06-22-2016 Hrg

1 inch = 50 feet

LINES AND DIMENSIONS ARE APPROXIMATE

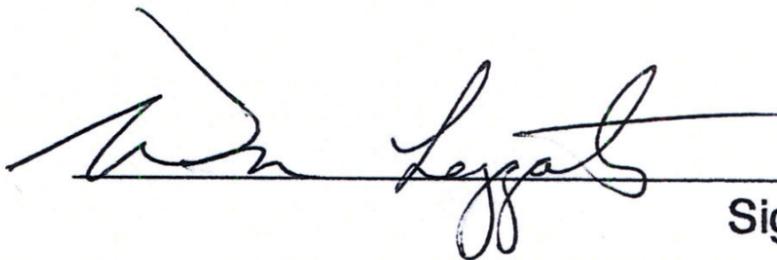


Neighbor Consent Letter

Date: May 23, 2016

I reside at(neighboring address) 11136 S. Brancel Rd and I am the adjoining property owner. I am granting written permission to my neighbor James Lagae of 11128 S Brancel Rd Solon Springs Wi 54873 for the sole purpose of building a garage on his property.

William A. Leggate
Printed name


Signature

DOUGLAS COUNTY BOARD OF ADJUSTMENT
May 25, 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 – Gary Saari, Douglas Hanson, Roger Wilson, Larry Luostari, Larry Kappes, (Alt.). Absent – Dale Johnson. Others present – James Heim (Alt.), Keith Wiley, Sue Radzak, Russell Nicolet, Scott Ervin, Nathan Shaw, Brad Turnboom, Char Kastern, Adam Bennis, Scott Essen, Robert Fritzke, Kaci Lundgren (Committee Clerk).

ANNOUNCEMENT: Role and conduct of the Board read.

PUBLIC HEARING:

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.

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

Applicant present; application reviewed. 4' x 4' landing allowed to be constructed for exit access from patio door.

ACTION: Motion by Wilson, second Luostari, 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 all of the deck would lie within the setbacks and there are already 2 variances on the property. The variance will be contrary to the public interest as expressed by the objectives of the ordinance because the deck would lie within the setback. Roll call vote taken, with all present voting yes to deny, for reasons stated in the motion.

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.

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

Applicant present; application reviewed.

ACTION: Motion by Wilson, second Kappes, 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 the

Lake Superior bluff setback applies, and the Town of Lakeside, DNR, and a neighbor all object. The variance will be contrary to the public interest as expressed by the objectives of the ordinance because it goes against the ordinance. Roll call vote taken, with all present voting yes to deny, for reasons stated in the motion.

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.

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

Applicant present; application reviewed.

ACTION: Motion by Kappes, second Wilson, 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 approving the application would be a violation of state law due to the fact that there is no hardship present. The addition would also be well past the 50% buildable allowance. Roll call vote taken, with 2 Yes, 3 No, 1 Absent, to deny, for reasons stated in the motion. Motion failed. Absent – Johnson.

Break from 10:17 to 10:25 to determine procedural process.

ACTION: Motion by Hanson, second Luostari, to refer to next month's meeting for further information. Motion carried.

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.

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

Applicant present; application reviewed. Second dwelling to be a mobile home and share septic and well with primary dwelling (to be constructed). Second dwelling intended for elderly parent to help with care.

ACTION: Motion by Hanson, second Saari, to approve application, based on the fact that unnecessary hardship is present, and the hardship is due to the physical limitation of the property rather than the circumstances of the appellant because it would be unnecessarily burdensome to not allow a second dwelling. Second dwelling to be removed when elderly parent no longer resides there; a second person may not live in dwelling when elderly parent leaves. A 6-month removal timeframe will be allowed. Roll call vote taken, with all present voting yes to approve, for reasons stated in the motion.

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.

ACTION: Motion by Hanson, second Luostari, to extend meeting beyond two-hour limit.

ACTION: Motion by Kappes, second Hanson, to hear application. Motion carried.

Gary Saari abstained from discussion at 10:54 a.m.; James Heim (alternate) filled Saari's position on the board.

Applicant present; application reviewed. Public notice advertised hearing item as building in town right-of-way; Board of Adjustment does not have authority to approve a building on another's property.

ACTION: Motion by Heim, second Wilson, to refer application to next month due to improper public notice. Board of Adjustment to deal with setback issue only, not town right-of-way allowance. Motion carried.

Saari returned to board at 11:13 a.m.

Public hearing adjourned at 11:14 a.m.

APPROVAL OF MINUTES: Motion by Kappes, second Wilson, to approve April 27, 2016, minutes. Motion carried.

ADJOURNMENT: Motion by Wilson, second Kappes, to adjourn. Motion carried. Meeting adjourned at 11:18 a.m.

Submitted by,

Kaci Lundgren, Committee Clerk