

**BOARD OF ADJUSTMENT MEETING**

**Monday, August 14, 2023 – 9:00 a.m.**

**Room 2106**

**Barron County Government Center**

**335 East Monroe Avenue, Barron, WI 54812**

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**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 #3937: Todd’s Redi Mix Concrete, LLC, property owner,**  
Requests a special exception to allow a concrete batch plant and an asphalt  
plant in an existing mine in a Mineral Reservation district.  
**Property address: 2737 18th Street CTH V, Rice Lake, Wisconsin**

**9:10 a.m. Appeal #3938: Myrtle Herbst, property owner; Donald Borreson, PR;**  
**Kym Latterell, Latty Lane, LLC, applicant,** Requests a special exception  
to establish an enclosed storage facility in an Agricultural-2 district.  
**Property address: Unassigned US Hwy 63, Cumberland, 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  
July 24, 2023, 9:00 a.m.**

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

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

**Motion:** (Fall/North) to approve the July 10 and July 13, 2023 minutes; carried.

**9:00 a.m. Appeal #3936: David R. & Mary J. Strand, property owners,** Requests a special exception to allow a residence addition to a commercial building in an Unincorporated Village district. Organ opened the hearing and read the public notice. The Board reviewed the file and received testimony from the applicant. Gifford provided a staff overview. **Motion:** (Okey/Fall) to include Appeal 3636; carried. No correspondence or public testimony. After Board questions, **motion:** (North/Okey) to close testimony; carried 4-0. **Motion:** (Okey/Fall) to approve the special exception 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.

Motion carried 4-0.

Report from L.S. Director: Gifford provided a status update on Appeal #3911.

**Motion:** (North/) Chair declared the meeting adjourned by unanimous consent 9:42 a.m.

Respectfully submitted,

Kim Collins  
Administrative Assistant

**Barron County Zoning  
Board of Adjustment  
July 26, 2023, 9:00 a.m.**

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

Organ called the Board of Adjustment to order at 9:00 a.m. and called roll. No public comment.

**Reconvened hearings of the Board of Adjustment**

**9:00 a.m. Appeal #3934: Harold J. Jr. & Anita M. Nevin, property owners,** Requests a variance to construct an accessory structure with an increase in the allowable height in a Recreational-Residential district.

Organ reopened the hearing and Gifford provided an overview of the site visit, history of LUO height limitations and discussed the variance criteria. After Board questions and discussion, **motion:** (Kelsey/North) to close testimony; carried 5-0. **Motion:** (Kelsey/) to deny the variance; after discussion, Kelsey rescinded the motion to deny. **Motion:** (Kelsey/Bartlett) to grant the variance with modifications and conditions as follows:

1. All licenses and permits are obtained prior to construction, and all testimony, oral and written, is part of the decision.
2. The height of the structure is limited to 29' 1/8" on the lake side and 20' on the road side.
3. The size of the structure is limited to 26' X 42'.

Motion carried on a roll call vote with all in favor and none opposed.

Report from L.S. Director: Gifford discussed issues staff may have when doing site visits.

**Motion:** (North/Fall) to adjourn at 10:12 a.m., carried.

Respectfully submitted,

Kim Collins  
Administrative Assistant

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, August 14, 2023 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 allow a concrete batch plant and an asphalt plant in an existing mine in a Mineral Reservation district, property described as part NW-SW & part Frac SW-SW, consisting of 65.62 acres, located in Section 18, T36N, R11W, Town of Oak Grove, 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: Todd's Redi Mix Concrete, LLC  
Property address: 2737 18<sup>th</sup> Street CTH V, Rice Lake, Wisconsin

All persons interested are invited to attend said hearing.

Dated at Barron, Wisconsin, this 26<sup>th</sup> day of July, 2023.

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: **Todd's Redi Mix Concrete, LLC**  
Address: **PO Box 107**  
City/State/ZIP: **Rice Lake, WI 54868**  
Daytime Phone: **715-234-1300**  
Email: **jthompson@toddsredimix.com**

Agent: **Jerry Thompson (Todd's Redi Mix)**  
Address: **PO Box 107**  
City/State/ZIP: **Rice Lake, WI 54868**  
Daytime Phone: **715-651-0153**  
Email: **jthompson@toddsredimix.com**

## SITE INFORMATION

Parcel I.D. Number: **032 - 1800 - 08 - 050** Township: **Oak Grove**  
Property Address: **2737 18th Street** Lot Size: **85.62** Sq.Ft./**Acres**  
**65**

## TYPE OF REQUEST:

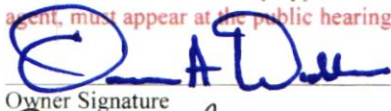
Dwelling  Tourist Rooming House  Business  Campground  Mineral Extraction  
 Livestock Enlargement  Other **Ready Mix Plant and Asphalt Plant**

## Reason For Special Exception Request:

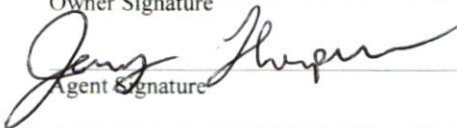
**To operate a concrete batch plant and asphalt plant to supply concrete and hot mix asphalt for local road construction and infrastructure projects.**

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.

