SUBMIT: COMPLETED APPLICATION, TAX STATEMENT AND FEE TO:
Bayfield County
Planning and Zoning Depart.
PO Box 58
Washburn, WI 54891
(715) 373-6138

APPLICATION FOR PERMIT
BAYFIELD COUNTY, WISCONSIN

RECEIVED
Date Stamp (Received)
OCT 15 2021
Bayfield Co.
Planning and Zoning Agency

Permit #:	22-082
Date:	8-2-2022
Amount Paid:	$150 1-26-22
Refund:	

ENTERED

INSTRUCTIONS: No permits will be issued until all fees are paid. Checks are made payable to: Bayfield County Zoning Department.

DO NOT START CONSTRUCTION UNTIL ALL PERMITS HAVE BEEN ISSUED TO APPLICANT. Original Application MUST be submitted FILL OUT IN INK (NO PENCIL)

TYPE OF PERMIT REQUESTED → ☒ LAND USE ☐ SANITARY ☐ PRIVY ☐ CONDITIONAL USE ☐ SPECIAL USE ☐ B.O.A. ☐ OTHER ____

Owner's Name: BARBARA L. KERNAN REV TRUST	Mailing Address: N 4056 990th St.	City/State/Zip: EAU CLAIRE, WI 54703	Telephone: 715-828-9469
Address of Property: 9650 COUNTY HWY H	City/State/Zip: IRON RIVER, WI 54847		Cell Phone:
Contractor:	Contractor Phone:	Plumber: ALLAN POLKOSKI	Plumber Phone: 715-372-4156
Authorized Agent: (Person Signing Application on behalf of Owner(s)) TEAR ARCHITECTS / PRINCIPAL DAN NEPP	Agent Phone: 612-929-2800	Agent Mailing Address (include City/State/Zip): 2724 W 43RD ST. MINNEAPOLIS, MN 55410	Written Authorization Attached ☒ Yes ☐ No

PROJECT LOCATION	Legal Description: (Use Tax Statement)	Tax ID# 13359	Recorded Document: (Showing Ownership) DEED 2020R 586/65
PAA IN NW 1/4, NE 1/4	Gov't Lot / Lot(s) / CSM / Vol & Page / CSM Doc # / Lot(s) # / Block #		Subdivision:
Section 04, Township 46 N, Range 08 W	Town of: DELTA	Lot Size 9981 Sq. Ft	Acreage 0.23 Acres

☒ Shoreland →	☐ Is Property/Land within 300 feet of River, Stream (incl. Intermittent) Creek or Landward side of Floodplain? If yes---continue →	Distance Structure is from Shoreline: ____ feet	Is your Property in Floodplain Zone? ☐ Yes ☒ No	Are Wetlands Present? ☐ Yes ☒ No
	☒ Is Property/Land within 1000 feet of Lake, Pond or Flowage If yes---continue →	Distance Structure is from Shoreline: 35' feet		
☐ Non-Shoreland				

Value at Time of Completion * include donated time & material	Project	Project # of Stories	Project Foundation	Total # of bedrooms on property	What Type of Sewer/Sanitary System(s) Is on the property or Will be on the property?	Type of Water on property
$ 50,000	☒ New Construction	1-Story	☐ Basement	☐ 1	☐ Municipal/City	☐ City
	☐ Addition/Alteration	☒ 1-Story + Loft	☒ Foundation	☐ 2	☒ (New) Sanitary Specify Type: HOLDING TANK (WILL BE)	☐ Well
	☐ Conversion	☐ 2-Story	☐ Slab	☒ 3	☐ Sanitary (Exists) Specify Type:	☒ WELL (WILL BE WITH CONSTRUCTION)
	☐ Relocate (existing bldg)	☐ ____	☐ ____	☐ ____	☐ Privy (Pit) or ☐ Vaulted (min 200 gallon)	
	☐ Run a Business on Property		Use	☐ None	☐ Portable (w/service contract)	
			☒ Year Round		☐ Compost Toilet	
	☐ ____		☐ ____		☐ None	

Existing Structure: (if addition, alteration or business is being applied for)	Length:		Width:		Height:	
Proposed Construction: (overall dimensions)	Length:	22'	Width:	17'8"	Height:	25'9"

Proposed Use	✓	Proposed Structure	Dimensions	Square Footage
	☐	Principal Structure (first structure on property)	(X)	
	☐	Residence (i.e. cabin, hunting shack, etc.)	(X)	
☒ Residential Use		with Loft	(X)	
		with a Porch	(X)	
		with (2nd) Porch	(X)	
		with a Deck	(X)	
☐ Commercial Use		with (2nd) Deck	(X)	
		with Attached Garage	(X)	
	☐	Bunkhouse w/ (☐ sanitary, or ☐ sleeping quarters, or ☐ cooking & food prep facilities)	(X)	
	☐	Mobile Home (manufactured date) ____	(X)	
☐ Municipal Use	☐	Addition/Alteration (explain) ____	(X)	
	☒	Accessory Building (explain) DETACHED GARAGE with loft for storage	17'8" X 22')	375
	☐	~~Accessory Building Addition/Alteration~~ (explain) Retaining Wall	(45 X)	
	☐	Special Use: (explain) ____	(X)	
	☐	Conditional Use: (explain) ____	(X)	
	☐	Other: (explain) ____	(X)	

FAILURE TO OBTAIN A PERMIT or STARTING CONSTRUCTION WITHOUT A PERMIT WILL RESULT IN PENALTIES

I (we) declare that this application (including any accompanying information) has been examined by me (us) and to the best of my (our) knowledge and belief it is true, correct and complete. I (we) acknowledge that I (we) am (are) responsible for the detail and accuracy of all information I (we) am (are) providing and that it will be relied upon by Bayfield County in determining whether to issue a permit. I (we) further accept liability which may be a result of Bayfield County relying on this information I (we) am (are) providing in or with this application. I (we) consent to county officials charged with administering county ordinances to have access to the above described property at any reasonable time for the purpose of inspection.

Owner(s): Barbara Kernan 000004 Date 10.12.21
(If there are Multiple Owners listed on the Deed All Owners must sign or letter(s) of authorization must accompany this application)

Authorized Agent: [signature] Date 10.12.21
(If you are signing on behalf of the owner(s) a letter of authorization must accompany this application)

Address to send permit 2724 WEST 43RD ST., MINNEAPOLIS, MN 55410

Attach Copy of Tax Statement
If you recently purchased the property send your Recorded Deed

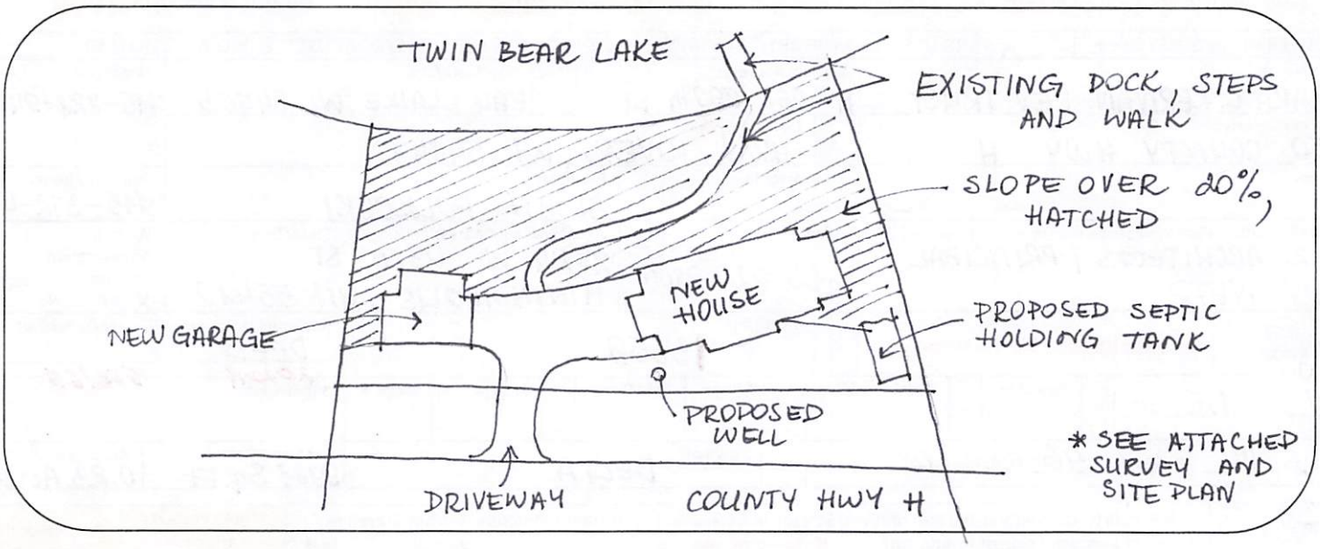
000000 Original Application MUST be submitted

APPLICANT - PLEASE COMPLETE PLOT PLAN ON REVERSE SIDE

In the box below: **Draw or Sketch your Property** (regardless of what you are applying for)

Fill Out in Ink – NO PENCIL

(1) **Show Location of:** **Proposed Construction**
(2) Show / Indicate: **North** (N) on Plot Plan
(3) Show Location of (*): (*) **Driveway** and (*) **Frontage Road** (Name Frontage Road)
(4) Show: All **Existing Structures** on your Property
(5) Show: (*) **Well** (W); (*) **Septic Tank** (ST); (*) **Drain Field** (DF); (*) **Holding Tank** (HT) and/or (*) **Privy** (P)
(6) Show any (*): (*) **Lake**; (*) **River**; (*) **Stream/Creek**; or (*) **Pond**
(7) Show any (*): (*) **Wetlands**; or (*) **Slopes over 20%**



Please complete (1) – (7) above (prior to continuing)

Changes in plans must be approved by the Planning & Zoning Dept.

(8) **Setbacks:** (measured to the closest point)

Description	Setback Measurements		Description	Setback Measurements	
Setback from the **Centerline of Platted Road**	43	Feet	Setback from the **Lake** (ordinary high-water mark)	35	Feet
Setback from the **Established Right-of-Way**	10	Feet	Setback from the **River, Stream, Creek**	N/A	Feet
			Setback from the **Bank or Bluff**	N/A	Feet
Setback from the **North** Lot Line	N/A	Feet			
Setback from the **South** Lot Line	N/A	Feet	Setback from **Wetland**	N/A	Feet
Setback from the **West** Lot Line	10	Feet	**20% Slope Area on the property**	☒ Yes	☐ No
Setback from the **East** Lot Line	10	Feet	Elevation of **Floodplain**	N/A	Feet
Setback to **Septic Tank** or **Holding Tank**	2	Feet	Setback to **Well**	2	Feet
Setback to **Drain Field**	N/A	Feet			
Setback to **Privy** (Portable, Composting)	N/A	Feet			

Prior to the placement or construction of a structure within ten (10) feet of the minimum required setback, the boundary line from which the setback must be measured must be visible from one previously surveyed corner to the other previously surveyed corner or marked by a licensed surveyor at the owner's expense.

Prior to the placement or construction of a structure more than ten (10) feet but less than thirty (30) feet from the minimum required setback, the boundary line from which the setback must be measured must be visible from one previously surveyed corner to the other previously surveyed corner, or verifiable by the Department by use of a corrected compass from a known corner within 500 feet of the proposed site of the structure, or must be marked by a licensed surveyor at the owner's expense.

(9) **Stake or Mark Proposed Location(s)** of New Construction, Septic Tank (ST), Drain field (DF), Holding Tank (HT), Privy (P), and Well (W).

NOTICE: All Land Use Permits Expire One (1) Year from the Date of Issuance if Construction or Use has not begun.
For the Construction Of New One & Two Family Dwelling: ALL Municipalities Are Required To Enforce The Uniform Dwelling Code.
The local Town, Village, City, State or Federal agencies may also require permits.

You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the department of natural resources wetlands identification web page or contact a department of natural resources service center (715) 685-2900.

