

BOARD OF ADJUSTMENT MEETING

Monday, September 15, 2025 – 9:00 a.m.

Rescheduled from September 8, 2025

Room 2106

Barron County Government Center

335 East Monroe Avenue, Barron, WI 54812

*** * * * ***

Amended 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 #3996: Fairways of Tagalong Condominium Association, LLC, property owner, Request a special exception to construct two additional garage buildings in a Business district, property described as proposed Units SW500 & SE600 and part of the common element of Fairways at Tagalong Condominium, in a Business district.

Property address: 2853 29th Ave, Ste 3, Birchwood, Wisconsin

9:20 a.m. Appeal #3998: Lois Klay, property owner, Requests variance to expand a cabin located within the setback to a Town Road & road R-O-W, in a Recreational-Residential district.

Property address: 2618 7 ¼ Avenue, 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

BOARD OF ADJUSTMENT MEETING

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Room 2106

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335 East Monroe Avenue, Barron, WI 54812

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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
August 11, 2025, 9:00 a.m.**

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

Chair 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: (North/Fall) to approve the minutes of July 14, 2025; carried with Bartlett abstaining.

9:00 a.m. Appeal #3993: Kevin & Shalain Wiebe, property owners, Request a special exception to allow a welding business in an Agricultural-2 district.

Nelson opened the hearing and read the public notice. The Board reviewed the file and received testimony from the applicant. Gifford presented a staff overview. No public testimony or correspondence was received. Town Consideration Form entered into testimony. After Board questions and discussion, **motion:** (Hardie/Bartlett) to close testimony; carried 5-0. **Motion:** (North/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. Hours of operation are Monday through Friday, 8:00 a.m. to 5:00 p.m. and welding business is limited to the 54' X 64' shed.
3. Any required permits for a business sign shall be obtained.

Motion carried 5-0.

9:10 a.m. Appeal #3994: Six Lakes Resort and RV Park, Inc., Josh Heidemann, property owner, Requests a special exception to allow a pavilion addition and live music for an existing resort in a Recreational-Residential district.

Nelson opened the hearing and read the public notice. The Board reviewed the file and received testimony from the applicant. Gifford provided a staff overview. Public testimony was received and correspondence read into the record. **Motion:** (Fall/Bartlett) to include Appeals 558, 2176, 2404, 2686, 3279 and 3353; carried. Town Consideration Form entered into testimony. After Board questions, **motion:** (Hardie/North) to close testimony; carried 5-0. **Motion:** (Fall/Bartlett) 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. Unamplified music is allowed between 6:00 p.m. to 10:00 p.m.

Motion carried 5-0.

9:20 a.m. Appeal #3995: Reindeer Games, LLC, De Anna Westphal, property owner, Requests a special exception to add an orchard, fowl, bees and three additional structures to an existing outdoor recreation facility in a Business district.

Nelson opened the hearing and read the public notice. The Board reviewed the file and received testimony from the applicant. Gifford provided a staff overview. No public testimony or correspondence was received. **Motion:** (Fall/North) to include Appeals 3976 and 3977; carried. Town Consideration Form

entered into testimony. After Board questions, **motion:** (Hardie/Bartlett) to close testimony; carried 5-0.

Motion: (Fall/Bartlett) 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. Fowl, other than guinea fowl and peacocks are allowed.
3. Bees, up to 4 hives and/or 30,000 bees, are allowed.
4. Three additional structures, 2 lean-to sheds no larger than 16' x 24' and 1 existing 16' x 12' shed, are allowed.

Motion carried 5-0.

#6. Five Year Review: Appeal #3843 – Gifford gave a brief overview and Todd's RediMix staff answered neighbor questions and heard comments.

9:20 a.m. Appeal #3981: Nelnordic Trust property owner; Todd Smith, Atty., Request a variance to allow a retaining wall constructed within the 75' setback to the OHWM of Beaver Dam Lake, in a Residential-1 district.

Nelson reconvened the hearing and reread the public notice. The Board received testimony from the Project Engineer. Public testimony was read into the record. After Board questions and discussion, **motion:** (Hardie/Bartlett) to close testimony; carried 5-0. **Motion:** (North/Fall) to deny the variance as presented; motion failed on a roll call vote with North in favor and Hardie, Bartlett, Fall and Nelson opposed. **Motion:** (Hardie/Bartlett) to modify the variance, allowing only the retaining wall adjacent to the entrance to remain and all other retaining walls to be removed, with the following conditions;

1. All permits are obtained prior to removal of two (2) existing retaining walls shown as Walls 2 and 3 as presented, and all testimony, oral and written, is part of the decision.

Motion carried on a roll call vote with Hardie, Bartlett, Fall and Nelson in favor and North opposed.

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

Nelson adjourned the meeting at 1:20 p.m. by unanimous consent.