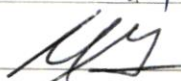
  
Owner Signature

**06 / 22 / 2023**  
Date

  
Agent Signature

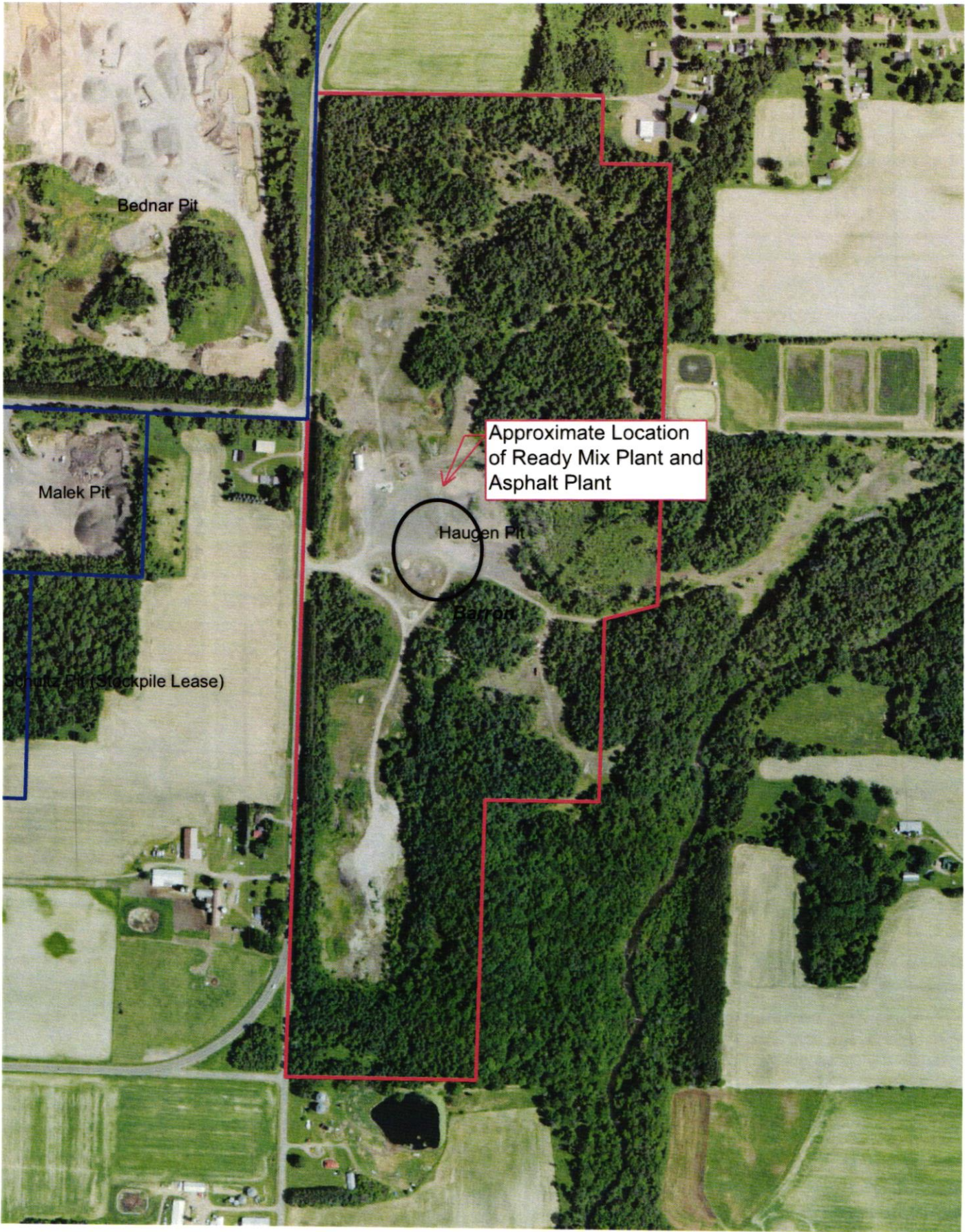
**07 / 10 / 2023**  
Date

## OFFICE USE

Appeal # **3937** Hearing Date: **8 / 2 / 23** Previous Hearings: **N/A**  
Name of Water Body: **N/A** Zoning Dist.: **MR**  
Reviewed By:  Date **7 / 25 / 23**

## DATE RECEIVED:

**RECEIVED**  
**JUL 12 2023**



1 inch = 500 feet  
On 8.5 x 11 Paper

Haugen Pit Aerial Photo

# ORDINANCES RELATING TO HEARING

**Applicant/Owner:** Todd's Redi Mix Concrete, LLC  
**Previous Appeals:** N/A

**Appeal:** 3937

**Request:** A special exception to allow a concrete batch plant and an asphalt plant in an existing mine in a Mineral Reservation district, in the Town of Oak Grove.