Issuance Information (County Use Only)	Sanitary Number: None	# of bedrooms:	Sanitary Date:
Permit Denied (Date):	Reason for Denial:		
Permit #: 22-0182	Permit Date: 8-2-2022		

Is Parcel a Sub-Standard Lot	☐ Yes (Deed of Record) _____	☐ No	Mitigation Required	☐ Yes ☐ No	Affidavit Required	☐ Yes ☐ No
Is Parcel in Common Ownership	☐ Yes (Fused/Contiguous Lot(s))	☐ No	Mitigation Attached	☐ Yes ☐ No	Affidavit Attached	☐ Yes ☐ No
Is Structure Non-Conforming	☐ Yes _____	☐ No				

Granted by Variance (B.O.A.) ☐ Yes ☐ No Case #:	Previously Granted by Variance (B.O.A.) ☐ Yes ☐ No Case #:
Was Parcel Legally Created ☐ Yes ☐ No _____	Were Property Lines Represented by Owner ☐ Yes _____ ☐ No
Was Proposed Building Site Delineated ☐ Yes ☐ No _____	Was Property Surveyed ☐ Yes _____ ☐ No

Inspection Record: STAKED		Zoning District (R-1) Lakes Classification (1)
Date of Inspection: 7/19/22	Inspected by: [signature]	Date of Re-Inspection:

Condition(s): Town, Committee or Board Conditions Attached? ☐ Yes ☐ No – (If No they need to be attached.)
- Not for Human Habitation or sleeping
- If pressurized water enters structure get needed septic permits
- Abide by conditions set forth in the Variance granted by BOA on JAN 27, 2022 case #22-02B

Signature of Inspector: [signature]				Date of Approval: 8-1-22
Hold For Sanitary: ☐ _____	Hold For TBA: ☐ _____	Hold For Affidavit: ☐ _____	Hold For Fees: ☐ _____	☐ _____

Ruth Hulstrom

From: Kernan, Barbara L. <KERNANBL@uwec.edu>
Sent: Monday, August 1, 2022 10:36 AM
To: Ruth Hulstrom
Cc: Tracy Pooler; Aaron Guski; Max Lindsey; Deb Kmetz
Subject: Re: Kernan garage

Dear Ruth,
Yes, I give my permission to update the land use application to show a one story garage with loft for storage. Thank you.
Barbara Kernan

Barbara L. Kernan, Ph.D.
Professor Emerita
Women's Studies/English

University of Wisconsin-Eau Claire
kernanbl@uwec.edu

From: Ruth Hulstrom <ruth.hulstrom@bayfieldcounty.wi.gov>
Sent: Monday, August 1, 2022 10:16 AM
To: Kernan, Barbara L. <KERNANBL@uwec.edu>
Cc: Tracy Pooler <tracy.pooler@bayfieldcounty.wi.gov>; Aaron Guski <aaronguski@gmail.com>; Max Lindsey <mlindsey@ncis.net>; Deb Kmetz <Deb.KMetz@bayfieldcounty.wi.gov>
Subject: RE: Kernan garage

Barbara,

Sorry for the delay in my response. I discussed the matter with Corp. Counsel, and they supported the garage with loft for storage. We need to update the existing land use application for the garage so that it correlates with the BOA variance that allowed for the loft with storage space.

Please confirm that department staff can update the land use application to indicate that the structure is 1-story + loft for storage. The current land use application just states 1-story. Once you confirm this we can move forward with issuing the land use permit.

Thanks,

Ruth Hulstrom, AICP | Director
Planning and Zoning Department
117 E 5th Street, PO Box 58
Washburn, WI 54891
Phone: 715-373-3514
Fax: 715-373-0114
Email: ruth.hulstrom@bayfieldcounty.wi.gov

above expectations
BAYFIELD
COUNTY

From: Kernan, Barbara L. <KERNANBL@uwec.edu>
Sent: Wednesday, July 27, 2022 4:38 AM
To: Ruth Hulstrom <ruth.hulstrom@bayfieldcounty.wi.gov>
Cc: Tracy Pooler <tracy.pooler@bayfieldcounty.wi.gov>; Aaron Guski <aaronguski@gmail.com>; Max Lindsey <mlindsey@ncis.net>
Subject: Re: Kernan garage

Hello, Ruth and Tracy,
Page 103 of the transcript shows that the motion for the variance for the garage application is accepted as is and is voted on affirmatively.

"As Is" means the drawing submitted with the application is approved. You chose to write the variance so that measurements of 17.8 x 22 INCLUDE the eaves. To us, that is not the application "As Is." Rather than raise issue with this discrepancy, the builder and I will work with the footprint as you wrote it to get this building underway.

The application which includes the submitted plan for the garage clearly provides storage above. It was discussed in the transcript on pages 24-25, 41, and 103. Perhaps your language of "1 story" includes that loft. I am simply making sure that it does.

Can we please move forward with this permit?

Thank you,
Barbara Kernan

Barbara L. Kernan, Ph.D.
Professor Emerita
Women's Studies/English

University of Wisconsin-Eau Claire
kernanbl@uwec.edu

From: Kernan, Barbara L. <KERNANBL@uwec.edu>
Sent: Friday, July 22, 2022 11:33 AM
To: Ruth Hulstrom <ruth.hulstrom@bayfieldcounty.wi.gov>
Cc: Tracy Pooler <tracy.pooler@bayfieldcounty.wi.gov>
Subject: Re: Kernan garage

Yes, Ruth, however the loft for storage was approved. Just want to make sure of that. Non-inhabitable, but storage space. The transcript makes mention of it numerous times.
Barbara

Get Outlook for iOS

From: Ruth Hulstrom <ruth.hulstrom@bayfieldcounty.wi.gov>
Sent: Friday, July 22, 2022 11:10:50 AM
To: Kernan, Barbara L. <KERNANBL@uwec.edu>
Cc: Tracy Pooler <tracy.pooler@bayfieldcounty.wi.gov>
Subject: RE: Kernan garage

Barbara,

So, you want the garage permit issued based on the 17'8"x22', 1-story that you were allotted based on the affidavit and the decision of the BOA that you were sent, correct?

Thanks,

Ruth Hulstrom, AICP | Director
Planning and Zoning Department
117 E 5th Street, PO Box 58
Washburn, WI 54891
Phone: 715-373-3514
Fax: 715-373-0114
Email: ruth.hulstrom@bayfieldcounty.wi.gov

above expectations
BAYFIELD
COUNTY

From: Kernan, Barbara L. <KERNANBL@uwec.edu>
Sent: Friday, July 22, 2022 10:05 AM
To: Ruth Hulstrom <ruth.hulstrom@bayfieldcounty.wi.gov>
Subject: Kernan garage

Hi Ruth,
Please issue the permits for the garage at 9650 County H, Iron River, as approved. Thank you.
Barbara Kernan

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$100

Bayfield County
Impervious Surface Calculations

These calculations are **REQUIRED** per WI Admin Code NR 115.05(1)(e) and Section 13-1-32(g) and 13-1-40(h) of the Bayfield County Code of Ordinances. The undersigned hereby makes application for construction, reconstruction, expansion, replacement or relocation of any impervious surface within 300 feet of the ordinary high water mark and agrees that all activities shall be in accordance with the requirements of the Bayfield County Code of Ordinances and all other applicable ordinances and the laws of the State of Wisconsin.

Pursuant to Chapter 1, Title 13, Section 13-1-106(d) of the Bayfield County Zoning Ordinance(s), Planning and Zoning Department employees assigned to inspect properties shall have access to said properties to make inspections.

Property Owner(s): BARBARA L. KERNAN REV TRUST					
Mailing Address: N4056 990th ST EAU CLAIRE, WI 54703		Property Address 9650 COUNTY HWY H IRON RIVER WI 54847			
Legal Description: _____ 1/4, _____ 1/4,		Section, Township, Range Sec 04 Township 46 N, Range 08 W			
Authorized Agent/Contractor TEA2 ARCHITECTS / PRINCIPAL, DAN WEP / AARON GUSH		Gov't Lot	Lot #	CSM#	Vol & Page
Lot(s) #	Block(s) #	Subdivision		Town of:	
Parcel ID # (PIN #) 04-016-2-46-08-04-1 02-000-0000			Tax ID # 13359	Date: 9-20-22	

Impervious Surface: An area that releases as runoff all or a majority of the precipitation that falls on it. "Impervious surface" excludes frozen soil but includes rooftops, sidewalks, driveways, parking lots and streets unless specifically designed, constructed and maintained to be pervious.

Calculation of Impervious Surface: Percentage of impervious surface shall be calculated by dividing the surface area of existing and proposed impervious surfaces on the portion of a lot or parcel that is within 300 feet of the ordinary high water mark by the total surface area of the lot or parcel, multiplied by 100.

Impervious Surface Standard: Allow up to 15% impervious surface but not more than 30% impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high water mark. A permit can be issued for development that exceeds 15% impervious surface but not more than 30% impervious surfaces with a mitigation plan that meets the requirements of the Bayfield County Ordinance(s).

Existing Impervious Surfaces: For existing impervious surfaces that were lawfully placed when constructed but that do not comply with the standards in Section(s) 13-1-32(g) and Section 13-1-40(h), the property owner may do any of the following:

a. Maintenance and repair of all impervious surfaces;

b. Replacement of existing impervious surfaces with similar surfaces within the existing building footprint;

c. Relocation or modification of existing impervious surfaces with similar or different impervious surfaces, provided that the relocation or modification does not result in an increase in the percentage that existed on the effective date of the county shoreland ordinance, and meets the applicable setback requirements in Section 13-1-32.

Impervious Surface Item	Dimension	Area (Square Footage)
Existing House		
Existing Accessory Building/Garage	17.8 X 22	388.66
Existing Sidewalk(s), Patio(s) & Deck(s)		
Existing Covered Porch(es), Driveway & Other Structures		
Proposed Addition/House		
Proposed Accessory Building/Garage	18X32	576
Proposed Sidewalk(s) & Patio(s)		~~325~~ te
Proposed Covered Porch(es) & Deck(s)		
Proposed Driveway		
Proposed Other Structures		
PERVIOUS PAVERS	759 SF	NA
Total:		

a. Total square footage of lot: 9981

b. Total impervious surface area: 964.66

c. Percentage of impervious surface area: 100 x (b)/a = 1034.66 10.35%

If the proposed impervious surface area is greater than 15% mitigation is required.

Total square footage of additional impervious surface allowed: @ 15% 532.49 @ 30% 2029.64

Issuance Information (County Use Only)	Date of Inspection: 7/1/22
Inspection Record:	Zoning District: (R-1) Lakes Classification: ( )
Condition(s): Install pervious surfaces as required by Variance + Manufacturer specs	Stormwater Management Plan Required: X Yes No
Signature of Inspector:	Date of Approval: 9/29/22

u/forms/imperviousurface
Created: May 2012 (©Apr 2016; Sept 2020)

Proofed by: ____

Case #: 22-023

Meeting Date: _____

APPLICATION FOR BOARD OF ADJUSTMENT

RECEIVED
OCT 15 2021
Bayfield Co.
Planning and Zoning Agency

Office Use:
Zoning District R-1
Lakes Class 1
Notices Sent _____
Fee Paid 800 1-26-2022 fig

Bayfield County Planning and Zoning Dept.
P.O. Box 58 – Washburn, WI 54891
Phone – (715) 373-6138 / Fax – (715) 373-0114
e-mail: zoning@bayfieldcounty.org

The Undersigned hereby requests a Board of Adjustment permit as follows:

Property Owner (s) BARBARA L. KERNAN REV TRUST Contractor _____

Property /Site Address 9650 COUNTY HWY H Authorized Agent TEAZ ARCHITECTS / PRINCIPAL DAN NEPP

IRON RIVER, WI 54847 Agent's Telephone 612 - 929 - 2800

Owner's Telephone 715 - 828 - 9469 Written Authorization Attached: Yes (X) No ( ) _____

Accurate Legal Description involved in *this request* (specify ***only*** the property involved with this application)

PROJECT LOCATION	Legal Description: (Use Tax Statement)	Tax ID #: 13359					
NW 1/4, NE 1/4, of Section 04, Township 46 N, Range 08 W PAR in					Town of: DELTA	Lot Size 9981 Sq.Ft.	Acreage 0.23 Acres
Gov't Lot	Lot #	CSM #	Vol. Page	Lot(s) No.	Block(s) No.	Subdivision:	

Purpose of Hearing

[X] Variance from the terms of Section 13-1-22 (a)(1) 35 vs 75 shoreland of TITLE 13 Ordinance.

