

**BOARD OF ADJUSTMENT MEETING**

**Monday, October 10, 2022 – 9:00 a.m.**

**Room 2106**

**Barron County Government Center**

335 East Monroe Avenue, Barron, WI 54812

\*\*\*\*\*

**AGENDA**

1. Call to Order and Roll Call
2. Acknowledgement of Public Posting Requirements
3. Approval of Minutes
4. Public Comment
5. Hearings of applications and appeals to the Board of Adjustment:

**9:00 a.m.      Appeal #3917: Bruce D. Jr. & Samantha L. Mohns, property owners,**  
Requests a special exception to operate a fertilizer business in an  
Agricultural-2 district.  
**Property address:** Unassigned 12 ¾ Avenue, Cameron, Wisconsin

6. Report from Land Services Director
7. Adjournment

**PLEASE CALL 537-6375 IF YOU ARE NOT ABLE TO ATTEND THE MEETING**

NOTE: Any person who has a qualifying disability under the Americans with Disabilities Act and requires the meeting or materials at the meeting to be in an accessible format must contact the County Clerk's office at 715-537-6200 at least 24 hours prior to the meeting so that arrangements may be made to accommodate your request.

cc: Organ, Fall, Nelson, North, Kelsey, Corporation Counsel, Deputy Corporation Counsel, County Clerk, County Administrator, Department of Natural Resources, Public posting

**Barron County Zoning  
Board of Adjustment  
September 26, 2022, 9:00 a.m.**

Present: Board of Adjustment: Walter Organ, Amy Kelsey, Dan North, Pam Fall, Louie Okey (alt.).  
County Personnel: David Gifford, Kim Collins, Marshall Black.  
Absent: Gary Nelson.

Organ called the Board of Adjustment to order at 9:01 a.m. and called roll. No public comment. Collins confirmed that proper posting of the notice was done in accordance with the Wisconsin Open Meeting Law.

**Motion:** (Kelsey/Fall) to approve the August 22, 2022 minutes; carried 4-0 with Okey abstaining.

**9:00 a.m. Appeal #3914: Timothy & Lori Obr, property owners,** Request a variance to construct an addition to a dwelling with a reduced setback to the ordinary highwater mark of a lake and to construct an accessory structure with a reduced setback to the road right-of-way and side property line in a Recreational-Residential district.

Organ opened the hearing and read the public notice. The Board reviewed the file and received testimony from the owner. Gifford provided a staff report. **Motion:** (Kelsey/Okey) to include Appeal 1820. Carried 5-0. Public testimony was received. After Board questions, **motion:** (Okey/Fall) to close testimony; carried 5-0. **Motion:** (Okey/Fall) to approve the variance as presented with the following conditions:

1. All permits are obtained prior to construction, and all testimony, oral and written, is part of the decision.
2. The addition is not to exceed 11' X 13.75' and is not to extend any closer to the OHWM.
3. The accessory structure is not to exceed 14' X 22' and be located no closer than 2' from the R-O-W.

Motion carried on a roll call vote of 4-1 with Okey, Fall, North and Organ in favor and Kelsey opposed.

**9:10 a.m. Appeal #3915: Wolf's Den Stanley, Inc., property owner,** Requests a variance to locate a privacy fence on a property line and a special exception to replace a mobile home with a duplex in a Recreational-Residential district.

Organ opened the hearing and read the public notice. The Board reviewed the file and received testimony from the owner. Gifford provided a staff report. **Motion:** (Kelsey/Okey) to include Appeals 1393, 1800, 2067, 3395, 3858 and 3870. Carried 5-0. After Board questions, **motion:** (Kelsey/Fall) to close testimony for the variance; carried 5-0. **Motion:** (Kelsey/Fall) to approve the variance as presented; carried 5-0.