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, September 8, 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 construct two additional garage buildings in a Business district, property described as proposed Units SW500 & SE600 and part of the common element of Fairways at Tagalong Condominium, located in Sections 2 & 11, T36N, R10W, Town of Cedar Lake, 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: Fairways at Tagalong Condominium Association, LLC
Property address: 2853 29th Ave, Ste 3, Birchwood, Wisconsin

All persons interested are invited to attend said hearing.

Dated at Barron, Wisconsin, this 20th day of August, 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: EMIRWAYS AT TAG ALONG Agent: PHIL ZAHORIK
Address: 2853 29TH AVE, SUITE 3 Address: 131 MCKINLEY
City/State/ZIP: BIRCHWOOD, WI 54817 City/State/ZIP: FALL CREEK, WI 54742
Daytime Phone: 651 334 3536 Daytime Phone: 715 533 5745
Email: brgehring@comcast.net Email: philzahorik@yahoo.com

SITE INFORMATION

MULTIPLE

Ref Parcel I.D. Number: 010-4126-50-000 Township: CEDAR LAKE

Property Address: 2854 29TH AVE Lot Size: 1,077, 270 (Sq.Ft)/Acres
BIRCHWOOD WI 54817

TYPE OF REQUEST:

☐ Dwelling ☐ Tourist Rooming House ☐ Business ☐ Campground ☐ Mineral Extraction
☐ Livestock Enlargement ☒ Other CUT BUILDING

Reason For Special Exception Request:

ADD 2 COLD STORAGE BUILDINGS (26'x15')x10' @, EACH BUILDING WILL
HAVE 13 GARAGE SPACES. THIS IS NECESSARY TO CORRECT A SIGNIFICANT
GARAGE SNOWTILE ISSUE IN THE HOM

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.

Bradley P. Gehring
Owner Signature (TOWNSHIP TREASURER)
Phil Zahorik
Agent Signature

7 / 19 / 2025
Date
8 / 6 / 2025
Date

OFFICE USE

Appeal # 3996 Hearing Date: 9 / 8 / 25 Previous Hearings: 103 438 2898, 3014, 3275
Name of Water Body: Red Cedar Lake Zoning Dist.: B **DATE RECEIVED:**
AUG 12 2025
Reviewed By: [Signature] Date 8 / 26 / 25 BARRON COUNTY ZONING OFFICE

\\barron\shares\zoning\SHARED\FORMS\Board of Adjustment\BARRON COUNTY SPECIAL EXCEPTION APPLICATION.doc

Pd cc # 180852375

Garage Space Addition at Tagalong

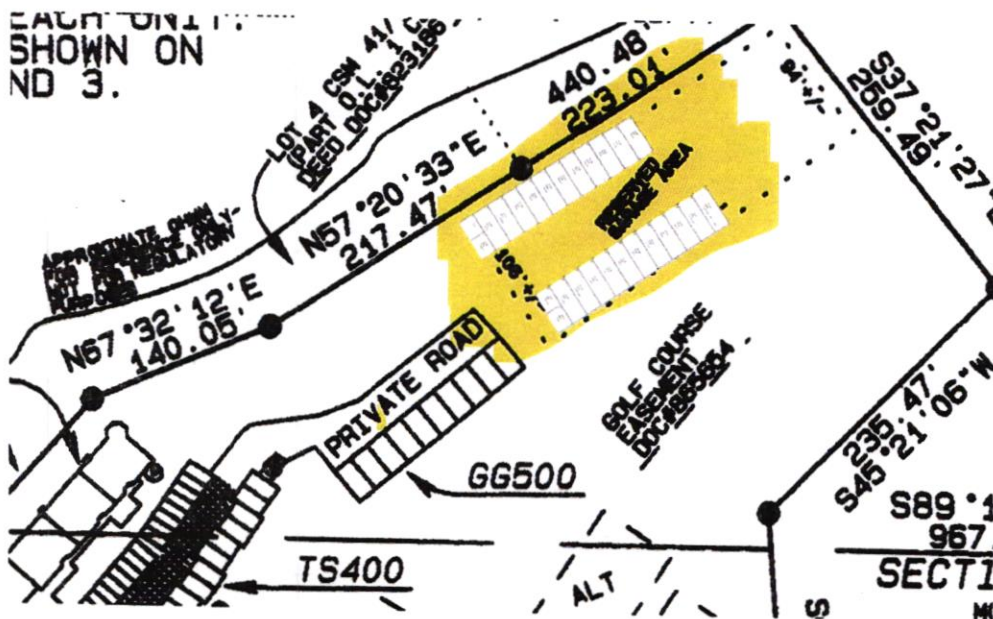
Fairways at Tagalong Condominium Association Inc. (HOA) propose adding garage spaces at Tagalong

The HOA has a shortage of garage space. We have 73 units and 37 of those do not have any garage space appurtenant to their unit and 28 of the units have a single car garage. When the HOA announced the plan to build 26 steel storage spaces all units were spoken for immediately, indicating the strong need. 79% of our condos are full time residences or secondary homes where garage space becomes a necessity.