[ ] Special Exception (13-1-22 (j)) from the terms of Section 13-1-22 (b) Row 2 10 vs 42 Highway of Zoning Ordinance.

Column 2

[ ] Appeal of a decision rendered by _____ on _____. (Date)

[ ] Interpretation of a prior BOA decision and/or condition(s) of Case # _____.

What do you intend to build? GARAGE + Retaining wall # of Stories: 1

House ___x___; Garage 17'8" x 22' Deck ___x___; Deck ___x___; Porch ___x___; Porch ___x___; (_____) ___x___

Misc: (Retaining wall 45 x ___ Total Footprint 375 sq.ft. Total overall dimensions: 17'8" x 22' x Height 25'9"

(Fill out ONLY what is being requested by Variance)

I request a 43' setback from centerline of HWY H; I request a 10' setback from right-of-way of HWY H;

I request a ____' setback from _____ property line and a ____' setback from _____ property line.

I request a 35' setback from ordinary high watermark of TWIN BEAR LAKE

I request a ____' setback from wetland; Other _____

Description Required (show all setbacks here)	Measurement		Description Required (show all setbacks here)	Measurement	
Place NA (if doesn't apply to your property)			Place NA (if doesn't apply to your property)		
Setback from the **Centerline of Platted Road**	43	Feet	Setback from the **Lake** (ordinary high-water mark)	35	Feet
Setback from the **Established Right-of-Way**	10	Feet	Setback from the **River, Stream, Creek**	N/A	Feet
			Setback from the **Bank or Bluff**	N/A	Feet
Setback from the **North** Lot Line	N/A	Feet			
Setback from the **South** Lot Line	N/A	Feet	**Is there Wetlands on property**	Yes	✓No
Setback from the **West** Lot Line	10	Feet	Setback from the Wetland	N/A	Feet
Setback from the **East** Lot Line	10	Feet			
			Shows **20% Slope Area** on plot plan	✓Yes	No
Setback to **Septic Tank** or **Holding Tank**	2	Feet	Elevation of **Floodplain**	N/A	Feet
Setback to **Drain Field**	N/A	Feet			
Setback to **Privy** (Portable, Composting)	N/A	Feet	Setback to **Well**	2	Feet

000001

LIST ADJACENT PROPERTY OWNERS " ON THIS FORM ":

** Attach separate sheet "**only if** "additional space is needed. (**12 spaces are provided**)

Provide ***names*** and ***full addresses*** of the owners of all property abutting and within 300' of the applicant's property. (***Note***: Applicant is **solely** responsible for obtaining ***accurate***, current names and addresses.)

(1) LULICH FAMILY LLC
9580 COUNTY HWY H
IRON RIVER, WI 54847

(2) SHANNON PATRICK, DONNELLY ET AL
9630 COUNTY HWY H
IRON RIVER, WI 54847

(3) JAMES L, CIRILLI ET AL
9750 KNUTSON DR
IRON RIVER, WI 54847

(4) LEON S RAFERT
9585 COUNTY HWY H
IRON RIVER, WI 54847

(5) SHEILA D GUNDERSON
9655 COUNTY HWY H
IRON RIVER, WI 54847

(6) WRAZIDLO, LORI A AND
CARIGNAN CHRISTOPHER S
63765 EVERGREEN LN
IRON RIVER, WI 54847

(7)

(8)

(9)

(10)

(11)

(12)

Have you consulted with a Planning and Zoning Staff Member prior to applying for permit? **Yes (X) No ( )**

Who did you consult with? ROBERT SCHIERMAN, TRACY POOLER

Barbara Kennan
Property Owner's Signature
(All Owners' must sign)

N 4056 990th St.
Property Owner's Mailing Address
Eau Claire, WI 54703

Agent's Signature

2724 W. 43rd St.
Agent's Address
Mpls MN 55410

10. 12. 21
(Date)

★★ *Note*:

If you wish to appeal the Board's decision you must file a writ of certiorari within 30 days of the signed decision to Circuit Court.

Receiving Board of Adjustment approval, ***does not*** allow the start of construction, you **must** first obtain your permit(s) from the Zoning Department.

000002

Web Site Available:
www.bayfieldcounty.org/zoning.asp

WRAZIDLO, LORI A & CARIGNAN,
CHRISTOPHER S
6824 SOUTH ST ROAD 35
FOXBORO, WI 54836

HWY BAYFIELD COUNTY
117 E 5TH ST
WASHBURN, WI 54891

JAMES L CIRILLI ET AL
602 E 8TH ST
SUPERIOR, WI 54880

SHANNON PATRICK DONNELLY ET AL
1112 GRAND
KEY LARGO, FL 33037

LULICH FAMILY LLC
64850 US HWY 63
MASON, WI 54856

LEON S RAFERT
PO BOX 906
ASHLAND, WI 54806

SHEILA D GUNDERSON
9655 COUNTY HWY H
IRON RIVER, WI 54847

BARBARA L KERNAN REV TRUST
N4056 990TH ST
EAU CLAIRE, WI 54703

Twin Bear Lake Cottage History (as told to Dr. Barbara Kernan by Marge Munson, on her 91st birthday, (September 2nd, 2014) by telephone from Ashland, Wisconsin)

Updated Sept. 9, 2021

Early 1940's, maybe 1944, Marge's mother-in-law, Mable Munson, bought all the land on the end of Twin Bear Lake. At that time, the Hovenstadt's owned the land and cabin closest to the culvert, the Erickson's from Duluth, and the White Elephant had the only places built on the lake. Mable bought the Hovenstadt's one room open cabin with a fireplace and screen porch and loved it there. She paid $2,000 for it. It had a hand pump inside. That place became the Fuhrman's (She sold it to them for $5,000). They made it into a year round home. Daryl was a master cheesemaker in Iron River. (Barbara was friends with the Fuhrman children—"Doogie," Sherry, and Janny.) It became the Frostman's for a time, after the Fuhrman's divorced and Madge Fuhrman was in a relationship with Frostman. It was purchased by Mr. Van Hollen, Sr, for a time. Today, 2014, it belongs to the Lulich family.

Frank "Shiner" Keena "kept working on" Mable to sell him a piece of her land. "He was a charming man." He offered her $7.00 a foot and wanted 100 feet at the narrowest part of the property that stretches between the Lulich property and what is now the Kernan-McCullough property. That piece was a nice flat piece with a great beach. Mable was impressed with the thought of earning $700, so she made the deal. Her children were not happy with her for selling it. The Keenas, "Shiner" and Phyllis, Karen, and Scott have it still. Karen's son, Shannon (Buck) Donnelly has inherited it or will. He has a wife, Rosie, and two children, Delaney and Quinn. The red log cabin was moved in to that spot by "Shiner."

After selling to the Keenas, Mable also sold her cabin to the Fuhrmans, but became lonely for the lake, so she bought the piece that today is ours. McClain Willy (?) was the company that was paving and improving Highway 2 in the 1940 or '50's, and they had a roadside car for construction workers. It had a domed or rounded roof, windows, was constructed of wood, and sat on wheels. A man named Art Matson bought the "car" from McClain Willy for $200 and Mable bought it from him. Mable moved it to the current location in the late 1950's. She gave the land and cottage to her son "Milo" who was married to Madge. Her other son, "Frosty" had a tavern she had given him on "H" and "E" south of Ino and past Delta. The tavern still stands.

In the 1960's the Munson family decided to remodel the "car" and applied the exterior rough siding, manufactured themselves the roof trusses, and applied the interior ceiling and paneling and woodwork that exists today. They put in new windows. The door is original to the "car." The trusses were placed over the domed roof. Son James Munson of 7th Avenue in Ashland worked alongside his dad, "Milo," to do the remodel. Both were union carpenters by trade. James or "Jim" told me that the wagon wheel behind the cottage was in the lake and his brother and friends found it and pulled it out. It was well-preserved because it had been in the water. It rusted quickly in the air. The steel beams

that form the support for the dock came from the Telemark Lodge in Cable as leftovers from construction. Jim and his dad built the existing dock.

In essence, the old "car" still exists beneath the remodel of the existing cottage.

Marge reported that the family had many happy times there. They didn't stay overnight too often, as they only lived in Ashland, 27 miles away, but they did once in a while. She said, "I loved to swim. The beach was sandy and just perfect. The water was so clear. There used to be some overhanging trees and I could take a private sponge bath down there without worrying about being seen. My husband would often take a nap while I swam. They boys had fun out there. Jim followed my husband around and did everything with him. When they grew older, the boys brought their friends out there and had lots of fun."

When Madge's husband died, she first put the place on the market for $40,000. Then a realtor told her to mark it up to $50,000. She sold it to Mr. Van Hollen, Sr., owner of Van Hollen Real Estate in Iron River for $65,000 in 2001. After his death, it went to his children—two boys and a girl. Peggy Van Hollen Kman still works the Real Estate office, now partners with Coldwell Banker. One of her brothers, J.B. Van Hollen, is currently Attorney General of the State of Wisconsin under Gov. Scott Walker. The siblings owned it in a trust called Deep Lake Trust. They built the stairway to the dock. Marge reported that the "Van Hollens cut down 'all the trees.'" They did no further development.

Peg Kman sold it to me, Dr. Barbara Kernan, in August of 2014, on land contract for $110,000. $30,000 down payment, 6% interest, $7,000 per year until it is paid off. There is no pre-payment clause. The payments are due in March of each year. If I inherit from my father's estate upon the death of his second wife, the amount of the inheritance will go to pay down this debt. It seems fitting that Edward and Bobby Kernan's estate should help provide a Twin Bear Lake place for their daughter and her family. (Barbara Kernan grew up at the far end of Twin Bear Lake nearest the Twin Bear Lake Park at her parents' cabin, purchased and built in 1963. The Kernan cabin was willed to the oldest son, Edward "Jay" Kernan III upon Edward, Jr.'s death in 2011). **[The cottage and land at 9650 County H was paid in full and deeded to Barbara L. Kernan. The deed is filed with Bayfield County and has no lien]** At present, the family that visits the Twin Bear Lake cottage at 9650 County Highway H is Barbara Kernan (60 yrs), her son Jess Angus McCullough (31 yrs), wife, Harmony McCullough (29 yrs), their daughter, Cora Evelyn McCullough (3 yrs), and Barbara's younger son, Graham Scott McCullough (24 yrs.)

Sigrid Ann McCullough, daughter of Jess and Harmony McCullough and sister to Cora Evelyn (4) was born August 4, 2015. Cora and her Grandmother awaited the birth at the cottage. Games of "Cootie," the movie "Flipper," and reading books kept them occupied until the announcement came around 4:00 in the afternoon, at which time they joined Grandpa Steve McCullough and drove to Duluth to meet the newest member of the clan.

April 29, 2016, Graham McCullough proposed marriage to Tara Lynn Helgeson, his college classmate at St. Scholastica. She accepted! The family grows!

Graham and Tara were married July 3, 2018.

Electricity was run into the cottage –Summer 2015
Electric stove----Summer 2015
Electric refrigerator---Summer 2015
Electric Dimplex fireplace---Summer 2015
Water is toted in in large plastic jugs and placed on a ceramic cooler/dispenser

Telephone landline was run into the cottage (seasonal contract with Norvado Co-operative) ---Summer 2016
Wireless internet (seasonal contract) ---Summer 2016

Barbara has been working with architectural firm TEA2 from Minneapolis to design a year-round home for herself on the site of the cottage. Design work began in 2021. Application to the county for permission to build will be filed September 10, 2021. The home will be for one primary resident, but will include visitors' spaces for holidays and vacations.

TEA2
ARCHITECTS

September 8, 2021

Bayfield County Board of Adjustments
117 E 5th Street
P.O. Box 58
Washburn, WI 54891

Statement of Proposed Use and Description of the Project

The property is located at 9650 County Hwy H, Iron River, WI, 54847. It is zoned R1.

