

**Lincoln County Board of Adjustment
Minutes of Thursday, August 27, 2020 at 9:00 a.m.
Lincoln County Service Center, Meeting room #257**

Members Present for Meeting (In-Person): Kim Brixius, Phil Rausch, Curtis Powell, and Michael Prain

Members Absent:

Department Heads/Staff (In-Person): Mike Huth (Zoning Program Manager) and Elizabeth Peronto (Program Assistant)

Visitors (In-Person): Richard Kaiser and Charmaine Kaiser

Visitors (Virtual):

1. Open meeting and Call to Order – Meeting was called to order by Chair Rausch at 9:05am

2. Approve minutes from the July 23, 2020 meeting –

M/S Powell/Brixius to approve the minutes. Motion carried unanimously on a roll call vote.

3. 9:00am Public Hearing – Public Hearing was called to order at 9:05am by Chair Rausch. Chair Rausch explained the rules of conduct for public hearings.

Variance

- a) A request for variance by Richard and Charmaine Kaiser from section 17.4.10 of Lincoln County Ordinance to allow for the building of a structure which is less than the minimum required street yard setback from the town road right-of-way and the town road centerline. The property is Lot 28 Mohawksin Lake Point Sub-Div located in the W ½ NE ¼ of Section 31, T35N, R6E, in the Town of Bradley and has a parcel number of 004-3506-314-9870, with an address of N9955 Mohawksin Road.

An onsite visit prior to the public hearing was not conducted. A video depicting the site and the area of proposed development was prepared by Land Services Staff in advance and presented at this time.

Richard Kaiser (co-applicant) was present and sworn in. Kaiser explained they are present to answer any questions the Board may have.

Rausch asked if there were any other supporters/proponents for the request. There were none present. Rausch reminded the Board members of two letters received in support of the request as provided in the meeting packets.

Rausch asked if any opponents to the request were present and desired to testify. There were none present. Mike Huth read a letter of opposition from John and Ann Graf, neighbors to the applicant. The letter and supporting documents from the Graf's were distributed to the Board members.

Mike Huth was present and sworn in. Huth gave an overview of the permitting history of this property and an overview of the staff report for the Board. Per the staff report

(including analysis) provided in advance, approval of the variance is recommended inasmuch as there is a hardship present on the parcel.

Discussion followed regarding perceived use versus actual use, impervious surface coverage limitations, and subdivision covenants.

Rausch closed the public hearing for the variance request.

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

M/S Brixius/Powell to APPROVE THE REQUEST for a variance to allow for the building of a structure 14' from the ROW and 47' from the town road ROW. Consistent with sec. 17.8.60(9), Lincoln County Code, this variance must be exercised within 24 months of this approval and all other applicable regulations must be met. Motion carried on a roll call vote:

Member	Vote
Rausch	Aye
Prain	Aye
Powell	Aye
Brixius	Aye

4. Next Meeting Date and Time – The next meeting will be call of the chair. Last possible meeting for the year is October 22nd (deadline of September 24th).
5. Adjourn – M/S Powell/Rausch to adjourn at 9:38a.m. Motion carried unanimously on a roll call vote.

Minutes prepared by Elizabeth Peronto