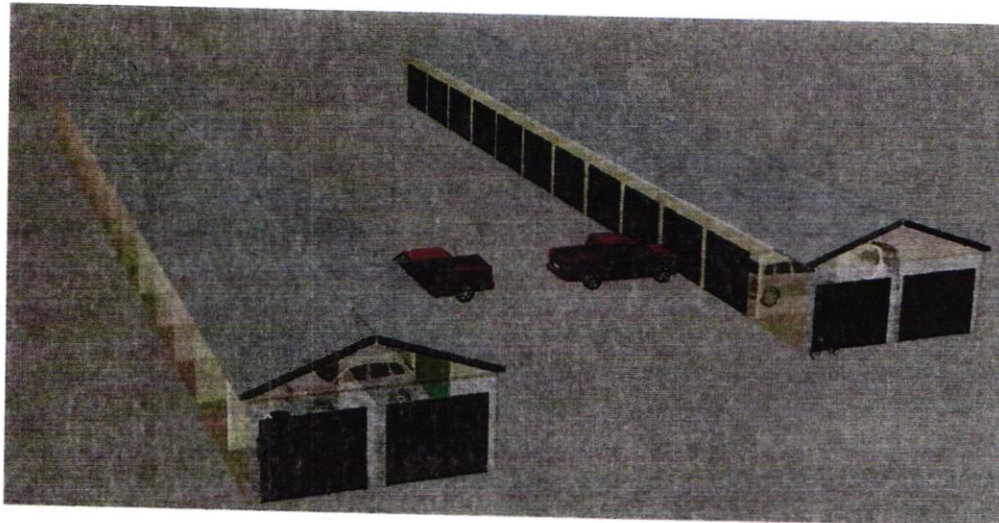
The plan is to have two buildings with a shared approach. Each building will be 26 ft W x 151 ft L x 10 ft H. Each building will contain 13 garage spaces. The design plans and building materials will be provided by SteelCo Buildings. The HOA plans to own the buildings and the 26 garage spaces and allow members (only) to lease the space on a monthly, annual or multi-year basis. Members appreciate the plans offer storage that is onsite, electricity provided, large individual spaces of 12' x 24', and secure with known neighbors and camera monitoring.

With the 5th amended declaration 100% of our membership approved an area on the plat map reserved for garages. These new garage buildings would be in this area of the plat map. In Spring 2025 in a certified vote, membership revealed they would approve the as built plat drawing when ready.

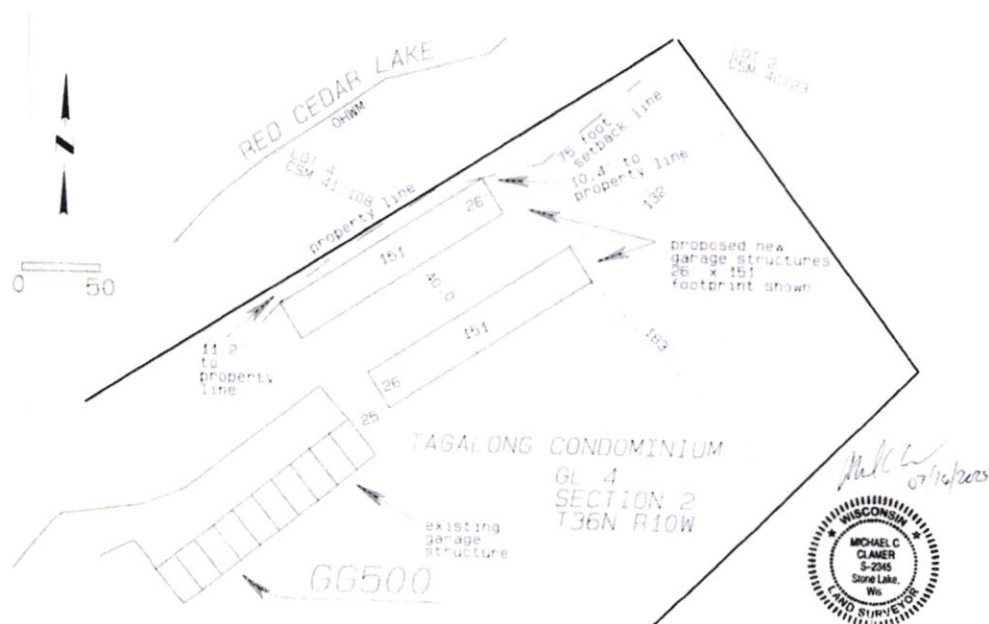
Plat Map / Location



Artistic Representation



Property Setbacks



Please support our special exception building permit application.

