BOARD OF ADJUSTMENT MEETING Monday, July 14, 2025 – 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 #3991: Enos & Lydia Kauffman, property owners, Request a special exception to establish two farm family businesses being a sawmill and

a greenhouse business, in an Agricultural-1 district.

Property address: 2240 28th Avenue, Rice Lake, Wisconsin

- 9:10 a.m. Appeal #3992: Gotham Living Trust, property owner, Requests a variance to allow an addition to an accessory structure within the setback to a Town Road and road right-of-way, in a Recreational-Residential district. Property address: 705 26 1/4 Street, Chetek, 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: Hardie, 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 June 9, 2025, 9:00 a.m.

Present:

Board of Adjustment: Amy Kelsey, Dan North, Keith Hardie, Pam Fall.

County Personnel: David Gifford, Kim Collins.

Absent:

Gary Nelson.

Vice Chair Hardie 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.

It was noted that a condition was missed from a decision and the minutes from the May 29th meeting, and corrected documents were presented. **Motion:** (Kelsey/Fall) to approve the amended minutes of May 29, 2025; carried.

9:00 a.m. Appeal #3986: William R. & Amelia D. Borntreger, property owners, Request a special exception to establish two farm family businesses being a bulk food store and a small band sawmill, in an Agricultural-1 district.

Hardie opened the hearing and read the public notice. The Board reviewed the file and received testimony from the applicant. Gifford presented a staff report. Public testimony was received. No correspondence. Town Consideration Form entered into testimony. After Board questions and discussion, **motion:** (Fall/Kelsey) to close testimony; carried 4-0. **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. The bulk food store is housed in a 20'x36' building and the sawmill building is an area of 32'x32' in a 32'x58' structure.
- 3. The muffler for the sawmill must be used at all times, and the sawmill may be operated from Monday through Friday during daylight hours.
- 4. The shavings must be controlled and contained and not cause issues for the neighborhood or water quality.

Motion carried 4-0.

9:10 a.m. Appeal #3990: John & Ida Borntreger, property owners, Requests a special exception for two farm family businesses being a sawmill and a buggy wheel repair shop, in an Agricultural-1 district.

Hardie opened the hearing and read the public notice. The Board reviewed the file and received testimony from the applicant. Gifford provided a staff report. Public testimony was received. Gifford presented a staff report. No correspondence. Town Consideration Form entered into testimony. After Board questions, **motion:** (Kelsey/Fall) to close testimony; carried 4-0. **Motion:** (Kelsey/North) 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. The sawmill must remain in a building and the muffler must be used at all times.
- 3. The hours of operation for both businesses are Monday through Friday during daylight hours.
- 4. The shavings must controlled and contained.
- 5. Dust and noise shall be reasonably controlled to avoid conflict with the surrounding area. Motion carried 4-0.

Report from L.S. Director: N/A.

Motion: (Kelsey/North) to adjourn the meeting at 11:20 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, July 14, 2025 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 establish two farm family businesses being a sawmill and a greenhouse business, in an Agricultural-1 district, property described as part of SE-SW, consisting of 35.42 acres, located in Section 11, 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: Enos & Lydia Kauffman

Property address: 2240 28th Avenue, Rice Lake, Wisconsin

All persons interested are invited to attend said hearing.

Dated at Barron, Wisconsin, this 25th day of June, 2025.

