**COMMITTEE:** BOARD OF ADJUSTMENT

**DATE:** FRIDAY, OCTOBER 18, 2024

**TIME:** 3:00 PM

**PLACE:** FOREST COUNTY BOARD ROOM – ROOM 107

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**CALL TO ORDER:**

The hearing was called to order at 3:06 pm by Harry Thurin.

**ROLL CALL:**

The roll was called, present were Harry Thurin, Casey Sponable, William Lester. Others present: Jeannie Fannin, and Sandy Beauchaine. Members of the public included Steve Kuehl, Steve Gries, and Patrick Voigtman.

**APPROVAL OF AGENDA**:

Motion to approve the agenda made by Casey Sponable, second William Lester. All present voting (AYE). Motion carried.

**MOTION TO APPROVE LAST MINUTE**S:

Motion to approve last minute from October 4, 2024 for Vanderloop made by William Lester, second by Casey Sponable. All present voting (AYE). Motion carried.

**CONFIRM COMPLIANCE WITH OPEN MEETING REQUIREMENTS:**

The confirmation of compliance was given by Sandy Beauchaine (Zoning Administrative Assistant). Neighbors within 300 feet from Kuehl property were notified by mail, Public Hearing posted at Courthouse on the east and west side of building, and Public Hearing notice was emailed to the Forest Republican.

**INFORM THE PUBLIC OF HEARING PROCEDURES (TIME FOR EACH SPEAKER**):

Harry Thurin informed the public that each public member would have time to speak, and to speak directly to the committee, and not each other.

**OPEN THE PUBLIC HEARING:**

Motion to open the public hearing made by Casey Sponable, second by William Lester. All present voting (AYE). Motion approved.

**READING OF THE APPLICATION:**

The application and notice were read by Sandy Beauchaine.

**APPLICANT PRESENTATION:**

Steve Kuehl and Steve Gries were present and informed the committee of the variance request for the property located at 8010 Wilderness Lane, in the Town of Nashville. Mr. Gries informed the committee of the project that Mr. Kuehl submitted with his variance application. Mr. Gries, Mr. Kuehl, and the committee went through the option and answered any questions the committee had regarding the variance.

**COUNTIES PRESENTATION:**

Sandy Beauchaine informed the Committee and public that the property is zoned Shoreland Recreational Residential, that a site visit was done prior to the meeting, the setbacks are 100+ from the road, 100+ and 30 feet from the side lot lines to the residential addition, and 39 ft 3 inches to one corner of the residence, and 31 feet from the other corner to the OHWM. That the lot is a legal lot, and allows for a residence addition. Beauchaine informed committee on the purpose of Mr. Kuehl’s variance and the reason for the residential addition.

**COMMENTS FROM THE PUBLIC:**

No Public Comment

**COMMENTS FROM THE TOWN:**

Beauchaine informed committee on the phone calls or emails received.

**FINAL QUESTIONS FROM THE COMMITTEE:**

William Lester asked Mr. Gries and Mr. Kuehl what he intends to do regarding a new POWTS. Mr. Gries informed committee that a new POWTS will be installed. No addition questions from Committee.

**ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING:**

Motion by Casey Sponable to close the public hearing, second by William Lester. All present voting (AYE). Motion carried.

**DELIBERATION AND DECISION:**

Motion by Casey Sponable to approve the request for a variance to go over the 200 sq. ft. for Mr. Kuehl, for the property located at 8010 Wilderness Lane, in the Town of Nashville, second by William Lester, using the three tests for a variance:

**HARDSHIP CAUSED BY UNIQUE PROPERTY LIMITATION:** The hardship is due to physical limitations of the property rather than the circumstances of the Mr. Kuehl, the new residential addition is towards the rear of the OHWM, on a hill, and is not being build any closer to the lake.

**NO HARM TO THE PUBLIC INTEREST:** The variance will not harm the public interest because Mr. Kuehl property consists of 28 acres, he will maintain the native buffer area, runoff will be managed, and a new POWTS will be installed to accommodate the new residential addition.

**HARDSHIP:** The committee discussed the definition of hardship and unreasonable prevention of permitted use. Unnecessary hardship is present because of the uniqueness of the property, building meet setbacks and conformed to the previous setbacks set years ago, currently there is no bathroom in the residence, and with the new addition it would allow for one, no other options. Considerations for mitigation would be a rain garden for runoff, and leaving the shoreland buffer intake.

All present voting (AYE) Motion carried.

**ADJOURN:**

Motion to adjourn by William Lester, second by Casey Sponable. All present voting (AYE). Motion carried. Meeting adjourned at 3:35 pm.

Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_