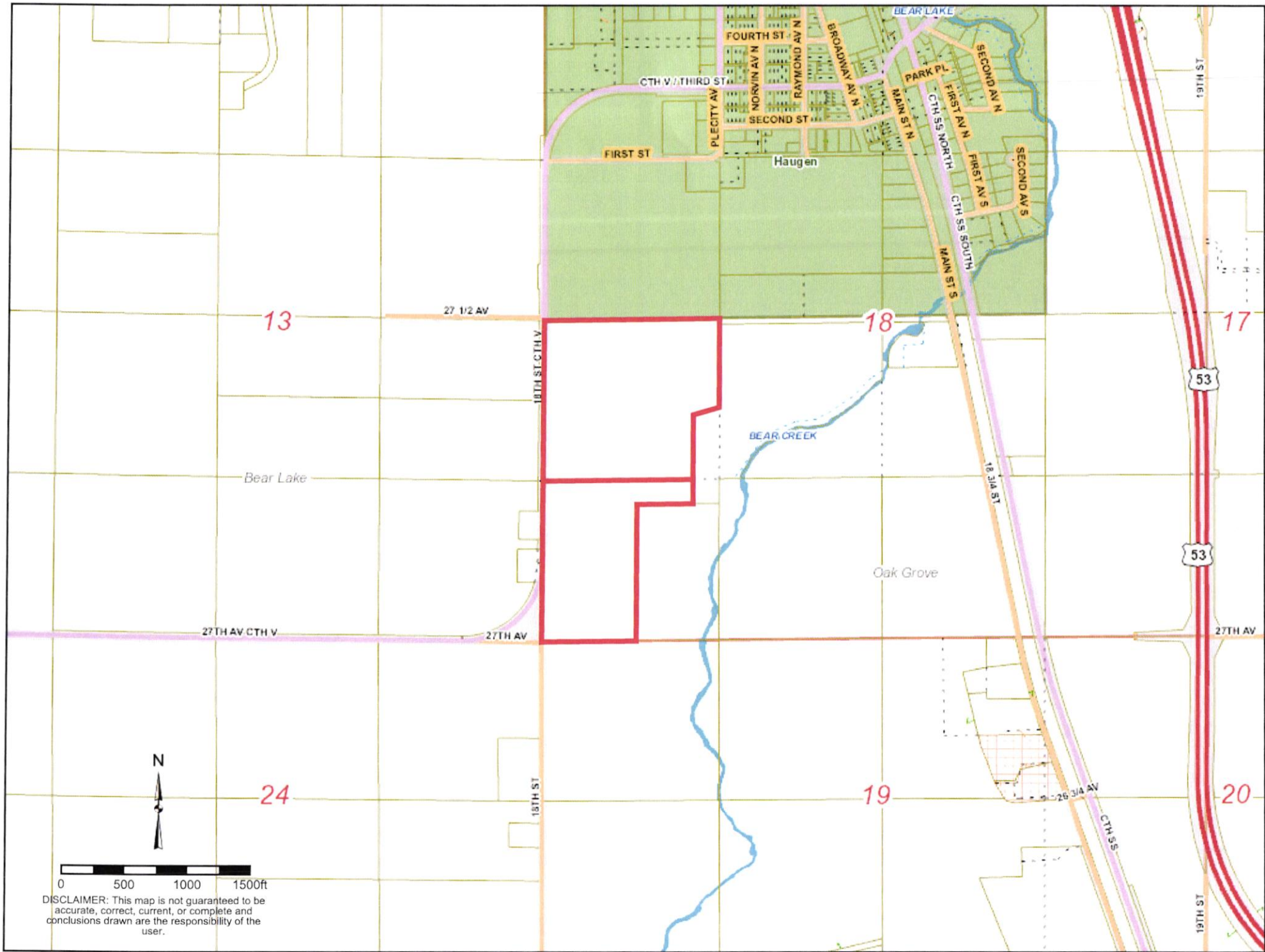
**Purpose Section 17.02:** This chapter is declared to be for the purpose of promoting the public health, safety and general welfare.