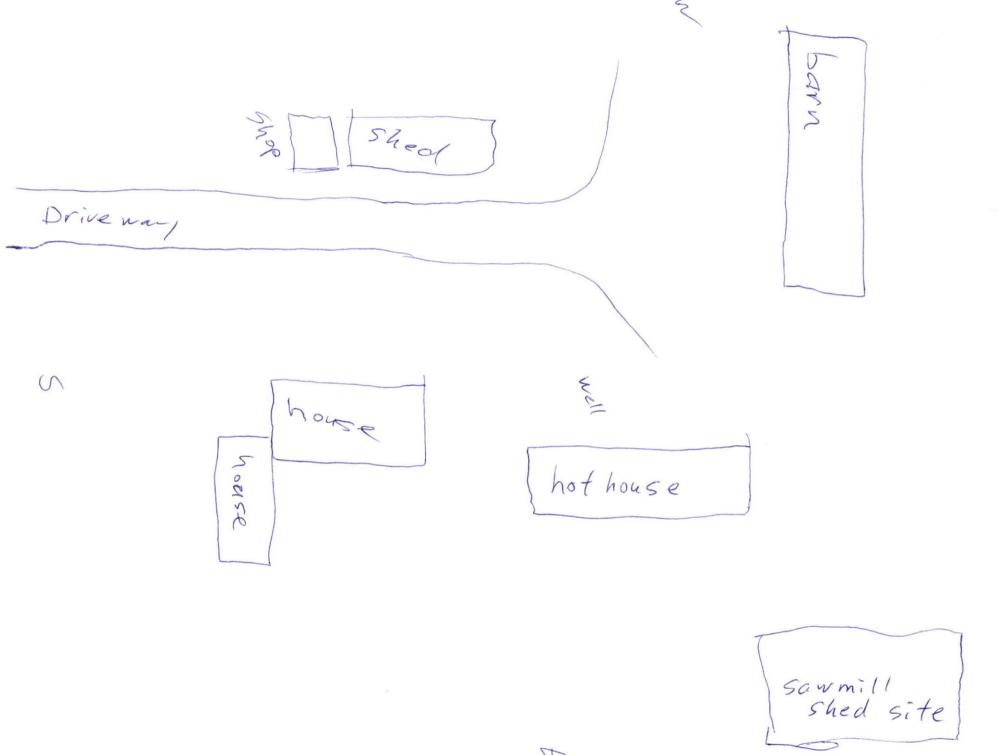
Barron County Board of Adjustment Gary Nelson, Chairman

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: Enos D Kauffman	Agent:
Address: 2240 Cty V	Address:
City/State/ZIP: Rice Lake WI 54868	City/State/ZIP:
Daytime Phone:	Daytime Phone:
Email:	Email:
SITE INFORMATION	
Parcel I.D. Number: 032 - 1100 - 13 - 0	Township: Oak Grove
Property Address: 2240 Cty V, Rice Lat	Ke, WI Lot Size: 76.7 Sq.Ft. Acres
TYPE OF REQUEST:	
Dwelling Tourist Rooming House Business Livestock Enlargement Other Saw	Campground Mineral Extraction mill, greenhouse & hot house busines
Reason For Special Exception Request:	
Small Family side lin	e Occupation to Supplemen.
Complete this application and submit it with the Township C Zoning Office. Provide a detailed plot plan of the property a	Consideration Form and the fee of \$ 500.00 to Barron County and floor plan of the proposed project.
I have read and understand the procedures and requirements for non-refundable and that my application may be returned if infor- agent, must appear at the public hearing.	applying for a Special Exception. I understand that the filing fee is mation is incomplete or illegible. I also understand that I, or my
Enos D Kauffman Owner Signature	7PR. 114 12025 Date
Agent Signature	Date
OFFICE USE	DATE RECEIVED:
Appeal # 3991 Hearing Date: 7 / 14 / 2	
Name of Water Body:	Zoning Dist.: A-1 JUN 0 6 2025
Reviewed By:	Date 6 /30 /25 CAMPION COUNTY ZONING OFFICE

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ORDINANCES RELATING TO HEARING

Applicant/Owner: Enos & Lydia Kauffman Appeal: 3991

Previous Appeals: N/A

Request: A special exception to establish two farm family businesses being a sawmill and a greenhouse business, in an Agricultural-1 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.