This lakeside property is pinched between Twin Bear Lake to the north, and County Hwy H to the south. An old logging cabin was moved to the property decades ago by a previous owner that is currently being used as a rustic cabin without running water. There is also an outhouse and a permanent dock on the property. The 75′ lakeside setback and a 75′ setback from the center of the highway right-of-way overlap each other on the lot, therefor creating an unbuildable lot when adhering to the current zoning code. The current proposal is for a new home with a 1058 sq. ft. footprint, a 196 sq.ft. screened porch and, a 411 sq.ft. detached single car garage. The owner is planning to use the home as a year-round home, and she will have occasional visitors.

The proposed home is clad cedar shingle siding with a natural stone base that anchors it visually to the sloping site. A metal roof adds to the classic cabin look. Though the cabin is relatively small when compared to new homes that are typically built on northern lakes, the intent is to also make it appear smaller than its actual size. This is accomplished by tucking the bedrooms into the roof and by creating a lookout lower level with a low door to step up and out of that provides egress to the lakeside of the home. A new detached garage helps scale the home down by separating the home into two separate forms.

VARIANCE 1
Reduction to lakeside and highway setbacks.

1. **UNNECESSARY HARDSHIP**

The existing County Highway and Shoreland setbacks overlap each other, leaving no buildable area on this site. This requirement unreasonably prevents the use of the property for a permitted use.

Therefor we request:
1) a variance to the lakeside setback of 35′ from the ordinary high-water mark and,
2) a variance to the highway setback of 10′ to the right-of-way property line.

The requested variance would allow for construction of a new home with 1058 sq. ft. footprint, a screened porch and a detached single stall garage. The footprint of the proposed design, including site manipulation stays within the requested setbacks.

2. **UNIQUE PROPERTY LIMITATIONS**

Site is located between County Highway H to the south and Twin Bear Lake to the north. These unique physical limitations have created this narrow site and is preventing compliance with the established setbacks.

3. **NO HARM TO PUBLIC INTERESTS**

There is a pattern of other properties on the same peninsula, between Twin Bear Lake and Muskellunge Lake, that demonstrate that the variance we are requesting is in keeping with an established pattern as neighboring properties are also closer to the lake and the road than current zoning code allows. The footprint of the proposed design does not infringe on either side yard setback line and affect either adjoining neighbor.

VARIANCE 2

To measure setbacks and impervious surface area to the building footprint, in lieu of the "furthest extremity" of the building.

1. **UNNECESSARY HARDSHIP**

The width of the buildable area is so narrow that even with the 35′ and 10′ setbacks as requested in Variance 1, the remaining width is only 23′-2″. If the eave of the home has to remain fully behind the 35′ and 10′ setback it would put the house width at only 17′-2″ with a 3′ eave. A 3′ eave width is pretty typical and allows for protection of the siding materials and windows of the home. A house width of 17′-2″ is less than a double wide trailer and less than the required typical minimum width for homes in many other municipalities.

2. **UNIQUE PROPERTY LIMITATIONS**

If Variance 1 is granted, the building width is limited to 23′-2″, about the same width as a two-stall garage or a double-wide mobile home (which are 24′ wide x 44′ or 60″ long). This is because the site is located between County Highway H to the south and Twin Bear Lake to the north. These unique physical limitations have created this narrow buildable area, even if Variance 1 is granted. Again, for a home with a typical eave of 3′, the buildable footprint would be reduced to 17′-2″.

3. **NO HARM TO PUBLIC INTERESTS**

The runoff from the roof will be managed by a stormwater mitigation system that is designed by the clients' Civil Engineer, Pierce Pini. The engineered solution is being coordinated with, and is pending approval by, Bayfield County Land & Water Conservation.

TEA2ARCHITECTS.COM 2724 WEST 43RD STREET, MINNEAPOLIS MN 55410 612.929.2800

ZONING VARIANCES

ZONING BOARD OF ADJUSTMENT

Zoning variances, appeals are decided by the 5-member Board of Adjustment which functions like a court. **The Board is very limited in its discretion.** Decisions must comply with standards provided in state law and the Bayfield County Zoning Ordinance. The Board's function is not to compromise for a property owner's convenience but to apply appropriate legal standards to specific fact situations.

PROCESS

APPLICATION AND FEES – Your responsibility. Contact Zoning Department.
NOTICE TO NEIGHBORS AND PUBLIC – Zoning Department makes notification.
TOWN REVIEW – Zoning Department notifies Town. You should attend Town meeting.
PUBLIC HEARING – You or your representative must attend.

BURDEN OF PROOF

The burden will be on you, as the property owner, to provide verifiable facts about your property and proposal and to show that you qualify according to the legal criteria described in the following pages. You or your representative must be present at the public hearing where any party may appear in person or be represented by agent or attorney. If these requirements are not met the Board may deny your request for a variance and your fee will be forfeited.

EVIDENCE IN A PUBLIC RECORD

The Board may only consider materials and testimony regarding your application which are made part of a public record at the public hearing. This requirement provides fairness, transparency and a basis for judicial review should it be required. Materials presented at hearing will be retained as part of the hearing record.

SITE VISITS

The Board may choose to visit your project site to gain a better understanding of your proposal. The Zoning Office will contact you to make appropriate arrangements. Generally, no discussion is permitted on-site other than to clarify details of boundary location or project design.

COURT REVIEW OF DECISIONS

A Zoning Board decision may be appealed to circuit court by anyone aggrieved by the decision within 30 days of the final decision. An applicant may proceed with construction at his/her own risk within the appeal period. The general standards which courts use to decide appeals of Board decisions follow. You might consider these points to determine whether any decision you have an interest in is likely to be reversed on appeal.

- Did the Board decide a matter which it is empowered by statute or ordinance to act on (subject matter jurisdiction)?
- Did the Board follow proper procedures (e.g. notice, hearing, reviewable record, open meeting law, etc.)?
- Did the Board apply proper standards in making the decision (e.g. 3 step test for a variance)?
- Was there a rational basis for the decision (could a reasonable person have reached this conclusion)?
- Is there evidence in the record (facts) to support the decision?

LAND USE / BUILDING PERMIT REQUIRED

Should your petition for a variance or appeal be granted, you must apply for and receive a land use/building permit from the Bayfield County Zoning Department before commencing construction. The permit expires twelve (12) months from the date of issuance unless substantial work has commenced.

VARIANCES

An area variance is a relaxation of a dimensional requirement in a land use regulation (e.g., setback, lot area, height, etc.). A use variance allows land to be used for a purpose that is prohibited by ordinance. **Variances are meant to be an infrequent remedy where an ordinance imposes a unique and substantial burden.**

THREE-STEP TEST

To grant a variance, the Board of Adjustment must determine that your request meets all three criteria of a three-step test. Your application for a variance must demonstrate (attach additional pages as needed):

1) UNNECESSARY HARDSHIP

For an area variance hardship is present where a dimensional requirement unreasonably prevents use of the property for a permitted use or is unnecessarily burdensome given the purposes of the ordinance. For a use variance hardship is present where, in the absence of a variance, no reasonable use can be made of the property. The hardship must be based on conditions unique to your property rather than considerations personal to its owner. An applicant may not claim hardship because of conditions which are self-imposed (for example, splitting a lot to create two substandard lots and then claiming hardship). Courts have determined that loss of profit or financial hardship do not by themselves justify a variance. The Board of Adjustment will evaluate your arguments in light of the purpose of the zoning restriction at issue.

For an area variance describe how dimensional requirements unreasonably prevent use of your property for a permitted use or are unnecessarily burdensome given the purposes of the ordinance. For a use variance describe how ordinance requirements prevent all reasonable use of the property.

SEE ATTACHED NARRATIVE

2) UNIQUE PROPERTY LIMITATONS

Compliance with ordinance requirements is prevented by unique physical limitations of your property (steep slopes, drainage or waterways, wetlands, soil types, utility and other easements, unusual shape or dimensions of the lot, etc.) which are not generally shared by other properties. If your project or an alternative project design can be constructed at a location on your property which complies with ordinance requirements, it is unlikely you will qualify for a variance. Nearby ordinance violations, prior variances and lack of objections from neighbors do not provide a basis for granting a variance. Personal circumstances of an applicant (growing family, financial difficulties, etc.) are not factors in deciding variances. Minor property limitations which prevent ordinance compliance and are common to a number of properties are properly addressed by a formal ordinance amendment. Issues related to verifiable physical disabilities of occupants can be addressed by permits available through the Bayfield County Zoning Administrator.

List and describe the location of unique physical limitations of your property that prevent compliance with ordinance requirements.

SEE ATTACHED NARRATIVE

3) **NO HARM TO PUBLIC INTERESTS:** A variance may not adversely affect public interests outlined in the purpose statement of the ordinance or along with specific ordinance requirements. These generally includes avoiding harm to neighbors, the community and the general public. The Board must consider short term, long term and cumulative effects of any variance on public interests.

Describe why your project will not adversely affect the interests of neighbors, the community and the general public outlined in the purpose statement of the ordinance. Describe any project features which you propose to mitigate adverse effects.

SEE ATTACHED NARRATIVE

IF YOU QUALIFY FOR A VARIANCE

- The Board may grant only the minimum variance necessary to preserve the purpose and intent of zoning ordinances.
- The Board may impose conditions on project design, construction activities or operation of a facility to assure that public interests are protected.
- A variance authorizes only the specific construction requested as modified by any conditions imposed by the Board. It does not relax ordinance requirements (e.g. establish a lesser setback) for any future construction nor does it confer nonconforming status on a structure.
- A variance transfers to subsequent property owners.

Signed: _____ **Date:** 9.8.21
(Applicant/Agent/Owner)

Remit to: **Bayfield County Planning and Zoning Department**

000013

RECEIVED

SEP 10 2021

Bayfield Co.
Planning and Zoning Dept.

Bayfield County
Impervious Surface Calculations

These calculations are **REQUIRED** per WI Admin Code NR 115.05(1)(e) and Section 13-1-32(g) and 13-1-40(h) of the Bayfield County Code of Ordinances. The undersigned hereby makes application for construction, reconstruction, expansion, replacement or relocation of any impervious surface within 300 feet of the ordinary high water mark and agrees that all activities shall be in accordance with the requirements of the Bayfield County Code of Ordinances and all other applicable ordinances and the laws of the State of Wisconsin.

Pursuant to Chapter 1, Title 13, Section 13-1-106(d) of the Bayfield County Zoning Ordinance(s), Planning and Zoning Department employees assigned to inspect properties shall have access to said properties to make inspections.

Property Owner(s): BARBARA L. KERNAN REV TRUST					
Mailing Address: N 4056 990 th St. EAU CLAIRE, WI 54703		Property Address 9650 COUNTY HWY H, IRON RIVER, WI 54847			
Legal Description: NW 1/4, NE 1/4,		Section, Township, Range Sec 04 Township 46 N, Range 08 W			
Authorized Agent/Contractor TEAR ARCHITECTS / PRINCIPAL DAN NEPP		Gov't Lot	Lot #	CSM#	Vol & Page
Lot(s) #	Block(s) #	Subdivision		Town of: DELTA	
Parcel ID # (PIN #) 04-016-2-46-08-04-1 02-000-08000		Tax ID # 13359		Date: 9/8/2021	

Impervious Surface: An area that releases as runoff all or a majority of the precipitation that falls on it. "Impervious surface" excludes frozen soil but includes rooftops, sidewalks, driveways, parking lots and streets unless specifically designed, constructed and maintained to be pervious.

Calculation of Impervious Surface: Percentage of impervious surface shall be calculated by dividing the surface area of existing and proposed impervious surfaces on the portion of a lot or parcel that is within 300 feet of the ordinary high water mark by the total surface area of the lot or parcel, multiplied by 100.

Impervious Surface Standard: Allow up to 15% impervious surface but not more than 30% impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high water mark. A permit can be issued for development that exceeds 15% impervious surface but not more than 30% impervious surfaces with a mitigation plan that meets the requirements of the Bayfield County Ordinance(s).

Existing Impervious Surfaces: For existing impervious surfaces that were lawfully placed when constructed but that do not comply with the standards in Section(s) 13-1-32(g) and Section 13-1-40(h), the property owner may do any of the following:

a. Maintenance and repair of all impervious surfaces:

b. Replacement of existing impervious surfaces with similar surfaces within the existing building footprint;

c. Relocation or modification of existing impervious surfaces with similar or different impervious surfaces, provided that the relocation or modification does not result in an increase in the percentage that existed on the effective date of the county shoreland ordinance, and meets the applicable setback requirements in Section 13-1-32.