**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.

## **17.31 MR-MINERAL RESERVATION DISTRICT**

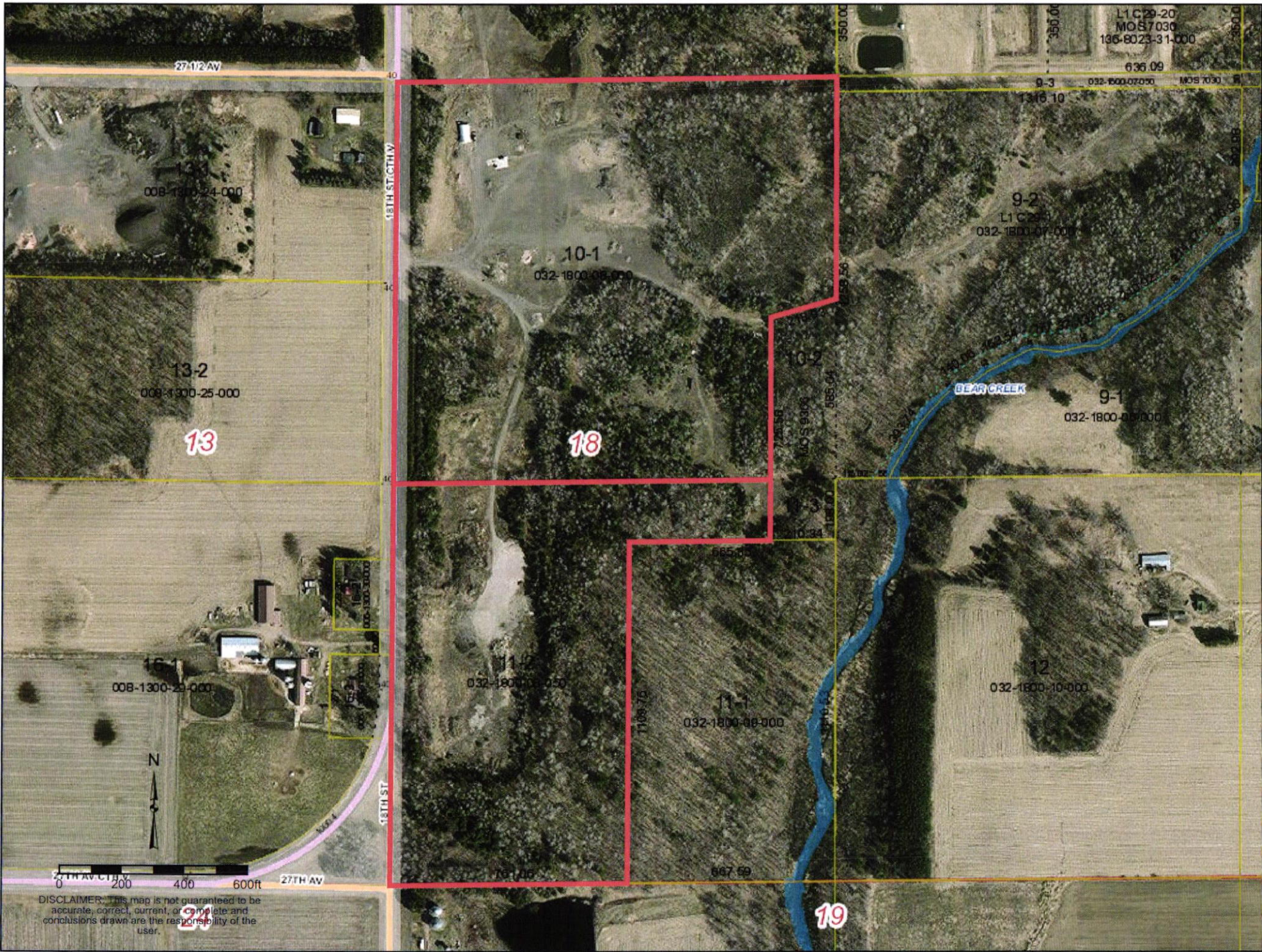
The Mineral Reservation District is created to protect mineral extraction operations against problems caused by intrusion of incompatible land uses, and to allow for protection of deposits of minerals. The district regulations also control, by cross-references, mineral extraction operations which occur in other zoning districts.

17.31	Mineral Reservation District
17.73(6)	Special Exception Uses



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





27 1/2 AV

008-1300-24-000

13-2  
008-1300-25-000

13

16-1  
008-1300-23-000



0 200 400 600ft

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

18TH STREET HWY

15TH ST

27TH AV

10-1  
032-1800-05-000

18

11-2  
032-1800-08-050

11-1  
032-1800-09-000

19

9-2  
L1 C 29-20  
032-1800-07-000

9-1  
032-1800-06-000

12  
032-1800-10-000

L1 C 29-20  
MOB 7030  
136-8023-31-000

9-3  
032-1800-02-000  
MOB 7030

BEAR CREEK

350.00

350.00

350.00

1315.10

636.09

1258.56

585.94

585.94

1258.56

10.34

585.94

1108.70

1108.70

667.59

# 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 Oak Grove

Owner: Todd's Redi Mix Concrete, LLC

Applicant/Agent: Jerry Thompson, Todd's Redi Mix

Property Address: 2737 18th Street Property Tax ID #: 032 - 1800 - 08 - 050  
032 - 1800 - 08 - 000

Explain Request: (must match explanation on application) To operate a concrete batch plant and asphalt plant to supply concrete and hot mix asphalt to local road construction and infrastructure projects.

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

The Town Board is:  In Favor  Neutral  Opposed

EXPLANATION OF TOWN BOARD DECISION:

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Date: \_\_\_\_\_

Signed: David Tomesch OR \_\_\_\_\_

(Town Chairman)

Signed: \_\_\_\_\_

(Town Clerk)

Print Name

Print Name

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

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, August 14, 2023 at 9:10 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 establish an enclosed storage facility in an Agricultural-2 district, property described as part SW-SE, consisting of 5.878 acres, located in Section 30, T36N, R13W, Town of Lakeland, 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: Myrtle Herbst; Donald Borreson, Jr., Personal Representative  
Applicant: Kym Latterell, Latty Lane, LLC  
Property address: Unassigned US Hwy 63, Cumberland, Wisconsin

All persons interested are invited to attend said hearing.

