

DOUGLAS COUNTY BOARD OF ADJUSTMENT
Wednesday, June 22, 2022, 10:00 a.m., Government Center Board Room 201
1316 North 14th Street, Superior, Wisconsin

Meeting called to order by Chair Bob Martin.

ROLL CALL: Present – Bob Martin, Sam Jones, Gary Saari, Larry Kappes, Larry Luostari. Others present – Terri Luebbe, Tessah Behlings, Marissa Hanson, Dan Corbin, Jon Arneson, Lois Chandler, Leslie Chandler, Sr., Chris Totzke, Alyssa Totzke, Kendra Schmidt, Kaci Jo Lundgren (Committee Clerk).

ANNOUNCEMENT/CONFIRMATION OF PROCEDURAL REQUIREMENTS: Role and conduct of the Board and confirmation read. The Zoning Office confirms that state law and Douglas County Ordinance procedural requirements for this hearing have been met. This includes proper advertisement and notification to the towns and adjoining property owners.

APPROVAL OF MINUTES: Motion by Kappes, second Luostari, to approve May 25, 2022, minutes. Motion carried.

PUBLIC HEARING:

#22-02: Leslie and Lois Chandler, Gordon, WI – from the May 25, 2022 hearing - Area Variance to allow for a, a) bedroom addition, and, b) roof overhang for carport to a principal structure that are both within the minimum setback requirement of the ordinary high water mark of the St. Croix River, which is 75', within the town road setback, which is 63' from the centerline or 30 feet from the right of way line, whichever is greater, and within the front lot line setback of the R-2 zone district, which is 50', and within the minimum side lot line setback requirement of the R-2 zone district, which is 20' for a principal structure; Lot 2 CSM #444, Vol 3 Pgs 91-2, Pt NE SE, Section 30, T44N-R11W; (GO-012-01235-01, 13851 S St Croix Road), Town of Gordon: Applicants present; no objections from town. Addition requested due to health concerns and movement ability within dwelling. Letter from DNR read aloud recommending denial as the hardship is a circumstance of the appellant and not the property itself, and other options exist that are compliant with the Zoning Ordinance.

ACTION: Motion by Luostari, second Kappes, to deny application because 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 dwelling can still be used as is. The variance will be contrary to the public interest as expressed by the objectives of the ordinance because excess runoff may cause water health issues. Roll call vote taken and passed with 5 – Yes, 0 – No, 0 – Absent. Variance request denied.

#22-03: Alyssa and Christopher Totzke, Foxboro, WI - Area Variance to allow a manufactured home to remain within the minimum setback requirement of a town road, which is 63 feet from the centerline or 30 feet from the right of way line, whichever is greater; and within the minimum required setback from the front lot line in the R-2 zone district, which is 50'; Lots 55-57, Blk 6, Townsite of Patzau, Section 3, T46N-R15W; Vac

Alley; (SU-028-01768-00, 1515 Gehling Rd), Town of Summit: Applicants present; no objections from town. Town does not want to vacate Gehling Road due to potential access issues to property at end, if sold. Only other property on road is owned by applicant. Concrete pad existed on property prior to current ownership.

ACTION: Motion by Jones, second Luostari, to approve application because unnecessary hardship is present and the hardship is due to the physical limitation of the property rather than the circumstances of the appellant because compliance with the ordinance would not allow for a reasonably sized dwelling; the property is bound by a County Highway and a Town Road, with little developable area on the parcel, which is unique to the area. The variance will not be contrary to the public interest as expressed by the objectives of the ordinance because Gehling Road only services one dwelling at this time. The road is a dead end and not highly used. Roll call vote taken and passed with 5 – Yes, 0 – No, 0 – Absent. Variance request granted.

#22-04: Cloverland Mission Covenant Church, Maple, WI – Area Variance to allow for an existing non-conforming structure to be converted to a dwelling that lies within the front lot line setback of 50 feet in the A-1 zone district, and within the State Highway setback of 130 feet from the centerline or 66 feet from the right of way line, whichever is greater; Lot 2 CSM 1499 Vol 11 Pgs 199-200, Pt E-1/2 SE SW SE, Section 36, T49N-R11W; (CL-008-00698-00, 11889 E State Highway 13), Town of Cloverland: Jon Arneson, Pastor of church, present; no objections from town. Congregation has outgrown building and looking to relocate; sale of building is not final due to necessary variance to use as dwelling. Building has existed over 100 years and predates ordinance. Due to floodplain, highway setbacks, and location of cemetery, parcel is limited for development.

ACTION: Motion by Jones, second Kappes, to approve application because unnecessary hardship is present and the hardship is due to the physical limitation of the property rather than the circumstances of the appellant because compliance with ordinance would render a large portion of the parcel unusable and parcel is uniquely limited due to floodplain and increased right-of-way in the area. The variance will not be contrary to the public interest as expressed by the objectives of the ordinance because the structure has been in its current location since it was constructed and will not move. Roll call vote taken and passed with 5 – Yes, 0 – No, 0 – Absent. Variance request granted.

Public hearing adjourned at 11:16 a.m.

FUTURE AGENDA ITEMS: One potential application for July.

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

Submitted by,

Kaci Jo Lundgren
Committee Clerk