

Meeting Minutes
Forest County Board of Adjustment
Wednesday, June 28th, 2017
10:00 a.m. County Boardroom

1. The call to order was made by Pro tem Chairman Harry Thurin.
2. The roll was called and members Harry Thurin and alternate member Wayne Dahl were present. Pam LaBine acted as clerk to the board and the following people were present; Arnold Wolf, Russel Brownell, Harold and Janet Rusch and the applicant, David and Carol Schneese. One attendant did not identify herself.
3. Motion by Wayne Dahl to amend the agenda to allow for discussion on the committee chairman, second by Harry Thurin, all in favor, motion approved.
4. Motion by Wayne Dahl to accept the amended agenda, second by Harry Thurin, all in favor, motion approved.
5. The Clerk tendered the resignation of the BOA Chairman, Ron Tschohl due to illness. Motion by Wayne Dahl to appoint Harry Thurin as chairman of the Forest County Board of Adjustment, second by Harry Thurin, all in favor, motion approved.
6. Compliance with open meeting regulations was confirmed by the clerk.
7. The Chairman informed the public that there would be no limit on any speaker during this hearing.
8. Motion by Wayne Dahl to open the public hearing, second by Harry Thurin, all in favor, motion approved.
9. The clerk read the application.
10. The applicant read a statement and included another drawing with his application. It is enclosed.
11. Staff asked the applicant how many bedrooms were in the home and applicant answered three. Staff asked how many square feet were in the entire lot and applicant answered 24,829 square feet. Staff reported that the request was for 2,809 square feet. The existing garage is 1,350 square feet totaling 4,159 square feet of impervious surface. 15% impervious surface would total 3,724 square feet. The ground on this lot does not have a very high infiltration rate as the soil test showed only a mound could be placed. It would be hard to infiltrate a lot that was already marginal. There was no permitting for the existing deck around the existing home. The zoning file is in the record. Total current impervious surface approximately 1958, overall height proposed 35 feet. State statute allows for 35 foot height but ordinance only allows for 1500 square feet of nonconforming structure in 3.06.04. Houses with attached garages are to be setback 15 feet from the lot line. The garage is 6 feet 8 inches from the lot line and the requirement is 7 feet 5 inches. Applicant said he apologized, it is very easy to make an 8 inch mistake when setting a foundation.
12. There were three letters and they are attached.
13. There were no ex-parte communications.
14. There were three witnesses that filled out intent forms, none wanted to testify in public except that they were not in favor of the variance, as listed on the form.
15. Wayne Dahl asked why if it was such fear of excavating the holding tank there should be fear of excavating a frost wall. The applicant said the holding tank was down 7 feet and the frost wall would be four feet. Wayne Dahl asked if the walls

would be poured, applicant answered yes but in the end what difference does it make?

16. Motion by Wayne Dahl to close the public hearing and go into closed session with the minutes made public, second by Harry Thurin, all in favor, motion approved.
17. Closed session minutes. Harry Thurin said that the applicant created his own hardship when he placed the garage and the size he built it. From the record, others has tried for a variance. Wayne dahl said he did not follow his permit when setting the garage. Harry Thurin said that twice the applicant said they were getting older and wondered why they would want a second story or this big of a home. However, bot neighbor's homes were two story. Wayne Dahl said that everyone has a problem with the lot. If they inherited the lot that would be one thing but they bought the lot knowing it was restricted in size and shape. He also wondered why there is no plumber's letter in the record because he believes the holding tank could be moved or replaced to another location. Discussion was held on how the applicant could fit a 1500 square foot home on this lot. Harry suggested moving him north so there was 20 feet from the neighbor's lot line so the pump truck could get in. He also thought there were other places on the lot for a tank, it need not be concrete. Wayne dahl figured the setback to OHWM would end up being 54 feet if he was restricted to 1500 square feet. The old house would have to be removed first or it would never be moved. Harry Thurin thought the south side of the house and garage should be guttered, there is a low area for infiltration to that side. Wayne Dahl thought the shoreline was adequately vegetated. Motion by Wayne Dahl to go into open session, second by harry Thurin, all in favor, motion approved.
18. Motion by Wayne Dahl to grant the variance in part with the following parameters, footprint of home and deck to be no more than 1500 square feet. The south lot line is to be 12 feet from the structure. The south side of the home and garage were to be guttered. The applicant is to remove the old home before construction begins on the new. The setback t the OHWM is to be 54 feet. The second was by Harry Thurin, all in favor, motion approved.
19. Motion by Wayne Dahl to adjourn, second by Harry Thurin, all in favor, motion approved.

Submitted by: _____ 6/28/2017