000014

Impervious Surface Item	Dimension	Area (Square Footage)
Existing House		
Existing Accessory Building/Garage		
Existing Sidewalk(s), Patio(s) & Deck(s)		
Existing Covered Porch(es), Driveway & Other Structures		
Proposed Addition/House	28'9" x 49'7"	1,498
Proposed Accessory Building/Garage	24'4" x 26'	599
Proposed Sidewalk(s) & Patio(s) + ADJACENT WALLS		430
Proposed Covered Porch(es) & Deck(s)	8'6" x 23'	196
Proposed Driveway		N/A (PERMEABLE PAVERS, SEE CIVIL)
RET. WALLS @ SW CORNER GARAGE Proposed Other Structures + NE CORNER HOUSE		14
Total:		

a. Total square footage of lot: 9,981

b. Total impervious surface area: 2,737

c. Percentage of impervious surface area: 100 x (b)/a = 27.4%

If the proposed impervious surface area is greater than 15% mitigation is required.

Total square footage of additional impervious surface allowed: @ 15% 1,240 @ 30% _____

Issuance Information (County Use Only)	Date of Inspection:
Inspection Record:	Zoning District ( ) Lakes Classification ( )
Condition(s):	Stormwater Management Plan Required: ☐ Yes ☐ No
Signature of Inspector:	Date of Approval:

000015

N4056 990th Street
Eau Claire, WI 54703
October 12, 2021

Bayfield County Zoning Board
Re: Application to build at 9650 County Trunk H, Town of Delta, Iron River, Wisconsin

To Whom it May Concern:

I am authorizing architectural firm TEA2 Architects from Minneapolis, Minnesota, and specifically principal Dan Nepp, to be my Agent and represent my interests in this application for a building permit and variances to construct a garage at my property at 9650 County Trunk H, Town of Delta, Iron River, Wisconsin, on Twin Bear Lake of the Pike Chain of Lakes.

Sincerely,

Barbara Kernan

Barbara L. Kernan

Kernan (2018)

Aerial Photo

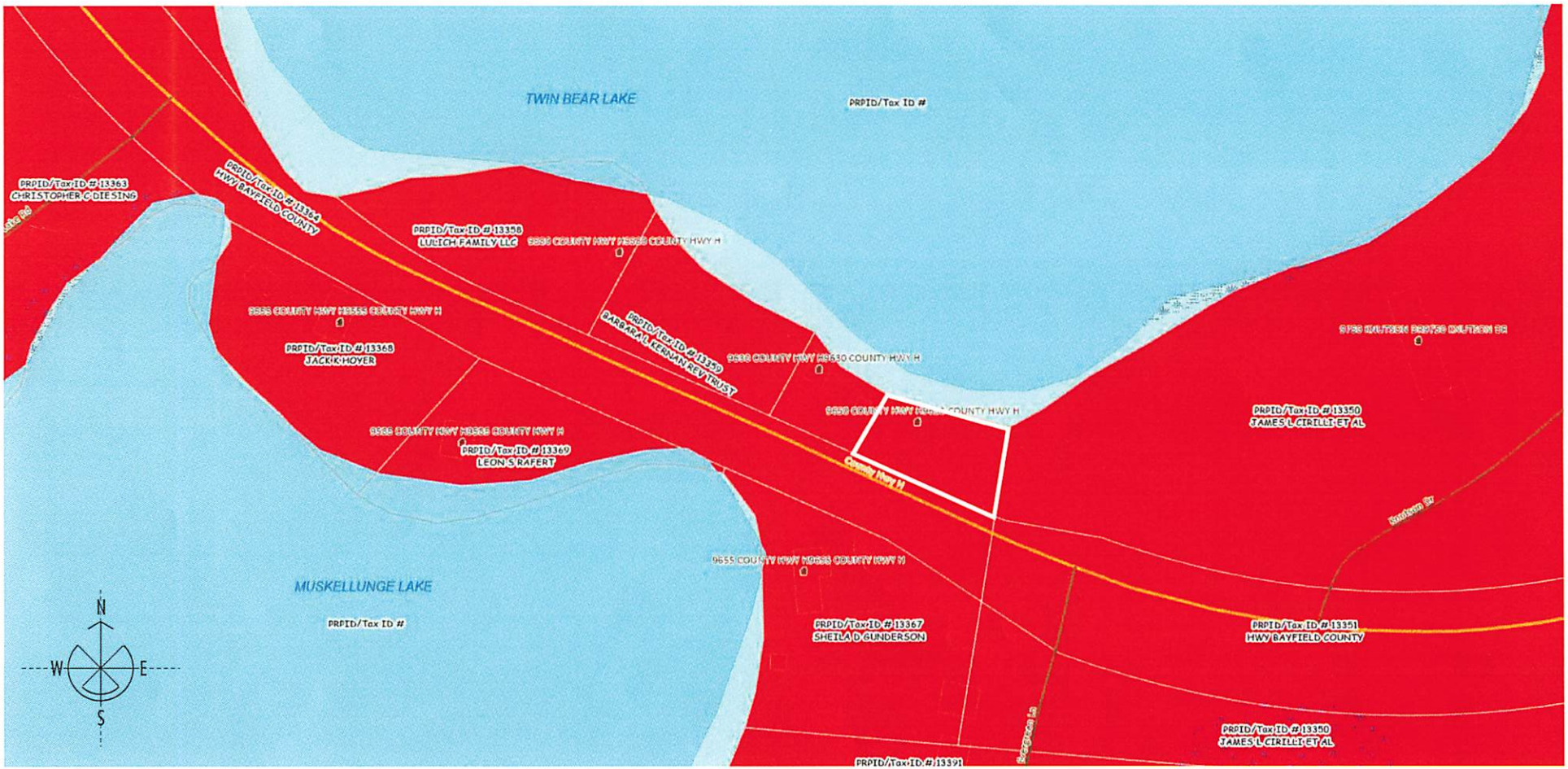
TEA2 Architects

Kernan (2018)

Zoning District Map

TEA2 Architects

000018

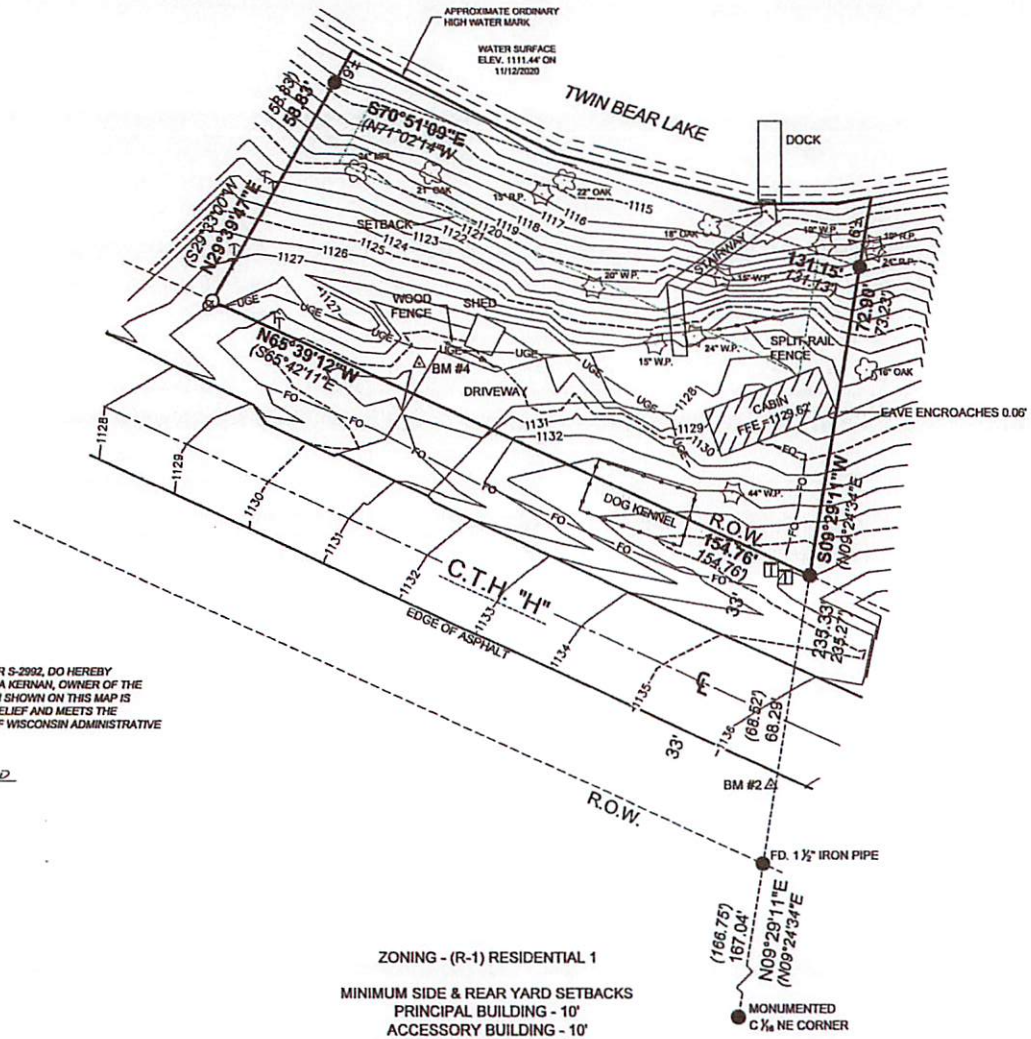


TOPOGRAPHIC / PLAT OF SURVEY

A PARCEL OF LAND LOCATED IN THE NW¼ - NE¼, SECTION 8, TOWNSHIP 46 NORTH, RANGE 8 WEST, TOWN OF IRON RIVER, BAYFIELD COUNTY, WISCONSIN

CURRENT

BEARINGS ARE GRID BASED WCCS - BAYFIELD COUNTY (2011)



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SURVEYOR'S CERTIFICATE:

I, PATRICK A. MCKUEN, WISCONSIN PROFESSIONAL LAND SURVEYOR S-2992, DO HEREBY CERTIFY THAT THIS MAP WAS MADE AT THE DIRECTION OF BARBARA KERNAN, OWNER OF THE ABOVE DESCRIBED AND MAPPED PARCELS, AND THE INFORMATION SHOWN ON THIS MAP IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND MEETS THE MINIMUM STANDARD REQUIREMENTS FOR SURVEYS UNDER AE-7 OF WISCONSIN ADMINISTRATIVE CODE.

DATED THIS 9 DAY OF DEC, 2020

WISCONSIN PATRICK A. MCKUEN S-2992 ASHLAND, WI LAND SURVEYOR

PINE RIDGE LAND SURVEYING, LLC.
PATRICK A. MCKUEN
WI P.L.S. S-2992

ZONING - (R-1) RESIDENTIAL 1

MINIMUM SIDE & REAR YARD SETBACKS
PRINCIPAL BUILDING - 10'
ACCESSORY BUILDING - 10'
SHORELINE SETBACK - 75'
COUNTY HIGHWAY SETBACK = 75' FROM CENTERLINE OR 42' FROM R.O.W. ; WHICHEVER IS GREATER.

VERTICAL DATUM = NAVD88
BM2 - MAG. SPIKE - ELEV. = 1,136.66'
BM4 - ¾" REBAR - ELEV. = 1,130.87'

SURVEYOR'S NOTE:
THE ORDINARY HIGH WATER MARK IS APPROXIMATE AND FOR REFERENCE ONLY.

ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1 OF THE STATE CONSTITUTION.

Know what's below. Call before you dig.