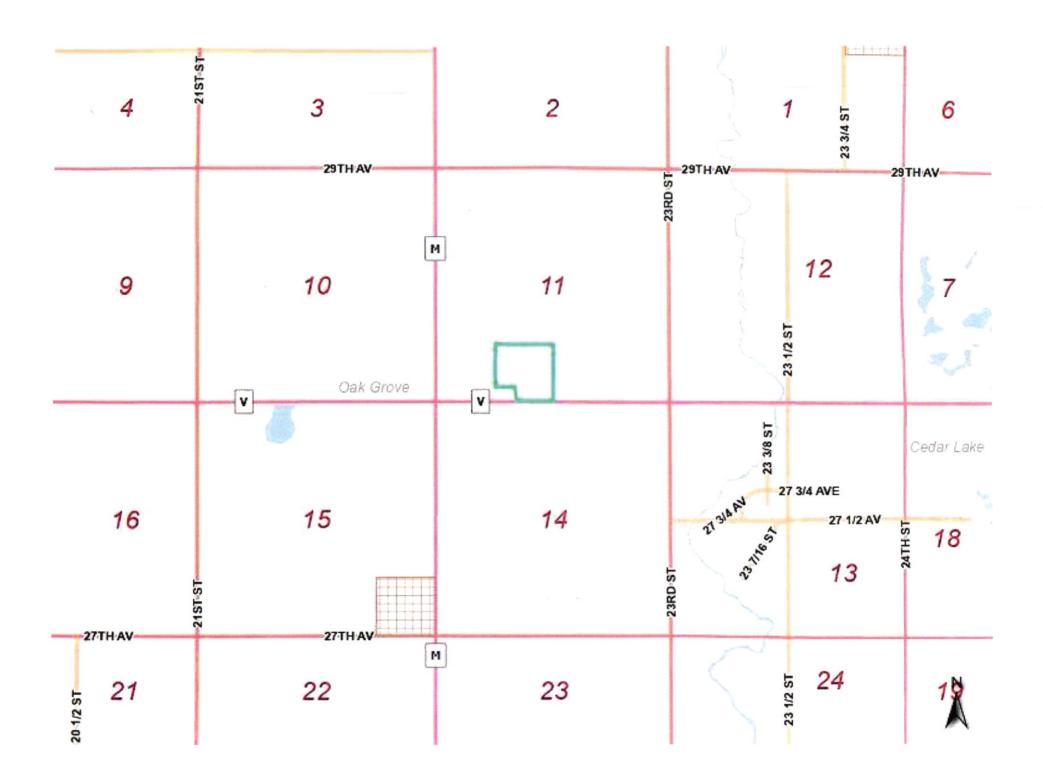
Intent Section 17.03: It is the general intent of this chapter to regulate and restrict the use of structures, lands, shoreland and waters; regulate and restrict lot coverage, population distribution and density and the size and location of all structures so as to lessen congestion in and promote the 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.

17.28 A-1 EXCLUSIVE AGRICULTURAL DISTRICT

The Exclusive Agricultural District is created to protect areas where agricultural production is the dominant land use and where a continuation of such use is in the interest of the farm operators and beneficial to the interests of the general public in terms of production of food and fiber and environmental quality. Except for continuation of preexisting uses, this district will allow very few nonagricultural uses or development. This policy is intended to avoid conflicts which occur when farm and non-farm uses are mixed, and to reduce the adverse pressures upon farming caused by speculative land values and consequent increases in property taxes on farmlands. A limited number of agricultural or agriculturally related uses are treated as special exceptions in this district, because of potential problems of pollution or land use conflicts.

17.28 Exclusive Agricultural 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:
Town of Oak Grove
Owner: Enos D Kauffman
Applicant/Agent: Enos D Kauffman
Property Address: 2940 C+y V Property Tax ID #: 032-1100-13-000
Explain Request: (must match explanation on application) Small family side line
Occupation to supplement form income
Section B $-$ to be completed by the Township
The Town Board is: In Favor Neutral Opposed
EXPLANATION OF TOWN BOARD DECISION:
execuption with the style still a cations they control the
Sawdust, Dut Mustor on Power Unit, And Building
a Shed Over the gluit Get Back to the
County within 30 days.
Date: 5/12/25
Signed Color OR Signed:
(Town Chairman) (Town Clerk)
Deline Numa
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, July 14, 2025 at 9:10 a.m. in Room 2106 of the Barron County Government Center, 335 E. Monroe Ave., Barron, Wisconsin, relative to a proposal for a variance to the terms of the Barron County Land Use Ordinance as follows:

Requests a variance to allow an addition to an accessory structure within the setback to a Town Road and road right-of-way, in a Recreational-Residential district on property described as Lot 22 & part of. Lot 21, consisting of .84 ac., located in Section 28, T33N, R10W, Town of Chetek, 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 owners: Gotham Living Trust

Property address: 705 26 1/4 Street, Chetek, Wisconsin

All persons interested are invited to attend said hearing.

Dated at Barron, Wisconsin, this 25th day of June, 2025.

Barron County Board of Adjustment Gary Nelson, Chairman

VARIANCE APPLICATION

Submit completed application and fee to the:

Note: Hearing date may be delayed until a site

visit can be completed Barron County Zoning Office 335 E. Monroe Ave. #2104 Barron, WI 54812 715-537-6375 Agent: MIKE MILLER Property Owner: Robert Go Tham Address: W2955 CTY ROND Z Address: 625 & MEIER RA City/State/ZIP: MT PROSPECTIL60056 City/State/ZIP EN CHIRE, WI 5470/ Daytime Phone: 630-768-6032 Daytime: 715-579-6443 Email: DGOTHAM @ GMAIL. COM Email: WILLTEHORSECH & GNOIL, CUM 26 /45TREFT CHETEK WI, 54728 Parcel I.D. Number: 012 SITE INFORMATION Property Address: 705 AREA VARIANCE REQUEST IS FOR: (Check all applicable boxes below; multiple setbacks may be required) New Addition to (Existing structure w/in setback to:__ Proposed Project: Accessory Structure Dwelling Retaining Wall

Open structure (platform, free-standing deck, patio, etc.)