Sincerely

Fairways at Tagalong

LOT 2
CSM 40/23

RED CEDAR LAKE
OHWM

LOT 4
CSM 41/108

property line

75 foot
setback line
10.4' to
property line

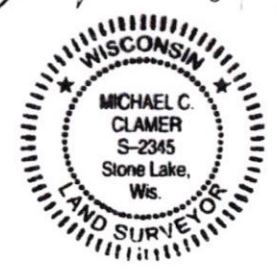
proposed new
garage structures
26' x 151'
footprint shown

11.2'
to
property
line

TAGALONG CONDOMINIUM
GL 4
SECTION 2
T36N R10W

existing
garage
structure

GG500



Michael C. Clamer
07/16/2025



5th ADDENDUM TO PLAT OF FAIRWAYS AT TAGALONG CONDOMINIUM

A PARCEL OF LAND BEING A PART OF GL 4 AND A PART OF THE SE/SE OF SECTION 2 AND A PART OF THE NE/NE AND GL 1 OF SECTION 11, ALL BEING A PART OF TOWNSHIP 36 NORTH, RANGE 10 WEST, TOWN OF CEDAR LAKE, BARRON COUNTY, WISCONSIN

PROPERTY OWNER

FAIRWAYS AT TAGALONG CONDOMINIUM ASSOCIATION, INC.
A WISCONSIN CORPORATION
2853 29th AVE, SUITE 3
BIRCHWOOD, WI. 54817

NOTE

TOTAL NUMBER OF HABITABLE UNITS IS 73. GARAGE UNITS ARE NOT HABITABLE. MAY BE ASSIGNED TO EXISTING HABITABLE UNITS WITHIN THIS CONDOMINIUM OR LEASED TO OWNERS OF UNITS IN CONDOMINIUM

AREA OF CONDOMINIUM

1,077,270 SQUARE FEET TOTAL AREA.
NO WATER FRONTAGE.
REQUIRED MINIMUM AREA= 480480 SQUARE FEET

FLOOR PLANS

APPROXIMATE FLOOR PLANS AND APPROXIMATE AREAS OF UNITS ON SHEET 2 AND 3 OF PLAT.

UNIT NUMBERS

INDIVIDUAL UNIT NUMBERS ARE SHOWN ON SHEET 2 OF 2, WITH CORRELATING BUILDING NUMBERS AS SHOWN ON THIS SHEET, EXCEPT FOR UNITS 901-904 AND UNITS 701-704, WHICH ARE SHOWN ON THIS SHEET.

LEGEND

- = GOVERNMENT CORNER FOUND AS NOTED MONUMENT, TIES VERIFIED
- = FOUND 3/4" REBAR
- = FOUND 1 1/4" OD IP
- = COMPUTED POSITION
- = FOUND 3/4" IB
- = EXISTING WELL
- = UNDERGROUND PROPANE TANK
- = TELEPHONE UTILITY PED
- = ELECTRIC UTILITY PED
- = SEPTIC TANK(S), APPROX
- = GARBAGE COLLECTION AREA
- () = RECORDED AS
- B000 = BUILDING NUMBER- INDIVIDUAL UNIT
- GG000 = BUILDING NUMBER- INDIVIDUAL UNIT
- TS000 = BUILDING NUMBER- INDIVIDUAL UNIT
- 000 = INDIVIDUAL HABITABLE UNIT NUMBER
- = EXISTING PRIMARY OR ALTERNATE SEPTIC DRAIN FIELD, APPROX
- = OFFSTREET VEHICLE PARKING SPACES, TYPICAL AND ROADWAYS-EXISTING
- = AREA OF CONDOMINIUM RESERVED FOR GARAGE CONSTRUCTION

NOTE

CONDOMINIUM PLAT CHANGES

- CHANGES ON THIS PLAT FROM THE RECORDED 4TH AMENDED PLAT INCLUDE, BUT NOT LIMITED TO:
1. ADDITION OF LOCATION OF FOOTPRINTS OF GARAGE STRUCTURES SW600 AND SE600
2. REMOVAL OF "RESERVED GARAGE AREA" NORTH EAST OF GG600 BUILDING, AS ACTUAL PLANNED LOCATION OF FUTURE GARAGES IS NOW SHOWN

NOTE

SUPPLEMENTAL INFORMATION OF UNITS

THERE ARE PAGES OF PHYSICAL DRAWINGS DEPICTING THE INDIVIDUAL UNITS AND THEIR INTERNAL LAYOUTS INCORPORATED HEREIN BY REFERENCE AS SUPPLEMENTAL INFORMATION TO THAT REQUIRED BY 703.09 WIS. STATS. THESE DRAWINGS ARE ON FILE WITH THE BARRON COUNTY ZONING OFFICE.

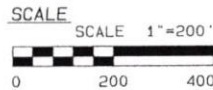
EASEMENT PROPERTY

BOUNDARY COURSES

- E1 = N71°31'00"E 73.61'
- E2 = N22°42'04"E 41.36'
- E3 = N76°00'14"E 126.43'
- E4 = N21°19'14"E 102.68'
- E5 = N62°17'24"E 84.58'
- E6 = S77°20'40"E 41.49'
- E7 = S82°10'57"E 134.45'
- E8 = N88°46'22"E 100.88'
- E9 = N68°45'25"E 91.25'
- E10 = S28°38'22"E 17.89'

NOTE

PARCEL OWNED BY OTHERS, DEEDS #861497 AND #679192 WHICH INCLUDES EGRESS AND EGRESS EASEMENT TO TOWN ROAD ON "ROADWAY" THROUGH CONDO.