DIGGERS HOTLINE

LEGEND

- ○ -SET 1 1/4" O.D. x 18" IRON PIPE
- ● -FD. 1 1/4" O.D. IRON PIPE (UNLESS NOTED OTHERWISE)
- ∅ - UTILITY POLE
- △ - BENCHMARK
- UGE - UNDERGROUND ELECTRIC
- FO - FIBER OPTIC
- MPL - MAPLE
- R.P. - RED PINE
- W.P. - WHITE PINE
- ⊤ - GUY WIRE

20' 0 20' 40' 60'
SCALE FEET

PATRICK A. MCKUEN, PLS
1424 ½ LAKE SHORE DR. W.
ASHLAND, WI 54806
PH. 715-682-2969
WWW.PINERIDGESURVEYING.COM
PMCKUEN@PINERIDGESURVEYING.COM

Pine Ridge Land Surveying, LLC.
Professional Land Surveying Services
Value & Quality in a Timely Manner

DATE	REV. NO.	BY:	REVISION DESCRIPTION

Drawn by: P.MCKUEN
Approved by: P.MCKUEN
Date Approved: 12/9/20

Filed With: BAYFIELD COUNTY
Field Work Completed: 11/12/20

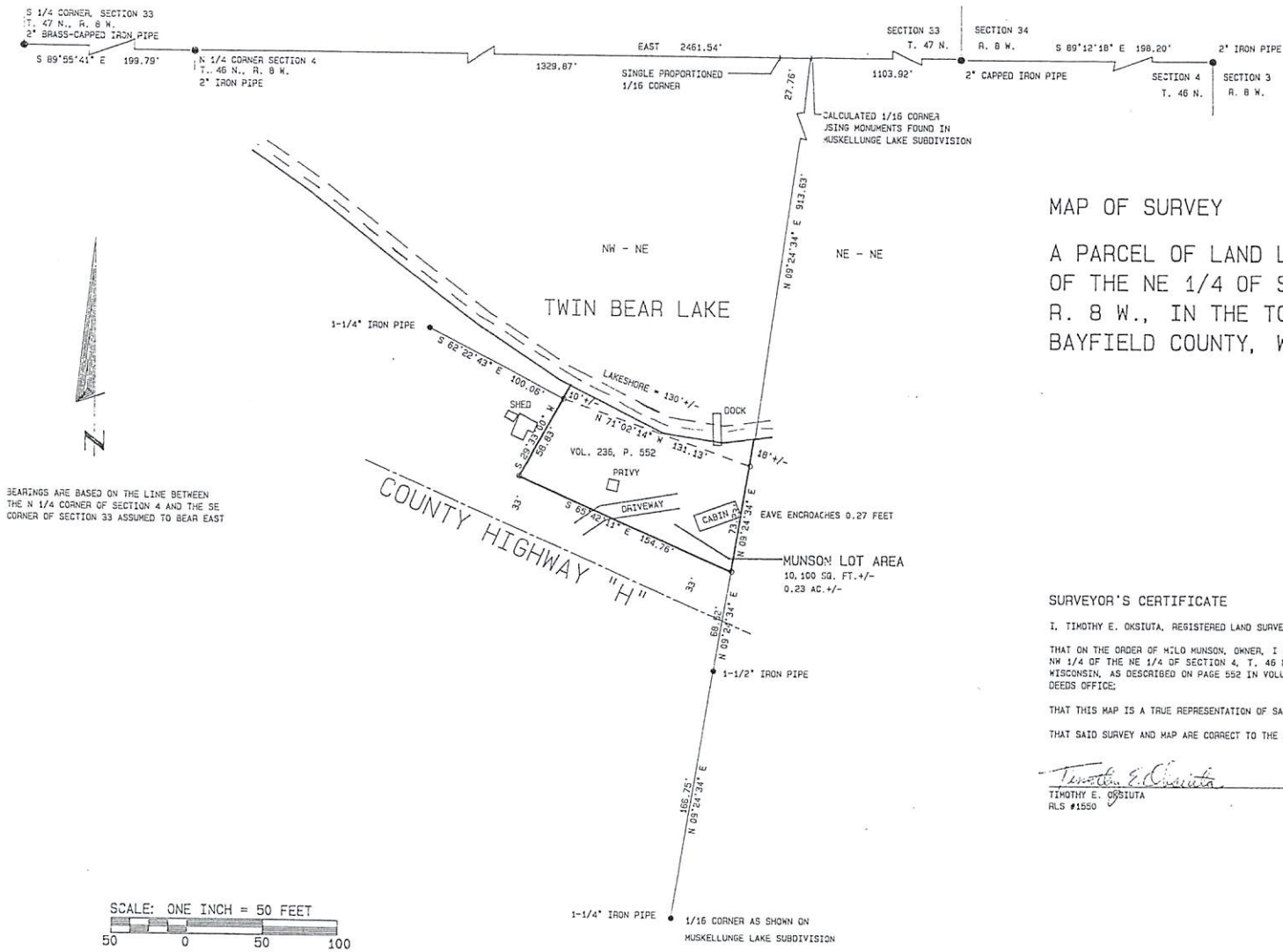
KERNAN
TOPOGRAPHIC / PLAT OF SURVEY

A PARCEL OF LAND LOCATED IN THE NW ¼ - NE ¼, SECTION 4, TOWNSHIP 46 NORTH, RANGE 8 WEST, TOWN OF IRON RIVER, BAYFIELD COUNTY, WI

PROJECT NUMBER: KERNAN20 - 4 - 46 - 8

FIGURE/SHEET NO. 1 OF 1

CURRENT



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MAP OF SURVEY

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 4, T. 46 N., R. 8 W., IN THE TOWN OF DELTA, BAYFIELD COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, TIMOTHY E. OKSIUTA, REGISTERED LAND SURVEYOR IN THE STATE OF WISCONSIN, HEREBY CERTIFY:

THAT ON THE ORDER OF MILO MUNSON, OWNER, I HAVE MADE A SURVEY OF A PARCEL OF LAND LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 4, T. 46 N., R. 8 W., IN THE TOWN OF DELTA, BAYFIELD COUNTY, WISCONSIN, AS DESCRIBED ON PAGE 552 IN VOLUME 236 OF RECORDS IN THE BAYFIELD COUNTY REGISTER OF DEEDS OFFICE;

THAT THIS MAP IS A TRUE REPRESENTATION OF SAID SURVEY; AND

THAT SAID SURVEY AND MAP ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Timothy E. Oksiuta

TIMOTHY E. OKSIUTA
RLS #1550

WISCONSIN TIMOTHY E. OKSIUTA S-1550 ASHLAND, WI LAND SURVEYOR 5-1-98

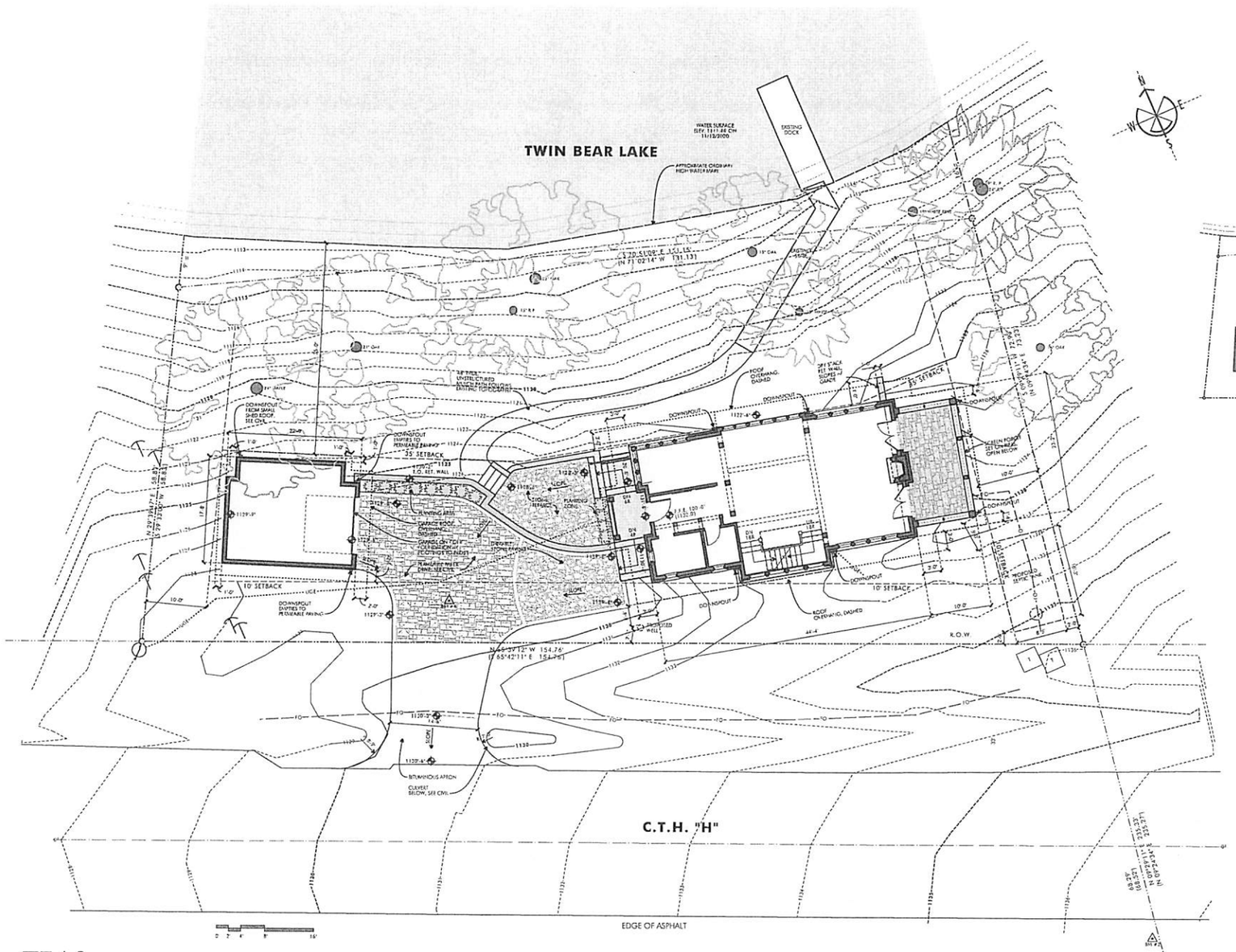
LEGEND
● MONUMENT, AS NOTED, FOUND IN PLACE
○ 1-1/4" X 24" IRON PIPE SET THIS SURVEY

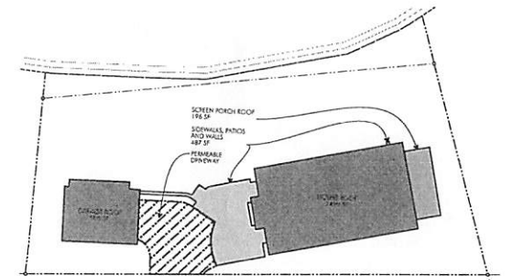
CLIENT: MUNSON, M.
PROJECT NO. 43/98
FILE: S4T46R8/MUNSON
SCALE: ONE INCH = 50 FEET
MAY 7, 1998
DRAFTED BY TEO

REVISION	DATE

NELSON SURVEYING, INC.
101 WEST MAIN STREET
ASHLAND, WI. 54806
(715)-682-2692
PROFESSIONAL LAND SURVEYING SERVICES SINCE 1957

NB 283 P 1 MAP NO. 2820





HARDCOVER DIAGRAM

SITE INFORMATION	
Lot Type:	R1
Lot Area:	9,981 SF
Max. Allowable Imperv. (%):	2,995 SF (30%)
Proposed Imperv. Surface (%)	2687 SF (26.9%)

- SEE SURVEY FOR EXISTING UTILITIES
- SEE CIVIL FOR GRADE CHANGES

TEA2
ARCHITECTS

10.15.2021

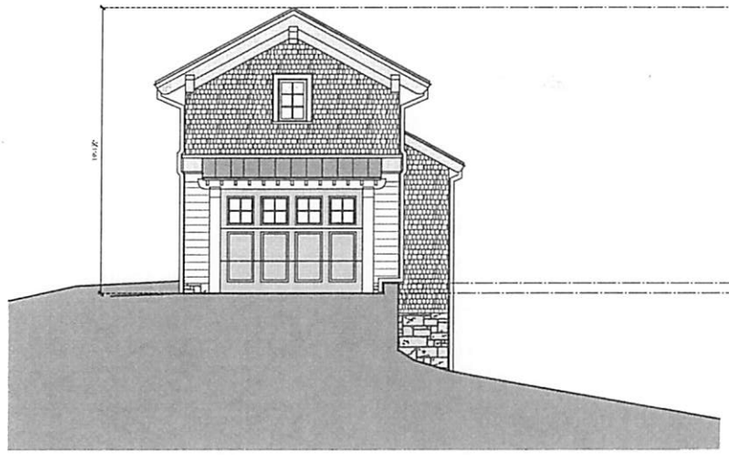
Site Plan

SCALE: 1/8" = 1'-0"

