**COMMITTEE:** BOARD OF ADJUSTMENT

**DATE:** FRIDAY, NOVEMBER 1, 2024

**TIME:** 3:01 PM

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

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**CALL TO ORDER:**

The hearing was called to order at 3:01 pm by Harry Thurin.

**ROLL CALL:**

The roll was called, present were Harry Thurin, Casey Sponable, Lee Lamers. Others present: Jeannie Fannin, and Sandy Beauchaine. Members of the public included Chad Evers.

**APPROVAL OF AGENDA**:

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

**MOTION TO APPROVE LAST MINUTE**S:

Motion to approve last minutes from October 18, 2024 for Mr. Steven Kuehl made by Sponable, second by Thurin. 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 Evers 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 Lee Lamers. All present voting (AYE). Motion approved.

**READING OF THE APPLICATION:**

The application and notice were read by Sandy Beauchaine.

**APPLICANT PRESENTATION:**

Chad Evers was present and informed the committee of the variance request for the property located at 9051 Doemel Lane, in the Town of Nashville. Mr. Evers informed the committee on his variance application and had nothing to add to the application.

**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, 10 feet from the road side lot, and 12 feet to the opposite side lot line, and 67 feet from the OHWM. That the lot is a legal lot, and allows for a residential home. Beauchaine informed committee on the purpose of Mr. Evers variance and the reason for the new residence.

**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:**

No addition questions from Committee.

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

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

**DELIBERATION AND DECISION:**

Motion by Casey Sponable to approve the request for a variance for Mr. Evers, for the property located at 9051 Doemel Lane, in the Town of Nashville, second by Lee Lamers, using the three tests for a variance:

**HARDSHIP CAUSED BY UNIQUE PROPERTY LIMITATION:** The hardship is due to physical limitations of the property (narrow lot) rather than the circumstances of Mr. Evers, the new residential home is 67 feet from the OHWM, on a flat land, 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. Evers is improving the property site, it is not being build any closer to the OHWM, and Mr. Evers will be managing the runoff to both neighboring properties.

**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, and it will not be built closer to the OHWM.

On the basis of the above finding of fact, conclusions of law and the record in this matter, the board approves the variance application for the setback to the side lots of 10 feet for Mr. Evers. Motion to approve Mr. Evers variance application made by Casey Sponable, second by Lee Lamers. All present voting (AYE) Motion carried.

**ADJOURN:**

Motion to adjourn by Casey Sponable, second by Lee Lamers. All present voting (AYE). Motion carried. Meeting adjourned at 3:28 pm.

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