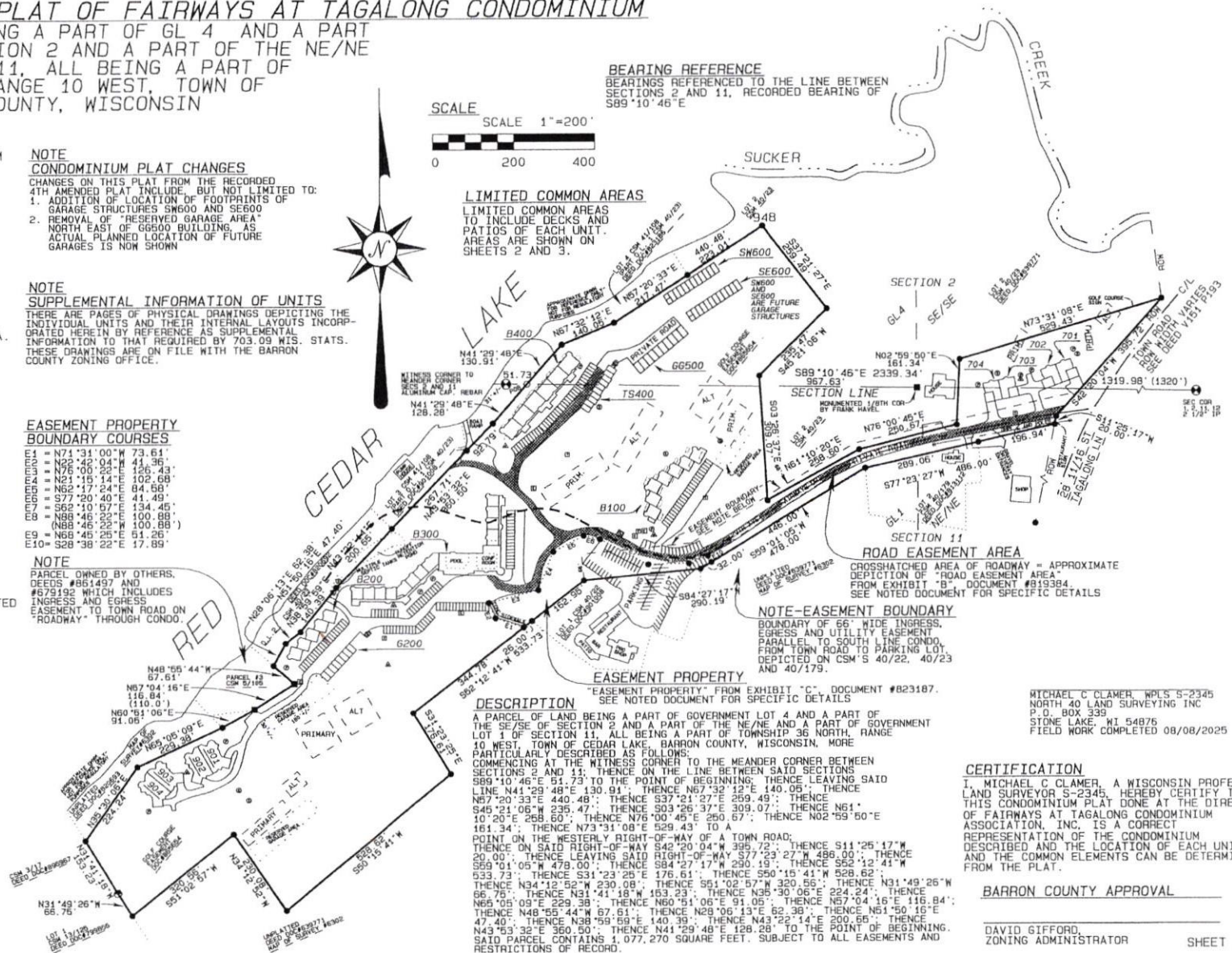


BEARING REFERENCE

BEARINGS REFERENCED TO THE LINE BETWEEN SECTIONS 2 AND 11, RECORDED BEARING OF S89°10'46"E

LIMITED COMMON AREAS

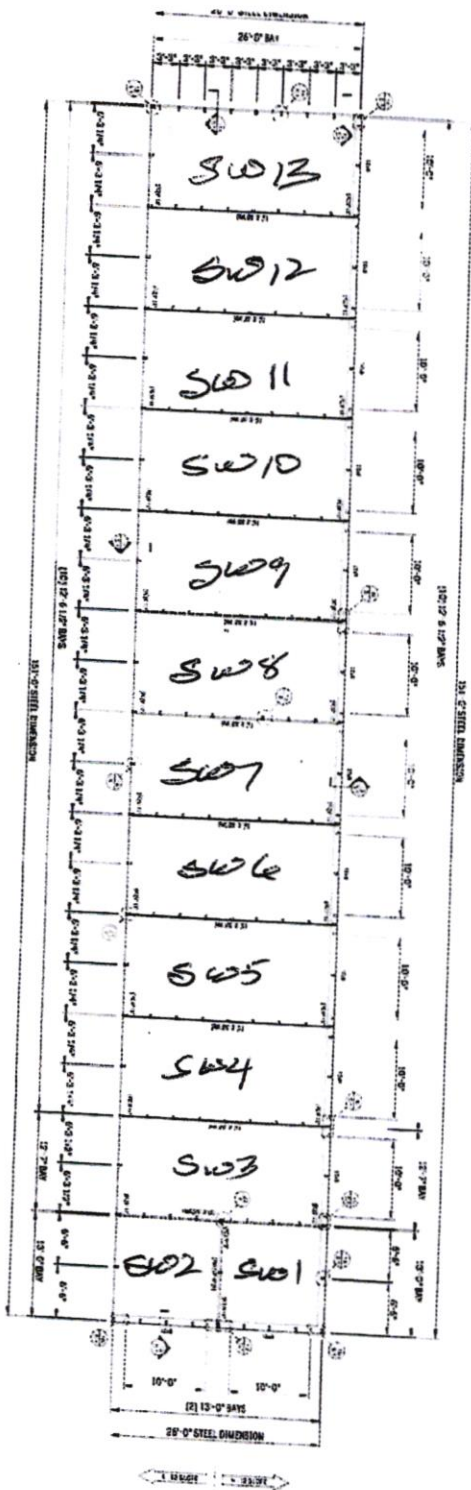
LIMITED COMMON AREAS TO INCLUDE DECKS AND PATIOS OF EACH UNIT. AREAS ARE SHOWN ON SHEETS 2 AND 3.