Other COUNCED BLOG BETWEEN HOUSE & BARN/STORAGE Retaining Wall Centerline Road right of way Road Setback to: Property line Ordinary highwater mark Easement Has the structure/addition in question already been placed/built on this property? If so, when? Was it built/placed while property was under current ownership? Yes No Describe project: INSTALL NOTOINING WALL TO SUPPORT SOILS & TO SUPPORT EXISTING DRIVEWOY, HOUSE & BARN FOUNDATIONS. HIS WILL INFILL BETWEEN THE TWO, WITH GVER & DESIGN An area variance is authorization by the Barron County Board of Adjustment (BOA) to vary one or more of the dimensional or physical requirements of the applicable zoning law, code or ordinance in connection with some proposed construction. The burden will be on you as property owner to provide information upon which the board may base its decision. At the hearing any party may appear in person or may be represented by an agent or attorney. You or your agent must convince the BOA to make a ruling in your favor. The board must make its decision based only on the evidence submitted to it at the time of the hearing. Failure to appear at the hearing may result in the BOA moving forward with a decision based on the facts presented. DATE RECEIVED: Appeal # 340 A Hearing Date: 7 / 14 / 25 Other appeals NA Name of Water Body: Ten Mile Lake Zoning Dist.: RT Date 6 / 30 / 25 Reviewed By: IUN 2 0 2025

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Variance	Crite	eria

(1) Will there be unnecessary hardship to the property owner to strictly comply with the ordinance? Unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose (leaving the property owner without any use that is permitted for the property) or would render conformity with such restraints unnecessarily burdensome.

An applicant may not claim unnecessary hardship because of conditions which are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing there is no suitable location for a home or claiming that they need more outbuilding space than permitted to store personal belongings.) Courts have also determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than a portion of the parcel. The property owner hears the burden of proving unnecessary hardship.

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USE OF SPACE TO STONE PONTION & LAKE EQUIPMENT & PRINTINE, ETC.

(2) Do unique physical characteristics of your property prevent compliance with the ordinance? If yes, please explain.

Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with the ordinance requirements. The circumstance of an applicant (growing family, need for a larger garage, etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances or lack of objections from neighbors do not provide a basis for granting a variance.

SLOPE, CONTINUED ENDSION, IT WILL ALDE TO SUPPORT / PREVENT DRIVEWAY, HOUSE POUNDATION PAILURES BY RE-SHORING MEAINST EXISTING BLACK WALLS.

(3) What would be the effect on this property, the community or neighborhood and the **public interest** if the variance was granted? How can these impacts be mitigated?

The purpose and intent statements of the ordinance outline public interest factors. If granted, the variance request cannot harm the interests of the neighborhood, County and State as a whole and cannot be contrary to the objectives of the ordinance as established in the intent and purpose statements. Support from neighbors is not to be construed as proof of no adverse impacts on public interest.

NO EFFECT ADVERSELY TO PROPERTY AND NO EFFECT TO PUBLIC INTEREST. DELL PROOF WOLD BE AT APROX. LEVEL OF EXISTING DRIVEWAY.

Alternatives

(1) Describe alternatives to your proposal such as other locations, designs and construction techniques. Attach a site map showing alternatives you considered in each category below.

(A) Alternatives you considered that comply with existing standards. If you find such an alternative, you can move forward with this option with regular permit. If you reject compliant alternatives, provide the reasons you rejected them.

NO OTHER ALTERNATINE UTILIZING THIS SPACE	10 0	THER	ALTERNA	TINE	UTILIZISG	THIS	SPACE
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reasor	(B) Alternatives you considered that require a lesser variance so you rejected them.	ce. If you reject such alternatives, provide the

<u>Plot Plan Instructions</u>: Use the area provided on the following page, or a separate piece of paper, to show <u>ALL</u> of the following items:

- 1. The location and size of all proposed and existing buildings
- 2. The location of:
 - any lake, flowage, stream or river that either abuts or is near your property
 - · and name of all roads
 - any Easements (road, utility or other)
 - any proposed or existing well(s)
 - Privately Owned Wastewater Treatment System (POWTS). A POWTS includes a septic tank, holding tank, mound system or drainfield
- 3. Show distances from buildings to:
 - lot lines
 - · center of roads and/or edge of easements
 - · ordinary highwater mark of any lake, river, stream or wetland if applicable

All measurements are from the furthest extension of the structure (eaves, overhangs, etc are part of the structure) to the nearest point of a setback.

