

DOUGLAS COUNTY BOARD OF ADJUSTMENT
June 22, 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, Dale Johnson. Others present – Larry Kappes, (Alt.), James Heim (Alt.), Steve Rannenber, Sue Radzak, Scott Essen, Brad Turnboom, Char Kastern, James Lagae, Trent Sprague, Kaci Lundgren (Committee Clerk).

ANNOUNCEMENT: Role and conduct of the Board read.

PUBLIC HEARING:

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.

Applicants present; application reviewed. Side lot setback of proposed addition may be enough; actual length not yet determined.

Break from 9:17 a.m. to 9:22 a.m.

ACTION: Motion by Johnson, second Luostari, 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 the proposed structure will be no bigger than existing building. Building will be reduced to 12' x 25' to not infringe on side lot setback, and runoff will be reduced. The variance will not be contrary to the public interest as expressed by the objectives of the ordinance because no part of the proposed structure is closer to any side lot or town road setback than existing garage. Roll call vote taken, with 4 Yes, 1 No. Voting no - Wilson. Motion carried.

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.

Gary Saari abstained from discussion at 9:34 a.m.; Larry Kappes (alternate) filled Saari's position on the board.

Applicant present; application reviewed. Permit to build outlined the requirement of the 63 foot road setback; requirement not followed.

ACTION: Motion by Wilson, second Johnson, 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 there is no sufficient hardship presented; town discussion should be more extensive. The variance will be contrary to the public interest as expressed by the objectives of the ordinance because there are other reasonable alternatives. Roll call vote taken, with all present voting yes to deny, for reasons stated in the motion. Motion carried.

Saari returned to board at 10:00 a.m.

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.

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

Applicant present; application reviewed.

ACTION: Motion by Johnson, second Luostari, 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 existing structure was constructed long before ordinance; proposed addition is not closer to town or state right-of-way. In addition, the second portion of the request to build the 14' x 16' addition be withdrawn. The variance will not be contrary to the public interest as expressed by the objectives of the ordinance because the 8' x 20' addition will not interfere with the visual clearance triangle. Roll call vote taken, with all present voting yes to approve, for reasons stated in the motion. Motion carried.

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.

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

Applicant present; application reviewed.

ACTION: Motion by Johnson, second Wilson, 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 wetland boundaries limit buildable site area. New building must be outside of wetland jurisdiction. The variance will not be contrary to the public interest as expressed by the objectives of the ordinance because the new garage will be built outside of wetland area. Roll call vote taken, with all present voting yes to approve, for reasons stated in the motion. Motion carried.

Public hearing adjourned at 10:20 a.m.

APPROVAL OF MINUTES: Motion by Luostari, second Saari, to approve May 25, 2016, minutes. Motion carried.

ADJOURNMENT: Motion by Johnson, second Luostari, to adjourn. Motion carried. Meeting adjourned at 10:24 a.m.

Submitted by,

Kaci Lundgren, Committee Clerk