

**Barron County Zoning
Board of Adjustment
November 18, 2024, 9:00 a.m.**

Present: Board of Adjustment: Amy Kelsey, Dan North, Pam Fall, Gary Nelson, Keith Hardie.
County Personnel: David Gifford, Marshall Black, John Muench, Kim Collins.

Nelson called the Board of Adjustment to order at 9:00 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/Hardie) to approve the minutes of October 30 and November 11, 2024; carried 4-0 with North abstaining.

9:00 a.m. Appeal #3969: Ryan & Laura Sutton, property owners; represented by Attorney Patrick Heaney, Request a variance to construct a dwelling addition with a reduced setback to the highway right-of-way in a Recreational-Residential district.

Nelson reconvened the hearing and Gifford presented photos from the onsite. Further testimony was provided by the applicant and Atty. Heaney. After Board questions, **motion:** (Hardie/Kelsey) to close testimony; Muench reviewed Court of Appeals decision. Motion called and carried 5-0. **Motion:** (Kelsey/Fall) to deny the variance as the following was determined:

1. The proposed variance is not for incremental relief of the setback distance, with 31 feet of a 32 foot addition proposed within the setback.
2. Granting of the variance would be contrary to the intent of and do damage to the provisions of the Land Use Ordinance, and to the public interest as a whole.
3. Public safety on State Highway 48 could be affected due to the speed limit of 45 mph, unique and complex intersection layout containing three businesses with undefined access points and the presence of a turn lane fronting the Sutton property. Potential future modification of the highway and intersection could be precluded if the variance was granted.
4. The applicant failed to show any unique physical characteristics of the property. The drainage is similar to many properties along the highway and is partially due to the applicant's design of the property. The generation of stormwater runoff from impervious surfaces on a property is not unique to the Sutton property, and occurs on all developed properties.
5. The Board determined that any claimed hardships to the applicants was outweighed by the public safety and public interest considerations and the purpose of the Ordinance.
6. There is an alternative area to locate the addition in a compliant location.

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

Report from L.S. Director: Correspondence to the Board was presented.

Motion: (Hardie/North) to adjourn at 11:06 a.m.; carried.

Respectfully submitted,

Kim Collins
Administrative Assistant