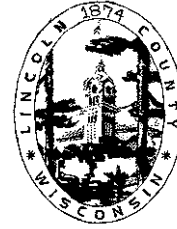


**Board:** County Board  
**Meeting Date:** 6/21/22



## Board Action Report

**TO:** County Board

**FROM:** Mike Huth, Zoning Program Manager-Land Services Administrator

**DATE:** 6/10/22

**SUBJECT:** Board of Adjustment Amendment of Terms

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The Board of Adjustment (BOA) hears and decides on requests for variations from the dimensional regulations of the zoning ordinance. The BOA determines if the variance request will not be contrary to the public interest, are owing to special factors, and if literal enforcement of the provisions of the zoning ordinance would result in a practical difficulty or an unnecessary hardship. The BOA authorizes variances once they determine that the spirit of the zoning chapter is observed, public safety and welfare secured, and substantial justice done; as provided for by Wisconsin Statutes and applicable case law.

§59.694(2), Wis. Stats. gives clear instruction on how to reduce the number of sitting members from 5 to 3 by adjusting positions for which the term expires as determined by lot shall not be filled each year until the requisite number of positions has been reached. The statute also requires that 2 alternate members shall also be appointed with staggered 3-year terms.

On December 21, 2021, the Lincoln County Board through resolution 2021-12-55 and ordinance 2021-12-709, lowered the membership from 5 members and 2 alternates to 3 members and 2 alternates.

At the May 26, 2022 the Lincoln County Board of Adjustment sitting members held a publicly noticed meeting and at which time determined by lot which member term expirations would be adjusted. For clarity, the resolution includes a table/timeline of the term expirations.

Recently at the June 9, 2022 Land Services Committee Meeting, the attached resolution was reviewed by the committee members and a unanimous decision was made to forward the resolution onto county board for consideration.

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**REQUESTED ACTION:**

Staff and the LSC are recommending that the County Board approve of the proposed resolution as presented.