

**Lincoln County Board of Adjustment
Minutes of Thursday, August 24, 2006 at 9:30 a.m.
Land Resource Center Meeting Room**

1. Open meeting and Call to Order - Meeting was called to order at 9:30 a.m. in the Zoning Office. Members present: Lamer, Wendt, Jach-Richards, Steffenhagen, Pat Priebe, Alternate Ron Hornischer, and Dan Miller; Zoning Administrator.
2. The Board and Miller left to tour the sites of Public Hearings that would be held later in the day.

Meeting was called to order by Chairman Lamer at 1:30 p.m. in the Land Resource Center Meeting Room at 1106 E. Eighth Street, Merrill, WI.

Members present for the public hearings: Lamer, Wendt, Jach-Richards, Steffenhagen, Priebe and Hornischer (Alternate).

Visitors: Dan Miller, June Winters, Mary Heederik - Court Reporter and 12 others.

3. Approve minutes from May 25, 2006 meeting – Motion by Wendt, seconded by Steffenhagen to approve the minutes from May 25, 2006. Motion Carried all ayes.
4. Election of new Vice-Chairman for the Board of Adjustment – Steffenhagen made a motion to nominate and elect Pat Priebe as Vice-Chairman, seconded by Wendt. Priebe elected - all ayes.
5. Public Hearing – Testimony was taken on the item listed on the hearing notice. Following each hearing for the petition for variance there was Discussion, Deliberations, Findings of Fact, Conclusions and determinations.

Variance

1. James Pagel for a variance from Section 17.2.101 of the Zoning Ordinance to allow for a minimum lot size of less than 35 acres in a Forestry Zoning. The property is located in part of the SE ¼ of the NE ¼ of Section 24, T33N, R04E in the Town of Corning; having a tax parcel number of 06.243304.004.001.00.00.

James Pagel was present and sworn in. He stated that he wanted the variance to either sell a portion of the land or will it to his children, leaving the cabin on the 10 acre parcel.

Dan Miller was present and was sworn in. He reviewed the staff report on the request. He recommended approval of the request to create a 10 acre parcel and a 20 acre parcel with an existing cabin on each.

Chairman Lamer closed the public hearing for James Pagel.

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

Motion by Jach-Richards, seconded by Steffenhagen to APPROVE ON CONDITION the request for James Pagel to create one 10 acre parcel and one 20 acre parcel.

CONDITIONS: 1) No additional buildings permitted (maintain only what is existing)
2) Grant easement to other property owners beyond the two parcels using the road.

Motion carried all ayes.

2. Michael and Carolyn Bohnert for a variance from Section 21.07(1) and Section 17.7.03 (4) of Lincoln County Ordinances to allow for a cottage to be constructed on a nonconforming lot and less than 10 feet to the side lot line. The property is located in part of the Section 15, T35N, R06E in the Town of Bradley; having a tax parcel number of 04.153506.009.013.00.00.

Michael Bohnert was present and was sworn in. He presented the Board with a packet of information regarding their request. This has always been 2 separate parcels. His brother-in-law owns one and Bohnert and his wife own the other one. They would like to have a family cottage on the smaller vacant lot. He stated that even though they had asked for a larger structure they would be willing to downsize as a compromise if the variance is granted. Priebe asked what type of septic system would be required. The old mound that is on the property would be abandoned and they would replace the septic. Lamer inquired where they would be parking their cars. Bohnert stated that with family next door parking would not be an issue. Lamer stated that the town of Bradley had contacted him and stated that the only concern they had was the septic system be contained within the lot lines and not in the road right-of-way.

Tom Kelley was present and sworn in and stated that he has no problem with the request and neither did any of the other neighbors he had spoken with.

Dan Miller was present and acknowledged that he was still under oath. He reviewed the staff report. He commented on the revised plan submitted today by Bohnert.

Chairman Lamer closed the public hearing for Michael & Carolyn Bohnert.

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

Motion by Steffenhagen, seconded by Wendt to APPROVE ON CONDITION the request for Michael and Carolyn Bohnert.

CONDITIONS:

- 1) The cabin is used as a seasonal structure only.
- 2) The following setbacks are applied – 10 foot to either lot line, 90 feet to the water and 63 feet to the center of the road. (creates a buildable foot print of 32'x30')
- 3) The cabin is limited to a single story above the foundation.
- 4) The vegetative buffer is preserved along the entire 50 feet of shoreline to a depth of 50 feet with the exception of one 4 foot access opening for a foot path.
- 5) A deed affidavit is recorded to notify future owners of these conditions.
- 6) Septic system is located completely within the lot lines and not in the road right-of-way.

Motion carried all ayes.

5. Adjourn - Motion by Jach-Richards, seconded by Steffenhagen to adjourn at 1:50 p.m. Motion Carried all ayes.