Dated at Barron, Wisconsin, this 26<sup>th</sup> day of July, 2023.

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: Donald Borreson JR Personal Rep  
Address: 14121 HWY 27  
City/State/ZIP: Sparta WISC 54656  
Daytime Phone: 608-387-6774  
Email: Donaldborreson@yahoo.com

Agent: Kym Latterell dba Latty Lane LLC  
Address: 443 Coyote Trl  
City/State/ZIP: Lino Lakes, MN 55014  
Daytime Phone: 612-414-7433  
Email: kymlatterell@msn.com

## SITE INFORMATION

Parcel I.D. Number: 023-3000-28-000 Township: Lakeland Township  
Property Address: 25XX Hwy 63 Lot Size: 5.878 acres Sq.Ft./Acres

## TYPE OF REQUEST:

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

## Reason For Special Exception Request:

Construction of an enclosed storage facility for business use. Building will be used for seasonal storage of boats, snow mobiles, etc. Clients will not have independent access to the building.

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, will appear at the public hearing.

Donald R Borreson JR Personal Rep 7/6/2023  
Owner Signature Date  
Kym Latterell dba Latty Lane LLC 7/5/2023  
Agent Signature Date

## OFFICE USE

Appeal # 3938 Hearing Date: 8 / 14 / 23 Previous Hearings: N/A  
Name of Water Body: N/A Zoning Dist.: AQ-2  
Reviewed By: [Signature] Date 7 / 25 / 23