When measuring setback distance on a sloping building site, the measurement must be done on a HORIZONTAL (flat) MEASURING LINE. The horizontal measuring line is created by holding the measuring tape level AND NOT MEASURING ALONG THE SLOPE. Depending on the amount of slope, several short measurements may have to be made.

For waterfront properties only, please note:

- Impervious Surfaces: For all proposed projects, an "Impervious Surface Worksheet" must be completed
 and attached to this application.
- <u>Viewing/Access Corridor</u>: For proposed dwelling projects on an undeveloped lot, a viewing/access corridor sketch must be submitted.
- <u>Mitigation Plan:</u> Where proposed construction will impact setbacks to the ordinary highwater mark, a
 mitigation plan may be a requirement of variance approval.

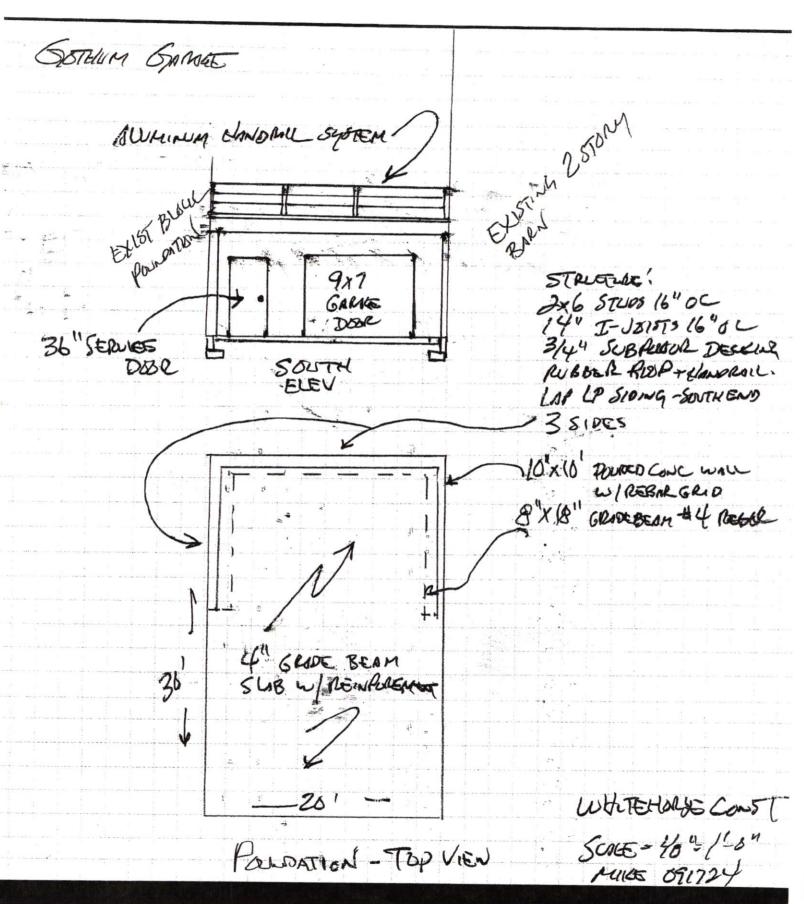
For detailed information regarding these requirements, please consult with Zoning Office staff.

					Page
Plot Plan(Atta	ach additional page if needed, not to e	exceed 8 ½ " x 14")			
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N					
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variance, ar	nd further understands tha	at the filing fee is no			
	n is incomplete or illegible				
	rsigned also understand	as that they, or thei	r agent, must appe	/	1
14	W. M. M.	MM		5/27	125
Owner Sign	nature M		Date		
// NO.				5,27	



705	1 & BOD GISTHUM 26/4 STRUET 14, WI 54728	451	5 11
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EXUTUS, GORGE HOUSE BULL POLOGIESA	NEW 20x30 STOMGE GAMGE		Whitelans Cast Sense 1/8 = 1/3" MOKE 2/17/29





ORDINANCES RELATING TO HEARING

Appeal: 3992

Applicant/Owner: Gotham Living Trust

Previous Appeals: N/A

Request: Requests a variance to allow an addition to an accessory structure within the setbacks to a Town Road and road right-of-way, in a Recreational-Residential district, located in the Town of Chetek.