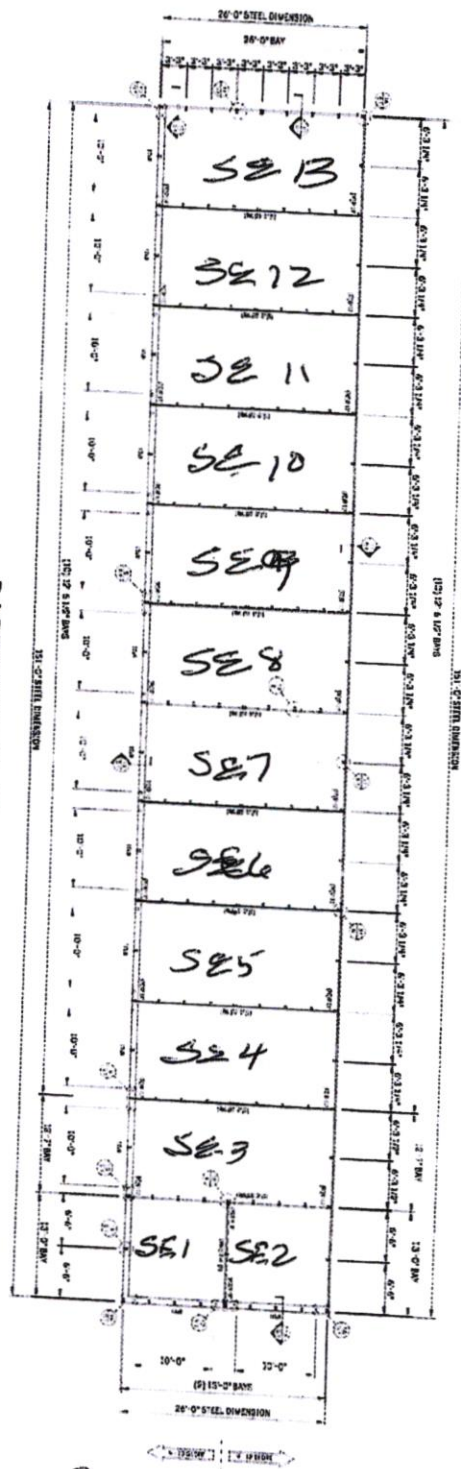
PARTITION PLAN

SW600



PARTITION PLAN

SE600



The buildings are a mirror image and face each other. The original plan was to have 4 12'x12' units and 22 12'x24'. As you will see the turned out bigger than that to accommodate the width of the walls
 R. and