## DATE RECEIVED:

RECEIVED

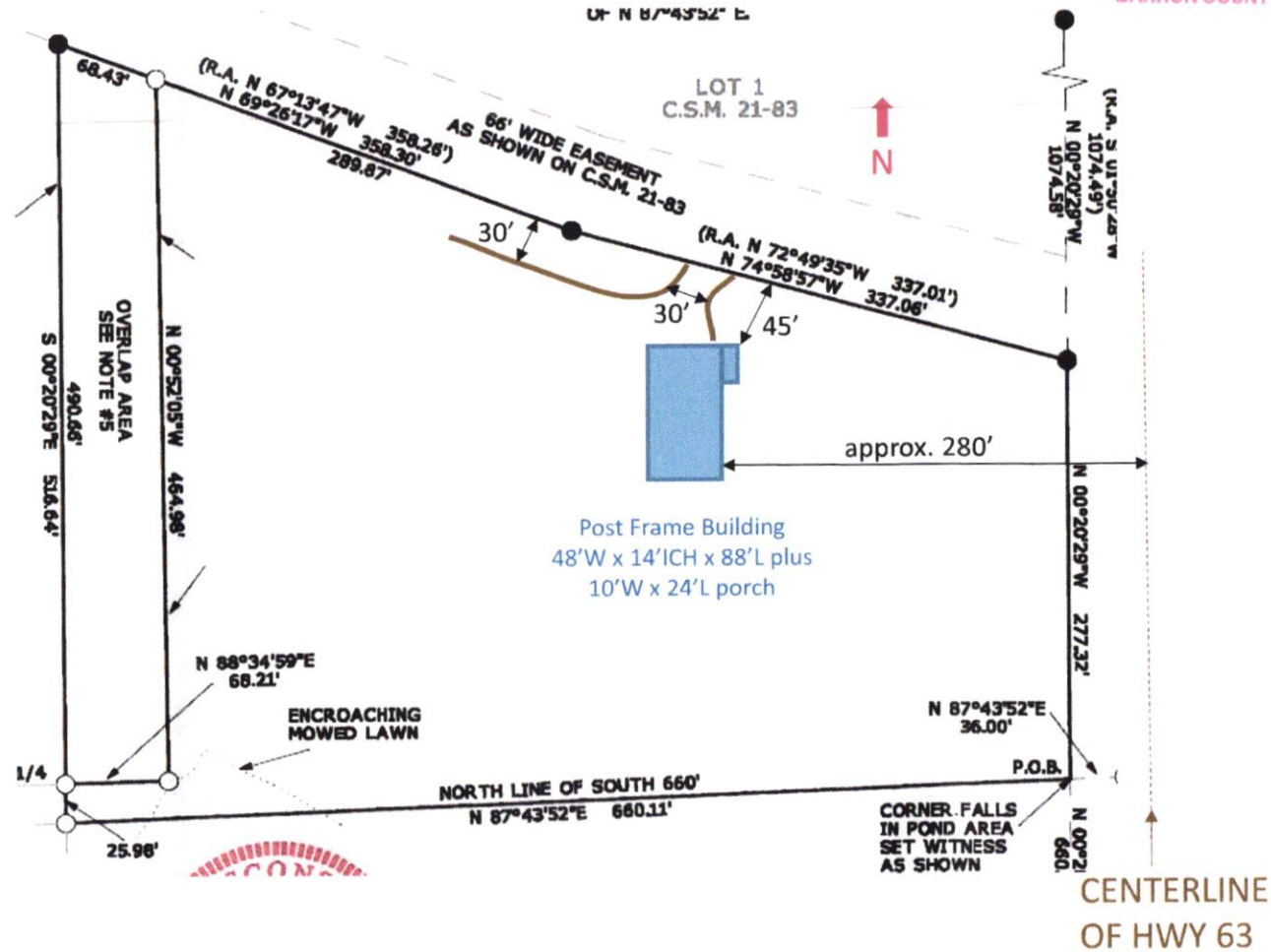
JUL 12 2023

BARRON COUNTY ZONING OFFICE