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 17.36 RECREATIONAL-RESIDENTIAL The Recreational-Residential District is created to provide for a mixture of residential, recreational and commercial uses, with emphasis on commercial uses which relate to the recreational opportunities or which serve the residential properties. This district will be located primarily along or near navigable waters on lands suited for development.

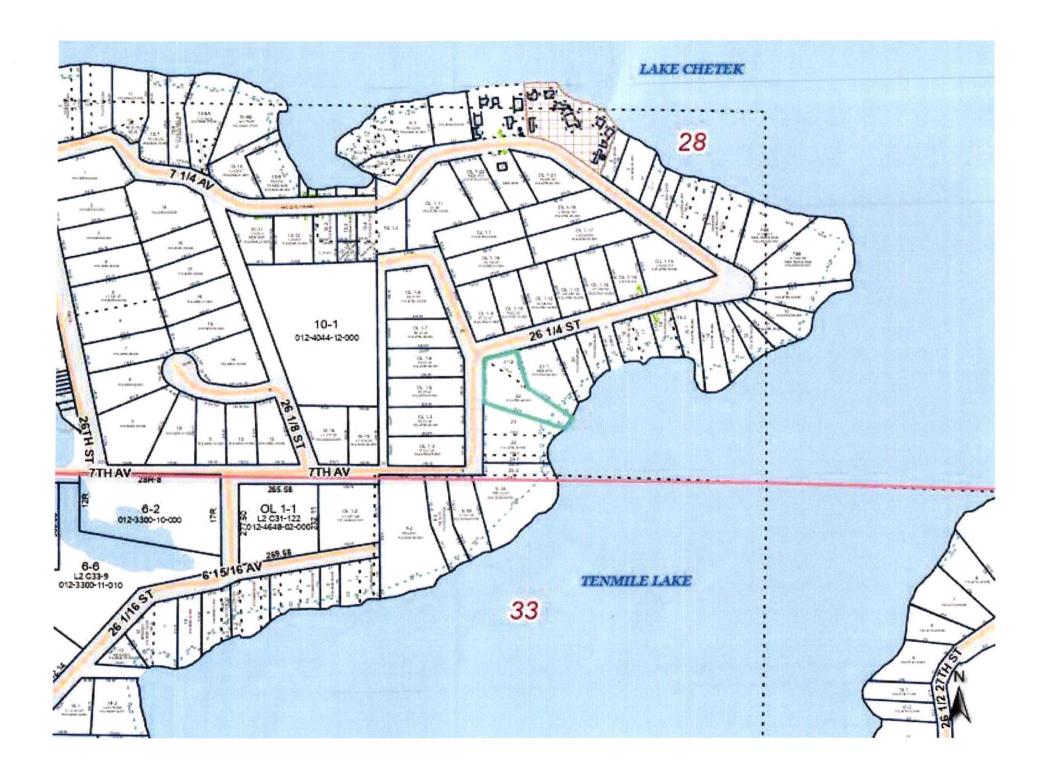
Section 17.41 SHORELAND OVERLAY AREA

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.

Ordinances relating to this Appeal:

17.36 Recreational-Residential District 17.41 Shoreland Overlay District

17.73(7) Variances





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 completes given the completed form study by the histories of the proposed variance or special histories prior to a belief to proposed variance or special histories prior to a belief to proposed variance or Special histories prior to a belief to proposed variance or Special histories prior to a belief to proposed variance or Special

Section A- to be completed by the property owner and/or agent;
Type of Request: Yariance Special Exception
Trava of CHETEK
I Avener PARTAT GORHAM
Applicant/Agent: MILE MILLER, WATTERFORESE CONSTRUCTION
Property Address: 25 Fe 1/4 STREET CARTEL Property Tax ID =: 012-4780. 48 000
Explain Request: (must match explanation on application fette with wait & Coltato
STRUCTURE TO WELF SHELE UP DRIVERING GOLDATION WALL & POLLAGER.
THE EMSTRE BARN ALLOWING CHUNGSTER TO BE CONSTRUCTED POR
FROM RUED RUNDER BOTHERS THE Z STANTERIES.
Section B – to be completed by the Township
The Town Board is: X In Favor _ Neutral _ Opposed
EXPLANATION OF TOWN BOARD DECISION:
Drate: 6-18-25
$\Omega \cap \Omega \cap \Omega = \emptyset$
Signed: John + Voille SV OR Signed:
Town Chairman) (Town Clerk)
John Postle Sr.
Print Name Print Name

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