

**Lincoln County Board of Adjustment**  
**Minutes of Thursday, March 23, 2006 at 8:30 a.m.**  
**Land Resource Center Meeting Room**

1. Open meeting and Call to Order - Meeting was called to order at 8:30 a.m. in the Zoning Office. Members present: Lamer, Wendt, Jach-Richards, Steffenhagen, Gruetzmacher, & Alternate Pat Priebe, Dan Miller; Zoning Administrator and Dan Bowers; Zoning Specialist.

The Board, Miller, and Bowers left to tour the sites of Public Hearings that would be held later in the morning.

Meeting was called to order by Chairman Lamer at 10:00 a.m. in the Land Resource Center Meeting Room at 1106 E. Eighth Street, Merrill, WI.

Members present for the public hearings: Lamer, Steffenhagen, Jach-Richards, Wendt, and Gruetzmacher along with alternate Pat Priebe. Priebe didn't participate in the discussion nor the decision since all 5 of the Board Members were present.

Visitors: Dan Miller, Kris Reichelt, Dan Bowers, Mary Heederik - Court Reporter and 2 others.

2. Approve minutes from November 17, 2005 meeting – Motion by Steffenhagen, seconded by Gruetzmacher to approve the minutes from November 17, 2005. Motion Carried 5 – 0.
3. Public Hearing – Testimony was taken on the item listed on the hearing notice. Following the hearing for the petition for variance there was Discussion, Deliberations, Findings of Fact, Conclusions and determinations.

Variance

1. Brad and Carla Wallenfang for a variance from Sections 21.07(1) and 21.13(2)(b)4 of the Zoning Ordinance to allow for the construction of a full basement under an existing home which would result in an addition to livable area in excess of 1500 square feet at a setback less than 75 feet to South Twin Lake, and to allow them to raze and rebuild a garage at a setback less than 75 feet from South Twin Lake. The property is located in part of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and part of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 5, T34N, R07E in the Town of Skanawan; also known as N9629 S. Twin Lakes Road.

Brad Wallenfang was present to support their request and was sworn in. He indicated that the existing garage is approximately 67 feet to the water. They did consider putting the garage in other location but they would prefer to locate it where it was proposed. The area that was clear cut was green space for the kids to play. He said that adding onto the other existing garage would be hard because it's difficult to get in and out of it the way it is and it has some structural damage so he would rather not add onto that garage. He also explained that the proposed location already has a natural base and is at grade. There are other locations on the property but drainage could be a problem with those locations.

Dan Bowers was present and was sworn in. He explained that there were 2 requests in this variance. One is for the walk out basement and the other is to build a garage. The Zoning Department Staff recommended in their staff report to allow them to construct the walk-out basement under the existing house but deny the request for the garage. The public interest would best be served by improving the shoreland buffer which in return would improve the water quality for the lake. He felt that the garage could be built in a different location since they have 10 acres of land and they also have a 3 car garage along with another garage on the property. He didn't see this to be a hardship. The applicants do have the ability to repair any non-conforming structure without a variance. He explained that since the setback from the lake is 90 feet, he could earn mitigation points to reduce the setback to 75feet without a variance which is another option for him as well.

A letter from the Town of Skanawan was read and entered into the record indicating that they had no objections to the request.

Chairman Lamer closed the public hearing for Brad and Carla Wallenfang.

The Board reviewed and completed the Findings of Fact, Conclusions of Law, and Order and Determination.

Motion by Gruetzmacher, seconded by Jach-Richards to APPROVE ON CONDITIONS the request of Brad and Carla Wallenfang. CONDITIONS: 1. The applicant must submit a shoreland buffer restoration plan, approved by the Zoning Department, which fully restores the area north of the existing home, restores to the full extent practical the area in front of the home, and emphasizes the camouflaging of the retaining walls with vegetation. 2. A land use permit be submitted and approved by the Zoning Department which limits the construction of the full basement to the current footprint of the home, impacts to existing slopes be minimized, and the use of additional retaining walls be limited. 3. The septic system would be replaced. 4. Reconstructing the garage is denied. Motion Carried 5 - 0.

5. Adjourn - Motion by Gruetzmacher, seconded by Steffhagen to adjourn at 10:15 a.m. Motion Carried 5 - 0.