RECEIVED

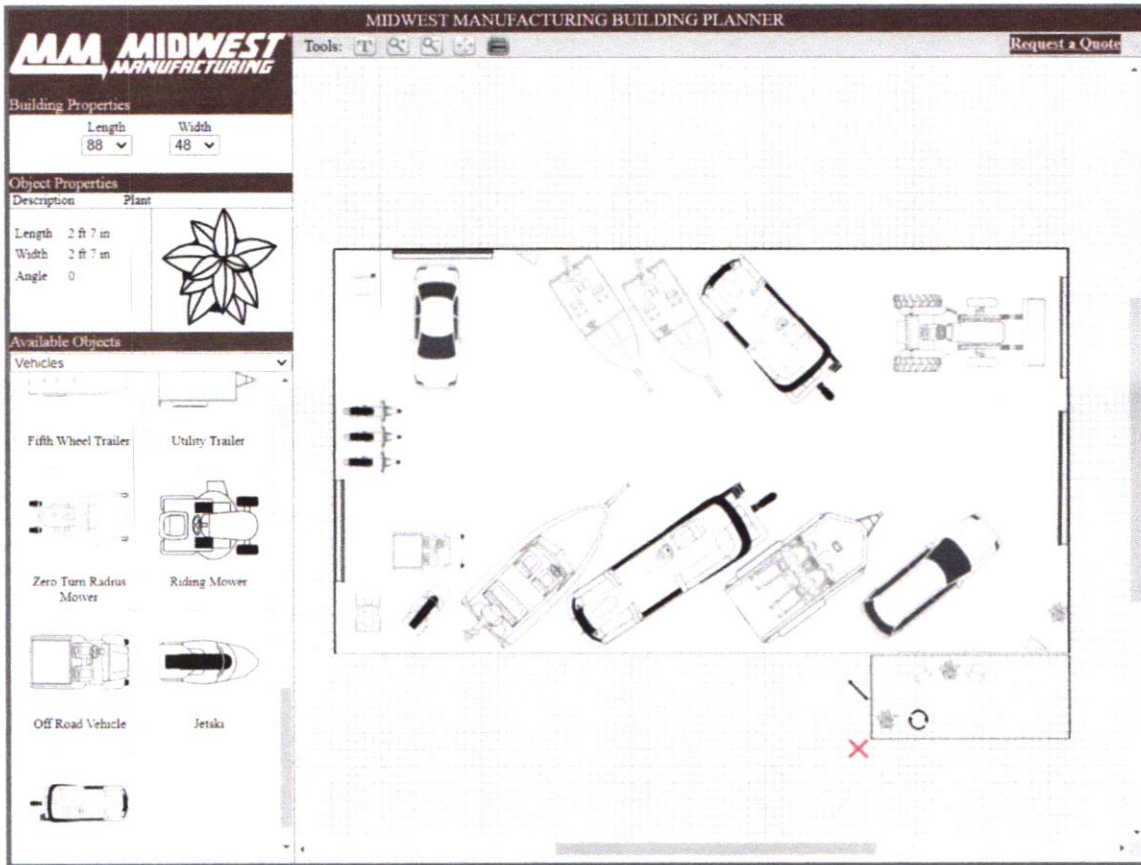
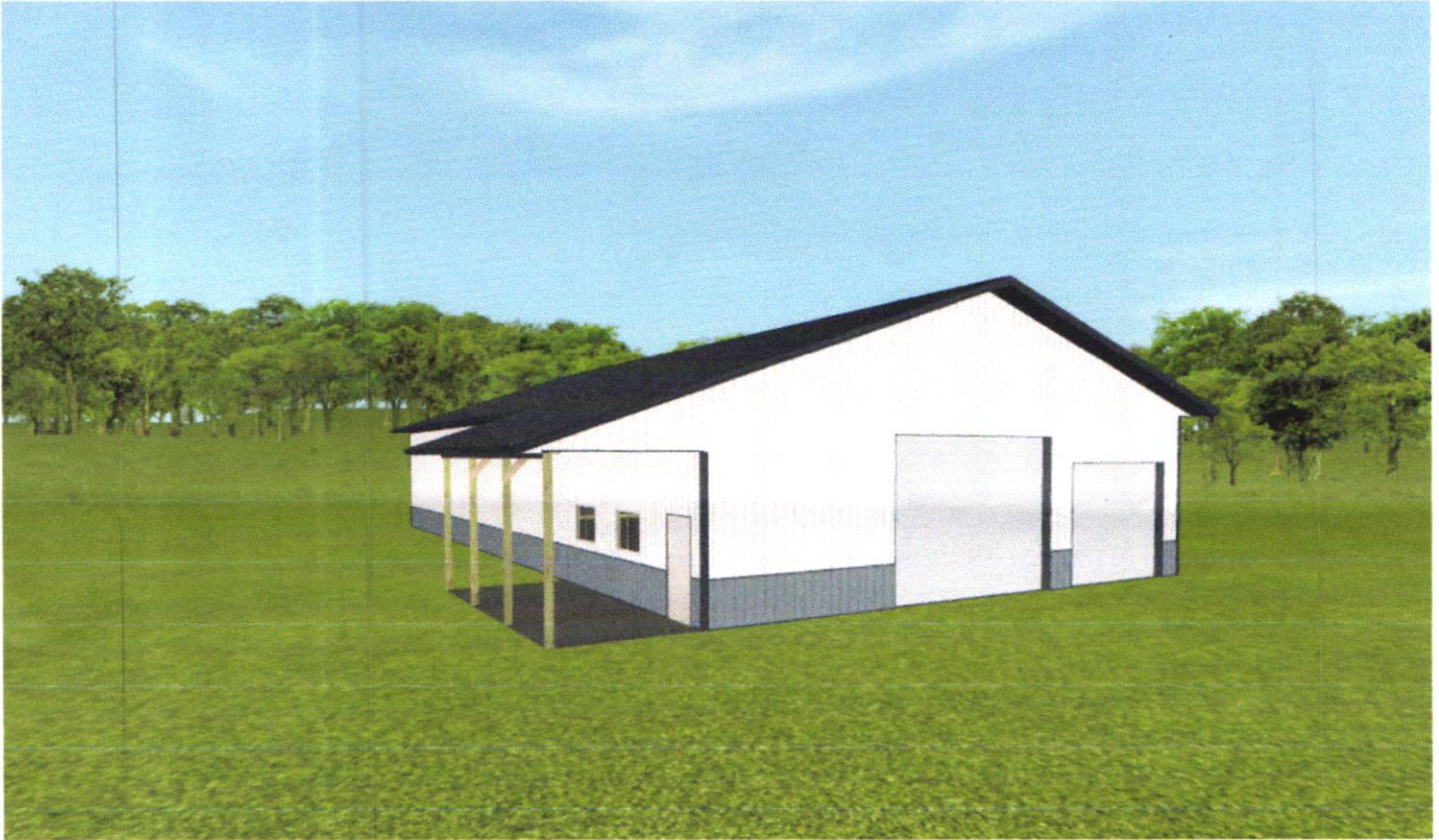
JUL 12 2023

