

**Lincoln County Board of Adjustment**  
**Minutes of Thursday, October 12, 2023 at 9:00 a.m.**  
**Lincoln County Service Center, Meeting room #247**  
Meeting recording available on the Lincoln County website  
**\*AMENDED\***

Members Present for Meeting (In-Person): Jim Beaumont, Curt Powell, and Phil Rausch  
Members Absent: Kim Brixius (excused)  
Department Heads/Staff (In-Person): Mike Huth (Zoning Program Manager/Land Services Administrator), Laura Boquist (Shoreland Specialist), and Elizabeth Peronto (Program Assistant)  
Department Heads/Staff (Virtual): none  
Visitors (In Person): Kate Kleen, Batya Barbara Kleen, Yechiel Kleen, Margaret Powell, Levi Denton, and Pamela Gojmerac  
Visitors (Virtual): none

1. Call Meeting to Order – Meeting was called to order by Chair Rausch at 9:00am
2. Roll Call - Quorum present.
3. Adopt Agenda – M/S Beaumont/Powell to adopt the agenda as presented. Motion carried on a voice vote.
4. August 10, 2023 BOA Meeting Minutes -

M/S Beaumont/Powell to approve the minutes from the 8/10/2023 BOA Meeting. Motion carried on a voice vote.

OLD BUSINESS

None

NEW BUSINESS

5. 9:00am Public Hearing - Testimony will be taken on the appeal hearings as noticed (see public hearing notice). Following each hearing for a variance there will be Discussion, Deliberations, Findings of Fact, conclusions and Determinations.

**Variance**

- a) A request for variance by Thomas Purnell from sections 21.12(3)(b) and (c) of Lincoln County Shoreland Ordinance to allow for the building of a structure which is less than the minimum required side yard setback from the property line.

Rausch asked if there were any proponents for the request. There were none present.

Rausch asked if there were any opponents for the request. There were none present.

A narrated video providing an overview/tour of the property was shown as prepared by Land Services staff.

Mike Huth and Laura Boquist were sworn in. Laura Boquist gave an overview of the proposed project. Huth presented the staff report. Discussion occurred.

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 Powell/Beaumont to return to the first question for this request and correct responses by the Board. Motion carried on a voice vote.

\*M/S Powell/Beaumont to APPROVE THE REQUEST for a variance to allow for the building of a structure which is less than the minimum required side yard setback from the property line.

Motion carried on a roll call vote:

<b>Member</b>	<b>Vote</b>
Rausch	Aye
Powell	Aye
Beaumont	Aye

- b) A request for variance by Levi Denton from sections 17.4.10 and 17.7.01(3) of Lincoln County Zoning Ordinance to allow for the building of a structure which is less than the minimum required street yard setback and is a modification of a non-conforming structure outside of its original footprint.

Rausch asked if there were any proponents for the request. Levi Denton was present, affirmed, and explained the request.

Rausch asked if there were any additional proponents for the request. There were none present. Rausch entered into the record that the Town of Corning submitted a favorable recommendation.

A narrated video providing an overview/tour of the property was shown as prepared by Land Services Staff.

Rausch asked if there were any opponents for the request. There were none present.

Mike Huth was reminded that he was sworn in prior. Huth presented the staff report. Discussion occurred.

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 Powell/Beaumont to APPROVE THE REQUEST for a variance to allow for the building of a structure which is less than the minimum required street yard setback and is a modification of a non-conforming structure outside of its original footprint.

Motion carried on a roll call vote:

<b>Member</b>	<b>Vote</b>
Rausch	Aye
Powell	Aye
Beaumont	Aye

- c) A request for variance by Michael and Barbara Kleen from section 21.07(4)(c) of Lincoln County Shoreland 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.

A narrated video providing an overview/tour of the property was shown as prepared by Land Services Staff.

Rausch asked if there were any proponents for the request. Kate Kleen, the petitioner, was present, sworn in, and explained the request. Discussion occurred.

Rausch asked if there were any additional proponents for the request. There were none present. Rausch entered into the record that a neighbor/citizen submitted a letter in support of the variance.

Rausch asked if there were any opponents for the request. There were none present.

Mike Huth and Laura Boquist were reminded that they were sworn in prior. Laura Boquist gave an overview of the proposed project. Huth presented the staff report. Discussion occurred.

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 Powell/Beaumont to APPROVE THE REQUEST for a variance 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 to include staff recommendations.

Motion carried on a roll call vote:

<b>Member</b>	<b>Vote</b>
Rausch	Aye
Powell	Aye
Beaumont	Aye

#### ANNOUNCEMENTS

- Next Meeting Date and Time – The next meeting will be on October 26<sup>th</sup> at 8:30am.
- Adjourn – No further business, meeting adjourned at 9:41am.