Minutes of the Forest County Board of Adjustment

Tuesday, July 26, 2016

11:15 a.m. Laona Town Hall

1. The meeting was call to order by Chairman Ron Tschohl at 11:15 a.m.
2. The roll was called and all board members were present. Those included Ron Tscholhl, Harry Thurin, and Jim Drefahl. Assistant Land & Water Resources Administrator Jean Fannin was present to act as clerk. Mark Simonides (applicant) was also present.
3. Motion by Jim Drefahl to approve the agenda, second by Harry Thurin, all in favor, motion approved.
4. There were no minutes to approve.
5. Jean Fannin confirmed compliance with the open meetings and public hearing requirements.
6. No time limit was set for anyone wanting to speak.
7. Motion by Jim Drefahl to open the public hearing, second by Harry Thurin, all in favor, motion approved.
8. Jean Fannin read the application.
9. Mark Simonides explained to the board that he would like to build a new garage on his property at a lesser setback than the required setback of 43ft from the center of the road. There is an existing garage already on the property that is closer than the 43 ft. Mr. Simonides stated that if he were to build the new garage further back it would require an additional 240 sq. ft. of impervious surface. He also stated that this garage would not be harmful to the public interest due to the fact that the existing garage has been there since the 70’s and there have been no issues.
10. Jean Fannin reported that the County Zoning Ordinance requires a setback of 43ft from the center. She also informed the board that the ordinance does state that an existing encroachment may continue in expansion, but this means an expansion of the existing building. Mr. Simonides does not want to attach this new garage to the existing one. .
11. There was no related correspondence
12. There were no ex-parte communications.
13. There were no comments from any witness
14. No further comments from staff
15. No further questions
16. Motion to deliberate in closed session and make the minutes public by Harry Thurin, second by Jim Drefahl, all in favor, motion approved.
17. A discussion was held on the 3 step requirement for variances. The board could find no unnecessary hardship. Harry Thurin stated that he feels garages are a necessity in northern Wisconsin, but as a hardship this property does not meet the criteria because there is a 2 stall garage attached to the house and there is also a separate 4 stall garage. As to the argument of causing more impervious surface, this could be remedied by making the new garage smaller. The board also could not find any unique features of this property that were preventing Mr. Simonides from building this garage back at the required setback. The board agreed that this request for a new garage would not be contrary to the public interest because of the existing garage. The only concern with regards to public interest would be that this one would have the doors facing the road and it would be difficult to see oncoming traffic until you were already backed into the road.
18. Motion by Harry Thurin to close the close session and return to open session, second by Jim Drefahl, all in favor, motion approved.
19. Motion by Harry Thurin to deny the request for a lesser setback for a garage due to the application does not meet the 3 step criteria for a variance, second by Jim Drefahl, all in favor, motion approved.
20. No other business
21. Motion to adjourn by Jim Drefahl, second by Harry Thurin, all in favor, motion approved.

Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_07/27/2016