Further Board discussion of special exception. **Motion:** (Fall/Okey) to close testimony for the special exception; carried 5-0. **Motion:** (Fall/Okey) to approve the special exception as presented; carried 5-0. Conditions of approval for both variance and special exception:

1. All licenses and permits are obtained prior to operation, and all testimony, oral and written, is part of the decision.
2. The privacy fence cannot exceed 300' X 6' in height and will be located on the property line.
3. The duplex cannot exceed 20' X 50' with an additional 6' X 50' deck with stairways on either end, and is contingent on a complaint septic upgrade.

**9:20 a.m. Appeal #3916: Jess & Heidi Lusson, property owners,** Request a special exception to locate an additional building in a Business district.

Organ opened the hearing and read the public notice. The Board reviewed the file and received testimony from the owner. Gifford provided a staff report. **Motion:** (Fall/Kelsey) to include Appeals 2523 and 3831.

Carried 5-0. After Board questions and discussion, **motion:** (Okey/Kelsey) to close testimony; carried 5-0. **Motion:** (Kelsey/Fall) to approve the special exception as presented with the following conditions:

1. All licenses and permits are obtained prior to operation, and all testimony, oral and written, is part of the decision.
2. An additional business building of 40' X 80' with potential expansions must meet all setbacks, including septic setbacks.

Motion carried 5-0.

Report from L.S. Director: Presented WDNR letter regarding department opinions; committee consensus is to not receive WDNR opinions on BOA matters. Gave an update on Court.

**Motion:** Chair declared the meeting adjourned by unanimous consent at 11:15 a.m.

Respectfully submitted,

Kim Collins  
Administrative Assistant

Appeal #3917

NOTICE OF PUBLIC HEARING

STATE OF WISCONSIN SS

COUNTY OF BARRON

TO WHOM IT MAY CONCERN:

PUBLIC NOTICE is hereby given to all persons in the County of Barron, Wisconsin, that a public hearing will be held on Monday, October 10, 2022 at 9:00 a.m. in Room 2106 of the Government Center, 335 E. Monroe Ave., Barron, Wisconsin, relative to a proposal for a special exception to the terms of the Barron County Land Use Ordinance as follows:

Requests a special exception to operate a fertilizer business in an Agricultural-2 district, property described as prt NW 1/4 shown as Lot 1 CSM 43/34, consisting of 17.523 acres, located in Section 31, T34N, R10W, Town of Sumner, Barron County, Wisconsin.

The Board of Adjustment reserves the right to view the property and may convene in executive session prior to rendering a decision. Contact Zoning Office staff at 715-537-6375 with questions regarding this appeal.

Property owner: Bruce D. Jr. & Samantha L. Mohns  
Property address: Unassigned 12 3/4 Avenue, Cameron, Wisconsin

All persons interested are invited to attend said hearing.

Dated at Barron, Wisconsin, this 21<sup>st</sup> day of September 2022.

Barron County Board of Adjustment  
Walt Organ, Chairman

# BARRON COUNTY SPECIAL EXCEPTION APPLICATION

Barron County Zoning Office  
335 E. Monroe Ave. Rm. 2104, Barron, WI 54812  
715-537-6375, Mon. - Fri. 8:00 am - 4:30 pm

Submit completed application to the Barron County Zoning Office  
**Incomplete or illegible applications will be returned**  
Please Print - Use Ink

Property Owner: BRUCE MOHNS JR.  
Address: 2424 123/4 AVE  
City/State/ZIP: CAMERON, WI 54822  
Daytime Phone: 715. 475. 9326  
Email: bmojnsjr@gmail.com

Agent: N/A (OWNER)  
Address: \_\_\_\_\_  
City/State/ZIP: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

## SITE INFORMATION

Parcel I.D. Number: 046 - 3100 - 27 - 010 Township: SUMNER  
Property Address: 2424 123/4 AVE. CAMERON, WI Lot Size: 17.523 Sq.Ft./Acres

## TYPE OF REQUEST:

Dwelling  Tourist Rooming House  Business  Campground  Mineral Extraction  
 Livestock Enlargement  Other \_\_\_\_\_

## Reason For Special Exception Request:

OPERATE FERTILIZER BUSINESS IN EXISTING 40'x66' POLE SHED BUILDING,  
EQUIPMENT & STORAGE ONLY FOR APPLICATIONS, NO PRODUCTION ON  
SITE.