BARRON COUNTY ZONING OFFICE



48'W x 14'ICH x 88'L plus 10'W x 24'L porch  
View from easement driveway entrance

Midwest Manufacturing - Post Frame Building



RECEIVED

JUL 12 2023

BARRON COUNTY ZONING OFFICE



# ORDINANCES RELATING TO HEARING

**Applicant/Owner:** Kym Latterell/Myrtle Herbst, D. Borresson Jr., PR  
**Previous Appeals:** N/A

**Appeal:** 3938

**Request:** A special exception to establish an enclosed storage facility in an Agricultural-2 district, in the Town of Lakeland.

**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.

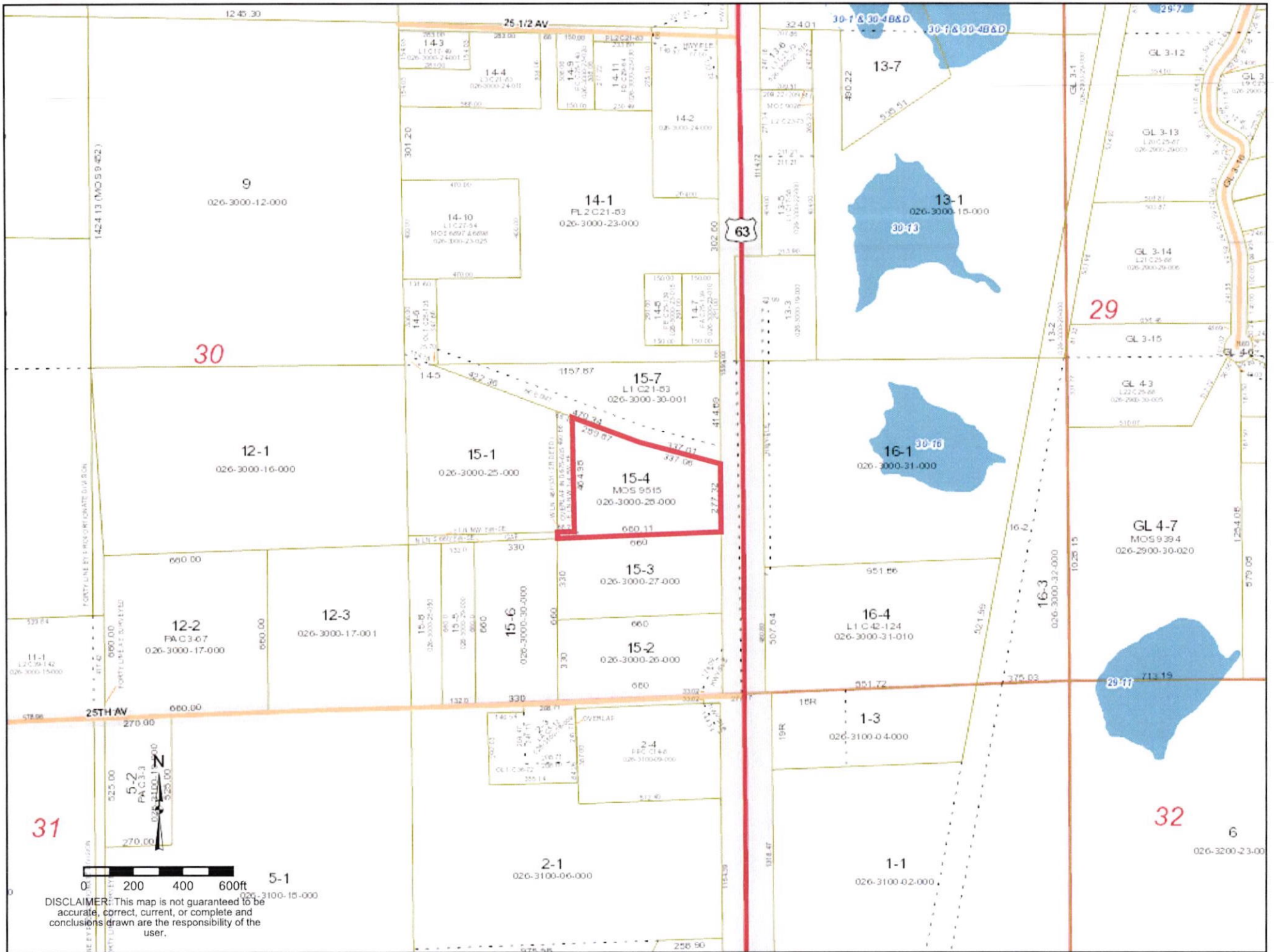
## **Section 17.37: AGRICULTURAL-2 DISTRICT**

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.

## **Section 17.41 SHORELAND OVERLAY AREA**

The shoreland regulations of the County are adopted for the purposes of promoting the public health, safety, convenience and general welfare, to further the maintenance of safe and healthful conditions, to prevent and control water pollution, to protect spawning grounds, fish and aquatic life, to control building sites, placement of structures and land uses, and to preserve shore cover and natural beauty. In addition to the use, dimensional rules and other standards provided for shorelands by the zoning district in which they are located, the following shall apply to all shorelands.

17.37	Agricultural-2 District
17.41	Shoreland Overlay Area
17.73(6)	Special Exception Uses



31

32



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



SHORELAND OVERLAY AREA

L1 C21-83  
26-3000-30-001

470 34  
289 87

337 01  
337 06

15-4  
MOS 9515

026-3000-28-000

277 32

660 11

660

WLN 487/331 (SR DEED)

OVERLAP IN D675-605 490 06  
E LN NW 1/4 SW SE

464 98

25 98

30

63

BWY/PLE



Scale is not guaranteed to be complete and accuracy is not guaranteed.

15-2

L1621-83

026-3000-30-00

5' ESMT

470.34

289.87

WLN 487/331 (SR DEED)

30

88 OVERLAP IN D675-605 490 05 08 21 E LN NW 1/4 SW SE

464.98

15-4  
MOS 9515

026-3000-28-000

3-7-01  
337.06

277.32

660.11

25.98

660

63

HWY/PLE

0 50 100 150ft

Survey data is guaranteed to be complete and accurate to the best of the responsibility of the surveyor.

15-2

# 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.*

RECEIVED

JUL 12 2023

BARRON COUNTY ZONING OFFICE

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

Type of Request:  Variance  Special Exception

Town of Lakeland

Owner: M. Herbst

Applicant/Agent: Kym Latterell dba Latty Lane LLC

Property Address: 25XX Hwy 63 Property Tax ID 023-3000-28-000

Explain Request: (must match explanation on application) ORLO KH

Construction of an enclosed storage facility for business use. Building will be used for seasonal storage of boats, snow mobiles, etc. Clients will not have independent access to the building.

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

The Town Board is:  In Favor  Neutral  Opposed

EXPLANATION OF TOWN BOARD DECISION:

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

Date: 7-11-23

Signed: Bill Muth OR Signed: \_\_\_\_\_  
(Town Chairman) (Town Clerk)

Bill McTrit  
Print Name

\_\_\_\_\_  
Print Name

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