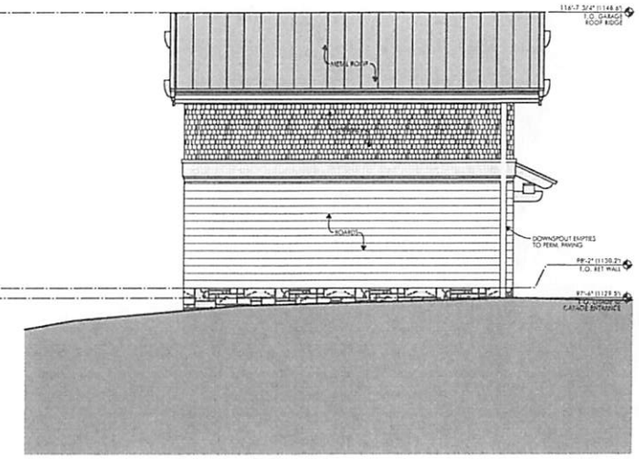
Kernan

Residence

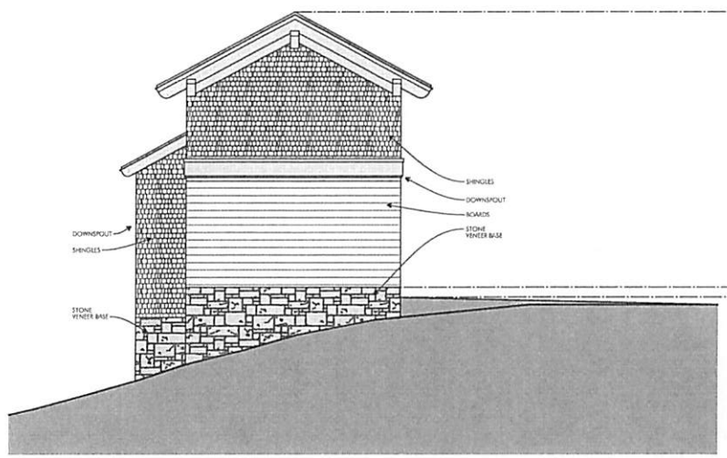
000001



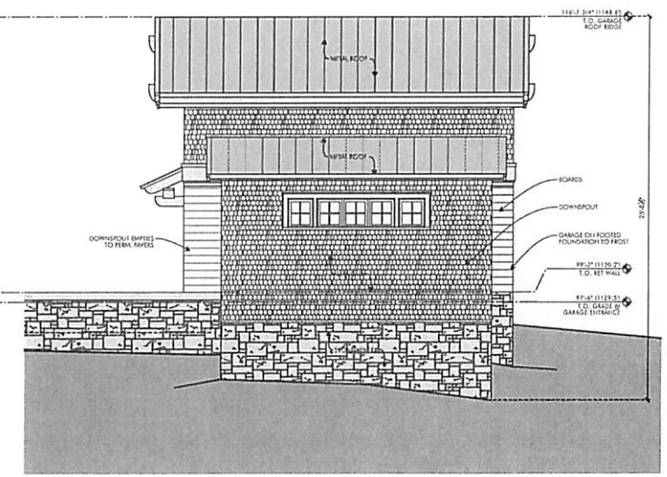
East Elevation



South Elevation



West Elevation



North Elevation

TEA2
ARCHITECTS

10.15.2021

Kernan

Garage Elevations

Residence

SCALE: 1/4" = 1'-0"

000022

BAYFIELD COUNTY PLANNING AND ZONING DEPARTMENT

Bayfield County Courthouse
117 East Fifth Street
Post Office Box 58
Washburn, WI 54891

Telephone: ***(715) 373-6138*** *E-mail:* ***zoning@bayfieldcounty.org***
Fax: ***(715) 373-0114*** *Web Site:* ***www.bayfieldcounty.org/zoning***

December 22, 2021

BARBARA L KERNAN REV TRUST
N4056 990TH ST
EAU CLAIRE, WI 54703

~ Property Owner and/or Agent are required to be present at this meeting ~

We are sending you this letter to advise you of the upcoming **Bayfield County Board of Adjustment Public Hearing and Meeting.**

This written notice is in regards to a **Variance** submitted by **Barbara Kernan, owner and Dan Nepp, agent to request a lessor setback(s) than required by Ordinance.** To obtain information regarding this request; please visit our web site: http://www.bayfieldcounty.org/187/Board-of-Adjustment-Appeals. Scroll down to Agendas & Minutes. Click on Most Recent Agenda.

This matter will be addressed by the Bayfield County Board of Adjustment at their meeting on **Thursday, January 27th, 2022 at 9:00 am** in the County Board Room of the Bayfield County Courthouse, Washburn Wisconsin.

Be advised; the Town of Delta will be notified of this application, and they may discuss the application at a meeting prior to the Board of Adjustment meeting (please call and verify with the town for a date and time for their meeting).

If the town, public and/or adjacent property owners wish to comment on this matter, they are invited to attend the hearing or send written / digital input (*will be accepted until noon the day prior to the hearing*) to the Bayfield County Planning and Zoning Department. If you desire additional information, please contact the Planning and Zoning Department.

Note: Any person aggrieved by any decision of the Board of Adjustment may, within **30-days** after the filing of the decision in the office of the board, commence an action seeking the remedy available by certiorari.

Sincerely,

Bayfield County Planning and Zoning Department

enc. copy of public hearing notice

cc: Town Clerk
Agent (1)
Adjacent Property Owners (7)
Board Members (7)
Court Reporter (1)
Corp. Counsel
DNR
Land Conservation Dept.
Office Copy
Application Copy

**** Please Note: Receiving approval from the Board of Adjustment at the meeting does not authorize the beginning of construction or land use; you must first obtain land use application/permit card(s) from the Planning and Zoning Department.**

k/debsdata/boardofadjustment/coverletter
dak/rds(12/22/21-1:20 pm)

PUBLIC HEARING

BOARD OF ADJUSTMENT PUBLIC HEARING
JANUARY 27, 2022
COUNTY BOARD ROOM, BAYFIELD COUNTY COURTHOUSE
WASHBURN, WISCONSIN

There will be a public hearing to take evidence in each case followed by a public meeting to make a decision in the preceding case.

Notice is hereby given that a public hearing will be held on Thursday, January 27, 2022, at 9:00 a.m. in the County Board Room of the Bayfield County Courthouse, Washburn Wisconsin relative to the following item(s):

Case # 22-01B

Barbara Kernan (Rev Trust) is requesting a **variance** from the terms of Section 13-1-22 (a)(1) and 13-1-22 (b), Row 2, Column 2. of the Bayfield County Zoning Ordinance.

Section 13-1-22(a)(1) states:

[Setbacks.] Except as otherwise provided in this subsection, setbacks for structures on shoreland lots shall be 75 feet from the ordinary high-water mark.

Section 13-1-22(b), Row 2, Column 2 states:

Highway Setbacks.

Class of Highway	Setback from Centerline	Setback from Right of Way Line
State & Federal	110'	50' whichever is greater
County	**75'**	**42' whichever is greater**
Town	63'	30' whichever is greater

Applicant(s) seeks to construct:

A (2-Story) **Residence** (44.4' x 23.2'); **Patio #1** (5' x 8'); **Covered Entry Porch** (7.2' x 4.9'); **Patio #2** (5' x 8'); **Screen Porch** (20' x 10'); = 1,387.5 sq. ft. footprint) at a Height of 35'.

Applicant seeks a reduced setback of 35 ft (foundation) / 32 ft (with eaves) from the ordinary high-water mark of Twin Bear Lake instead of the required 75 ft.; and 10 ft (foundation) / 7 ft (with eaves) from the right-of-way of County Hwy H instead of the required 42'

Property is a **Substandard Lot** in an (R-1) zoning district and located in a shoreland zone. Property consists of a 0.23-acre parcel (ID# 13359), described as a parcel in the NW ¼ of the NE ¼ in Doc #2020R-584534, Section 4, Township 46 N, Range 8 W, Town of Delta, Bayfield County, WI. **Metes and Bounds descriptions available on Quit Claim Deed.**

Case # 22-02B

Barbara Kernan (Rev Trust) is requesting a **variance** from the terms of Section 13-1-22 (a)(1) and 13-1-22 (b), Row 2, Column 2. of the Bayfield County Zoning Ordinance.

Section 13-1-22(a)(1) states:

[Setbacks.] Except as otherwise provided in this subsection, setbacks for structures on shoreland lots shall be 75 feet from the ordinary high-water mark.

Section 13-1-22(b), Row 2, Column 2 states:

Class of Highway	Setback from Centerline	Setback from Right of Way Line
State & Federal	110'	50' whichever is greater
County	**75'**	**42' whichever is greater**
Town	63'	30' whichever is greater

Applicant(s) seeks to construct:

A (1-Story) **Garage** (17.8' x 22'); = 375 sq. ft. footprint) at a Height of 25'9" and **Retaining Wall** (45')

Applicant seeks a reduced setback of 35 ft (foundation) / 34 ft (with eaves) from the ordinary high-water mark of Twin Bear Lake instead of the required 75 ft.; and 10 ft from the right-of-way of County Hwy H instead of the required 42'.

Property is a **Substandard Lot** in an (R-1) zoning district and located in a shoreland zone. Property consists of a 0.23-acre parcel (ID# 13359), described as a parcel in the NW ¼ of the NE ¼ in Doc #2020R-584534, Section 4, Township 46 N, Range 8 W, Town of Delta, Bayfield County, WI. **Metes and Bounds descriptions available on Quit Claim Deed.**

Status Report: Discussion of any court decisions for cases under review since the last meeting of the Board. (i.e. **NA**)

The Board of Adjustment agenda shall be as follows:

9:00 a.m. Call to Order
Review of materials contained in files of the above cases
Acceptance of oral or written testimony from interested parties

Any person wishing to attend who, because of a disability, requires special accommodations, should contact the Planning and Zoning office at 373-6138, at least 24 hours before the scheduled meeting time, so appropriate arrangements can be made.

KIMBERLY STURM, CHAIR, BAYFIELD COUNTY BOARD OF ADJUSTMENT

Upon the completion of the public hearings, notice is served that the Board of Adjustment pursuant to Sec.19.85 (1) (g) may go into closed session to confer with legal counsel for the Board who is rendering oral or written advice concerning strategy to be adopted by the Board with respect to litigation in which it is or is likely to become involved.

Note: Any person aggrieved by any decision of the Board of Adjustment, or a taxpayer, or any officer, department, board or bureau of the municipality, may within 30 days after the filing of the decision in the office of the board, commence an action seeking the remedy available by writ of certiorari.

AGENDA

BAYFIELD COUNTY BOARD OF ADJUSTMENT
PUBLIC HEARING AND MEETING
THURSDAY, JANUARY 27, 2022
9:00 A.M.
BOARD ROOM, COUNTY COURTHOUSE
WASHBURN, WISCONSIN 54891

Board of Adjustment Members: Kim Sturm; Chair; Shari Eggleson, Vice Chair; Mark Hoefling, Adrian Wydeven; Joseph Madison; Dennis Rasmussen-Alternate; Linda Coleman, BOA Corp Counsel, Steve Olson, BOA (Appeals) Corp Counsel, John Carlson, Planning and Zoning, Corp Counsel & eCourts-Court Reporter

8:45 AM Board Members review of document(s)

1. **Call to Order Public Hearing**
2. **Recess to Review Cases / Reconvene** *(if necessary)*
3. **Introduction of Board/Members/Staff**
4. **Affidavit of Publication**
5. **Meeting Format**
6. **Order of Presentation**
7. **Swearing in All Witnesses**
8. **Reading of Public Hearing Notice**

   Case # 22-01B *(Barbara Kernan Rev Trust)* (Delta) – variance to construct a 2-story residence 35' / 32' from OHWM instead of 75' and 10' from ROW instead of 42'

9. **Adjournment of Public Hearing / Call to Order Business Meeting**

   (Discussion by Board Members only)

   (Case # 22-01B) (Deliberation and Decision)

10. **Adjournment of Business Meeting / Call to Order Public Hearing**
11. **Reading of Public Hearing Notice**

    Case # 22-02B *(Barbara Kernan Rev Trust)* (Delta) – variance to construct a 1-story garage 35' / 34' from OHWM instead of 75' and 10' from ROW instead of 42'

12. **Adjournment of Public Hearing / Call to Order Business Meeting**

    (Discussion by Board Members only)

    (Case #22-02B) (Deliberation and Decision)

13. **Other Business**

- Minutes of Previous Meeting(s)
- Discussion and Possible Action regarding completion of any unfinished work regarding past meetings and/or Status Report regarding pending cases if any new development.
- Board Members discussion(s) regarding matters of the BOA.
- Fill Out Per-Diem/Mileage Form.