ORDINANCES RELATING TO HEARING

Applicant/Owner: Fairways at Tagalong Condominium Association, LLC

Appeal: 3996

Previous Appeals: #103, 438, 2898, 3014 & 3275

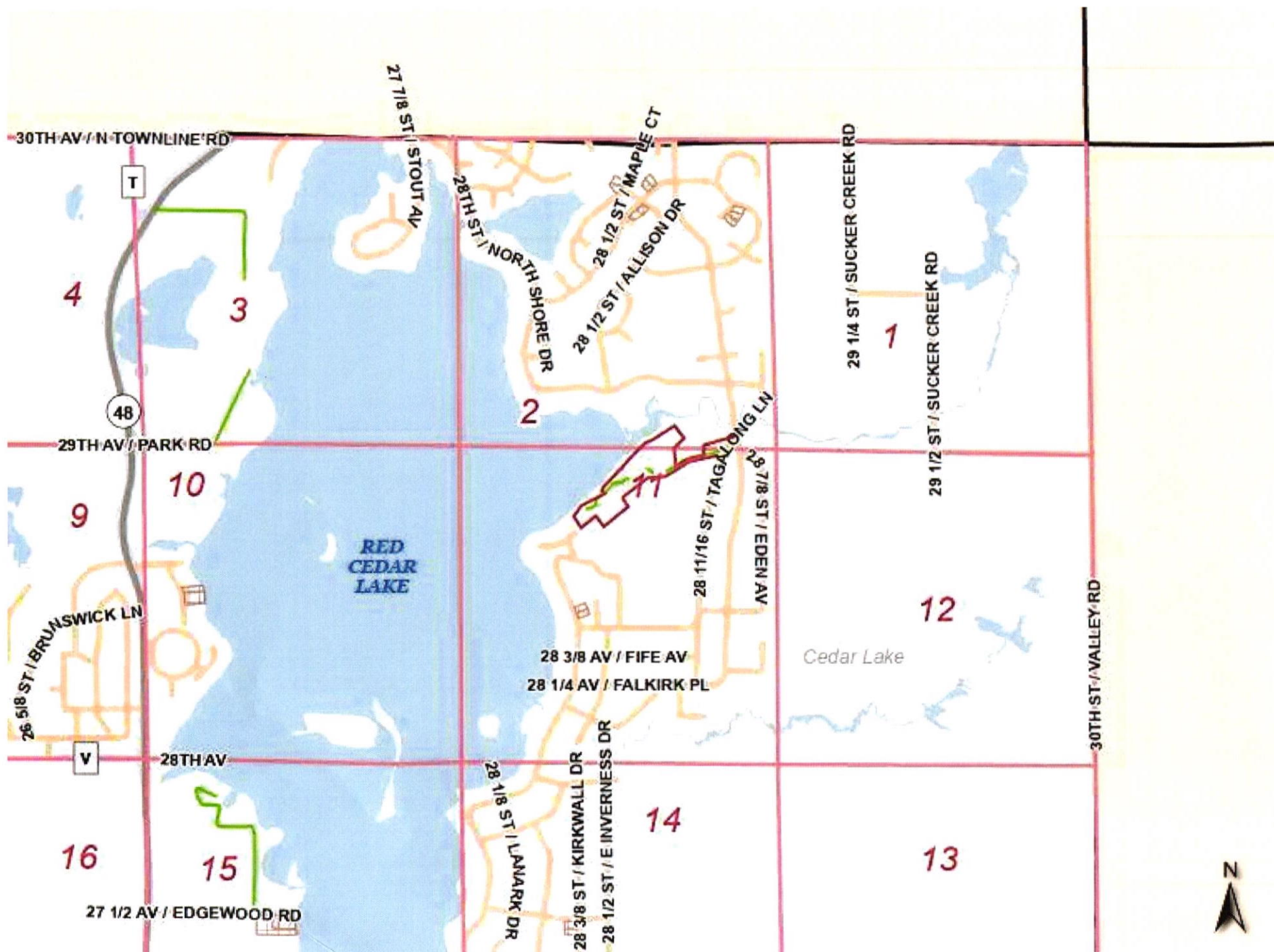
Request: A special exception to construct two additional garage buildings, property described as proposed Units SW500 & SE600 and part of the common element of Fairways at Tagalong Condominium in a Business district, in the Town of Cedar Lake.

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 17.38 BUSINESS DISTRICT It is the policy of the County to promote economic development and a strong local economy. It is recognized, however, that most commercial uses should be located in the urban communities where a full range of needed services can be afforded to such uses. Therefore, need for a rural location will be a requirement for approving a business district classification in those areas subject to county zoning.

17.38	Business 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 CEAR LAKE

Owner: FAIRWAYS AT TAGALONG CONDOMINIUM ASSOC. INC.

Applicant/Agent: BRAD GEMMEL (651) 334-3536 / PHIL ZIMORIK (715) 533-5765

Property Address: 2854 29th AVE ^{MULTIPLE} Property Tax ID #: 010-41210-53-000

Explain Request: (must match explanation on application) BIRCHWOOD, WIS 54817
BUILD 2 STEEL STORAGE BUILDINGS
2 NEW 15'12" X 10'4" EQ. EACH BUILDING WILL HAVE 13 GARAGE SPACES (26 TOTAL)
37 UNITS AT TAGALONG DO NOT HAVE GARAGE SPACE AND 28 UNITS ARE
LIMITED TO SINGLE STALL SPACE. THIS PROJECT WILL HELP CORRECT THIS
SHORTAGE

Section B - to be completed by the Township

The Town Board is: ☐ In Favor ☒ Neutral ☐ Opposed

EXPLANATION OF TOWN BOARD DECISION:

Date: 8-11-25

Signed: [Signature]
(Town Chairman)

OR 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, September 8, 2025 at 9:20 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 expand a cabin located within the setback to a Town Road & road R-O-W, in a Recreational-Residential district on property described as Prt Lot 9 Shown as PCLS A, B, C & D CSM 2/85 Assessor's Plat #3, consisting of .93 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: Lois Klay

Property address: 2618 7 ¼ Avenue, Chetek, Wisconsin

All persons interested are invited to attend said hearing.