Complete this application and submit it with the Township Consideration Form and the fee of \$ 500.00 to Barron County Zoning Office. Provide a detailed plot plan of the property and floor plan of the proposed project.

I have read and understand the procedures and requirements for applying for a Special Exception. I understand that the filing fee is non-refundable and that my application may be returned if information is incomplete or illegible. **I also understand that I, or my agent, must appear at the public hearing.**

[Signature]  
Owner Signature

11 / AUG / 2022  
Date

Agent Signature

\_\_\_\_\_  
Date

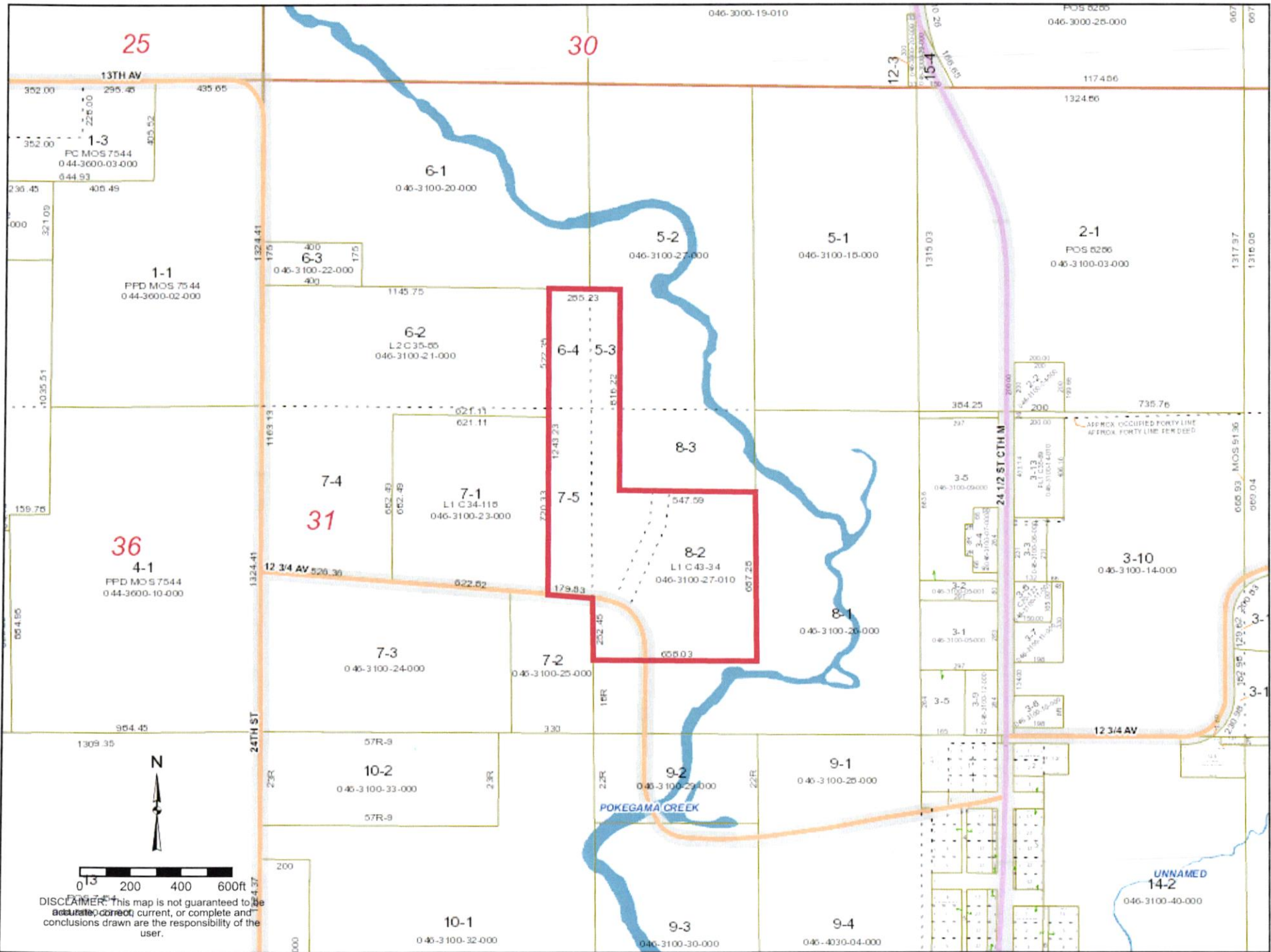
## OFFICE USE

Appeal # 3917 Hearing Date: 10 / 10 / 22 Previous Hearings: N/A  
Name of Water Body: N/A Zoning Dist.: A9-2  
Reviewed By: [Signature] Date 9 / 21 / 22

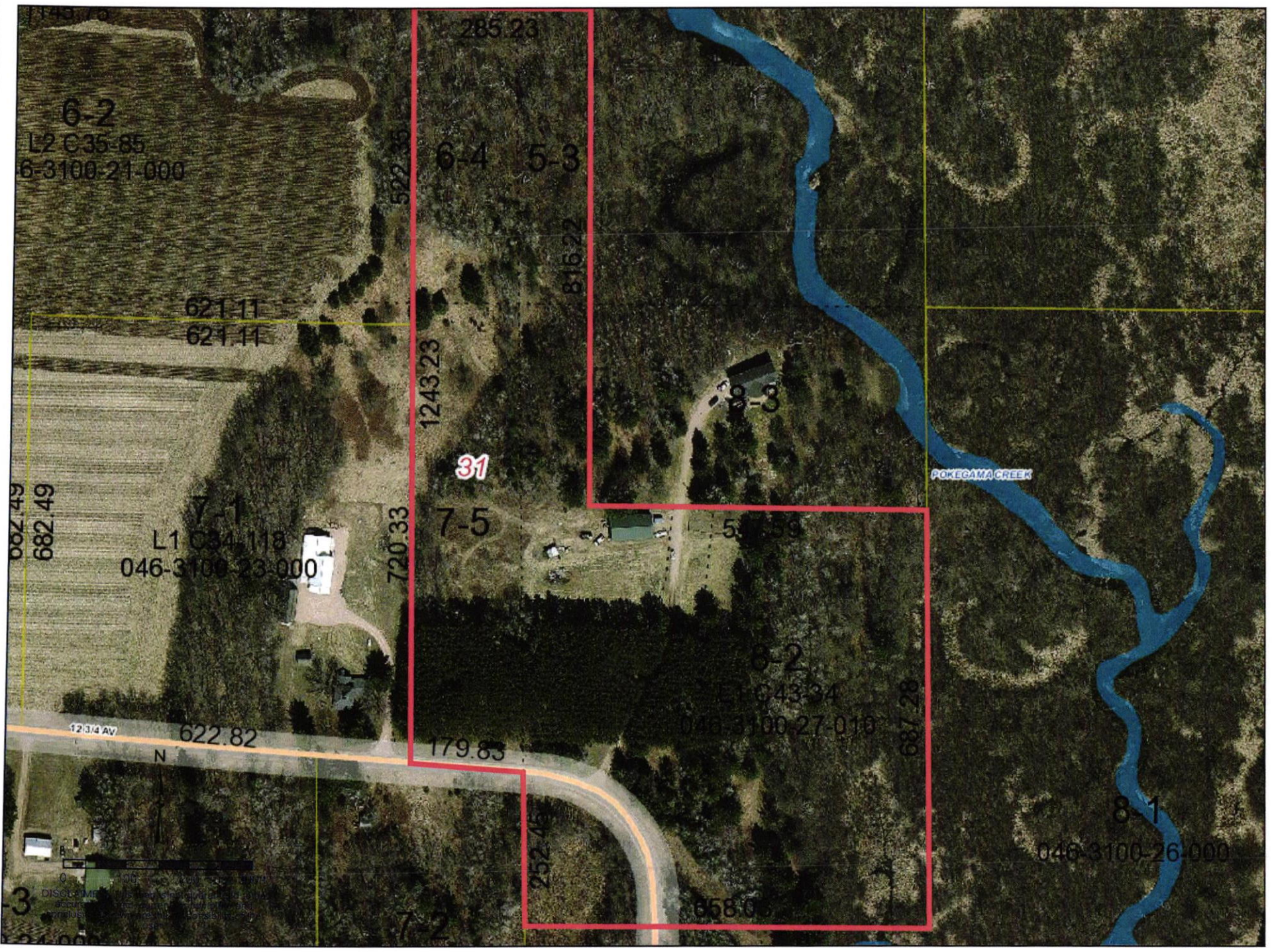
## DATE RECEIVED:

RECEIVED

SEP 15 2022



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.



# ORDINANCES RELATING TO HEARING

**Applicant/Owner:** Mohns, Bruce D. Jr. & Samantha L.

**Appeal:** 3917

**Previous Appeals:** N/A

**Request:** A special exception to operate a fertilizer business in an Agricultural-2 district, in the Town of Sumner.

**Purpose Section 17.02:** This chapter is declared to be for the purpose of promoting the public health, safety and general welfare.

**Intent Section 17.03:** It is the general intent of this chapter to regulate and restrict the use of structures, lands, shoreland and waters; regulate and restrict lot coverage, population distribution and density and the size and location of all structures so as to lessen congestion in and promote the safety and efficiency of the streets and highways; secure safety from fire, flooding, panic and other dangers; provide adequate light, air, sanitation and drainage; prevent overcrowding; avoid undue population concentration; facilitate the adequate provision of public facilities and utilities; stabilize and protect property values; further the appropriate use of land and conservation of natural resources; preserve and promote the beauty of the community; prevent and control water pollution; protect spawning grounds, fish and aquatic life; preserve shoreland cover; and implement the county's general plan or county plan components. It is further intended to provide for the administration and enforcement of this chapter and to provide penalties for its violation.

## **Section 17.37: AGRICULTURAL-2 DISTRICT**

The Agricultural-2 District is created to maintain and protect agricultural lands historically used for farming or forestry, but which are not included with the A-1 District. Because of location, soil characteristics, relatively low intensity of agricultural operation, topography and other reasons, these areas can accommodate some non-farm housing if these developments are carefully planned and located.

17.38            Agricultural-2 District  
17.73(6)        Special Exception Uses



# VARIANCE and SPECIAL EXCEPTION TOWN CONSIDERATION FORM

*Instructions: This form must be completed and presented to the Town Board for their consideration of the proposed variance or special exception request. The completed form shall be submitted with the Barron County Board of Adjustment Application for Variance or Special Exception prior to scheduling your public hearing.*

**Section A** - to be completed by the property owner and/or agent;

Type of Request:  Variance  Special Exception

Town of SUMNER

Owner: BRUCE MOHNS JR.

Applicant/Agent: \_\_\_\_\_

Property Address: 2424 12<sup>3</sup>/<sub>4</sub> AVENUE Property Tax ID #: 046-3100-27-010

Explain Request: (must match explanation on application) \_\_\_\_\_

OPERATE FERTILIZER BUSINESS IN EXISTING 40'x60' POLE SHED  
BUILDING. EQUIPMENT & STORAGE ONLY FOR APPLICATIONS -  
NO PRODUCTION ON SITE

**Section B** - to be completed by the Township

The Town Board is:  In Favor  Neutral  Opposed

EXPLANATION OF TOWN BOARD DECISION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: 9-13-22

Signed: \_\_\_\_\_  
(Town Chairman)

OR Signed: Sandra Tomczak  
(Town Clerk)

Print Name

Sandra Tomczak  
Print Name

\*Only the signature of the Chairman or the Clerk is required.