14. Adjournment **Kimberly Sturm, Chairman**
Bayfield County Board of Adjustment

Upon the completion of the public hearings, notice is served that the Board of Adjustment pursuant to Sec.19.85 (1) (g) may go into closed session to confer with legal counsel for the Board who is rendering oral or written advice concerning strategy to be adopted by the Board with respect to litigation in which it is or is likely to become involved.

Any person wishing to attend who, because of a disability, requires special accommodations, should contact the Planning and Zoning office at 373-6138, at least 24 hours before the scheduled meeting time, so appropriate arrangements can be made.

**** Please Note: Receiving approval from the Board of Adjustment at the meeting <u>does not</u> authorize the beginning of construction or land use; you must <u>first obtain your land use application/permit card(s)</u> from the Planning and Zoning Department.**

2022R-595545 7

2022R-595545
DANIEL J. HEFFNER
BAYFIELD COUNTY, WI
REGISTER OF DEEDS
07/18/2022 10:13AM
TF EXEMPT #:
RECORDING FEE: 30.00
PAGES: 7
Recording Data

Return To:
Bayfield County Planning & Zoning

DECISION OF VARIANCE BY BOARD OF ADJUSTMENT

On **January 27, 2022,** the owner(s) was/were granted a **variance** by the Bayfield County Board of Adjustment.

Case #22-02B

Kernan Garage Application

Applicant(s): Barbara Kernan

Request a variance from: Bayfield County Ordinance Section 13-1-22(a)(1), which states, in part,

(a) Shoreline Setback.

(1) [***Setbacks***.] Except as otherwise provided in this subsection, setbacks for shoreland lots shall be 75 feet from the ordinary high-water mark.

And a variance from Bayfield County Ordinance Section 13-1-22(b), which states, in part,

(b) **Highway and Bluff or Bank Setbacks.**

Class of Highway	*Setback from Centerline*	*Setback from Right of Way Line*
State & Federal	110	50' whichever is greater
County	75'	42' whichever is greater
Town	63'	30' whichever is greater

Proposed Construction: A 1-Story Garage (17.8' X 22') = 375 sq. ft. at a height of 25'9" and retaining wall (45')

Applicants sought reduced setback of 35 feet (foundation) / 34 feet (with eaves) from the ordinary high-water mark of Twin Bear Lake and 10 feet from the right-of-way of County Highway H.

Property is a substandard lot of record in an (R-1) zoning district located in a shoreland zone.. Property consists of a 0.23 – acre parcel (Tax ID # 13359), described as a parcel in the NW ¼ of the NE ¼ as recorded in Document #2020R-584534, Section 4, Township Forty-six (46) North, Range Eight (8) West, Town of Delta, Bayfield County, State of Wisconsin (hereinafter, the "Property"). See Attached for complete Description

Findings of Fact

1. There is an existing cabin on the property, which appears to be a modified rail car, which has a footprint of 243 square feet.
2. The existing structure is located 40' from the ordinary high-water mark (OHWM) of Twin Bear Lake and 15' from the right-of-way of County Highway H.
3. There is no garage on the property.
4. The applicant also asks that distances to the ordinary high-water mark and center line of the highway be measured from the foundation, rather than the eaves.
5. The parcel is small, approximately 1/3 the size of a lot that would be legally conforming under today's standards, and has a steep slope.
6. Many lots on the Pike Lake chain are small and have a steep slope.
7. The Planning and Zoning Department measures distances to the ordinary high-water mark and centerline of roads starting with the nearest point of a structure to the OHWM and centerline, which in many cases is the eave of a structure.
8. Applicant wants to construct a 375' garage with a loft space for storage.
9. The Land and Water conservation Department has proposed a mitigation plan to be implemented to mitigate land disturbance that may be caused by this construction.

10. The proposed garage would be 34 feet from the OHWM of Twin Lake, measuring from the eves, and would be 35 feet from the OHWM from the Lake measuring from the foundation.
11. The proposed new structure would be 10 feet from the right-of-way of the County Highway H.
12. No one spoke in opposition to the application.
13. There were three letters in support of the application.

Conclusions of Law

1. The legal standard to be applied to this variance request is that the applicant must demonstrate all of the following:
   a. An unnecessary hardship exists which is not self-created
   b. The variance is necessary due to conditions unique to the property
   c. Granting the variance will not cause harm to the public interest
2. The Board of Adjustment lacks jurisdiction to determine whether the Zoning Department must measure distances to the ordinary high-water mark of a body of water or the right-of-way of a road from a foundation rather than the eaves of a structure.
3. An unnecessary hardship does exist. Property owner is unreasonably prevented from using the property for a permitted purpose because a garage is necessary to accommodate using the property for residential purposes.
4. The unnecessary hardship is due to conditions unique to the property, specifically the unique shape of the lot created by the waterfront and position of Highway H.
5. The unnecessary hardship is not self-created, because the limitations of the lot were not created by the owners.
6. Granting the variance will not cause harm to the public interest. The new structure will not be any closer to the ordinary high-water mark of Twin Bear Lake and Highway H.
7. The mitigation plan provided by the Bayfield County Land and Water Conservation Department will aid in protecting the public interest in preventing and controlling water pollution.

Decision

Proposed Construction: A 1-Story Garage (17.8' X 22') = 375 sq. ft. at a height of 25'9" and retaining wall (45')

For the reasons set forth above, the variance to build a 375 square foot garage is **granted**, provided that the Applicant must also complete all parts of the mitigation plan created by the Bayfield County Land and Water Conservation Department.

VOTE TO GRANT VARIANCE subject to mitigation plan created by the Bayfield County Land and Water Conservation Department: Wydeven, Strum, Hoefling: Yes; Eggleson and Madison: No. Motion passed.

Members Present: Kimberly Sturm, Chairperson, Shari Eggleson, Mark Hoefling, Adrian Wydeven, Joseph Madison

Also present: Linda Coleman, appearing virtually, Attorney for B.O.A., Robert Schierman, Zoning Director

Filing of the Decision: <u>March 14, 2022</u> (Kim Sturm, Chairman)

Based upon approval the Planning and Zoning Dept has the following conditions:

- A $30 check within 10 days of the date of this letter. Please make check out to the Reg of Deeds Office and submit to our office
- Build and maintain the retaining wall and pervious paved area to engineering spec standards outlined in the included building plans. Notify Zoning Department when the start of pervious paved area construction begins and provide photo documentation of all components of install. County staff has the right to verify that the retaining wall and pervious paved area are built and maintained to the engineering spec standards and are functioning as a pervious surface.

- Must meet and maintain all setbacks including eaves and overhangs.

- You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams

- Structure may not be used for Human Habitation or Living Space.

- No Sewer and Water allowed in the Structure

- Requirements (e.g., permits/licensing/tax) of Local Town, Village, City, State or Federal agencies may be required

The purpose of this affidavit is to make the foregoing a matter of public record in the office of the Bayfield County Register of Deeds.

The Bayfield County Zoning Agency, shall record the decision, setting forth the terms of the variance and a legal description of the property to which it pertains, with the Bayfield County Register of Deeds. The recording fee shall be paid by the applicant. The terms and conditions of the variance shall be binding upon and inure to the benefit of all current and future owners of such property, unless otherwise stated as part of a condition.

Bayfield County Governmental Official Printed Name and Title: **Mark Abeles-Allison, County Administrator**	**This instrument was signed before me in the State of Wisconsin, County of Bayfield** **On this** 8th **day** July**, 2022**
Governmental Agent(s) Signature: **This** 8 **day of** July**, 2022**	**by:** Paige Terry **Notary Public** **My commission expires on:** 2/8/25

Receiving approval from the Board of Adjustment at the meeting <u>does not</u> authorize the beginning of construction or land use; you must <u>first obtain land use application/permit card(s)</u> from the Planning and Zoning Department.

Town, City, Village, State or Federal Permits May Also Be Required

LAND USE – **X** w/affidavit (Doc# 2022R-595545)
SANITARY – **NA**
SIGN –
SPECIAL –
CONDITIONAL –
BOA – **X** (#22-02B) (1/27/2022)

BAYFIELD COUNTY PERMIT

WEATHERIZE AND POST THIS PERMIT ON THE PREMISES DURING CONSTUCTION

No. **22-0182** Issued To: **Barbara L Kernan (Rev Trust)**

Parcel in Location: **NW** ¼ of **NE** ¼ Section **4** Township **46** N. Range **8** W. Town of **Delta**

Gov't Lot Lot Block Subdivision CSM#

For: A variance from the terms of Section 13-1-22(a)(1) and Section 13-1-22(b).

Permit allows for a **45' Retaining Wall** and a **1-Story** (with Loft for Storage) **Garage** (17.8' x 22' = 375 sq. ft.) at a 25.9' Height to be built — **Variance #1**. The Garage structure shall be built a distance of 10 feet from the right-of-way of County Highway H. **Variance #2** The Garage structure shall be built 35 feet (foundation) / 34 feet (with eaves) from the ordinary high-water mark of Twin Bear Lake.

You (the property owner) shall fulfill the conditions placed by the Board of Adjustment; your recorded affidavit; sanitary (if applicable) and/or any additional requirements placed by this Department. The Planning and Zoning Department requires verification/proof that all conditions have been met. Any future expansions or development would require additional permitting. **(Disclaimer):** The Planning and Zoning Department **does not** authorize the beginning of any construction or land use; **you must first obtain land use application(s)/permit card(s)** from the Planning and Zoning Department.

Condition(s): See Back of this Card

You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams. Wetlands that are not associated with open water can be difficult to identify. Failure to comply may result in removal or modification of construction that violates the law or other penalties or costs. For more information, visit the department of natural resources wetlands identification web page or contact a department of natural resources service center (715) 685-2900.

NOTE: This permit expires one year from date of issuance if the authorized construction work or work or land use has not begun.

Changes in plans or specifications shall not be made without obtaining approval. This permit may be void or revoked if any of the application information is found to have been misrepresented, erroneous, or incomplete.

This permit may be void or revoked if any performance conditions are not completed or if any prohibitory conditions are violated.

Board of Adjustment / Tracy Pooler, AZA

Authorized Issuing Official

August 2, 2022

Date

Condition(s) placed by Board of Adjustment:

The Applicant must also complete all parts of the mitigation plan created by the Bayfield County Land and Water Conservation Department.

Based upon approval the Planning and Zoning Dept has the following conditions:

- **A $30 check within 10 days of the date of this letter. Please make check out to the Reg of Deeds Office and submit to our office**
- **Build and maintain the retaining wall and pervious paved area to engineering spec standards outlined in the included building plans. Notify Zoning Department when the start of pervious paved area construction begins and provide photo documentation of all components of install. County staff has the right to verify that the retaining wall and pervious paved area are built and maintained to the engineering spec standards and are functioning as a pervious surface.**
- **Must meet and maintain all setbacks including eaves and overhangs.**
- **You are responsible for complying with state and federal laws concerning construction near or on wetlands, lakes, and streams**
- **Structure may not be used for Human Habitation or Living Space.**
- **No Sewer and Water allowed in the Structure**
- **Requirements (e.g., permits/licensing/tax) of Local Town, Village, City, State or Federal agencies may be required**