Dated at Barron, Wisconsin, this 20th day of August, 2025.

Barron County Board of Adjustment
Gary Nelson, Chairman

VARIANCE APPLICATION

Submit completed application and fee to the:

Barron County Zoning Office
335 E. Monroe Ave. #2104
Barron, WI 54812
715-537-6375

Note: Hearing date may be delayed until a site visit can be completed

Property Owner: Lois Klay

Agent: _____

Address: 2618 7 1/4 Ave

Address: _____

City/State/ZIP: Chetek, WI 54720

City/State/ZIP: _____

Daytime Phone: 715-642-0134

Daytime: _____

Email: klayhappydays@gmail.com

Email: _____

SITE INFORMATION

Parcel I.D. Number: 012 - 4044 - 10 - 000

Property Address: 2618 7 1/4 Ave Chetek, WI 54720

AREA VARIANCE REQUEST IS FOR: (Check all applicable boxes below; multiple setbacks may be required)

Proposed Project: ☐ New ☐ Addition to (Existing structure w/in setback to: _____)

☐ Dwelling

☐ Accessory Structure

☐ Fence

☐ Retaining Wall

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

☐ Other _____

Setback to: ☒ Road

☒ Road right of way

☒ Centerline

☐ Ordinary highwater mark

☐ Easement

☒ Property line

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: Remove existing pre 1978 structure that is failing and beyond repair. Build a 28x36ft two story structure with storage/shop in lower level and one bedroom lodging in 2nd story.

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.

OFFICE USE

Appeal # 3498 Hearing Date: 1 / 8 / 25 Other appeals # 953 + 3480

Name of Water Body: Lake Chetek Zoning Dist: RR

Reviewed By: [Signature] Date: 8 / 13 / 25

DATE RECEIVED:

RECEIVED

AUG 13 2025

BARRON COUNTY ZONING OFFICE

Variance Criteria

(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 bears the burden of proving unnecessary hardship.

Replacing structure in current footprint will not meet Resort
Storage and shop needs, will not accommodate lodging in
same space

(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.

Moving new structure back to allow for required Set back
will encroach on existing lodging unit and impact utility
connections for the resort units

(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.

The new structure would be aesthetically pleasing, curb appeal
to fit with current neighborhood improvements

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.

There are no alternative sites on this property that would meet
lake + septic setbacks

(B) Alternatives you considered that require a lesser variance. If you reject such alternatives, provide the reasons you rejected them.

Plot Plan Instructions: Use the area provided on the following page, or a separate piece of paper, to show ALL 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.
- Viewing/Access Corridor: For proposed dwelling projects on an undeveloped lot, a viewing/access corridor sketch **must** be submitted.
- Mitigation Plan: 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.

Plot Plan(Attach additional page if needed, not to exceed 8 1/2" x 14")

N

The undersigned hereby attests that the above stated information is true and accurate and further gives permission to Land Services staff and Board of Adjustment members to view the premises, in relation to the appeal request made herein. The undersigned has read and understand the procedures and requirements for applying for a variance, and further understands that the filing fee is non-refundable and the application may be returned if information is incomplete or illegible.

The undersigned also understands that they, or their agent, must appear at the public hearing.

Paul May
Owner Signature

8 / 13 / 2025
Date

Agent Signature

Date



RECEIVED

AUG 13 2025

BARRON COUNTY ZONING OFFICE

ORDINANCES RELATING TO HEARING

Applicant/Owner: Lois Klay
Previous Appeals: #953 & 3480

Appeal: 3998

Request: Requests a variance to expand a cabin located within the setback to a Town Road & road R-O-W, 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 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 CHETEK

Owner: Lois Klay

Applicant/Agent: Lois Klay

Property Address: 2618 7¹/₄ AVE Property Tax ID #: 012-4044-10-000

Explain Request: (must match explanation on application) Remove existing pre 1978 structure that is failing and beyond repair. Build a 28x36 ft two story structure with storage/shop in lower level and a one bedroom unit on 2nd floor

Section B- to be completed by the Township

The Town Board is: ☒ In Favor ☐ Neutral ☐ Opposed

EXPLANATION OF TOWN BOARD DECISION:

Date: 8-12-25

Signed: John F Postle Sr
(Town Chairman)

OR

Signed: _____
(Town Clerk)

John F Postle Sr
Print Name

Print Name

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